

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, JULY 24, 2023 – 6:30 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.

6:30 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

1. Interview, vote and appoint committee members
 - a. Cultural Council – Patricia Kauffman
 - b. Commission on Disabilities – Dr. Tracy LaChapelle

6:45 p.m. BUSINESS

1. Vote to Approve a Traffic Calming Policy (10 minutes)
2. Report – Cultural Council (15 minutes)
3. Update from Marine and Environmental Services (MES) on shellfish farming and its potential as a non-traditional method to reduce nitrogen (15 minutes)
4. Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to Approve Falmouth Housing Trust Application to Falmouth Affordable Housing Fund – Club Valley Drive (10 minutes)
5. Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to Allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Falmouth Affordable Housing Fund to retain the services of a consultant to update the Housing Production Plan (10 minutes)
6. Vote to Approve a Letter of Support to the MassDOT to conduct a road safety audit along Route 28A in West Falmouth (5 minutes)
7. Nomination to consider naming the Town’s water treatment plant the “Raymond A. Jack Water Treatment Plant” (5 minutes)
8. Nomination to consider naming a sports field or village green in recognition of Harry Hill (5 minutes)
9. Vote to authorize American Rescue Plan Act (ARPA) funding allocations (5 minutes)
10. Request from Mark and Cynthia Albers to submit a Notice of Intent to the Conservation Commission to perform sediment nourishment and maintenance on Town-owned land at 0 Great Bay Street (5 minutes)
11. Request for variance to Sign Code §184-32 Off-Premise Signs: Cub Scout Pack 41 – display from 9/1/23 to 9/24/23 (5 minutes)
12. Request for variance to Sign Code §184-30, D, (1) (a) – Movable, portable or mobile signs: Pastimes Golf, 310 Dillingham Ave., Unit A (5 minutes)

13. Announce November 2023 Annual Town Meeting schedule (5 minutes)

8:25 p.m. CONSENT AGENDA

1. Administrative Orders

- a. Vote to accept a donation in the amount of \$35,000 from Falmouth Together We Can, Inc. for the paving of Swift Playground parking lot in West Falmouth
- b. Vote to accept a donation in the amount of \$5,000 from PAL (Police Athletic League) to the Falmouth Fire Rescue Department CPR program
- c. Vote to authorize expenditure from the Recreation Department Donation Account in the amount of \$20,000 for a dedication bench at Recreation Department playground, refrigerator at Recreation Center and basketball backboards at Lawrence School
- d. Vote to authorize an allowance for outside work for the Assistant Electrical Inspector
- e. Approve a Grant of License to Cape Cod Winery, located at 4 Oxbow Road, to maintain a concrete walkway within the layout of Oxbow Road and to maintain a post and rail fence within the layout of Oxbow Road and Brick Kiln Road
- f. Vote to approve a Grant of License to Lloyd Beckett to maintain a parking area within the layout of Wickertree Road, as more fully described as "Existing Stone Parking" in a sketch plan of the approved location of the licensed area at 99 Wickertree Road, North Falmouth

8:30 p.m. MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - a. Public Session – January 30, 2023 and February 27, 2023

8:35 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

8:40 p.m. SELECT BOARD REPORTS

8:50 p.m. DISCUSSION OF FUTURE AGENDA ITEMS

9:00 p.m. ADJOURN

Nancy Robbins Taylor, Chair
Select Board

OPEN SESSION

TOWN MANAGER'S PRELIMINARY REPORT

July 24, 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 July 24, 2023
DATE: July 21, 2023

Committee Appointments:

1. Non-Regulatory Boards
 - a. Cultural Council – Patricia Kaufman
 - i. There are currently three (3) vacancies; one unexpired term ending 6/30/24, one term ending 6/30/24, and one term ending 6/30/26
 - ii. There is one (1) applicant
 - b. Commission on Disabilities- Dr. Tracy LaChapelle
 - i. There are currently five (5) vacancies; two unexpired terms ending 6/30/24, two terms ending 6/30/25, and one term ending 6/30/26
 - ii. There is one (1) applicant

Business:

1. Vote to Approve a Traffic Calming Policy:

Based upon an increase in the volume of traffic-related issues that have been brought forward to the Select Board and Town Manager's Office as well as an increase in the number of complaints and requests being heard by the Traffic Advisory Committee, Director of Public Works Peter McConarty has taken the initiative to draft a Traffic Calming Policy document for the Select Board's consideration.

This document, if approved by the Select Board, will create a more efficient and effective process for addressing traffic calming requests from the community. The policy will also allow the management team to better coordinate interdepartmental efforts and to monitor the status of projects aimed at mitigating traffic-related concerns.

2. Report- Cultural Council:

The Falmouth Cultural Council is one of 329 local cultural councils serving all 351 cities and towns in the Commonwealth. The primary responsibility of the Cultural Council is to provide grants to community-based programs that offer the greatest public benefit to the Town of Falmouth in the areas of the arts, humanities, and interpretive sciences.

The Chair of the Cultural Council, Patricia Kaufman, will present an annual report concerning the activities of the Council.

3. Update from Marine and Environmental Services on shellfish farming and its potential as a non-traditional method to reduce nitrogen:

Marine and Environmental Services Deputy Director and Shellfish Constable Chuck Martinsen will be presenting an update report regarding how the department has been extensively field surveying the Town's estuaries as part of a multi-phased approach to fully understand the scope of potential areas for shellfish farming as part of a non-traditional approach to attenuating nitrogen. The department has completed Phase 1 and conducted over 800 surveys points.

4. Acting as Trustees of the Falmouth Affordable Housing Fund, Vote to Approve Falmouth Housing Trust Application to Falmouth Affordable Housing Fund- Club Valley Drive:

The FAHF received an application from Falmouth Housing Trust (FHT) requesting \$125,000. FHT plans on purchasing a market rate house at a discount and converting it to a deed restricted home in perpetuity at 120% of AMI for homeownership on Club Valley Drive.

The owners approached FHT with the idea of selling their home, which is appraised at \$605,000 for \$475,000. They would give the difference as a gift and receive a tax benefit. FHT plans on selling the home at 120% AMI and put an affordable deed restriction on the property in perpetuity.

The FAHF Working Group met on June 20, 2023 and gave a favorable recommendation. The Community Preservation Committee met on July 13, 2023 and voted to recommend the funding request.

I recommend the Select Board approve this application.

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$125,000 to Falmouth Housing Trust for the purchase of a market rate house at a discount and convert it to a deed restricted home in perpetuity for ownership on Club Valley Drive and authorize the Town Manager to execute a commitment letter and grant agreement setting forth the terms of the financial award to the Falmouth Housing Trust."

5. Acting as Trustees of the Falmouth Affordable Housing Fund, Vote to Allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Falmouth Affordable Housing Fund to retain the services of a consultant to update the Housing Production Plan:

In February 2008, the Department of Housing and Community Development (DHCD) enacted the Housing Production Plan (HPP) regulation 760 CMR 56.03(4). An HPP is a proactive strategy for planning and developing affordable housing and is certified by DHCD. The term of a Plan is five years. Falmouth's current certified HPP was drafted in 2018 and is due to expire in December 2023.

We will need to retain the services of a consultant to assist with drafting a new HPP. On February 13, 2023, the Select Board approved \$30,000 for this purpose. A Request for Quotes was sent to three consultants. The Town received one response. The response was in an amount that triggered procurement law. A Request for Bids was then posted. The lowest response received was \$69,043. As a result, we will need \$40,000 in supplementary funding in order to retain the consultant's services.

The FAHF Working Group has recommended \$40,000 in supplementary funding to be allocated for a total aggregate amount of \$70,000. At their July 13, 2023 meeting, the Community Preservation Committee voted to recommend the supplemental funding as well.

I recommend the Select Board support this request so that we can proceed with drafting the new HPP.

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, approve to allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Fund to retain the services of a consultant to update the Housing Production Plan."

6. Vote to Approve a Letter of Support to the MassDOT to conduct a Road Safety Audit along Route 28A in West Falmouth:

Based upon concerns raised by members of the West Falmouth Village Association regarding the need to improve traffic and bicycle safety in the Village, in August 2022 members of the Association formed a safety committee to examine the problem. A safety survey was circulated by the Association to its members, and received 205 responses (included in the Board's packet) concerning traffic-related issues.

In April 2023, MassDOT conducted a Road Safety Audit on an approximate two-tenths of a mile segment of Route 28A from Old Dock Road to Chapoquoit Road. The Association has subsequently requested that the Town submit a letter of support to MassDOT District 5 requesting that a Road Safety Audit now be performed on the remaining 2.8 miles of Route 28A.

I recommend that the Select Board vote to approve the Letter of Support to MassDOT to conduct a Road Safety Audit along the 2.8 mile balance of Route 28A.

7. Nomination to consider naming the Town's water treatment plant the "Raymond A. Jack Water Treatment Plant":

On June 30, 2023 former Water Superintendent Mr. Stephen Rafferty submitted a formal application letter to the Select Board requesting that the Board consider naming the Town's Water Treatment Plant facility on Long Pond the "Raymond A. Jack Water Treatment Plant," in honor and recognition of former Utility Manager and Director of Public Works Mr. Raymond Jack who recently passed. Mr. Rafferty stated in his application that Mr. Jack's extensive knowledge and expertise was critical in ensuring that the facility was designed to the very highest standards and that it would meet the Town's needs for decades.

In accordance with the Naming Policy for Public Facilities and Places which the Select Board adopted in February 2023, no action may be taken on an application to name a public facility or place for a period of at least one year following the submission of application. After this waiting period has elapsed, a member of the Select Board is then designated to seek input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named and then report back to the full Board.

8. Nomination to consider naming a sports field or village green in recognition of Harry Hill:

Following a June 10, 2023 presentation to the Recreation Committee by retired Parks Department Director Brian Dale during which Mr. Dale proposed to the Committee that a recreation field or Town green be named in honor and recognition of deceased Department of Public Works employee Mr. Harry Hill, who passed away in March 2023, Recreation Committee Chair Mr. Robert Brown made application on July 17, 2023 (included in the Board's packet) to request that the Select Board consider this memorial recognition.

9. Vote to authorize American Rescue Plan Act (ARPA) funding allocations:

The Town was awarded a total of \$3,243,993 in direct aid through the Coronavirus State and Local Fiscal Recover Funds of the America Rescue Plan Act (ARPA). While the Select Board has previously voted to allocate a majority of this funding, we are requesting a vote to allocate the balance of these unallocated funds in the amount of \$533,993. The Town has until December 31, 2024 to obligate its funds, and all funds must be spent by December 31, 2026.

The Assistant Town Manager will provide some additional details regarding the recommendation to allocate the balance of the funds.

10. Request from Mark and Cynthia Albers to submit a Notice of Intent to the Conservation Commission to perform sediment and maintenance on Town-owned land at 0 Great Bay Street:

In 2017 the Conservation Commission approved a coastal bank stabilization project at 0 Great Bay Street. The Select Board subsequently issued a license allowing the work to proceed, and it has been reported that the project was a success.

The applicant now seeks approval from the Select Board to submit its new Notice of Intent application to the Conservation Commission in order to perform maintenance to include the addition of sediment to the fiber rolls that line the coastal bank as well as removal of invasive plants on and adjacent to the coastal bank. Falmouth Engineering, Inc. has submitted the application and project plans, which are included in the Board's packet.

It should be noted that MES Deputy Director Chuck Martinsen has submitted a memorandum expressing his concerns regarding issues the Town has had with sand movement from the western shore of Great Pond collecting in the ebb and flood tide deltas of Perch Pond. The Town's MES has been working with the neighborhood on these issues and has sought grant funding to address these concerns, however to date none of the grants have been funded. Deputy Director Martinsen is recommending that any nourishment work in this estuary be completed in conjunction with Town efforts to address the wind and wave energy before the sand reaches the area of Perch Pond.

11. Request for variance to Sign Code section 184-32 Off-Premise Signs: Cub Scout Pack 41- display from 9/1/23 to 9/24/23:

The Falmouth Cub Scout Pack 41 is requesting a variance to allow the placement of off-premise promotional signs that they would like to use to invite families to join Cub Scouts. The signs would be placed at the four public elementary schools before the start of the 2023-2024 scouting year. The signs would be set for the period of September 1, 2023 through September 24, 2023, or for a period of 24 days. The dimension of the signs will be 15.5" by 30".

12. Request for variance to Sign Code section 184-30, D, (1) (a)- Movable, portable or mobile signs: Pastimes Golf, 310 Dillingham Ave., Unit A

The business is requesting the approval of a variance to allow the placement of a movable sandwich board-style sign that would be placed near its existing permanent building signage, for the purpose of bringing more awareness about the business.

The business was made aware of the need to request this variance to the Sign Code following a Building Department staff member removing the sign from where it was placed near the permanent sign off the roadway and moving it to the entrance door of the business.

A photograph of the proposed sign is included in the Board's packet. The dimension of the sign would be 24" by 36" or 6 square feet in area.

13. Announce the November 2023 Annual Town Meeting schedule:

The date of the November 2023 Annual Town Meeting is set for November 13, 2023 as announced prior to adjournment of the April Town Meeting. The proposed calendar complies with Town Charter requirements.

We have made some adjustments to the schedule to accommodate the Select Board calendar which includes only one meeting in September. The closing of the warrant is a week earlier than last year and the petition article presentations are two weeks earlier than last year.

Consent Agenda:

The items on the Consent Agenda are routine in nature and have been reviewed by staff and me. I recommend approval.

OPEN SESSION

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
 - a. Cultural Council – Patricia Kauffman

Cultural Council (12 members) (3-year terms)

Three vacancies:

- One unexpired term ending 6/30/24
- One term ending 6/30/24
- One term ending 6/30/26

One applicant:

- Patricia Kauffman



TOWN OF FALMOUTH

**BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM**

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

Name: PATRICIA KAUFFMAN

Address: 51 Carlson Lane # 8 Village: FALMOUTH ZIP: 02540

Mailing Address: _____ Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 3 yrs (date: 4/2020) / Taxpayer 3 yrs (date: 4/2020)

Amount of time you are available to give: _____

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 _____

Currently write press releases and other marketing materials for Falmouth Jazz. Volunteer at Hand 'n Hand. Retired in 2020 from W&PUR, corporate support

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

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

As a former sales professional for WPOR, an
NOR affiliate, I have strong networking and
writing experience that can help move FCC's
agenda forward. I am a creative thinker.

List three (3) references:

Name	Title	Phone
1. John Allen	Dir. Falmouth Jazz	[REDACTED]
2. Don Cross	Co-owner Galley on Main	[REDACTED]
3. Kelly Strout	Co-owner Shuckers	[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.

6.18.2023
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

1. Interview, vote and appoint committee members
 - b. Commission on Disabilities – Dr. Tracy LaChapelle

Commission on Disabilities (9 members) (3-year terms)

Five vacancies:

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

One applicant:

- Dr. Tracy LaChapelle



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

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Name: Dr. Tracy LaChapelle, M.A., LPC, Ed.D.

Address: 30 Pine Valley Drive Unit 58 Village: Falmouth ZIP: 02540

Mailing Address: 30 Pine Valey Drive Unit 58 Village: Falmouth ZIP: 02540

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident June (date: 2021) / Taxpayer January (date: 2022)

Amount of time you are available to give: As needed.

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

1. Commission on Disability
2. n/a
3. n/a

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: _____

Please refer to attachment to the application.

Town offices held in Falmouth or elsewhere and dates of years served: n/a

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

Please refer to attachment to the application.

You may attach a resume to this application.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>Dr. Deborah Nelson</u>	<u>Chairperson at National University</u>	<u>[REDACTED]</u>
2.	<u>Dr. Michael Stokes</u>	<u>Owner of Stokes Counseling</u>	<u>[REDACTED]</u>
3.	<u>Attorney Randall Collette, Kathryn Bean</u>	<u>Attorney, Falmouth Resident, Parent</u>	<u>[REDACTED]</u>

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

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

7/17/2023

DATE


APPLICANT'S SIGNATURE

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

Tracy LaChapelle, MA, LPC, Ed.D

Relevant affiliation and work and personal experiences:

I dedicated over 30 years of my career to working with diverse populations with disabilities. Trauma-informed and cultural diversity awareness, training, consultation, and education for individuals, families, and communities: my strength-based professionalism and personal experiences with disabilities focus on the whole person. I integrate one's ability to connect to community stakeholders and increase empowerment and independence. For example, when I developed and implemented the Victims of Crime program, I trained and consulted with professionals from all backgrounds within agencies, businesses, and educational settings to better understand trauma-informed approaches (i.e., psychological first aid) to promote academic, employment, and community involvement opportunities for underrepresented and marginalized populations (i.e., mental health and substance abuse disabilities, medical disabilities, learning disabilities, etc.)

As a doctorate student conducting independent research, I needed to affiliate nationally with experts on my topic: Equitable communication for college students with Deaf, deaf, and Hard of Hearing (D/d/HH). This process included establishing credibility and additional training with the National Deaf Center challenging my hidden biases towards the D/d/HH to maintain objectivity throughout my study. I learned that by having a disability with D/d/HH, I needed to rely on improving self-advocacy skills and collaborating support and resources within multi-dimensional systems with others from supportive hearing populations. I have the communication skills required as a board member to make a difference for others with diverse disabilities and unique needs to develop community partnerships with accessible, supportive environments for independence and efficient self-advocacy.

Furthermore, as a Licensed Professional Counselor (LPC), I abide by the American Counseling Association (ACA) code of ethics and compliance, which requires yearly continuing education unit (CEU) training to minimize personal bias to improve clients' therapeutic relationships. Similar to the laws for municipal employees, the Health Insurance Portability and Accountability (HIPAA) privacy and confidentiality law are required an LPC to follow regulations based on how the law applies to my position.

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

I have excellent communication and written skills, and I am skillful in researching policies and best practices for educating all community stakeholders to raise awareness of the needs of persons with disabilities. With my passion for continuously learning and enhancing my understanding, I add a collaborative and multi-perspective with resolutions to the board. For instance, as an unrepresented doctorate student with D/d/HH and progressing symptoms, my chairperson and I collaboratively were trailblazers by creating a pathway for myself and future students to have equitable access to communication. I want to continue being a trailblazer with other like-minded board members to support residents in Falmouth with disabilities to have equitable access and enable their fullest potential with community stakeholders.

Tracy LaChapelle, MA, LPC, Ed.D.

Falmouth, MA

PROFESSIONAL EXPERIENCE

Briarwood Resort (2023-Present)

Contract-work

- * Fill in entry-level and managerial positions to support the resort being short-staffed
- * Effective communication skills with customer relations and analytical problem-solving.

Stoke's Counseling

Sole proprietor Telehealth Counseling (2020- Present)

- * Strength-based trauma-informed counseling for children and adults.
- * Advocate for the Deaf, deaf, and hard of hearing community, invisible and sensory perception disabilities-abilities, physical/intellectual disabilities-abilities, LGBTQIA+, and gender-affirming care, diversity, and inclusion practices.
- * Leadership in diversity, equity, and inclusion of behaviors, attitudes, and awareness that supports culture and community of respect to promote independence.
- * Provide consultation to parents and other medical and mental health professionals.

United Community and Family Services (UCFS)

Northeast Connecticut (CT) Emergency Mobile Crisis Supervisor (2019 – 2020)

Administrative responsibilities for the Northeast/Southeast CT Mobile Crisis Team for children and adolescents with psychiatric, intellectual, and developmental disabilities and substance abuse.

- * Memorandum of understanding (MOUs) with all schools within the Northeast of CT.
- * Collaboration with community stakeholders: Schools, libraries, emergency rooms, DCF, police, etc.
- * Trauma-informed and restorative practices.
- * Juvenile Review Board for Northeast CT

The Learning Clinic/School and Residential Programs

Clinical Director (2018)

Administrative responsibilities for the school, residential programs, and high school to the adult community transition program.

- * Special Educational School; students (6y/o-25y/o) are on the autism spectrum, developmental disorders, and intellectual and learning disabilities.
- * Enhance communication and collaboration within the multi-disciplinary team.
- * Excellent critical thinking and decision-making skills.

Hartford Behavioral Health (HBH)

Trauma-Informed Clinical Supervisor/Program Development (2016-2018)

Program development and implementation of Project SAVE (Stop Abuse & Violence; Empowerment) for children and adults and Project ASAP (Adult Sexual Assault Program).

- * Trauma, mental health, and substance abuse treatment for children and adults.
- * Trauma-informed training and awareness for parents, agencies, and communities.
- * Establish and maintain collaborative partnerships (schools, colleges/universities, churches, police, YMCA, hospitals, Department of Children and Families, etc.).

Tracy LaChapelle, MA, LPC, Ed.D.

Falmouth, MA

Northeast Center Youth and Families (NCYF)

Program Director (2014-2016)

Responsible for the overall operation of clinical, administrative, budget, property, and medical services for youth (14-21 y/o) in a group home integration from high school into adult services, educational, career, and employment communities.

- * Support youth with psychiatric, intellectual, and developmental disabilities.
- * Community outreach and collaboration with the Department of Children, schools, juvenile courts, probation, emergency room, State Troopers, local police, etc.

Community Health Resources (CHR) (2008-2014)

Clinical Program Supervisor

Supervision of clinicians and case managers for the reunification of children within families.

- * Address domestic violence, abuse, neglect, mental health issues, disabilities, alcohol and substance abuse, parenting skills, adjusting to transitions, homelessness, and utilizing community support and resources.

Clinician/Supervisor

Clinician and Supervisor of EMPS Team (Emergency Mobile Psychiatric Services)

- * Collaborate and initiate community support for clients by having essential communication and interpersonal skills needed with families, community supports and resources, school-based libraries, probation/juvenile court, primary care physicians, nurses, police, Department of Children and Families, local emergency room departments.

Riverside Community Care,

Clinician (2000-June 2003)

- * Evaluation of children and adults to effectively communicate and consultation to emergency room physicians determining the required level of care.

Butler Psychiatric Hospital,

Mental Health Worker (1992-2000)

- * Demonstrate competency with a wide range of psychiatric populations.

EDUCATION

- * Doctorate at National University: Educational leadership, graduated in 2023 with a 4.0 GPA.
- * Dissertation on the awareness of the marginalization and underrepresentation of the Deaf, Deaf and hard-of-hearing college population.
- * Currently researching and in the process of publishing peer-reviewed articles promoting awareness of the impact of intersectionality and attitudes toward others with hearing disabilities, enhancing equitable accessibility and inclusive support, resources, and communities.

LICENSURE

- * Licenced Professional Counselor (LPC) in Connecticut since 2013.

Dr. Tracy LaChapelle, MA, LPC, Ed.D
30 Pine Valley Drive, Unit 58
Falmouth, MA 02540
Re: Commission on Disabilities

To whom it may concern,

July 17, 2023

In supervisory roles for over ten years, I advocated and made significant changes for persons with disabilities: Psychiatric disabilities, attention deficit, sensory/neurodivergent disabilities, learning disabilities, physical disabilities, developmental or cognitive disabilities, medical disabilities, Deaf, deaf, and Hard of Hearing (D/d/HH), etc. For instance, I help parents and students advocate better and support their children with disabilities transitioning from high school to college settings for approval of accommodations improving retention and completion rates. Furthermore, a business mentor collaboration program was needed to advocate for adults with autism and establish predictable routines with role models to maintain employment.

I confront challenges and require collaboration with my doctors at Massachusetts General Hospital and Massachusetts Eye and Ear to understand my disabilities. After life-long progressive symptoms, I was only diagnosed in 2019 with a one-of-a-kind medical condition affecting my hearing and balance. Furthermore, last summer in 2023, I had a life-threatening surgery never performed to prevent worsening balance problems and me from being completely deaf. My experiences circle back to this position as a member of the Commission on Disabilities because I understand how scary it can be to have my body become impaired beyond my control or choice. Furthermore, from traumatic experiences of years without a diagnosis, I was sometimes misunderstood, especially in supervisory positions, silently struggling and fearful of others' retaliation when requesting accommodations to reach my personal and professional goals. I can apply my experiences and skills in the Falmouth community for others fearing the request of accommodations without having a clear message of being in a supportive environment.

My goal as Commission on Disabilities aligns with the board's mission of collaborating and "educating all stakeholders in the community to raise the awareness of all of the town's residents and businesses as to the needs of persons with disabilities, including physical, intellectual, and developmental impairments." Vocational and educational community opportunities accessible through equitable delivery inspire success and empower lives. Staying current with the research, collaborating with others, and pursuing my passion is essential for raising awareness and equitable opportunities with community stakeholders and actively listening to the "silent voices" of residents' needs with disabilities.

I also bring a solid positive and pleasant attitude. Being dependable and analytical solution-oriented, I aim to work with other members to share my dedication to the growth and success of equality for those with disabilities. I welcome the opportunity to schedule a meeting to discuss this opportunity and the further contributions I can make to the Commission on Disability.

Sincerely,
Dr. Tracy LaChapelle, MA, LPC, Ed.D

OPEN SESSION

BUSINESS

1. Vote to approve a Traffic Calming Policy **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Click or tap here to enter text.

ITEM TITLE: Traffic Calming Policy Presentation and Approval

MEETING DATE: 7/24/2023

WORK SESSION **REGULAR MEETING** **PUBLIC HEARING**

SUBMITTED BY: Peter McConarty, Director of Public Works

ATTACHMENTS: Traffic Calming Policy; SA-QA Speed Display Request

PURPOSE:

Public Works is requesting to be placed on the agenda to present and recommend for approval, a Town-wide Traffic Calming Policy to manage the ongoing traffic congestion and speeding complaints received by residents and the general public.

BACKGROUND/SUMMARY:

- The Police Department, Town Managers Office, Traffic Advisory Committee (TAC), and Public Works Department routinely receive complaints regarding traffic related issues and vehicle speeding on roadways throughout Falmouth. This policy will provide a consistent process where the Town can respond to and address resident's concerns.
- A brief presentation will provide an overview of the policy and will outline what measures have been taken in the past and how the traffic calming efforts will continue utilizing state-of-the-art technologies.

- The presentation will describe typical traffic calming measures that have been used and proven effective on roadways throughout Town.
- It is expected that if this policy is adopted, its use will be a collective joint effort involving the Police Department, Traffic Advisory Committee, and Public Works.

DEPARTMENT RECOMMENDATION:

The Department of Public Works in collaboration with the Traffic Advisory Committee recommend approval of the Traffic Calming Policy (attached).

OPTIONS:

N/A

BUDGET INFORMATION: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

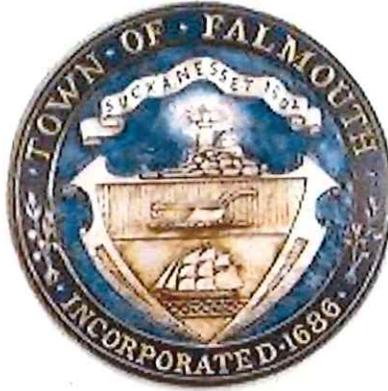
FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

TOWN MANAGER COMMENTS:

Town Manager

7/20/2023

Date



TOWN OF FALMOUTH, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

Traffic Calming Policy

Adopted: July __, 2023

TOWN MANAGER

Michael Renshaw, ICMA-CM, MPA

BOARD OF SELECTMEN

Nancy Taylor, Chair

Scott Zylinski, Vice Chair

Douglas C. Brown

Onjalé Scott Price

Robert Mascali

DIRECTOR PUBLIC WORKS

Peter M. McConarty, P.E., P.L.S.

Administration Department

416 Gifford Street

Falmouth, MA 02540

Phone: (508) 457-2543 FAX: (508) 548-15

I. PURPOSE

This policy has been developed in order to establish a structured process and consistent criteria through which the Town can respond to and address residents' requests for traffic calming measures on Town maintained roads. All requests shall be evaluated on a case-by-case basis to determine whether traffic calming in the requested location is warranted.

II. INTRODUCTION

“Traffic calming” measures are physical road design elements intended to reduce vehicle speeds and improve driver attentiveness. The Institute of Traffic Engineers defines traffic calming as, “the combination of mostly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized users.” When used in the appropriate settings, the reduction in vehicle speeds obtained through traffic measures reduces both the frequency and severity of collisions and improves the safety of both pedestrians and bicyclists.

Put simply, traffic calming is building and redesigning roadways with certain features and characteristics to induce drivers to slow down and pay more attention to their surroundings.

III. HOW IS TRAFFIC CALMING ACHIEVED?

Successful traffic calming requires a comprehensive approach that does not rely on any single solution (e.g. speed humps, tables) or strategy. While there are various techniques available, a sound approach revolves around **Education, Enforcement, and Engineering**.

Education: Informs motorists how they can ease traffic impact through behavioral changes, and advises them about traffic management activities and opportunities for involvement.

Enforcement: Engages the Falmouth Police Department to focus traffic and speed enforcement efforts in areas of particular concern.

Engineering: Combines physical measures to reduce the negative impact of motor vehicles, alter driver behavior, and improve conditions for pedestrian and non-motorized street traffic.

See Description of Typical Traffic Calming Measures **Appendix A** for a more detailed discussion of traffic calming measures.

IV. PROCESS FOR INITIATING A TRAFFIC CALMING REQUEST

The Traffic Calming Policy is designed to provide a strong, consistent framework to guide traffic calming efforts, and to ensure:

- A formal and consistent process for evaluation requests for traffic calming.
- A formal and consistent process for evaluating the efficiency of traffic calming efforts.
- Maximum community awareness and support for traffic calming.
- A clear funding strategy to implement recommended traffic calming measures.

Application: An application shall be made to the Traffic Advisory Committee (TAC). The TAC shall review and notify the Department of Public Works (DPW) if recommended. See **Appendix B.**

Local Review Process: If the TAC recommends referral to the Department of Public Works, the Department will review the application and notify, the Falmouth Police, Fire and the Town Engineer. The Public Works Department will formally notify the applicant(s) and Traffic Advisory Committee of the decision within 45 (forty-five) days. Response time may be altered depending on the Departments workload.

Local Appeal Process: The applicant may appeal a determination to the Traffic Advisory Committee, and later to the Board of Selectmen.

The following process will be followed when considering requests for developing, designing, and implementing traffic calming measures on Falmouth roadways.

For Local Roads: For requests for traffic calming on Town roads, the Public Works Department will make a decision as to whether the application is appropriate after reviewing recommendations and comments from the Police, Fire and Town Engineer and after reviewing the criteria outlined under “Traffic Study”, herein.

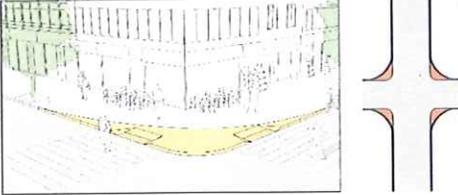
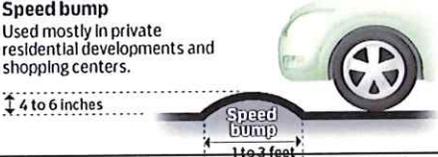
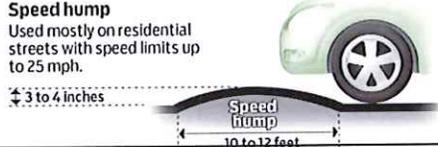
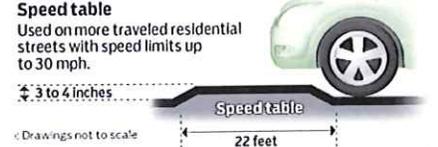
For State Roads: For requests for traffic calming on State Roads under the jurisdiction of MassDOT, the DPW will make a decision as to whether the application is appropriate after reviewing recommendations and comments from the Police, Fire and Town Engineer and after reviewing the criteria outlined under “Traffic Study”, below. The DPW may then make a request to MassDOT on behalf of the applicant.

Traffic Study: A traffic study *may* be required to assist in determining if the criteria are satisfied for the installation of traffic calming measures at a particular location. The components of a traffic engineering study will vary by location, but may include consideration of:

- Speed and volume on the street(s) involved
- Accident data reports, and other relevant reports
- Existing sidewalk network and ramps
- Adequacy of sight distances (absence of sight obstructions)
- Street characteristics including grade, curvature, pavement widths, number of vehicle and bicycle lanes
- Location of adjacent curb-cuts
- On-street parking
- Street lighting
- Location of drainage structures
- Traffic signal progression
- Other field observations, as needed

Appendix A: Description of Typical Traffic-Calming Measures

Devices & Techniques	Descriptions	Photos
<p style="text-align: center;">Education</p>	<p>Instructions provided to residents regarding safe on-street vehicle travel.</p>	
<p style="text-align: center;">Police Enforcement</p>	<p>Involve employing the services of law enforcement agencies to impose safe vehicle laws, including those for posted speeds and traffic signal/signs.</p>	
<p style="text-align: center;">Roadway Lane Narrowing (Road Diet)</p>	<p style="text-align: center;"><u>Curley Blvd.</u></p> <p>Narrow lanes reduce speeds and minimize crashes on Town streets by way of reducing the right-of-way and making drivers wary of traffic and adjacent users. 11' min.</p>	
<p style="text-align: center;">Roadway Painting (Sharrows)</p>	<p style="text-align: center;"><u>Katharine Lee Bates Road</u></p> <p>Sharrows or shared lane pavement markings are bicycle symbols that are placed in the roadway lane indicating that motorists should expect to share the lane with bicycles and vice-versa.</p>	
<p style="text-align: center;">Speed Feedback Sign</p>	<p style="text-align: center;"><u>Route 151</u></p> <p>Speed feedback signs, also known as dynamic speed displays, provide drivers with feedback about their speed in relationship to the posted speed limit.</p>	
<p style="text-align: center;">Speed Study (For Purposes Of Revising Roadway Segment Speed)</p>	<p>A municipal official can request a speed limit be modified on a roadway by sending the request to MassDOT. This process is costly and does not always produce wanted results.</p>	<p style="text-align: center;"> <small>Procedures for Speed Zoning on State Highways and Municipal Roads</small></p>

Devices & Techniques	Descriptions	Photos
<p>Median and Refuge Islands</p>	<p><u>Queens Buy-Way</u> Raised islands located along the centerline of a roadway that narrow the width at that location.</p>	
<p>Corner Radii</p>	<p>Narrowing corner radii reduce vehicle turning speeds and reduces pedestrian crossing distances. Minimizing corner radius can create safe and compact intersections. 25' min.</p>	
<p>Bulbouts/Neckdowns/Chokers</p>	<p><u>Main Street</u> Curb extensions at intersections that reduce curb-to-curb roadway travel lane widths.</p>	
<p>Speed Bump</p>	<p>A ridge of bump set in the road surface, typically at intervals, to control vehicle speed</p>	<p>Speed bump Used mostly in private residential developments and shopping centers.</p> 
<p>Speed Hump</p>	<p>Rounded raised pavement devices placed across roadways to slow and/or discourage traffic</p>	<p>Speed hump Used mostly on residential streets with speed limits up to 25 mph.</p> 
<p>Speed Tables / Textured Pavement / Raised Crossings</p>	<p>Flat-topped speed hump often constructed with a brick or other textured material to slow traffic.</p>	<p>Speed table Used on more traveled residential streets with speed limits up to 30 mph.</p>  <p><small>Drawings not to scale</small></p>
<p>Roundabouts</p>	<p>Barriers placed in the middle of an intersection, directing all traffic in the same direction</p>	

Appendix B – TRAFFIC CALMING APPLICATION FORM

This form is used to request traffic calming measures on a Town maintained street or to request the Town make a request to MassDOT for jurisdictional streets/roads. When this form is submitted and recommended by the Traffic Advisory Committee, Town staff will evaluate the request to determine if the application is acceptable and make sure that the location is a Town maintained street. After the initial evaluation Town staff will explain how residents may put together a petition to promote community involvement in regards to the potential traffic calming measure. **Application to be submitted to the Falmouth Traffic Advisory Committee, 59 Town Hall Square, Falmouth, MA 02540.**

Contact Information

Name (please print) _____

Mailing Address _____

Phone Number _____ Email _____

Description of Request:

Please describe the requested traffic calming location. Attach a map or picture if necessary: _____

Please describe the nature of the neighborhood traffic and why it may be beneficial to institute traffic calming measures (attach additional sheet if necessary): _____

Appendix B – NEIGHBORHOOD PETITION FORM (page 1)

Traffic Calming

Please fill out this form and return with attached sheets to: Falmouth Traffic Advisory Committee, 59 Town Hall Square, Falmouth, MA 02540.

THE UNDERSIGNED AGREE TO THE FOLLOWING:

i. All persons signing this petition do hereby certify that they own property or reside within the following area: _____

ii. All persons signing this petition do hereby agree to the following problem in the defined area:

3. All persons signing this petition do hereby agree that the following contact person(s) represents the neighborhood in matters pertaining to items 1 and 2 above:

Name of key contact person #1 (please print) _____

Legal Mailing Address _____

Phone: _____ email: _____

Name of key contact person #2 (optional) (please print) _____

Legal Mailing Address _____

Phone: _____ email: _____

Please attach additional pages if necessary to discuss the request.

Date Submitted: _____

The Sippewissett Association, Inc.
Post Office Box 501
Falmouth, Massachusetts 02541
October 19, 2022

Ms. Nancy Taylor
Chair, Select Board

Dear Chair Taylor and Select Board Members,

Summary. With the wide use of smart phone traffic apps, the narrow, winding Sippewissett Road and Quissett Avenue now serve as the main alternative route to and from the ferries and Woods Hole. They are also designated bicycle routes and popular pedestrian walkways. In September 2019, the Traffic Advisory Committee (TAC) “recommended installation of four electronic speed display signs along the Sippewissett-Quissett Corridor TAC also recommends data collection by the FPD.” In bringing this recommendation to the Board of Selectmen (October 28, 2019), the Town Manager suggested, and the Board agreed, to ask Chief Dunne for the FPD’s recommendation.

To inform the response to the Board, Chief Dunne planned to collect data in Spring 2020 on traffic speeds on this corridor with and without the FPD’s radar speed display trailer. The COVID-19 pandemic delayed data collection until August 2021. These data show that a speed display substantially reduces speeding, especially the fastest and most dangerous speeding drivers. (Figure 1, attached.) With this FPD information now available, the associations representing the Sippewissett and Quissett communities urge the Select Board to approve the installation of the four electronic speed display signs recommended by the TAC. We have reviewed this proposal with Chief Dunne and he supports the TAC recommendation. **End Summary.**

Data Collection. On Sippewissett Road at Valley Road, from August 2nd to 7th Officer Porter collected data on traffic volume and vehicle speeds for both southbound and northbound traffic. A police radar trailer displayed to southbound drivers their vehicle speed. The radar trailer was then removed, and speed and traffic volume data were collected August 17th to 23rd.

Assessing Enforcement Priority. The software widely used by police departments to evaluate traffic data is the “Speed Enforcement Evaluator”. It displays on a graphic the percentage of enforceable violations, with the percentage of traffic travelling more than 10 mph over the posted speed limit usually considered the criterion for enforcement. Without the radar trailer, 10.9% of total north and southbound traffic (129 vehicles/day) were exceeding 10 mph over the posted speed of 25 mph (the software rates this as a “low” enforcement priority). However, almost all the speeding was northbound traffic on a straightaway, with 14.1% (103 vehicles/day) driving 10 mph over posted speed (rated as a “medium” enforcement priority). If 5 mph over the posted limit is considered an enforceable violation, the enforcement rating becomes “high” with 46.3% (548 vehicles/day) travelling over 30 mph.

Assessing the effect of speed display signs. Officer Porter’s data also can be used to analyze the effect on driver behavior of displaying speeds. As shown in Figure 1, the speed display had a striking effect in reducing speeding. **With the speed display, the percentage of vehicles in the 31-35 mph range was roughly half** what it was without the speed display. At higher speeds, the

effect of the speed display was even more dramatic: **with the speed display** the percentage traveling 36-40 mph was about **one quarter** what it was without the display. These results support the usefulness of electronic speed display signs in reducing speeding on this key residential corridor.

Measuring “normal” speeding. The period with the radar display trailer removed, (Aug. 17-23) approximates “normal” speeding on this corridor, posted speed 25 mph. Over the 7 days, 8,289 vehicles passed by the test site (1,184/day). Of these, 3,837 (548/day) were exceeding 30 mph; 903 (129/day) were exceeding 35 mph; 114, or (16/day) were exceeding 40 mph and 9 were exceeding 55 mph. We believe that these data demonstrate that electronic speed display signs can sharply reduce the number of drivers traveling at the highest and potentially the most dangerous speeds.

Conclusion. Since the TAC recommendation to install four electronic speed feedback signs on this corridor was first placed on the Select Board’s agenda in 2019, the need for these signs has become more compelling and their effectiveness better documented.

- Ferry traffic volume and related traffic congestion has substantially increased.
- Greater use of smartphone traffic apps diverts more drivers to this alternative ferry route.
- Information collected on this corridor by the Police Department demonstrates that electronic speed display signs can reduce speeding.

We are grateful to Chief Dunne for sharing with us his original data collection plan and to Officer Porter for providing the detailed data needed to measure the effect of the speed displays on speeding. Our two communities urge you to approve the TAC’s recommendation that four electronic speed feedback signs be installed on the Sippewissett Road-Quissett Avenue corridor.

Thank you in advance for your consideration.

Sincerely yours,

Arthur Gaines, President, The Sippewissett Association
Robert Strieter, President, The Quissett Association
Charles Mann, Chair, Sippewissett – Quissett Associations’
Joint Traffic and Road Safety Committee
[REDACTED]

Attached:

Figure 1: Vehicle Speeds on Sippewissett Rd. with and without Radar Speed Display, Aug. 2021.

Figure 2: “Normal” Vehicle Speeds on Sippewissett Rd. (No speed display) August 2021.

Falmouth Police Department: Speed Enforcement Evaluator - Sippewissett Road 2021 data.

Excerpt from Minutes of TAC meeting: September 16, 2019.

Excerpt from Minutes of TAC meeting: November 18, 2019 (Town Manager’s Action Report.)

Excerpt from Minutes of Board of Selectmen Meeting, October 28, 2019: re TAC agenda item.

OPEN SESSION

BUSINESS

2. Report – Cultural Council (**15 minutes**)



Falmouth Cultural Council
Annual Report to the Falmouth Select Board
July 24, 2023

The Falmouth Cultural Council is one of 329 Local Cultural Councils serving all 351 cities and towns in the Commonwealth. The Local Cultural Council Program, administered by the Massachusetts Cultural Council, a state agency, is the largest grassroots cultural funding network in the nation; it supports thousands of community-based projects in the arts, humanities, and interpretive science. Every year the state legislature provides an annual appropriation to the Mass Cultural Council, which then allocates funds to the local cultural councils. The local councils use those funds to support a wide variety of community arts projects. Local cultural councils may also supplement those funds.

For FY2023, the Falmouth Cultural Council was allocated \$8,400 by the Mass Cultural Council, as well as \$10,000 from the Town of Falmouth for projects taking place from July 2022 through December 2023. The Falmouth Cultural Council received 42 grant applications totaling \$36,392 in the fall of 2022. The FCC was able to fund 28 of these applications for a total of \$20,000 by using \$1,600 of its reserve funds. ***Of these 28 approved applications, 92% were fully funded, up from 60% before town funds were added.*** The complete list of FY23 grantees is at the end of this report. The Council receives contributions to its reserve funds through its Falmouth ArtMarket, which is held at Marine Park on Tuesdays during the summer.

The major responsibility of the Falmouth Cultural Council is to provide grants to community-based programs that offer the *greatest public benefit to the Town of Falmouth* in the arts, humanities and interpretive sciences. Its second and ongoing responsibility is community engagement. Our spring grantee reception, fall grant-writing workshop, and community survey are part of the Council's outreach efforts.

The community survey was launched on the evening of April 10, 2023. We reached out to all town meeting members by email to thank them for their support and to request that they complete the brief online survey. Members of the Council actively solicited surveys during the three months of the survey period, ending on July 15, 2023. We solicited feedback at a variety of cultural and community events, such as Arts Alive, the Falmouth Farmers Market, and the Falmouth Art Market, as well as through organizations and venues such as the Falmouth Chamber of Commerce, the Falmouth Art Center, and the Falmouth Dog Park. We provided rack cards with a QR code and a link to the survey at the Falmouth

Public Library's Circulation Desk and in its Teen Room, as well as at Highfield Hall and Town Hall. We had the survey translated into Portuguese and Spanish and reached out to our non-English-speaking community members, including the Falmouth Service Center which agreed to distribute our survey.

These efforts resulted in over a three-fold increase in survey participation by year-round and seasonal residents, as well as visitors. We learned there is more to be done to make the entire community aware of the grant program and to solicit new program ideas and encourage first-time grant applicants. The results of the Community Survey create the funding priorities that Council members use in assessing the applications it receives for the FY24 grant cycle.

A brief summary of survey results indicates that the Falmouth community's top three programming preferences are: community-wide fairs and festivals; children's and school programs; and concerts and dance performances. These are followed closely by: projects celebrating local history; theater, comedy, poetry, storytelling, and spoken word performances; fine and applied art exhibits, receptions and classes; and interpretive science projects and lectures.

Asked about **unmet needs** in regard to cultural programming, respondents overwhelmingly selected: free or low-cost programs (\$10 - \$20 pp. or per family, with children free); programs in all the villages of Falmouth; projects celebrating cultural diversity; and new local events and projects. Asked to select three underserved populations in need of programs, respondents prioritized: Low-income community members; BIPOC community members; and families and children. These were followed closely by programs for teens, seniors, and disabled community members.

An additional outreach effort has been made to include youth representation on the Falmouth Cultural Council. We have a goal of having 2 -3 young adults (high school, community college, vocational school and/or working adults) on the Council by the end of FY 2024. At present, we are fortunate to have one Falmouth High School senior, with interest in interpretative science, who has been appointed by the Select Board.

The Council has collaborated with the Wellfleet, Mid-Cape, and Mashpee councils to share best practices and learn new methods of community engagement. Out of these meetings, the Council is exploring more effective ways of working with grantees for the promotion of their events in order to increase attendance. We will also work with town committees and our schools to encourage art that has a public presence. For example, the Wellfleet Cultural Council holds a contest for artists of all ages to design the town's beach sticker.

The FY2024 Grant Cycle begins in the fall of 2023. It is expected that the applications will be available on September 1 and due October 15. The Falmouth Cultural Council will hold a grant writing workshop in September to encourage first-time applicants and will answer any questions potential applicants might have on the online application process. The Mass Cultural Council assembles the applications and provides them online to the local cultural councils, which review the applications in November and December. Decisions are made by early 2024.

Falmouth Cultural Council Mission Statement

To promote excellence, inclusion, education, and diversity in the arts, humanities, and interpretive sciences in order to foster a rich cultural life, and contribute to the economic vitality of our community.

The 28 FY23 Falmouth Cultural Council Grantees Are:

Arts & Justice Collective	Community House Parties	\$500
Davis R. Bates, III	Raising Our Voices: A Summer Reading Performance	\$550
Beyond the Bounds	Beyond the Bounds, 2023	\$1,000
Cahoon Museum of American Art	Wampum Exhibit Community Access	\$500
Calliope Poetry for Community	Wish You Were Here: Postcards from the Past	\$1,200
Cape Cod Chamber Music Festival	Summer Chamber Music Festival in Falmouth	\$500
Children's Discovery Museum	Oceans & Waterways, WHOI	\$1,000
College Light Opera Company	CLOC Community Shows: June, 2023	\$1,000
Cultural Center of Cape Cod	Rise and Shine Program	\$250
Lisa Esperson	Drum Rhythms from around the Atlantic	\$750
Falmouth Art Center	Art History Lectures	\$750
Falmouth Chamber Players	Falmouth Chamber Players Spring Concert	\$500
Falmouth Community Television	Streaming for Creators	\$907
Falmouth Historical Society	Discovery Backpack	\$750
Falmouth Jazz	Celebrating Women Blues Singers: Women's History Month	\$550
Falmouth Village Association	Falmouth Village Movies Under the Stars	\$1,000
Good Grief Cape Cod	Good Grief Expressive Art Program	\$1,000
Dawna Hammers	Earth Day Concert	\$700
Historic Highfield	End to End: Artists with Land and Sea—Summer Exhibition	\$1,000
Stephen Lewis	Nuclear Energy: Is there a future? An International Poster Exhibit	\$195
Pamela Means	The Power of the Protest Song: Our Shared History and Present Day	\$950
North Falmouth Village Association	What's My Message?	\$400
Skylark Vocal Ensemble	Sauntering Songs	\$1,000
West Falmouth Library	Bringing the Zoo to You	\$450
Mary Wilson	Puppets: Paul & Mary Show	\$500
Woods Hole Film Festival	WHFF Celebrates Black History Month	\$1000

Woods Hole Historical Museum	Improvements to Museum	\$429
Jacek Zuzanski	Puppet Show: "Alice or Red King's Dream," and workshops	\$669

These Falmouth Cultural Council grantees demonstrate that Falmouth has a strong and vital creative community that helps support the local economy, and we feel that the Town's commitment to Cultural Council funding is crucial in order to support individuals and nonprofits who contribute to Falmouth's diverse arts community. In addition, these grants reduce or eliminate fees to the public, thereby increasing access to cultural events and programs that are inclusive of the whole community.

The Falmouth Cultural Council meets on the third Tuesday of the month at 7:00 PM at Town Hall. All agendas and minutes of Council meetings are available on the Town of Falmouth's website.

Current members of the Falmouth Cultural Council are:

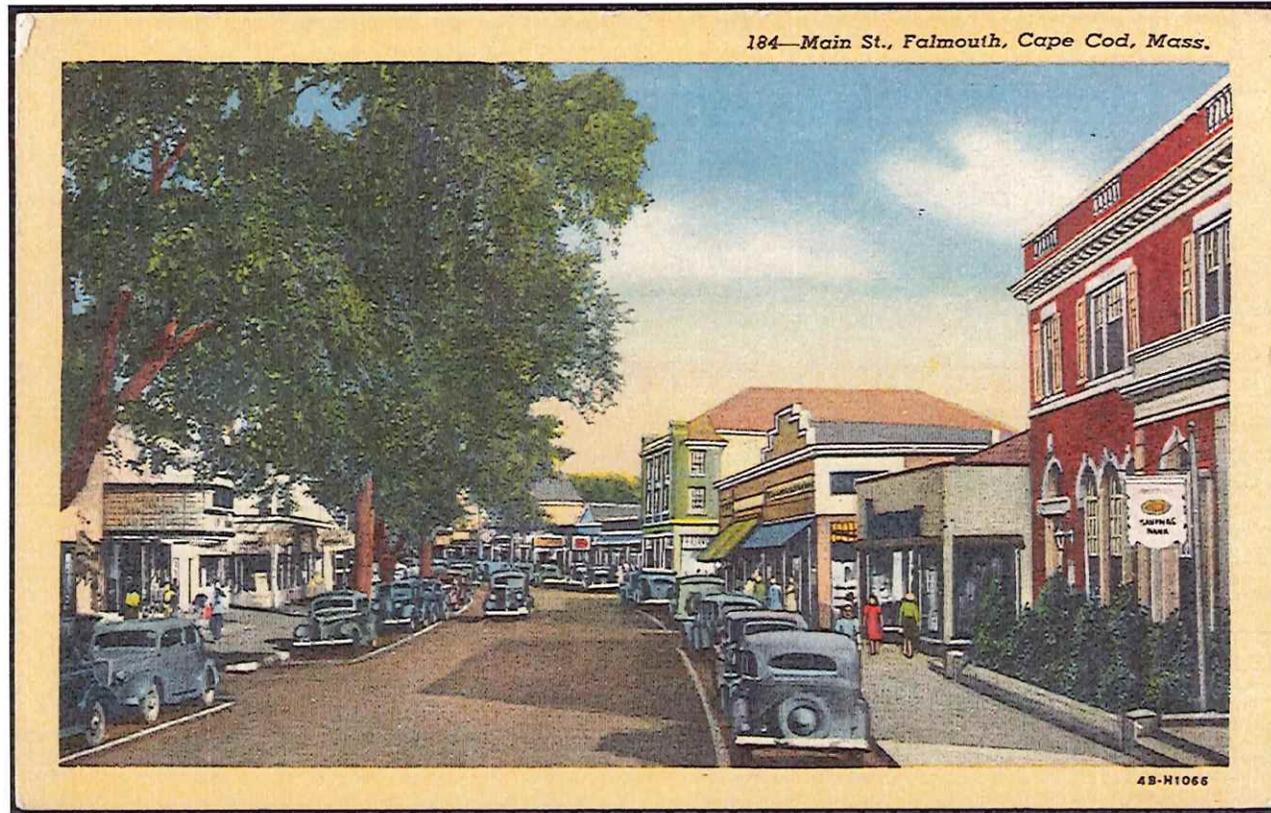
- o Alice Kociemba, Chair
- o Marilyn Rowland, Secretary
- o Ilene Karnow, Treasurer
- o Nikki Engstrom
- o Carrie Fradkin
- o Sadie Inman
- o Caroline Inman
- o George Scharr
- o Stacey Weissbock

Thank you for this opportunity to present this information to you. We are happy to answer any questions you may have.

Sincerely,
 Alice Kociemba, Chair, Falmouth Cultural Council

Falmouth Cultural Council Mission

To promote excellence, inclusion, education,
and diversity in the arts,
humanities, and interpretive sciences
in order to foster a rich cultural life,
and contribute to the economic vitality of our community



Falmouth Cultural Council funded 28 (of 42) grant applications with \$20,000. \$10,000 was allocated from the Town of Falmouth; \$8,400 from Mass Cultural Council; and \$1,600 reserve funds from the ArtMarket.



The addition of Town funds made it possible to FULLY fund 92% of these 28 grants, up from 60%

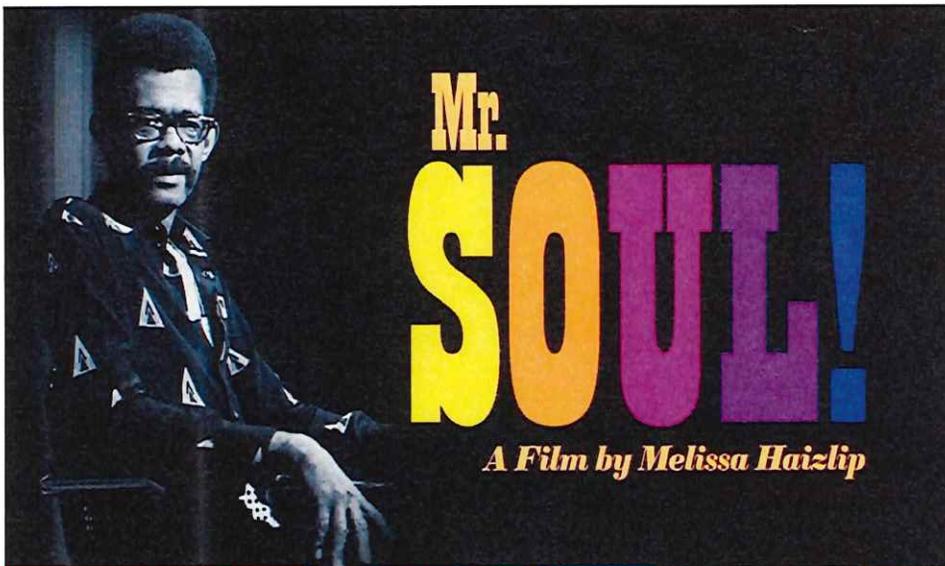
Art Market Poster by Kaileigh Rose

#1 Community Funding Priority: Free or Low-Cost Events

Woods Hole Film Festival
Celebrates Black History Month

Falmouth Community Television
Streaming for Creators

Dawna Hammers
Earth Day Concert



STREAMING
for
CREATORS



**Sunday,
February 26,
5 - 7 pm**

TO REGISTER:
fctv.org/product/streaming/

This one-session workshop introduces musicians, artists, and other creators to the exciting world of online streaming through portals like YouTube, Facebook, and Twitch. With free software and inexpensive equipment, anyone can perform, chat, and even teach online. This two-hour session is a perfect opportunity to find out how to connect with new and existing audiences through the Internet.

Thanks to a grant from the **Falmouth Cultural Council**, this special session on February 26 will be free. No prerequisites.



www.fctv.org

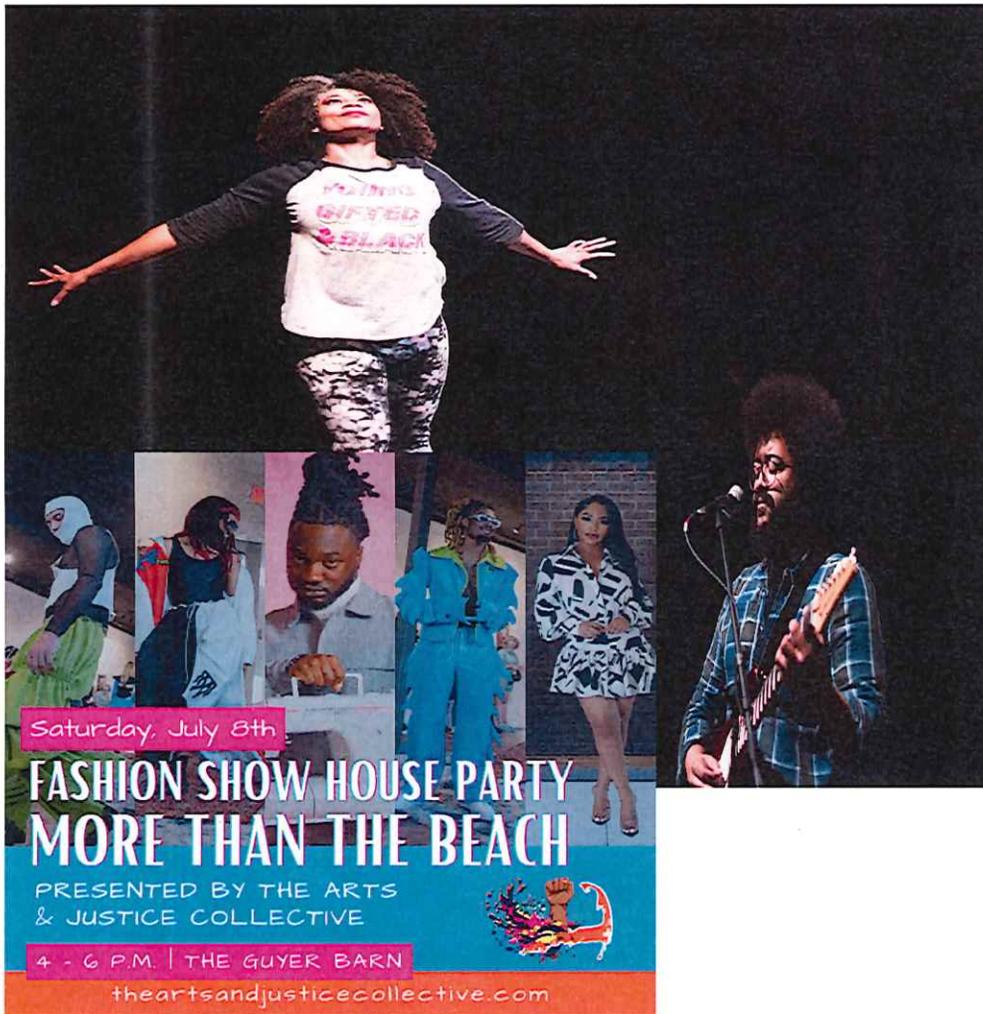


Streaming for Creators

PALMOUTH COMMUNITY TELEVISION | 310 DILLINGHAM AVE. | PALMOUTH, MA | 508-457-0800



#1 Community Programming Priority Community-Wide Fairs and Festivals



New Events
&
Projects

Arts & Justice
Collective

Community House
Parties

Council Grant Programs in Falmouth Pubic Schools



Lisa Esperson
&
Drum Rhythms
Around
the Atlantic



Good Grief Cape Cod
Expressive Therapy Program



Council Programs in Our Libraries



Sizzling Summer Family Fun at
West Falmouth Library



Buttonwood Zoomobile
brings the zoo to you

Saturday, August 5th
PreK and K: Habitats: 10:30 - 11:15
Grades 1st & 2nd: Adaptations: 11:30 - 12:15
Grades 3rd - 5th: Adaptations: 12:30 - 1:15

A special thank you to the
Falmouth Cultural Council
who is sponsoring this event.
570 West Falmouth Highway 508-548-4709



Pamela Means
Presents:
The Power of the
Protest Song

Bringing the Zoo
to You

Falmouth Public Library presents
Dream Tale Puppets performing

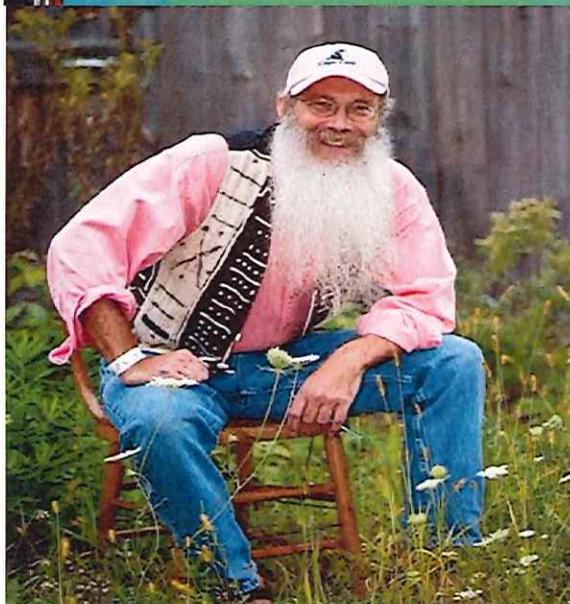
Alice, or the Red King's Dream

Best for 5 years old and up

WHEN: Thursday, July 6th, 11:00 AM
WHERE: Hermann Room
FREE. To register scan QR code
or call 508 457 2555x6



This program is supported in part by a
grant from the Falmouth Cultural Council,
a local agency which is supported by the
Mass Cultural Council, a state agency.



Dream Tale Puppets:
Alice, or the
Red King's Dream

Davis R. Bates
Raising Our Voices:
A Summer
Performance

Community Engagement



Have a good project idea?

Finding Funding: How to Write Compelling Grants

Tuesday
September 20, 2022
7-8:30pm

Falmouth Public Library
Bay Room
300 Main Street, Falmouth, MA

For more information and to apply:
<https://massculturalcouncil.org/local-council/falmouth/>

Grant Writing Workshop

All are welcome to attend this informative workshop on how to apply for Local Cultural Council grants through the Falmouth Cultural Council.

The FCC will discuss its funding priorities, the online application process, and how to write a compelling grant.

These locally administered grants support a variety of arts, humanities, and interpretive science programs taking place between July 2022 and December 2022. For FY23, the Falmouth Cultural Council will be allocated \$8,400 by the Mass Cultural Council. The typical grant award is usually between \$250 - \$750.

The application deadline is October 17, 2022. No applications can be accepted after that date.

FC FALMOUTH CULTURAL COUNCIL

The Falmouth Cultural Council
Invites
FY23 Grantees and Guests
to
A Celebration of the Arts

VOLUNTEER

Grant Writing Workshop; Grant Review & Awards;
Grantee Reception; Summer: Community Survey;
Youth Representation; Collaboration with LLCs

Community Survey Take-Aways

Priority Projects

1. Community-Wide Fairs & Festivals
2. Children's and School Programs
3. Concerts and Dance Performances
4. Projects Celebrating Local History
5. Theater, Comedy, Spoken Word
6. Fine and Applied Arts Activities
7. Interpretive Science Projects



Priority Programming Needs

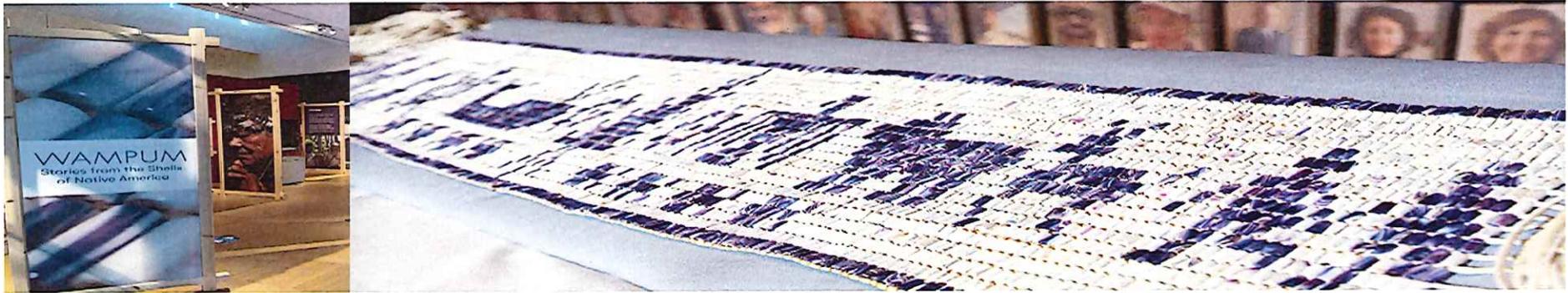
1. Free or Low-Cost Events* *Low-Cost = \$10 - \$20 per person or family, with children free
2. Programs in All the Villages of Falmouth
3. Projects Celebrating Cultural Diversity
4. New Events and Projects
5. Low-income Community Members
6. BIPOC Community Members
7. Families and Children
8. Teens, Seniors, Disabled Community Members



FY 2023 Grant Recipients

How do these 28 Projects Match the Community Survey?

- ✓ 18 of the 28 were free or low-cost
- ✓ 13 were new events or projects
- ✓ 11 were concerts or dance performances
- ✓ 10 were children's and school programs
- ✓ 5 celebrated cultural diversity
- ✓ 2 celebrated local history
- ✓ 1 was a community-wide festival
- ✓ 1 was an interpretive science project



Community Survey Suggestions

1. Get the word out! Build audience with better promotion for events
2. Create a Cultural District for Falmouth
3. Balance Quality with Cost. Curate events.
4. Glad you got Town Support!
5. Teen organized events for the entire community
6. More programs for 20-somethings, single parents & parents of a disabled child
7. Enrich the winter. Do more off-season events
8. Address the needs of the older LBQTQ+ community
9. Focus on art installations in public places
10. Sponsor Art Contests, especially for youth

THE ARTS & JUSTICE FESTIVAL
take up space

Friday, July 7th

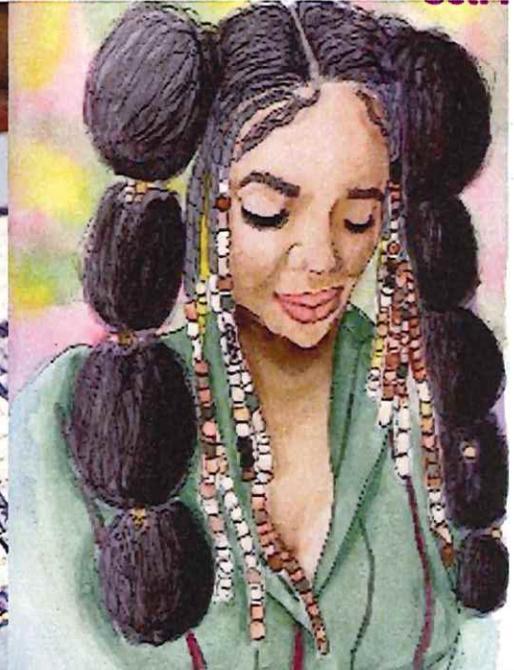
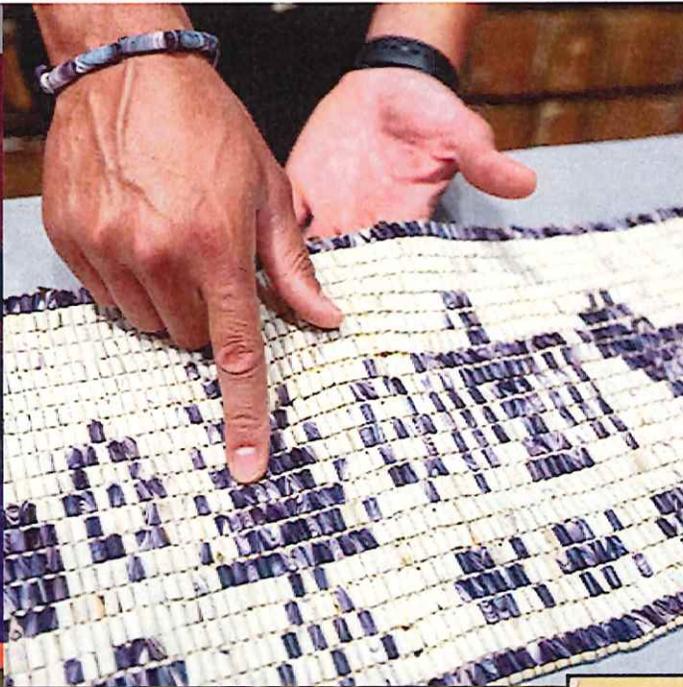
DANCE THERAPY 508

A NIGHT OF BLACK EXCELLENCE

PRODUCED BY COMMUNI-T PRODUCTIONS

6 - 8 P.M. | HYANNIS VILLAGE GREEN

theartsandjusticecollective.com



OPEN SESSION

BUSINESS

3. Update from Marine and Environmental Services (MES) on shellfish farming and its potential as a non-traditional method to reduce nitrogen **(15 minutes)**

Considerations for Enhanced Private Aquaculture / Public Shellfish Propagation

Chuck Martinsen

Deputy Director MES / Shellfish Constable / Warden

Introduction to Falmouth's Shellfish Program

- 8 years of improving methods of propagating various shellfish species
- Robust program with large community buy-in
- 290+ volunteers
 - 23 Interns
 - Collaborate with Barnstable County Sheriff's Office inmate training program, Upper Cape Cod Regional Technical High School, Falmouth Rod & Gun Club, Falmouth Newcomers
 - Total volunteer hours since April 2017 = 18,673
 - Value of volunteer service at current \$31.80 = \$593,801
- Partner with educational institutions including WHOI, MBL, Stonehill College, WBNERR, Upper Cape Tech
- Eel River Aquaculture Contractor Pilot (began 2020)

The Growth of a Falmouth Oyster



Upwellers



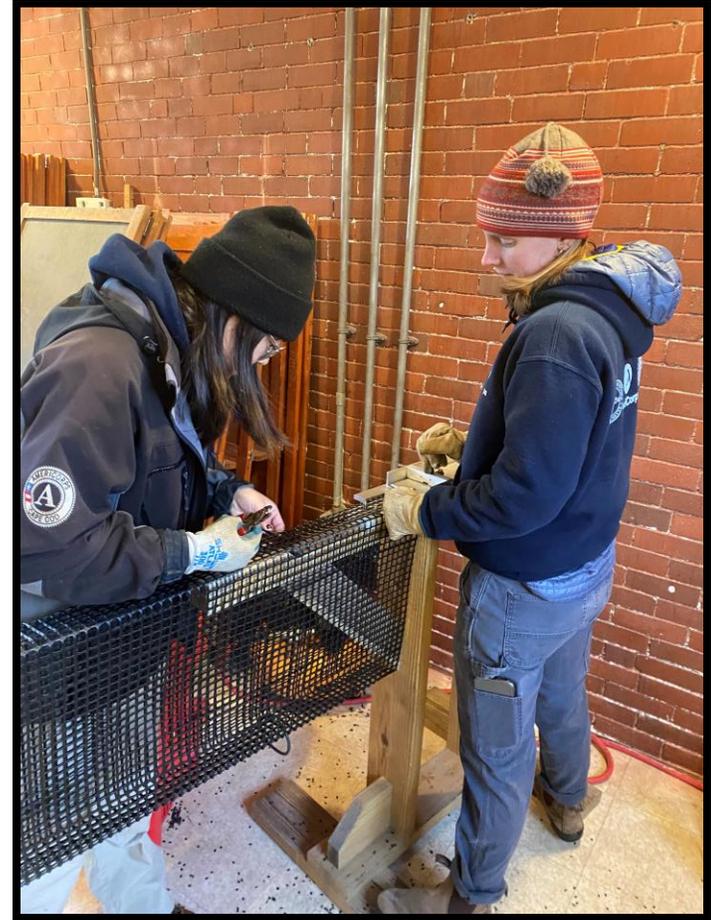
Municipal Farms



Oyster Overwintering



Oyster Bag Construction



Recreational Shellfishing



Volunteers

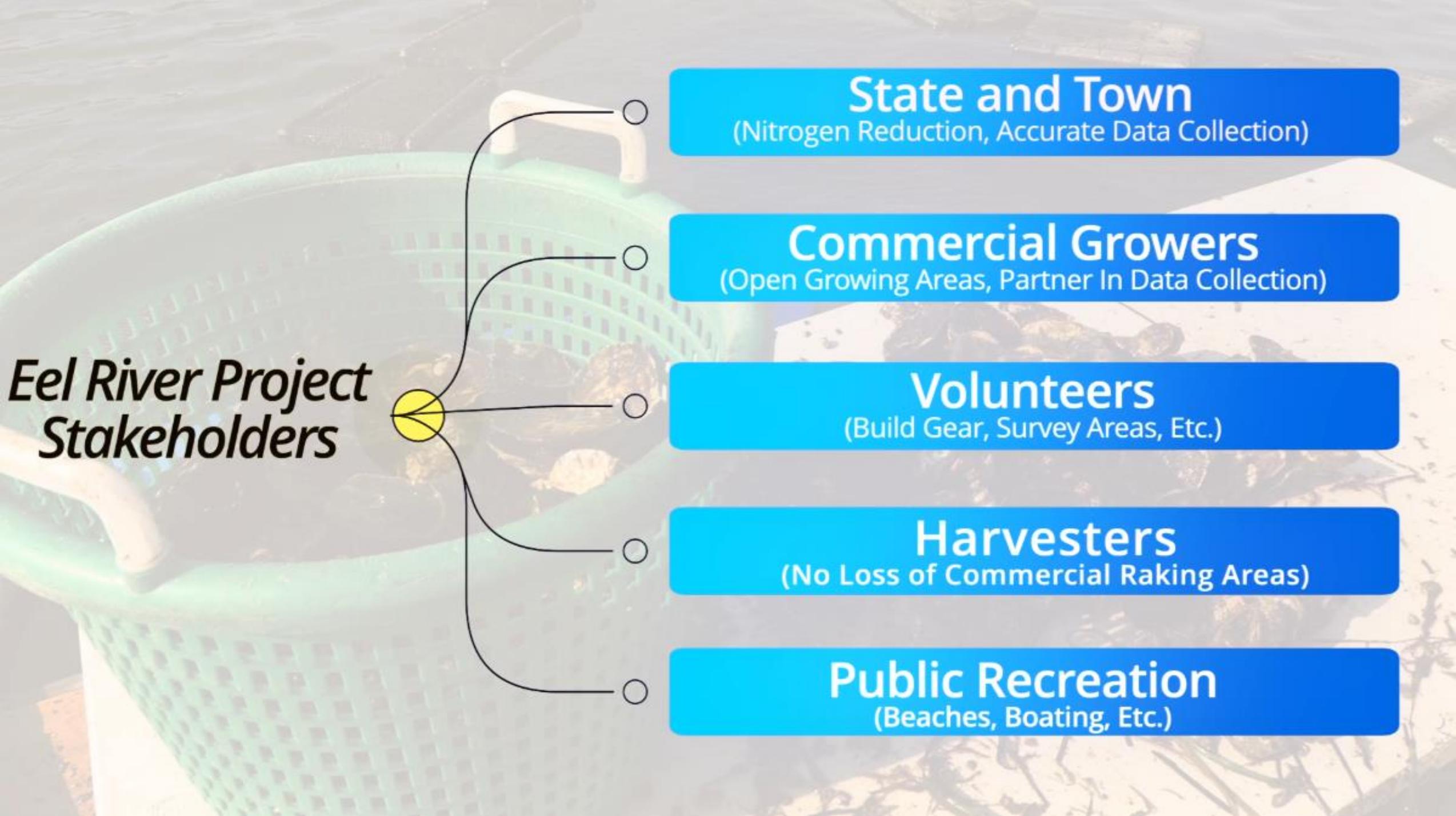




Eel River Aquaculture Pilot Project

- Trial sites to identify how nitrogen reduction-based shellfish farming could work as part of a larger alternative to address nitrogen reduction in Falmouth's estuaries
- Evaluate the feasibility of engaging commercial aquaculture contractors to grow and harvest oysters using high density floating gear

Eel River Project Stakeholders



State and Town

(Nitrogen Reduction, Accurate Data Collection)

Commercial Growers

(Open Growing Areas, Partner In Data Collection)

Volunteers

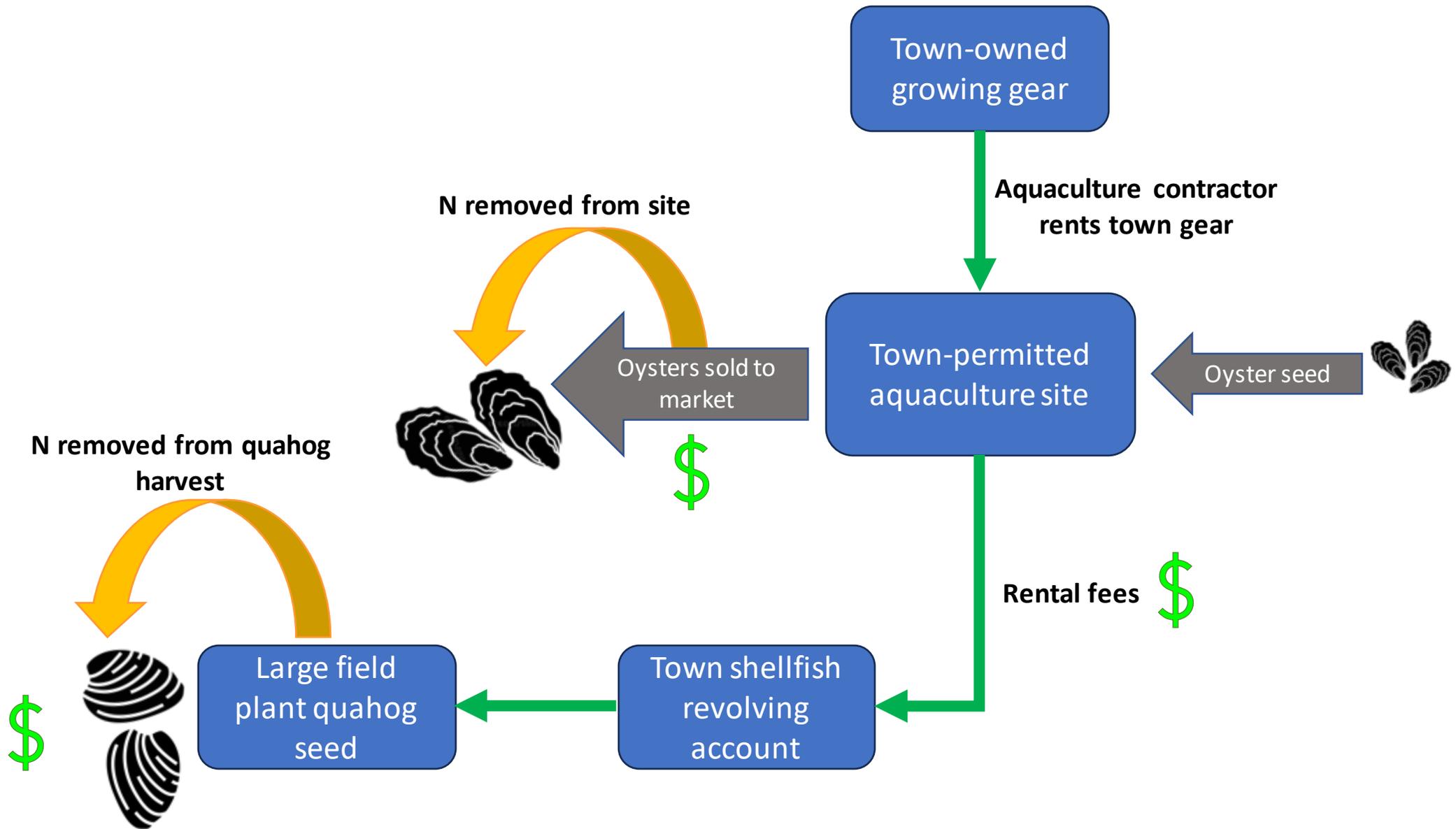
(Build Gear, Survey Areas, Etc.)

Harvesters

(No Loss of Commercial Raking Areas)

Public Recreation

(Beaches, Boating, Etc.)



Eel River Aquaculture Pilot Project Results

- Completely new way to join public/private interests
- Estimated total of 180 kg/year of N removed
 - equivalent to ~36 sewer connections
- Gear rental fee model validated
 - Town investment approximately \$200,000
 - \$89,643.16 received to date (affected by covid)
 - Projected \$58,800.00 for 2023 growing season and beyond
- Estimated over \$300,000 annual commercial revenue created

Lessons Learned



Aquaculture farms for N reduction with benefits to most, if not all, users of the resource area.



Non-traditional strategy for removing N in which the Town fully financially/economically/socially and environmentally benefits at near zero cost, with much value gained.



Shellfish alone will not solve the nitrogen problem: however, this strategy is extremely effective in both the best- and worst-case scenarios.

Implementation of Increased Aquaculture



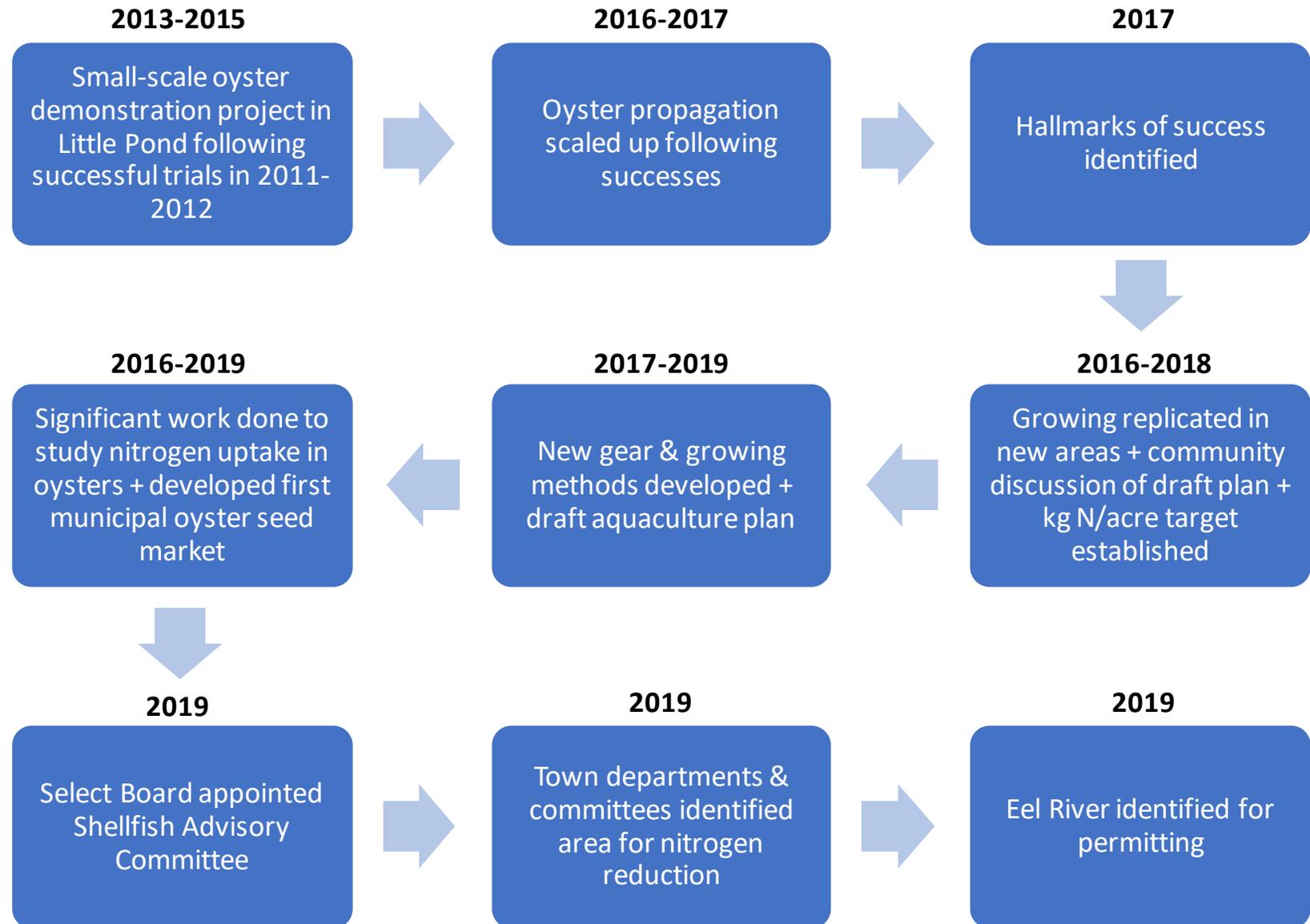
Next Steps

- Program will need significant investment but will also pay returns
 - Phase 1 ~\$400k – Engineering, planning, permitting (Spring 2024 town meeting)
 - Phase 2 ~4M – Build out resources that will be leased (Fall 2024 town meeting)
- Over the next 10 years, there is the potential to add
 - ~70 new farms working ~100 acres
 - Annual resource rentals ~\$1M, commercial revenues ~\$30M
 - Annual ~7,800 kg N removed (>1,500 sewer connections, Town cost \$8M?)
- First farms in production 2 – 2.5 years after funding
- Funds received from resource rentals will cover
 - Increased municipal propagation (additional N removal)
 - Program operation and management

Questions?

Supplemental Slides

History of Development



Shellfish Grown (2013-2023)

	Quahogs	Oysters	Bay Scallops
2013	4 million	1 million* ^D	-
2014	4 million	1.5 million* ^D	-
2015	3 million	1.8 million* ^D	-
2016	1.1 million	2.5 million	-
2017	1.5 million	2.9 million	100,000*
2018	1.9 million	1.5 million	100,000*
2019	1.7 million	750,000	205,000
2020	750,000	-	40,000
2021	167,000 + 750K	580,000	-
2022	423,000	550,000	-
2023	375,000 + 1.3 M	500,000	300,000

* Denotes trial propagation

^D Denotes demonstration project

Denotes field-plantable quahog seed

Intermediary Municipal Oyster Seed Market

	2016	2017	2023
Orleans	138,400 oysters \$25,483.00	58,000 oysters \$12,760.00	
Bourne		75,000 oysters \$16,500.000	
Brewster			20,000 oysters \$3,400.000
	\$25,483.00	\$29,260.00	\$3,400.000

Town-wide
shellfish surveys

Modelling
potential
shellfish areas
into the nitrogen
reduction plans

Permitting a
Town-wide plan

Phase 1 Survey Data

- Evaluation areas within 13 estuaries
- 84 polygons
- 701 samples
- 666 shellfish specimens measured
- 9 shellfish species identified
- Survey commenced on 1/26/2020
- Last survey completed on 12/13/2022
- Surveys took place over 43 separate days, with most between May - December 2022

Town-Wide Increased Aquaculture Planning

Proposed Workflow for Town-Wide Increased Aquaculture Plan				
	Introduction	Phase 1	Phase 2	Phase 3
Description	<ul style="list-style-type: none"> - Development of map of all possible polygons to survey for aquaculture resources 	<ul style="list-style-type: none"> - Field survey of bottom suitability, navigational hazards, eel grass, and mooring fields - Redefinition of polygon boundaries 	<ul style="list-style-type: none"> - Target defined polygons with bottom core samples to determine preliminary shellfish resources 	<ul style="list-style-type: none"> - Full shellfish survey - DEIR filing - Conservation filing - Full permitting contingent (town-wide)
Completed by	<ul style="list-style-type: none"> - Full-time Town staff - Science Wares, Inc. 	<ul style="list-style-type: none"> - Full-time Town staff - Seasonal staff - Interns 	<ul style="list-style-type: none"> - Full-time Town staff - Seasonal staff - Interns - Science Wares Inc. 	<ul style="list-style-type: none"> - MES Staff - Contractor
Funding	Funding through existing Town Meeting Article			Funded by future Town Meeting Article
Current Status	<p>Completed</p> 	<p>Completed</p> 	TBD	TBD

Permitting a Town-wide Plan – Next Steps

- Prioritize potential shellfish areas for expansion,
- Open discussions with the regulators to demonstrate the success of the pilot program,
- Explore eligibility to permit all or just priority areas under pilot Aquaculture Special Review Procedure established in 2022

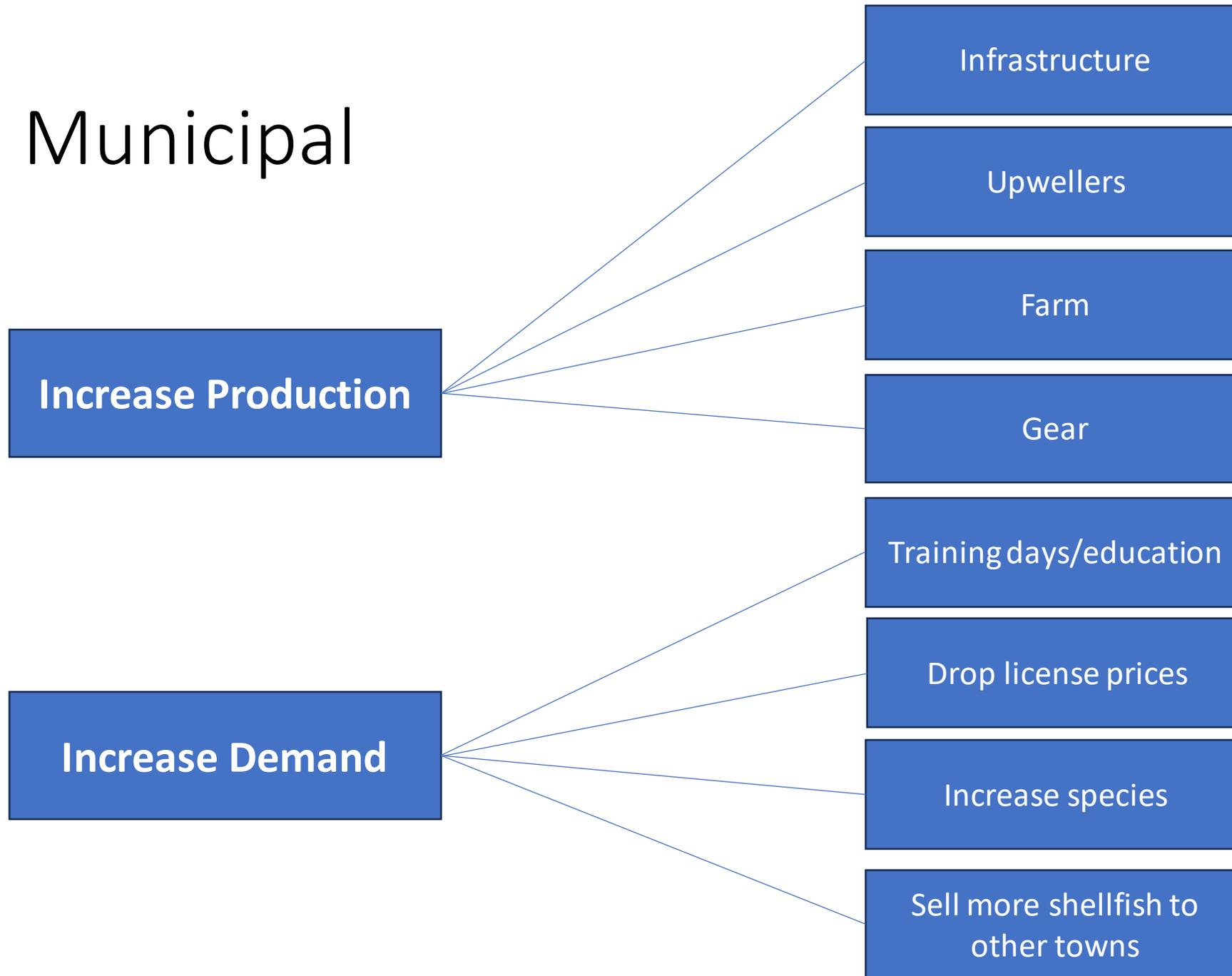
Area Priority Ranking Tool

TMDL N Reduction Potential Yield (0-20)	Low	Moderately Low	Moderate	Moderately High	High
	0	5	10	15	20
Size of Area (1-5)	Small	Moderately Small	Moderate	Moderately Large	Large
	1	2	3	4	5
DMF Classification of Area (1-5)	Prohibited	Conditionally Restricted	Restricted	Conditionally Approved	Approved
	1	2	3	4	5
Access (1-5)	Difficult	Challenging	Moderately Challenging	Few Challenges	Easy
	1	2	3	4	5
Multi Species Potential (1-5)	Low	Moderately Low	Moderate	Moderately High	High
	1	2	3	4	5
Exposure to Storms (1-5)	High	Moderately High	Moderate	Moderately Low	Low
	1	2	3	4	5
Erosion Reduction Potential (1-5)	Low	Moderately Low	Moderate	Moderately High	High
	1	2	3	4	5
Yield Potential (0,5)	1st year seed only				1st + 2nd year animals
	0				5
Boat Traffic (1-5)	High	Moderately High	Moderate	Moderately Low	Low
	1	2	3	4	5
Total Shellfish per Square Meter	5+ shellfish	4 shellfish	3 shellfish	1-2 shellfish	0 to >1 shellfish
	0	5	10	15	20
Ease of Gear Placement (1-5)	Difficult	Challenging	Moderately Challenging	Few Challenges	Easy
	1	2	3	4	5
Shellfish Predation Risk (1-5)	High Risk	Moderately High Risk	Moderate Risk	Moderately Low Risk	Low Risk
	1	2	3	4	5

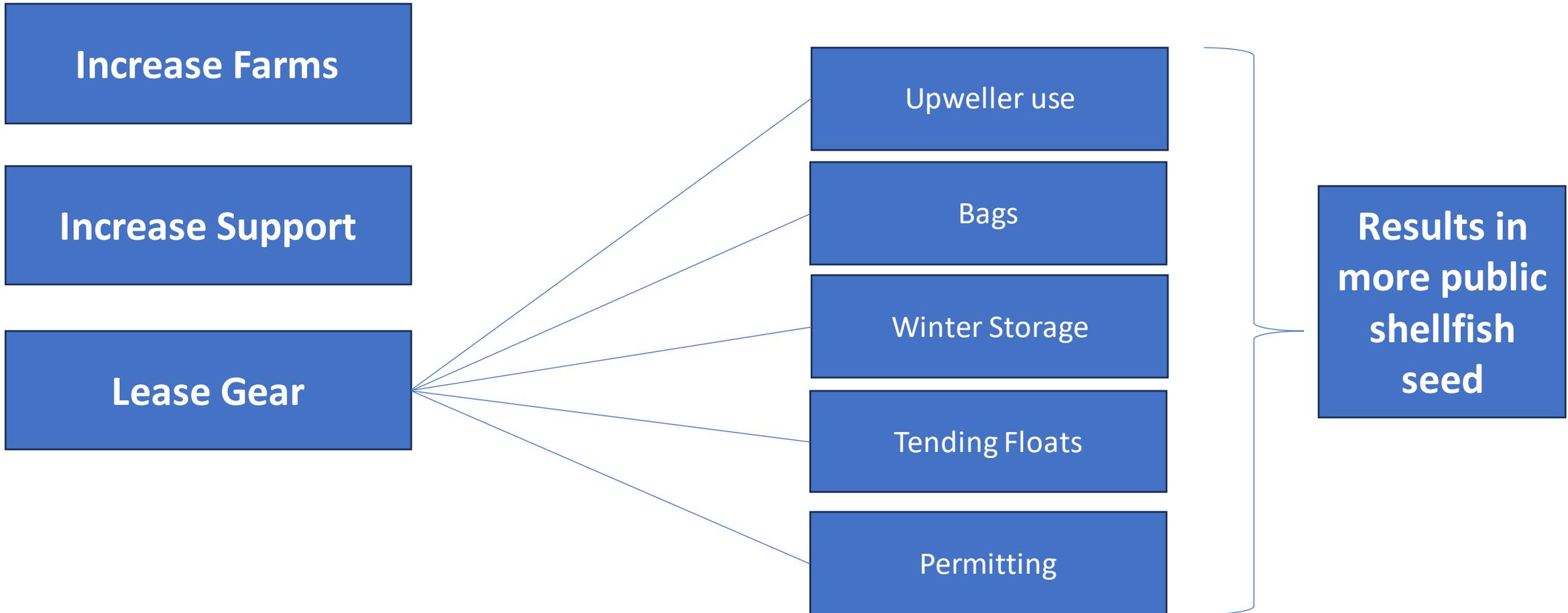
Benefits of using shellfish for nutrient management

- Even if shellfish do not show a measurable impact on water quality (which not expected):
 - Nutrient removal is significant (in terms of quantity as well as the fact that it is at the critical location of impairment) and can be documented quantitatively (equivalent to tens to hundreds of sewer connections)
 - Implementation generates sustainable economic growth (repeatable business revenues, consistent jobs) instead of being a burden on taxpayers
 - Environmental and economic impacts are virtually immediate
 - The Town has developed a model that showcases that a competitive resource can be successfully shared
 - Community perception that the Town is taking all possible alternative actions to costly sewerage

Municipal



Private



Summary

- Works in the worst / best scenarios
- ↓ N
- ↑ local seafood production & source
- ↑ local jobs
- ↓ carbon use with local food
- ↑ habitat, including for other small fish

Future Commitments

- Upper Cape Tech
 - Large project with \$50-100K backing
- Sheriff Donna Buckley
 - Inmate training program
- Potential partnerships with private industry (e.g. growers, distributors)

OPEN SESSION

BUSINESS

4. Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to approve Falmouth Housing Trust application to the Falmouth Affordable Housing Fund – Club Valley Drive **(10 minutes)**

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$125,000 to Falmouth Housing Trust for the purchase of a market rate house at a discount and convert it to a deed restricted home in perpetuity for ownership on Club Valley Drive and authorize the Town Manager to execute a commitment letter and grant agreement setting forth the terms of the financial award to the Falmouth Housing Trust."



TOWN OF FALMOUTH

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

TO: Select Board
FROM: Michael Renshaw, Town Manager
SUBJECT: Falmouth Housing Trust
Application to Falmouth Affordable Housing Fund (FAHF) – Club Valley Drive
DATE: July 14, 2023
CC: Kimberly Fish, Housing Coordinator

The FAHF received an application from Falmouth Housing Trust (FHT) requesting \$125,000. FHT plans on purchasing a market rate house at a discount and converting it to a deed restricted home in perpetuity at 120% of AMI for homeownership on Club Valley Drive.

The owners approached FHT with the idea to sell their home, which is appraised at \$605,000 for \$475,000. They would give the difference as a gift and receive a tax benefit. FHT plans on selling the home at 120% AMI and put an affordable deed restriction on the property in perpetuity.

The FAHF Working Group met on June 20, 2023 and gave a favorable recommendation. The Community Preservation Committee met on July 13, 2023 and voted to recommend the funding request.

I recommend the Select Board support this application.

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$125,000 to Falmouth Housing Trust for the purchase of a market rate house at a discount and convert it to a deed restricted home in perpetuity for ownership on Club Valley Drive and authorize the Town Manager to execute a commitment letter and grant agreement setting forth the terms of the financial award to the Falmouth Housing Trust."

ATTACHMENTS:

- Application

FALMOUTH AFFORDABLE HOUSING FUND

Established by Ch. 29 of the Acts of 2011
Board of Selectmen, Trustees

59 Town Hall Square
Falmouth, Massachusetts 02540
(508) 495-7344

AFFORDABLE HOUSING FUND APPLICATION Calendar Year 2023

General Information

Project Name: 156 Club Valley Drive

Project Location and Parcel ID#: 156 Club Valley Drive

Type of Project: Buying a market rate house at a discount and converting to a home for those at 120% Of AMI

Applicant(s) name/ Organization: Falmouth Housing Trust, Inc.

Contact Person: Karen Bissonnette, Executive Director

Mailing Address: P.O. Box 465, Falmouth, MA 02541

Telephone Number: 508 274-1651

Email Address: kb@falmouthhousingtrust.org

Property Ownership

Legal Property Owner of Record: John and Linda Bowers

Is the owner the applicant? No

If not, does the applicant have site control or written consent of the property owner to submit an application? If yes, attach documentation. Without this documentation the project will be ineligible for funding for this applicant.

A letter is attached from the Bowers stating their wishes to sell the home to FHT for the purposes of converting it to a deed restrict home at 120% of AMI.

For projects that have an acquisition expense the applicant must provide an appraisal from an independent party that justifies the acquisition cost.

An Appraisal is attached.

Development Team

Please submit as attachments the resumes of the development team and a list and description of affordable housing projects completed by the applicant. Karen Bissonnette, Joanne O' Sullivan, Addie Drolette, David Garrison, Troy Clarkson, Edwin Monteiro (resumes have been submitted to the Housing Coordinator's Office)

Project Information

Describe the proposed project including:

Project Style: Type of Units (condo ownership, fee simple ownership, rental, etc.): 1-Single-Family Owner-Occupied Home with fee simple ownership with a permanent affordable deed restriction at 120% of AMI

Total Number of Units: 1

Number of BRs 3

Number of Market Units: _____

Number of Affordable Units: 1 at 120% of AMI

Proposed Sale Prices/Rents: \$330,000

Proposed Condo Fees: _____

Proposed % of AMI target beneficiaries:
120% AMI

Describe how this project addresses the unmet affordable housing needs of the community as identified in the Town of Falmouth *Housing Demand Study & Needs Analysis (2014)* and the Town of Falmouth *Local Comprehensive Plan (2016)*.

Falmouth Housing Trust continues efforts to address the shortage of housing that working people can afford. This has become even more challenging over the past three years because of the effects of the pandemic on housing costs and building prices.

Our region lacks housing for people at many income levels. This includes what is now called "the missing middle". These individuals and families are those whose income is too high for traditional affordable housing but don't earn enough to purchase a market rate home. This demographic is extremely important to our local economy.

According to Cape Cod and Island Association of Realtors data, the Median Sales Price for a home in Falmouth in April was \$962,000 up 32.7% over April of 2022. The current median priced home in the Falmouth year to date is \$730,000 and a family would need an income of \$210,000 to qualify to purchase a home of this price.

Falmouth Housing Trust would like to purchase 156 Club Valley Road for \$475,000 and make it possible for a family of four earning approximately \$130,000 to afford to buy a home. This house would have a deed restriction at 120% of AMI.

John and Linda Bowers approached Falmouth Housing Trust asking if we would be interested in buying their home and making it affordable putting with a deed restriction.

The Bowers are a very unique couple in that they feel guilty that their home has increased in value so much since they purchased it in 2016 and want to make it possible that another family have the opportunity to purchase this home at a fair price with a deed-restriction.

Since they purchased the home, they have put an addition on the house and added solar panels. They pay no electricity bills and last year received a check of \$1,300 for the overage their house produces.

We are applying for a municipal subsidy to make it possible to make this a deed restricted affordable home.

The creation of this affordable home clearly follows the Sustainable Development Principles adopted by Governor Patrick's Administration in 2007, which encourages housing development that is consistent with sustainable development design and green building practices. Using an existing home conserves land and utilizes existing water and electric infrastructure and existing roadways rather than requiring new water, electric or roadways.

The project will expand housing opportunities that are compatible with the character of the neighborhood and the community.

Our mission is to create workforce housing for young people and families. The lack of affordable housing contributes to the loss of our young workforce. Falmouth needs housing opportunities for people of varied income levels, all who provide essential services to our community. As Falmouth's young workforce has decreased, our population continues to grow older; the number of age dependent people (children and those 65 and older) is larger than our working population. This is an unhealthy ratio for any community; all communities need a diverse, productive workforce to thrive.

A recent report issued by The Concord Group and presented by the Housing Assistance Corporation states that the region will lose over 800 families over the next three years who just can't afford to live in the region. These are the people whose presence is critical to sustain our economy and our quality of life.

The report goes on to say that almost 50% of those who work on Cape Cod live off Cape and commute here because of the lack of housing they can afford. For those who are also worried about our environment, the emissions from these cars are certainly not healthy.

Furthermore, there has been an 11% decline in Falmouth's school population in just the past three years. We have a High School that was built for 1,600 students and next year there will be less than 800. This is a clear indication that our community has a problem retaining and attracting those of childbearing age. And the closure of the Falmouth Hospital Maternity and Pediatric units is another harsh reminder that our community lacks this important group, which no community can survive without.

By not providing housing opportunities for this important demographic, our community is losing the diversity, vibrancy, and contributions that this population brings, which affects our local economy and threatens the quality of life. Falmouth's lack of affordable housing is an obstacle to attracting and retaining a young and talented workforce. **To retain and attract this population, we must have housing they can afford.** Because Falmouth Housing Trust recognizes the value of this demographic to the health and composition of our town, creating affordable housing for this population is our sole priority. By providing affordable housing opportunities, FHT helps to retain and attract this valuable workforce who make our community vital, healthy, and economically strong.

Site Information

Please provide a description of the surrounding area and community profile including a description of the current site characteristics, zoning, environmental, and any regulatory requirements or constraints. Attach a map and photos of the project site and neighborhood along with any zoning/permitting relief required.

The home was built in 1983 as part of the Ashumet Valley Association on .45 acres and very similar to the hundreds of other homes in the Association. It abuts the Paul Harney Golf Course which is out their backyard.

The house is a 1,306 square foot ranch style home with three bedrooms and 2.5 baths with a partially finished basement. The owners put an addition on which extended their kitchen and

master bedroom and bath a few years ago. They also added solar panels to the roof.

Since this is not a new build, there are no zoning, environmental or regulatory requirements or constraints.

Falmouth Housing Trust is working with MassHousing to secure the appropriate deed restriction.

Also, Falmouth Housing Trust will not purchase the home until funding is recommended by the Falmouth Affordable Housing Fund and the Community Preservation Committee and then committed by the Select Board.

Building: N/A

Zoning: AGA

Health: A conventional septic system exists, and a Title V inspection will be done prior to sale.

Conservation: Building does not impact any area subject to Con Com jurisdiction

Infrastructure: There is Town water and electricity on the street.

Amount of FAHF Request: \$125,000

Project Feasibility

Attach project budget information on the included Attachment A –OneStop 2000 Affordable Housing Finance Application Sections 3: Sources and Uses and Section 4: Budget Pro Forma together with at least one bank letter of reference. Attached

Community Outreach

Provide a description of the applicant efforts to engage the community members through outreach, meetings, and other educational initiatives.

John and Linda Bowers have agreed to introduce us to their neighbors once a P&S has been signed.

Falmouth Housing Trust will contract with Housing Assistance Corporation to do the Affirmative Marketing and Lottery for this house and at that time will promote this opportunity to Real Estate Agents as well as to Housing Advocates.

Development Schedule

Describe the timeframe for the proposed project and how it will be implemented. Provide a timeline for all project milestones included as *Attachment B – Project Schedule*.

List of Attachments

Attachment B-Project Schedule

List of affordable housing projects completed by Falmouth Housing Trust, Inc.

Resumes of Development Team (Housing Coordinator has on file)

One Stop Affordable Housing Finance Application

Bank Reference- (Martha's Vineyard Bank)

5 | Page

Falmouth Affordable Housing Fund

Rev. 4/19

Site Plan- (included within the appraisal)

Maps- (included within the appraisal)

Pictures property- (included within the appraisal)

If you have any questions, please do not hesitate to contact Kim Fish at 508 495-7344 or at the email address below.

Submit one electronic copy to Kim.Fish@falmouthma.gov
and (6) hard copies to: Kim Fish, Housing Coordinator, Town
of Falmouth, 59 Town Hall Square, Falmouth, MA 02540

ATTACHMENT B PROJECT SCHEDULE

February 2023-FHT was approached by John and Linda Bowers to ascertain our interest in purchasing their home and convert it to a deed restricted affordable home.

April 2023-The Owners got an appraisal done on the home for \$605,000 and offered the home to FHT for \$475,000.

April 2023-FHT toured the house.

May 2023-FHT's Board approved the purchase of the home at \$475,000 with the condition that the FAHF contribute \$125,000 towards this project.

May 2023-Letter of Intent was submitted to FAHF and then the full application.

June 2023-Present to FAHF Working Group

July 2023-Present to CPC and Select Board

July 2023-Execute a P&S with the Bowers.

September 2023-Purchase the home.

November 2023-Housing Lottery for the home.

kb falmouthhousingtrust.org

From: kb falmouthhousingtrust.org
Sent: Monday, May 15, 2023 9:54 AM
To: kb falmouthhousingtrust.org
Subject: FW: Your House
Attachments: 156 Club Valley Appraisal 4.23.pdf

From: John and Linda Bowers [REDACTED]
Sent: Thursday, May 11, 2023 2:12 PM
To: kb falmouthhousingtrust.org <kb@falmouthhousingtrust.org>
Subject: Re: Your House

Karen;

Linda Bowers and John Bowers, legal owners of the house at 156 Club Valley Drive, would like to sell our home to the Falmouth Housing Trust for the purpose of creating a deed-restricted home at 120% of Area Median Income, and that the sale price will be \$475,000.

We have attached the appraisal we recently had completed by Clancy Appraisals.

Feel free to contact us with any questions you have.

Linda & John Bowers

AMENDMENT TO NOTE DATED NOVEMBER 4, 2022 BY AND BETWEEN
FALMOUTH HOUSING TRUST INC AND
MARTHA'S VINEYARD BANK

May 2, 2023

Loan # [REDACTED]

WHEREAS, Falmouth Housing Trust Inc (the "Borrower"), executed a Note and Security Agreement to Martha's Vineyard Bank ("the Bank") on November 4, 2022 in the original amount of \$420,000.00; and

WHEREAS, the Borrowers has requested an extension of the Maturity Date of said Note; and

WHEREAS, the Bank is willing to extend the Maturity Date of said Note;

NOW, THEREFORE, the Borrowers and the Bank hereby agree as follows:

- (1) The Line of credit will be used to purchase real estate.
- (2) The Maturity Date is extended to May 4, 2024.
- (3) The Borrowers and each guarantor have no defenses, charges, claims, demands, pleas or offsets executed in connection therewith (the "Loan Documents"), and all of the terms, provisions, covenants and conditions of the Loan Documents, as expressly amended hereby, are ratified, reaffirmed and confirmed and shall remain in full force and effect enforceable as set forth herein and therein.

Dated: May 3, 2023

BORROWER(S):

Falmouth Housing Trust

Adelaide Drolette
By: Adelaide Drolette, President

LENDER:

Martha's Vineyard Bank

[Signature]
By: Anthony Leone, VP Senior Credit Officer



Falmouth Housing Trust, Inc.
List of Affordable Housing Projects

1995	Esker Place	18 houses
2000	East Ridge	6 houses
2015	St. Mark's	3 houses
2017	Odd Fellows Hall/ One Chancery Lane	4 apartments
2019	72 Deer Pond Road	1 house
2023	Lewis Neck Road	3 houses
2023	33 Pheasant Lane	1 house

Section 3 SOURCES AND USES OF FUNDS

Sources of Funds							
Private Equity:				<i>Optional user calculations</i>			
81 . Developer's Cash Equity		\$40,000					
82 . Tax Credit Equity (net amount)	(See line 360, Section 5, page 18.)	\$					
83 . Developer's Fd							
84 . Other Source:							
Public Equity:							
85 . HOME Funds, as Grant		\$					
86 . Grant:		\$125,000					
87 . Grant:		\$					
88 . Total Public Equity		\$125,000					
Subordinate Debt (see definition):							
		<i>Amount</i>	<i>Rate</i>	<i>Amortiz.</i>	<i>Term</i>		
89 . Home Funds-DHCD, as Subordinate Debt		\$0	%	yrs.	yrs.		
Source:							
90 . Home Funds-Local, as Subordinate Debt		\$0	%	yrs.	yrs.		
Source:							
91 . Subordinate Debt		\$0	%	yrs.	yrs.		
Source:							
92 . Subordinate Debt		\$0	%	yrs.	yrs.		
Source:							
93 . Subordinate Debt		\$0	%	yrs.	yrs.		
Source:							
94 . Total Subordinate Debt		\$0					
Permanent Debt (Senior):							
		<i>Amount</i>	<i>Rate</i>	<i>Override</i>	<i>Amortiz.</i>	<i>Term</i>	<i>MIP</i>
95 . MHFA	MHFA Program 1	\$	%	%	yrs.	yrs.	%
96 . MHFA	MHFA Program 2	\$	%	%	yrs.	yrs.	%
97 . MHP Fund Permanent Loan		\$	%		yrs.	yrs.	%
98 . Other Permanent Senior Mortgage		\$	%		yrs.	yrs.	%
Source:							
99 . Other Permanent Senior Mortgage		\$	%		yrs.	yrs.	%
Source:							
100 . Total Permanent Senior Debt		\$0					
101 . Total Permanent Sources		\$165,000					
Construction Period Financing:							
		<i>Amount</i>	<i>Rate</i>	<i>Term</i>			
102 . Construction Loan		\$0	%	mos.			
Source:							
Repaid at:		(event)					
103 . Other Interim Loan		\$0	%	mos.			
Source:							
Repaid at:		(event)					
104 . Syndication Bridge Loan		\$0	%	mos.			
Source:							
Repaid at:		(event)					

Development Budget:

	Total	Residential	Commercial	Comments
161 . Acquisition: House	\$475,000			
162 . Acquisition: Building	\$0			
163 . Acquisition Subtotal	\$475,000	\$0	\$0	
164 . Direct Construction Budg	\$0	\$0		(from line 159)
165 . Construction Contingency	\$0	\$0		0% of construction
166 . Subtotal: Construction	\$0	\$0	\$0	

General Development Costs:

167 . Architecture & Engineering				
168 . Survey and Permits				
169 . Clerk of the Works				
170 . Environmental Engineer				
171 . Bond Premium				
172 . Legal and Closing Fees	\$5,000			
173 . Title and Recording				
174 . Accounting & Cost Cert.				
175 . Marketing and Lottery	\$10,000			
176 . Real Estate Taxes				
177 . Insurance	\$1,000			
178 . Relocation				
179 . Appraisal				
180 . Security				
181 . Construction Loan Interest				
182 . Inspecting Engineer				
183 . Fees to:				
184 . Fees to:				
185 . MIP				
186 . Credit Enhancement Fees				
187 . Letter of Credit Fees				
188 . Other Financing Fees	\$4,000			
189 . Development Consultant				
190 . Other:				
191 . Other:				
192 . Soft Cost Contingency				
193 . Subtotal: Gen. Dev.	\$20,000		\$0	

194 . Subtotal: Acquis., Const and Gen. Dev.	\$495,000	\$0	\$0
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195 . Capitalized Reserves	\$0		
196 . Developer Overhead			
197 . Developer Fee	\$0		

198 . Total Development Cost	\$495,000		\$0	TDC per unit	
------------------------------	-----------	--	-----	--------------	--

199 . TDC, Net	\$495,000	\$0	\$0	TDC, Net per unit	
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Additional Detail on Development Pro-Forma:

200 . Gross Syndication Investment

Off-Budget Costs:

Syndication Costs:

201 . Syndication Legal

202 . Syndication Fees

203 . Syndication Consultants

204 . Bridge Financing Costs

205 . Investor Servicing (capitalized)

206 . Other Syndication Expenses

207 . Total Syndication Expense

208 . Current Reserve Balance

Reserves (capitalized):

209 . Development Reserves

210 . Initial Rent-Up Reserves

211 . Operating Reserves

212 . Net Worth Account

213 . Other Capitalized Reserves

214 . Subtotal: Capitalized Reserves

215 . Letter of Credit Requirements

216 . Total of the Above

Check: Line 214 is the same as line 195.

Please Answer The Following	Dev. Reserves	Initial Rent-Up	Op. Reserves	Net Worth	Other	Letter of Credit
Who requires the reserves?						
Who administers the reserves?						
When and how are they used?						
Under what circumstances can they be released?						

Unit Sales (For Sale Projects Only):

217 . Gross Sales From Units

218 . Cost of Sales (Commissions, etc.)

219 . Net Receipt from Sales

Debt Service Requirements:

220 . Minimum Debt Service Coverage

221 . Is this Project subject to HUD Subsidy Layering Review?

Optional user comments

OPEN SESSION

BUSINESS

5. Acting as Trustees of the Falmouth Affordable Housing Fund (FAHF), Vote to allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Falmouth Affordable Housing Fund to retain the services of a consultant to update the Housing Production Plan **(10 minutes)**

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, approve to allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Fund to retain the services of a consultant to update the Housing Production Plan."



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: Falmouth Affordable Housing Fund (FAHF) – Housing Production Plan
DATE: July 14, 2023
CC: Kimberly Fish, Housing Coordinator

In February of 2008, the Department of Housing and Community Development (DHCD) enacted the Housing Production Plan (HPP) regulation 760 CMR 56.03(4). An HPP is a proactive strategy for planning and developing affordable housing and is certified by DHCD. The term of a Plan is five years. Falmouth's current certified HPP was drafted in 2018 and is due to expire December 2023.

We will need to retain the services of a consultant to assist with drafting a new HPP. On February 13, 2023, the Select Board approved \$30,000 for this purpose. A Request for Quotes was sent to three consultants. The Town received one response. The response was in an amount that triggered procurement law. A Request for Bids was then posted. The lowest response received was \$69,043. We will need \$40,000 in supplementary funding in order to retain the consultant's services.

The FAHF Working Group has recommended \$40,000 in supplementary funding to be allocated for a total aggregate amount of \$70,000. At their July 13, 2023 meeting, the Community Preservation Committee voted to recommend the supplemental funding as well.

I recommend the Select Board support this request.

Recommended Motion:

"I move that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, approve to allocate \$40,000 in supplemental funding for a total aggregate amount of \$70,000 from the Fund to retain the services of a consultant to update the Housing Production Plan."

OPEN SESSION

BUSINESS

6. Vote to approve a letter of support to the MassDOT to conduct a road safety audit along Route 28A in West Falmouth **(5 minutes)**



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

townmanager@falmouthma.gov

July 24, 2023

Ms. Mary-Joe Perry, District Highway Director
MassDOT District 5
1000 County Street
Taunton, MA 02780

Re: Request that a Road Safety Audit be conducted on Route 28A, West Falmouth

Dear Ms. Perry,

In early April 2023 your office assisted the Town of Falmouth in addressing traffic safety concerns from residents of the West Falmouth Village Association by conducting a Road Safety Audit. The audit, which was completed on a two-tenths of a mile segment of Route 28A from Old Dock Road to Chapoquoit Road, was greatly appreciated by the residents of West Falmouth.

The Town of Falmouth now respectfully requests that your office conduct a Road Safety Audit on the remaining approximately 2.8 miles of Route 28A for the purpose of identifying future improvements along this segment. The segment of Route 28A to be included in this audit request is the intersection of Route 28 to Thomas B. Landers Road.

To provide some context, MassDOT last issued Special Speed Regulation for Route 28A/West Falmouth Highway in 1966. During the subsequent 57 years, Falmouth's residential population has grown from 15,942 in 1970 to 32,517 in 2022, which represents a 104% increase. And as you know, the summer population swells three-fold. Despite this growth, very few improvements have been made to Route 28A.

Please contact our office if we can provide additional information.

Sincerely,

Nancy Robbins Taylor
Chair, Falmouth Select Board

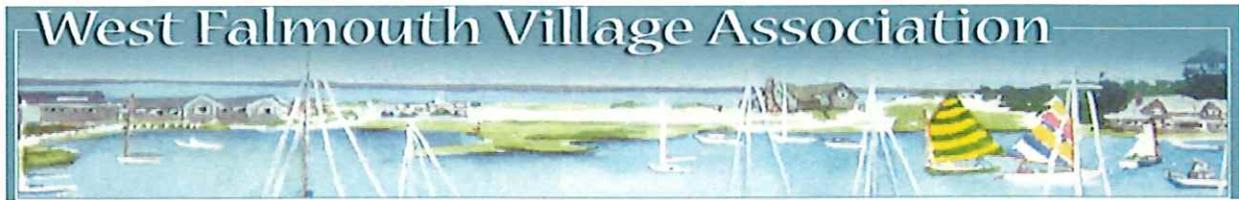
Dear Falmouth Select Board Members,

The attached document addressed to the Massachusetts Department of Transportation (MADOT) is being submitted to the Select Board for your approval. This document provides the Department of Transportation with a comprehensive summary of serious traffic and pedestrian and bicycling safety risks along 2.8 miles of Route 28A/West Falmouth Highway (excluding the two-tenths of a mile stretch that MADOT evaluated on April 4, 2023) and asks them to perform a Road Safety Audit along the remainder of our "neighborhood Main Street." We appreciate the Road Safety Audit performed on April 4th and clearly understand and appreciate the benefits of this process.

Based on concerns expressed by our members and with the objective of improving traffic and pedestrian and bicycling safety in our village, the West Falmouth Village Association formed a special safety committee to focus on this problem. The committee consists of six Board Members and six Non-board Members of the West Falmouth Village Association. Our committee solicited input from residents, business owners and others who travel through our village. Our Road Safety Audit request is based on 205 responses to a safety survey and direct discussions with these constituents.

We presented this draft letter to the Traffic Advisory Committee and the Bicycle and Pedestrian Committee of the Town on June 26, 2023. They both support this Road Safety Audit request. The Traffic Advisory Committee has committed to preparing a draft letter from the Select Board to the MA Department of Transportation for the Select Board to review. We are very appreciative of their understanding of our concerns and the constructive advice they have provided us.

Sincerely,
James Gray
West Falmouth Village Association, President



6/8/2023

Massachusetts Department of Transportation
1000 County Street
Taunton, MA 02780

Dear MADOT,

Introduction:

After the August 2022 Annual Meeting of the West Falmouth Village Association (WFVA), the WFVA Board formed a Traffic and Pedestrian Safety Committee (referred to as "committee") to solicit traffic and pedestrian concerns from West Falmouth residents. This committee, comprised of six Board Members and six non-Board members, has been charged with advocating for traffic and pedestrian safety improvements to be made by the Town of Falmouth and the State of Massachusetts, as applicable. Committee members conducted a safety survey asking respondents about their areas of concern in the Village of West Falmouth. Additionally, many personal conversations were held with residents, travelers and with businesses residing in our community, all to develop a comprehensive list of safety concerns and recommendations that we believe will improve the safety of our community.

Results of the WFVA Safety Survey reflects the input of over 200 respondents are included in this document as [Addendum I](#) and can be accessed by clicking here.

Pictures included in this document can be navigated to through links in each section and also by scrolling to the end of the document. Video hyperlinks are included in each section also but are only accessible electronically.

Since WFVA initiated the survey noted above, the Massachusetts Department of Transportation conducted a Road Safety Audit process focused on the section of Route 28A/West Falmouth Highway from Old Dock Road to Chapoquoit Road. This affected stretch of road has been removed from this report with thanks to both the State for their efforts to make Route 28A/West Falmouth Highway a safer roadway. The WFVA; however, continues to have serious concerns regarding pedestrian and traffic safety along the remaining 2.8 miles of our 3 mile long "village Main Street." This report, as amended, focuses on these concerns.

Background:

West Falmouth was settled in 1673. Route 28A/West Falmouth Highway is the original dirt road which functioned as the town's main thoroughfare from the 17th century until the state's 1922 Master Plan led to the construction of Route 28. As a result, the new highway, Route 28, bypasses nine miles of road passing through Bourne, North and West Falmouth (today's Route 28A, which remains classified as a State Highway). Within those nine bypassed miles are three miles which pass through historic West Falmouth Village. It is this three-mile stretch for which we are concerned.

While Route 28A/West Falmouth Highway is state owned, it is not a "highway." The nine miles of Route 28,

which run parallel to Route 28A/West Falmouth Highway fulfill that function. Route 28A/West Falmouth Highway functions as our "Main Street." It is a narrow two-lane road. There is no room for bike lanes. Homes and businesses line both sides of this historic roadway. Our stretch of Route 28A is populated by a confluence of pedestrians, cyclists and vehicles frequently stopping to visit one of our twenty-eight small businesses. As a village "Main Street" which includes long stretches where there are no crosswalks, pedestrians cross the road wherever they wish to visit neighbors or to shop. Most of the Village's historic walking paths substitute for sidewalks. Portions of these narrow paths are unpaved. Seasonally, typically from June through September, the traffic flow of motorists, cyclists, and pedestrians exponentially increases beyond anything anticipated when Route 28A/West Falmouth Highway was paved. The realities of modern life such as vehicles making frequent stops such as school buses, trash trucks and delivery trucks further exacerbate local travel conditions.

To provide some context, MADOT last issued *Special Speed Regulation* for Route 28A/West Falmouth Highway in 1966, fifty-seven years ago. Since then, little to no improvements have been made to Route 28A/West Falmouth Highway in West Falmouth. During this time, Falmouth's residential population has grown from 15,942 in 1970 to 32,517 in 2022; a 104% increase. Keep in mind that the summer population swells three-fold over the residential numbers.

West Falmouth Village Association Summary of Safety Concerns:

We, the West Falmouth Village Association, on behalf of the residents and businesses in West Falmouth request the Town of Falmouth and MADOT conduct a Road Safety Audit on the remaining 2.8 miles of Route 28A/West Falmouth Highway focusing on the following areas of concern which we would like to bring to your attention. This list of concerns is organized directionally traveling northbound along Route 28A/West Falmouth Highway from its intersection with Route 28 to Thomas B. Landers Road. As previously noted, the stretch of road from Old Dock Road to Chapoquoit Road has been removed from this report. Our concerns are detailed, and our recommendations are expressed after our concerns.

Passing Lane from Blair Lane to Hawks Way along Route 28A/West Falmouth Highway

A passing lane 0.1 miles in length currently exists on Route 28A/West Falmouth Highway from Blair Lane to Hawks Way. The speed required for a vehicle to complete passing another vehicle in the span of this passing lane requires the accelerating vehicle to travel at excessive speeds. [Click here for photos.](#)

To increase safety at this location we recommend:

1. Eliminating the passing lane and removing the associated signage.

Safety Issues at - West Falmouth Square – 410 West Falmouth Highway

There are three safety concerns regarding this location: vehicle parking adjacent to Route 28A/West Falmouth Highway, pedestrian safety as people walk along Route 28A/West Falmouth Highway and vehicle egress from the parking lot in the back of the shopping center.

1. In front of West Falmouth Square, which houses the West Falmouth Post Office and six other businesses, there are 12 parking spaces perpendicular to and abutting Route 28A/West Falmouth Highway. There is no MADOT signage that permits parking on Route 28A State Highway at this location. In order to back out of these spaces, vehicles back onto Route 28A/West Falmouth Highway creating dangerous situations for motorists, cyclists and pedestrians. [Click here for photos.](#)
[Click here for video.](#)

To increase safety at this location we recommend:

- a. Consulting with traffic engineers to consider the complexities regarding all the pedestrian vehicular movements at this location.
 - b. Reconfiguring the parking access and egress taking vehicular and pedestrian safety into consideration.
 - c. Painting a clearly marked pedestrian sidewalk with high visibility paint that protects pedestrians from vehicles.
2. The current parking space configuration additionally creates a hazardous situation for pedestrians walking along the western perimeter of Route 28A/West Falmouth Highway. Pedestrians need to be hypervigilant; they need be aware of vehicles turning into parking spaces, and even more concerning, they need to skirt around vehicles backing out onto the highway.

To increase safety at this location we recommend:

- a. Refer to our recommendations in #1 above in this section.
3. There is a parking lot in the rear of West Falmouth Square with a one-way flow pattern directing traffic in at the northern end of the property and out at the southern end of the property. Presently, drivers' ability to safely egress the property onto Route 28A/West Falmouth Highway obstructed by overgrown vegetation. The land on which the vegetation is overgrown is state owned.

To increase safety at this location we recommend:

- a. Removing or aggressively pruning overgrown vegetation at the intersection to allow drivers to clearly see vehicles approaching from the south.

Intersection of Brick Kiln Road and Route 28A/West Falmouth Highway

Brick Kiln Road dead ends into Route 28A/West Falmouth Highway. This is a dangerous intersection for two reasons. The blinking light is not bright. As such, it does not convey the urgency to drivers unfamiliar with the area that the road is ending. This is coupled by the fact that the view of the stop sign, old and faded, is obstructed by vegetation such that it is not completely visible until drivers are within approximately 100 feet of the road's end. [Click here for photos.](#)

To increase safety at this location we recommend:

1. Replacing the blinking light with a more modern device.
2. Replacing the current stop sign with a solar/LED powered lighted blinking stop sign.
3. Removing or aggressively pruning vegetation approaching the stop sign.
4. Repainting the stop line with high visibility paint.

Intersection at Chapoquoit Road and Route 28A/West Falmouth Highway

MADOT has evaluated this section of Route 28A/West Falmouth Highway during their Road Safety Audit conducted on April 4, 2023.

Crosswalk at West Falmouth Fire Station near Blacksmith Shop Road - 555 West Falmouth Highway

MADOT has evaluated this section of Route 28A/West Falmouth Highway during their Road Safety Audit conducted on April 4, 2023.

Crosswalk between West Falmouth Library and Quaker Meeting House – 575 West Falmouth Highway

MADOT has evaluated this section of Route 28A/West Falmouth Highway during their Road Safety Audit conducted on April 4, 2023.

Safety Issues at the intersection of Old Dock Road and Route 28A/West Falmouth Highway at the West Falmouth Market – 623 MA-28A

MADOT has evaluated this section of Route 28A/West Falmouth Highway during their Road Safety Audit conducted on April 4, 2023.

Intersection of Westmoreland Drive and Route 28A/West Falmouth Highway

Craggy Ridge is a large residential neighborhood with 92 homes on the east side of Route 28A/West Falmouth Highway between Thomas B. Landers Road and the Old Dock Road. It has two entrances with the main, most frequently used entrance/exit at Westmoreland Drive, at the neighborhood's southern end. It is this intersection with Route 28A/West Falmouth Highway at Westmoreland Drive which we would like to express our concern. Southbound vehicles have, presumably, seen the 35 MPH speed limit sign less than 0.1 miles earlier just north of the Gas Station. While they may be slowing down, there is a curve in the road there which impedes drivers' abilities to see vehicles leaving the neighborhood and pedestrians crossing Route 28A/West Falmouth Highway to the historic walking path on the western edge of the road. Northbound drivers' tendency, once they are through the commercial area around the West Falmouth Market is to accelerate, often times above the designated speed limit. Additional benefits to addressing the concerns at this locality is that this location represents the northernmost edge of the West Falmouth Village commercial area. By alerting southbound drivers to pedestrian traffic, it encourages drivers' to be going at the speed limit by the time they begin approaching the commercial area including the West Falmouth United Methodist Church and Eulinda's Ice Cream Parlor both of which commonly have small children in attendance.

To increase safety at this location we recommend:

1. Posting an intersection ahead sign on Route 28A/West Falmouth Highway in both southbound and the northbound lanes.
2. Installing a raised crosswalk painted with high visibility paint at this location.
3. Installing a pedestrian-activated ADA-compliant crossing signal.

Intersection of Thomas B. Landers Road and Route 28A/West Falmouth Highway

Thomas B. Landers Road dead ends at Route 28A/West Falmouth Highway. At this intersection, frequently, vehicles have failed to stop and have crashed into the guard rail on Route 28A/West

Falmouth Highway. The entrance to Bourne Farm is mere feet north of the intersection where Thomas B. Landers Road dead ends into Route 28A/West Falmouth Highway. During high season, weddings and/or functions are held at the farm most every weekend. [Click here for photos.](#)

The current design of the intersection pulls drivers intending to turn northbound towards the northwest as they stop at the intersection which orients their vehicles in such a way as to make it difficult for drivers to see oncoming traffic from the south.

To increase safety at this location we recommend:

1. Replacing the blinking light with a more modern device
2. Replace the current stop sign with a solar/LED powered lighted blinking stop sign
3. Repainting the stop line at Thomas B. Landers Road with high visibility paint
4. Installing an illuminated sign north of the intersection on the southbound side on Route 28A/West Falmouth Highway alerting drivers of the upcoming intersection
5. Review the design of this intersection to improve safety of vehicles turning north.

Historic Walking Paths on Route 28A/West Falmouth Highway throughout West Falmouth Village

Historic walking paths run 1.9 miles along the west side of Route 28A/West Falmouth Highway from 850 West Falmouth Highway to 328 West Falmouth Highway with interruption at the West Falmouth Square at 410 West Falmouth Highway (previously discussed). On the east side of Route 28A/West Falmouth Highway, the walking paths stretch 0.2 miles from the West Falmouth Library at 575 West Falmouth Highway to Stagecoach Road. These walking paths are in various stages of disrepair. It appears that asphalt has been placed on the surface of the historical walking paths; however, in many locations there is no asphalt. Roots and frost heaves protrude with significant deterioration in some spots. There are multiple locations where the paths are impassable due to: guard rails, fire hydrants, manhole covers, water main caps or concrete markers. To compound this, there are driveways with no crosswalk markings, overgrown hedges, and protruding mailboxes all of which demand that pedestrians keep alert as to the obstacles ahead. In many places the paths are too narrow for one pedestrian to pass safely. Any of these obstacles which forces pedestrians into the road to get to their destination increases the danger of an accident. This village is filled with people who love to walk, add to that the tourists and summer residents who flood our streets at the first sign of good weather and you'll always see many people out walking our village with the presumption that they are safe doing so.

With the most extensive part of the historic walking path system being on the west side of Route 28A/West Falmouth Highway, one further safety concern is the frequency of pedestrians crossing Route 28A/West Falmouth Highway where there are no crosswalks. [Click here for photos.](#) Addendum II, available at the WFVA website, provides a detailed review of our historical walking paths and their condition.

Speed

According to MADOT's document: *Special Speed Regulation*, traveling southbound from Thomas B. Landers Road to just south of Carlisle Road, the speed limit is 40 MPH. The speed limit then reduces to 35 MPH to Chapoquoit Road at which point it is increased again to 40 MPH until the road dead ends into Route 28 just beyond Palmer Road. That said, there is a dearth of speed limit signage along Route 28A/West Falmouth Highway.

1. Upon entering southbound onto Route 28A/West Falmouth Highway from Thomas B. Landers Road,

there is no posted signage until drivers enter the 35 MPH zone, 0.9 miles south of the entry point. This is a heavily traveled access point leaving drivers unsure as to how fast they can travel.

2. Similarly, entering Route 28A/West Falmouth Highway from Brick Kiln Road, the other most traveled access point, drivers experience confusion
 - a. Heading northbound there is no posted signage until drivers enter the 35 MPH zone at Chapoquoit Road, 0.4 miles after they enter the roadway.
 - b. Heading southbound on Route 28A/West Falmouth Highway from Brick Kiln Road drivers never see a speed limit sign.

Regarding speed limits, Massachusetts Legislation, Chapter 90, as amended, was approved by Governor Baker. There is a broad consensus among local residents and businesses that the speed limit along the entirety of Route 28A/West Falmouth Highway should be lowered from current state requirements. That said, the West Falmouth Village Association does not have a position relating to speed limit changes permitted by this legislation at this time. We plan to participate in a review of this legislation to be led by the Falmouth Bicycle and Pedestrian Committee. After this review is completed, if we have any recommendations regarding speed limit changes throughout West Falmouth Village, we will distribute an addendum to this report.

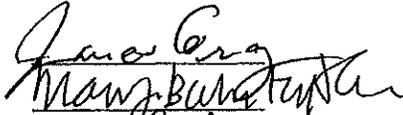
Following this document are:

1. Photos of Key Locations referenced above
2. Addendum I- Key results of a West Falmouth Village Association Member Survey on the topic of traffic and pedestrian safety

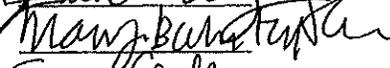
Based on our review, we believe there are many points along and beside Route 28A/West Falmouth Highway where serious safety issues require immediate action by the Massachusetts Department of Transportation: on the road, on the walking paths, at the intersections, and where crosswalks don't exist. These are safety of life concerns! We, the West Falmouth Village Association request that MADOT perform a Road Safety Audit.

Approved by the West Falmouth Village Association Board:

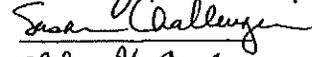
James Gray, President



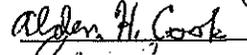
Mary Bunker-Ryther



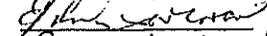
Susan Challenger



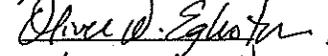
Alden Cook



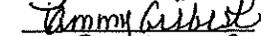
Skip Corcoran



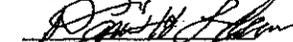
Ollie Egleston



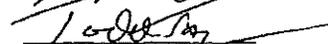
Tammy Gilbert



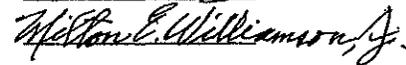
Dan Shearer



Todd Taylor



Milt Williamson

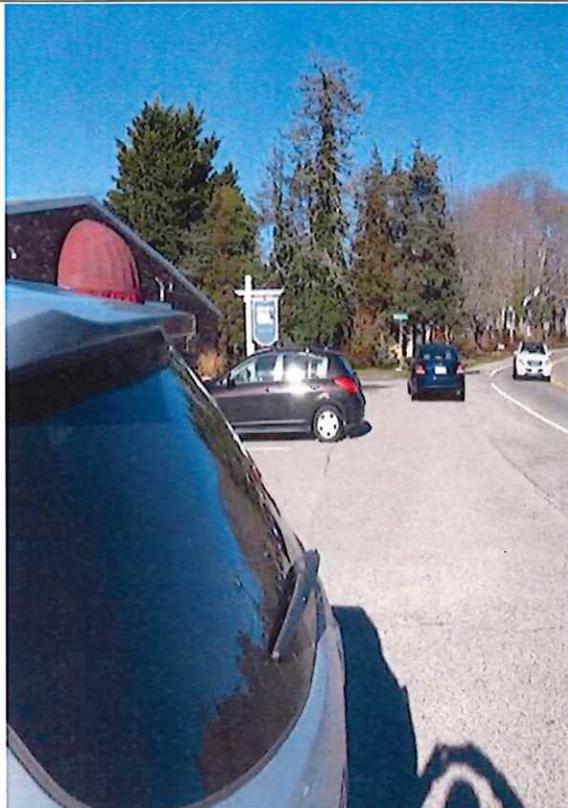


cc:
Falmouth Select Board
Falmouth Bicycle and Pedestrian Committee
Falmouth Traffic Advisory Committee
Senator Moran
Representative Fernandes

MADOT Letter – June 2023 – Passing Lane from Blair Lane to Hawks Way



[Click Here to Return to Document](#)



Post Office Vehicle Departing-vehicle backed up and then drove along the shoulder before turning north on Route 28A/West Falmouth Highway



Post Office Sidewalk-no marking for crosswalk; the wide space between the buildings and the road is shared by pedestrians and the vehicles that are entering and exiting the parking spaces in this area.



Post Office Sidewalk south

Exiting Post Office Rear Parking

[Click Here to Return to Document](#)

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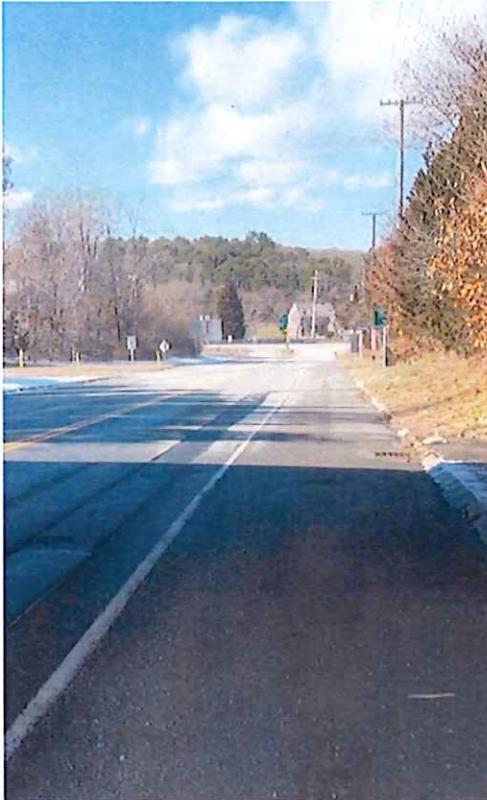


Brick Kiln approaching Intersection



Brick Kiln at Bend in road

[Click Here to Return to Document](#)



Thomas B Landers Road intersection with Route 28A/West Falmouth Highway



Bourne Farm entrance looking towards Thomas B Landers intersection

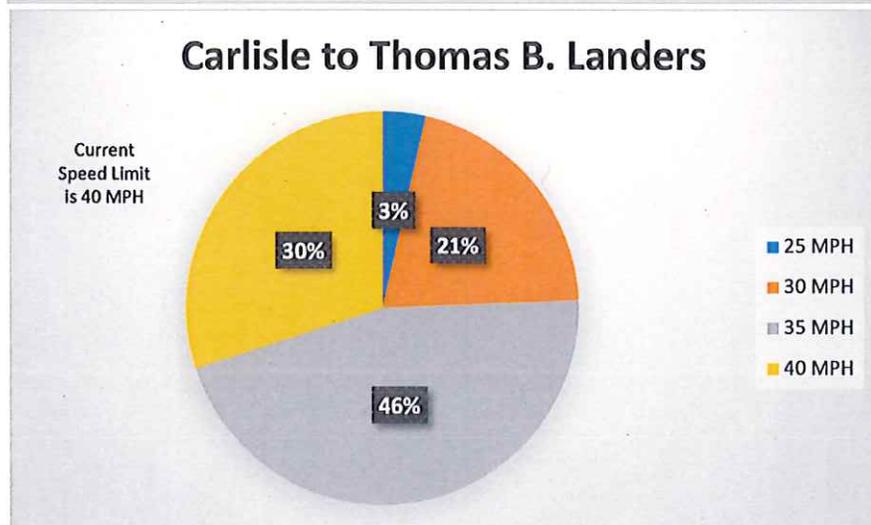
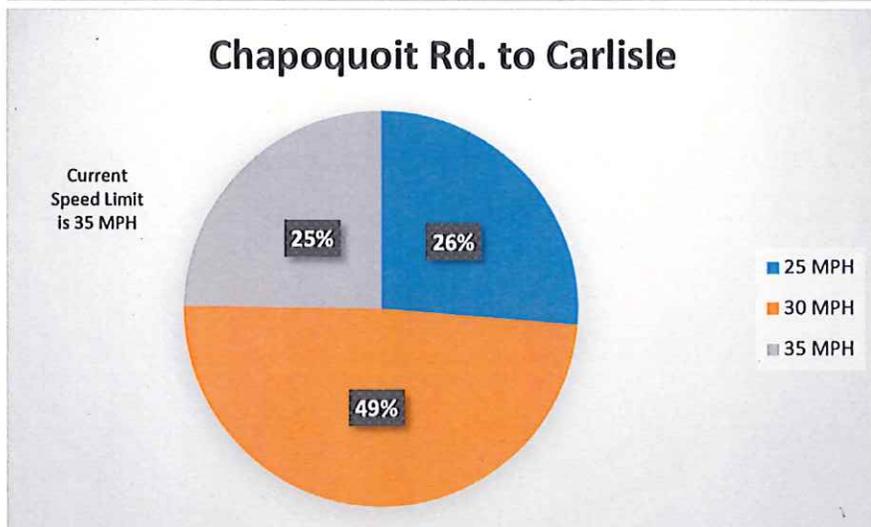
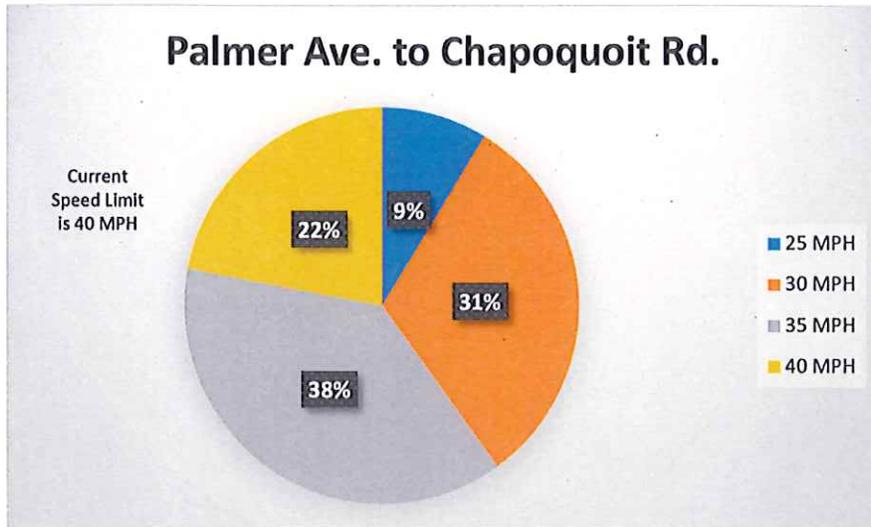
[Click Here to Return to Document](#)

MADOT Letter – June 2023 – Historic Walking Paths/Sidewalks on Route 28A/West Falmouth Highway throughout West Falmouth Village



[Click Here to Return to Document](#)

The **West Falmouth Village Association** conducted an online survey regarding speed and safety along Route 28A. Residents were encouraged to share their thoughts. We received 201 submissions. The below charts represent what people believe to be safe and appropriate speeds throughout three sections of Route 28A in West Falmouth.



As you can see, in the stretch of road between Palmer Avenue and Chapoquoit Road, 78% of respondents believe the speed should be reduced. From Chapoquoit Road to Carlisle which is the most populated especially during the summer months, 75% of respondents believe the speed should be reduced. When asked about speed from Carlisle to Thomas B. Landers, 70% of respondents believe the speed limit should be reduced.

Residents were also given the opportunity to elaborate on their thoughts and/or concerns. Below is a sampling of the many submissions we received. In reading through the submissions, we see specific concerns/areas mentioned consistently. Those areas of particular concern are West Falmouth Square (plaza that houses the Post Office and Chapoquoit Grill) and the West Falmouth Market/Old Dock Road intersection. Many residents are especially concerned about the condition of the sidewalks or lack thereof in the Village. To give you an idea of a theme to the data collected, please consider the following....

“Dangerous/Fast/Hazardous” is mentioned 85 times
“West Falmouth Market” is mentioned 87 times
“Old Dock Road” is mentioned 73 times
“Sidewalk” is mentioned 78 times

“Drivers pulling out from the WF Market, pedestrians crossing from Old Dock Road, combine for a nightmare scenario.”

“Our son was hit by a car inside a crosswalk in front of West Falmouth Market.”

“Because of the deplorable condition of many, if not most, of the sidewalks in the library to WFM area, most of us are forced to walk along the edge of 28A. Given the speed of cars coming in both directions, this is a serious accident waiting to happen.”

“One woman has already been killed. Let’s do something smart before more tragedies.”

“Drivers often do not stop for pedestrians trying to cross 28A at the crosswalk by the fire station.”

“The road is dangerous throughout West Falmouth, especially for pedestrians and bicyclists.”

“Folks travel too fast past the library and especially the WFM. I’ve seen people not stop for kids in the crosswalks there too. Very upsetting.”

“Speed is excessive along section of 28A between Thomas Landers and Chappy Rd. Very fast.”

“Crossing anywhere near West Falmouth Market is a challenge.”

“Walking on 28A is dangerous.”

“I have had many close calls when leaving my neighborhood.”

“I have a young child and think that drivers go too fast for him to safely walk along the sidewalk. When I am waiting at the bus stop, I see drivers going as quickly as 50 mph along the stretch that goes past Carlisle Road.”

“Improved and/or additional sidewalks would enhance the safety of those walking in the area.”

“The corner of Old Dock Road and 28A is particularly hazardous with pedestrian and car traffic going in and out of West Falmouth Market.”

"Drivers fly down 28A and it's a hazard to all residents turning onto 28A!"

"Very dangerous. Speeders on a regular basis and crosswalks are not properly marked for visibility."

"The road is narrow and twisty in many spots. Fast driving means that there isn't time for the driver to react if something unexpected happens."

"We walk our dogs multiple times during the day. The speed is excessive and many drivers do not heed to us in crosswalks."

"My neighbor's son was hit last summer while in the crosswalk at the market."

"Drivers in each direction are usually going too fast past Old Dock Road."

"The crosswalk at Old Dock Road is very dangerous. I see a minimum of 25 violations each day in passing during the summer months. Also the current crossing dumps pedestrians into the parking lot entrance of my store which is very dangerous."

"The interaction with Old Dock and 28A at the entrance to the WF Market is a mess"

"High rate of speed, especially south on rt 28A from Old Dock to Chappy Road."

"Regularly see motorists and motor cyclists ZOOMing along 28A."

"Drivers act as though the crosswalks in the village are optional."

"Post Office backing onto 28A is very dangerous."

"People drive too fast and bikers, walkers and runners are at significant risk."

"The intersection of 28A and Old Dock Road is treacherous as cars go too fast and make the turn without waiting to be sure no pedestrians are crossing."

"Walking on the narrow sidewalks are hazardous because of the cars whipping past on 28A."

"Crosswalks are not well marked, and cars do not always stop."

"The parking lot for the WF Post Office is a dangerous spot to exit from."

"Last summer, in order to more accurately assess a car's speed, I increased mine and found that it was going 50 mph in the 35 mph zone, which is not uncommon."

"I fear for my life crossing the street from my house to the bike path. People drive way too fast on 28A."

"Crosswalks and road sidelines should be more frequently painted and kept visible."

"There are several sharp curves that create blind driveways. Cars traveling at the speed limit do not have much time to stop."

"There needs to be lower speed limits and more well marked cross walks, especially in the areas near businesses/the library, etc."

"The current speed limits are too high for safe sharing of the road with bikes and pedestrians."

"Walking can be a great danger."

"I walk on 28A all the time and watch people flying by me at crazy fast speeds."

"My extended family is terrified to cross 28A to visit neighbors on the east side of 28A."

"I think the parking situation at West Falmouth Square is very dangerous where cars back out of their parking spaces directly onto 28A."

"There are many people exiting on bike or foot out of Craggy Ridge Development onto 28A and often cars are speeding."

"The area between the library and Eulinda's Ice Cream is extremely dangerous given the high density of vehicles, pedestrians and bikes."

"The lack of adequate sidewalks is dangerous as cars pass by at an unreasonable speed."

"Speeds too high from Chapoquoit Road to Carlisle Road especially in front of West Falmouth Market."

"Entrance and exit to West Falmouth Market is often hazardous."

"Parking lot at PO/Chappys/Liquor Store is difficult to exit due to limited space between spaces and 28A."

"Cars speeding down 28A near Chapoquoit Gill make driving in and out of parking lot a hazard. The same is true near West Falmouth Market."

"The sidewalks need attention."

"It is unsafe for pedestrians to walk on Route 28A due to the absence of sidewalks."

"The cars backing out of the Chappy Grill into the road are an accident waiting to happen."

"Cars/trucks travel far too fast!"

"It is frightening to cross the street!"

"Someone is going to get killed on Old Dock Road and/or Chapoquoit Road!"

"It is sadly only a matter of time before another tragedy unfolds."

"Area by West Falmouth Market – Have seen so many near misses."

"It is very dangerous for pedestrians in front of the West Falmouth Market. Lots of little children are in this area."

"It is very scary biking south of Chapoquoit on 28A."

"The intersection of Chapoquoit Road and 28A has had several accidents."

[Click Here to Return to Document](#)

OPEN SESSION

BUSINESS

7. Nomination to name the Town's water treatment plant the "Raymond A. Jack Water Treatment Plant" **(5 minutes)**

June 30, 2023

Falmouth Board of Selectman
Chairperson Nancy Taylor
59 Town Hall Square
Falmouth, MA 02540



Re: Naming the Town's Water Plant after Raymond "Ray" Jack

Dear Board,

I am asking the Board to consider naming the Town's Water Treatment Plant on Long Pond the "Raymond A. Jack Water Treatment Plant".

As I understand the procedure the Selectman at a regular meeting would need to move to so name the facility and that a one year waiting period would ensue before it became official.

As most of you know Ray worked for the Town both as utility manager and as the Department of Public Works director. He was an expert in the field of water treatment and was the guiding force behind the piloting, permitting, design, construction and startup of the Water Plant at Long Pond.

As a former water superintendent for the Town, I served under Ray during the construction and startup of the water plant. Prior to my employment with the Town, I was the Owner's Project Manager during the design phase and served on an advisory committee to the Board of Selectman during the pilot phase of the project. At every stage of the project Ray's knowledge of water treatment was a key element that infused the project to ensure that the treatment facility was designed to the highest standards with the expectation that the facility would meet the Town's needs for many decades.

The day the plant was brought on-line Ray was justifiably proud of what he had accomplished for the citizens of Falmouth. Therefore, naming the plant after him would honor his dedication and commitment to serving the needs of the citizens of Falmouth.

I would ask that you put this item on a future Selectboard agenda. As appropriate, I can make a short statement/presentation in support of this request.

Sincerely,

Handwritten signature of Stephen Rafferty in black ink.

Stephen Rafferty, 34 King Street, Precinct 2

Town of Falmouth
Select Board
NAMING POLICY FOR PUBLIC FACILITIES AND PLACES

Adopted February 13, 2023

Policy:

This policy is adopted pursuant to the naming of public facilities and places in honor and/or in memory of those who served the greater Falmouth community.

Guidelines:

It is the policy of the Town of Falmouth, that the naming of public facilities and places is a significant event and should be done rarely, and only in accordance with the following guidelines:

Public facilities or places shall be considered for naming or renaming by written request, accompanied by background information and rationale, to the Select Board;

The Board shall consider naming based upon:

- Persons who were residents or town employees of excellent character and reputation who made significant contributions to the town. Attributes include:
 - Unusually effective and dedicated service to or on behalf of the town;
 - Efforts to sustain the high quality of life and service within the community;
 - Demonstrated understanding and activities within the essential functions of town government;
 - Service in the defense of freedom or other examples of effective citizenship;
- A geographic or functional name related to the facility or area;
- Names provided as part of trust arrangements, donations, bequests or other related activities;
- Tradition;
- Some combination of the above mentioned attributes.

Procedure:

In order to avoid personal or collective prejudice, favoritism, political pressure and/or temporary popularity, the Board shall take no action on an application to name a public facility or place for a period of at least one (1) year following submission of said application;

After the waiting period has elapsed, a member of the Select Board shall be designated to seek input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named or renamed and report back to the full Board. The Select Board will then advertise and hold a public hearing to seek input from the community.

Following the hearing, the Board may vote to name the public facility or place as requested. A vote of four (4) members of the Select Board shall be required to approve a naming request.

Changing the name of a public facility or place already named shall require a vote of four (4) members of the Select Board AND a two-thirds vote of Town Meeting.

Eligibility:

All public facilities and places under the jurisdiction of the Select Board and/or any of its direct and indirect appointees are eligible to be named. These facilities and places include, but are not limited to: town buildings or parts thereof, undeveloped parcels of land, recreation areas, intersections, streets and roads, and other landmarks.

Exceptions:

Exceptions to this policy shall be made for:

- The Memorial Bench Policy;
- Where state or national laws, or regulations pertaining thereto, require that a facility or place be named in any manner inconsistent with this policy. For example, the Massachusetts LAND grant program requires that property acquired with these funds be named before they will reimburse the town for said purchase;
- Where naming is utilized as part of a capital campaign to raise funds. For example, the capital campaign which supported the 2007 renovation of the main branch of the Falmouth Public Library.

OPEN SESSION

BUSINESS

8. Nomination to consider naming a sports field or village green in recognition of Harry Hill **(5 minutes)**

Recreation Committee Town of Falmouth

July 17, 2023

Select Board
59 Townhall Square
Falmouth, MA 02540

Re: Memorial Recognition for Late Department of Public Works employee, Harry Hill

Dear Select Board,

On Saturday, June 10, 2023, retired Parks Department Director Brian Dale presented a proposal to the Committee to name a recreation field for deceased Department of Public Works employee, Harry Hill. He passed away in March of 2023. Present with Mr. Dale was other co-employees of Mr. Hill including Ernie Holcomb, and Ed Valorani in support of the tribute. All reported Mr. Hill was a mentor to many DPW workers. Ernie stated to the Committee by “honoring Harry Hill in this manner would be honoring all DPW workers.”

Mr. Dale and others commented that Mr. Hill was dedicated to his community beyond the scope of his employment for the Town of Falmouth. Mr. Hill’s attended youth sporting events for the Public Schools and recreation to ensure his painted or limed “sport lines and boundaries” were still in order before opening kickoff or otherwise. He attended his work functions on holidays and weekends when needed. He took great effort and care of his projects including the Village Green throughout the year and especially for the December Holidays even on his time off.

The Committee recommends the Select Board to honor retired DPW worker, Harry Hill with a memorial as deemed just and proper for his dedication to the Town, DPW and his co-workers.

Sincerely,



Recreation Committee

Robert A. Brown, Chair and on behalf of Sandy Cuny, Thomas Zine, Richard Boles, Patricia Moran, Michael Heylin and Scott Ghelfi.

Cc. Recreation Committee
Joe Olenick, Recreation Department
Peter Dale

Town of Falmouth
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- Where naming is utilized as part of a capital campaign to raise funds. For example, the capital campaign which supported the 2007 renovation of the main branch of the Falmouth Public Library.

OPEN SESSION

BUSINESS

9. Vote to authorize American Rescue Plan Act (ARPA) funding allocations **(5 minutes)**



ITEM NUMBER: Click or tap here to enter text.

ITEM TITLE: **Authorize Allocation of Funds: America Rescue Plan Act (ARPA)**

MEETING DATE: **7/24/2023**

WORK SESSION **REGULAR MEETING** **PUBLIC HEARING**

SUBMITTED BY: Peter Johnson-Staub, Assistant Town Manager

ATTACHMENTS: Click or tap here to enter text.

PURPOSE:

The Town was awarded a total of \$3,243,993 in direct aid through the *Coronavirus State and Local Fiscal Recover Funds* of the America Rescue Plan Act (ARPA). The Select Board previously voted to allocate most of this funding. We seek to allocate the balance of these funds to ensure they are committed and spent within applicable deadlines.

BACKGROUND/SUMMARY:

1) The Select Board previously authorized the following allocations from the direct ARPA award:

Funding Awarded	\$3,243,993
Sewer Treatment Plant Design	1,700,000
Public Safety Bonuses @ \$2,500 each	325,000
Non-Public Safety Employee Bonuses @ \$1,000 each	375,000
Nye Park Hardcourts	110,000
Water Well Treatment Upgrades	200,000
SUBTOTAL	2,710,000
BALANCE	533,993

- 2) Timing: Town has until December 31, 2024 to obligate funds. All funds must be spent by December 31, 2026. During debt ceiling debates last spring some Congress members suggested that unspent ARPA funds should be “clawed back.” That did not ultimately happen but we would like to move forward with committing and spending these funds sooner rather than later. Congress has another opportunity to attempt to claw back dollars with the upcoming funding to continue to avert a government shutdown this fall. Making these allocation decisions now will also help us determine what capital projects to fund from other sources when the capital improvement plan is submitted later this summer.
- 3) Under the final rules adopted by the U.S. Department of Treasury, municipalities have wide latitude to spend ARPA funds for legal municipal purposes under a standard allowance for revenue loss up to \$10 million.
- 4) There are significant reporting requirements for the use of this federal aid. As such, the fewer the purposes for which the funds are allocated, the less onerous reporting obligations will be.
- 5) In addition to receiving funds directly from the U.S. Department of the Treasury, the Town also received ARPA aid through Barnstable County in the amount of \$1,334,782. That amount has been fully allocated toward the Wastewater Treatment Plant upgrades.

DEPARTMENT RECOMMENDATION:

We recommend the following allocations of remaining ARPA aid:

Edward Marks Building – First Floor Interior Improvements	135,000
Water Main Replacements	398,993
SUBTOTAL New Allocations	533,993

1. Water Main Replacements: We propose allocating most of the remaining funds to Water Main replacements. The Water Fee proposal is estimated to generate an increase of \$3,000,000 per year after full implementation in 3 years. In the interim, we will be tapping other funding sources such as ARPA to get this critical infrastructure work started right away.
2. Edward Marks Building Interior Improvements: The first floor of the Edward Marks Building is being renovated for use as Human Services Offices. The bid for the project came in over budget by \$128,000. There have also been some unanticipated costs related to insulation, replacement of the fire alarm panel, and an ADA railing. The project budget included a 15% contingency - \$91,000. The project is now well underway. Barring any major surprises, we will be able to complete the project with supplemental funding of \$135,000. This figure takes into account the balance remaining in the contingency line-item. The total project cost including all of the above is now \$945,813 including design, furnishing and fixtures. The project is scheduled for substantial

completion in late September of this year with relocation of the Human Services offices to follow shortly thereafter.

3. With these two allocations, all of the \$3,243,993 in direct ARPA aid will be allocated. At a future meeting before December 2024, we will report on any funds that remain after completion of the intended purpose so unspent balances can be re-allocated and spent for another purpose.

OPTIONS:

1. Vote to authorize ARPA allocations as proposed;
2. Vote to authorize ARPA allocations with amendments;
3. Defer action on proposed ARPA allocations;
 - a. The allocation for the Edward Marks Building is time sensitive for completion of the project. The landlord leasing the office space to the Town for Human Services expects the Town to vacate in October.

BUDGET INFORMATION: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
ARPA Direct Aid	Facilities	200-3510-1135	Capital Projects	533,993	533,993	0

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

Recommend approval.

TOWN MANAGER COMMENTS:

Town Manager

7/14/2023

Date

OPEN SESSION

BUSINESS

10. Request from Mark and Cynthia Albers to submit a Notice of Intent to the Conservation Commission to perform sediment nourishment and maintenance on Town-owned land at 0 Great Bay Street **(5 minutes)**

Diane Davidson

From: Mike Borselli <mike@falmouthengineering.com>
Sent: Friday, July 21, 2023 2:22 PM
To: Falmouth Town Manager
Subject: Request from Mark and Cynthia Albers

To Whom it May Concern,

Due to a scheduling conflict, we hereby request a continuance to the business item #10 on the July 24th agenda to August 21st.

Thank you for your consideration.

Michael J. Borselli, P.E.
President
Falmouth Engineering, Inc.
17 Academy Lane, Suite 200
Falmouth, MA 02540
508.495.1225
www.falmouthengineering.com



MARINE & ENVIRONMENTAL SERVICES
TOWN OF FALMOUTH
180 SCRANTON AVENUE, FALMOUTH, MA 02540
TEL: (508) 457-2550 • FAX: (508) 467-2525

To: Falmouth Conservation Commission
CC: Falmouth Select Board
From: Chuck Martinsen
Deputy Director MES / Shellfish Constable
Date: July 6, 2023
Re: 0 Great Bay Street

Thank you for the opportunity to comment on the proposed plan.

We have a long history of issues with sand movement from the western shore of Great Pond collecting in the ebb and flood tide deltas of Perch Pond. MES has been working with the neighborhood community and has sought five separate grant funding opportunities to address these concerns. To date, none of the applications have been selected for funding. We kindly request that any work regarding nourishment in this estuary is done in tandem with Town efforts to address wind and wave energy before the sand reaches the Perch Pond area. Please find below a list of the grant applications that have been submitted to various agencies.

- Application entitled *Living Artificial Shorelines for Nitrogen Remediation and Shoreline Protection* submitted to EPA's Southern New England Program (SNEP) in 2018
- Application entitled *Living Shorelines for protection of sandy estuarine coasts and nitrogen removal* submitted to EPA's Southern New England Program (SNEP) in 2019
- Application entitled *Estuary Shoreline Management Through Floating Aquaculture Revetments* submitted to EPA's Southern New England Program (SNEP) in 2022
- Application entitled *Using Wave-dampening Mariculture Arrays to Reduce Shoreline Erosion* submitted to Coastal Zone Management's Coastal Resilience Grant Program in June 2022
- Application entitled *Design and Implementation of Wave-dampening Mariculture Arrays to Reduce Shoreline Erosion (MA)* submitted to National Fish and Wildlife Foundation's National Coastal Resilience Fund in April 2023

Thank you.

Diane Davidson

From: Mike Borselli <mike@falmouthengineering.com>
Sent: Friday, June 30, 2023 1:27 PM
To: Diane Davidson
Cc: Phyllis Downey; Jennifer Lincoln; Erica Borselli
Subject: Lot B, great Bay Street
Attachments: 16099BCH.pdf; Grant of License from BOS.pdf; NOI App (2023).pdf

Hello Diane,

In 2017, Conservation Commission approved a coastal bank stabilization project at the above referenced property. Subsequently, The Board of Selectmen granted a license (see attached), allowing the work to proceed. The work commenced and the project was a success.

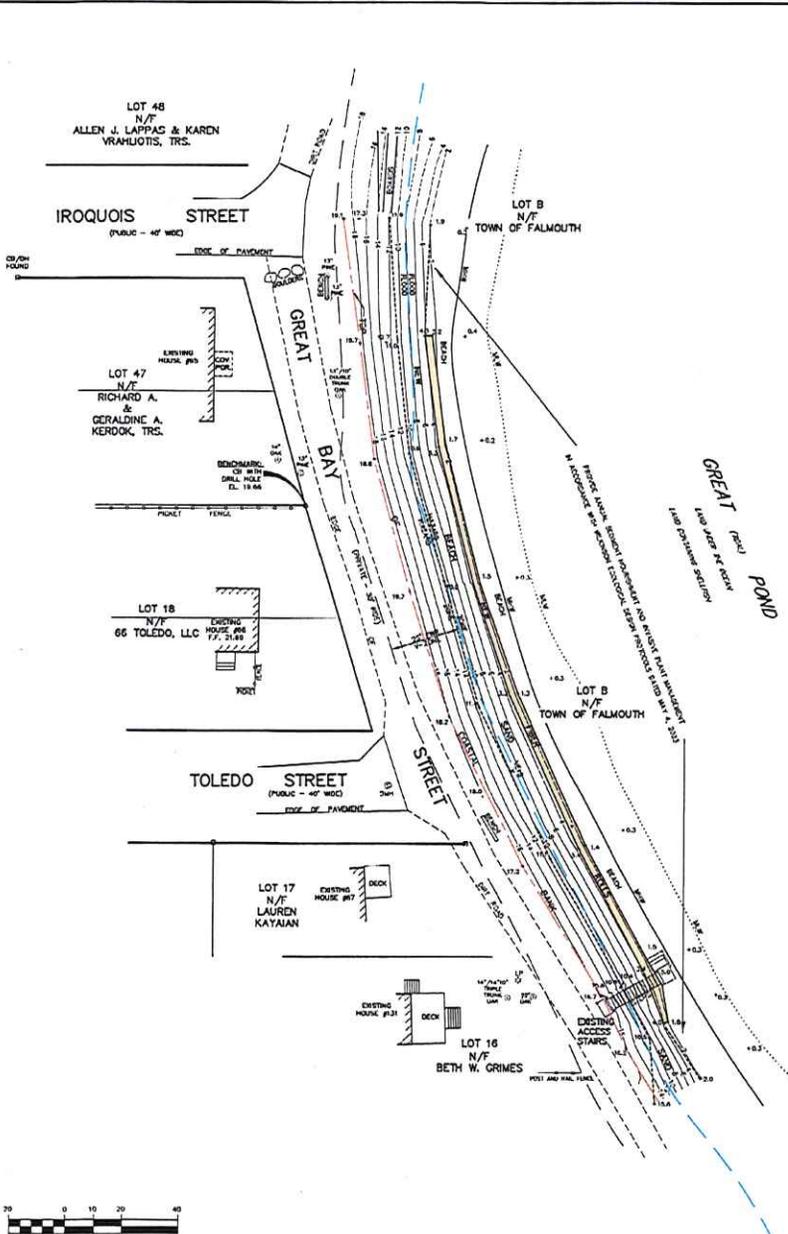
From time to time, the project requires maintenance, including the addition of sediment to the fiber rolls that line the coastal bank and removal of invasive plants on and adjacent to the coastal bank. This requires the submission of a new Notice of Intent application to Conservation Commission. I have attached this application and the project plans.

The Conservation Commission routinely requires permission from The Board of Selectmen to submit the application because the work is on town owned land, but is proposed by a private property owner.

Please accept this email as our request to be placed on the next available meeting agenda to request permission to apply for this routine maintenance work.

Thank you.

Michael J. Borselli, P.E.
President
Falmouth Engineering, Inc.
17 Academy Lane, Suite 200
Falmouth, MA 02540
508.495.1225
www.falmouthengineering.com



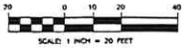
LOCUS
NOT TO SCALE

LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- 111.5 EXISTING SPOT ELEVATION
- EXISTING TREE
- CONCRETE BOUND WITH DRILL HOLE

GENERAL NOTES:

1. ASSESSOR'S INFORMATION: 46A 15 000 0000
2. FLOOD ZONES: X & VE15 (FEMA MAP 25007C07372)
3. ZONING DISTRICT: RC
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICT: GREAT POND COASTAL POND OVERLAY DISTRICT
6. WIND BLOWN DEBRIS REGION: HIGH
7. STREET ADDRESS: GREAT BAY STREET
8. HOUSE NUMBER: N/A
9. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
10. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.



SEDIMENT NOURISHMENT & INVASIVE MANAGEMENT PLAN FOR LOT B GREAT BAY STREET PREPARED FOR MARK & CYNTHIA ALBERS FALMOUTH, MA	
PLAN DATE: JUNE 19, 2023	PLAN SCALE: AS SHOWN
CIVIL ENGINEERING WATERWAY DESIGN TITLE 5 PLOT PLANS LAND USE PLANNING	 WETLANDS PERMITTING CIVIL ENGINEERING PLOTS AND BOOKS COMMERCIAL/RESIDENTIAL
17 ACADEMY LANE, SUITE 200 - FALMOUTH, MA - 02540 - 508.485.1225 PROJECT NUMBER: 16099 CAD FILE NAME: 16099DCH DRAWN BY: L.M./M.D. SHEET 1 OF 1	

GRANT OF LICENSE

The Town of Falmouth, a Municipal Corporation and political subdivision of the Commonwealth of Massachusetts having its usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Massachusetts, acting by and through its duly elected Board of Selectman, in consideration of One and 00/100 (\$1.00) Dollar and of the covenants contained herein, does hereby grant to 66 Toledo LLC (the "Licensee"), with an address of 66 Toledo Street, East Falmouth, Massachusetts, 02536, the following License to install erosion control measures and rebuild access stairs to Great Pond in accordance with the terms and conditions of a certain Order of Conditions issued by the Conservation Commission of the Town of Falmouth dated 9.25.17 (Mass DEP No. 25.4315) and in accordance with the plans referenced therein, and said work to be located on or about Great Bay Street and the shores of Great Pond lying to the east of the property of the Licensee at 66 Toledo Street, East Falmouth, Massachusetts 02536. Great Bay Street is a town way, and it shall be restored to its original condition upon completion of the work.

A sketch plan of the approved location of the licensed area is attached hereto. The sketch plan is for informational purposes only. In the event the sketch plan differs from the plans referred to in the Order of Conditions, the latter plans shall control.

This License is granted upon the following expressed conditions:

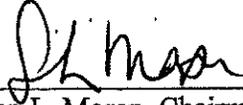
- a. Said License is revocable by the Board of Selectman at any time when the Board deems it appropriate to revoke the same in the best interest of the Town of Falmouth and/or public convenience, safety and needs; the Town may revoke this License by sending a notice to the Licensee, its successors and assigns at the above-referenced address and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- b. Upon such revocation, the Licensee, its successors and assigns shall, if and when directed by the Board of Selectman, remove said improvements, specifically, the erosion control measures and not the reconstructed access stairs, from the licensed area;
- c. If the Licensee, its successors and assigns, fail to remove said improvements, all the expenses of the Town to do the same or have the same done or any expenses arising from the failure to comply with this License, including attorney fees, costs and expenses and contractor fees shall be paid by the Licensee, its successors and assigns to the Town upon demand;

- d. This License is also revocable by the Licensees at any time when it is deemed appropriate for convenience, safety and needs. The Licensees may revoke this License by sending a notice to the Town and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- e. Until either of the above revocations, this License shall continue indefinitely;
- f. This License does not create any landlord/tenant relationship;
- g. The Licensee, its successors and assigns shall be obligated to indemnify, defend and hold harmless the Town of Falmouth, its agents, officers, officials and employees for any and all claims, actions, suits, or demands for personal injury or property damage arising out of and limited to the timeframes of the installation of the erosion control measures and arising out of and limited to the timeframes of the reconstruction of the access stairs to Great Pond. This indemnification obligation of the Licensee further extends to any and all claims, actions, suits, or demands for personal injury or property damages arising out of and limited to the timeframes of annual maintenance and sand nourishment;
- h. The Licensee is not responsible for future liability nor is obligated to indemnify the Town of Falmouth for any claims, actions, suits, or demands for personal injury or property damages arising out of the newly reconstructed access stairs, which the Town acknowledges it owns;
- i. Nothing contained in the License shall authorize the Licensee, its successors and assigns to do any work or undertake any activity or to continue any activity not otherwise in full compliance with all applicable laws, rules and regulations; and
- j. The terms, conditions, agreements and covenants contained herein shall be binding on the licensees, their successors and assigns.

For Licensees' title see Book 29334, Page 42.

IN WITNESS WHEREOF, the seal of the Town of Falmouth is affixed hereto and these presents executed and delivered in its name and behalf by its Board of Selectman, hereto duly authorized this 25th day of September, 2017.

TOWN OF FALMOUTH,
by its Board of Selectman,



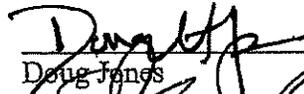
Susan L. Moran, Chairman



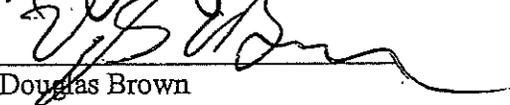
Megan English Brega, Vice Chairman



Samuel H. Patterson

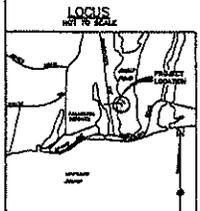
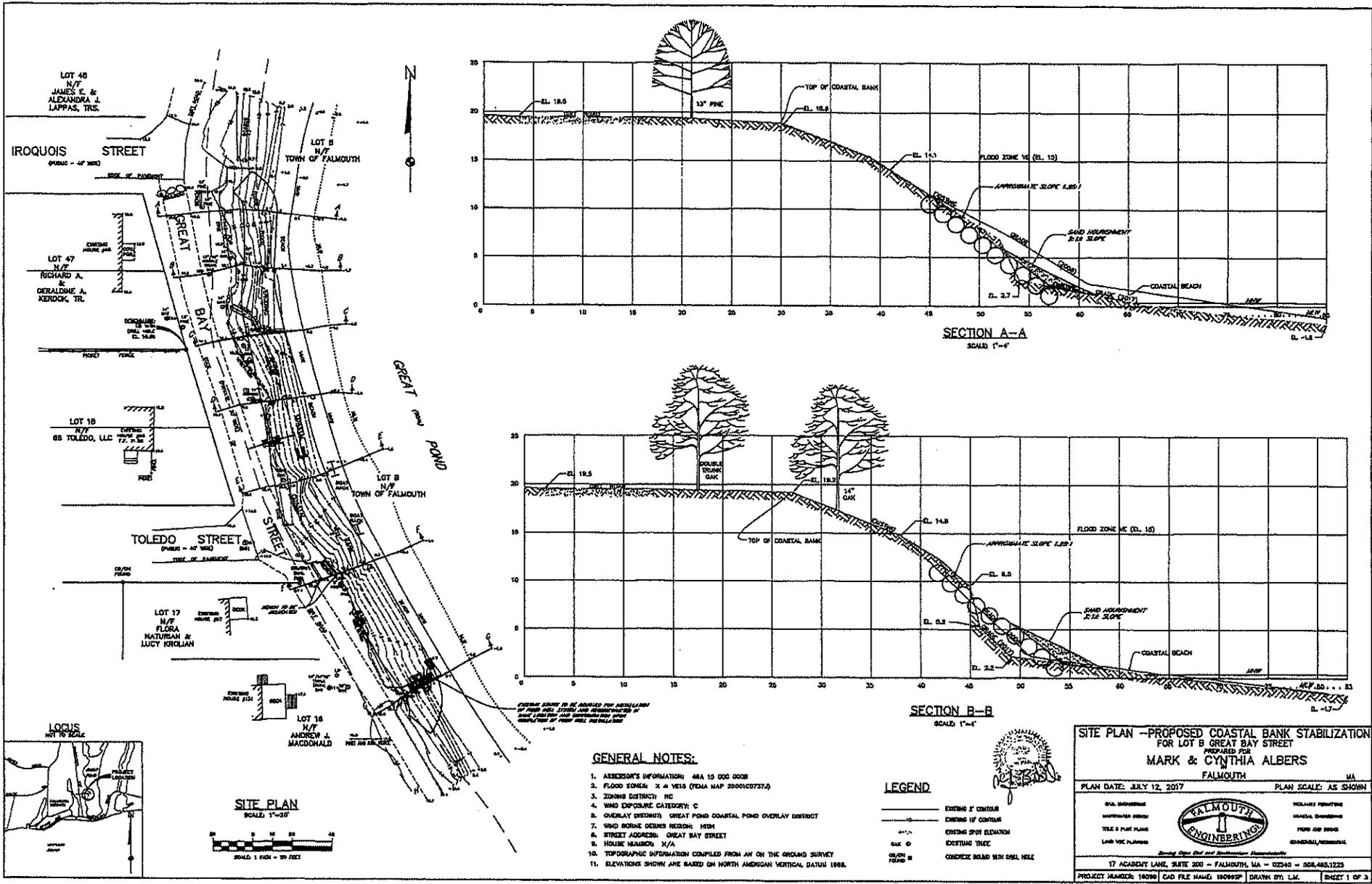


Doug Jones



Douglas Brown

approved on the farm:
Frank K. Deffen T.C.
9.28.17



SITE PLAN
SCALE: 1"=30'

GENERAL NOTES:

1. ASSessor'S INFORMATION: AREA 15 000 000
2. FLOOD ZONES: X & VE15 (DEMA MAP 2001C0737.0)
3. ZONING DISTRICT: RC
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICTS: GREAT POND COASTAL POND OVERLAY DISTRICT
6. WIND Borne DEBRIS REGION: HIGH
7. STREET ADDRESS: GREAT BAY STREET
8. HOUSE NUMBER: N/A
9. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
10. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING SPOT ELEVATION
- EXISTING TREE
- EXISTING BRUSH WITH ORNL HERE
- EXISTING TREE
- EXISTING BRUSH WITH ORNL HERE



SITE PLAN - PROPOSED COASTAL BANK STABILIZATION FOR LOT B GREAT BAY STREET
 PREPARED FOR: **MARK & CYNTHIA ALBERS**
 FALMOUTH, MA
 PLAN DATE: JULY 12, 2017
 PLAN SCALE: AS SHOWN

P.L.A. NUMBER IMPROVEMENTS PERMIT TITLE & PLAN PLANS LAND USE PLANNING		HOLDINGS PERMITTING GENERAL ENGINEERING PROFESSIONAL SEAL GENERAL/RESIDENTIAL
---	--	--

17 ACADAMY LANE, SUITE 200 - FALMOUTH, MA - 02240 - 508.485.3225
 PROJECT NUMBER: 16296 CAD FILE NAME: 160895P DRAWN BY: LJA [REDACTED] 1 OF 3

Notice of Intent

Filing under the Massachusetts Wetlands Protection Act, MGL Chapter 131, Section 40
and the Wetlands Protection By-Law of the Town of Falmouth

SEDIMENT NOURISHMENT AND ONGOING MAINTENANCE

ASSESSOR'S PARCEL 46A 15 000 000B

0 GREAT BAY STREET

EAST FALMOUTH, MASSACHUSETTS

Prepared for:

Mark and Cynthia Albers

Prepared by:



Falmouth Engineering, Inc.
17 Academy Lane, Suite 200
Falmouth, MA
02540

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FORM 3 – NOTICE OF INTENT



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Falmouth
City/Town

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

0 Great Bay Street

a. Street Address

East Falmouth

b. City/Town

02536

c. Zip Code

Latitude and Longitude:

46A 15

f. Assessors Map/Plat Number

41°33'28"N

d. Latitude

70°35'10"W

e. Longitude

000 000B

g. Parcel /Lot Number

2. Applicant:

Mark & Cynthia

a. First Name

Albers

b. Last Name

c. Organization

31 Chancery Place

d. Street Address

The Woodlands

e. City/Town

TX

f. State

77381

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Michael

a. First Name

Borselli

b. Last Name

Falmouth Engineering, Inc.

c. Company

17 Academy Lane, Ste. 200

d. Street Address

Falmouth

e. City/Town

MA

f. State

02540

g. Zip Code

508.495.1225

h. Phone Number

i. Fax Number

erica@falmouthengineering.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500.00

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Coastal bank stabilization and invasives management.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Barnstable

a. County

16496 (plan 4286-A; plates

5,7,9,11,13,15,16,17,18,19)

c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	
	2. Width of Riverfront Area (check one):	

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete Section B.2.f. above.



Massachusetts Department of Environmental Protection
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MassDEP File Number _____

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Falmouth

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input checked="" type="checkbox"/> Coastal Beaches	<u>2,700</u>	

	1. square feet	_____
		2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	
	1. square feet	_____
		2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input checked="" type="checkbox"/> Coastal Banks	<u>300 ±</u>	

	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	
	1. square feet	_____
		2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	<u>3,000</u>	

	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BWV	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
 Division of Fisheries and Wildlife
 1 Rabbit Hill Road
 Westborough, MA 01581

- 8/1/2021
 b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area	_____
	percentage/acreage
(b) outside Resource Area	_____
	percentage/acreage
2. Assessor's Map or right-of-way plan of site
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site

* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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Provided by MassDEP:

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C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC

- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. Yes No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. Yes No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - 2. A portion of the site constitutes redevelopment
 - 3. Proprietary BMPs are included in the Stormwater Management System.
 - b. No. Check why the project is exempt:
 - 1. Single-family house
 - 2. Emergency road repair
 - 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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MassDEP File Number

Document Transaction Number

Falmouth
City/Town

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Sediment Nourishment & Invasive Management Plan

a. Plan Title

Falmouth Engineering, Inc.

Michael J. Borselli, P.E., Gary S. Labrie, P.L.S.

b. Prepared By

c. Signed and Stamped by

June 19, 2023

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

19712, 19713

06/20/2023

2. Municipal Check Number

3. Check date

19711

06/20/2023

4. State Check Number

5. Check date

Falmouth Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

		6-21-23
1. Signature of Applicant		2. Date
3. Signature of Property Owner (if different)		4. Date
		6-21-23
5. Signature of Representative (if any)		6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
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NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

0 Great Bay Street

a. Street Address

19711

c. Check number

East Falmouth

b. City/Town

\$237.50

d. Fee amount

2. Applicant Mailing Address:

Mark & Cynthia

a. First Name

Albers

b. Last Name

c. Organization

31 Chancery Place

d. Mailing Address

The Woodlands

e. City/Town

TX

f. State

77381

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. *Please see instructions before filling out worksheet.*

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2	1	\$500.00	\$500.00

Step 5/Total Project Fee: \$500.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00</u>
State share of filing Fee:	<u>\$237.50</u>
City/Town share of filing Fee:	<u>\$262.50</u>
	<u>a. Total Fee from Step 5</u>
	<u>b. 1/2 Total Fee less \$12.50</u>
	<u>c. 1/2 Total Fee plus \$12.50</u>

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

ATTACHMENT A

PROJECT NARRATIVE

ATTACHMENT A - PROJECT NARRATIVE

1.0 Introduction and Project Overview

This Notice of Intent (NOI) application has been filed by Falmouth Engineering Inc. on behalf of The Applicant, who proposes to perform sediment nourishment and ongoing maintenance of the coastal beach and coastal bank, all on land of the Town of Falmouth and adjacent to Great Bay Street.

The application is being jointly filed pursuant to the Massachusetts Wetlands Protection Act (MWPA, M.G.L. Chapter 131, Section 40) and its implementing regulations (310 CMR 10.00) and the Falmouth Wetlands Protection Bylaw (Town of Falmouth Bylaws, Chapter 7) and its submission regulations.

2.0 Existing Conditions

The project site is located on land owned by the Town of Falmouth and identified by Parcel ID 46A 15 000 000B. This parcel is a long narrow strip of land consisting mainly of Coastal Beach and Coastal Bank. This parcel contains approximately 13 acres of land and borders Great Pond on its western shore.

The applicant as well as others own property adjacent to Great Bay Street. Great Bay Street is adjacent to a portion of the above referenced parcel. The attached project plans depict this portion of the town owned parcel.

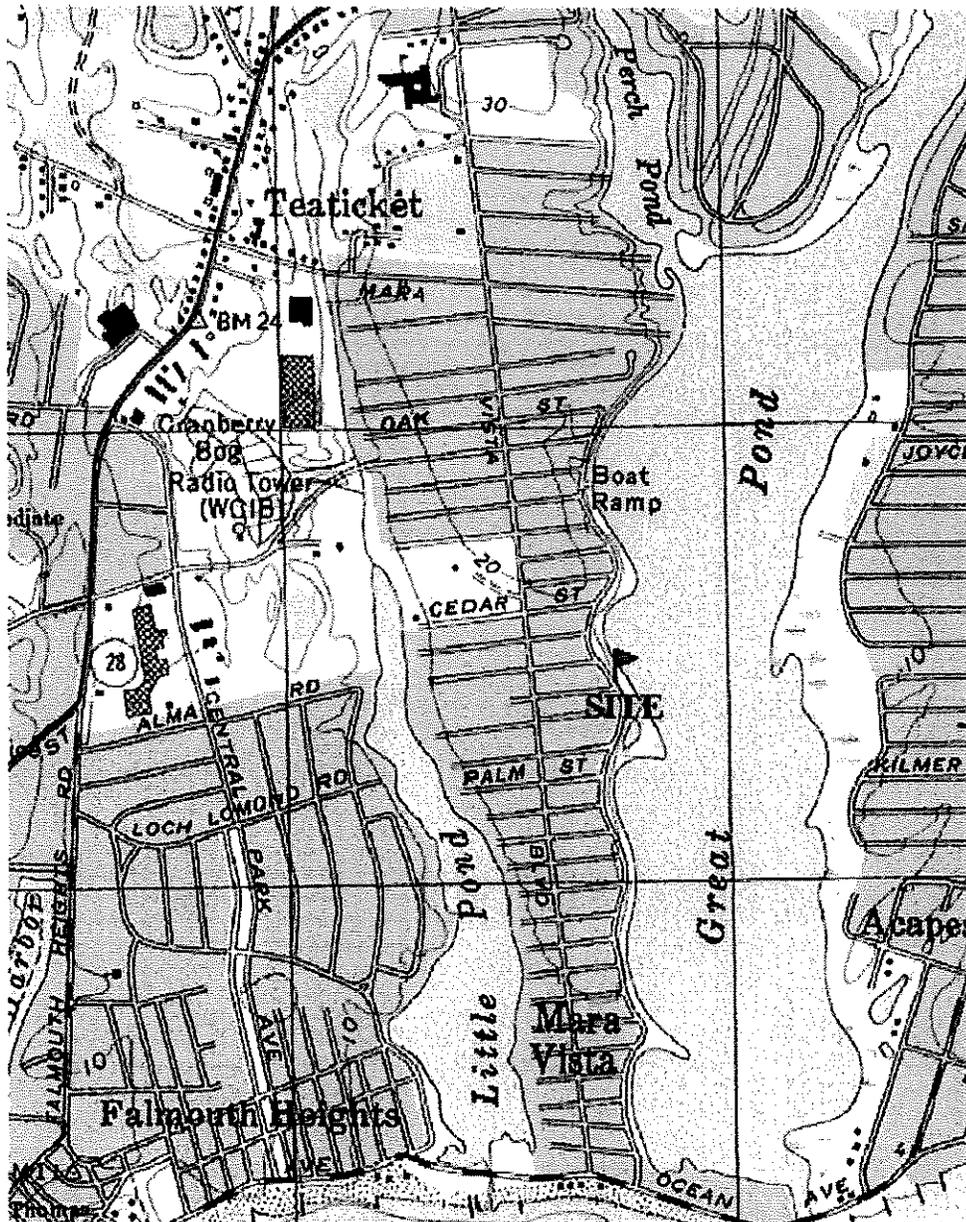
This portion of the parcel, as well as other portions of the parcel and other parcels along the western shore of Great Pond are continually eroding. The erosion had been such that it had threatened the adjacent roadways, causing The Town to close portions to vehicular traffic and limit access to foot traffic. The subject portion of the parcel is one such area.

2.1 Regulated Resource Areas

The property is bounded to the east by Great Pond. The resources areas adjacent to Great Pond and within 100' of the proposed work include Land Under the Ocean, Coastal Bank, Coastal Beach and Land Subject to Coastal Storm Flowage (VE15)

2.2 Estimated Habitat and Protected Species

Information published by the Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (Natural Heritage Atlas, 2008) indicates that the proposed activities are not located within Estimated Habitat of Rare Wetlands Wildlife, nor is it located within Priority Habitat of Rare Plants and Wildlife.



Printed from TOPO! ©1998 Wildflower Productions (www.topo.com)

FIGURE 1 - PROJECT LOCATION MAP
 O GREAT BAY STREET
 EAST FALMOUTH, MA

3.0 Proposed Project

The project involves the sediment nourishment and invasive plant management along an approximately 300 long section of coastal beach and coastal bank as shown on the attached site plan. The volume of beach nourishment is estimated as a maximum of 50 cubic yards per event and is proposed primarily to cover expose portions of the fiber roll array as necessary.

In addition, the coastal bank will be managed to remove invasive plants in an effort to allow previously planting native plants to thrive. All proposed activities will be performed in accordance with the protocol by Wilkinson Ecological Design (WED). This protocol is attached to the application package.

The applicant also requests that ongoing maintenance of the fiber roll array and invasive management can proceed on an as needed basis beyond the duration of the Order of Conditions term, via either administrative approval or by submission of a Request for Determination of Applicability (RDA).

4.0 Potential Impacts and Mitigation Measures

5.1 Anticipated Impacts

The proposed project will involve ongoing as needed maintenance of approximately 300 linear feet of coastal bank and coastal beach. The stabilization and restoration of this area has previously mitigated ongoing erosion. Maintenance on an as needed basis will have very limited and temporary impacts to wetland resources. These limited temporary impacts are far outweighed by the ongoing stabilization of the eroding coastal bank and protection of the adjacent upland areas

5.2 Minimization and Mitigation

No adverse impacts are anticipated to occur as a result of the proposed project. The proposed construction area has been minimized to that area where the invasive plant management and sediment nourishment are proposed. Access for all activities described will be from the top of the coastal bank.

6.0 Summary

The existing wetland resources, anticipated project impacts, and proposed mitigation have been documented in the Notice of Intent. All proposed work is proposed to be performed with access from the upland.

ATTACHMENT B

WILKINSON ECOLOGICAL DESIGN PROTOCOL

WILKINSON

ECOLOGICAL DESIGN
28 Lots Hollow Road | Orleans, MA 02653
Tel (508)255-1113 | Fax:(508)255-9477

Work Protocols for Sediment Nourishment and Ongoing Maintenance 66 Toledo Street, Falmouth May 4, 2023

SEDIMENT NOURISHMENT

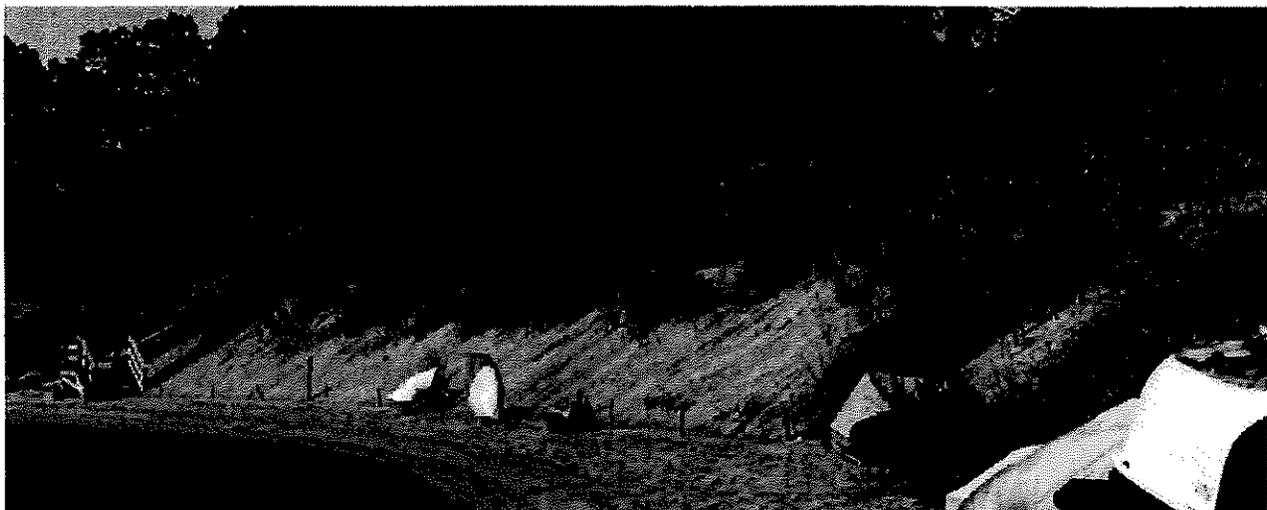
Nourishment of the existing fiber roll array installed under SE25-4315 is proposed as part of this Notice of Intent filing. A recent image of the array is included at the bottom of the page. The nourishment will protect the fiber rolls from UV light, which degrades coir and shortens the life span of the array. Sediment nourishment will also maintain compliance with the protected function of the Coastal Bank to provide sediment to the adjacent coastal resource areas.

The trigger for nourishment to occur will be if any portion of the array becomes exposed. If the array is exposed, nourishment will be placed in late March through May to maintain an average of 6-12 inches over the entire fiber roll array. Nourishment will be applied from the top of the bank and no access to the beach will be required. The maximum amount of sediment to be placed shall not exceed 140 cubic yards annually.

ONGOING MAINTENANCE

Maintenance of the fiber roll array, associated plants, and bioengineering materials is critical for the long-term success of this coastal stabilization strategy. Ongoing invasive plant management is proposed to block the reintroduction of State-listed invasive plant species into the restored native vegetation. Asiatic bittersweet, Japanese knotweed, and multiflora rose were the species managed during the previous project (SE25-4315) and would be the targeted plant species of the ongoing management. Ongoing invasive plant management is typically carried out two to three times per year depending on the site conditions and invasive plant response and would include hand pulling of the targeted species when possible, or targeted herbicide treatment where necessary.

The annual sediment nourishment described above is proposed for the life of the Order of Condition to maintain the protected function of providing sediment to the adjacent coastal resource areas and protect the fiber rolls from UV degradation. Additionally, repairs following damage from significant storms will be conducted on an as-needed basis. The Conservation Commission shall be notified in advance of conducting any nourishment or repair activities through its Conservation Administrator.



ATTACHMENT C

ABUTTERS NOTIFICATION INFORMATION

- **Affidavit of Service**
 - **Abutters Notification Letter**
 - **List of Abutters**
-

Affidavit of Service

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent.)

I, Michael J. Borselli of Falmouth Engineering, Inc., as representative for the applicant, hereby certify under the pains and penalties of perjury that on June 21, 2023, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the MA Wetlands Protection Act by

Mark & Cynthia Albers

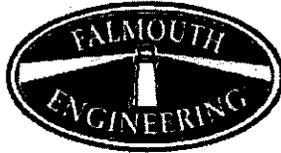
with the Falmouth Conservation Commission on June 21, 2023

for property located at 0 Great Bay Street (46A 15 000 000B) East Falmouth, MA.

The form of the notification, and a list of the abutters to whom it was given and their addresses are attached to this Affidavit of Service.


Name

6/21/23
Date



Falmouth Engineering, Inc.
17 Academy Lane, Suite 200
Falmouth, MA 02540
508.495.1225

July 26, 2017

**Subject: Massachusetts Wetlands Protection Act
Abutter Notification of Filing of Notice of Intent
0 Great Bay Street Assessor's Parcel ID 46A 15 000 000B**

Dear Abutter,

Falmouth Engineering, Inc. has submitted a Notice of Intent application to the Falmouth Conservation Commission on behalf of Mark & Cynthia Albers of 66 Toledo Street, who propose to perform sediment nourishment and ongoing maintenance of the coastal beach and coastal bank all on land of the Town of Falmouth and adjacent to Great Bay Street. This application provides the Commission with the location and a description of the proposed work, and the wetland resources located on and adjacent to the property.

The resources depicted in this filing are subject to the Massachusetts Wetlands Protection Act (WPA) and the Falmouth Wetlands Protection By-law. The applicants are required under the WPA to notify abutters to the properties covered under the application. The Falmouth Conservation Commission will hold a public hearing on this application using Zoom Virtual Meeting software. The meeting will also be televised on Falmouth Community Television. More information can be found on the Town of Falmouth website. If you would like to request to review any of the file materials, you may do so by email at concom@falmouthma.gov or info@falmouthengineering.com.

Information regarding the time, and date of this hearing can be received from the Falmouth Conservation Commission Office and will be posted in the local press at least five days prior to the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "MJB", followed by a horizontal line extending to the right.

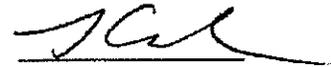
Michael J. Borselli
President
Falmouth Engineering, Inc.

cc: DEP, Falmouth Conservation Commission, Mark & Cynthia Albers

0 GREAT BAY ST

(ASSESSOR ID 46A 15 000 000B)

CERTIFIED

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

**Bruce Cabral
Assistant Assessor
Town of Falmouth, MA
May 25, 2023**

66 TOLEDO ST 66 TOLEDO LLC 31 CHANCERY PL THE WOODLANDS, TX 77381	39A 06 000 018 LUC: 101	115 GREAT BAY ST LAPPAS TRUSTEE ALLEN J VRAHLIOTIS TRUSTEE KAREN 106 LESLIE RD WALTHAM, MA 02461	39A 07 000 048 LUC: 101
66 REYNOLDS ST BACKMAN LAWRENCE A HOFFMAN JUDITH D 86 REYNOLDS ST EAST FALMOUTH, MA 02538	39A 06 000 124 LUC: 101	58 TOLEDO ST MCGRATH MARGARET 58 TOLEDO ST TEATICKET, MA 02538-7351	39A 06 000 022 LUC: 101
62 REYNOLDS ST COSTELLO MARGARET F 62 REYNOLDS ST TEATICKET, MA 02538-7347	39A 05 000 127 LUC: 101	65 TOLEDO ST MCGRATH THOMAS P EAMES KAREN M 107 QUINCY SHORE DR APT 2 QUINCY, MA 02171	39A 05 000 068 LUC: 101
66 TOLEDO ST CZEPIEL ELIZABETH ANN CZEPIEL JR STANLEY FRANCES 88 FREMONT ST TAUNTON, MA 02780-2324	39A 06 000 024 LUC: 101	74 REYNOLDS ST PANUSCHKA JUNE E 74 REYNOLDS ST EAST FALMOUTH, MA 02538	39A 05 000 022 LUC: 101
0 GREAT BAY ST FALMOUTH TOWN OF 59 TOWN HALL SQ FALMOUTH, MA 02540-2761	46A 15 000 000B LUC: 980	53 IROQUOIS ST PROCEK MATTHEW E 112 EDGEWATER DR E EAST FALMOUTH, MA 02538-7324	39A 06 000 040 LUC: 101
69 TOLEDO ST FRANCIS KEVIN FRANCIS AMANDA 37 PLEASANT ST NEEDHAM, MA 02492	39A 03 000 010 LUC: 101	58 IROQUOIS ST REPOSA MICHAEL P 68 IROQUOIS ST EAST FALMOUTH, MA 02538	39A 07 000 063 LUC: 101
59 IROQUOIS ST GEORGE LINDA CAVANAUGH 112 GREENSBORO RD DEDHAM, MA 02028	39A 06 000 044 LUC: 101	63 TOLEDO ST SCHIAVONE JOHN A SCHIAVONE DEBRA KOSYLENSKI 50 HUMBOLDT AVE PROVIDENCE, RI 02906-4138	39A 05 000 012 LUC: 101
131 GREAT BAY ST GRIMES BETH W 51 CONSTANCE WAY NORTH ATTLEBORO, MA 02780	39A 05 000 016 LUC: 101	60 IROQUOIS ST WEBER ELKE KNUDSEN ELISABETH WEBER 438 76TH ST BROOKLYN, NY 11209-3204	39A 07 000 051 LUC: 101
67 TOLEDO ST KAYIAN LAUREN 380 DAISY FARMS DR SCARSDALE, NY 10583	39A 05 001 017 LUC: 101		
65 IROQUOIS ST KERDOK TRUSTEE RICHARD A KERDOK TRUSTEE GERALDINE A 65 IROQUOIS ST EAST FALMOUTH, MA 02538	39A 06 000 047 LUC: 101		

0 GREAT BAY ST

46A 15 000 000B



ATTACHMENT D

DRIVING DIRECTIONS TO SITE

Driving Directions to Site

46A 15 000 000B Great Bay Street, East Falmouth

From town center, turn right onto Main Street and continue on Route 28 for 2.5 miles. Turn right onto Maravista Ave. Continue on about 1 mile. Turn left onto Toledo St. The subject parcel is at the end of Toledo Street.

ATTACHMENT E

GRANT OF LICENSE

GRANT OF LICENSE

The Town of Falmouth, a Municipal Corporation and political subdivision of the Commonwealth of Massachusetts having its usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Massachusetts, acting by and through its duly elected Board of Selectman, in consideration of One and 00/100 (\$1.00) Dollar and of the covenants contained herein, does hereby grant to 66 Toledo LLC (the "Licensee"), with an address of 66 Toledo Street, East Falmouth, Massachusetts, 02536, the following License to install erosion control measures and rebuild access stairs to Great Pond in accordance with the terms and conditions of a certain Order of Conditions issued by the Conservation Commission of the Town of Falmouth dated 9.25.17 (Mass DEP No. 25.4315) and in accordance with the plans referenced therein, and said work to be located on or about Great Bay Street and the shores of Great Pond lying to the east of the property of the Licensee at 66 Toledo Street, East Falmouth, Massachusetts 02536. Great Bay Street is a town way, and it shall be restored to its original condition upon completion of the work.

A sketch plan of the approved location of the licensed area is attached hereto. The sketch plan is for informational purposes only. In the event the sketch plan differs from the plans referred to in the Order of Conditions, the latter plans shall control.

This License is granted upon the following expressed conditions:

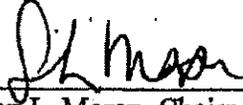
- a. Said License is revocable by the Board of Selectman at any time when the Board deems it appropriate to revoke the same in the best interest of the Town of Falmouth and/or public convenience, safety and needs; the Town may revoke this License by sending a notice to the Licensee, its successors and assigns at the above-referenced address and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- b. Upon such revocation, the Licensee, its successors and assigns shall, if and when directed by the Board of Selectman, remove said improvements, specifically, the erosion control measures and not the reconstructed access stairs, from the licensed area;
- c. If the Licensee, its successors and assigns, fail to remove said improvements, all the expenses of the Town to do the same or have the same done or any expenses arising from the failure to comply with this License, including attorney fees, costs and expenses and contractor fees shall be paid by the Licensee, its successors and assigns to the Town upon demand;

- d. This License is also revocable by the Licensees at any time when it is deemed appropriate for convenience, safety and needs. The Licensees may revoke this License by sending a notice to the Town and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- e. Until either of the above revocations, this License shall continue indefinitely;
- f. This License does not create any landlord/tenant relationship;
- g. The Licensee, its successors and assigns shall be obligated to indemnify, defend and hold harmless the Town of Falmouth, its agents, officers, officials and employees for any and all claims, actions, suits, or demands for personal injury or property damage arising out of and limited to the timeframes of the installation of the erosion control measures and arising out of and limited to the timeframes of the reconstruction of the access stairs to Great Pond. This indemnification obligation of the Licensee further extends to any and all claims, actions, suits, or demands for personal injury or property damages arising out of and limited to the timeframes of annual maintenance and sand nourishment;
- h. The Licensee is not responsible for future liability nor is obligated to indemnify the Town of Falmouth for any claims, actions, suits, or demands for personal injury or property damages arising out of the newly reconstructed access stairs, which the Town acknowledges it owns;
- i. Nothing contained in the License shall authorize the Licensee, its successors and assigns to do any work or undertake any activity or to continue any activity not otherwise in full compliance with all applicable laws, rules and regulations; and
- j. The terms, conditions, agreements and covenants contained herein shall be binding on the licensees, their successors and assigns.

For Licensees' title see Book 29334, Page 42.

IN WITNESS WHEREOF, the seal of the Town of Falmouth is affixed hereto and these presents executed and delivered in its name and behalf by its Board of Selectman, hereto duly authorized this 25th day of September, 2017.

TOWN OF FALMOUTH,
by its Board of Selectman,



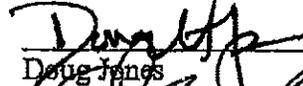
Susan L. Moran, Chairman



Megan English Braga, Vice Chairman



Samuel H. Patterson



Doug Jones

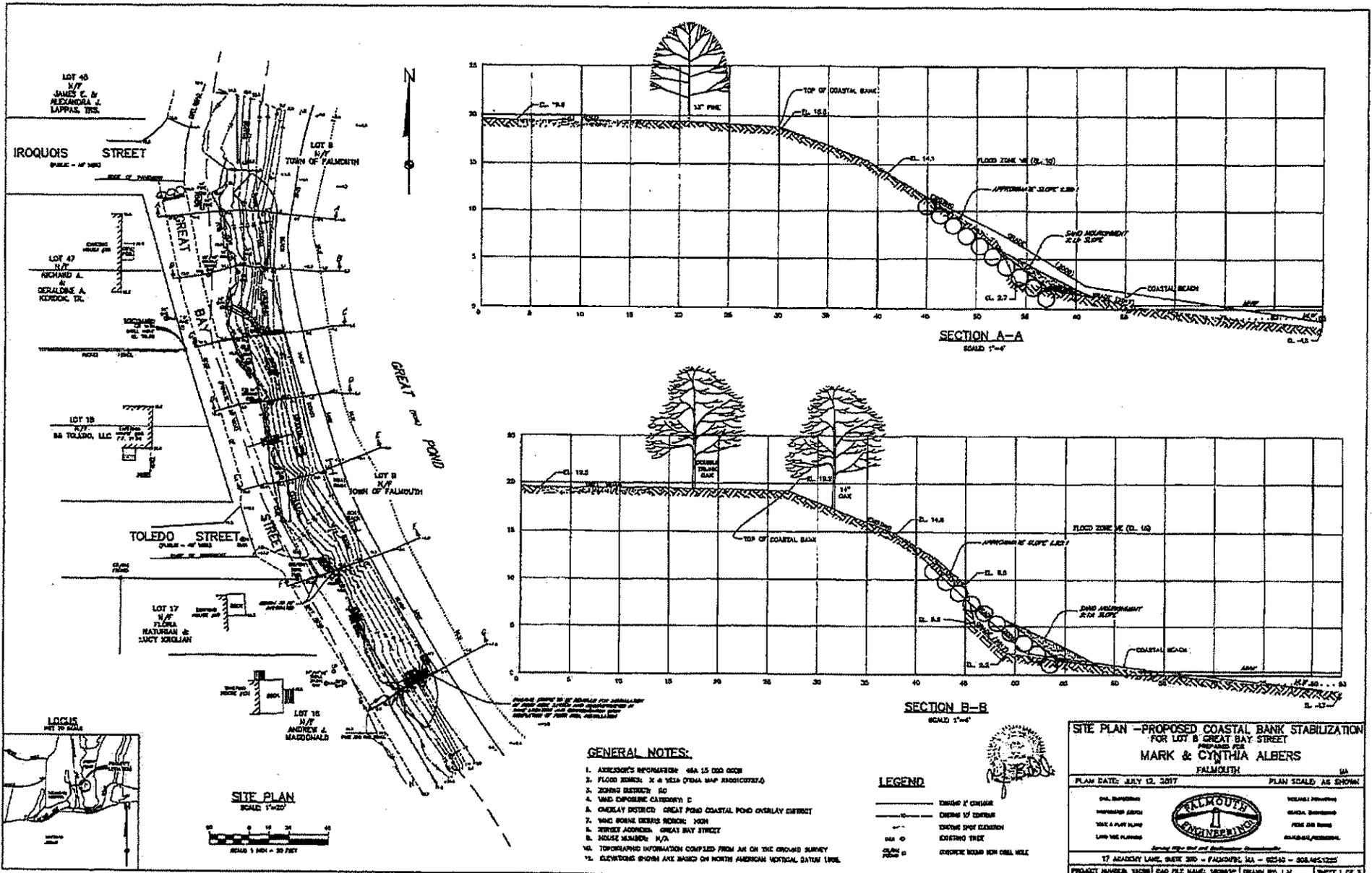


Douglas Brown

approved on the farm:
Frank W. Duffus T.C.
9.22.17

ATTACHMENT F

PROJECT PLANS



GENERAL NOTES:

1. ADDRESSOR'S INFORMATION: 48A 15 DDD 0000
2. FLOOD ZONES: SE & VELA (FDMA MAP 48010702A)
3. ZONING DISTRICT: G0
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICT: GREAT POND COASTAL POND OVERLAY DISTRICT
6. WIND Borne Debris Resisting: MDH
7. STREET ADDRESS: GREAT BAY STREET
8. HOUSE NUMBER: N/A
9. TOPOGRAPHIC INFORMATION COMPILED FROM AN OR THE GROUND SURVEY
10. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

LEGEND

- EXISTING CONDITION
- PROPOSED CONDITION
- EXISTING SPOT ELEVATION
- EXISTING TREE
- PROPOSED ROAD NEW ORAL WALK

SITE PLAN - PROPOSED COASTAL BANK STABILIZATION FOR LOT B GREAT BAY STREET
 PREPARED FOR
MARK & CYNTHIA ALBERS
 FALMOUTH, MA

PLAN DATE: JULY 12, 2017 PLAN SCALE: AS SHOWN

DATE: 07/12/17
 PREPARED BY: [Signature]
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]

FALMOUTH ENGINEERING

17 ALANBY LANE, SUITE 200 - FALMOUTH, MA - 02540 - 508-451-2725
 PROJECT NUMBER: 16026 CAD FILE NAME: 16026.DWG DRAWN BY: L.A. SHEET 1 OF 3

OPEN SESSION

BUSINESS

11. Request for a variance to Sign Code §184-32 Off-Premise Signs:
Cub Scout Pack 41 – display from 9/1/23 to 9/24/23 **(5
minutes)**

Falmouth Cub Scout Pack 41:

Request for off-premise promotional signage that invites families to join Cub Scouts (grades K-5) at the four public elementary schools ahead of the start of the 2023-24 scouting year at the following locations:

1. North Falmouth elementary school
2. Mullen-Hall elementary school
3. East Falmouth elementary school
4. Teaticket elementary school

Length of Time: Friday, September 1, 2023 through Sunday, September 24, 2023 (24 days)

Dimensions: 15.5" x 30"

July 24, 2023

To: Falmouth Select Board

Subject: Sign variance request

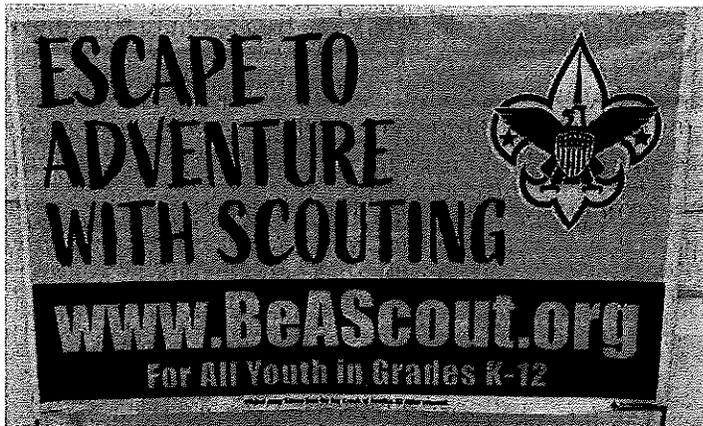
Falmouth Cub Scout pack 41 requests a variance from the Town of Falmouth to place signs that invite families to join cub scouts (grades K-5) at the four public elementary schools ahead of the start of the 2023-24 scouting year. This will help us get the word out about the organization ahead of our fall recruiting efforts.

Specific locations requested:

- North Falmouth elementary school
- Mullen Hall elementary school
- East Falmouth elementary school
- Teaticket elementary school

Variance timeline – placement 9/1, removal 9/24

Photo of the proposed sign below and dimensions are 15.5 inches by 30 inches.



Thank you for your consideration,

Glenn Chamberlain

Pack 41 Cubmaster

*Town of Falmouth, MA
Tuesday, July 18, 2023*

Chapter 184. Signs

Article IV. Standards for Specific Types of Signs

§ 184-32. Off-premises signs.

- A. Informational and directional signs containing no advertising are permitted to direct traffic flow, indicate parking space, identify points of interest or provide other essential information to guide vehicular or pedestrian traffic flow and may be erected by the Town of Falmouth Department of Public Works as a matter of right or by others with a license from the Board of Selectmen.
- B. Off-premises signs as permitted above in Subsection A shall not be larger than two (2) square feet in area and must be freestanding.
- C. Off-premises directory boards and/or informational and directional signs, for the purpose of locating businesses, may contain identification signs not larger than two (2) square feet for each business and may be permitted along public ways if a license is granted by the Board of Selectmen after complying with § 184-12. The identification signs may be erected below one (1) sign that may not exceed eight (8) square feet.
- D. Off-premise directional signs that do not restrict visibility, not larger than six (6) square feet, may be displayed on a public or private way for a maximum of eighteen (18) hours for such one-day events as yard sales, open houses, road races, etc. These signs may be erected as a matter of right without the necessity of a license or a sign permit.

OPEN SESSION

BUSINESS

12. Request for a variance to Sign Code §184-30, D, (1) (a)
Movable, portable or mobile signs: Pastimes Golf, 310
Dillingham Ave., Unit A **(5 minutes)**

Pastimes Golf:

Request for movable sandwich board style sign.

Pastimes Golf rents a unit from Falmouth Community Television at 310 Dillingham Ave. Request is to post the additional sign, near permanent signage for entire building, to bring more awareness about their business.

Location: In front of unit at 310 Dillingham Ave., Unit A.

Length of Time: Daily

Dimensions: 24" x 36" = 6 sq. ft. (size within sign code)

July 24, 2023

Diane Davidson

From: Pastimes Golf <[REDACTED]>
Sent: Monday, July 10, 2023 6:50 PM
To: Diane Davidson

Diane,

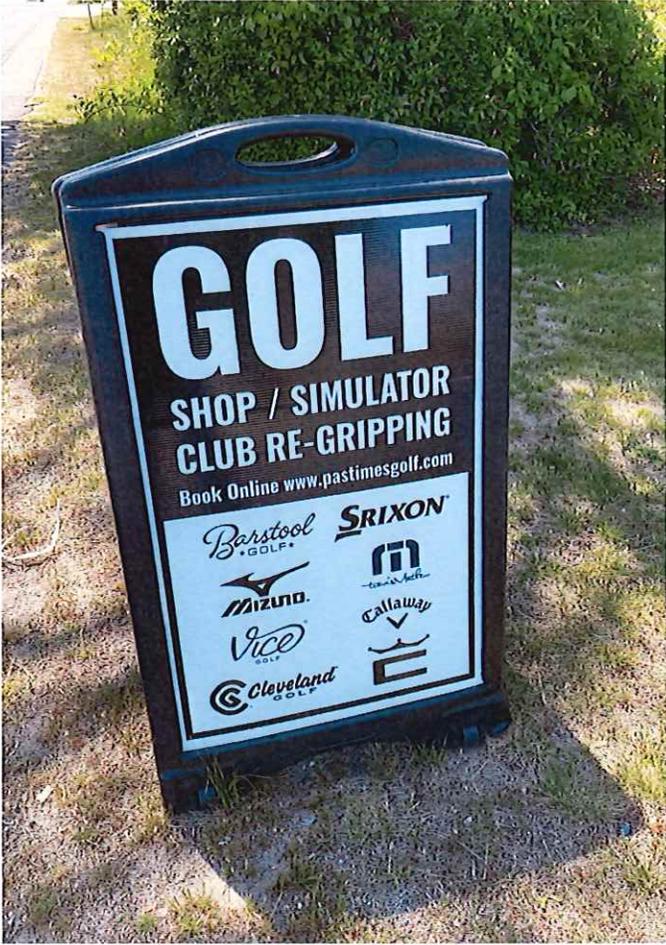
Below please see the photo of our sign. It is an A frame sign with the dimensions measuring 24x36. It has the same lettering on both sides. It sits in front of our unit near the permanent signage for the entire building.

The address is 310 Dillingham Drive Unit A. We rent the space from Falmouth Community Television. The additional sign helps us bring more awareness to our business, sits off the road and does not interfere with walking or traffic, is very tastefully done and has not been an issue until someone from the building department dragged it in and left it at our door. We were not aware the sign was an issue until this point.

So in conclusion we are going through the steps to get special permission to put our sign back out.

Thank you for the help. Please let me know when this will be on the selectmen's agenda.

Mark Jones
Pastimes Golf



Town of Falmouth, MA
Tuesday, July 18, 2023

Chapter 184. Signs

Article IV. Standards for Specific Types of Signs

§ 184-30. Movable, portable or mobile signs.

Movable, portable or mobile signs are not permitted in any district, except as follows:

A. Flags.

- (1) Except during national holidays, a maximum of two (2) governmental flags are permitted, and one (1) additional nongovernmental flag with a maximum size of fifteen (15) square feet [i.e., three by five (3 x 5) feet] is permitted for each business. Any flag with words advertising a business shall be considered a sign.

[Amended AFTM 11-15-2010, Art. 47, approved 12-13-2010]

- (2) Nautical signal flags attached to a yard arm from a single flagpole are exempt.

B. Pennants. Exception is granted for pennants and similar devices intended for charitable or civic event purposes only.

C. Special events.

[Amended AFTM 11-8-2004, Art. 19, approved 12-30-2004]

- (1) Special events or promotions for thirty (30) days. A business or community service may have one (1) movable, portable or mobile banner or sign on its premises, not to exceed sixteen (16) square feet, not more than two (2) times nor more than a total of thirty (30) days per calendar year, in addition to other permitted signs. Such signs shall be required to have permits, but permit fees shall be waived.

- (2) Special events or promotions for seven (7) days. A business or community service may have one (1) moveable, portable or mobile banner or sign on its premises not to exceed thirty-two (32) square feet for a period not to exceed seven (7) days, not more than two (2) times per calendar year, in addition to other permitted signs. Bunting, pennants and flags will be permitted during this time period. Balloons and other air-filled devices shall not exceed twelve (12) inches in diameter. A total of three (3) off-premises signs not exceeding six (6) square feet each are permitted. Such signs shall be required to have permits, but permit fees shall be waived.

[Added AFTM 11-8-2004, Art. 19, approved 12-30-2004]

D. Sandwich board signs. A business or community service may have one (1) sandwich board sign not to exceed eight (8) square feet in area on each side.

[Added ASTM 4-7-1997, Art. 38, approved 6-27-1997]

- (1) Use of signs.

[Amended AFTM 11-15-2010, Art. 48, approved 12-13-2010]

- (a) The sign shall advertise perishable goods for sale only, such as food goods or a menu.

- (b) For any business in its first year of operation, the sign may be used in the absence of a multi-tenant or freestanding sign. Such signs may be used for a maximum continuous four-month period.

- (2) It shall be placed only within fifteen (15) feet of the main building entrance to the business. The sign must be of a shape to conform with the space it will occupy outside of the business and it may not block pedestrian traffic on any sidewalk. The sign must be brought in at the close of business each day.

[Amended AFTM 11-17-1998, Art. 64, approved 2-25-1999]

OPEN SESSION

BUSINESS

13. Announce November 2023 Annual Town Meeting schedule **(5 minutes)**

DRAFT



TOWN OF FALMOUTH

NOVEMBER 2023 ANNUAL TOWN MEETING

- Select Board Announce Annual Town Meeting..... Monday, July 24, 2023
- Close Warrant Friday, August 25, 2023
- Select Board Vote Articles & Execute Warrant..... Monday, September 11, 2023
- Petition Article Presentations..... Monday, September 11, 2023
- Publish Articles OnlyFriday, September 15, 2023
- Select Board Vote Article Recommendations..... Monday, October 2, 2023
- Send Warrant with Recommendations to Printer/Newspaper.....October 18, 2023
- Publish Warrant with Recommendations..... Friday, October 27, 2023
- Town Meeting Monday, November 13, 2023

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- a. Vote to accept a donation in the amount of \$35,000 from Falmouth Together We Can, Inc. for the paving of Swift Playground parking lot in West Falmouth

Diane Davidson

From: Kathleen W. Jespersen [REDACTED]
Sent: Friday, June 16, 2023 2:30 PM
To: Michael Renshaw; Falmouth Selectboard; Diane Davidson
Subject: Falouth Together We Can, Inc. A Request to make a donation

Good Afternoon

After our bi-annual discussion this June, the Board of Falmouth Together We Can, Inc. voted to donate 35k to pave the Swift Playground parking lot in West Falmouth. This project will improve the quality of the parking for adults, children, and grandparents.

We want to start the process as soon as possible, after being granted the town's permission.

This is where we are presently:

1. Board vote - unanimous
2. Lawrence Lynch's quote, \$35,000.00
3. Discussion with Pickleball players and playground users

Kathleen W. Jespersen, BS, BA, MBA

[REDACTED]
Falmouth Together We Can, Inc., President

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- b. Vote to accept a donation in the amount of \$5,000 from PAL (Police Athletic League) to the Falmouth Fire Rescue Department CPR program

July 24, 2023

Diane Davidson

From: Kim Strohm <kim.strohm@falmouthfirema.gov>
Sent: Wednesday, June 21, 2023 9:18 AM
To: Diane Davidson
Subject: Selectboard agenda request

Good morning Diane,
Would you kindly place a request on the next available Selectboard agenda to accept a \$5,000.00 donation from Pal (Police Athletic League) to the FFRD CPR program?
Also, please let me know the date it will be on.
Thank you,



*Kim Strohm
Administrative Assistant
Falmouth Fire Rescue Department
399 Main Street
Falmouth, MA 02540
Phone: 508-495-2517
Fax: 508-495-2519*

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- c. Vote to authorize expenditure from the Recreation Department Donation Account in the amount of \$20,000 for a dedication bench at Recreation Department playground, refrigerator at Recreation Center, and basketball backboards at Lawrence School



ITEM NUMBER:

ITEM TITLE: Falmouth Recreation Department \$20,000 Falmouth Road Race Donation Re-appropriation.

MEETING DATE: July 24, 2023

WORK SESSION **VOTING SESSION** **PUBLIC HEARING**

SUBMITTED BY: Joe Olenick

ATTACHMENTS:

PURPOSE: The Recreation Department would like to use Donation Funds from the Falmouth Road Race for a Dedication Bench at the Recreation Department Playground. To purchase a new refrigerator for the Gus Canty Recreation Center and purchase replacement basketball backboards at the Lawrence School tennis/Pickleball facility.

BACKGROUND/SUMMARY:

- This Donation of \$45,000 dollars was to be used for Poured in Place Rubber surfacing for the new Recreation Department Playground, the project came in under budget and the donation was not needed to finish the project.
- The Donation has been re-allocated to enhance the playground and at this time remains unused.
- We hope to add a covered shade structure with benches in the future with the remaining funds.

DEPARTMENT RECOMMENDATION:

- The Recreation Committee has recommended the use of these funds for a bench (\$2,500) dedicated to a former Falmouth Recreation Department Staff member (Betty Gheris), who worked for the department for more than 30 years)
- A new refrigerator (\$1,500?) for the Recreation Department as our current one is at least 25 years old.
- The Recreation Department recommends that some of these funds be used to replace the noisy basketball backboards (cost has not been determined at this time, I am waiting for a cost to replace the current metal backboards) at the Lawrence School Courts. It is also not known at this time if they are replaceable or the Basketball structure would need to be replaced.

OPTIONS:

The Select Board May 1. Approve, 2. Deny or 3. Modify this request if they choose to do so.

BUDGET INFORMATION: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
Donation	Recreation	280-3570-5632	\$45,000	\$45,000	\$20,000	\$25,000

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

TOWN MANAGER COMMENTS:

Town Manager

Date

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- d. Vote to authorize an allowance for outside work for the Assistant Electrical Inspector

July 24, 2023



ITEM NUMBER: Click or tap here to enter text.

ITEM TITLE: Authorize Electrical Inspector to perform private work as an electrician within the Town of Falmouth – MGL c. 166 sec. 32A

MEETING DATE: 7/24/2023

WORK SESSION **REGULAR MEETING** **PUBLIC HEARING**

SUBMITTED BY: Click or tap here to enter text.

ATTACHMENTS:

- 05/08/2023 email from Town Counsel Maura O’Keefe
- MGL c. 166 § 32A.
- 05/09/2023 email from John Pimental

PURPOSE:

Falmouth Town Electrician John Pimental seeks approval to perform private work as an electrician within the Town of Falmouth.

BACKGROUND/SUMMARY:

- Town Counsel has advised that the Town’s Electrical Inspector (AKA Inspector of Wires) can work as an electrician within the Town of Falmouth only if the Select Board accepts the provisions of MGL c. 166 § 32A.
- John Pimental also must meet the following requirements:
 - Inspectors may not act as an inspector for work done by themselves;
 - Inspection for their work as an electrician in Falmouth must be done by an assistant Electrical Inspector of the Town;
 - Private electrician work must be done outside of the employee’s hours for the Falmouth Electrical Inspector position;

- Employee will not be permitted to perform more than 500 hours of private electrical work per year;
- The Falmouth Building Commissioner has a longstanding practice of hiring part-time Electrical Inspectors to fill in when the full-time Electrical Inspector is unavailable. These part-time inspectors perform their work independently and report directly to the Building Commissioner. There is presently a part-time Electrical Inspector on the payroll who is available to inspect any private electrician work performed by the full-time Electrical Inspector.
- Acceptance of this MGL c. 166 § 32A applies only to Electrical Inspectors.

DEPARTMENT RECOMMENDATION:

I recommend the Select Board accept the provisions of MGL c. 166 § 32A to allow Falmouth Electrical Inspectors to perform private work within Falmouth provided they meet all above requirements. The reasons for this recommendation are as follows:

- Electrical Inspectors perform a vital public safety service to the Town.
- Finding and retaining qualified inspectors is an ongoing challenge.
- This approval allows Electrical Inspectors to earn private income to supplement their municipal salaries in a manner that is transparent and ensures there is no conflict of interest.
- Electrical Inspectors will not be permitted to inspect their own work and they will not supervise other Falmouth Electrical Inspectors.

OPTIONS:

The Select Board may consider three options:

- 1) Vote to accept the provisions of MGL c. 166 § 32A.;
- 2) Take no action which will result in denial of employee's request to perform electrical work in Falmouth;
- 3) Request additional information for consideration at a future meeting.

BUDGET INFORMATION: Applicable: Not Applicable: Budgeted: Yes No

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

TOWN MANAGER COMMENTS:

Town Manager

7/18/2023

Date

Peter Johnson-Staub

From: Maura O'Keefe
Sent: Monday, May 8, 2023 12:07 PM
To: Susan Lumping
Cc: Peter Johnson-Staub; Gary Street
Subject: Re: Electrical Inspector - Outside Work in Town

Hello All,

I have reviewed this issue and report as follows:

The Select Board may accept the provisions of M.G.L. c. 166 section 32A. If accepted, this statute allows a municipal wiring inspector to work as an electrician within the Town provided that 1) they do not act as an inspector for work done by themselves, their employer or their employees, and 2) inspections for their work as an electrician are done by an assistant inspector of the Town.

Additionally, any wiring inspector who wishes to perform work in accordance with section 32A must meet an exception to M.G.L. c. 268A sec. 20, which generally prohibits municipal employees from having an interest in a municipal contract. The employee would be required to show that 1) the private electrical work is performed outside of the working hours for the municipal position, 2) inspection of the private electrical work would not be part of their official responsibilities, and 3) they would not be compensated for more than 500 hours of the private work per year. The disclosure requires approval by the Select Board.

Please let me know if I can provide additional clarification.

Thanks,
Maura

Maura E. O'Keefe
Town Counsel
Town of Falmouth
157 Locust Street
Falmouth, MA 02540
(508) 548-8800



When responding, please be aware that the Massachusetts Secretary of State has determined that most email correspondence is public record and therefore cannot be kept confidential.

From: Maura O'Keefe <maura.okeefe@falmouthma.gov>
Sent: Tuesday, April 25, 2023 2:46 PM
To: Susan Lumping <susan.lumping@falmouthma.gov>
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
Subject: Re: Electrical Inspector - Outside Work in Town

Susan,

Gary has asked me to review this matter and I have taken it under advisement. I will provide guidance as soon as possible.

Maura E. O'Keefe
Town Counsel
Town of Falmouth
157 Locust Street
Falmouth, MA 02540
(508) 548-8800



When responding, please be aware that the Massachusetts Secretary of State has determined that most email correspondence is public record and therefore cannot be kept confidential.

From: Susan Lumping <susan.lumping@falmouthma.gov>
Sent: Tuesday, April 25, 2023 11:00 AM
To: Maura O'Keefe <maura.okeefe@falmouthma.gov>
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
Subject: Electrical Inspector - Outside Work in Town

Hi Maura,

Our full-time Electrical Inspector, John Pimental, has his own electrical business and currently performs private work only outside the Town of Falmouth. Mr. Pimental would like to also perform private electrical work in the Town of Falmouth, outside of his scheduled hours with the Town. He understands that he would not be able to inspect his own work. Peter, Gary, and I are in support of this request, provided there is no conflict of interest.

Can you please advise on next steps? Our understanding is that this may require a Town Meeting vote.

Thanks,

Susan

Susan Lumping | Human Resources Director
Human Resources Department, Town of Falmouth
59 Town Hall Square, Falmouth, MA 02540
P: 508-495-7332 | F: 508-457-2573

Part I ADMINISTRATION OF THE
GOVERNMENT

Title CORPORATIONS

XXII

Chapter TELEPHONE AND TELEGRAPH
166 COMPANIES, AND LINES FOR THE
TRANSMISSION OF ELECTRICITY

Section INSPECTOR OF WIRES WORKING
32A AS ELECTRICIAN; INSPECTION BY
ASSISTANT INSPECTOR

Section 32A. In a city, town or district which accepts this section, a licensed electrician who is appointed inspector of wires may practice for hire or engage in the business for which licensed under the applicable provisions of chapter one hundred and forty-one while serving as such inspector; provided, however, that within the area over which he has jurisdiction as wiring inspector he shall not exercise any of his powers and duties as such inspector, including those of enforcement officer of the state electrical code, over wiring or electrical work done by himself, his employer, employee or one employed with him. Any such city, town or district may in the manner provided in the preceding section appoint an assistant inspector of wires who shall exercise the duties of inspector of wires, including those of enforcement officer of the state electrical code, over work so done. Said assistant inspector may act in absence or disability of the local inspector and for his services shall receive like compensation as the city, town or district shall determine.

This section shall take effect upon its acceptance in a city, by vote of the city council, subject to the provisions of the charter of such city; in a town, by vote of the board of selectmen; in a municipality having a town council form of government, by a vote of the town council, subject to the provisions of the charter of such municipality and in a district, by vote as above provided of the cities and towns of the district.

Peter Johnson-Staub

From: John Pimental
Sent: Tuesday, May 9, 2023 10:41 AM
To: Gary Street; Peter Johnson-Staub
Cc: [REDACTED]
Subject: ELE INSPECTOR OUTSIDE WORK IN TOWN

Hi Gary and Peter,

Thank you for your time and consideration with my request to work within the Town of Falmouth.

I have reviewed the requirements of M.G.L. c. 166 section 32A and M.G.L. c. 268A sec. 20 and will comply with the requirements listed below if approved by the Select Board.

If accepted, statute M.G.L. c. 166 section 32A allows a municipal wiring inspector to work as an electrician within the Town provided that 1) they do not act as an inspector for work done by themselves, their employer or their employees, and 2) inspections for their work as an electrician are done by an assistant inspector of the Town.

Additionally, any wiring inspector who wishes to perform work in accordance with section 32A must meet an exception to M.G.L. c. 268A sec. 20, which generally prohibits municipal employees from having an interest in a municipal contract. The employee would be required to show that 1) the private electrical work is performed outside of the working hours for the municipal position, 2) inspection of the private electrical work would not be part of their official responsibilities, and 3) they would not be compensated for more than 500 hours of the private work per year.

Please let me know if you need any further information from me in presenting this matter to the Select Board.

Regards,

John Pimental

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- e. Approve a Grant of License to Cape Cod Winery, located at 4 Oxbow Road, to maintain a concrete walkway within the layout of Oxbow Road and to maintain a post and rail fence within the layout of Oxbow Road and Brick Kiln Road

GRANT OF LICENSE

The TOWN OF FALMOUTH, a Municipal Corporation and political subdivision of the Commonwealth of Massachusetts having its usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Massachusetts acting by and through its duly elected Select Board, in consideration of One and 00/100 (\$1.00) Dollar and of the covenants contained herein, hereby grants to Peter B. Orlandella the following license to use certain portions of town road known as Oxbow Road and Brick Kiln Road adjacent to property known as 4 Oxbow Road, East Falmouth, MA 02536. For reference see deed recorded with the Barnstable County Registry of Deeds as Book 34775, Page 22.

The license is given to maintain a concrete walkway within the layout of Oxbow Road and to maintain a post and rail fence within the layout of Oxbow Road and Brick Kiln Road, as more fully described in a sketch plan of the approved location of the licensed area, attached hereto.

This license is granted upon the following expressed conditions:

- a. Said license is revocable by the Select Board at any time when they deem it appropriate to revoke the same in the best interest of the Town of Falmouth and/or public convenience, safety and needs; the Town may revoke this license by sending a notice to the grantee, its successors and assigns at the above-referenced property address and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry of Deeds;
- b. Upon such revocation, the grantee, its successors and assigns shall, if and when directed by the Select Board, remove all encroaching improvements from the Town's roads and restore any disturbed area to its original condition;
- c. If the licensee, and their successors and assigns, fails to remove said encroachment, all the expenses of the Town to do same or have the same done or any expenses arising from the failure to comply with this license, including attorney's fees, costs and expenses and contractor fees shall be paid by the licensee, and their successors and assigns, to the Town upon demand, and if not so paid, shall, upon the recording of a Notice thereof in the Registry of Deeds or Registered Land Division, constitute a lien on said property, without limiting any other rights of the grantor;
- d. Until such revocation, this License shall continue permissively;
- e. The licensee and their successors and assigns shall be forever obligated to indemnify, defend and hold harmless the Town of Falmouth, its agents, officers, officials and employees for any and all claims, actions, suits, or

demands for personal injury or property damage arising out of the licensed encroachments and the grant of this License.

- f. Nothing contained in the License shall authorize the grantee, its successors and assigns to do any work or undertake any activity or to continue any activity not otherwise in full compliance with all applicable laws, rules and regulations; and
- g. The terms, conditions, agreements and covenants contained herein shall be binding on the grantee, its successors and assigns.
- h. This document shall be recorded at grantee's expense with the Barnstable County Registry of Deeds.

IN WITNESS WHEREOF, the seal of the Town of Falmouth is affixed hereto and these presents executed and delivered in its name and behalf by its Select Board, hereto duly authorized this _____ day of _____, 2023.

SELECT BOARD OF
THE TOWN OF FALMOUTH

Nancy Robbins Taylor, Chair

Edwin (Scott) P. Zylinski II, Vice Chair

Douglas C. Brown

Onjalé Scott Price

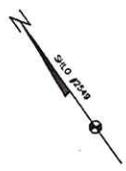
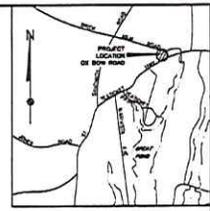
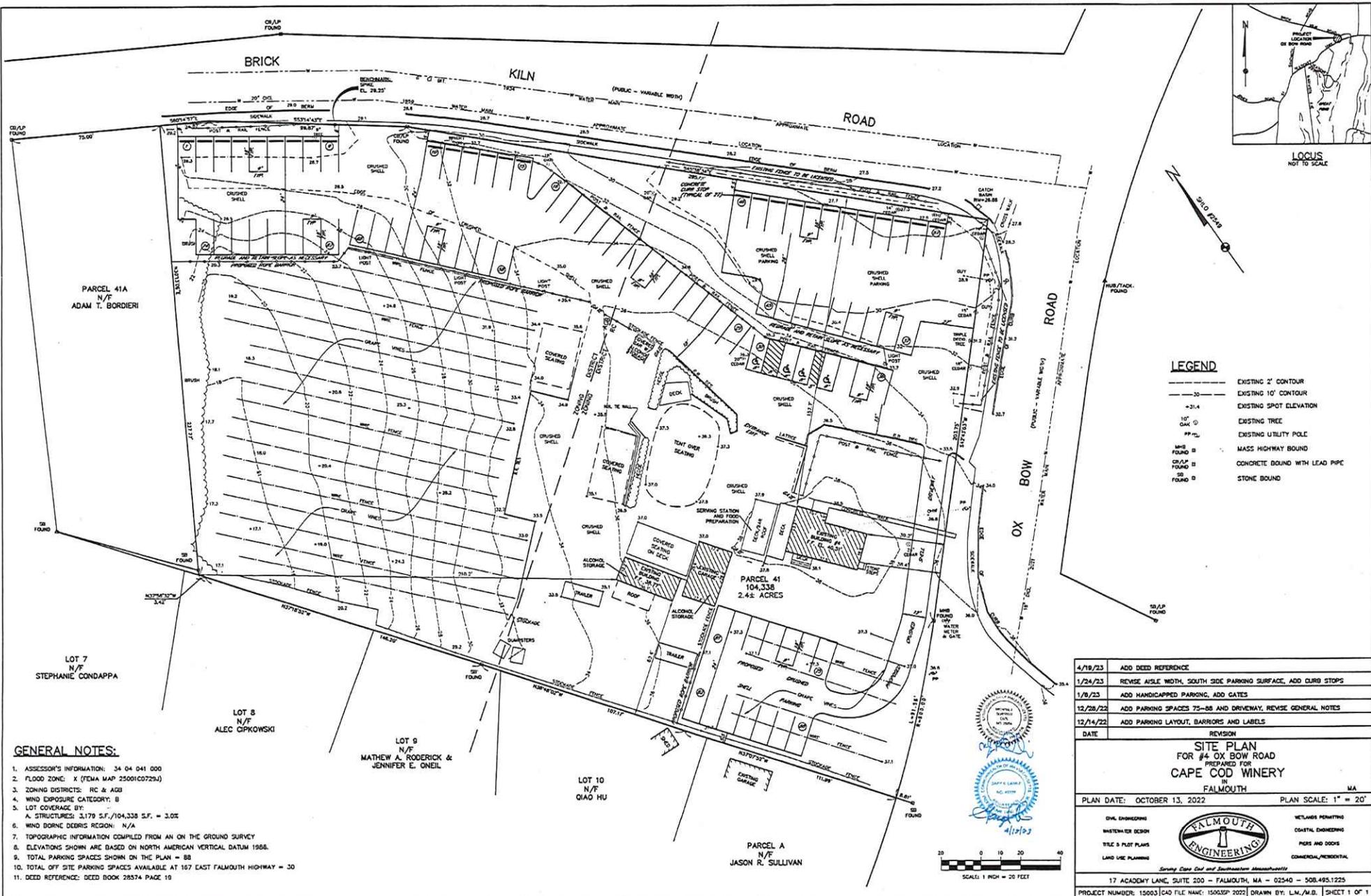
Robert P. Mascali

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of _____, 2023 before me the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public:
My Commission expires:



LEGEND

- 2' --- EXISTING 2' CONTOUR
- 10' --- EXISTING 10' CONTOUR
- +21.4 EXISTING SPOT ELEVATION
- 10' OAK ○ EXISTING TREE
- PP-CL EXISTING UTILITY POLE
- M/H FOUND □ MASS HIGHWAY BOUND
- CR/AF FOUND □ CONCRETE BOUND WITH LEAD PIPE
- SB FOUND □ STONE BOUND

GENERAL NOTES:

1. ASSESSOR'S INFORMATION: 34 04 041 000
2. FLOOD ZONE: X (FEMA MAP 25001C0729J)
3. ZONING DISTRICTS: RC & AG3
4. WIND EXPOSURE CATEGORY: B
5. LOT COVERAGE BY:
 - A. STRUCTURES: 2,179 S.F./104,338 S.F. = 3.0%
 - B. WIND BORN DEBRIS REGION: N/A
6. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
7. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.
8. TOTAL PARKING SPACES SHOWN ON THE PLAN = 88
9. TOTAL OFF SITE PARKING SPACES AVAILABLE AT 167 EAST FALMOUTH HIGHWAY = 30
11. DEED REFERENCE: DEED BOOK 28574 PAGE 19

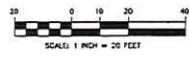
4/19/23	ADD DEED REFERENCE
1/24/23	REVISE AISLE WIDTH, SOUTH SIDE PARKING SURFACE, ADD CURB STOPS
1/8/23	ADD HANDICAPPED PARKING, ADD GATES
12/28/22	ADD PARKING SPACES 75-88 AND DRIVEWAY, REVISE GENERAL NOTES
12/14/22	ADD PARKING LAYOUT, BARRIORS AND LABELS
DATE	REVISION

SITE PLAN
FOR #4 OX BOW ROAD
PREPARED FOR
CAPE COD WINERY
FALMOUTH, MA

PLAN DATE: OCTOBER 13, 2022 PLAN SCALE: 1" = 20'

CIVIL ENGINEERING WATER USE DESIGN TRUCK & FLEET PLANS LAND USE PLANNING		WE'LL HAVE PERMITTING COASTAL ENGINEERING PILES AND DOCKS COMMERCIAL/INDUSTRIAL
---	--	--

17 ACADEMY LANE, SUITE 200 - FALMOUTH, MA - 02540 - 508.495.1225
PROJECT NUMBER: 15063 | CAD FILE NAME: 15063P 2022 | DRAWN BY: LM/M.B. | SHEET 1 OF 1



OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- f. Vote to approve a Grant of License to Lloyd Beckett to maintain a parking area within the layout of Wickertree Road, as more fully described as “Existing Stone Parking” in a sketch plan of the approved location of the licensed area at 99 Wickertree Road, North Falmouth

GRANT OF LICENSE

The TOWN OF FALMOUTH, a Municipal Corporation and political subdivision of the Commonwealth of Massachusetts having its usual place of business at 59 Town Hall Square, Falmouth, Barnstable County, Massachusetts acting by and through its duly elected Board of Selectmen, in consideration of One and 00/100 (\$1.00) Dollar and of the covenants contained herein, hereby grants to Lloyd S. Beckett, III and Elaine M. Beckett the following license to use certain portions of town road known as Wickertree Road adjacent to property known as 99 Wickertree Road, Falmouth, MA 02556. For reference see deed filed with the Barnstable County Registry District of the Land Court as Document No. 762790 with Certificate of Title No. 152751.

The license is given to maintain a parking area within the layout of Wickertree Road, as more fully described as "Existing Stone Parking" in a sketch plan of the approved location of the licensed area, attached hereto.

This license is granted upon the following expressed conditions:

- a. Said license is revocable by the Select Board at any time when they deem it appropriate to revoke the same in the best interest of the Town of Falmouth and/or public convenience, safety and needs; the Town may revoke this license by sending a notice to the grantee, its successors and assigns at the above-referenced property address and by thereafter within a reasonable time recording a Notice of Revocation of License in the Barnstable County Registry Division of the Land Court;
- b. Upon such revocation, the grantee, its successors and assigns shall, if and when directed by the Select Board, remove all encroaching improvements from the Town's road and restore any disturbed area to its original condition;
- c. If the grantee, and their successors and assigns, fails to remove said encroachment, all the expenses of the Town to do same or have the same done or any expenses arising from the failure to comply with this license, including attorney's fees, costs and expenses and contractor fees shall be paid by the grantee, and their successors and assigns, to the Town upon demand, and if not so paid, shall, upon the recording of a Notice thereof in the Registered Land Division, constitute a lien on said property, without limiting any other rights of the grantor;
- d. Until such revocation, this License shall continue permissively;
- e. The grantee and their successors and assigns shall be forever obligated to indemnify, defend and hold harmless the Town of Falmouth, its agents, officers, officials and employees for any and all claims, actions, suits, or

demands for personal injury or property damage arising out of the licensed encroachments and the grant of this License.

- f. Nothing contained in the License shall authorize the grantee, its successors and assigns to do any work or undertake any activity or to continue any activity not otherwise in full compliance with all applicable laws, rules and regulations; and
- g. The terms, conditions, agreements and covenants contained herein shall be binding on the grantee, its successors and assigns.
- h. This document shall be filed at grantee's expense with the Barnstable County Registry District of the Land Court.

IN WITNESS WHEREOF, the seal of the Town of Falmouth is affixed hereto and these presents executed and delivered in its name and behalf by its Select Board, hereto duly authorized this _____ day of _____, 2023.

SELECT BOARD OF
THE TOWN OF FALMOUTH

Nancy Robbins Taylor, Chair

Edwin (Scott) P. Zylinski II, Vice Chair

Douglas C. Brown

Onjalé Scott Price

Robert P. Mascali

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of _____, 2023 before me the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she signed it voluntarily for its stated purpose.

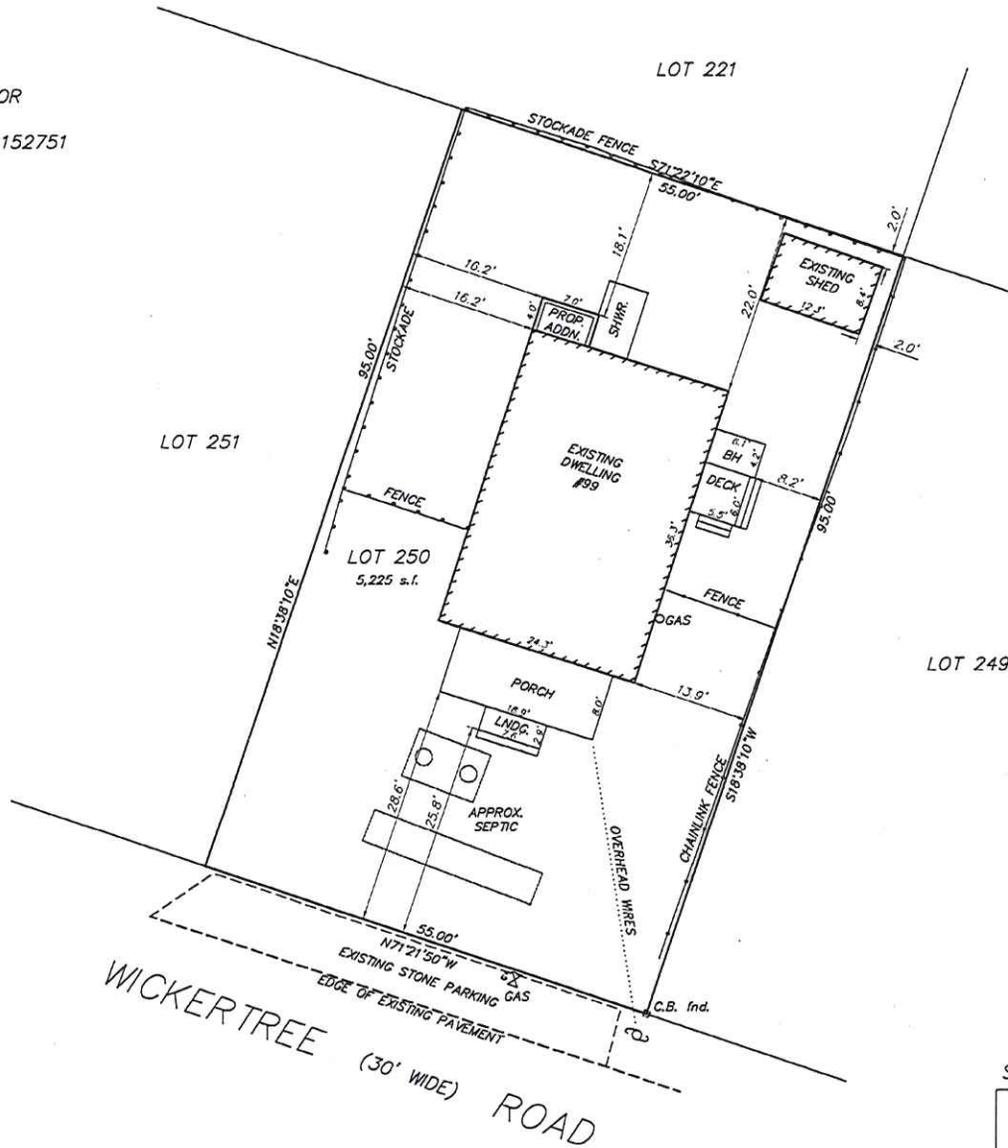
Notary Public:
My Commission expires:

ZONE: RC

PARCEL ID: 04A 26 000 250
 WIND EXPOSURE CATEGORY: B
 WIND BORNE DEBRIS REGION: HIGH
 COASTAL POND OVERLAY: WILD HARBOR
 DEED REFERENCE:
 LAND COURT CERTIFICATE OF TITLE 152751
 PLAN REFERENCE:
 LAND COURT PLAN 41195-A

LOT COVERAGE CALCS.

EXISTING	
STRUCTURES	STRUCTURES/PAVING PARKING
1,239 s.f. = 23.71 %	1,239 s.f. = 23.7 %
PROPOSED	
STRUCTURES	STRUCTURES/PAVING PARKING
1,267 s.f. = 24.24 %	1,267 s.f. = 24.2 %



"CERTIFIED PLOT PLAN"

FOR
 LLOYD BECKETT
 99 WICKERTREE ROAD
 NORTH FALMOUTH

Scale: 1"=10' Date: 11/21/2022

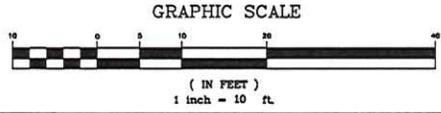
Warwick & Associates Inc.
 63 County Road Box 801
 North Falmouth, Mass 02556
 (508) 563 - 7777

Rev: 06/22/2023

CERTIFICATION
 On the basis of my knowledge, information, and belief, I certify that as a result of a survey made on the ground on 11/19/2022, I find that: The structure(s) are located on the site as shown.
 The title lines and lines of occupation of the site are as shown hereon.
 The site is situated in Flood Zone X (Panel No. 255211 0494 J Date: 07/16/2014)



DRAWN BY: CSL	DATE: 11/21/2022
CHECKED BY:	SHEET 1 OF 1
P: \Land Projects 2004\BECKETT.dwg\BECKETT.dwg	



OPEN SESSION

MINUTES

1. Review and Vote to Approve Minutes of Meetings:
 - a. Public Session – January 30, 2023 and February 27, 2023

NOTE:

The minutes are being finalized by the Recording Secretary and will be moved to an upcoming agenda.

Thank you.

July 24, 2023

OPEN SESSION

TOWN MANAGER'S SUPPLEMENTAL REPORT

July 24, 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: Supplemental Report
DATE: July 24, 2023

Creation of Working Group to Review the New Title V Regulations:

In response to MassDEP's release of the newly promulgated Title 5, State Environmental Code: 310 CMR 15.000 and Watershed Permit Regulations: 314 CMR 21.00, a working group has been formed to review and evaluate the changes and develop a plan and recommendations moving forward.

The working group will meet for the first time on July 25 and will be comprised of Wastewater Superintendent Amy Lowell, the Chair of the Water Quality Management Committee Mr. Stephen Rafferty, Town Counsel, Health Department Agent Scott McGann, Assistant Town Manager Peter Johnson-Staub, and myself.

Update concerning the Little League Baseball Field Repairs:

A big THANK YOU to the Department of Public Works and particularly the Parks Division which had their entire team on site on July 17 and 18 continuing clean-up activities at the John Neil Baseball fields and complex, including removing trees and brush.

The lights have been repaired and the aerial cable has been hung. The only thing left to do for power is to energize the system. That will happen the week of July 24th.

The fence repairs will be taking place over the next several weeks.

Meetings Attended:

I attended the monthly Cape Cod Municipal Managers meeting and met many of my peers from the region including some retirees who remain active in the profession. The group was very welcoming and will be a great resource for information sharing and collaboration.

I also attended the MA Municipal Management Association monthly meeting which happened to be held in Sandwich this month. MMA Executive Director Geoff Beckwith gave a legislative update the highlight of which was that the Commonwealth has yet to adopt a budget for the fiscal year that began July 1st.

The featured speaker was the Secretary of the newly created Executive Office of Housing and Livable Communities – Ed Augustus. This new agency replaces the Department of Housing and Community Development. Secretary Augustus highlighted some of the Governor’s new initiatives and the municipal managers shared concerns and suggestions for how the state can assist local communities to address the housing crisis.

Upcoming Meetings:

- August 5 (Select Board Strategic Planning Session)
- August 7
- August 21
- August 28
- September 11
- October 2
- October 16