TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, FEBRUARY 26, 2024 – 6:00 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

6:00 p.m. OPEN SESSION (Select Board Meeting Room)

6:00 p.m. EXECUTIVE SESSION (CPC Conference Room)

1. M.G.L. c. 30A s. 21(a)(3) – To discuss strategy with respect to litigation - Lawrence School Pickleball courts
2. M.G.L. c. 30A s. 21(a)(1) – To discuss an Open Meeting Law Complaint filed by Adam Smith against the Select Board
3. M.G.L. c. 30A s. 21(a)(3) – To discuss strategy with respect to collective bargaining – Falmouth Library Association contract renewal

6:30 p.m. OPEN SESSION (Select Board Meeting Room)

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. Board of Health – Jed Goldstone

6:45 p.m. PUBLIC HEARINGS

1. Updates to Chapter 275 Shellfish and Herring regulations **(15 minutes)**

2. Application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth **(5 minutes)**

7:05 p.m. BUSINESS

1. Authorize borrowing for wastewater plant upgrades **(5 minutes)**

2. Present draft Housing Production Plan (HPP) **(20 minutes)**

3. Vote to endorse 17 Walker Street Local Initiative Program (LIP) application **(10 minutes)**

4. Vote to approve Morse Pond School roof project Massachusetts School Building Authority (MSBA) Statement of Interest **(5 minutes)**

✓5. Sustainability Coordinator presentation and updates **(10 minutes)**

6. Historic District Markers – Presentation by Ed Haddad, Chairman of the Historical Commission **(10 minutes)**

7. Vote to approve a letter to MassDOT requesting "Lines and Signs" improvements along Route 28A/West Falmouth Highway **(5 minutes)**

8. Vote article recommendations for April 2024 Annual Town Meeting **(15 minutes)**

8:25 p.m. CONSENT AGENDA

1. Licenses

    a. Application for Special One-Day Wine & Malt Liquor License – Food Truck Festivals of America LLC – Cape Cod Food Truck & Craft Beer Festival – Cape Cod Fairgrounds – Saturday, 8/10/24

2. Administrative Orders

    a. Approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one (1) new JO Pole to be labeled 69/77-5 approximately 50' (feet) east of existing pole #69/77 on Menauhant Rd. This work is necessary for new Eversource equipment.

    b. Request for variance to Sign Code – §184-32 Off-Premise Signs: Rotary Club of Falmouth – Day of Play on Saturday, 7/6/24

    c. Request for variance to Sign Code – §184-32 Off-Premise Signs: Rotary Club of Falmouth Craft Fair on Saturday, 8/31/24 and Sunday, 9/1/24

    d. Request for variance to Sign Code – §184-32 Off-Premise Signs: Buzzards Bay Coalition – Buzzards Bay Watershed Ride on Sunday, 10/6/24

    e. Request for variance to Sign Code – §184-7 Placement and §184-32 Off-Premise Signs: Falmouth Commodores – flags on Main Street light poles and Guy Fuller Field light poles – June 7-August 14, 2024

    f. Request for variance to Sign Code – §184-32 Off-Premise Signs: Falmouth Commodores Baseball Clinics – late-April through August 14, 2024

    g. Request for variance to Sign Code – §184-32 Off-Premise Signs: Falmouth Commodores Game Day Signs – mid-June to August 14, 2023

    h. Approve Freshwater Ponds Advisory Committee mission statement

8:30 p.m. MINUTES

1. Review and vote to approve minutes of meetings
    - Public Session – February 12, 2024

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

8:40 p.m. SELECT BOARD REPORTS

8:50 p.m. ADJOURN

Nancy Robbins Taylor, Chair
Select Board

OPEN SESSION

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
    a. Board of Health – Jed Goldstone

February 26, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Committee Interviews 1.**

ITEM TITLE: Interview, vote and appoint committee members: Board of Health – Dr. Jed Goldstone

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Application Form, List of Town Committee Vacancies

---

PURPOSE:

The Select Board is requested to conduct an interview and vote on the appointment of applicant Dr. Jed Goldstone to serve on the Board of Health.

BACKGROUND/SUMMARY:

- Applicant Dr. Jed Goldstone submitted his application form to serve on the Board of Health on February 7, 2024 (copy attached).
- There is currently one (1) vacancy on the Board of Health, with a term to expire on June 30, 2024; the vacancy was properly advertised in accordance with Select Board policy.
- Dr. Goldstone holds a PhD. in Ocean Science and MS and BS in Chemistry along with 22 years of toxicology research experience as the Woods Hole Oceanographic Institution.

- Dr. Goldstone previously served on the Board of Health for nine (9) years, including 4 years as the chairman.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Dr. Jed Goldstone to serve on the Board of Health for a term to expire on June 30, 2024.

OPTIONS:

- Motion to appoint applicant Dr. Jed Goldstone to serve on the Board of Health for a term to expire on June 30, 2024.

- Motion to deny the appointment of Dr. Jed Goldstone to serve on the Board of Health for a term to expire on June 30, 2024.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to appoint applicant Dr. Jed Goldstone to serve on the Board of Health for a term to expire on June 30, 2024.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

Town Committee Vacancies

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

Committee	Term Until
Affirmative Action Committee (1 position)	6/30/26
Board of Health (1 position) (Preference date to apply: 1/26/24.)	6/30/24
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/24, 6/30/25, 6/30/26
Cape Cod Regional Transit Authority (1 position)	6/30/26
Commission on Disabilities (4 positions)	6/30/24 (2), 6/30/25 (2)
Community Preservation Committee (1 position) (Preference date to apply: 1/26/24.)	6/30/26
Conservation Commission (3 alternate positions)	6/30/25 (2), 6/30/26
Constable (1 position)	6/30/24
Council on Aging (1 position) (Preference date to apply: 1/19/24.)	6/30/24
Cultural Council (2 positions)	6/30/24 (2)
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/25
Falmouth Housing Authority (1 position) (Preference date to apply: 1/19/24.)	Next annual Town election

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

2/20/24

TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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

Name: Jared (Jed) Goldstone

Address: 43 Grasmere Drive Village: ZIP: 02540

Mailing Address: Village: ZIP:

Telephone: [redacted] Email [redacted]

How long have you been a Resident 22 (date: 2002) / Taxpayer 16 (date: 2008)

Amount of time you are available to give: 5 hrs/week

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

1. Board of Health
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: PhD Ocean Science

MS, BS Chemistry. 22 years toxicology research at WHOI

9 years Falmouth BoH, including 4 as Chair, 1.5 as Vice Chair

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

Board of Health (2007-2017). Town Meeting (Pct 4: 2013-206,

Pct 2: 2021-present)

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

Extensive experience in environmental toxicology. Extensive experience as a past member of the Board of Health. Direct research experience on septic effluent. Experience in the policy directions of the Town of Falmouth as a Town Meeting member.

You may attach a resume to this application.

List three (3) references:

	Name	Title	Phone
1.	George Heufelder	Mr.	[redacted]
2.	John Waterbury	Dr.	[redacted]
3.	John Stegeman	Dr.	[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 Select Board's Appointment Policy and read the material provided.

2/7/2024
DATE

Jared V Delahaye
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.

JARED (JED) GOLDSTONE

Research Specialist
Biology Department
Woods Hole Oceanographic Institution

Home:
43 Grasmere Drive
Falmouth, MA 02540

RESEARCH INTERESTS

Evolution of chemical stress response in animals; developmental toxicology; molecular evolution of enzymes; cytochrome P450 evolution and function; molecular modeling of protein-xenobiotic interactions; humans and ocean health; coastal pollution and species adaptation.

PROFESSIONAL PREPARATION

Yale University	Chemistry	B.S. 1993
Massachusetts Institute of Technology	Inorganic Chemistry	S.M. 1996
MIT-Woods Hole Joint Program	Chemical Oceanography	Ph.D. 2002

APPOINTMENTS

2009-Present	Research Specialist, Woods Hole Oceanographic Institution
2007- 2009	Visiting Investigator, Woods Hole Oceanographic Institution
2003- 2007	NIH National Research Service Award Postdoctoral Fellow, WHOI
2002- 2003	Postdoctoral Investigator, Woods Hole Oceanographic Institution
2002	Research Assistant Professor, University of Maryland, College Park

OTHER PROFESSIONAL ACTIVITIES

- *WHOI:* Founded annual WHOI Postdoctoral Symposium. Co-founded the WHOI Postdoctoral Association. Member, WHOI Institutional Radiation Safety Committee (2014-2018). Member, WHOI Information System Advisory Committee (2015-). Member, WHOI High Performance Computing Committee (2016-)
- *Local:* Chair (2013-2017) and Vice Chair (2012-2013) of the Falmouth, MA, Board of Health. Town Meeting member (2012-2016, 2021- present)
- *Nationally and Internationally*: Full member, Society of Toxicology. Member, American Chemical Society (1993-). Session organizer, Society of Environmental Toxicology and Chemistry (2011). International Scientific Advisory Committee (2010-) and Co-organized International Symposium on Cytochrome P450 Biodiversity and Biotechnology (2010). Session chair, Pollutant Responses in Marine Organisms (2015), member of International Scientific Advisory Committee.
- *Reviewer:* ad hoc reviewer for NIH, NSF, private research foundations, and various journals including Aquatic Toxicology, BMC Genomics, Environmental Science and Technology, Environmental Toxicology and Chemistry, Gene, PLoS One, Toxicon, Zoological Sciences, and more.

SELECTED PUBLICATIONS (76 PEER-REVIEWED PUBLICATIONS; h-INDEX: 39)

N. R. Brun, J. M. Panlilio, K. Zhang, Y. Zhao, E. Ivashkin, R. Allen, J. J. Stegeman, J. V. Goldstone. Developmental exposure to ortho-PCBs causes latency in fish startle behavior. Nature Communications Biology 4(1):1129

M. Eide, X. Zhang, O. A. Karlsen, J. V. Goldstone, J. J Stegeman, I. Jonassen, A. Goksøyr. The chemical defensome of fish. Scientific Reports (2021) 11(1):10546

D. C. Lamb*, A. Follmer*, J. V. Goldstone*, D. R. Nelson, A. Warrilow, C. L. Price, S. L. Kelly, T. L. Poulos, J. J. Stegeman. On the occurrence of cytochromes P450 in viruses Proc Natl Acad Sci USA (2019) 116(25):12343-12352 *contributed equally

M. Leung, A.C. Procter, J.V. Goldstone, J. Foox, R. DeSalle, C.J. Mattingly, M.E. Siddal A. R. Timme-Laragy, Applying Evolutionary Genetics to Developmental Toxicology and Risk Assessment *Reproductive Toxicology* (2017) in press

M. C. Celander, J. V. Goldstone, N. D. Denslow, T. Iguchi, P. Kille, R. D. Meyerhoff, B. A. Smith, T. H. Hutchinson, J. R. Wheeler. Species Extrapolation for the 21st Century. Environmental Toxicology and Chemistry (2011) 30(1) 52-63

OPEN SESSION

PUBLIC HEARINGS

1. Updates to Chapter 275 Shellfish and Herring regulations **(15 minutes)**

February 26, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Public Hearings 1.**

ITEM TITLE: Update to Chapter 275 Shellfish and Herring regulations

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☐ **PUBLIC HEARING** ☒

SUBMITTED BY: Chuck Martinsen, the Shellfish Advisory Committee, and reviewed by Town Attorney Maura O'Keefe

ATTACHMENTS: Public Hearing Notice; Redline and Final Draft Versions of Chapter 275

PURPOSE:

MES seeks the approval of a draft of updated regulations (Chapter 275 Shellfish and Herring).

BACKGROUND/SUMMARY:

- Some of the regulations found in Chapter 275 Shellfish and Herring are obsolete and contradictory to current state regulations. Existing regulations include language regarding the taking of herring which is not currently permitted by the Massachusetts Division of Marine Fisheries.

- Proposed regulations include changes suggested by the Shellfish Advisory Committee to reflect the current needs of commercial shellfish permit holders and the shellfish propagation program. Proposed changes to the existing changes were developed in collaboration with Town Counsel O'Keefe.

- Proposed regulations allow commercial shellfish permit holders to shellfish on Sundays. Proposed regulations allow for a discounted rate upon service of volunteer hours in accordance with guidelines established by the Shellfish Constable.

DEPARTMENT RECOMMENDATION:

MES recommends Option 1 below, vote to approve updating Chapter 275 Shellfish and Herring regulations as proposed. The proposed draft of updated regulations cleans up contradictory and outdated regulations and allows flexibility for the Shellfish Constable to address local fisheries management needs and ease of compliance with updated state regulations.

OPTIONS:

- Motion to approve updating Chapter 275 Shellfish and Herring regulations as proposed by MES, the Shellfish Advisory Committee, and reviewed by the Town Attorney;

- Motion to deny updating Chapter 275 Shellfish and Herring regulations leading to no changes being made to Chapter 275 Shellfish and Herring regulations and regulations being inconsistent with state laws.

- Some other Board defined alternative.

BUDGET INFORMATION: **Applicable**:☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the updates to Chapter 275 Shellfish and Herring regulations as proposed by MES, the Shellfish Advisory Committee, and reviewed by the Town Attorney.

Michael Renshaw

_____ 2/23/2024

Town Manager **Date**

TOWN OF FALMOUTH

NOTICE OF PUBLIC HEARING

Shellfish and Herring Regulations

The Falmouth Select Board will hold a public hearing under M.G.L. c. 130 §§ 52 and 97 and pursuant to Falmouth Charter § C3-7(H) on a request to modify Select Board Regulations Chapter 275, Shellfish and Herring. This public hearing request was received on January 22, 2024 in the Office of the Select Board. Said hearing will be held on February 26, 2024 at 6:45 p.m. in the Select Board's Meeting Room, Town Hall, located at 59 Town Hall Square, Falmouth, MA.

Interested parties may review the draft regulations at the Harbormaster's Office or online at https://www.falmouthma.gov/233/Harbormaster.

Per Order of the Falmouth Select Board.

Publication date: Friday, February 16, 2024; Falmouth Enterprise

TOWN OF FALMOUTH
NOTICE OF PUBLIC HEARING
Shellfish and Herring Regulations

The Falmouth Select Board will hold a public hearing under M.G.L. c. 130 §§ 52 and 97 and pursuant to Falmouth Charter § C3-7(H) on a request to modify Select Board Regulations Chapter 275, Shellfish and Herring. This public hearing request was received on January 22, 2024 in the Office of the Select Board. Said hearing will be held on February 26, 2024 at 6:45 p.m. in the Select Board's Meeting Room, Town Hall, located at 59 Town Hall Square, Falmouth, MA.

Interested parties may review the draft regulations at the Harbormaster's Office or online at https://www.falmouthma.gov/233/Harbormaster.

Per Order of the Falmouth Select Board.

February 16, 2024

DRAFT SHOWING EDITS

Chapter 275 Herring, Shellfish and ~~Herring~~Aquaculture

§ 275-1 Statutory authority.

Under the general authority of M.G.L. c. 130, and more specifically pursuant to M.G.L. c. 130 §§ 52 and 94, the Town of Falmouth may create rules and promulgate regulations governing the taking of alewives and herring, regulate or prohibit the taking of eels and all kinds of shellfish and seaworms, and enact regulations regarding the coastal fisheries in any water in the Town of Falmouth.

§ 275-2 Rules of the Shellfish Constable.

The Shellfish Constable, or designee, shall have authority to make any rules to assist in the administration or enforcement of this Section 275. Said rules shall not conflict with these regulations, but only supplement them.

§ 275-3 Enforcement of regulations and rules.

These regulations and any rules promulgated thereunder shall be enforced by the Shellfish Constable or designees.

Article I
Herring Regulations

~~§ 275-1 Statutory authority.~~

~~Under the authority of MGL c. 130, § 94, the following rules and regulations governing the taking of alewives and herring in any water in the Town of Falmouth are now in effect until further notice.~~

[Sections 275-4 – 275-9~~Regulations for the taking of herring.~~ are reserved]

~~The taking of herring is regulated by the Massachusetts Division of Marine Fisheries.~~

~~§ 275-2 Shellfish permit required; catching days; method of capture; quantity restrictions; fish cars.~~

~~A. A Town of Falmouth shellfish permit is required to take more than six herring or alewives per day. No permit is required when taking six or less herring except for the Coonamessett River.~~

~~B. Catching days open for the taking of more than six herring or alewives throughout the Town of Falmouth are Mondays, Wednesdays, Fridays and Saturdays.~~

Commented [CL1]: A statement that the taking of herring is regulated by MA DMF should be sufficient to remove all language regarding herring language from these regulations. Please assist in where this statement should be placed and labeled.

C. The method of capture shall be by dip net or scoop net. One dip net per permit shall be allowed and no dip net shall be left unattended in the run. No throw nets, seine nets, rod and reels or any kind of fixed nets or gear shall be used to take herring, alewives or eels from any fish run within the Town of Falmouth.

D. Any person who possesses a Town of Falmouth shellfish permit may take no more than 20 herring or alewives per open day. A shellfish permit is not required to take six or less herring or alewives per open day except from the Coonamessett Herring Run.

E. Anyone using fish cars to store herring must first notify the Shellfish Constable and the Harbor Master.

§ 275-3 Prohibited days.

No person shall take or attempt to take herring or alewives on Sundays, Tuesdays and Thursdays from the Coonamessett Herring Run or quantities of more than six herring or alewives from all of the other herring runs throughout the Town of Falmouth on Sundays, Tuesdays and Thursdays. These days have been set aside so the herring and alewives will be able to make their annual migratory run up to their spawning grounds unmolested.

§ 275-4 Regulations for the Coonamessett River.

A. Catching on Coonamessett River shall be allowed only on the south side of the first dam located off John Parker Road across from Clark Street as marked by a "FISH CATCH AREA" sign and only on Mondays, Wednesdays, Fridays and Saturdays. All areas to the north of the catch area are closed to the taking of herring. A shellfish permit is required to take any amount of herring from the Coonamessett River.

B. Beginning June 1 of each year, herring may be taken south of Hatchville Road and north of the cranberry bogs except on prohibited days. No herring may be taken from any of the bog areas in the Coonamessett River or the Matt Souza Conservation Area.

Article II
Shellfish and Eel Regulations

§ 275-5 Statutory authority.

These regulations are hereby adopted by authority of MGL c. 130, § 52, and authorized by Town Meeting to regulate or prohibit the taking of eels and all kinds of shellfish and seaworms within the Town of Falmouth through the Board of Selectmen.

§ 275-6 Enforcement of shellfish and eel regulations.

These regulations shall be enforced by the Shellfish Constable and Natural Resource Officersor his designees.

§275- 10 Permits Required.

A. A Permit is required for the taking or harvesting, directly or indirectly, of any shellfish, eels or seaworms under these regulations.

B. All permits required under these regulations are to be exercised by the permit holder only, unless otherwise permitted herein.

§ 275-11 Directed harvesting prohibited.

No person shall direct, with or without compensation, another person or entity to take or harvest shellfish in any area under the jurisdiction of the Town, unless explicitly permitted to do so in accordance with state law or regulation.

§ 275-~~7~~ 12 Family shellfish permit quantity restrictions and closed areas.

A. A family permit to take shellfish~~, herring,~~ and eels is required. Family permits are valid for use by spouse and minor children of the individual to whom the permit is issued only. Others may accompany a permit holder while shellfishing, but only one limit per permit may be taken.

B. Quahogs. Ten quarts of quahogs may be taken per day but not more than 20 quarts in any one week.

C. Soft shell clams. Ten quarts of soft shell clams may be taken in any one week.

D. Scallops. Between October 1 and the following March 31, both dates inclusive, one bushel of adult scallops may be taken in any one week. For the purposes of this regulation, an adult scallop is defined as one having a ~~well defined~~well-defined, raised annual growth ring. Scallops may be taken from areas posted as "Closed to Shellfishing," if those areas are specifically opened to the harvest of scallops by the Board of Selectmen. Scallop season shall be set annually by the Board of Selectmen.

E. Oysters. Between November 1 and the following March 31, both dates inclusive, not more than 10 quarts of oysters per week may be taken. Seed oysters must be culled from the shells of adult oysters at the harvest site. Oyster shells must be returned to the harvest site after shucking or the designated location at the Falmouth DPW located on Gifford Street.

F. Mussels. Ten quarts of mussels may be taken in any one week.

G. Family permits shall not allow for the taking of shellfish of a size or at a season prohibited by law, and the amount ~~therefor~~therefore taken for any family shall not exceed in any one week one bushel of any or all kinds of shellfish.

H. All seed shellfish shall be immediately returned to the harvest area.

I. Family shellfish permits shall be visibly worn at all times while shellfishing.

J. All shellfish must be landed in shells.

K. No shellfish may be taken from areas closed to shellfishing by order of the Board of Selectmen or the Massachusetts Division of Marine Fisheries, except as noted in § 275-7D.

L. Family permit holders may set no more than four eel pots in the Town o~~O~~f Falmouth waters. All eel pots shall have the name and phone number of the owner clearly displayed on the buoy.

§ 275-~~8~~ 13 Restrictions in family areas.

Any quahog rake greater than 13 inches across the back of the rake shall not be allowed to be used for the harvest of quahogs in any shellfish area designated for family use only by the Town of Falmouth. No holder of a commercial shellfish permit shall dig or attempt to dig shellfish in areas designated for family use only. Family areas are open on Saturdays and Sundays only. Family permits may be used in areas not designated for family use only on any day of the week.

§ 275-~~9~~ 14 Commercial shellfish permit.

A. No person shall take shellfish or eels from the foreshores, flats and tidal waters of the Town of Falmouth for commercial purposes without a permit therefor, prescribing the time, quantity and method of taking the same, issued by the Board of Selectmen. The permit shall be visibly worn at all times while shellfishing.

B. No commercial shellfish permit shall be granted to any person who has not resided in the Town for at least six months preceding his application for a permit.

~~C. No shellfish shall be taken on Sunday for commercial purposes. Family area restrictions apply to all open shellfish areas on Sunday.~~

C~~D~~. ~~Applications~~ Renewal applications for commercial shellfish permits shall be submitted during the month of February only. Each application may be subject to a 10 day review by the Shellfish Constable.

D~~E~~. Commercial permits may be ~~purchased~~ renewed from February 1 to March 31, both dates inclusive. No commercial shellfish permits shall be issued after March 31 without a Selectmen's hearing at the request of the applicant. No commercial permits shall be issued to any individual under 16 years of age.

E~~F~~. Commercial permit holders shall carry photo identification such as a Massachusetts driver's license or Registry of Motor Vehicles identification card and a valid Commonwealth of Massachusetts Division of Marine Fisheries Commercial Shellfish Transaction card while fishing.

§ 275-~~10~~ 15 Commercial shellfish permit quantity restrictions and closed areas.

A. Quahogs. No more than three bushels of quahogs may be taken per day.

B. Soft shell clams. No more than two bushels of soft shell clams may be taken per day.

C. Scallops. Between October 1 and the following March 31, both dates inclusive, no more than five bushels of adult bay scallops may be taken per day except in areas of Buzzards Bay and Vineyard Sound where no more than 10 bushels may be taken per day. For the purposes of this regulation, an adult bay scallop is defined as one having a well defined, raised annual growth ring. Bay scallops may be taken from areas posted as "Closed to Shellfishing," if those areas are specifically opened to the harvest of bay scallops by the Board of Selectmen. Scallop season shall be set annually by the Board of Selectmen.

D. Oysters. Between November 1 and the following March 31, both dates inclusive, commercial harvest of oysters shall be limited to Tuesdays, Thursdays and Saturdays only from areas open to the taking of shellfish. No more than two level Town-approved containers may be taken per day. Culling of seed oysters from the shells of adult oysters must take place at the harvest site.

E. Mussels. No more than four level Town-approved containers of mussels may be taken per day.

F. No more than 50 eel pots per commercial shellfish permit holder may be set in Town of Falmouth waters. Any eel pots shall be marked with a buoy with the name, phone number, and transaction card number of the owner clearly displayed. The Shellfish Constable must be notified as to the location of any eel storage containers.

G. Commercial permit holders shall not take a family limit on their family permit on any day that they have taken commercial quantities of any species of shellfish.

H. Commercial permit holders may not be assisted in the harvest or culling of shellfish by anyone who does not also hold a valid Town of Falmouth commercial shellfish permit.

Commercial shellfish permits shall be visibly worn at all times while shellfishing.

I. All shellfish must be landed in shells and tagged according to Massachusetts Division of Marine Fisheries and MA Department of Public Health regulations prior to leaving the harvest area.

J. No commercial harvest of shellfish from areas closed to the taking of shellfish by the Board of Selectmen or the Massachusetts Division of Marine Fisheries, except as noted in § 275-10C.

K. The required container for commercial harvest of any shellfish species taken from the Town of Falmouth shall be a polyethylene basket with internal measurements of 19 3/4 inches in diameter at the top by 14 1/4 inches in height by 13 1/4 inches in diameter at the bottom. The container may be filled up to the level of the top of the container. No other container of any description may be used to transport commercial limits of shellfish from the harvest area.

L. No more than 1/2 bushel of unculled shellfish may be in the possession of a commercial shellfisherman while actively harvesting and may not be in a container larger than 1/2 bushel. All culled seed shellfish shall be returned to the immediate harvest area from which it was taken.

§ 275-16 Commercial Reporting.

All commercial permit holders shall provide a written report to the Shellfish Constable of every harvest that takes place within 25 feet of a privately owned dock or within 25 feet of a known proposed dock locus. The report must include the amount and type of shellfish harvested, location of the private dock, and any payments received in connection with the harvest.

§ 275-~~11~~ 17 Taking shellfish at night prohibited.

Shellfishing may not commence before sunrise or after sunset. ~~and all shellfish shall be landed no later than sunset.~~ All shellfish shall be landed by sunset.

§ 275-~~12~~ 18 Wet storage of and planting of shellfish prohibited.

No shellfish from any source other than seed replanted during harvesting may be stored or returned to the water by anyone other than those holding the proper aquaculture or propagation permits issued by the Massachusetts Division of Marine Fisheries.

§ 275-19~~13~~ Minimum sizes.

All shellfish shall be measured by gauge before being placed in the catch container. The shellfish permit holder is required to carry a shellfish gauge. Minimum sizes shall be as follows:

A. No person shall take or have in possession quahogs less than one inch shell thickness (hinge width).

B. No person shall take or have in possession soft-shelled clams less than two inches in longest dimension

C. No person shall take or have in possession oysters less than three inches in longest dimension.

D. No person shall take or have in possession mussels less than two inches in longest dimension.

E. No person shall take or have in possession ~~No~~ eels less than ~~six~~ nine inches in length ~~may be~~

~~taken~~.

§ 275-2014 Display of catch.

All persons will display their catch upon request of the Shellfish Constable or ~~Natural Resource Officer~~~~his~~ designees.

§ 275-~~1~~215 Manner of taking shellfish.

A. Shellfish shall be taken only by hand, rake, plunger, dipnet and tongs, except scallops, and oysters which may be taken by hand, dipnet and dredging when prescribed by the Selectmen.

B. Skin diving, with mask and snorkel, and scuba diving, with air tanks, may be used to take shellfish in specific areas when prescribed by the Selectmen. In no case will scuba diving for shellfish be allowed in depths of less than seven feet. During the period from June 1 to September 30, skin and scuba diving for shellfish will not be allowed within any of the coastal ponds, rivers and harbors except Megansett Harbor outside of marked navigation channels and coastal areas in Buzzards Bay and Vineyard Sound. Both skin and scuba divers shall display a dive flag that they shall carry with them attached by a line. Divers must stay within a ten-foot radius of their flag while shellfishing. Commercial permit holders shall display their Massachusetts commercial permit number in three-inch numbers on their dive flag. It shall be prohibited to scuba dive for shellfish at any time in the following areas: Great Pond, Green Pond, Bourne's Pond, Waquoit Bay, Falmouth Harbor and West Falmouth Harbor.

C. "Fanning," the method of using mask and snorkel to take quahogs by hand in water depths less than three feet shall be allowed in all open areas in Quisset Harbor. Please make every

attempt to avoid traversing or anchoring boats in the remains of the ancient cedar swamp in Quamquissett Cove on the southern shoreline between the golf course and Mink Island. Fanning may also be used to harvest quahogs from the open areas in Great Harbor Woods Hole.

D. The use of any water, jet, suction and/or air tank device or shovel for the digging of shellfish is prohibited.

§ 275-~~1~~226 Permit fees.

A. The fees for shellfish permits shall be ~~as~~ established by the Board of Selectmen.

B.

~~§ 275-17 Fee abatement.~~

There shall be no abatement or refund of any fee required under these regulations except for those commercial permits eligible for a discounted rate upon service of volunteer hours in accordance with guidelines established by the Shellfish Constable.

C. ~~No fee paid for shellfish permits shall be abated, nor~~No permit will ~~sh all any permit~~ be issued without payment of the fee.

§ 275-~~1~~238 Violations and penalties.

A. Any holder of a shellfish permit who violates any provisions of these regulations or the laws relative to the taking of shellfish shall forfeit his permit and shall be barred from obtaining shellfish permits for a period of not less than six months or not more than one year from the date of the violation, at the discretion of the Selectmen.

B. Violation of any part of these regulations shall be punishable by a fine not to exceed $50 for

the first offense, $200 for the second offense, and $300 for subsequent offenses.~~:~~

Commented [MO2]: This fine structure only allows for criminal disposition if the fine is not paid. I recommend using a civil ticketing procedure which would require a TM vote to amend Section 1-2 of the bylaws

§ 275-~~1~~249 Posting of changes in regulations and posting of open and closed areas.

A. The Division of Marine and Environmental Services shall have responsibility for determining when resource areas subject to the regulations at section 275 shall be open or closed. Such determination shall be made by the Shellfish Constable, or designee, in consultation with the Massachusetts Division of Fisheries and Wildlife.

B. Per M.G.L. ~~Chapter~~c. 130~~,~~ ~~Section~~ § 52, ~~of the General Laws of Massachusetts,~~ shellfish regulations for the Town of Falmouth shall be posted in at least three public places. The locations for posting general regulations shall be the Falmouth Town Hall, the Main Public Library, the North Falmouth Public Library, the West Falmouth Public Library, and the East Falmouth Public Library. Shellfish information signs with open area maps, located at Falmouth Town Hall, the Megansett Harbor parking lot, the West Falmouth Harbor boat ramp, and Seapit Landing in Waquoit Bay, shall remain in use. The Shellfish ~~Department~~ Division number is (508) 495-~~7334~~ 2550 ~~or (508) 548-7611~~ ext. ~~3345~~.

§ 275-25~~20~~ Return of expired permits and catch reports.

All expired permits must be returned to the Selectmen's office, in the Town Hall, with a catch report completed before a new permit may be issued.

~~§ 275-21 Repealer.~~

~~All shellfish, eel, and herring regulations heretofore adopted inconsistent with the foregoing regulations are hereby repealed.~~

§ 275-2622 Adoption; effective date.

At a regular meeting of the Falmouth Board of Selectmen held on September 9, 2002February 226, 2024, the foregoing regulations were adopted and shall be in effect, after publication as required by law, as of October 1, 2002_____.

[Sections 275-27 – 275-39 are reserved]

Article IIII
Aquaculture Regulations

§ 275-23 40 Legal advertising.

The applicant shall pay for legal advertising for the public hearings required by the various boards and agencies that must review the proposal.

§ 275-24 41 Survey; application requirements and procedure.

A. Prior to the issuance of the aquaculture license, the applicant shall be required to have the project area surveyed by a registered engineer or surveyor. The plan must accompany the application for the license and be of an appropriate scale to be recorded at the Barnstable County Registry of Deeds.
B. Aquaculture license applications shall be considered on a first come, first served basis within the limitations of acceptable and available area as determined by the Board of Selectmen and the Massachusetts Division of Marine Fisheries. The Board of Selectmen may issue a moratorium on the issuance of aquaculture licenses at any time when this action is deemed appropriate and in the best interest of the Town.
C. Any aquaculture application that is incomplete as a result of inaction on the part of the applicant for a period of six months shall be denied without prejudice. The applicant may begin the application process again, if he chooses.

D. The aquaculture license holder must comply with all Massachusetts Division of Marine Fisheries aquaculture regulations under MGL C. 130. Failure to comply with the aforementioned laws and regulations shall be deemed cause to revoke the aquaculture license by the Board of Selectmen.

§ 275-~~25~~ 42 License renewal.

Aquaculture licenses shall have an initial term of five years and may be renewed for a period not to exceed fifteen years. Aquaculture licenses will be renewed to the original holder provided that there are no violations of the aquaculture regulations in effect at the beginning of the current term. Upon renewal, any new or revised aquaculture regulations shall be observed by the license holder.

§ 275-~~26~~ 43 Use of private land.

It shall be the responsibility of the applicant to determine if the proposed site is on private property. If so, written permission from the landowner is required. The aquaculture license issued by the Town does not give the applicant rights to use private land.

§ 275-~~27~~ 44 Fees; production report.

A fee of $25.00/acre/year cash or in kind shall be paid by the license holder to the Town of Falmouth and shall be payable no later than December 31 for the following year and shall be submitted with the annual production report. This report shall include an inventory of all seed currently on the site, shellfish harvested, and seed purchased for the year. The Board of Selectmen shall review the production report once each year as prescribed by MGL c~~C~~. 130, § 65. The license holder shall produce documents upon request by the Selectmen showing shellfish seed purchased and sales slips.

§ 275-~~28~~ 45 Signs and markers.

A. All aquaculture sites shall be marked at the corners with signs or buoys with three-inch letters as follows:

PRIVATE SHELLFISH AREA

NUMBER OF AQUACULTURE LICENSE

NO SHELLFISHING

B. A hazard buoy may be required if there are structures placed on the bottom within the area.

C. Inshore sites may be required to have bound markers surveyed and placed on shore.

§ 275-~~29~~ 46 Site area.

A. Inshore sites will be issued for a maximum of three acres with two acres held in reserve for expansion after the first five-year period. Additional acreage may be applied for after the first five years in no more than five-acre increments.

B. Offshore sites, those leases located in the coastal zone outside of the ponds, rivers, and bays out to three miles offshore, shall be limited to ten acres for the first five years.

C. Adjacent licensed sites shall maintain a fifty-foot buffer zone between each licensed area to allow for access.

§ 275-~~30~~ 47 Removal of debris.

The license holder is responsible for any debris that washes away from the site and shall remove such material immediately. Failure to remove debris within three days after being notified by the Shellfish Constable or any other agency within the Town shall be cause for a Selectmen's Hearing.

§ 275-~~3481~~ Storage of equipment.

No cages or other equipment that is not in use may be stored at the site location.

§ 275-~~4932~~ Transfer of license; employees; inspections.

A. Aquaculture licenses shall not be transferred without written approval of the Board of Selectmen. Persons seeking licenses through transfers must meet all current criteria for aquaculture license applicants.

B. The license holder must give written notification to the Shellfish Constable of any employees authorized to work on the site.

C. The Shellfish Constable shall have the authority to inspect the site, including the contents of any and all rafts, floats, and other containers at any time. The Town of Falmouth reserves the right to obtain samples of any shellfish from the site for the purpose of certified testing for disease.

§ 275-~~33~~ 50 Removal from Town waters prohibited.

It shall be unlawful for any aquaculture license holder to take seed shellfish from Town waters outside of the licensed site without written consent from the Board of Selectmen and the Director of the Division of Marine Fisheries.

§ 275-~~34~~ 51 Seed shellfish; concentration of shellfish.

A. Seed shellfish purchased for use on the site shall be obtained from sources approved by the Massachusetts Division of Marine Fisheries.

B. A minimum of $1000.00 worth of shellfish per acre shall be maintained on the site at all times after the first five years. Allowances may be made for catastrophic losses. During the

first five years, there must be a sincere effort made to attain this minimum requirement.

§ 275-~~35~~ 52 Termination of site.

When a licensed site is discontinued and/or terminated for any reason, the permit holder shall be required to remove all rafts, racks, floats, and other equipment from the area within 60 days from the site expiration date. Any and all equipment not removed within 60 days may be recovered by the Town at the expense of the license holder.

DRAFT WITH EDITS ACCEPTED

Chapter 275 Herring, Shellfish and Aquaculture

§ 275-1 Statutory authority.

Under the general authority of M.G.L. c. 130, and more specifically pursuant to M.G.L. c. 130 §§ 52 and 94, the Town of Falmouth may create rules and promulgate regulations governing the taking of alewives and herring, regulate or prohibit the taking of eels and all kinds of shellfish and seaworms, and enact regulations regarding the coastal fisheries in any water in the Town of Falmouth.

§ 275-2 Rules of the Shellfish Constable.

The Shellfish Constable, or designee, shall have authority to make any rules to assist in the administration or enforcement of this Section 275. Said rules shall not conflict with these regulations, but only supplement them.

§ 275-3 Enforcement of regulations and rules.

These regulations and any rules promulgated thereunder shall be enforced by the Shellfish Constable or designees.

Article I Herring Regulations

[Sections 275-4 – 275-9 are reserved]

Article II Shellfish and Eel Regulations

§275- 10 Permits Required.

A. A Permit is required for the taking or harvesting, directly or indirectly, of any shellfish, eels or seaworms under these regulations.
B. All permits required under these regulations are to be exercised by the permit holder only, unless otherwise permitted herein.

DRAFT

§ 275-11 Directed harvesting prohibited.

No person shall direct, with or without compensation, another person or entity to take or harvest shellfish in any area under the jurisdiction of the Town, unless explicitly permitted to do so in accordance with state law or regulation.

§ 275-12 Family shellfish permit quantity restrictions and closed areas.

A. A family permit to take shellfish and eels is required. Family permits are valid for use by spouse and minor children of the individual to whom the permit is issued only. Others may accompany a permit holder while shellfishing, but only one limit per permit may be taken.
B. Quahogs. Ten quarts of quahogs may be taken per day but not more than 20 quarts in any one week.
C. Soft shell clams. Ten quarts of soft shell clams may be taken in any one week.
D. Scallops. Between October 1 and the following March 31, both dates inclusive, one bushel of adult scallops may be taken in any one week. For the purposes of this regulation, an adult scallop is defined as one having a well-defined, raised annual growth ring. Scallops may be taken from areas posted as "Closed to Shellfishing," if those areas are specifically opened to the harvest of scallops by the Board of Selectmen. Scallop season shall be set annually by the Board of Selectmen.
E. Oysters. Between November 1 and the following March 31, both dates inclusive, not more than 10 quarts of oysters per week may be taken. Seed oysters must be culled from the shells of adult oysters at the harvest site. Oyster shells must be returned to the harvest site after shucking or the designated location at the Falmouth DPW located on Gifford Street.
F. Mussels. Ten quarts of mussels may be taken in any one week.
G. Family permits shall not allow for the taking of shellfish of a size or at a season prohibited

DRAFT

by law, and the amount therefore taken for any family shall not exceed in any one week one bushel of any or all kinds of shellfish.

H. All seed shellfish shall be immediately returned to the harvest area.

I. Family shellfish permits shall be visibly worn at all times while shellfishing.

J. All shellfish must be landed in shells.

K. No shellfish may be taken from areas closed to shellfishing by order of the Board of Selectmen or the Massachusetts Division of Marine Fisheries, except as noted in § 275-7D.

L. Family permit holders may set no more than four eel pots in the Town of Falmouth waters. All eel pots shall have the name and phone number of the owner clearly displayed on the buoy.

§ 275-13 Restrictions in family areas.

Any quahog rake greater than 13 inches across the back of the rake shall not be allowed to be used for the harvest of quahogs in any shellfish area designated for family use only by the Town of Falmouth. No holder of a commercial shellfish permit shall dig or attempt to dig shellfish in areas designated for family use only. Family areas are open on Saturdays and Sundays only. Family permits may be used in areas not designated for family use only on any day of the week.

§ 275-14 Commercial shellfish permit.

A. No person shall take shellfish or eels from the foreshores, flats and tidal waters of the Town of Falmouth for commercial purposes without a permit therefor, prescribing the time, quantity and method of taking the same, issued by the Board of Selectmen. The permit shall be visibly worn at all times while shellfishing.

B. No commercial shellfish permit shall be granted to any person who has not resided in the

DRAFT

Town for at least six months preceding his application for a permit.

C. Renewal applications for commercial shellfish permits shall be submitted during the month of February only. Each application may be subject to a 10 day review by the Shellfish Constable.

D. Commercial permits may be renewed from February 1 to March 31, both dates inclusive. No commercial shellfish permits shall be issued after March 31 without a Selectmen's hearing at the request of the applicant. No commercial permits shall be issued to any individual under 16 years of age.

E. Commercial permit holders shall carry photo identification such as a Massachusetts driver's license or Registry of Motor Vehicles identification card and a valid Commonwealth of Massachusetts Division of Marine Fisheries Commercial Shellfish Transaction card while fishing.

§ 275-15 Commercial shellfish permit quantity restrictions and closed areas.

A. Quahogs. No more than three bushels of quahogs may be taken per day.

B. Soft shell clams. No more than two bushels of soft shell clams may be taken per day.

C. Scallops. Between October 1 and the following March 31, both dates inclusive, no more than five bushels of adult bay scallops may be taken per day except in areas of Buzzards Bay and Vineyard Sound where no more than 10 bushels may be taken per day. For the purposes of this regulation, an adult bay scallop is defined as one having a well defined, raised annual growth ring. Bay scallops may be taken from areas posted as "Closed to Shellfishing," if those areas are specifically opened to the harvest of bay scallops by the Board of Selectmen. Scallop season shall be set annually by the Board of Selectmen.

D. Oysters. Between November 1 and the following March 31, both dates inclusive,

DRAFT

commercial harvest of oysters shall be limited to Tuesdays, Thursdays and Saturdays only from areas open to the taking of shellfish. No more than two level Town-approved containers may be taken per day. Culling of seed oysters from the shells of adult oysters must take place at the harvest site.

E. Mussels. No more than four level Town-approved containers of mussels may be taken per day.

F. No more than 50 eel pots per commercial shellfish permit holder may be set in Town of Falmouth waters. Any eel pots shall be marked with a buoy with the name, phone number, and transaction card number of the owner clearly displayed. The Shellfish Constable must be notified as to the location of any eel storage containers.

G. Commercial permit holders shall not take a family limit on their family permit on any day that they have taken commercial quantities of any species of shellfish.

H. Commercial permit holders may not be assisted in the harvest or culling of shellfish by anyone who does not also hold a valid Town of Falmouth commercial shellfish permit. Commercial shellfish permits shall be visibly worn at all times while shellfishing.

I. All shellfish must be landed in shells and tagged according to Massachusetts Division of Marine Fisheries and MA Department of Public Health regulations prior to leaving the harvest area.

J. No commercial harvest of shellfish from areas closed to the taking of shellfish by the Board of Selectmen or the Massachusetts Division of Marine Fisheries, except as noted in § 275-10C.

K. The required container for commercial harvest of any shellfish species taken from the Town of Falmouth shall be a polyethylene basket with internal measurements of 19 3/4 inches in diameter at the top by 14 1/4 inches in height by 13 1/4 inches in diameter at the bottom.

DRAFT

The container may be filled up to the level of the top of the container. No other container of any description may be used to transport commercial limits of shellfish from the harvest area.

L. No more than 1/2 bushel of unculled shellfish may be in the possession of a commercial shellfisherman while actively harvesting and may not be in a container larger than 1/2 bushel. All culled seed shellfish shall be returned to the immediate harvest area from which it was taken.

§ 275-16 Commercial Reporting.

All commercial permit holders shall provide a written report to the Shellfish Constable of every harvest that takes place within 25 feet of a privately owned dock or within 25 feet of a known proposed dock locus. The report must include the amount and type of shellfish harvested, location of the private dock, and any payments received in connection with the harvest.

§ 275-17 Taking shellfish at night prohibited.

Shellfishing may not commence before sunrise or after sunset. All shellfish shall be landed by sunset.

§ 275-18 Wet storage of and planting of shellfish prohibited.

No shellfish from any source other than seed replanted during harvesting may be stored or returned to the water by anyone other than those holding the proper aquaculture or propagation permits issued by the Massachusetts Division of Marine Fisheries.

§ 275-19 Minimum sizes.

DRAFT

All shellfish shall be measured by gauge before being place in the catch container. The shellfish permit holder is required to carry a shellfish gauge. Minimum sizes shall be as follows:

A. No person shall take or have in possession quahogs less than one inch shell thickness (hinge width).

B. No person shall take or have in possession soft-shelled clams less than two inches in longest dimension

C. No person shall take or have in possession oysters less than three inches in longest dimension.

D. No person shall take or have in possession mussels less than two inches in longest dimension.

E. No eels less than nine inches in length may be taken.

§ 275-20 Display of catch.

All persons will display their catch upon request of the Shellfish Constable or designees.

§ 275-21 Manner of taking shellfish.

A. Shellfish shall be taken only by hand, rake, plunger, dipnet and tongs, except scallops, and oysters which may be taken by hand, dipnet and dredging when prescribed by the Selectmen.

B. Skin diving, with mask and snorkel, and scuba diving, with air tanks, may be used to take shellfish in specific areas when prescribed by the Selectmen. In no case will scuba diving for shellfish be allowed in depths of less than seven feet. During the period from June 1 to September 30, skin and scuba diving for shellfish will not be allowed within any of the coastal ponds, rivers and harbors except Megansett Harbor outside of marked navigation

DRAFT

channels and coastal areas in Buzzards Bay and Vineyard Sound. Both skin and scuba divers shall display a dive flag that they shall carry with them attached by a line. Divers must stay within a ten-foot radius of their flag while shellfishing. Commercial permit holders shall display their Massachusetts commercial permit number in three-inch numbers on their dive flag. It shall be prohibited to scuba dive for shellfish at any time in the following areas: Great Pond, Green Pond, Bourne's Pond, Waquoit Bay, Falmouth Harbor and West Falmouth Harbor.

C. "Fanning," the method of using mask and snorkel to take quahogs by hand in water depths less than three feet shall be allowed in all open areas in Quisset Harbor. Please make every attempt to avoid traversing or anchoring boats in the remains of the ancient cedar swamp in Quamquissett Cove on the southern shoreline between the golf course and Mink Island. Fanning may also be used to harvest quahogs from the open areas in Great Harbor Woods Hole.

D. The use of any water, jet, suction and/or air tank device or shovel for the digging of shellfish is prohibited.

§ 275-22 Permit fees.

A. The fees for shellfish permits shall be established by the Board of Selectmen.

B. There shall be no abatement or refund of any fee required under these regulations except for those commercial permits eligible for a discounted rate upon service of volunteer hours in accordance with guidelines established by the Shellfish Constable.

C. No permit will be issued without payment of the fee.

§ 275-23 Violations and penalties.

DRAFT

A. Any holder of a shellfish permit who violates any provisions of these regulations or the laws relative to the taking of shellfish shall forfeit his permit and shall be barred from obtaining shellfish permits for a period of not less than six months or not more than one year from the date of the violation, at the discretion of the Selectmen.

B. Violation of any part of these regulations shall be punishable by a fine not to exceed $50 for the first offense, $200 for the second offense, and $300 for subsequent offenses.

§ 275-24 Posting of changes in regulations and posting of open and closed areas.

A. The Division of Marine and Environmental Services shall have responsibility for determining when resource areas subject to the regulations at section 275 shall be open or closed. Such determination shall be made by the Shellfish Constable, or designee, in consultation with the Massachusetts Division of Fisheries and Wildlife.

B. Per M.G.L. c. 130 § 52, shellfish regulations for the Town of Falmouth shall be posted in at least three public places. The locations for posting general regulations shall be the Falmouth Town Hall, the Main Public Library, the North Falmouth Public Library, the West Falmouth Public Library, and the East Falmouth Public Library. Shellfish information signs with open area maps, located at Falmouth Town Hall, the Megansett Harbor parking lot, the West Falmouth Harbor boat ramp, and Seapit Landing in Waquoit Bay, shall remain in use. The Shellfish Division number is (508) 495-2550 ext. 5.

§ 275-25 Return of expired permits and catch reports.

All expired permits must be returned to the Selectmen's office, in the Town Hall, with a catch report completed before a new permit may be issued.

DRAFT

§ 275-26 Adoption; effective date.

At a regular meeting of the Falmouth Board of Selectmen held on February 22, 2024, the foregoing regulations were adopted and shall be in effect, after publication as required by law, as of

_____.

[Sections 275-27 – 275-39 are reserved]

Article II
Aquaculture Regulations

§ 275-40 Legal advertising.

The applicant shall pay for legal advertising for the public hearings required by the various boards and agencies that must review the proposal.

§ 275-41 Survey; application requirements and procedure.

A. Prior to the issuance of the aquaculture license, the applicant shall be required to have the project area surveyed by a registered engineer or surveyor. The plan must accompany the application for the license and be of an appropriate scale to be recorded at the Barnstable County Registry of Deeds.

B. Aquaculture license applications shall be considered on a first come, first served basis within the limitations of acceptable and available area as determined by the Board of Selectmen and the Massachusetts Division of Marine Fisheries. The Board of Selectmen may issue a moratorium on the issuance of aquaculture licenses at any time when this action is deemed appropriate and in the best interest of the Town.

C. Any aquaculture application that is incomplete as a result of inaction on the part of the applicant for a period of six months shall be denied without prejudice. The applicant may begin the application process again, if he chooses.

DRAFT

D. The aquaculture license holder must comply with all Massachusetts Division of Marine Fisheries aquaculture regulations under MGL C. 130. Failure to comply with the aforementioned laws and regulations shall be deemed cause to revoke the aquaculture license by the Board of Selectmen.

§ 275-42 License renewal.

Aquaculture licenses shall have an initial term of five years and may be renewed for a period not to exceed fifteen years. Aquaculture licenses will be renewed to the original holder provided that there are no violations of the aquaculture regulations in effect at the beginning of the current term. Upon renewal, any new or revised aquaculture regulations shall be observed by the license holder.

§ 275-43 Use of private land.

It shall be the responsibility of the applicant to determine if the proposed site is on private property. If so, written permission from the landowner is required. The aquaculture license issued by the Town does not give the applicant rights to use private land.

§ 275-44 Fees; production report.

A fee of $25.00/acre/year cash or in kind shall be paid by the license holder to the Town of Falmouth and shall be payable no later than December 31 for the following year and shall be submitted with the annual production report. This report shall include an inventory of all seed currently on the site, shellfish harvested, and seed purchased for the year. The Board of Selectmen shall review the production report once each year as prescribed by MGL c. 130, § 65. The license holder shall produce documents upon request by the Selectmen showing shellfish seed purchased and sales slips.

DRAFT

§ 275-45 Signs and markers.

A. All aquaculture sites shall be marked at the corners with signs or buoys with three-inch letters as follows:

PRIVATE SHELLFISH AREA

NUMBER OF AQUACULTURE LICENSE

NO SHELLFISHING

B. A hazard buoy may be if there are structures placed on the bottom within the area.

C. Inshore sites may be required to have bound markers surveyed and placed on shore.

§ 275-46 Site area.

A. Inshore sites will be issued for a maximum of three acres with two acres held in reserve for expansion after the first five-year period. Additional acreage may be applied for after the first five years in no more than five-acre increments.

B. Offshore sites, those leases located in the coastal zone outside of the ponds, rivers, and bays out to three miles offshore, shall be limited to ten acres for the first five years.

C. Adjacent licensed sites shall maintain a fifty-foot buffer zone between each licensed area to allow for access.

§ 275-47 Removal of debris.

The license holder is responsible for any debris that washes away from the site and shall remove such material immediately. Failure to remove debris within three days after being notified by the Shellfish Constable or any other agency within the Town shall be cause for a Selectmen's Hearing.

DRAFT

§ 275-48 Storage of equipment.

No cages or other equipment that is not in use may be stored at the site location.

§ 275-49 Transfer of license; employees; inspections.

A. Aquaculture licenses shall not be transferred without written approval of the Board of Selectmen. Persons seeking licenses through transfers must meet all current criteria for aquaculture license applicants.
B. The license holder must give written notification to the Shellfish Constable of any employees authorized to work on the site.
C. The Shellfish Constable shall have the authority to inspect the site, including the contents of any and all rafts, floats, and other containers at any time. The Town of Falmouth reserves the right to obtain samples of any shellfish from the site for the purpose of certified testing for disease.

§ 275-50 Removal from Town waters prohibited.

It shall be unlawful for any aquaculture license holder to take seed shellfish from Town waters outside of the licensed site without written consent from the Board of Selectmen and the Director of the Division of Marine Fisheries.

§ 275-51 Seed shellfish; concentration of shellfish.

A. Seed shellfish purchased for use on the site shall be obtained from sources approved by the Massachusetts Division of Marine Fisheries.
B. A minimum of $1000.00 worth of shellfish per acre shall be maintained on the site at all times after the first five years. Allowances may be made for catastrophic losses. During the

DRAFT

first five years, there must be a sincere effort made to attain this minimum requirement.

§ 275-52 Termination of site.

When a licensed site is discontinued and/or terminated for any reason, the permit holder shall be required to remove all rafts, racks, floats, and other equipment from the area within 60 days from the site expiration date. Any and all equipment not removed within 60 days may be recovered by the Town at the expense of the license holder.

DRAFT

OPEN SESSION

PUBLIC HEARINGS

2. Application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth **(5 minutes)**

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Public Hearings 2.**

ITEM TITLE: Application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☐ **PUBLIC HEARING** ☒

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review form; ABCC Licensing Authority Certification form dated February 1, 2024; ABCC Application for Multiple Amendments dated November 7, 2023

PURPOSE:

The Select Board is requested to review and approve an application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth.

BACKGROUND/SUMMARY:

- The applicant submitted the proper ABCC Application for Multiple Amendments.

- The Public Hearing was properly advertised and published in the Falmouth Enterprise on February 16, 2024.

- The Falmouth Police Department has reviewed the application and has no objection to its approval.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that following the public hearing, that the Select Board vote to approve the application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth.

OPTIONS:

- Motion to approve the application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth as presented.

- Motion to deny approval of the application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth as presented.

- Board defined alternative.

BUDGET INFORMATION: **Applicable**:☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

Following the public hearing, the Town Manager recommends that following the public hearing, that the Select Board vote to approve the application by M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor for a Change of Officers/Directors/LLC Managers and a Change of Stock Interest of its All-Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth.

Michael Renshaw

_____ 2/21/2024

Town Manager **Date**

LICENSE APPLICATION REVIEW

Restaurant/Business: M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor

Address: 424 East Falmouth Highway, Unit A6

License Type: All Alcoholic beverages Package Store License

- ☐ **New or Transfer of License** _____

  or

- ☐ **Change of License** Change of Officers/Directors/LLC Managers and a Change of Stock Interest

☐ Police	No objection
☐ Fire	
☐ Building	
☐ Health	
☐ Zoning	
☐ Planning	
☐ DPW	
☐ Assessor	
☐ Tax Collector	
☐ .Wastewater	
☐ ._____	
☐ ._____	

NOTES:

Applicant Mingma Sherpa will now hold all offices in the corporation and all shares of stock in the corporation.

LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that M.Z. Enterprises, Inc. d/b/a Falmouth Food Mart & Liquor has applied for a Change of Officers/Directors/LLC Managers and a Change of Stock (New Stockholder/Transfer or Issuance of Stock) of its All Alcoholic Beverages Package Store License located at 424 East Falmouth Highway, Unit A6, East Falmouth, MA.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, February 26, 2024, at 6:45 pm.

Comments may be sent to selectboard@falmouthma.gov.

Per order of the Select Board

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

Publication date: Friday, February 16, 2024; Falmouth Enterprise

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LICENSING AUTHORITY CERTIFICATION

COPY

Falmouth — City /Town

00088-PK-0390 — ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee: M.Z. Enterprises, Inc

DBA: Falmouth Food Mart & Liquor

Street Address: 424 East Flamouth Highway, Unit A6

Zip Code: 02536

Manager: Mingma Sherpa

Granted under Special Legislation? Yes ☐ No ☒

If Yes, Chapter:

of the Acts of (year):

§15 Package Store	Annual	All Alcoholic Beverages
Type (i.e. restaurant, package store)	Class (Annual or Seasonal)	Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES Complete description of the licensed premises

One Floor - two rooms. Basement for Storage

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date 2/1/2024 Time 9:30 am

Advertised Yes ☒ No ☐ Date Published 2/16/2024 Publication Falmouth Enterprise

Abutters Notified: Yes ☒ No ☐ Date of Notice TBD

Date APPROVED by LLA 02/26/2024 **Decision of the LLA** Approves this Application

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

For Transfers ONLY:

Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

_____

_____

_____

_____

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

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
M.Z. Enterprises, Inc.	Falmouth	00088-PK-0390

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

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

Name	Title	Email	Phone
Christopher G. Lebherz	Attorney for Applicant	lebherzlaw@gmail.com	508-548-6600

2. AMENDMENT-Change of License Classification

☐ **Change of License Category** All Alcohol, Wine and Malt, Wine Malt and Cordials	Last-Approved License Category	
	Requested New License Category	
☐ **Change of License Class** Seasonal or Annual	Last-Approved License Class	
	Requested New License Class	
☐ **Change of License Type*** i.e. Restaurant to Club *Certain License Types CANNOT change once issued*	Last-Approved License Type	
	Requested New License Type	

3. AMENDMENT-Change of Business Entity Information

☐ **Change of Corporate Name**	Last-Approved Corporate Name:	
	Requested New Corporate Name:	
☐ **Change of DBA**	Last-Approved DBA:	
	Requested New DBA:	
☐ **Change of Corporate Structure** LLC, Corporation, Sole Proprietor, etc	Last-Approved Corporate Structure	
	Requested New Corporate Structure	

4. AMENDMENT-Pledge Information

☐ **Pledge of License**
☐ **Pledge of Inventory**
☐ **Pledge of Stock**

To whom is the pledge being made:

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

☒ **Change of Officers/Directors** ☐ **Change of Ownership Interest (LLC Managers/LLP Partners, Trustees)** ☒ **Change of Stock (E.g. New Stockholder/ Transfer or Issuance of Stock)**

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
  On Premises (E.g.Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
  Off Premises(Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Mingma Nurbu Sherpa	30 Settlers Lane Hyannis, MA 02601	[redacted]	

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
President	100	◉ Yes ○ No	◉ Yes ○ No	◉ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Name of Principal	Residential Address	SSN	DOB

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
		○ Yes ○ No	○ Yes ○ No	○ Yes ○ No

Additional pages attached? ○ Yes ◉ No

CRIMINAL HISTORY
Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. ○ Yes ◉ No

MANAGEMENT AGREEMENT
Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement. ○ Yes ◉ No

6. AMENDMENT-Change of Officers, Stock or Ownership Interest

6B. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
Mingma Nurbu Sherpa	President, Director	50
Zahid Rashid	Treasurer, Secretary, Vice President, Director	50

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Mingma Nurbu Sherpa	Beer and Wine	KSMP Enterprises, Inc	Barnstable

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☒ No ☐
If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
Mingma Nurbu Sherpa	All Alcoholic Beverage:	M.S. General, Inc.	Kingston

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?
Yes ☒ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation
2015-2016	M.Z. Enterprises, Inc	Falmouth	Alcohol Sold to Minors - Fake Identification
			ONE DAY Suspension

APPLICANT'S STATEMENT

I, Mingma Nurbu Sherpa the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of M.Z. Enterprises, Inc.
Name of the Entity/Corporation

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

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

(1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;

(2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;

(3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;

(4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;

(5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;

(6) I understand that all statements and representations made become conditions of the license;

(7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;

(8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and

(9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

(10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: [signature] Date: 11/7/2023

Title: President

ENTITY VOTE

The Board of Directors or LLC Managers of M.Z. Enterprises, Inc. (Entity Name)

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

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 11/6/2023 (Date of Meeting)

For the following transactions (Check all that apply):

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

"VOTED: To authorize Mingma Nurbu Sherpa (Name of Person)

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

"VOTED: To appoint Mingma Nurbu Sherpa (Name of Liquor License Manager)

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

A true copy attest,

Corporate Officer /LLC Manager Signature

MINGMA NURBU SHERPA

(Print Name)

For Corporations ONLY

A true copy attest,

Corporate Clerk's Signature

MINGMA NURBU SHERPA

(Print Name)

The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: $250.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Articles of Organization
(General Laws, Chapter 156D, Section 2.02; 950 CMR 113.16)

Federal Employer Identification Number: 001135481 *(must be 9 digits)*

ARTICLE I

The exact name of the corporation is:

M.Z. ENTERPRISES, INC.

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

1. TO ENGAGE IN THE BUSINESS OF RETAIL AND WHOLESALE LIQUOR AND FOOD SALES. 2. TO PURCHASE AND HOLD ITS OWN SHARES AND FURTHER, TO SELL THE SAME. 3. TO CARRY ON ANY BUSINESS OF ANY AND ALL TYPES OR OTHER ACTIVITY WHICH MAY BE LAWFULLY CARRIED ON BY A CORPORATION ORGANIZED UNDER THE BUSINESS CORPORATION LAW OF THE COMMONWEALTH OF MASSACHUSETTS, WHETHER OR NOT RELATED TO THOSE REFERRED TO IN THE PRECEDING PARAGRAPHS, AND TO DO ALL ACTS ASSOCIATED WITH, NECESSARY TO, PROPER, CONNECTED WITH, ARISING FROM OR INCIDENTAL THERETO.

ARTICLE III

State the total number of shares and par value, if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding
		Num of Shares	*Total Par Value*	*Num of Shares*
CNP	$0.00000	275,000	$0.00	275,000

G.L. C156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. C156D Section 6.21 and the comments thereto.

ARTICLE IV

If more than one class of stock is authorized, state a distinguishing designation for each class. Prior to the issuance of any shares of a class, if shares of another class are outstanding, the Business Entity must provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of that class and of each other class of which shares are outstanding and of each series then established within any class.

ARTICLE V

The restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

ANY STOCKHOLDER, INCLUDING THE HEIRS, ASSIGNS, EXECUTORS OR ADMINISTRATORS OF A DECEASED STOCKHOLDER, DESIRING TO SELL OR TRANSFER SUCH STOCK OWNED B Y HIM OR THEM, SHALL FIRST OFFER IT TO THE CORPORATION THROUGH THE BOARD OF DIRECTORS, IN THE MANNER FOLLOWING: HE SHALL NOTIFY THE DIRECTORS OF HIS DESI RE TO SELL OR TRANSFER BY NOTICE IN WRITING, WHICH NOTICE SHALL CONTAIN THE P RICE AT WHICH HE IS WILLING TO SELL OR TRANSFER AND THE NAME OF ONE ARBITRAT OR. THE DIRECTORS SHALL WITHIN THIRTY DAYS THEREAFTER EITHER ACCEPT THE OFFER OR BY NOTICE TO HIM IN WRITING NAME A SECOND ARBITRATOR AND THESE TWO SHAL L NAME A THIRD. IT SHALL THEN BE THE DUTY OF THE ARBITRATORS TO ASCERTAIN THE VALUE OF THE STOCK, AND IF ANY ARBITRATOR SHALL NEGLECT OR REFUSE TO APPEAR AT ANY MEETING APPOINTED BY THE ARBITRATORS, A MAJORITY MAY ACT IN THE ABSEN CE OF SUCH ARBITRATOR. AFTER THE ACCEPTANCE OF THE OFFER OR THE REPORT OF TH E ARBITRATORS AS TO THE VALUE OF THE STOCK, THE DIRECTORS SHALL HAVE THIRTY D AYS WITHIN WHICH TO PURCHASE THE SAME AT SUCH VALUATION, BUT IF AT THE EXPIR ATION OF THIRTY DAYS, THE CORPORATION SHALL NOT HAVE EXERCISED THE RIGHT SO TO PURCHASE, THEN THE REMAINING STOCKHOLDERS SHALL HAVE TEN DAYS THEREAFT ER TO PURCHASE THE SAME AT SUCH VALUATION IN PROPORTION TO EACH SUCH STOCK HOLDERS INTEREST, FAILING WHICH THE OWNER SHALL BE AT LIBERTY TO DISPOSE OF T HE SAME IN ANY MANNER HE MAY SEE FIT. NO SHARES OF STOCK SHALL BE SOLD OR TR ANSFERRED ON THE BOOKS OF THE CORPORATION UNTIL THESE PROVISIONS HAVE BEEN COMPLIED WITH, BUT THE BOARD OF DIRECTORS MAY IN ANY PARTICULAR INSTANCE W AIVE THE REQUIREMENT.

ARTICLE VI

Other lawful provisions, and if there are no provisions, this article may be left blank.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.

ARTICLE VII

The effective date of organization and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a *later* effective date is desired, specify such date, which may not be later than the *90th day* after the articles are received for filing.

Later Effective Date: **Time:**

ARTICLE VIII

The information contained in Article VIII is not a permanent part of the Articles of Organization.

a,b. The street address of the initial registered office of the corporation in the commonwealth and the name of the initial registered agent at the registered office:

Name:	ZAHID RASHID			
No. and Street:	414 E. FALMOUTH HWY			
City or Town:	EAST FALMOUTH	State: MA	Zip: 02536	Country: USA

c. The names and street addresses of the individuals who will serve as the initial directors, president,

treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	MINGMA NURBA SHERPA	139 SPRING STREET HYANNIS, MA 02601 USA
TREASURER	ZAHID RASHID	28 PLEASANTWOOD DRIVE FORESTDALE, MA 02644 USA
SECRETARY	ZAHID RASHID	28 PLEASANTWOOD DRIVE FORESTDALE, MA 02644 USA
VICE PRESIDENT	ZAHID RASHID	28 PLEASANTWOOD DRIVE FORESTDALE, MA 02644 USA
DIRECTOR	MINGMA NURBA SHERPA	139 SPRING STREET HYANNIS, MA 02601 USA
DIRECTOR	ZAHID RASHID	28 PLEASANTWOOD DRIVE FORESTDALE, MA 02644 USA

d. The fiscal year end (i.e., tax year) of the corporation:
December

e. A brief description of the type of business in which the corporation intends to engage:

LIQUOR STORE

f. The street address *(post office boxes are not acceptable)* of the principal office of the corporation:

No. and Street: 414 E. FALMOUTH HWY
City or Town: EAST FALMOUTH State: MA Zip: 02536 Country: USA

g. Street address where the records of the corporation required to be kept in the Commonwealth are located *(post office boxes are not acceptable)*:

No. and Street: 414 E. FALMOUTH HWY
City or Town: EAST FALMOUTH State: MA Zip: 02536 Country: USA
which is

X its principal office
__ an office of its secretary/assistant secretary
__ an office of its transfer agent
__ its registered office

Signed this 6 Day of May, 2014 at 12:35:35 PM by the incorporator(s). *(If an existing corporation is acting as incorporator, type in the exact name of the business entity, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said business entity and the title he/she holds or other authority by which such action is taken.)*
BENJAMIN J. LOSORDO, ESQ.

© 2001 - 2014 Commonwealth of Massachusetts
All Rights Reserved

Business entity stock is publicly traded: [ ]

The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	$0	275,000	$0	275,000

[ ] **Consent** [ ] **Confidential Data** [ ] **Merger Allowed** [ ] **Manufacturing**

View filings for this business entity:

ALL FILINGS
Annual Report
Application For Revival
Articles of Amendment
Articles of Charter Surrender

View filings

Comments or notes associated with this business entity:

New search

OPEN SESSION

BUSINESS

1. Authorize borrowing for wastewater plant upgrades **(5 minutes)**

February 26, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Business 1.**

ITEM TITLE: Authorize Borrowing for Wastewater Plant Upgrades

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Amy Lowell, Wastewater Superintendent; Patty O'Connell, Treasurer/Collector; Ed Senteio, Finance Director

ATTACHMENTS: Bond Sale Motions and Other Documents

PURPOSE:

To have the Select Board sign off on the two interim loan notes awarded by the Massachusetts Clean Water Trust to allow for upgrades to the Blacksmith Shop Road Wastewater Treatment Facility (WWTF Improvements Project).

BACKGROUND/SUMMARY:

The wastewater project team has been working with the Massachusetts Department of Environmental Protection and the Massachusetts Clean Water Trust to obtain debt forgiveness and favorable loan terms for the Wastewater Treatment Facility Improvements Project. The Town has acquired a total of $10,369,578 in grants and loan forgiveness for this project:

Amount	Source
-$1,334,782	County American Rescue Plan Act (ARPA) grant
-$7,284,796	State loan forgiveness – ARPA funds
-$1,750,000	Cape Cod Water Protection Collaborative loan forgiveness
$10,368,578	Total

Project funding may therefore be summarized as follows:

Amount	Description
$33,500,000	Total Appropriation for the WWTF Improvements Project
-$10,368,578	Grants and Loan Forgiveness
$23,130,422	Remainder to be paid for by the Town
-$900,000	Unexpended funds reallocated for this project at April 2023 TM
$22,230,422	Amount Town will borrow from the MA Water Pollution Abatement Trust

On February 12, the DEP sent a letter to the Town stating that the WWTF Improvements Project meets all criteria to be eligible for a 0% interest rate loan. The next step to finalize the 0% interest rate for the loan is a vote of the Clean Water Trust Board of Trustees scheduled for March 6, 2024.

Over the life of the loan, the 0% interest rate is expected to save the Town $9,101,354 in interest payments (over what the Town would have paid with a 2% interest loan). Therefore, the total project savings from the 0% interest loan and from all grants and loan forgiveness is expected to be $19,470,932.

DEPARTMENT RECOMMENDATION:

Vote to approve and sign for the project loan terms.

OPTIONS:

- Motion to vote to sign off on the interim loan notes for the upgrade of the Blacksmith Shop Road Wastewater Treatment Facility based on the language indicated in the "Vote of the Select Board" documents.

- Motion to not authorize the borrowing and suspend the upgrades to the wastewater treatment plant. Project work already completed must be paid for using existing funds.

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

The suggested motion is as follows:

Vote to sign off on the interim loan notes for the upgrade of the Blacksmith Shop Road Wastewater Treatment Facility based on the language indicated in the "Vote of the Select Board" documents.

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to sign off on the interim loan notes for the upgrade of the Blacksmith Shop Road Wastewater Treatment Facility based on the language indicated in the "Vote of the Select Board" documents.

Michael Renshaw

_____ 2/21/2024

Town Manager **Date**

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Falmouth, Massachusetts, certify that at a meeting of the board held February 26, 2024, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

VOTED:

(1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $31,265,218 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and votes of the Town passed (i) April 4, 2022 (Article 14) which authorized a total borrowing of $24,000,000 and (ii) and April 4, 2022 (Article 14) which authorized a total borrowing of $8,600,000, and excluded from the limitations of Proposition 2 ½ (so-called) by vote of the Town on May 17, 2022 (Question 2), for planning or construction of sewers and other water pollution control abatement infrastructure (the "Projects");

(2) that the terms of the Financing Agreements and the Project Regulatory Agreements each relating to the Notes and the Bonds are hereby approved;

(3) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $31,265,218;

(4) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreements;

(5) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;

(6) that any certificates or documents relating to each Bond and Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;

(7) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

(8) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreements and the Project Regulatory Agreements relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: February 26, 2024

_____

Clerk of Select Board

SMK/BMM 02/02/24

(Please Note: The following statements are an essential part of the permanent note record. Read them carefully before signing this certificate. Advise Locke Lord LLP of any inaccuracy.)

Town of Falmouth, Massachusetts

$27,202,218 Interim Loan Note and $4,063,000 Interim Loan Note

CERTIFICATE

We, the members of the Select Board and the Treasurer of the Town of Falmouth, Massachusetts (the "Town"), certify that we have signed the (i) $27,202,218 0 percent Interim Loan Note and (ii) $4,063,000 0 percent Interim Loan Note (together, the "Notes") of the Town each dated February 1, 2024 and payable on the Closing Date. The Notes bear the Town seal, which is also affixed to this certificate.

We further certify that (i) Financing Agreement No. CWP-22-59 and (ii) Financing Agreement No. CWP-22-59-A each as amended with the Massachusetts Clean Water Trust (the "Trust"), each dated as of November 1, 2023 providing for the Interim Loans evidenced by the Notes, and the Project Regulatory Agreements with the Department of Environmental Protection each dated as of November 1, 2023 relating to the Projects financed by the Notes have been signed by the Treasurer or other duly authorized Town official and we hereby confirm those Agreements. Capitalized terms used in this certificate and not otherwise defined shall have the same meanings given those terms in the Financing Agreement and Chapter 29C of the General Laws (the "Enabling Act"). The Financing Agreements and the Project Regulatory Agreements are sometimes referred to collectively in this certificate as the "Agreements".

We, the members of the Select Board and the Treasurer, also certify as follows:

1. Authority. The Notes are issued pursuant to the Enabling Act, Chapter 44 of the General Laws (the "Applicable Bond Act") and a vote of the Borrower passed April 4, 2022 (Article 14) and excluded from the limitations of Proposition 2 ½ (so-called) by of vote of the Town on May 17, 2022 (Question 2), and which authorized a total borrowing of $24,000,000 ($4,063,000 CW-22-59-A and $19,937,000 CW-22-59), and a vote of the Borrower passed April 10, 2023 (Article 24), excluded from the limitations of Proposition 2 ½ (so-called) by a vote of the Borrower passed May 17, 2022 (Ballot Question) , and which authorized a total borrowing of $8,600,000 ($7,265,218 CW-22-59).

Execution of the Agreements was further authorized by a vote of the Select Board passed February 26, 2024 (the "Select Board Vote").

2. Other Debt. No other debt has been incurred under those votes of the Town.

3. Representations under Section 2 of the Terms and Conditions to the Massachusetts Clean Water Trust Financing Agreements.

(i) The Town is a Local Governmental Unit as defined in the Enabling Act with full legal right and authority under the Enabling Act and the Applicable Bond Act to authorize, execute and deliver the Agreements, to execute, issue and deliver the Notes, to undertake the Projecst, to operate its System and to carry out and consummate all transactions contemplated by the foregoing.

(ii) The Town has duly and validly authorized the execution and delivery of the Agreements and the Notes and all approvals, consents and other governmental proceedings necessary for the execution and delivery of any of the foregoing or required to make them the legally binding obligations of the Town that they purport to be in accordance with their terms have been obtained or made.

(iii) No action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, other than as disclosed to the Trust and the Department of Environmental Protection in the Application, is pending or, to our knowledge, threatened seeking to restrain or enjoin the execution or delivery or performance of any of the Agreements or the Notes or the construction or operation of the Projects; or contesting or adversely affecting the validity of the Agreements or the Notes or the power of the Town to assess and collect taxes, rates and charges to pay the Payments and all other costs and expenses of the Projects and the System; and neither the corporate existence of the Town nor the title to office of any of us or any other Authorized Officer of the Town executing the Agreements or the Notes is being contested.

(iv) The authorization, execution and delivery of each of the Agreements and the Notes, and performance of each of them, will not constitute a breach of, or a default under, any law, ordinance, resolution, agreement, indenture or other instrument to which the Town is a party or by which it or any of its properties is bound.

(v) The Financing Agreements and the Notes are valid general obligations of the Town, for the payment of which its full faith and credit are pledged, enforceable in accordance with their terms and the terms of the Enabling Act and the Applicable Bond Act, and payable as to principal, premium, if any, and interest, if any, (to the extent not paid from other sources) from taxes which may be levied upon all taxable property within the territorial boundaries of the Town, without limit as to rate or amount.

4. No Default. As of this date, no Event of Default or Default, as applicable, and no event which with the passage of time or the giving of notice may become or may be declared to be an Event of Default or a Default, has happened and is continuing under either of the Agreements.

5. Loan Questionnaires. The statements and information set forth in the Loan Questionnaires submitted by the Town to the Trust in connection with the Interim Loans are true and correct in all material respects on this date as if made on this date.

6. Special Conditions. The Town hereby acknowledges the special conditions set forth in Exhibit C to the Project Regulatory Agreements and Schedule B to the Financing Agreements and the Town has satisfied or expects to satisfy all of such conditions and is not aware of any circumstances adversely affecting its expectation of satisfying those conditions.

7. Use of Project and Note Proceeds.

(a) Reimbursement. The proceeds of the Notes may be used, in part, to reimburse the Town for capital expenditures previously made for the Projects. Any such expenditures were made pursuant to G.L. c. 44, §20A and the rules and regulations of the State Director of Accounts and any such expenditure was documented by a "Report of Advance of Funds in Lieu of Borrowing" filed with the Director. Any such expenditures were made within 18 months prior to this date. At the time of the filing of any report referred to above the Town reasonably expected to reimburse the expenditures with the proceeds of a borrowing.

(b) Prior Bonds or Notes. No proceeds of the Notes will be used to pay or retire any bonds, notes or other evidence of indebtedness previously issued by the Town.

(c) No Sale of Project. The Town does not expect to sell any Projects prior to repayment of the Notes.

(d) Use in Trade or Business. Not more than 5% of the gross proceeds of the Notes are to be used (directly or indirectly) in any trade or business carried on by any person other than a state or local governmental unit. (Use in a trade or business includes all activities carried on by the federal government (including its agencies and instrumentalities), by so-called Section 501(c)(3) organizations and by all other nongovernmental entities other than natural persons, but does not include use as a member of or on the same basis as the general public.) The Town does not have or plan to have any contract or other arrangement not applicable to the general public under which a party, other than the Commonwealth or a local governmental unit, is to have the use of the Projects or is to make payments based on costs of the Projects rather than system costs.

(e) Private Loans. None of the gross proceeds of the Notes are to be used by the Town directly or indirectly to make or finance loans to others. (The foregoing representation does not preclude the financing of a Project whose costs are to be paid by betterment assessments over a period of years.)

We, the members of the Select Board, the Treasurer and the Town Clerk, further certify as follows:

(a) Authorization, Execution and Delivery of Documents. The Financing Agreement, the Project Regulatory Agreement and the Notes have been duly authorized, executed and delivered. None of those instruments has been amended or supplemented since its date (except such amendments or supplements which have been approved by the Trust or the Department, as applicable) or repealed and each such instrument remains in full force and effect as of this date.

(b) Open Meeting Law. Except for the town meetings called pursuant to G.L. c.39, §10, all proceedings essential to the authorization and issue of the Notes and deliberations of a quorum relating thereto have been taken at a meeting or meetings open to the public; notice of each such meeting was filed in my office and publicly posted in the time and manner set forth in G.L. c.30A, §§18-25, as amended, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b); no deliberations, decision or vote in connection with the Bonds were taken in executive session and no vote was taken by secret ballot; and the official record of each such meeting was made available to the public and remains available to the public as set forth in G.L. c.30A, §§18-25, as amended.

(c) Signatures and Incumbency. The signatures of the members of the Select Board and the Treasurer as appearing below are the genuine, electronic, or facsimile signatures of the persons who held those offices when the Agreements and the Notes were signed and when they were delivered.

(d) Proceedings. No proceeding essential to the execution, delivery or issue of the Agreements and the Notes has been repealed or amended except as stated in paragraph (1) above, and no proceedings have been taken relating to the Agreements and the Notes other than those certified to Locke Lord LLP.

(e) Bylaws. The bylaws or votes described below are the only bylaws or standing votes of the Town affecting the authorization, sale or issue of the Notes, or the authorization, execution or delivery of the Agreements, and there has been no change therein affecting those matters in any way except as may be indicated below:

Code of the Town of Falmouth Massachusetts, 2011, as amended, and certified to Locke Lord LLP on May 2, 2023.

(f) Home Rule. The Town has not amended its home rule charter adopted May 15, 1990, as amended through February 4, 2022, and the Town has not amended or repealed any special law relating to the Town through the use of home rule procedures except by adoption of the charter.

(g) Development Districts. The Town has not established any development districts pursuant to G.L. c.40Q.

(h) Select Board Vote. Attached hereto is a true copy of the Select Board Vote, which has not been amended or repealed and remains in full force and effect on this date.

[The balance of the page is intentionally left blank.]

8. Execution of Counterparts and Delivery by Electronic Means. This certificate, as well as any other certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document. Delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document. Electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Dated: _____
(Date of delivery of and payment for the Notes - to be left blank until delivery)

_____ _____
Treasurer

_____

_____ _____
Town Clerk

_____

_____
Select Board

(Town Seal)

136280254v.1

No. 1 $27,202,218

United States of America
The Commonwealth of Massachusetts

TOWN OF FALMOUTH
INTERIM LOAN NOTE

PRINCIPAL AMOUNT: Twenty-Seven Million Two Hundred Two Thousand Two Hundred Eighteen Dollars

The Town of Falmouth, Massachusetts (the "Borrower"), for value received, promises to pay to the Massachusetts Clean Water Trust (the "Trust"), upon presentation and surrender hereof, the Principal Amount specified above, or such lesser amount as shall have been advanced from time to time to the Borrower on account of this note in accordance with the Financing Agreement hereinafter referred to, on the Closing Date (as defined in the Financing Agreement) at the principal corporate trust office of U.S. Bank Trust Company, National Association, in the City of Boston, Massachusetts. The date and amount of each advance made on account of this note shall be endorsed on the Schedule of Advances attached hereto by an authorized officer of the Trust. No interest shall accrue and be payable on the Principal Amount of this note.

This note is issued pursuant to Chapter 29C and Chapter 44 of the General Laws as amended for the purpose of financing costs of a water pollution abatement project in anticipation of the proceeds of a loan to the Borrower under and pursuant to Financing Agreement No. CWP-22-59 dated as of November 1, 2023 between the Trust and the Borrower (the "Financing Agreement"). This note shall mature on the Closing Date (as defined in the Financing Agreement) and is a general obligation of the Borrower and the full faith and credit of the Borrower are pledged to the payment of the principal of this note.

Dated: February 1, 2024

TOWN OF FALMOUTH, MASSACHUSETTS

By: _____
Treasurer

Countersigned:

_____

_____

_____

_____

_____
Select Board

(TOWN SEAL)

SCHEDULE OF ADVANCES

Date	Amount	Signature of Authorized Officer of the Trust

No. 1 $4,063,000

United States of America
The Commonwealth of Massachusetts

TOWN OF FALMOUTH
INTERIM LOAN NOTE

PRINCIPAL AMOUNT: Four Million Sixty-Three Thousand Dollars

The Town of Falmouth, Massachusetts (the "Borrower"), for value received, promises to pay to the Massachusetts Clean Water Trust (the "Trust"), upon presentation and surrender hereof, the Principal Amount specified above, or such lesser amount as shall have been advanced from time to time to the Borrower on account of this note in accordance with the Financing Agreement hereinafter referred to, on the Closing Date (as defined in the Financing Agreement) at the principal corporate trust office of U.S. Bank Trust Company, National Association, in the City of Boston, Massachusetts. The date and amount of each advance made on account of this note shall be endorsed on the Schedule of Advances attached hereto by an authorized officer of the Trust. No interest shall accrue and be payable on the Principal Amount of this note.

This note is issued pursuant to Chapter 29C and Chapter 44 of the General Laws as amended for the purpose of financing costs of a water pollution abatement project in anticipation of the proceeds of a loan to the Borrower under and pursuant to Financing Agreement No. CWP-22-59-A dated as of November 1, 2023 between the Trust and the Borrower (the "Financing Agreement"). This note shall mature on the Closing Date (as defined in the Financing Agreement) and is a general obligation of the Borrower and the full faith and credit of the Borrower are pledged to the payment of the principal of this note.

Dated: February 1, 2024

TOWN OF FALMOUTH, MASSACHUSETTS

By: _____
Treasurer

Countersigned:

_____

_____

_____

_____

_____
Select Board

(TOWN SEAL)

SCHEDULE OF ADVANCES

Date	Amount	Signature of Authorized Officer of the Trust

OPEN SESSION

BUSINESS

2. Present draft Housing Production Plan (HPP) **(20 minutes)**

February 26, 2024

ITEM NUMBER: **Business 2.**

ITEM TITLE: Draft Housing Production Plan Presentation

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Jed Cornock, Town Planner and Kim Fish, Housing Coordinator

ATTACHMENTS: Draft Housing Production Plan and Summary Presentation

---

PURPOSE:

We seek Select Board input on the Draft Housing Production Plan that is currently available for public review and comment. The purpose of this review is to help guide the completion of the final Housing Production Plan, which will include a number of goals and strategies aimed at producing affordable housing over the next five years.

BACKGROUND/SUMMARY:

- Procedural Overview:
  - A Housing Production Plan must receive local adoption by the Planning Board and Select Board (or City Council) before submission to the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) for approval.

  - The current timeline for local adoption is as follows:
    - Provide the draft plan to the Planning Board on 2/20/24
    - Provide the draft plan to the Select Board on 2/26/24
    - Have the Planning Board vote to approve the final plan on 3/12/24
    - Have the Select Board vote to approve the final plan on 3/25/24

This approach allows town staff and our consultants to receive input from both Boards concurrently and if necessary, revise the draft strategies or final document along the way.

- Staff presented the Draft Goals & Strategies for the Board on January 29, 2024 and all of the items discussed that evening remained unchanged in the Draft Housing Production Plan.

- Once local approval is complete and the final HPP is sent to the state, the Executive Office of Housing and Livable Communities (EOHLC) will conduct an initial 30-day completeness review and will notify the municipality of any deficiency and offer an opportunity to remedy the deficiency. Within 90 days after EOHLC finds that the HPP is complete, they shall approve the HPP if it meets the specified requirements.

➢ Project Description:
  - A Housing Production Plan facilitates development and preservation of homes that meet the requirements of the state's affordable housing law, commonly known as Ch.40B.

  - Although the primary focus of an HPP is to move a community toward its 10% statutory minimum of SHI eligible units under Chapter 40B, it also addresses the creation of "attainable" housing for the community.

  - A Housing Production Plan is required to include the following three elements: 1) Housing Needs Assessment, 2) Housing Goals, and 3) Implementation Strategies.

➢ Project Benefits:
  - If a community has an EOHLC approved HPP and is granted certification of compliance with the plan by EOHLC, a decision by the Zoning Board of Appeals (ZBA) relative to a comprehensive permit application will be deemed "consistent with local needs" under MGL Chapter 40B. "Consistent with local needs" means the ZBA's decision will be upheld by the Housing Appeals Committee.

  - Falmouth will have a new Housing Production Plan which will provide helpful strategies for creating more affordable housing in a time when it's desperately needed.

DEPARTMENT RECOMMENDATION:

The Town Planner and Housing Coordinator are not making a formal recommendation at this time, rather a request that the Select Board review the Draft Housing Production Plan and provide input so as our consultants can make revisions if necessary to create the final document.

Staff is asking that all comments be emailed to housing@falmouthma.gov so they can be considered for the final report.

OPTIONS:

1) Take no action, do not approve or disapprove the Draft Housing Production Plan.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

No formal action is requested at this time.

Michael Renshaw

_____ 2/21/2024

Town Manager **Date**

Town of Falmouth
DRAFT Housing Production Plan 2024-2029
February 15, 2024

Prepared for the Town of Falmouth
By Horsley Witten Group &
Barrett Planning Group

Acknowledgements

Falmouth's Housing Production Plan represents the collaborative efforts of town residents, board and committee members, town staff, consultants, and other stakeholders. Each participant has played a vital role throughout this process, from the initial stages to the completion of the plan. The Planning Department extends its appreciation to the Select Board, Planning Board, Affordable Housing Committee, and Town staff, along with all members of the community who engaged in discussions and shared their insights and ideas for the Town of Falmouth.

Falmouth Housing Production Plan, 2024-2029

FALMOUTH SELECT BOARD

Nancy Robbins Taylor, *Chair*
Edwin (Scott) P. Zylinski II, *Vice Chair*
Douglas C. Brown
Onjalé Scott Price
Robert P. Mascali

TOWN OF FALMOUTH STAFF

Mike Renshaw, *Town Manager*
Peter Johnson-Staub, *Assistant Town Manager*
Kimberly Fish, *Housing Coordinator*
Jed Cornock, *Town Planner*

CONSULTALT TEAM

Horsley Witten Group
Jeff Davis, *Project Planner*

Barrett Planning Group LLC
Alexis Lanzillotta, *Project Manager*
Tony Duong, *Community Planner*
Judi Barrett, *Principal-in-Charge*

FALMOUTH PLANNING BOARD

Charlotte Harris, *Chair*
Patricia Kerfoot, *Vice Chair*
Paul Dreyer, *Clerk/Secretary*
Jim Fox
Robert Leary
John Druley
Pamela Harting-Barrat

FALMOUTH AFFORDABLE HOUSING COMMITTEE

David Garrison, *Chair*
Jessica O'Brien, *Vice Chair*
Chinna Mapp, *Clerk*
Kerry Walton
Pamela Harting-Barrat
Gina Torielli
Samuel Patterson

Table of Contents

Executive Summary 1
Background of Update 1
Needs Assessment Summary 2
Goals and Strategies 4
Needs Assessment 8
Introduction 8
Demographic Profile 9
Economic Profile 26
Housing Profile 39
Challenges to Producing Affordable Housing 59
Housing Production Plan Goals & Strategies 73
Goals 73
Strategies 75
Appendices 85

Page intentionally left blank.

Executive Summary

Background of Update

The Town of Falmouth adopted its previous Housing Production Plan (HPP) in 2018. This update comes after five years of significant change in the region and across the world. The COVID 19 pandemic caused disruptions everywhere and changed the ways many people chose to live. Anecdotally, many people who grew up in Falmouth have "come home" (or have tried to) to be closer to family and friends. Many people with second homes in the Town have decided to make Falmouth their permanent address. People from greater Boston, New York, and elsewhere fled urban areas to retire or work remotely in smaller, quieter communities like Falmouth. All these things and more have served to exacerbate the housing affordability crisis already very apparent in 2018. Homes that were out of reach to schoolteachers, first responders, nurses, and other working people then are now often unaffordable for professional families with two working adults. All the issues and barriers identified in the 2018 HPP remain but magnified. This update attempts to concisely and directly address the most critical actions to take in the next five years to confront the ever more serious housing crisis.

Falmouth is a vibrant community known for its maritime history, natural landscapes and beaches, and vibrant, walkable main street. Tourism is a major economic driver for Falmouth and all of Cape Cod, with the population estimated to nearly triple in the summer months, putting additional burdens on existing housing and Town services. This has significantly affected the community's socio-economic character and housing mix with increasing amounts of seasonal or occasional housing units. Year-round residents are struggling to remain in the community. Falmouth has been facing a housing crisis for over a decade, and it is only getting worse: fewer and fewer households have the means to afford to buy or rent in town as housing prices far outstrip income growth and fewer homes are available for year-round occupancy.

WHY A HOUSING PRODUCTION PLAN?

A Housing Production Plan (or HPP) is a tool allowing Massachusetts towns to take a well-planned and proactive approach to meeting their affordable housing goals and community housing needs. Specifically, an HPP is intended to help communities reach the threshold prescribed by Massachusetts General Laws (MGL) Chapter 40B of ten percent of total year-round housing units deed-restricted to be affordable for low-income households. "Low-income" in this context is defined as a household making eighty percent or less of their region's Area Median Income (AMI), calculated by the U.S. Department of Housing and Urban Development (HUD). Whether or not a community has reached the ten percent affordable threshold is calculated using the Subsidized Housing Inventory (SHI), a regularly updated list of all units meeting the above criteria that have been legally recognized following an application from the host community.

In addition to the value of having a long-term plan for meeting local housing needs, an HPP has immediate practical implications under Chapter 40B. A community that has adopted an approved HPP and adds units to its SHI at an annual rate of at least 0.5 percent of its total year-round housing units (in accordance with the goals of the HPP) may invoke "Safe Harbor" status in response to a comprehensive permit application.[1]

[1] Once adopted at the local level by the Select Board and Planning Board, the Town will submit this HPP to EOHLC. Upon state approval, the HPP will be in effect for a period of five years. These steps are required for a town to rely on the HPP as a later basis seeking plan certification.

This means that the Town may impose conditions on or outright deny the issuance of a comprehensive permit, resulting in more control over the type, location, and design of residential development while continuing to meet housing needs through HPP strategies. Achieving the 0.5 percent annual increase entitles a community to one year of Safe Harbor while reaching one percent or greater allows for two years. Falmouth has met these standards once so far and achieved a one-year "Safe Harbor" status in 2009-2010. Once this plan is accepted by the MA Executive Office of Housing and Livable Communities (EOHLC), Falmouth needs to add at least 80 new units to its SHI per year to qualify for one year of Safe Harbor designation.

The summary below includes highlights from the Housing Needs Assessment, as well as the Goals and Implementation Strategies developed for this plan.

Needs Assessment Summary

The points below are cited and explained further in the Needs Assessment.

DEMOGRAPHIC PROFILE

- Falmouth's population grew most significantly during the 1950s and 1970s. It has leveled off since 2000, dropping somewhat in 2010 but then rising back up in 2020.
- Population projections predict that Falmouth's population will decline through 2050, mostly among younger age cohorts while still increasing among older adults.
- The Town's population is aging rapidly; while this is true across Cape Cod and beyond, the pace is more pronounced in the Upper Cape than Capewide.
- More of the Town's households consist of 65+ residents living alone compared with the state average (19 percent vs. 12 percent), although Falmouth is in line with the county.
- The proportion of households with children has declined slightly more significantly in Falmouth than for the county as a whole; Capewide, this trend is significantly more pronounced than across Massachusetts.
- Falmouth's population has become more racially and ethnically diverse, although Barnstable County is generally less diverse than Massachusetts.
- Disability levels in Falmouth remain higher than the county and state. Falmouth has a higher share of residents with a disability overall and in most age cohorts as compared to the Upper Cape, Barnstable County, and Massachusetts.
- While Cape Cod has overall higher proportion of residents with a disability than the state, the percentage of older adults 65-74 and 75+ with a disability in Falmouth and the Upper Cape is significantly lower than the state and even the county as a whole.

ECONOMIC PROFILE

- A growing number of households earn higher incomes; from 2012 to 2022, the proportion of households earning over $100,000 (adjusted for inflation) increased from an estimated 26 percent to 45 percent.
- Family households — and married couple families with children in particular — earn more than nonfamily households.

- Homeowners and householders age 45-64 have higher median incomes then renters and other age cohorts.
- Falmouth has a greater share of households receiving SNAP/food stamps or Supplemental Security Income (SSI) than other Upper Cape communities. Falmouth also has a higher share of individuals living in poverty than its neighboring communities.
- Nearly half of Falmouth working residents are employed in higher-paying "management, business, science, and arts" occupations compared to production or service-oriented occupations. This is a higher share than Barnstable County, but lower than the state.
- The number of employees working in Falmouth (not including those who are self-employed) fluctuates by about 2,500 Seasonally. Year-round, health care and social assistance is the leading industry in terms of number of jobs; in the summer months, accommodation and food services is the leading industry. However, regardless of season, the top five industries remain consistent.
- Professional and technical services is the industry proportionally more represented in Falmouth compared to the broader region due to the predominance of science-related jobs in Falmouth.
- Falmouth has a higher estimated share of residents age 25+ who have not completed high school compared to its neighbors, yet also has a higher share of residents who have achieved advanced degrees.
- School enrollment in the Falmouth Public Schools has declined by about 1,600 students over the past twenty years.

HOUSING PROFILE

- Only 70 percent of housing units are counted as year-round units, with 30 percent counted as seasonal units. This percentage of seasonal units is slightly higher than Cape Cod overall.
- The housing stock in Falmouth is older than other Upper Cape communities, but in line with the county. Only 10 percent of the Town's housing stock was built in 2000 or later compared to 14 percent for the Upper Cape.
- Proportionally, Cape Cod's housing stock is newer than the state; in Massachusetts, nearly 50 percent of homes were built prior to 1960, compared to an estimated 26 percent for Barnstable County.
- Single-family homes still make up a large majority of Falmouth's housing stock, with an estimated 86 percent of units in single-family, detached structures and 5 percent in attached single family (i.e., townhouses). Another 5 percent of units are in 2-4 unit buildings, with most of the remainder in buildings with 5 or more units.
- Recent development trends indicate a high level of teardown activity, with one demolition/rebuild permit issued for every three new residential building permits over the past 22 months.
- The share of registered short-term rentals (STRs) compared to total housing units in Falmouth is on par with Mashpee and Sandwich. However, there is concern that the registered number is far lower than the actual number of STRs.
- There is a significant housing affordability gap in Falmouth at every low-moderate income level based upon levels of housing cost burden – i.e., households paying more than 30 percent of their

income toward housing.

- Those looking to buy in Falmouth face a significant affordability gap unless they earn substantially more than the HAMFI for the region (currently $124,300).
- Many renters in Falmouth currently are unaffordably housed, with over 50 percent estimated to be paying more than 30 percent of their incomes toward housing.
- At 8.13 percent, Falmouth is closer to achieving 10 percent affordable units under Chapter 40B compared to other Upper Cape communities. Nearly a quarter of the Town's SHI-eligible units are owned by Falmouth Housing Authority, which manages 30 properties totaling over 300 housing units.

BARRIERS TO DEVELOPMENT

The major factors limiting Falmouth's affordable housing development activity can be broken down into the following broad categories:

- Infrastructure: sewer, water, and transportation infrastructure must be able to handle increased, dense housing units.
- Regulatory Constraints: Falmouth's Zoning Bylaw may limit or prohibit certain affordable housing development strategies that could otherwise help the Town meet its goals.
- Environment: wetlands, open space, water resources, etc. constrain development locations.
- Property Costs and Availability: land available for housing development is more and more limited. Consequently, the cost of land and housing is increasing significantly. In addition, year-round rental housing is limited and pricey.
- Availability of Subsidy Funds: affordable housing projects require subsidies or incentives for private developers to undertake them. Falmouth will need to grow local funding sources and seek outside funding for the initiatives proposed in this plan.
- Community Perceptions: many residents remain concerned about the impacts that new development will have on local services and quality of life. Many also have negative impressions of affordable housing and question whether there is a real need for such development in Falmouth.

Goals and Strategies

GOALS

The Town of Falmouth must produce at least 80 new units of affordable housing per year in order to qualify for "Safe Harbor" status, allowing it to have more control over Comprehensive Permit Applications. This annual minimum is the recommended yearly goal in this HPP. However, because the need for affordable and attainable housing is demonstrably greater than ten percent of the Town's year-round housing stock, Goal 1 addresses the Town's continued commitment to creating and preserving affordable housing beyond the threshold under Chapter 40B. The plan must also include qualitative goals encouraging the development of a variety of housing types.

The housing goals in this plan are as follows:

1. Produce at least 80 units of affordable housing annually, and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B.
2. Promote a diversity of housing types targeting different household needs.
3. Maximize the number of affordable units included in development on Town-owned land. *(See Map 11, attached)*
4. Prioritize creation of affordable rental units.
5. Work with private developers to ensure community needs for affordable housing are met.
6. Minimize greenfield development by targeting residential development and redevelopment where it already exists
7. Consider and apply the findings of other planning processes including the Town's Local Comprehensive Plan and the Cape Cod Commission's Regional Housing Strategy.

STRATEGIES

The following affordable housing development strategies will help Falmouth reach these goals:

Regulatory Strategies

1. Establish mechanisms to monitor or regulate Short Term Rentals.
2. Allow more diverse housing types in more areas.
3. Explore regulatory options to encourage the development of smaller "starter homes."
4. Consider adopting pre-approved detached ADU plans to eliminate regulatory Board review and incentivize more property owners to participate.
5. Explore joint initiatives to support the town's seasonal workforce while respecting the need for year-round rental housing.
6. Expand inclusionary zoning (IZ) provisions.
7. Modify the Transfer of Development Rights (TDR) bylaw by adding additional density bonuses for affordable dwellings.

Capacity Building Strategies

8. Conduct ongoing community outreach and education regarding affordable housing needs locally and regionally.
9. Formalize a program to monitor existing deed-restricted housing units and enforce current conditions.
10. Market the accomplishments of the Falmouth Affordable Housing Fund.
11. Strengthen local and regional partnerships to share ideas and resources, learn from others, and explore new ways of creating affordable housing.

Affordable Housing Strategies

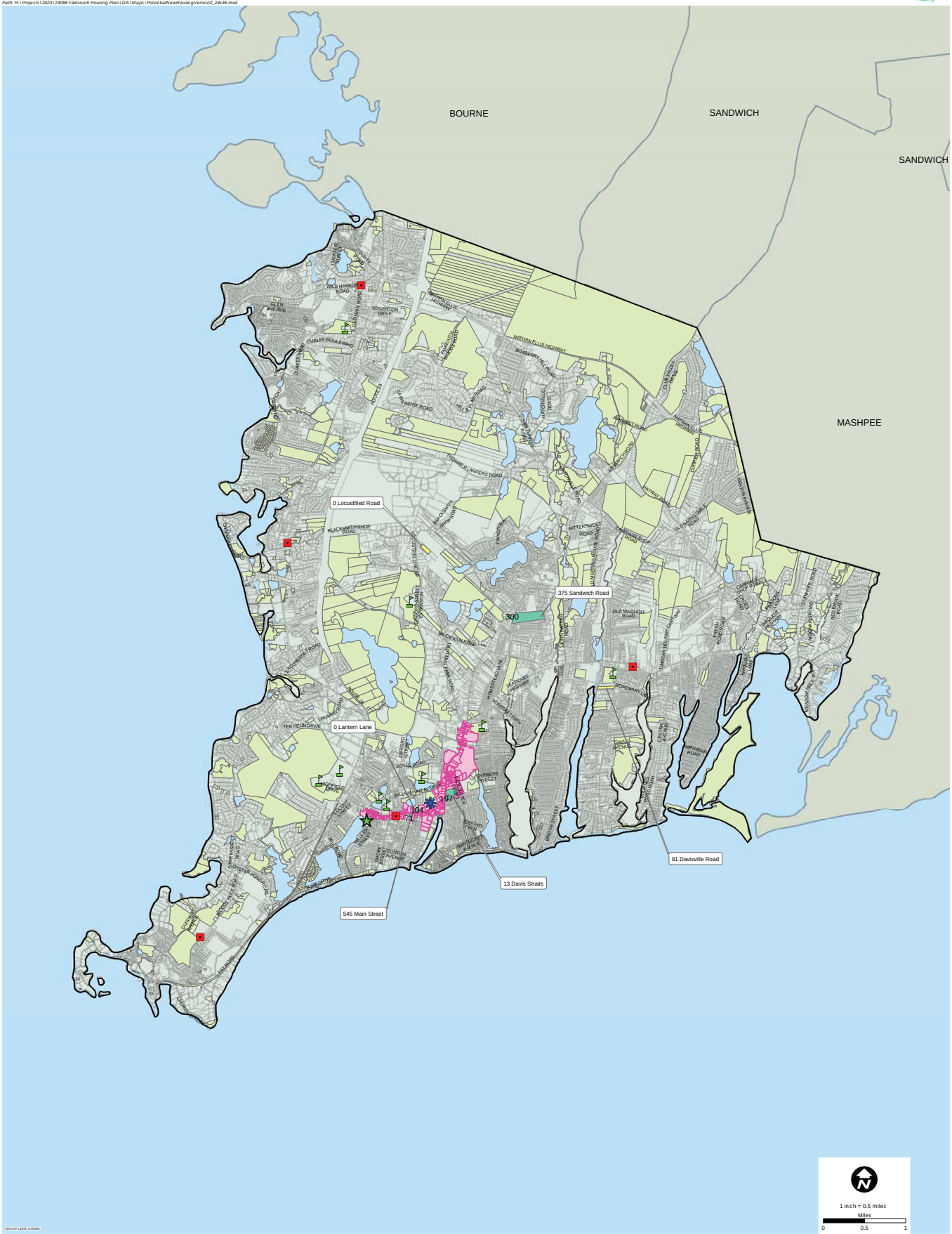
12. Develop criteria with other departments for assessing the best use of current and future Town-owned properties.
13. Encourage development that includes a number of units for special needs populations such as formerly homeless households or persons with disabilities.
14. Develop informational materials for developers and property owners on a series of topics, with an emphasis on local comprehensive permits.
15. Make suitable public property available for affordable housing.
16. Consider allocating a percentage of sewer capacity for affordable/community housing projects.
17. Issue a standing Request for Proposals (RFP) to acquire property for the development of affordable housing.

Finance and Subsidy Strategies

18. Encourage unique development approaches that utilize the Falmouth Affordable Housing Fund.
19. Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund.
20. Explore tax relief for property owners who offer year-round affordable rentals.
21. Consider utilizing the state's Tax Increment Financing (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas.
22. Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\PotentialNewHousingVersion2_24x36.mxd



Date: 2/9/2024
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- Town Boundary
- Parcels
- Proposed housing development
- Town-owned property appropriate for development
- Mixed Residential and Commercial Overlay
- Falmouth Openspace
- Fire Station
- Police Station
- School
- Town Hall

Potential Locations for New Housing Development

Housing Production Plan
Falmouth, Massachusetts

Map 11
Potential Locations for New Housing Development

Needs Assessment

Introduction

The Needs Assessment of a Housing Production Plan serves two primary purposes: to explore data relating to a community's population, households, and housing stock, and to assess barriers to affordable housing production and preservation. As such, this Needs Assessment includes the following sections:

- **Demographic Profile**, which reviews changes over time relating to the makeup of Falmouth's population and households;
- **Housing Profile**, which explores Falmouth's current housing stock, including its growth over time and characteristics such as housing type, size, and age;
- **Economic Profile**, which examines socioeconomic characteristics Falmouth's households, its labor force (residents over age 16 either working or looking for work), and its employment base (jobs within a community); and
- A review of **Challenges to Producing Affordable Housing**, which focuses on Falmouth's infrastructure, regulatory constraints, environmental considerations, property costs and availability, funding sources to support affordable housing creation and preservation, and community attitudes surrounding housing.

Information for this Needs Assessment comes from a variety of sources, including the Town, the community engagement process, previous plans and studies, the Cape Cod Commission, state agencies, proprietary data, the U.S. Department of Housing and Urban Development (HUD), and the U.S. Bureau of the Census. The most frequently used sources of data are:

- **The Census of Population and Housing (Decennial Census).** This plan draws from Census 2020 where appropriate, but historical census tables were also used for analyzing trends over time.
- **The American Community Survey (ACS).** The ACS provides demographic and housing estimates for large and small geographic areas every year. Although the estimates are based on a small population sample, a new survey is collected each month, and the results are aggregated to provide a "rolling" dataset on a wide variety of topics. As such, ACS data are estimates and subject to a margin of error. In most cases, data labeled "ACS" in this plan are taken from the most recent five-year tabulation: 2018-2022 inclusive.
- **State Data Center at UMass Donahue Institute.** The State Data Center (SDC) Program was established by the US Census Bureau in 1978 to partner with states to make data readily available at the state level through partnerships with state agencies, universities, libraries, and more. In Massachusetts, the State Data Center is housed at the University of Massachusetts Amherst Donahue Institute, which also produces the population projections used in this plan.
- **HUD Consolidated Planning/Comprehensive Housing Affordability Strategy (CHAS) Data.** Created through a combined effort of the U.S. Department of Housing and Urban Development (HUD) and the Census Bureau, this dataset is a "special tabulation" of ACS According to the HUD guidance, "these special tabulation data provide counts of the numbers of households that fit

certain combinations of HUD-specified criteria such as housing needs, HUD-defined income limits (primarily 30, 50, and 80 percent of median income) and household types of particular interest to planners and policy-makers." The most recent CHAS Data are based on ACS 2016-2020 estimates.

Income levels used for the CHAS data rely on annually published income thresholds established by HUD to determine eligibility for various assisted housing programs and subsidies. These income limits apply to larger geographies called Metropolitan Fair Market Rent (FMR)/Income Limits Areas; all of Barnstable County is in the same FMR. Table 1 below shows the current income limits for Barnstable County. The acronym HAMFI stands for HUD Area Median Family Income.

Table 1. FY2023 Income Limits for Barnstable County

	Household Size						
	1	2	3	4	5	6	7
30% HAMFI	$24,200	$27,650	$31,100	$34,550	$37,350	$40,280	$45,420
50% HAMFI	$40,300	$46,050	$51,800	$57,550	$62,200	$66,800	$71,400
80% HAMFI	$64,450	$73,560	$82,850	$92,050	$99,450	$106,800	$114,150
100% HAMFI	$80,550	$91,950	$103,550	$115,050	$124,300	$133,500	$142,700

Source: HUD Income Limits, FY2023. 100% HAMFI estimated by Barrett Planning Group by dividing the 80% thresholds by 0.80 and rounding to the nearest 50.

- **Housing Market Sources.** The consultants tapped the Warren Group's extensive real estate transaction databases to sample sales volume and sale prices, as well as Rentometer for rental market data.
- **Town Data.** Departments provided data upon requests to support a review of local development patterns, market trends, and development constraints.

In addition, many local and regional publications were reviewed during the development of this Housing Production Plan and are referenced throughout this document.

Demographic Profile

The demographic and socioeconomic makeup of a community directly informs its housing needs. Understanding who lives in Falmouth — as well as who is likely to live there in the future — will allow the Town to identify community housing priorities.

POPULATION GROWTH

Falmouth's population steadily increased between 1930 and 2000, with the greatest population growth occurring during the 1950s and 1970s when the population increased by about 50 percent during both decades (Figure 1). Significant growth continued between 1980 and 2000, during which time the population increased by approximately 9,000 residents. Like many Cape Cod communities, Falmouth's population then dropped over the next decade but rose again by Census 2020 when it reached approximately 32,500 residents.[2]

[2] Falmouth was the only Upper Cape community to experience a population decline between 2000 and 2010; Bourne, Mashpee, and Sandwich were among the only four Cape Cod communities to see population growth during this decade.

Figure 1. Falmouth Population Growth, 1930 to 2020
Source:cU.S. Census Bureau, via University of Massachusetts Donahue Institute State Data Center

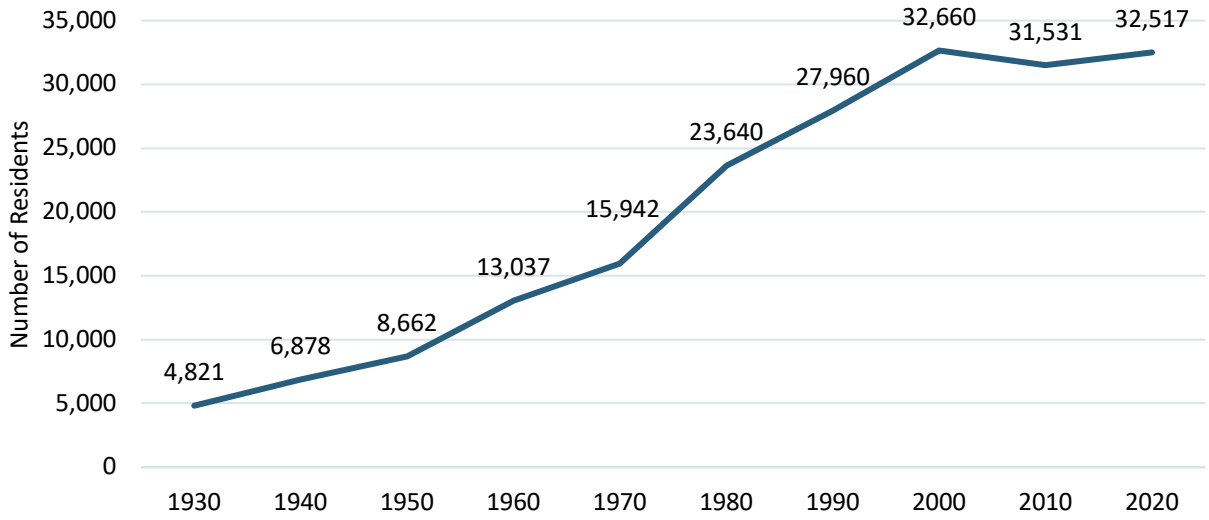


Table 2 compares population growth for Falmouth to other communities on the Upper Cape (Bourne, Falmouth, Sandwich, and Mashpee – see Figure 2), as well as Barnstable County and the state. While Falmouth's population grew by around 38 percent between 1980 and 2020, this represents a slower growth rate than neighboring communities and the county as a whole. Nonetheless, growth in Falmouth — and the Cape in general — was substantially higher than the statewide rate of 23 percent, demonstrating the attraction of Cape Cod during this period. This table also provides projected growth figures for 2030 to 2050 from the State Data Center based in the University of Massachusetts Donahue Institute.[3,4] These estimates forecast that Falmouth's population will decrease to about 25,800 over the next thirty years, reflecting a potential decline of 20 percent between 2020 and 2050. Similarly, Falmouth's Upper Cape neighbors and Barnstable County as a whole are projected to experience population decline, whereas Massachusetts' population is expected to rise due to expected growth in Essex, Middlesex, Norfolk, Plymouth, and Suffolk counties.[5]

[3] The Donahue Institute population projections rely on a historical view of past demographic trends largely focused on migration, birth, and death rates. Complete methodology is available online at: https://donahue.umass.edu/documents/UMDI_V2022_Population_Projections_Methodology_2022.12.15_1.pdf (*Long-Term Population Projections for Massachusetts Municipalities and Regional Planning Areas: Population Projections Methodology*, December 15, 2022)

[4] The Metropolitan Area Planning Council (MAPC) also provides projections for all communities in the state — however, MAPC's projections cover the "population in households" rather than the "total population." The total population count also includes those living in group quarters such as nursing homes, shelters, group homes, dormitories, correctional facilities, and other institutions. Despite this distinction, MAPC also projects that Falmouth's population (in households) will decrease — to 31,327 residents by 2030 and then decline further to 28,262 by 2040 and 25,053 by 2050. See Metropolitan Area Planning Council (MAPC)'s *Regional Grown Projections (August 2023)* available at https://www.mapc.org/learn/projections/.

[5] UMass Donahue Institute, "Massachusetts Population Projections: UMDI-DOT Vintage 2022." December 15, 2022. Available at https://donahue.umass.edu/business-groups/economic-public-policy-research/massachusetts-population-estimates-program/population-projections

Figure 2. Cape Cod Subregions

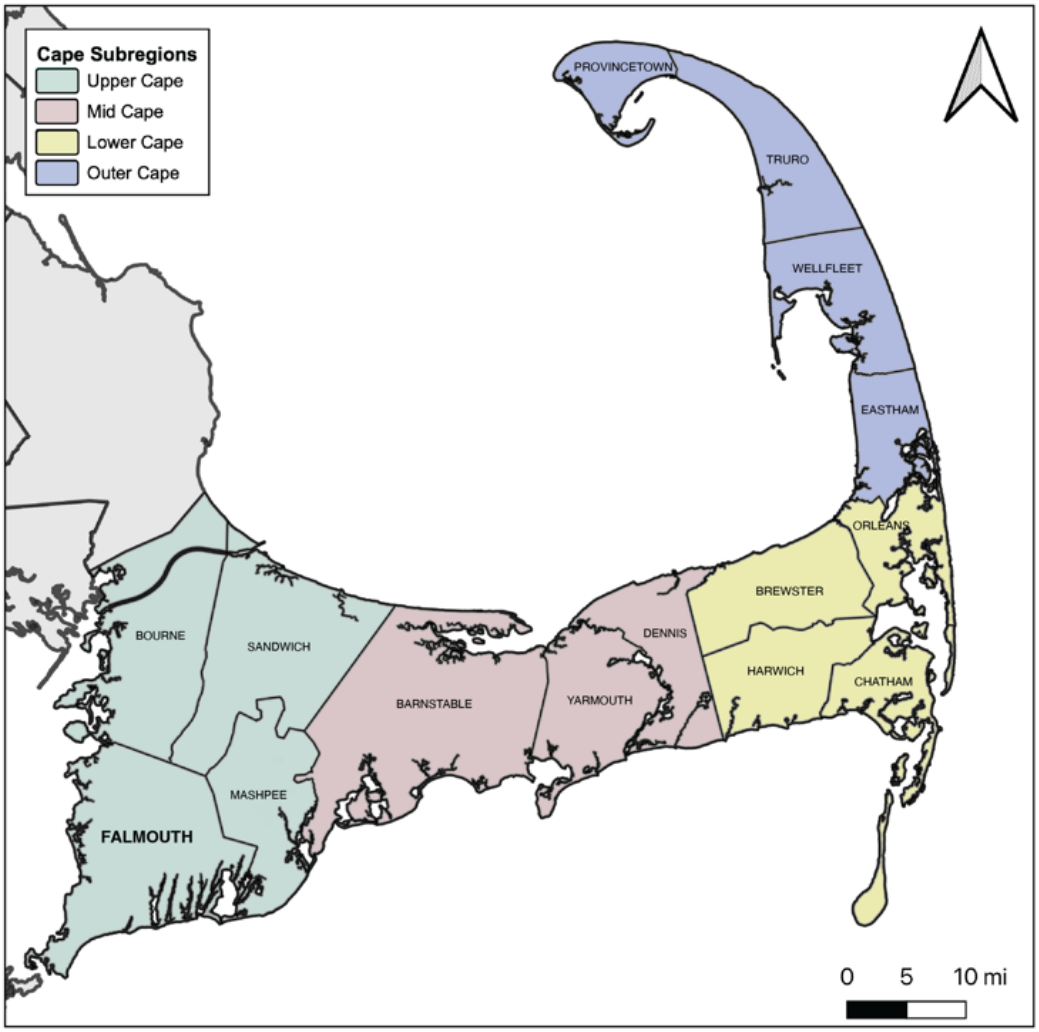


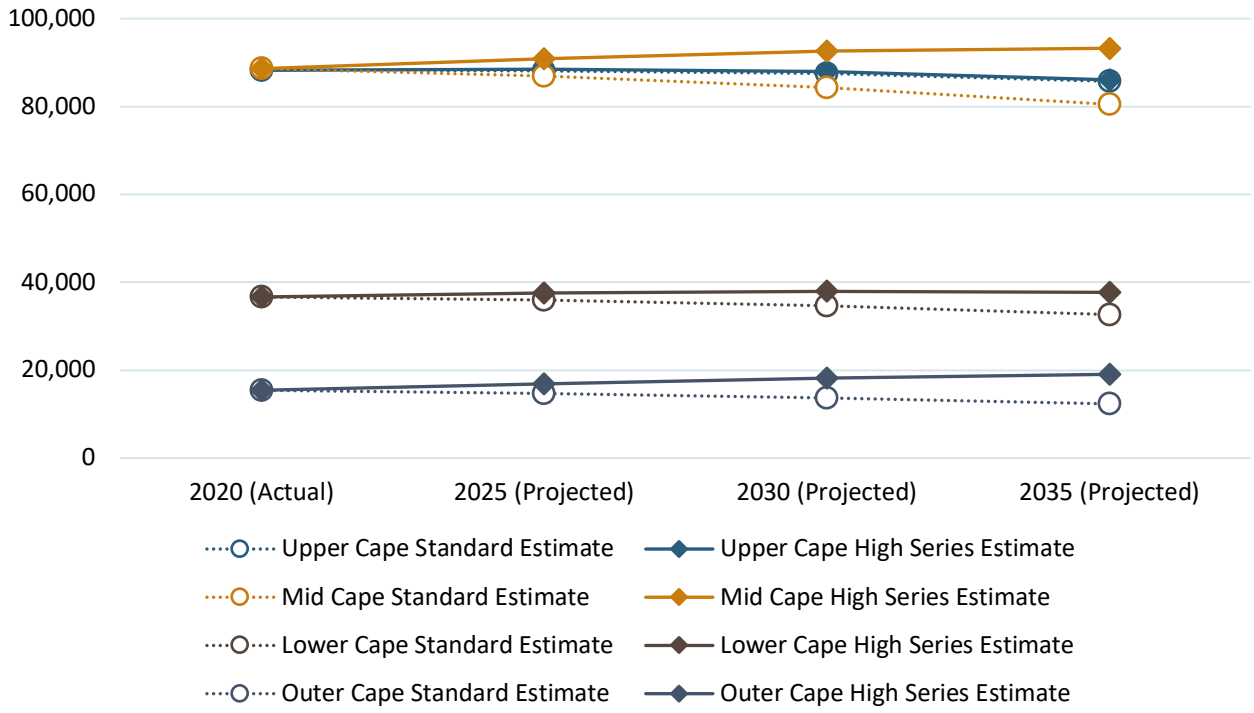
Table 2. Comparative Historic and Projected Population Growth, 1980 to 2020 and 2030-2050 Projections

	Decennial Census (Actual)					Population Projections		
Geography	**1980**	**1990**	**2000**	**2010**	**2020**	**2030**	**2040**	**2050**
Falmouth	23,640	27,960	32,660	31,531	32,517	30,854	29,036	25,857
Bourne	13,874	16,064	18,721	19,754	20,452	20,510	19,314	17,665
Mashpee	3,700	7,884	12,946	14,006	15,060	16,163	15,854	14,796
Sandwich	8,727	15,489	20,136	20,675	20,259	19,958	18,523	16,311
County	147,925	186,605	222,230	215,888	228,996	220,135	199,836	176,123
State	5,737,037	6,016,425	6,349,097	6,547,629	7,029,917	7,195,346	7,263,082	7,267,961

Sources: U.S. Census Bureau; UMass Donahue Institute, 2022

The Cape Cod Commission (CCC) recently commissioned a Housing Needs Analysis, which was completed in March 2023.[6] This report, also prepared by UMass Donahue Institute, included the projections referenced in Table 1 as well as "high series" projections that factored in COVID-19-related migration trends for Barnstable County. While the study does not provide these "high series" projections for each community, it does by Cape Cod subregion (see Figure 2) and for all of Barnstable County through 2035. Unlike the standard projections, these "high series" projections assume an *increase* county-wide through 2035 — but still predict a *decrease* across the Upper Cape (Bourne, Falmouth, Mashpee, Sandwich). In fact, the Upper Cape is the only subregion for which the "high series" projections predict a population drop, as shown in Figure 3 below.[7]

Figure 3. Population Projections by Subregion: Standard and High Series Projections
Source: UMass Donahue Institute, Cape Cod Housing Needs: Analysis for the Cape Cod Commission, 2023
Note: "High Series" estimate assumes larger migration rates due to COVID-



RACE AND ETHNICITY

As shown in Table 3, the racial composition of Falmouth's population is predominately White at 86.8 percent of all residents in 2020, down somewhat from 92.5 percent in 2010. Almost all of the growth in minority residents involved residents identifying as "some other race" or "two or more races." In terms

[6] UMass Donahue Institute, *Cape Cod Housing Needs: Analysis for the Cape Cod Commission*, prepared for the Cape Cod Commission, March 22, 2023.

[7] Per the Cape Cod Housing Needs Analysis (p.104) "…the high series incorporates the large increase in population growth that occurred shortly before and during the 2020 Census count into its migration rates and assumes those trends will continue in the future. In contrast, the standard series assumes that the 2019-to-2020 period represents an off-trend year of population change and, instead, incorporates the population change observed through 2019 and extrapolated to 2020 into future migration rates.

of ethnicity, 1,327 residents identified as having Hispanic or Latino heritage based on 2020 census figures, representing about 4 percent of the population, up somewhat from 2 percent in 2010.[8]

Table 3. Population by Race, 2000, 2010 and 2020

	2000		2010		2020	
Race	Count	Percent	Count	Percent	Count	Percent
White alone	30,502	93.4%	29,426	92.5%	28,221	86.8%
Black or African American alone	593	1.8%	642	2.0%	676	2.1%
American Indian/Alaska Native alone	168	0.5%	71	0.2%	184	0.6%
Asian alone	300	0.9%	813	2.6%	543	1.7%
Native Hawaiian/Other Pacific Islander Alone	5	0.0%	0	0.0%	10	0.0%
Some other race alone	469	1.4%	138	0.4%	647	2.0%
Two or more races	623	1.9%	706	2.2%	2,236	6.9%
Total	32,660	100.0%	31,796	100.0%	32,517	100.0%

Source: US Census Bureau, Decennial Census, 2000, 2010, and 2020

Table 4 reveals that Barnstable County as a whole has much less racial and ethnic diversity than the state, with only 15.0 percent of Cape Cod residents claiming minority status (including Hispanic and Latino residents) compared to 32.4 percent statewide. At 13.9 percent, Falmouth has a higher share of minority residents than Bourne and Sandwich, although Mashpee — home of the Mashpee Wampanoag Tribe — is the most diverse among Upper Cape communities due to the relatively higher percent of its population identifying as American Indian or Alaska Native.

Table 4. Comparative Race and Ethnicity, 2020

Geography	Total Population	White non-Hispanic	White Hispanic	Racial Minorities	Total Minority Population	Percent Minority Population
Falmouth	32,517	28,013	208	4,296	4,504	13.9%
Bourne	20,452	18,243	156	2,053	2,209	10.8%
Mashpee	15,060	12,709	113	2,238	2,351	15.6%
Sandwich	20,259	18,408	124	1,727	1,851	9.1%
County	228,996	194,561	1,898	32,537	34,435	15.0%
State	7,029,917	4,748,897	147,140	2,133,880	2,281,020	32.4%

Source: U.S. Census Bureau, Decennial Census 2020. “Racial Minorities” column Includes Hispanic and Non-Hispanic Residents. “Total Minority Population” column is the “Total Population” minus “White non-Hispanic” residents.

[8] US Census Bureau, 2020 Decennial Census, Table DP1.

PLACE OF BIRTH AND LANGUAGE SPOKEN AT HOME

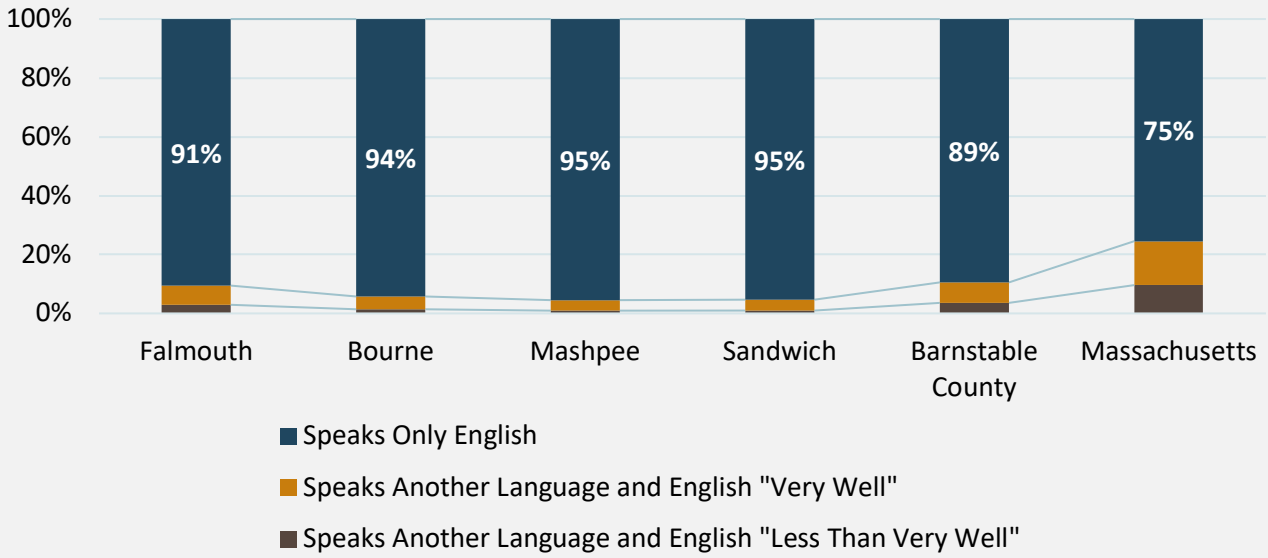
Table 5 shows that Falmouth has a larger population of foreign-born residents than the other communities on the Upper Cape, but still lower than the county and significantly lower than the 17.6 percent level statewide. Across all comparison geographies included in Table 5, the majority of the foreign-born population has achieved citizenship.[9] The largest portion of Falmouth's foreign-born residents emigrated from Europe at 46 percent, while almost one-quarter emigrated from Latin America and one-fifth from Asia.[10] Falmouth also has the largest share among Upper Cape communities of residents over age five who speak a language other than English at home (Figure 4). An estimated 70 percent of those who speak another language in Falmouth speak English "very well."[11]

Table 5. Foreign-Born Population

Geography	Percent Foreign-Born
Falmouth	8.2%
Bourne	4.6%
Mashpee	5.4%
Sandwich	4.1%
County	9.4%
State	17.6%

Source: American Community Survey 5-Year Estimates, 2018-2022, Table B05007

Figure 4. Language Spoken At Home for Population Age 5+
Source: ACS 5-Year Estimates, 2018-2022, Table B06007



AGE DISTRIBUTION

Census data regarding the changes in the age distribution from 2000 to 2020 is provided in Table 3-6 and demonstrates declining numbers of younger residents and increases in older age cohorts:

Children: Declining Population. The number and proportion of children declined markedly over the past several decades. Those very young and school-age children under age 18 decreased by 26 percent

[9] US Census Bureau, American Community Survey 5-Year Estimates, 2018-2022, Table B05007.

[10] Ibid., Table B05006.

[11] Ibid., Table B06007.

between 1990 and 2020. While this age cohort represented 14 percent of Falmouth's population in 2020, it represented 19 percent for the state.

College-Aged Residents: Small, Fluctuating Population. The share of residents in the 18 to 24 age range has fluctuated between 1990 and 2020 and currently represents about 6 percent of Falmouth's population compared to 10 percent for Massachusetts.

Young Adults to Younger Middle-Aged Residents: Substantial Declines. Younger adults in the family formation stage of their lives (the 25 to 44 age range), decreased significantly between 1990 and 2020, dropping from 30 to 18 percent of the population. Both the high cost of housing and relative scarcity of well-paying jobs are contributing factors. Statewide, this age group represents over a quarter of the population.

Older Adults: Significant Increase. The share of adults age 45 to 64 has increased steadily in Falmouth, representing 30 percent of the population in 1990 compared to 18 percent in 2020. Across Massachusetts this age cohort increased during this time (growing from 19 to 26 percent), but not as significantly as in Barnstable County, where it increased from 20 to 29 percent.

Seniors: Substantial Population of Residents 65 Years or Older. The proportion of those 65 years of age and older in Falmouth has increased significantly, increasing from 19 to 34 percent between 1990 and 2020, more than doubling in number from 5,271 to 10,907 residents.

Figure 5 displays the decline in children and younger adults in contrast to the relative increasing dominance of those 55 years of age or older. The share of residents in each 55+ age group show in in Figure 5 has increased each census period from 1990 to 2020.

Figure 5. Falmouth Shifts in Population by Age, 1990-2020
Source: US Census Bureau, Decennial Census, 1990, 2000, 2010, 2020

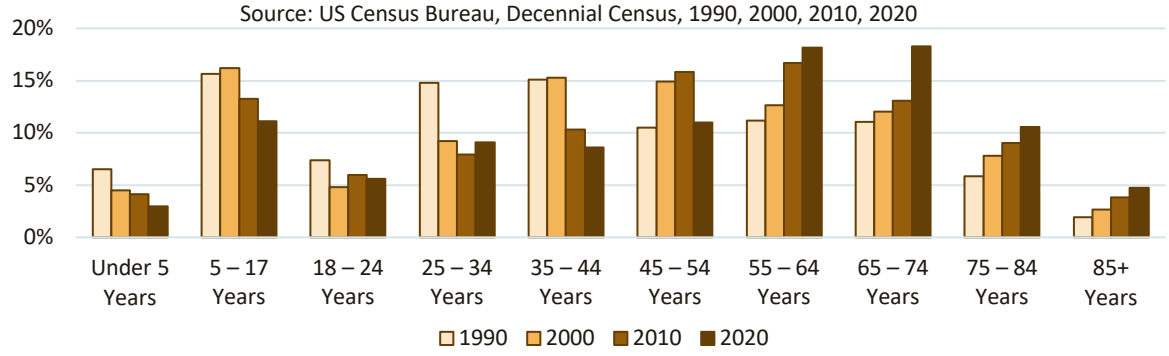
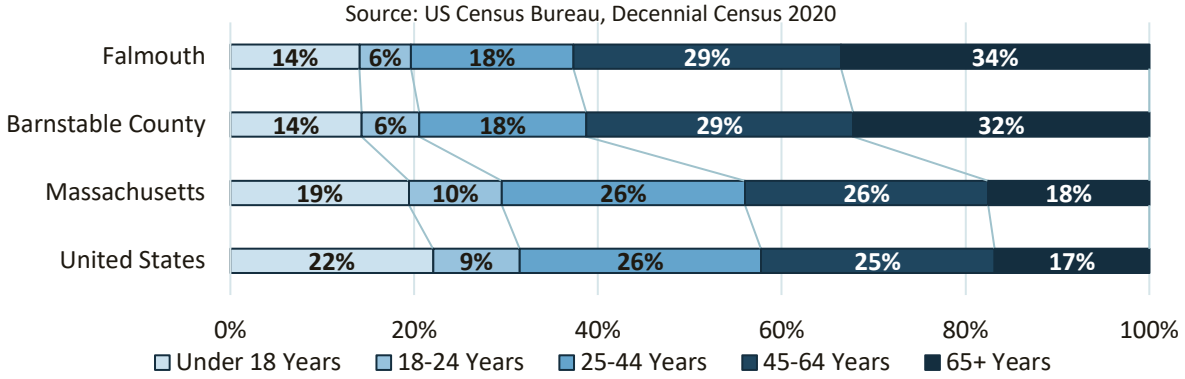


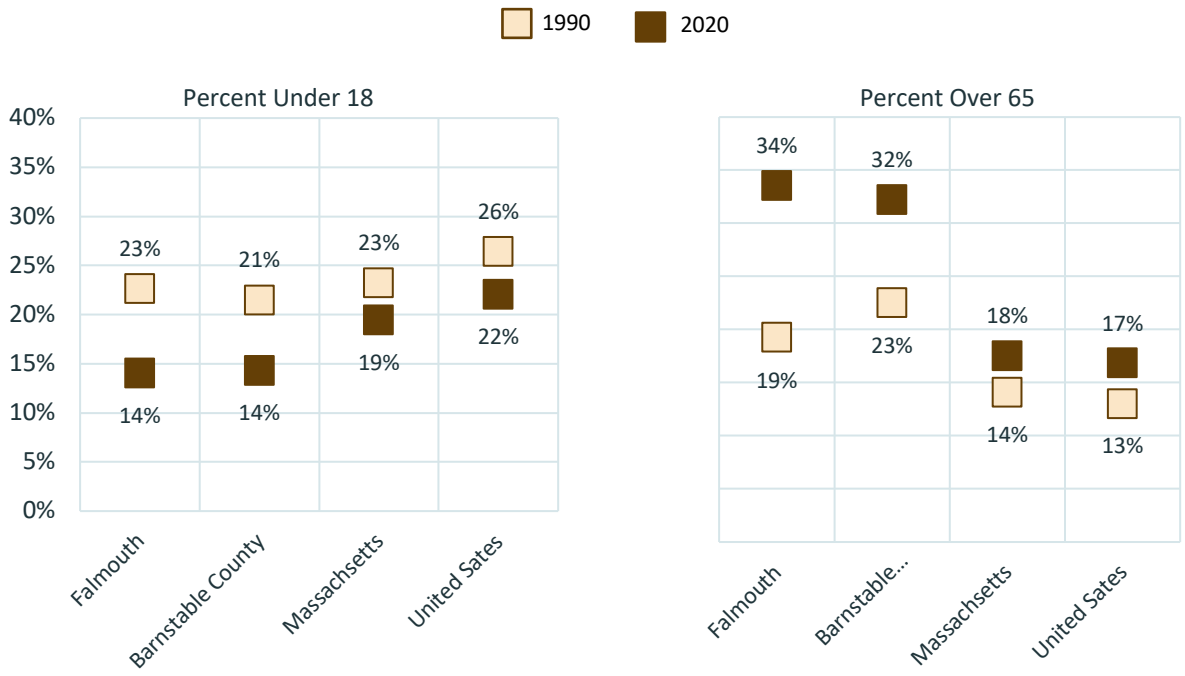
Figure 6 shows that Falmouth's age distribution is relatively comparable to the county, but considerably different than the state and nation. This reflects the popularity of Cape Cod as a retirement destination, with both Falmouth and Barnstable County having much lower levels of younger residents and substantially higher shares of older ones in comparison to the state.

Figure 6. Population by Age, 2020
Source: US Census Bureau, Decennial Census 2020



While Falmouth's population age breakdown is currently in line with the county, the trend toward more older adults and fewer children is nonetheless more pronounced in Falmouth than on Cape Cod as a whole, as shown in Figure 7. While Barnstable County's share of residents under 18 decreased from 21 to 14 percent of the total population between 1990 and 2020, Falmouth's drop was more apparent, going from 23 to 14 percent of the total population. Conversely, while the county's proportion of residents age 65+ rose from 23 to 32 percent from 1990 to 2020, Falmouth's share increased much more significantly, rising from 19 to 34 percent of the town's total population during this time.

Figure 7. Percent Total Population Under 18 and Over 65, 1990-2020
Source: US Census Bureau, 1990 and 2020 Decennial Census



The increase of Falmouth's median age has consistently been more in line with the county as a whole. Table 5 displays the median age for Falmouth residents in comparison to the county and state in 2000, 2010, and 2020. Both Falmouth and Barnstable County's median population ages are significantly lower than statewide medians, and while the median age for both Falmouth and Barnstable County residents increased by over ten years during this time, the state's median age only increased by 3.4 years.

Table 5. Median Age, 2000-2020

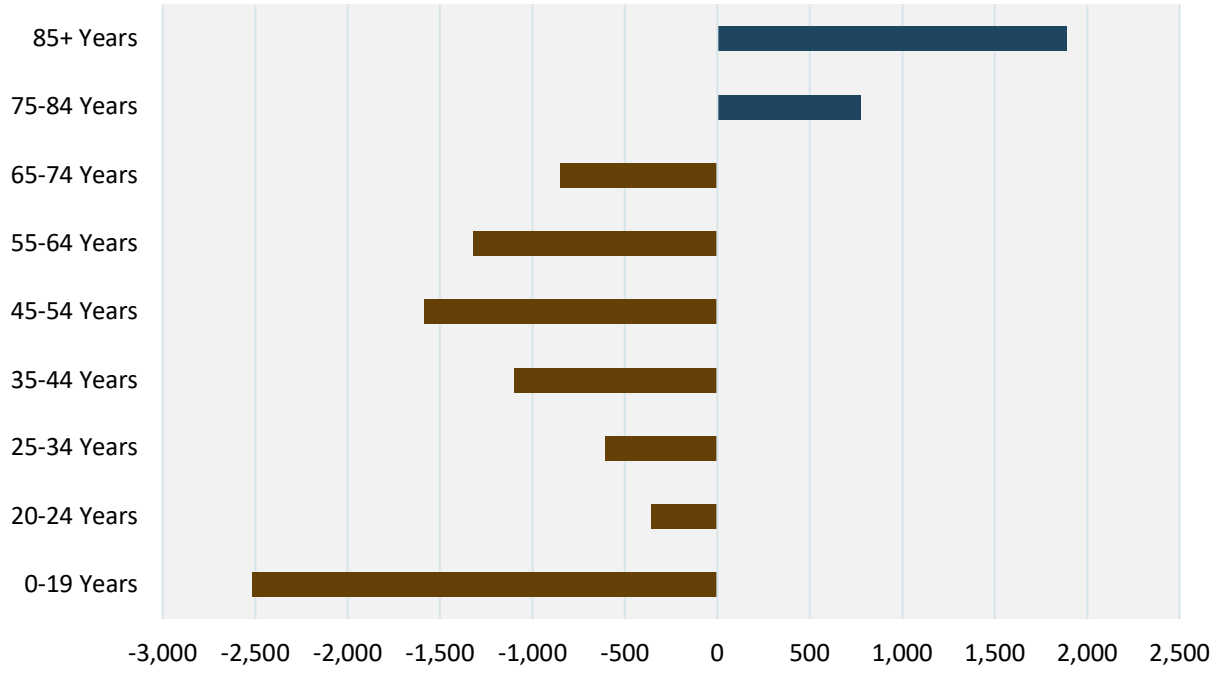
Falmouth			Barnstable County			Massachusetts		
2000	2010	2020	2000	2010	2020	2000	2010	2020
45.0	50.5	56.1	44.6	49.9	55.0	36.5	39.1	39.9

Source: U.S. Census Bureau, Decennial Census 2000, 2010, and 2020.

Map 1 shows the distribution of median ages in Falmouth by census block group, showing a lot of overlap with the single-person households shown later in Map 2.

According to State Data Center projections, these age trends are expected to continue. Figure 8 shows that by 2050, all age cohorts except 75+ are expected to drop in Falmouth; however, the number of residents age 65-74 is expected to *increase* through 2030 before declining through 2050.[12]

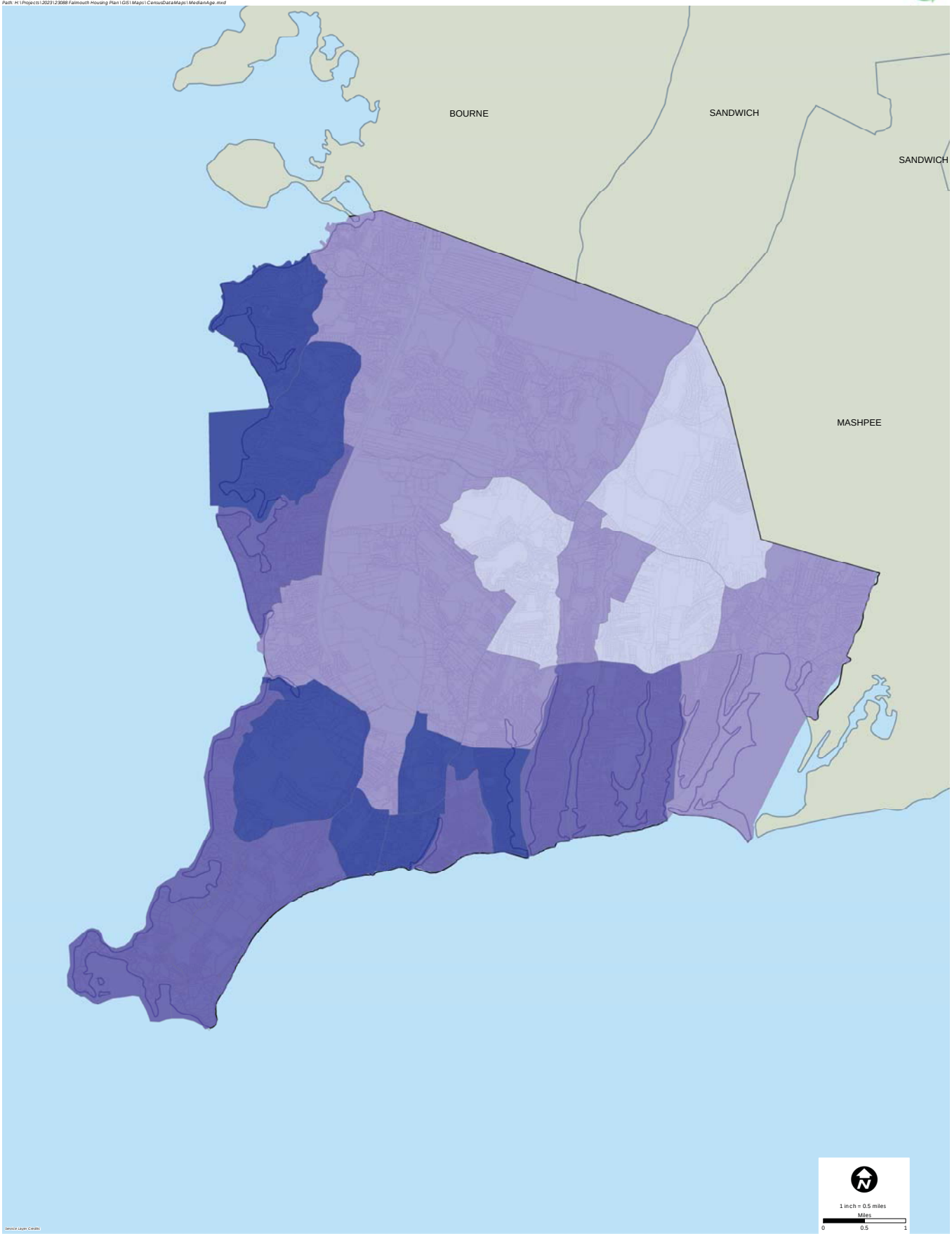
Figure 8. Projected Population Shifts by Age, 2010-2050
Source: UMass Donahue Institute, 2022 Massachusetts Population Projections



[12] UMass Donahue Institute, "Massachusetts Population Projections: UMDI-DOT Vintage 2022." December 15, 2022.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\CensusDataMaps\MedianAge.mxd



Date: 11/29/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels
Median_Age
46.5 - 48.1
48.11 - 56.3
56.31 - 61.3
61.31 - 65.3

Median Age

Housing Production Plan
Falmouth, Massachusetts

Map 1
Median Age.

DISABILITY STATUS[13]

Disability levels in Falmouth remain higher than the county and state; Table 18 shows the breakdown of disability status by age group, showing Falmouth has a higher share of residents with a disability overall and in every age cohort under age 65 as compared to the Upper Cape, Barnstable County, and Massachusetts; while Cape Cod has overall higher proportion of residents with a disability than the state, the breakdown by age is quite different; notably, the percentage of older adults 65-74 and 75+ with a disability in Falmouth and the Upper Cape is significantly lower than the state and even the county as a whole. Table 19 breaks down disabilities by type for the senior population and shows that ambulatory, hearing, and independent living challenges are among the most common disabilities for the civilian noninstitutionalized population. That distinction is important because residents in skilled nursing facilities, psychiatric hospitals, or correctional facilities are considered part of the "institutionalized group quarters" population and would not be counted in this data; while the latter two categories are not applicable to Falmouth, there are several skilled nursing facilities in Falmouth and the disability status of their residents is likely different. Looking from 2012 to 2022, Falmouth consistently has had a higher share of residents with a disability, as shown in Figure 9.

Table 18: Percent Civilian Noninstitutionalized Population with Disability by Age, 2022

Age	Falmouth	Upper Cape	Barnstable County	Massachusetts
Under 18	8.1%	5.3%	6.5%	4.9%
18-34	18.4%	16.0%	15.3%	11.4%
35-64	8.7%	7.9%	7.2%	5.1%
65-74	16.9%	16.4%	15.2%	20.1%
75+	36.8%	35.5%	40.0%	45.8%
All Ages	16.2%	13.8%	13.8%	11.9%

Source: ACS 5-Year Estimates, 2018-2022, Table B18101

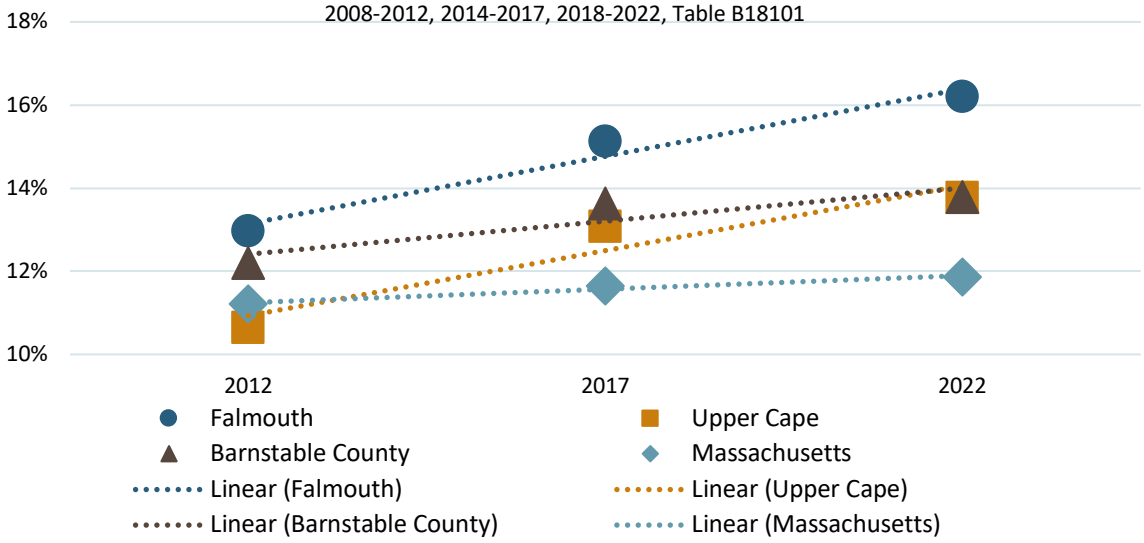
Table 19: Types of Disabilities for Civilian Noninstitutionalized Population 65 Years and Over, 2022

Type of Disability	Falmouth	Upper Cape	Barnstable County	Massachusetts
Hearing	13.1%	12.7%	13.3%	12.3%
Vision	4.1%	4.0%	3.7%	4.8%
Cognitive	4.2%	4.2%	4.5%	7.5%
Ambulatory	14.2%	13.4%	13.4%	18.6%
Self-Care	6.4%	4.5%	4.5%	7.3%
Independent Living	12.0%	7.9%	8.7%	10.6%

Source: ACS 5-Year Estimates, 2018-2022, Tables B18102- B18107

[13] Disabled households contain at least one or more persons with a mobility or self-care limitation. It should also be noted that the term "disabled" is being replaced by some within the housing community with "people first" terminology as those with special needs are interpreted to be the people who first need affordable, available and/or accessible housing.

Figure 9. Percent Residents with Disability, 2012-2022
Source: ACS 5-Year Estimates,
2008-2012, 2014-2017, 2018-2022, Table B18101



HOUSEHOLD COMPOSITION

Although Falmouth's total population decreased between 2000 and 2010, the number of households increased during this decade, rising from 13,859 to 14,069. This household growth during a time of population decline is due to significant increases in smaller households, including those living alone. Between 2010 and 2020, the number of Falmouth households increased further to 15,004.

Household Type

From 2000 to 2020, married couple families decreased from 52 to 47 percent of all households, while the householders living alone increased from 30 to 34 percent.[14,15] In Falmouth, nearly one-fifth of all households (19 percent) consist of adults 65+ living alone, compared to 12 percent for Massachusetts.[16]

Table 6. Falmouth Household Characteristics, 2000 to 2020

	2000		2010		2020	
Type of Household	**Count**	**Percent**	**Count**	**Percent**	**Count**	**Percent**
Total Households	13,859	100.0%	14,069	100.0%	15,004	100.0%
Family	8,976	64.8%	8,638	61.4%	9,017	60.1%
*Married Couple**	*7,201*	*80.2%*	*6,723*	*77.8%*	*7,021*	*77.9%*
*Other Family**	*1,775*	*19.8%*	*1,915*	*22.2%*	*1,996*	*22.1%*
Non-Family	4,883	35.2%	5,431	38.6%	5,987	39.9%
*Living Alone***	*4,136*	*84.7%*	*4,578*	*84.3%*	*5,104*	*85.3%*
*Not Living Alone***	*747*	*15.3%*	*853*	*15.7%*	*883*	*14.7%*

Source: US Census Bureau, Decennial Census 2000, 2010, and 2020.
*Percent of Family Households. **Percent of Nonfamily Households.

[14] US Census Bureau, Decennial Census 2000, 2010, 2020.

[15] The Census Bureau defines a family has a householder and one or more people in the same household who are related to the householder by birth, marriage, or adoption.

[16] US Census Bureau, Decennial Census 2020, Table H14.

A decrease in the number and proportion of families is common in most Cape communities and even in many communities throughout the state. Other towns on the Upper Cape also encountered comparable declines in family households as shown in Table 7, as well as a corresponding increase in single-person households. Among Upper Cape communities, Mashpee experienced the greatest proportional shifts in family households and single-person households between 2000 and 2020, while Sandwich has experienced the least.

Table 7. Changes in Household Types, 2000-2020

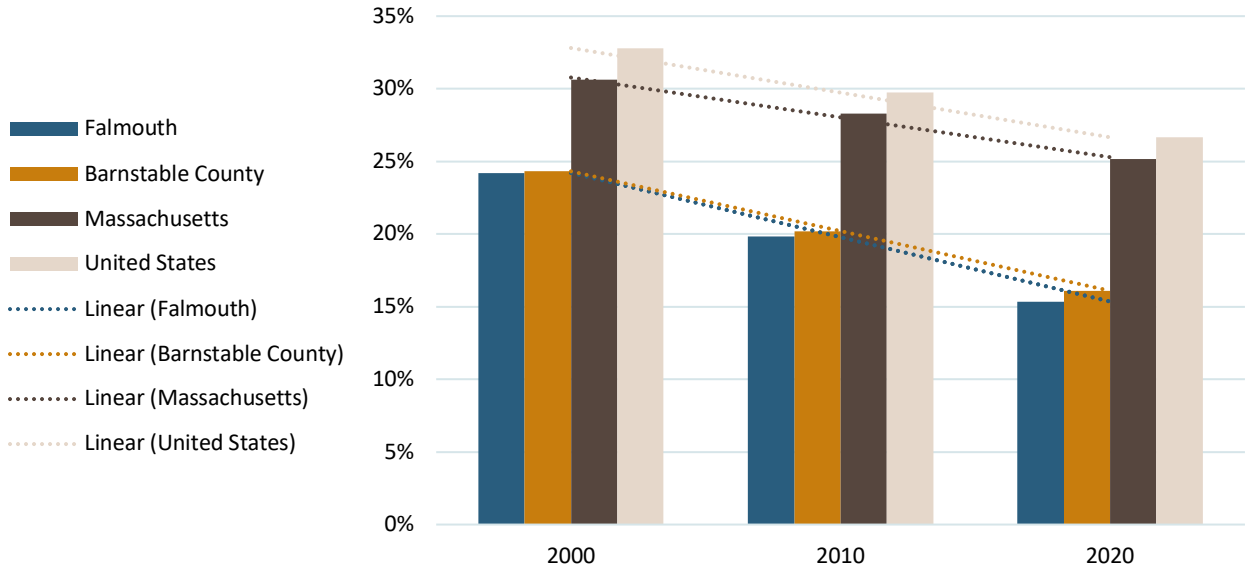
	% Family Households		% Non-Family Living Alone		% Other Non-Family	
	2000	2020	2000	2020	2000	2020
Falmouth	64.8%	60.1%	29.8%	34.0%	5.4%	5.9%
Bourne	67.4%	61.6%	26.8%	32.1%	5.8%	6.3%
Mashpee	69.5%	61.8%	25.0%	32.7%	5.5%	5.6%
Sandwich	75.2%	72.5%	20.0%	22.7%	4.8%	4.8%
Barnstable County	64.4%	60.9%	29.5%	33.0%	6.1%	6.1%
Massachusetts	64.5%	62.5%	28.0%	28.8%	7.5%	8.6%

Source: US Census Bureau, Decennial Census 2000, 2010, and 2020

Households with Children

Falmouth's percentage of households with children decreased from 24 percent in 2000 to 15 percent in 2020, slightly outpacing the county which saw a reduction of households with children from 24 percent to 16 percent during the same period. The linear trend lines in Figure 10 show that this shift has been more dramatic in Falmouth as compared to the county, state, and nation.

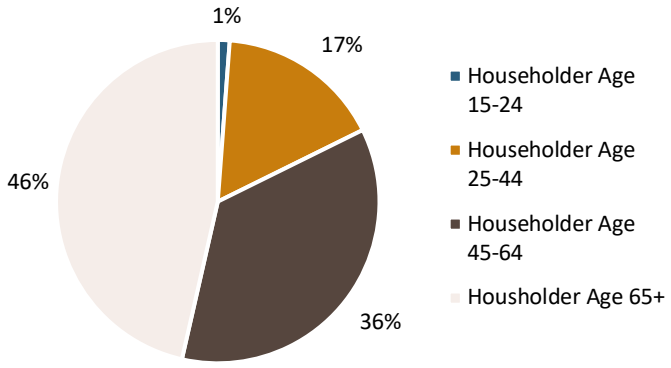
Figure 10. Percent Households with Children Under 18, 2000-2020
Source: US Census Bureau, Decennial Census, 2000, 2010, 2020



Age of Householders

The decrease in families in Falmouth can in part be attributed to a gradual decline in the number of young households with a householder under 45, coupled with significant growth among seniors. Under census definitions, a "householder" is the person, or one of the people, in whose name the home is owned, being bought, or rented. Each household only has one householder for census-reporting purposes. Both at the local and county level, around 45 percent of householders are age 65+ compared to 28 percent for the state and 27 percent for the nation. While the share of householders age 45-64 is fairly equal across these geographies (37-38 percent), the share of householders under 45 is quite different – 18 percent for Falmouth compared to 34 percent for the state and 36 percent for the nation.

Figure 11. Age of Householder for Falmouth Households
Source: US Census Bureau, Decennial Census 2020, Table H13



Size of Households

The average household size in Falmouth decreased between 2000 and 2020, from 2.30 to 2.17 persons.[17] This is largely due to an increase in single-person nonfamily households, which increased by over 1,000 households from 2000 to 2020. Single-person households comprised one-third of all households according to both 2010 (33 percent) and 2020 census figures (34 percent), up from 30 percent in 2000. Of the 5,104 single-person households in 2020, 2,923 or 57 percent were 65 years of age or older.[18] Table 8 examines the types of households by household size, showing that the share of nonfamily households in Falmouth increased from 2000 to 2020 while families decreased.

Table 8. Falmouth Types of Households by Size, 2000-2020

	% Nonfamily Households			% Family Households			% All Households		
	2000	**2010**	**2020**	**2000**	**2010**	**2020**	**2000**	**2010**	**2020**
Total Households	**35.2%**	**38.6%**	**39.9%**	**64.8%**	**61.4%**	**60.1%**	**--**	**--**	**--**
1-person	*84.7%*	*84.3%*	*85.3%*	*N/A*	*N/A*	*N/A*	*29.8%*	*32.5%*	*34.0%*
2-person	*13.1%*	*13.4%*	*12.2%*	*52.4%*	*54.8%*	*57.3%*	*38.6%*	*38.8%*	*39.3%*
3-4 persons	*2.0%*	*2.1%*	*2.2%*	*37.2%*	*35.9%*	*34.2%*	*24.8%*	*22.8%*	*21.4%*
5+ persons	*0.2%*	*0.2%*	*0.4%*	*10.4%*	*9.3%*	*8.6%*	*6.8%*	*5.8%*	*5.3%*

Source: Decennial Census 2000, 2010, 2020

[17] US Census Bureau, Decennial Census, 2000 and 2020. Note that the average household size for 2020 is extrapolated by dividing the total population in households (32,161) divided by the total number of households (15,004), as the official average household size has not yet been published for Census 2020.

[18] US Census Bureau, 2020 Decennial Census, Table P19.

Table 9 compares the distribution of household sizes among Upper Cape communities as well as the county and state based on 2020 census figures. This indicates that Falmouth has a somewhat larger share of one-person households than surrounding communities, but is on par with the countywide figure. Nonetheless, in most Cape Cod communities, the share of one-person households is significantly higher than the state.

Table 9. Comparison of Household Sizes, 2020

Geography	Total Households	% 1-Person Households	% 2-Person Households	% 3-4 Person Households	% 5+ Person Households
Falmouth	15,004	34.0%	39.3%	21.4%	5.3%
Bourne	8,475	32.1%	38.5%	23.6%	5.9%
Mashpee	6,923	32.7%	40.1%	21.8%	5.5%
Sandwich	7,974	22.7%	38.2%	16.6%	14.2%
County	103,368	33.0%	39.5%	22.0%	5.5%
State	2,749,225	28.8%	32.3%	30.2%	8.8%

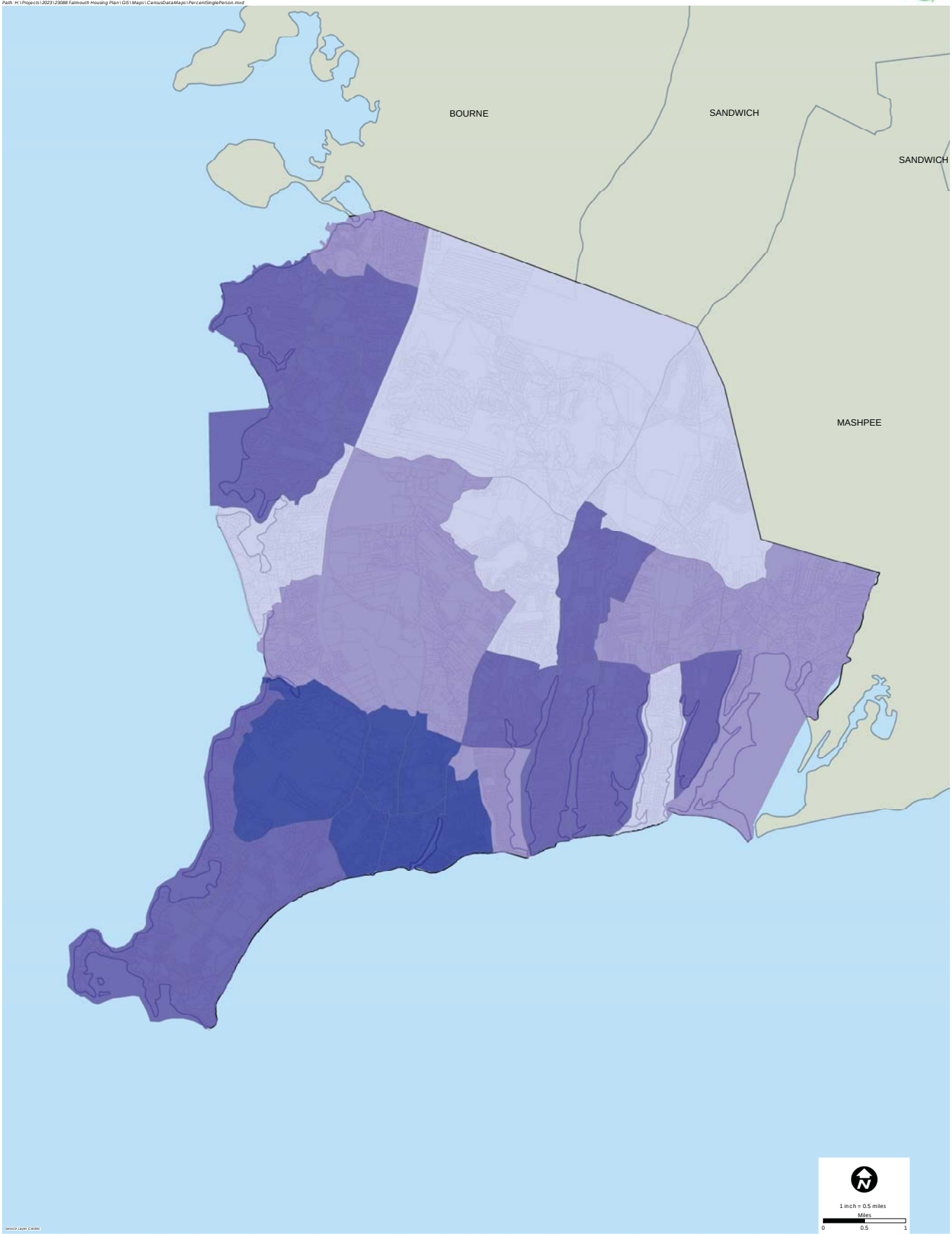
Source: US Census Bureau, Decennial Census, 2020

Maps 2 and 3 display the prevalence of one-person households and households with five or more persons by census block group and show fairly opposite distribution across town by household size.[19]

[19] Note: Maps 2 and 3 use ACS 2017-2021 5-Year Estimates, while this section uses ACS 2018-2022 for its analysis.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\CensusDataMaps\PercentSinglePerson.mxd



Date: 11/29/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels

Percent Households
19 - 25%
25.01 - 30%
30.01 - 40%
40.01 - 69%

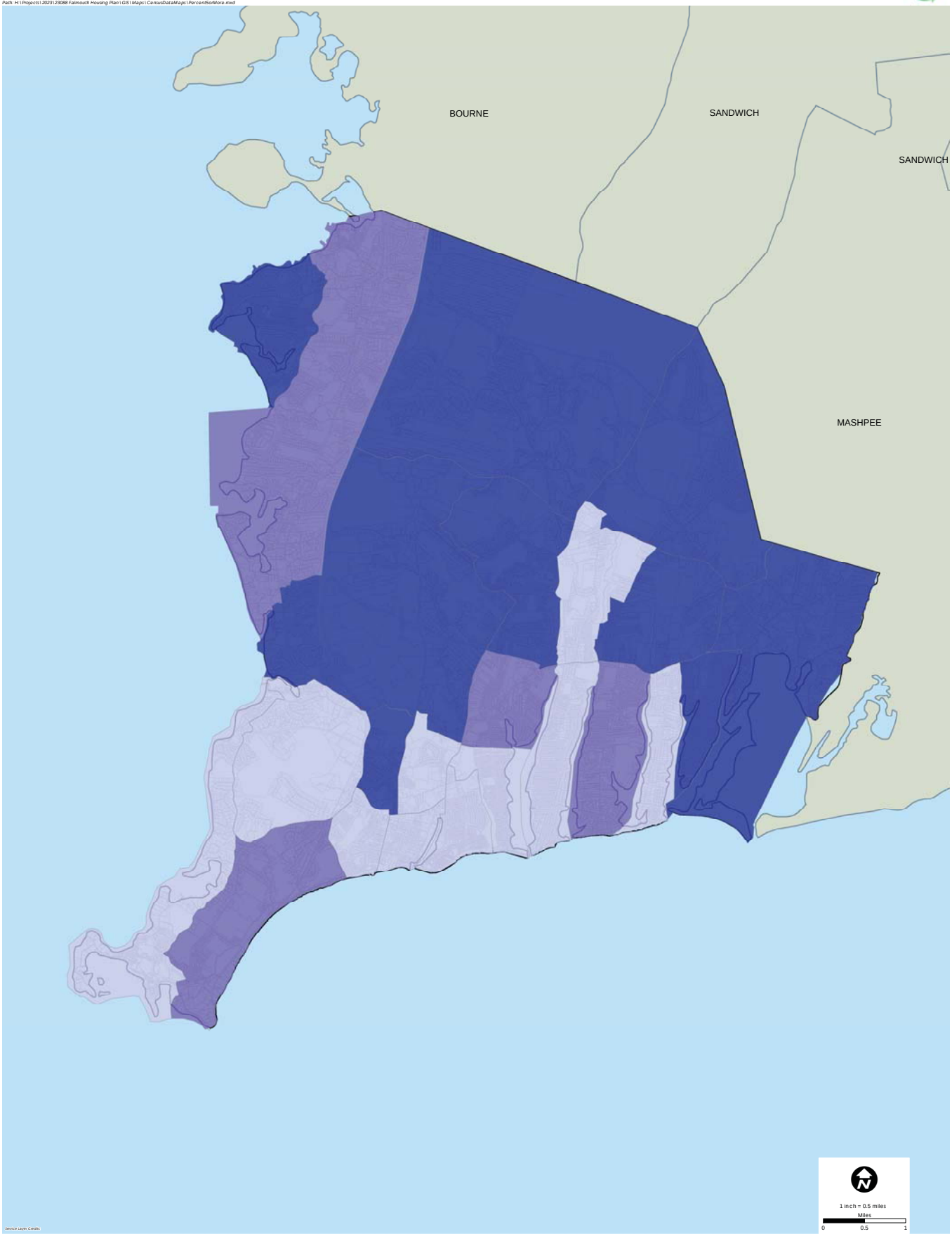
Percent of Single Person Households

Housing Production Plan
Falmouth, Massachusetts

Map 2
Percent of Single Person Households.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\CensusDataMaps\PercentSixMore.mxd



Date: 11/29/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels

Percent of Households
2.2 - 4%
4.01 - 6%
6.01 - 8%

Percent of Households with 5 or More People

Housing Production Plan
Falmouth, Massachusetts

Map 3
Percent of Households with 5 or More People.

Economic Profile

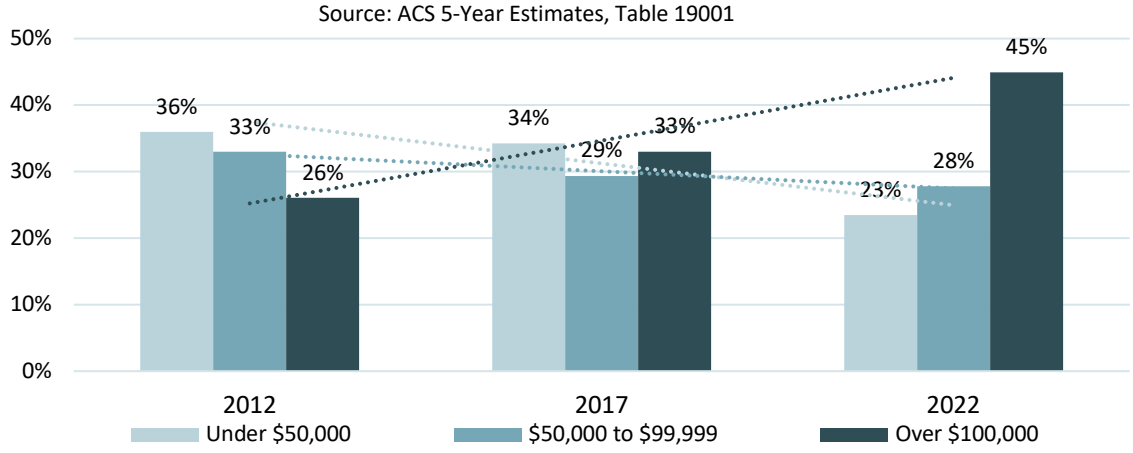
The economic profile of a community examines socioeconomic characteristics of its households, its labor force (residents over age 16 either working or looking for work), and its employment base (jobs within a community). These factors connect to housing primarily when considering whether area wages and job opportunities are compatible with housing costs. Disparities between the labor force and employment base can mean that there is greater economic inequity between the people who live in a community and those who work there. This section explores these related issues and considers household incomes, common industries and wages among residents and those working in Falmouth, and level of education.

INCOME

Note: The income figures discussed in this section are estimates based on the Town's year-round population, not those who live in Falmouth for parts of the year. This group of occasional residents, have significantly higher average incomes in order to afford the high costs of seasonal units or second homes. A Cape Cod Commission report on a survey conducted of second homeowners indicated that 85.6 percent of such Upper Cape owners had incomes of more than $100,000 (significantly higher than the estimate for year-round residents – see Figure 12), and 37 percent had incomes over $250,000.[20]

Figure 12 presents income data based on the 2012, 2017, and 2022 American Community Survey estimates, demonstrating changes in the distribution of incomes during that period. Only 26 percent of year-round residents were estimated to earn $100,000 or more in 2012, but by 2022 this increased to 45 percent. Despite this growing prosperity, there are still residents with very limited incomes, including 19 percent of households earning less than $35,000 based on 2022 ACS estimates, down from 29 percent in 2012.[21] Map 4 provides additional context and displays the distribution of median household incomes by census block group.[22]

Figure 12. Shifts in Income Distribution for Falmouth Households, 2012-2022
Source: ACS 5-Year Estimates, Table 19001



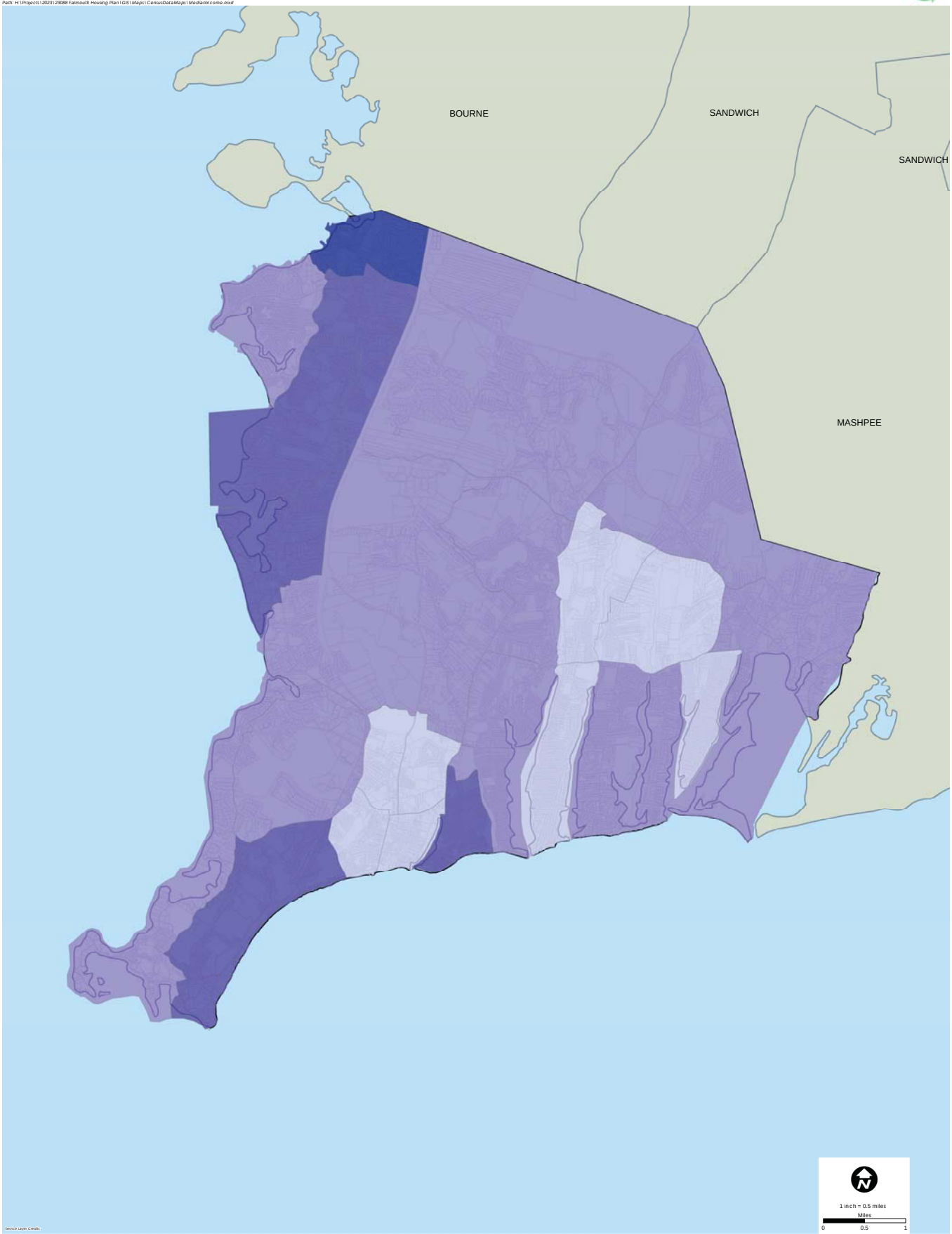
[20] UMass Donahue Institute, "Cape Cod Second Homeowners Survey - 2021," prepared for the Cape Cod Commission, February 2022.

[21] US Census Bureau, American Community Survey 5-Year Estimates, Table 19001

[22] Note: Map 4 uses ACS 2017-2021 5-Year Estimates, while this section uses ACS 2018-2022 for its analysis.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\CensusDataMaps\MedianIncome.mxd



Date: 11/29/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels

Median Household Income
$29,600.00 - $62,044.00
$62,044.01 - $103,785.00
$103,785.01 - $145,208.00
$145,208.01 - $240,544.00

Median Household Income in the Past 12 Months (in 2021 Inflation-Adjusted Dollars)

Housing Production Plan
Falmouth, Massachusetts

Map 4
Median Household Income in the Past 12 Months (in 2021 Inflation-Adjusted Dollars).

Table 10 shows that Falmouth's estimated median household and family income levels are in line with Barnstable County but lower than the state. Typically, median family incomes are higher than household incomes because families are a subset of households; thus, the median household income is based upon all households — including those living alone — while median family income is solely based upon family households. The ratio column in Table 10 below shows that this trend applies to Falmouth and all comparison geographies. Falmouth's median household income is similar to Bourne and Mashpee, while median family income has more range across the Upper Cape.

Table 10. Comparative Median Incomes, 2022

Geography	Median Household Income	Median Family Income	Ratio: Household to Family Median Incomes
Falmouth	$89,809	$118,683	1.32
Bourne	$90,640	$106,488	1.17
Mashpee	$90,465	$122,902	1.36
Sandwich	$121,038	$150,045	1.24
Barnstable County	$90,447	$118,599	1.31
Massachusetts	$96,505	$122,530	1.27

Source: ACS 5-Year Estimates, 2018-2022, Tables B19013 and B19113

Income by Household Type, Tenure, and Age of Householder

Table 11 provides median income levels for various types of households based on factors including household type, presence of children, tenure, and age of householder, comparing 2017 and 2022 ACS 5-year estimates.[23] This data shows that, to varying degrees, income levels generally increased between 2017 and 2022 — with the exception of renter households. The Cape Cod Commission's Housing Needs Analysis projects that there will be some narrowing of these income disparities, with the median income of homeowner households in Falmouth projected to increase to $126,155 by 2030 and those of Falmouth renters to increase to $62,269.[24]

Based on 2017 and 2022 ACS estimates, income levels were highest among family households, homeowners, and those in the prime of their earning potential, householders age 45 to 64. Among family households with children, median income levels are dramatically lower for single mothers than single fathers, a common trend not unique to Falmouth.

[23] Under census definitions, a "householder" is the person, or one of the people, in whose name the home is owned, being bought, or rented. Each household only has one householder for census-reporting purposes.

[24] UMass Donahue Institute, "Cape Cod Housing Needs: Analysis for the Cape Cod Commission", prepared for the Cape Cod Commission, March 22, 2023, p.218, Table 123.

Table 11. Falmouth Estimated Median Income by Household Type, 2017 and 2022		
	Estimated Median Household Income Levels	
Type of Household/Householder	2017	2022
Households	$70,918	$89,809
Families	$91,940	$118,683
Married Couple Families with Children	$117,656	$172,500
One-Parent Households, Female	$22,418	$43,151
One-Parent Households, Male	$43,670	$69,659
Nonfamilies*	$39,518	$52,599
Renters	$40,190	$34,538
Homeowners	$83,978	$101,740
Householder > Age 25	$31,743	No Data
Householder Age 25 to 44	$77,203	$99,291
Householder Age 45 to 64	$89,835	$110,043
Householder Age 65 or More	$56,604	$76,646

Source: American Community Survey 5-Year Estimates, 2013-2017 and 2018-2022, Tables B19113, B19126, B19202, B25119, B19049. *Includes persons living alone and unrelated household members.

Sources of Income

According to ACS 2018-2022 5-year estimates:

- Of the 15,271 employed residents 16 years of age or older, 78 percent were private wage and salary workers, 12 percent were government workers, and 10 percent were self-employed.[25]
- An estimated 35 percent of Falmouth households received retirement income, with an average income of $41,089.[26]
- Nearly half (49 percent) of Falmouth households received Social Security, with an average income of $25,657.[27]
- An estimated 7 percent of households were earning Supplemental Security Income (SSI), with an average income of $11,646.[28]
- Somewhat more households, an estimated 11 percent, received Public Assistance Income or Food Stamp/SNAP benefits.[29]

Employment-Based Income

For the civilian employed population over age 16, Cape Cod residents are more likely to be self-employed than workers across Massachusetts, likely due to distances from major employment centers and the "broader culture of innovation and entrepreneurship" on Cape Cod.30 Local establishments with fewer

[25] C24060

[26] B19059 and B19069

[27] B19055 and B19065

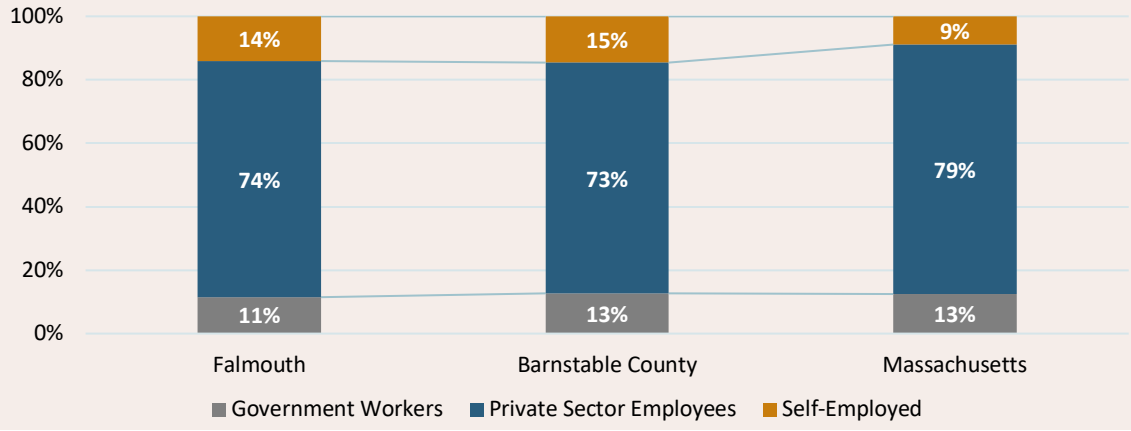
[28] B19056 and B19066

[29] B19058

[30] Cape Cod Commission, Data Cape Cod: "Business Establishment and Age." Accessed January 22, 2024 at

than five employees comprise approximately 62 percent of the region's businesses, compared to 53 percent in Massachusetts and 55 percent across the United States.31

Figure 13. Class of Worker for the Civilian Employed Population Age 16+
Source: ACS 5-Year Estimates, 2018-2022, Table C24060



Other Income Sources

Table 12 shows the percentage of households with various sources of non-employment income across comparison geographies. Due to the popularity of Cape Cod as a retirement destination, the data indicate a greater prevalence of households with retirement incomes and social security across Barnstable County as compared to the state. Table 12 also shows use of need-based income sources, including Supplemental Security Income (SSI) and SNAP/Food Stamps. Regionally, fewer households on Cape Cod rely on public assistance than across the state — although in Falmouth, a greater share of households are estimated to utilize these resources than in other Upper Cape communities.

Table 12. Non-Employment Sources of Household Income, 2022

Geography	Number of Households	Percentage of Households with Incomes from These Sources			
		Retirement Income	Social Security	Supplemental Security Income	SNAP/Food Stamps or Public Assistance
Falmouth	14,237	35%	49%	7%	11%
Bourne	8,715	33%	44%	4%	9%
Mashpee	6,768	36%	47%	4%	8%
Sandwich	7,977	38%	39%	5%	7%
County	37,697	35%	45%	5%	9%
Barnstable County	99,969	36%	46%	4%	9%
Massachusetts	2,740,995	22%	30%	6%	14%

Source: American Community Survey 5-Year Estimates, 2018-2022, Tables B19059, B19055, B19056, B19058.

https://datacapecod.org/pf/establishment-size-age/

[31] Ibid.

POVERTY STATUS[32]

Though Falmouth's poverty level remains lower than the state (Table 13), it has the highest levels among Upper Cape communities. By age cohort, children are proportionately more likely to be living in poverty than other age groups across comparison geographies, with the exception of Sandwich. This disparity is most significant for Barnstable County as a whole; Capewide, an estimated 7 percent of all individuals live in poverty; however, among children under 18, this increases to 8.5 percent, compared to 6.1 percent for those 65+. Among family households, those with children are also more likely to live in poverty than families without children.

Table 13 Comparison of Poverty Rates, 2022

	Individuals				Families		
Geography	All Individuals	Individuals Under 18	Individuals 18-64	Individuals 65+	All Families	Families with Children	Families with No Children
Falmouth	8.5%	8.9%	8.9%	7.5%	4.2%	7.0%	3.2%
Bourne	6.1%	9.4%	5.0%	6.2%	2.9%	6.5%	1.4%
Mashpee	5.1%	8.2%	5.7%	2.6%	2.9%	8.0%	1.3%
Sandwich	5.2%	1.8%	5.1%	7.6%	3.5%	3.8%	3.4%
Upper Cape	6.6%	7.1%	6.6%	6.4%	3.5%	6.2%	2.5%
Barnstable County	7.0%	8.5%	7.2%	6.1%	4.1%	8.2%	2.5%
Massachusetts	9.9%	11.8%	9.4%	9.9%	6.5%	9.9%	4.1%

Source: American Community Survey 5-Year Estimates, 2018-2022. B17001, B17023

While the data generally fluctuate (see Figures 14 and 15), from 2012 to 2022 the poverty levels for individuals increased from an estimated 7.3 to 8.5 percent, while the poverty levels for families decreased during this time, from 5.5 to 4.2 percent.

Figure 14. Falmouth Percent Individuals in Poverty, 2012-2017
Source: ACS 5-Year Estimates, 2008-2012, 2013-2017, 2018-2022, Table B17001

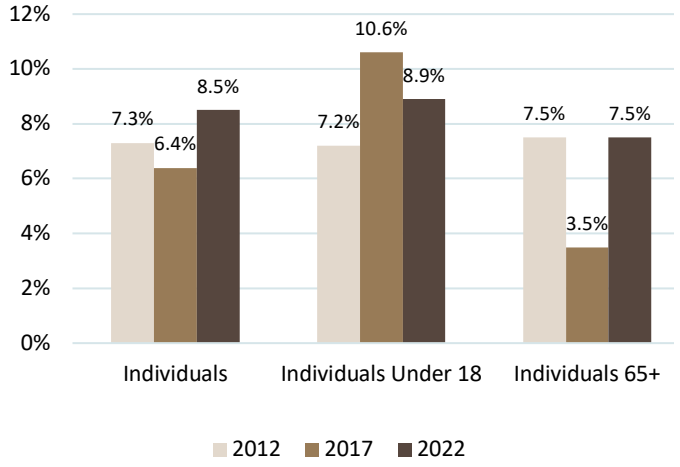
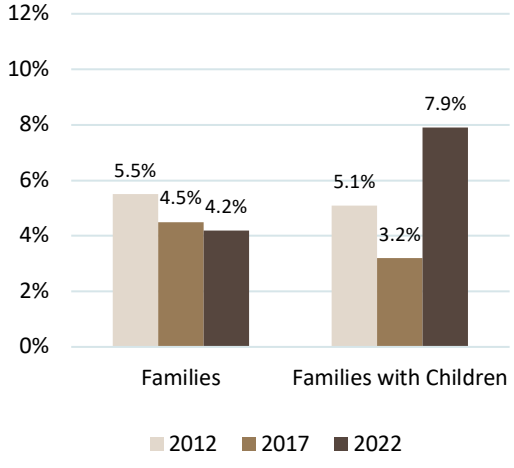


Figure 15. Falmouth Percent Familes in Poverty, 2012-2017
Source: ACS 5-Year Estimates, 2008-2012, 2013-2017, 2018-2022, Table B17023



[32] The 2022 federal poverty levels from the U.S. Department of Health and Human Services were $13,590 for single individuals and $23,030 for a family of three (3) for example.

EMPLOYMENT

Access to jobs with decent wages is a major factor in a community's ability to retain and attract a workforce. Falmouth's loss of young workers has been perceived as a major community problem and barrier to economic development, attributed to a narrow employment base and expensive housing relative to the available wages.

Labor Force Characteristics

A community's **labor force** is defined as all residents 16 and older who are either employed or unemployed and actively looking for work. Members of Falmouth's labor force *live* in Falmouth but may work elsewhere. The **labor force participation rate** is calculated by taking the labor force of a geography and dividing by the *total* number of residents over age 16. A lower labor force participation rate means there are more residents over age 16 who are unemployed and *not* looking for work, perhaps because they have retired, have a disability that prevents them from working, are a stay-at-home parent by choice, or are a full-time student not looking for work.[33]

American Community Survey 5-year estimates for 2018-2022 indicate that Falmouth has a labor force participation rate of 57 percent, which is the lowest among the Upper Cape communities (61 percent). Capewide, Barnstable County's labor force participation rate (60 percent) is significantly lower than that state (67 percent), which makes sense because of the Cape's relatively higher share of retirees not looking for work.34

ACS estimates also provide information on the occupations of Falmouth resident labor force and indicate that 46 percent of Falmouth's employed labor force were involved in management, business, science, or arts occupations.[35] Across the geographies in Table 14, occupations in these categories earn more on average than all jobs combined. County-wide, a higher estimated share of Falmouth's employed labor force is employed in these higher-paying occupations than on Cape Cod as a whole, although both have a lower share than the state (50 percent).

Table 14. Occupations and Median Earnings of Resident Labor Force

	Falmouth		Barnstable County		Massachusetts	
Occupation	**% Labor Force**	**Median Earnings**	**% Labor Force**	**Median Earnings**	**% Labor Force**	**Median Earnings**
Management, Business, Science, Arts	45.7%	$78,917	41.8%	$76,248	50.2%	$83,923
Service	16.7%	$25,181	18.5%	$26,700	15.6%	$28,304
Sales And Office	17.4%	$39,708	20.3%	$40,698	18.2%	$44,506
Natural Resources, Construction, Maintenance	9.4%	$57,712	10.9%	$51,675	6.7%	$56,869
Production, Transportation, Material Moving	9.5%	$32,619	8.2%	$35,961	9.1%	$38,674
All Occupations		$52,307		$50,039		$57,649

Source: ACS 5-Year Estimates, 2018-2022, Tables B08124 and B24011. Note: The labor force applies to those *living* in a geography age 16+ either employed or looking for work. It differs from the workforce, which describes those who are *employed* in a specific geography.

[33] The labor force participation rate should not be confused with the unemployment rate, which is based upon those in the labor force (i.e., residents age 16+ either employed or looking for work) who are not currently working.

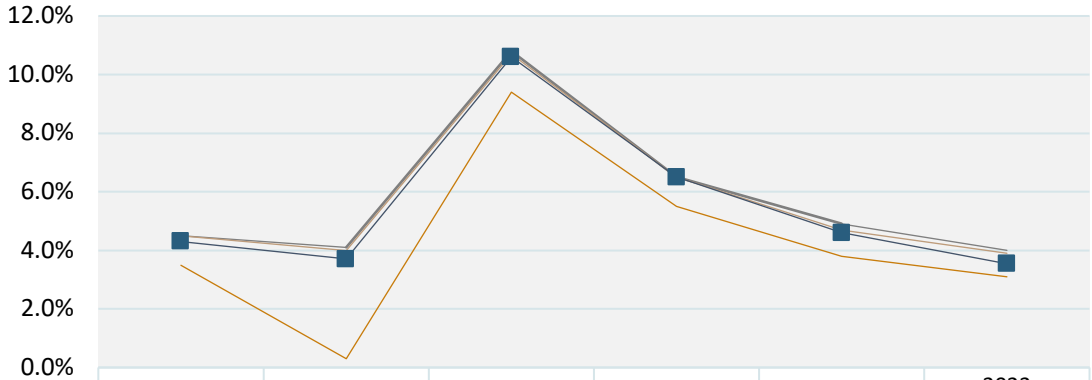
[34] B12006

[35] B08124

Unemployment

Figure 16 compares Falmouth's unemployment rate to Barnstable County, Cape and Islands Workforce Development Area (WDA), and Massachusetts. This comparative information shows that Falmouth's unemployment rates are consistently in line with regional trends, and that the Cape Cod region tends to have lower unemployment rates than the state as a whole. Figure 16 also shows that the unemployment rates across geographies have dropped since their recent high in 2020 due to the COVID-19 pandemic. Compared to its neighbors, Falmouth's unemployment rates have been in line with those seen in Bourne and Mashpee, but higher than in Sandwich, which consistently has the lowest unemployment rates in the Upper Cape.[36]

Figure 16. Unemployment Rates, 2018-2023
Source: MA Dept of Economic Research, Labor Force and Unemployment Data



	2018	2019	2020	2021	2022	2023 (Unofficial)
Massachusetts	3.5%	0.3%	9.4%	5.5%	3.8%	3.1%
Cape and Islands WDA	4.5%	4.1%	10.8%	6.5%	4.9%	4.0%
Barnstable County	4.5%	4.0%	10.7%	6.5%	4.7%	3.9%
Falmouth	4.3%	3.7%	10.6%	6.5%	4.6%	3.5%

Local Employment

A community's employment base includes its wage and salary jobs. People counted in the employment base may or may not live in Falmouth, and the employment base does not include self-employed people. Detailed labor and workforce data from the state on employment patterns in Falmouth shows average employment of 14,788 jobs in Falmouth in 2017 compared to 14,162 in 2022, demonstrating a reduced job base. This declining employment contrasts with the growth in the number of work establishments, from 1,153 in 2017 to 1,203 in 2022.[37] While the Cape Cod Commission Housing Needs Analysis predicts growth of another 5,500 jobs for Barnstable County from 2020 to 2030, the report also forecasts a reduction of 14,500 jobs between 2030 and 2050, indicating a 10 percent decline starting from 2020.[38]

[36] Dept of Economic Research. Labor Force and Unemployment Data.

[37] Massachusetts Department of Economic Research, "Employment and Wages Report (ES-202)," 2022 and 2017.

[38] UMass Donahue Institute, "Cape Cod Housing Needs: Analysis for the Cape Cod Commission", prepared for the Cape Cod Commission, March 22, 2023, p47, Table 9.

Employment data also reflects the seasonal nature of many Falmouth jobs. Seasonal employment changes are presented in Figure 17 for 2022, showing an increase from 12,675 employed workers in January to a peak of 16,095 in July and then down to 13,617 by December.

Figure 17: Monthly Changes in Employment, 2022
Source: Massachusetts Department of Economic Research, 2022 ES-202 Report

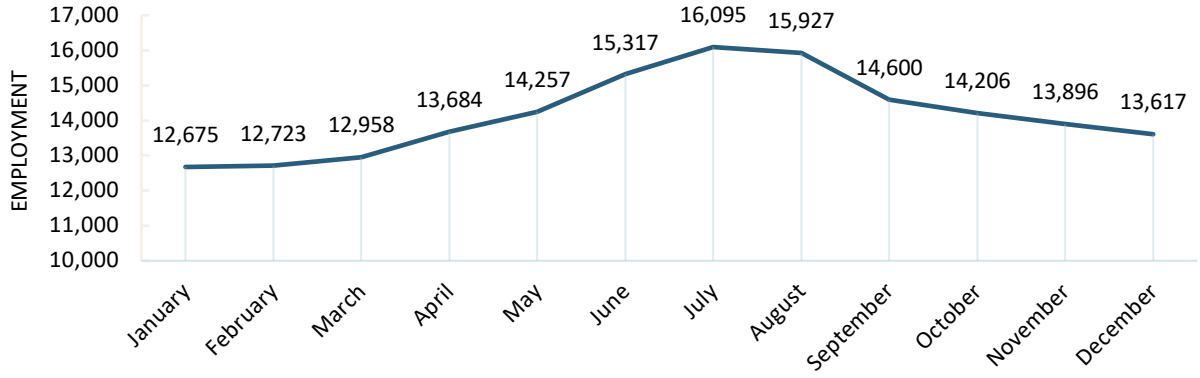
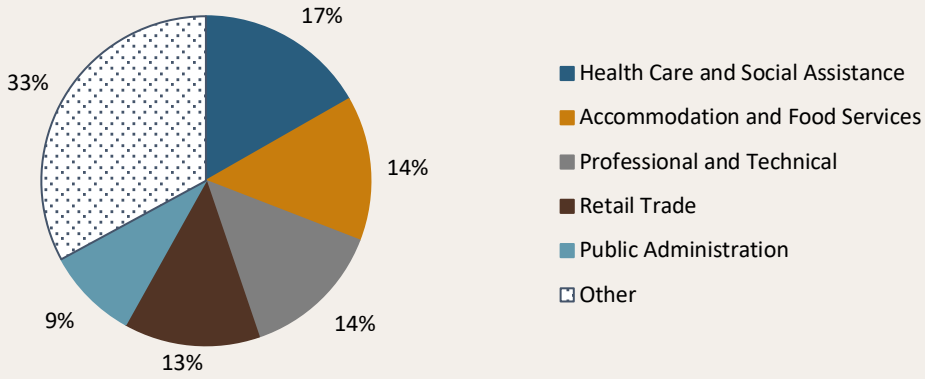


Table 15 confirms a mix of employment opportunities in Falmouth, including lower-paying retail and service sector jobs and higher wage local jobs in finance, professional or technical services, wholesale trade, and public administration. Figure 18 shows the top five industries in Falmouth based on the share of year-round jobs they provide. While each industry fluctuates somewhat seasonally (e.g., accommodation and food services becomes the top industry in the summer months) the industries in Figure 18 consistently remain in the top five based on number of jobs.

Figure 18. Share of Local Jobs by Industry
Source: MA Dept of Economic Research, 2022 ES-202 Report



Average weekly wages ranged considerably from a low of $561 in agriculture, forestry, and fishing (an industry representing only 0.3 percent of local jobs) to a high of $2,152 in finance and insurance, which only represents 1.4 percent of local jobs. The mix of local industries results in average weekly wages of $1,264, somewhat higher than Barnstable County ($1,155) and the Cape and Islands WDA ($1,186), but well below Boston ($1,917) and the state ($1,727).[39]

[39] Massachusetts Department of Economic Research, "Employment and Wages Report (ES-202)," 2022.

It is important to note that Figures 17 and 18 and Table 15 are based upon the state's Employment and Wages reports. This data set includes part-time employment, which is commonly found in lower-paying industries such as retail trade; arts, entertainment, and recreation; and accommodation and food services. Furthermore, the reports do not include self-employed workers.

Location Quotients

Location quotients (LQ) indicate the strength of local industries by comparing a community's employment base with that of a larger geographic area, called a "reference economy." The proportion of jobs in each industry in the community weighted against the proportion of jobs in those industries in the larger reference economy results in a ratio that sheds light on the unique employment characteristics of a community. Generally, a ratio between 0.90 and 1.10 means the proportion of jobs per industry is similar between the compared geographies, and a ratio below 0.85 or over 1.15 points to a noteworthy difference. The higher the ratio, the stronger the industry is in the community. Table 15 reports location quotients for Falmouth's employment base, using the Cape and the Islands Workforce Development Area. A very high location quotient could mean a very strong industry within a local economy, but it can also result in economic vulnerability during a recession. The industries with the highest location quotients (and therefore a relatively strong presence in the local economy) include professional and technical services (which includes the scientific community), manufacturing, and public administration

Table 15. Falmouth Employment Base Profile

Industry	No. of Establishments	Percent of Jobs			Average Weekly Wages	Ratio: Wages by Industry to All Jobs	Location Quotient: Falmouth to Cape WDA
		Year-Round	Jun-Aug	Sept-May			
Agriculture, Forestry, Fishing	6	0.3%	0.4%	0.3%	$561	$0.44	0.593
Construction	154	7.1%	6.6%	7.3%	$1,610	$1.27	0.819
Manufacturing	21	4.0%	3.9%	4.0%	$1,588	$1.26	1.685
Wholesale Trade	29	0.8%	0.8%	0.9%	$1,706	$1.35	0.506
Retail Trade	141	13.3%	13.1%	13.4%	$836	$0.66	0.867
Transportation/Warehousing	23	1.5%	1.6%	1.4%	$1,173	$0.93	0.524
Information	21	1.2%	1.2%	1.3%	$951	$0.75	0.892
Finance/Insurance	42	1.4%	1.3%	1.4%	$2,152	$1.70	0.619
Real Estate/Rental/Leasing	45	0.9%	0.8%	0.9%	$1,346	$1.06	0.535
Professional/Technical Services	144	13.9%	12.8%	14.3%	$1,868	$1.48	2.787
Administrative/Waste Services	93	3.1%	3.3%	3.1%	$1,095	$0.87	0.616
Health Care/Social assistance	172	16.7%	15.0%	17.4%	$1,311	$1.04	1.139
Arts/Entertainment/Recreation	51	3.6%	5.1%	3.0%	$778	$0.62	0.854
Accommodation/Food Services	130	14.1%	17.9%	12.7%	$683	$0.54	0.862
Other Services	94	2.7%	2.7%	2.7%	$1,049	$0.83	0.674
Public Administration	20	9.0%	8.4%	9.2%	$1,614	$1.28	1.641
All Jobs	1,203				$1,264	--	

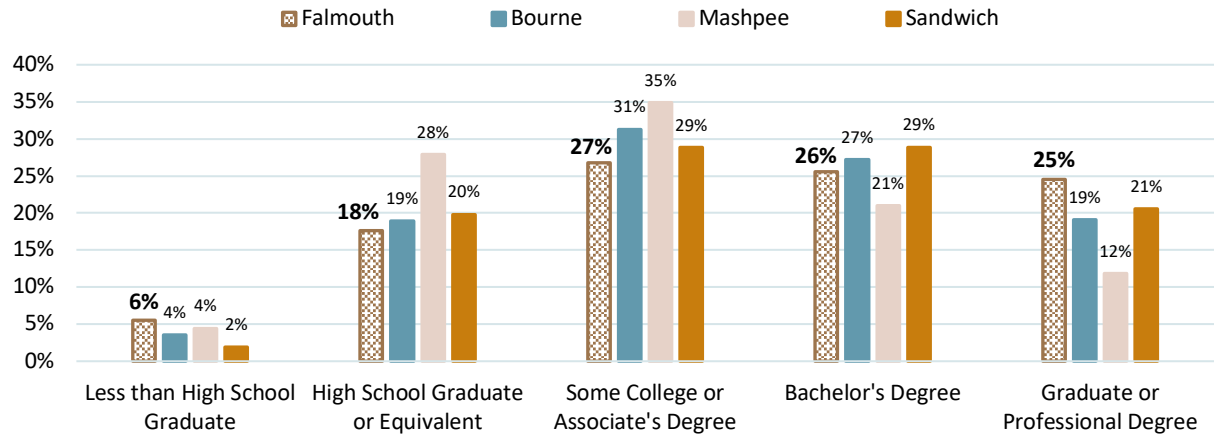
Source: Massachusetts Department of Economic Research Employment and Wages Report (ES-202)," 2022.

EDUCATION

Educational Attainment

The disparity in educational attainment in Falmouth is greater than other Upper Cape communities, as Falmouth has the highest share of residents over age 25 who have not obtained a high school degree or equivalent (6 percent) — and yet also has the highest share of residents with advanced degrees (25 percent of the 25+ population). Falmouth's levels on both ends of the educational spectrum are higher than the county, where an estimated 4 percent of residents over age 25 did not complete high school, and 21 percent achieved advanced degrees (Figure 19).

Figure 19. Upper Cape Educational Attainment for Age 25 and Over
Source: ACS 5-Year Estimates, 2018-2022, Table B15003



ACS estimates indicate that between 2012 and 2022, a growing share of Falmouth residents achieved advance degrees, while the proportion of residents age 25+ who did not complete high school decreased from approximately 7 percent to 4 percent (Figure 20). These positive educational shifts will continue to benefit Falmouth's labor force, as data indicate that higher levels of education yield higher wages consistently across comparison geographies. While Table 16 below is based on ACS 2018-2022 5-Year Estimates, data from 2008-2012 and 2014-2017 ACS estimates show that this trend is generally stable and predictable.

Figure 20. Falmouth Educational Attainment for Age 25 and Over, 2012-2022
Source: ACS 5-Year Estimates, 2008-2012, 2013-2017, 2018-2022, Table B15003

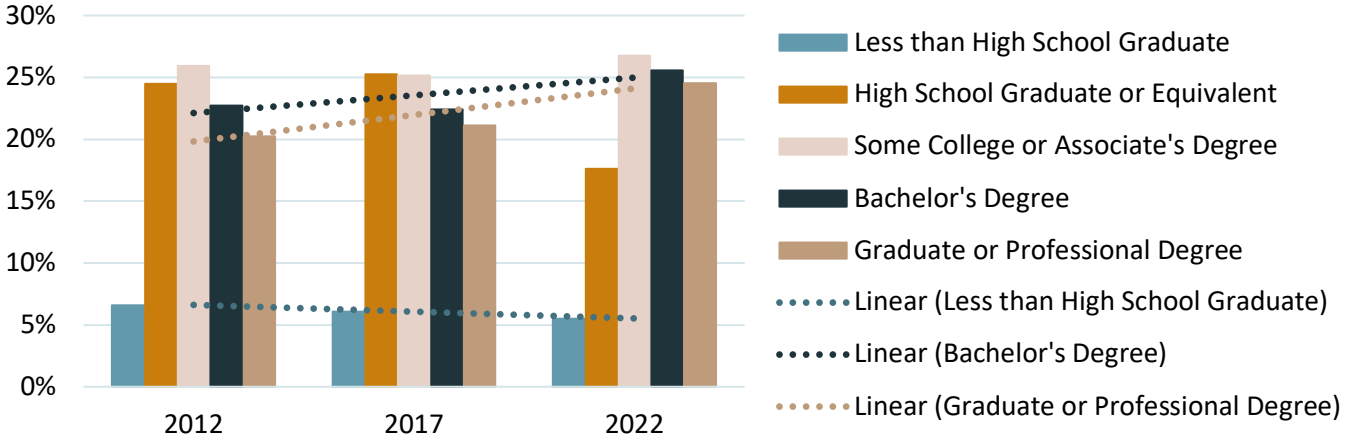


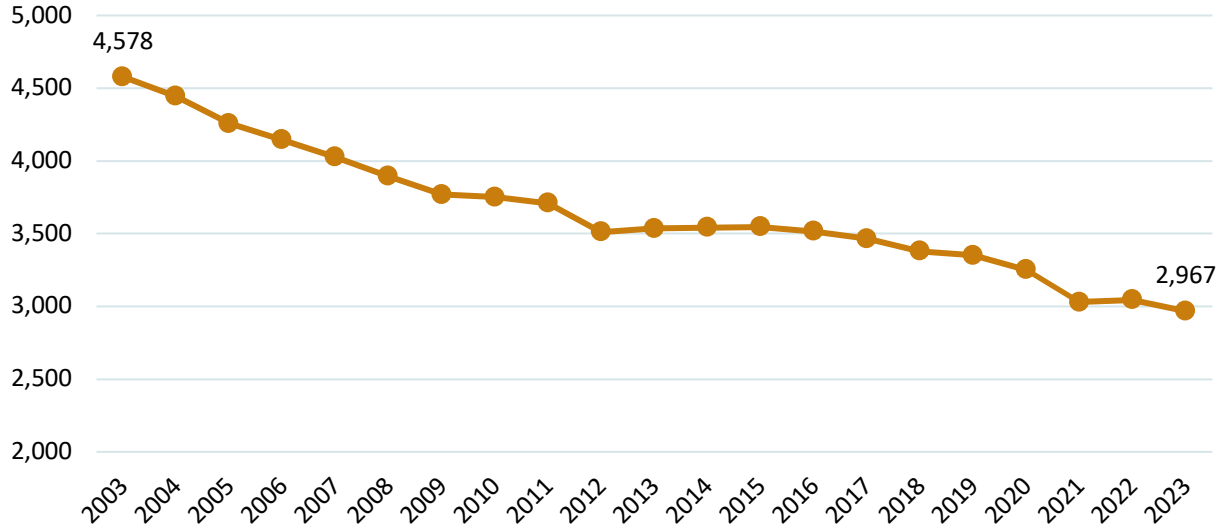
Table 16. Median Earnings by Level of Educational Attainment, 2022						
	Bourne	Falmouth	Mashpee	Sandwich	Barnstable County	Massachusetts
Less Than High School Graduate	$39,673	$29,517	$52,798	No Data	$33,053	$33,558
High School Graduate Or Equivalent	$40,833	$44,909	$45,248	$57,344	$43,780	$43,492
Some College Or Associate's Degree	$51,500	$45,564	$50,039	$42,760	$45,256	$49,670
Bachelor's Degree	$62,546	$59,662	$63,496	$78,060	$59,383	$75,687
Graduate Or Professional Degree	$83,264	$86,295	$72,308	$89,265	$78,346	$97,033

Source: ACS 5-Year Estimates, 2018-2022, Table B2004

School Enrollments

From 2003 to 2023, student enrollment decreased by 35 percent, representing a loss of over 1,600 students during this time (Figure 21). This aligns with the age trends described previously in this Needs Assessment – namely, that households with children under 18 have declined disproportionately in Falmouth, and the proportion of older adults past childrearing age continues to grow. There were slow declines through the 2011-2012 school year and then relatively stable enrollment through 2014-2015 before declining again through the 2023-24 school year. This trend of decreasing school enrollments is happening across Cape Cod and cannot be entirely attributed to private school enrollment; ACS estimates show declines in private school enrollment as well between 2012 and 2022, from 550 Pre-K to High School students down to 329 students.[40]

Figure 21. Falmouth Public Schools - Total Student Enrollment
Source: MA Department of Elementary and Secondary Education, District Profile



[40] ACS 5-Year Estimates, 2008-2012 and 2018-2022, Table B14002

Data from the Massachusetts Department of Elementary and Secondary Education (DESE) indicate that the percent of low-income students increased steadily from 15 to 40 percent of Falmouth's student population over the past twenty years, compared to an increase from 27 to 42 percent for the state. While DESE's definition of low income has shifted over the years, the data from 2003-2004 and 2013-2014 in Table 17 below followed the same definition and still show a significant increase during that ten-year period.[41]

Table 17. Select Student Populations in Falmouth Public Schools

	2003-2004		2013-2014		2023-2024	
	Falmouth	**MA**	**Falmouth**	**MA**	**Falmouth**	**MA**
Low Income	14.8%	27.2%	29.4%	38.3%	39.5%	42.2%
Students with Disability	13.2%	15.6%	18.7%	17.0%	24.4%	20.2%

Source: MA Department of Elementary and Secondary Education, School District Profiles

[41] Note: MA DESE's definition of "Low Income" has shifted over time. Prior to 2015, this applied to students whose families received food stamps/SNAP or transitional assistance, or who were eligible for free or reduced-price lunch. In 2015, this definition changed to "Economically Disadvantaged" and no longer included eligibility for free or reduced price lunch, but added in children eligible for MassHealth and children in foster care. In 2022, DESE revered to "Low Income" and clarified the MassHealth criteria to apply to student households up to 185 percent of the federal poverty level, and added a qualification for homeless children.

Housing Profile

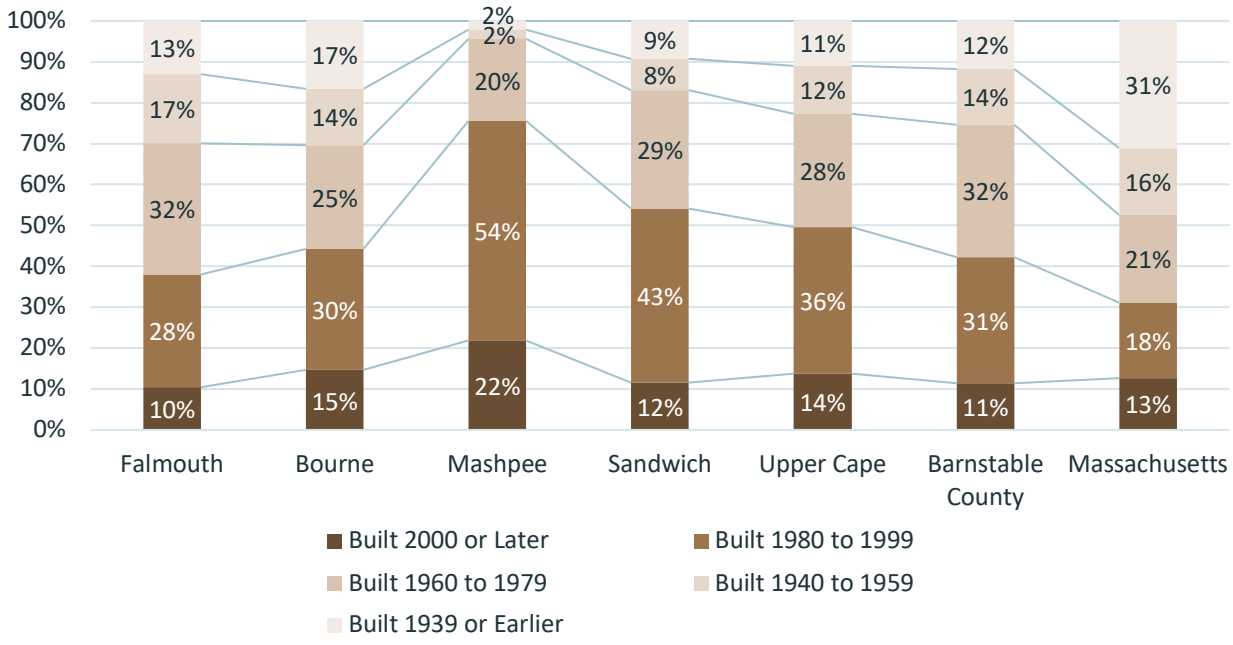
The housing profile provides an overview of Falmouth's current housing characteristics, including factors such as housing age, type, tenure, and occupancy. This section also explores housing market conditions and discusses development trends, housing cost, and factors influencing affordability for households.

HOUSING CHARACTERISTICS

Age of Housing Stock

Over the past thirty years, Falmouth's housing unit count has grown by over 3,700, rising from 18,168 units in 1990 to 22,817 in 2020.[42] Falmouth has a somewhat older housing stock than the county, with an estimated 62 percent of housing units in structures built prior to 1980 compared to 68 percent across Cape Cod.[43] According to American Community Survey estimates, the Cape has a relatively newer housing stock than Massachusetts as a whole (Figure 22). Falmouth is no exception, although proportionally more of Falmouth's homes were built before 1980 compared to Bourne, Mashpee, or Sandwich.[44] Capewide, there is higher estimated share of newer structures among *all* housing units compared to *occupied* housing units, indicating that the homes of year-round residents are more likely older (i.e., built before 1980) compared to vacant units. Falmouth follows this trend, with approximately 62 percent of occupied housing units built before 1980 compared to 56 percent for all homes.[45] Map

Figure 22. Year Structure Built
Source: ACS 5-Year Estimates, 2017-2022, Table 25034



[42] US Census Bureau, Decennial Census, 1990 and 2020, Housing Units

[43] ACS 5-Year Estimates, 2018-2022, Table B25034

[44] ACS 5-Year Estimates, 2018-2022, Table B25034

[45] ACS 5-Year Estimates, 2018-2022, Tables B25034 and B25127

Table 20 below is based upon local Assessor's records rather than American Community Survey estimates and provides additional information about Falmouth's residential structures. In general, smaller multifamily housing (i.e., two- and three-family structures and apartments of no more than eight units) tend to be older and have been converted from preexisting homes. Larger apartment complexes (not including Housing Authority properties) are the newest, with a median year built of 2004.

Table 20. Properties by Residential Land Use Type

	# Residential Properties	% Residential Properties	Median Year Built	Average Assessed Value
Single Family Detached	18,629	89.4%	1974	$772,248
Condominium	1,480	6.3%	1986	$489,531
Two Family	305	1.5%	1955	$744,406
Three Family	42	0.2%	1927	$625,433
4-8 Units	42	0.2%	1900	$716,633
> 8 Units	21	0.1%	2004	$2,842,276
Congregate	7	0.0%	1969	$5,944,614
Multiple Houses on One Parcel	268	1.3%	*1925	$1,621,521
Housing, Charitable	22	0.1%	1997	$882,118
Housing Authority, Apartments	5	0.0%	1971	$3,279,220
Housing Authority, Scattered Site	25	0.1%	1967	$334,924
Mixed Use, Primarily Residential	69	0.3%	1934	$829,428
Mixed Use, Primarily Commercial	94	0.5%	1950	$1,222,288
Total Residential Properties	20,849			

Source: Town of Falmouth Assessors Records. Residential properties with a year built of zero were not included.
*Year built for first structure

Housing Types

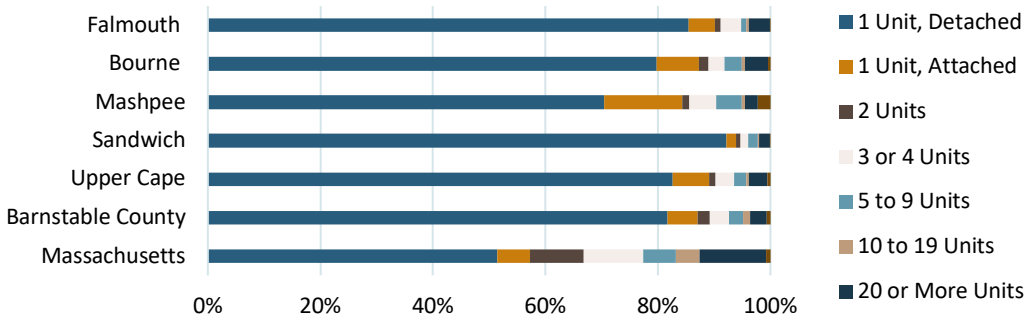
An estimated 86 percent of Falmouth's housing units are detached single-family homes, a figure slightly higher than the Upper Cape and all of Barnstable County (both 81 percent) and significantly higher than the state (52 percent).[46] As shown in Figure 23, Cape Cod has a much higher estimated share of "single family detached" homes (82 percent of all units) than the state (52 percent). This carries over to Falmouth, where an estimated 86 percent of homes are single family detached units. At 5 percent, Falmouth's single family attached stock is on par with the Upper Cape (6 percent) and Barnstable County (5 percent).[47] Assessor's records reveal a similar picture breakdown, although there is some difference and overlap in definitions. To wit, what ACS refers to as "1, Attached" is typically thought of as a townhouse – that is, an

[46] ACS 5-Year Estimates, 2018-2022, Table B25024

[47] ACS 5-Year Estimates, 2018-2022, Table B25024

attached single-family unit with no other residential units above or below, and sharing an internal wall from ground to roof with an adjacent unit. These units may be rented or (more commonly) owned. When they are owned, they are considered a condominium *for assessing purposes*, whereas when such a unit is rented, it is likely part of a two- or three-family structure assessed as one property. Likewise, "1, Detached" refers to a single family detached structure – yet for assessing purposes, these physical structures may be held in a condominium form of ownership (whereby inside of the unit is owned and maintained by an individual owner, whereas the exterior of the building and the surrounding property is separately owned, generally by a condominium association). Despite these overlaps in definitions, the connection between local Assessor's records and ACS estimates is clear, with 6 percent of Falmouth's residential units considered condominiums for assessing and an estimated 5 percent of units considered attached single family. Map 5 shows the various residential uses in Falmouth by parcel, showing the high prevalence of single-family homes throughout town.

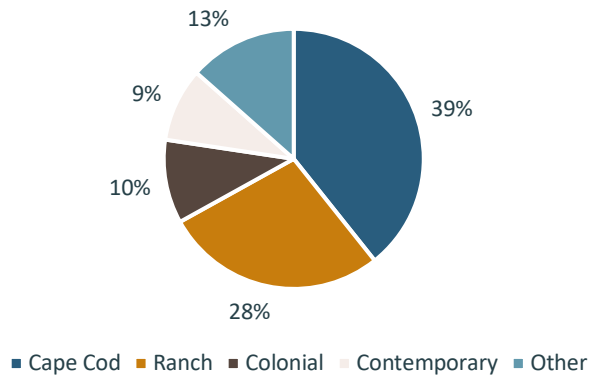
Figure 23. Units in Structure
Source: ACS 5-Year Estimates, 2017-2022, Table 25024



Single Family Homes

Figure 24 shows that Cape-style homes are most common among Falmouth's detached single-family homes (39%), followed by ranches (28%), colonials (10%), and contemporary (9%).[48] The remaining 13 percent of detached single-family homes consist of a mix including conventional, bungalow, raised ranch, split level, and other home styles. Table 21 below indicates the most common style for homes built during different periods, as well as other notable features including the average residential floor area, lot sizes, and number of rooms. Most single-family homes in Falmouth were built in 1940 or later, with over half (60 percent) built between 1960 and 1999. Single family homes built in 1980 or later are mostly larger homes (over 2,000 square feet).Total assessed value for newer single-family homes is

Figure 24. Style of Single Family Homes
Source: Town of Falmouth Assessor's Database



[48] Town of Falmouth Assessor's Records, FY 2024.

substantially higher: for houses built prior to 2000, the average total assessed value is approximately $710,500, but for those built since 2000, average total assessed value is over $1.2 million.

Homes built since 1980 tend to be larger and hold more building value compared to the land, as shown by the ratio of average land values (LV) to average improvement values (IV; in this context, "improvement" refers to buildings, structures, pools, etc.). A ratio under 1.0 indicates that the buildings on average are more valuable than the land, in large part due to the trend toward larger homes. Conversely, ratios over 1.0 indicate that the land on average is more valuable than the buildings. This is more common for older homes, potentially putting them at greater risk of teardown, as a new or existing owner of an older home may choose to demolish and rebuild rather than repair, renovate, or maintain a home in poor condition. Together, Map 6 (Year Built for Single Family Homes), and Map 7 (Improvement Value to Land Value Ratio for Single Family Homes) show this relationship between age of housing stock and the ratio of building value to land value.

Table 21. Falmouth Single Family Home Trends

Year Built	Entries	Average # Rooms	Average Stories	Average Res. Building Area	Average Lot Size (Acres)	Average Total Assessed Value	Average IV to LV Ratio	Most Common Style
Pre-1900	367	7.03	1.78	2,455	1.07	$1,030,106	0.79	Conventional (47%)
1900-1919	499	6.86	1.74	2,125	0.61	$1,150,802	0.60	Conventional (47%)
1920-1939	1,042	6.41	1.59	1,890	0.62	$981,243	0.64	Cape Cod (34%)
1940-1959	3,054	5.80	1.29	1,507	0.41	$644,133	0.82	Ranch (49%)
1960-1979	5,880	6.17	1.33	1,657	0.42	$601,968	1.07	Ranch (38%)
1980-1999	5,359	6.32	1.53	2,145	0.66	$737,116	1.39	Cape Cod (50%)
2000-2019	2,083	7.11	1.74	2,801	0.74	$1,213,145	1.59	Cape Cod (39%)
2020-2022	345	7.34	1.75	2,910	0.61	$1,239,326	1.89	Cape Cod (28%)
All SF Homes	18,629	6.33	1.47	1,965	0.56	$772,248	1.13	Cape Cod (39%)

Source: FY24 Assessor's Records, Town of Falmouth
*There are two entries for which the year built is unreliable. These homes were excluded from this analysis.

Condominiums

While often used interchangeably to describe townhouses, the term "condominium" simply refers to the ownership structure rather than a particular building type; the owner of a condominium owns and is responsible for the inside of the unit, while a condominium association typically owns and is responsible for the land, maintenance of the buildings' exterior, shared spaces, etc. Many condominiums exist in townhouse structures or stacked flats, but they can also be detached single family structures. Condominium neighborhoods exist throughout Falmouth, including Fairway Meadow, Falmouthport Condominiums, Dillingham Place Condominiums, Wild Harbor Condominiums, and Lighthouse Station, a 55+ condominium community at Woods Hole.

Small Multi-Family

Assessor's records indicate that there are nearly 400 properties with either two- or three-family homes or apartments with no more than eight units. Many of these buildings are older and have been converted into their existing use. In particular, Falmouth's three-family homes and apartments up to eight units are among the oldest residential structures, with approximately two-thirds of these homes built prior to 1930. These homes are scattered throughout the town and are not concentrated in one area, although many are located along or near major routes including Route 28. Included in this are some recent examples of

developments that provide a number of affordable units in several smaller buildings, such as Gifford Workforce Housing (twenty units in four buildings) and Megansett Crossing (ten units in duplexes on one site).

Mixed Use

Assessor's records indicate that there are 165 properties in Falmouth that include a residential use with some other use, such as commercial, agricultural, or industrial. Many of these properties are along Route 28, in much of what is now part of the MRCOD. There are fourteen mixed use/agricultural properties throughout town, totaling about 200 acres.

Apartments

In addition to the 276 Falmouth Housing Authority units located in larger apartment complexes, Falmouth has a handful of apartment complexes, many of which include affordable units. These include Cape Cod Apartments (83 units), Cedar Meadows (59 units) Little Pond Place (40 units) Gosnold Grove (33 units), and Edgerton Drive Apartments (24 units), among others.[49] There are also some market rate complexes, including Greengate Apartments, Treetops Condominiums, and Admiralty Apartments.

Falmouth Housing Authority

The Falmouth Housing Authority has 276 elderly/handicap units located at five sites:

- Federal Public Housing
    - Harborview Apartments: 80 units built in 1981
    - James L. Conley Tataket Apartments: 83 units built in 1984
    - Rose Morin Apartments: 59 units built in 1971[50]
- State Public Housing
    - Choate Apartments: 24 units originally built in 1957
    - Salt Sea Apartments: 30 units originally built in 1960
    - Scattered site: 25 scattered homes for families.[51]

Congregate Care Settings

Falmouth has a number of group quarters residences, including nursing homes and group homes. Falmouth's two active nursing homes include Royal Health Megansett and Royal Health Falmouth, the latter of which includes an Alzheimer's Care program. In addition, Atria Woodbriar offers a combination of independent living, assisted living, and memory care units on two campuses.

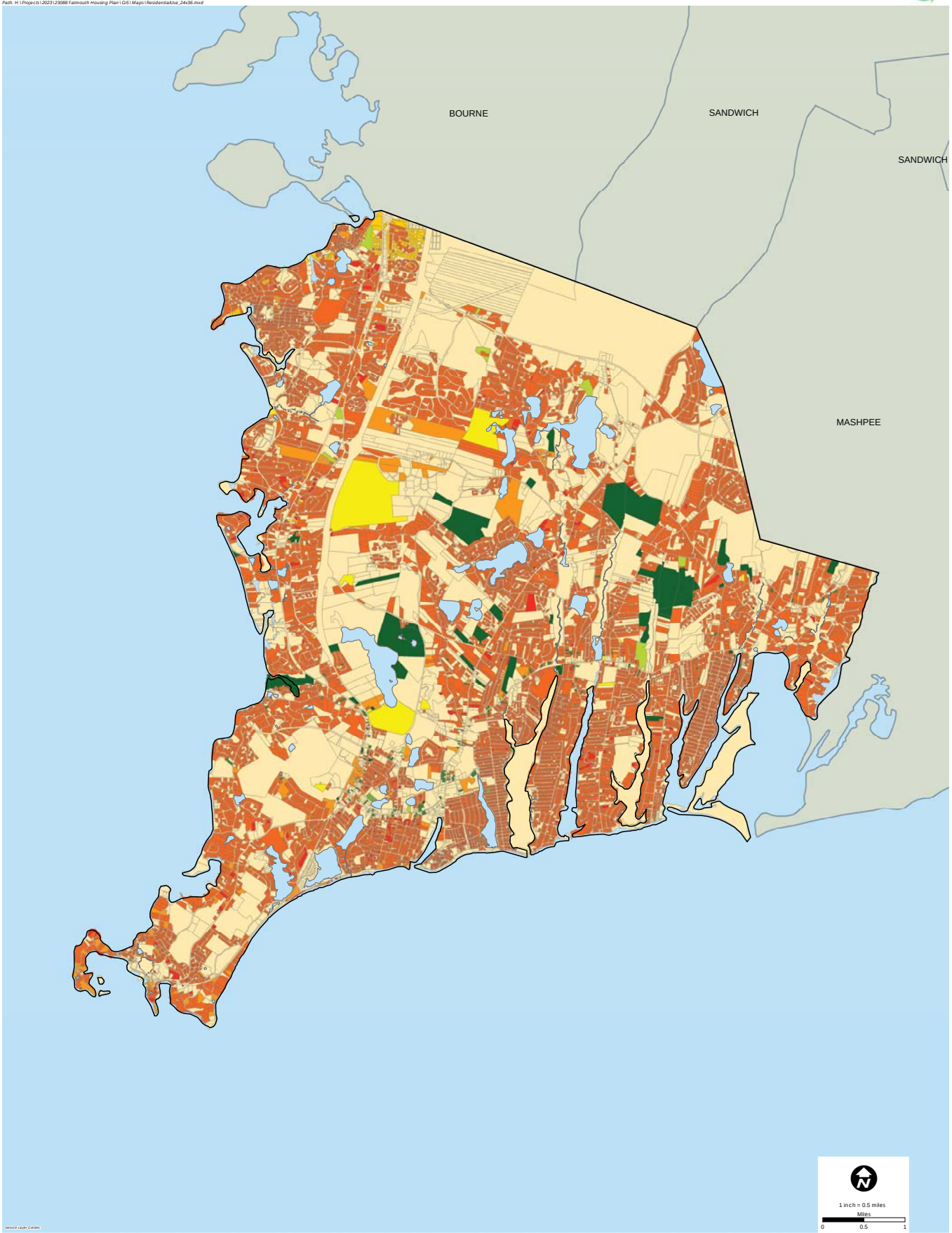
[49] Executive Office of Housing and Livable Communities, Chapter 40B Subsidized Housing Inventory, Falmouth. Report from December 18, 2023.

[50] Federal Public Housing https://www.falmouthhousing.org/fedpubhousing

[51] "Massachusetts State Public Housing" https://www.falmouthhousing.org/statepublichousing

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\ResidentialUse_24x36.mxd



Date: 11/2/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Water

Residential Use
Apartments
Condominiums
Congregate Housing
Housing Authority
Housing, Charitable Organization
Mixed Use w/ Residential
Multiple Houses on One Parcel
Single Family Detached
Two- and Three-Family

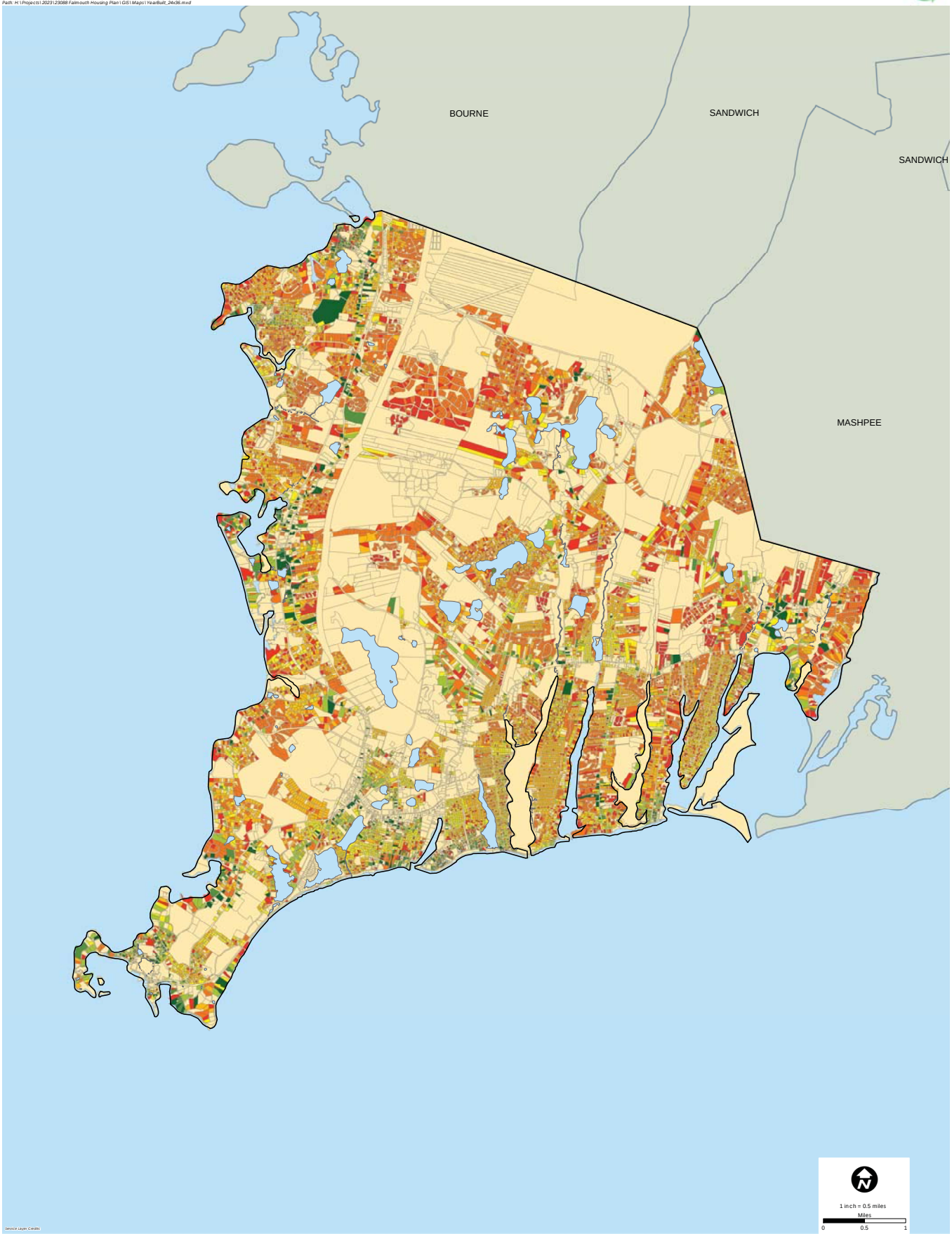
Residential Use by Type

Housing Production Plan
Falmouth, Massachusetts

Map 5
Residential Use by Type

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\YearBuilt_24x36.mxd



Date: 11/7/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Water
Year Structure Built
Pre-1900
1900-1919
1920-1939
1940-1959
1960-1979
1980-1999
2000-2021

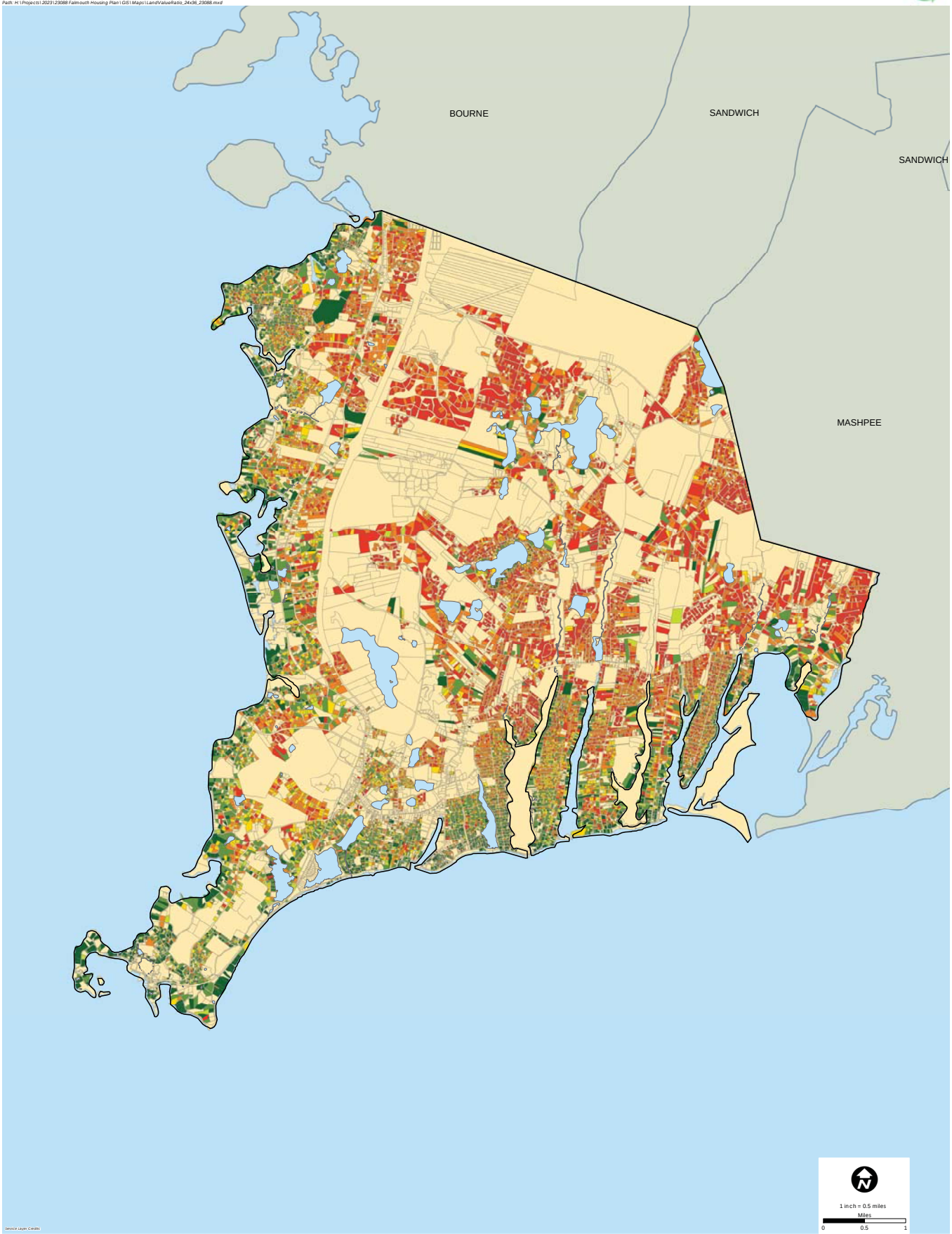
Year Structure Built for Single Family Homes

Housing Production Plan
Falmouth, Massachusetts

Map 6
Year Structure Built for Single Family Homes

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\LandValueRatio_24x36_23088.mxd



Date: 11/2/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Water
Ratio
0.0-0.50
0.50-0.95
0.95-1.05
1.05-1.25
1.25-2.00
2.00+

Improvement to Land Value Ratio for Single Family Homes

Housing Production Plan
Falmouth, Massachusetts

Map 7
Improvement to Land Value Ratio for Single Family Homes

Tenure

Cape Cod households are not only much more likely to own their homes as compared to households across Massachusetts, but Cape Cod homeowners are also more likely to have paid off their homes, as shown in Table 22. Falmouth households are slightly less likely to own than in Barnstable County as a whole, although county-wide a smaller share of owner households have paid off their mortgages than in Falmouth.

Table 22. Tenure

	Falmouth	Bourne	Mashpee	Sandwich	Barnstable County	Massachusetts
Owner-Occupied	76%	74%	84%	87%	78%	60%
Owned with Mortgage	*62%*	*67%*	*67%*	*75%*	*64%*	*72%*
Owned Free and Clear	*38%*	*33%*	*33%*	*25%*	*36%*	*28%*
Renter-Occupied	24%	26%	16%	13%	22%	40%

Source: Decennial Census, 2020, Table H4

Falmouth homeowners are more likely older and wealthier than renters (Figure 26 and Table 23), although this is not unique to Falmouth. The likelihood of owning one's home in Falmouth steadily increases for each age cohort except householders 75 or older, where the breakdown shifts downward (although the vast majority of Falmouth householders age 75+ still own their homes). According to ACS estimates, Falmouth owner households have significantly higher estimated household incomes than renters, earning nearly three times more. This disparity is greater in Falmouth than its neighboring Upper Cape communities, as well as the county and state (Table 23).

Figure 26. Percent Owner Households by Age for Falmouth Households
Source: US Decennial Census 2020, Table H13

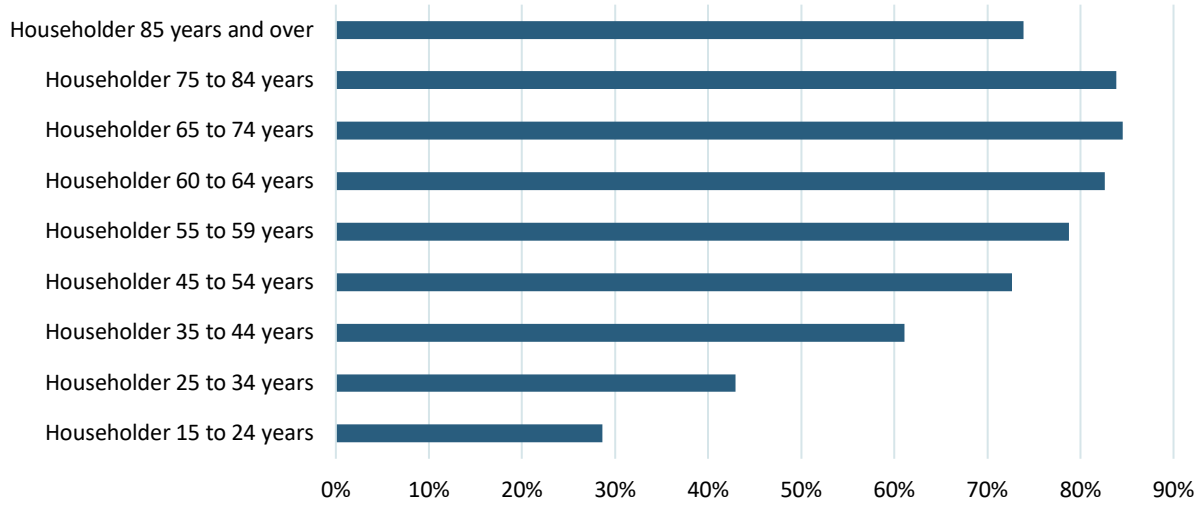


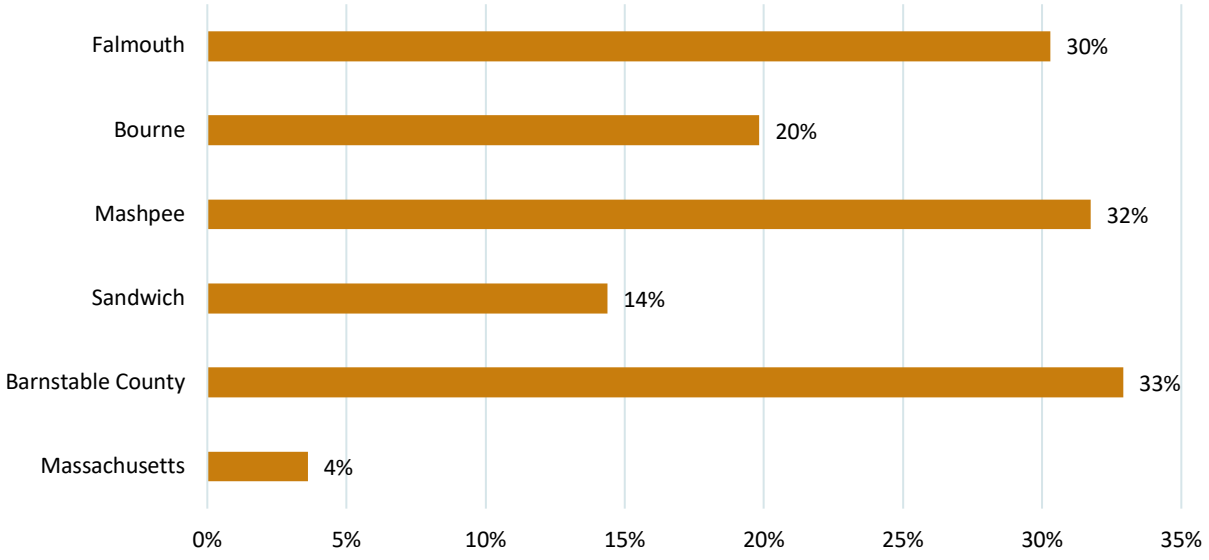
Table 23. Median Household Income by Tenure				
	All Households	Owner Households	Renter Households	Income Ratio: Owners to Renters
Falmouth	$89,809	$101,740	$34,538	2.95
Bourne	$90,640	$105,354	$44,884	2.35
Mashpee	$90,465	$96,968	$50,465	1.92
Sandwich	$121,038	$130,161	$51,250	2.54
Barnstable County	$90,447	$102,237	$46,254	2.21
Massachusetts	$96,505	$126,341	$56,051	2.25

Source: ACS Five-Year Estimates, 2018-2022, Table B25119, and Barrett Planning Group

Vacancy

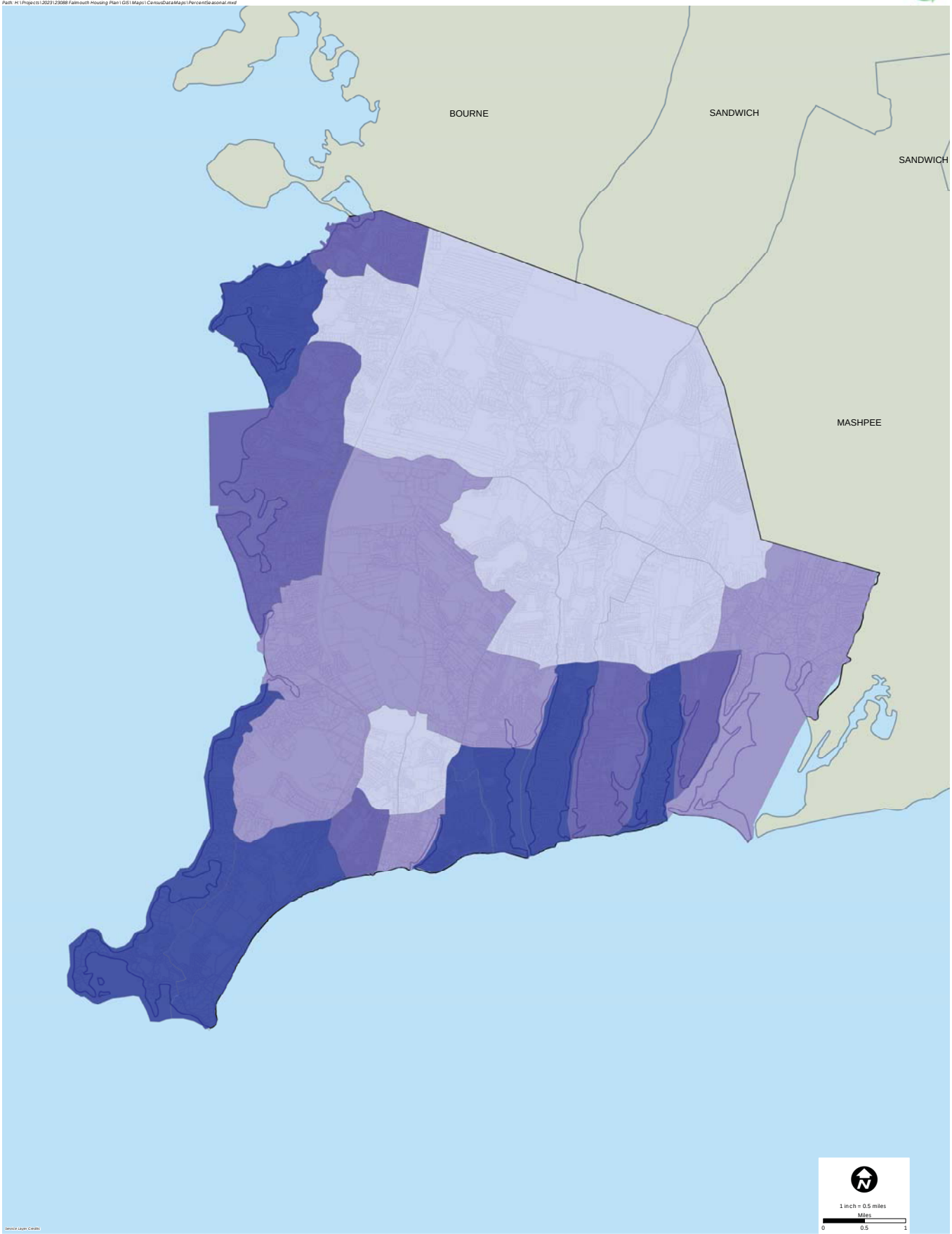
At the time of the 2020 census, 34 percent of Falmouth's total housing units were vacant, a figure lower than Barnstable County due to the skew toward second homes on the Lower and Outer Cape (Figure 27). Of Falmouth's vacant units, 88 percent were considered seasonal, recreational, or occasional use. This breakdown has not shifted considerably since the 2010 Census, although also does not consider the significant housing market shifts that have occurred since COVID. Just over 30 percent of Falmouth's total housing units are for seasonal, recreational, or occasional use, placing it just behind Barnstable County at 33 percent. Map 8 displays the concentration of seasonal homes throughout Falmouth by census block group, showing the greater prevalence along the coast.

Figure 27. Percent Total Housng Units for Seasonal, Recreational, or Occasional Use
Source: US Decennial Census 2020, Table H13



Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\CensusDataMaps\PercentSeasonal.mxd



Date: 11/29/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels

Percentage of Housing Units
5 - 15%
15.01 - 45%
30.01 - 45%
45.01 - 60%

Percent Housing Units for Seasonal, Occasional, and Recreational Use

Map 8
Percent Housing Units for Seasonal, Occasional, and Recreational Use.

During the engagement process for this plan, participants expressed varying levels of concern regarding short term rentals (STRs) in the community, citing concerns relating to changing neighborhood character to significant loss of year-round rentals. While Falmouth has far more STRs than its neighbors (Table 24), it also has far more housing units. Proportionally, the share of registered STRs is roughly the same in all Upper Cape communities except Bourne. However, these figures are based on *registered* STRs and actual numbers are likely higher. Because many towns do not require or robustly enforce local STR registration, quantifying the number of STRs on Cape Cod is challenging without significant market analysis.

Table 24. Registered Short Term Rentals

Community	Registered STRs	Total Housing Units	STRs as Percent of Total Units
Falmouth	1,429	22,817	6.3%
Bourne	427	11,140	3.8%
Mashpee	680	10,757	6.3%
Sandwich	618	9,689	6.4%

Source: MA Executive Office of Economic Development, Public Registry of Lodging Operators. STR figures current as of January 22, 2024.

HOUSING MARKET

Development Trends

Building permits are a good indicator of housing activity within a town because they show the predominant types of development activity in a given year. From 2022 to October 2023, 155 new residential building permits were issued (many of which were tied to newly created subdivisions), as well as 55 permits for residential demolition/rebuild projects, 13 duplex permits, and five accessory apartment permits.[52]

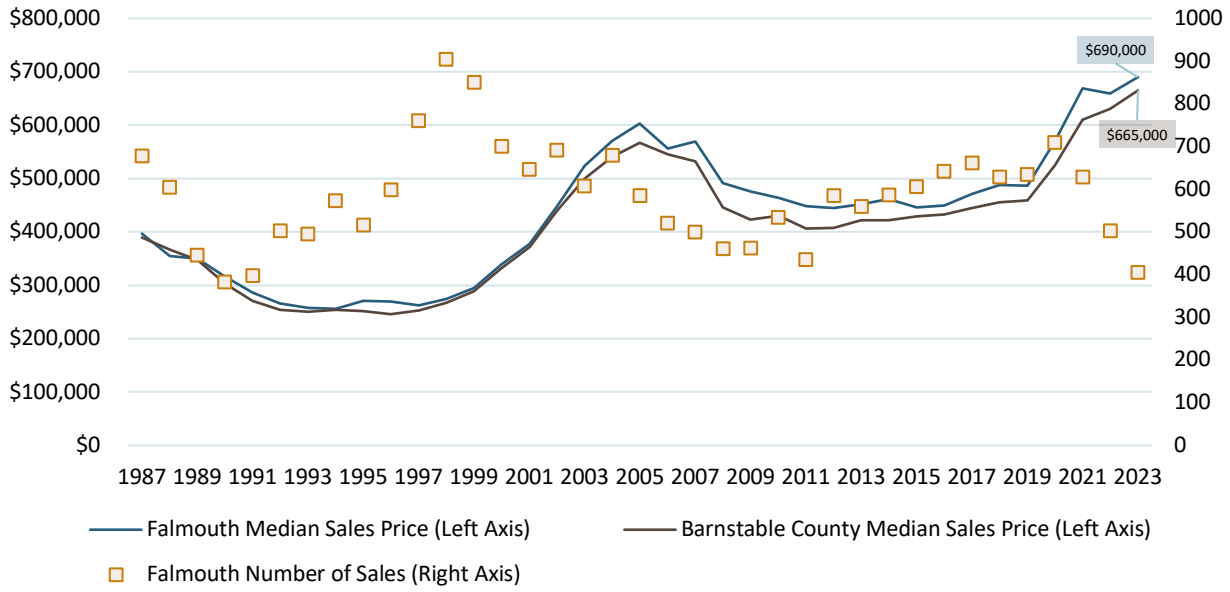
Two of the most recently permitted affordable housing developments have been along Main Street: Scranton and Main (48 rental units for seniors) and Lyberty Green (104 rental units). The Town is also currently considering 71-unit workforce housing project on Main Street, as well as a 300-unit 40B for 375 Sandwich Road. If permitted, the latter project alone would bring Falmouth to its 10 percent goal under Chapter 40B.

Housing Sales Prices

Across the nation home prices rapidly increased in 2020 as a result of the COVID-19 pandemic. As Figure 28 shows, this trend is continuing despite the fact that the number of sales decreased after 2020, a market factor that usually helps bring prices down. The biggest price surge occurred in 2020 and 2021, after which the rise in median sale prices both in Falmouth and Barnstable County has somewhat slowed.

[52] Town of Falmouth Inspectional Services, October 20, 2023.

Figure 28. Median Sales Price for Single Family Homes: Falmouth and Barnstable County (Inflation Adjusted)
Source: Banker & Tradesman and Barrett Planning Group



Cost of Rent

Market rate rent prices are harder to quantify because the estimated median gross rent provided in the American Community Survey also factors in subsidized rents, such as those paid by tenants of Falmouth Housing Authority properties or users of Housing Choice Vouchers. This can significantly pull the median down and necessitates further market analysis. However, conducting such a market analysis is challenging in a community with very few rental listings at any given time. Table 25 pulls these data sources together, showing Falmouth's estimated median gross rent, as well as median rents for rental listings within the past two years – with a caveat that these numbers are based on a very small sample size.

Table 25. Falmouth Rents by Bedroom

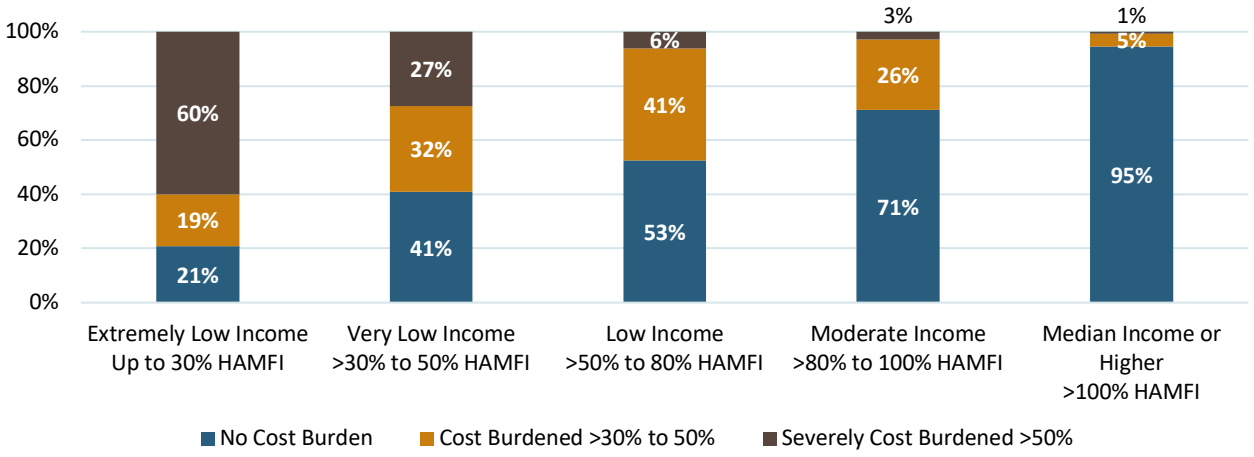
Bedrooms	Barnstable County Fair Market Rent (2024) (Source: HUD)	Median Gross Rent (Source: ACS 2018-2022 5-Year Estimates, B25031)	Falmouth Rent Survey, Past 24 Months (Source: Rentometer)	
			Median Rent	Sample Size
1-bedroom	$1,585	$864	$1,575	8
2-bedroom	$2,082	$1,664	$1,770	14
3-bedroom	$2,541	$1,654	$2,425	4
4-bedroom	$2,897	$2,307	Insufficient Data	Insufficient Data

Housing Affordability

Housing Cost Burden

One metric for understanding housing affordability is **housing cost burden**. The U.S. Department of Housing and Urban Development (HUD) defines cost-burdened households as those paying more than 30 percent of their income toward housing costs, and severely cost-burdened households as those paying more than 50 percent. Cost-burdened households have fewer funds left over for other expenses such as food, transportation, clothing, childcare, and medical care. This strain makes it difficult for these households to "get ahead" financially as they struggle to meet these necessities, let alone establish savings. In Falmouth, an estimated 33 percent of all households are cost-burdened, which is on par with Barnstable County (33 percent) and Massachusetts (32 percent).[53] Figure 29 displays the level of cost burden for households at different income levels using the Household Area Median Family Income (HAMFI, also abbreviated AMI for Area Median Income). While there is need at all levels, the lower income households are much more likely to be cost-burdened than households earning the median or higher. That said, there is still substantial need at levels over 80 percent AMI, and these households are not eligible for subsidized housing designated for households earning 80 percent AMI or less.

Figure 29. Cost Burden by Income Level for Falmouth Households
Source: CHAS 2016-2020



Cost Burden and Household Types

For the development of CHAS data, HUD defines household types as follows:

- Elderly family: two people in family, at least one householder age 62 or older
- Small family: two people in family, neither age 62 or older; or three to four people in family
- Large family: five or more people in family
- Elderly non-family: generally adults age 62 or older living alone or within a nonfamily household
- Other household type: non-elderly, non-family, such as single persons under age 62 living alone or without roommates.

[53] Comprehensive Housing Affordability Strategy (CHAS) data, 2016-2020.

Elderly family and large family households are the *least* likely to experience severe cost burden, with 6 and 5 percent of these household types severely cost-burdened, respectively. Elderly non-family and other non-family households are the most likely to experience severe cost burden, with an estimated 20 and 18 percent of both household types severely cost burdened, respectively.[54] Because these non-family household types primarily consist of individuals living alone or with non-family roommates, the disproportionate share of nonfamily households experiencing severe cost burden compared to family households is more or less expected.

Cost Burden and Tenure: Owners

An estimated 28 percent of homeowner households in Falmouth experience some degree of cost burden, with 19 percent considered cost-burdened and 10 percent severely cost-burdened (Table 26). While low- and extremely low-income owner households are the most likely to experience cost burden, a significant amount of owner households earning over 80 percent of the HAMFI are also unaffordably housed. These households would not be eligible for most subsidized units in Falmouth due to their income level, yet struggle with housing costs nonetheless.

Table 26. Income by Cost Burden (Owners Only)

Income Level	No Cost Burden	Cost burden > 30%-50%	Cost burden > 50%
Extremely Low Income (Up to 30% HAMFI)	23%	24%	53%
Very Low Income (> 30-50% HAMFI)	44%	30%	26%
Low Income (>50-80% HAMFI)	53%	40%	7%
Moderate Income (>80-100% HAMFI)	73%	24%	4%
Median Income or Higher (>100% HAMFI)	94%	5%	1%
All Incomes	72%	19%	10%

Source: Comprehensive Housing Affordability Strategy (CHAS) data, 2016-2020

Cost Burden and Tenure: Renters

Falmouth renters are more likely to experience cost burden than homeowners, with an estimated 52 percent of renter households in Falmouth experiencing some degree of cost burden (Table 27). The limitations of CHAS data become apparent in the table below, as the sample size shrinks when looking at Falmouth's limited number of renter households at specific income levels (e.g., an estimated zero renter households earning above 100 percent HAMFI). Nonetheless, there are consistent trends across CHAS years – namely, renter households are more likely to experience cost burden, and low-to-moderate income (LMI) renters are much more likely to be severely cost burdened than renters earning over 80 percent HAMFI.[55]

[54] Comprehensive Housing Affordability Strategy (CHAS) data, 2016-2020, Table 7

[55] Based upon CHAS 2006-2010, 2011-2015, 2016-2020.

Table 27. Income by Cost Burden (Renters Only)*			
Income Level	**No Cost Burden**	**Cost burden > 30%-50%**	**Cost burden > 50%**
Extremely Low Income (Up to 30% HAMFI)	20%	14%	65%
Very Low Income (> 30-50% HAMFI)	30%	39%	31%
Low Income (>50-80% HAMFI)	50%	46%	4%
Moderate Income (>80-100% HAMFI)	66%	34%	0%
Median Income or Higher (>100% HAMFI)	N/A	N/A	N/A
All Incomes	48%	23%	28%

Source: Comprehensive Housing Affordability Strategy (CHAS) data, 2016-2020
**Any 0- or 100-percent figure is unlikely due to margin of error and small sample size.*

Housing Affordability Gap

Another method for understanding housing affordability is the **affordability gap**, which is the difference between a home's purchase price or rent and what a household can afford. Based on Falmouth's current property tax rate and industry standards for housing affordability, mortgage terms, insurance rates, and other factors, households earning the HUD-defined Area Median Family Income (HAMFI, $124,300) could not afford a single-family home in Falmouth at the current median sales price, as shown in Table 28.[56] To afford a home at the median sales price for single family homes, a household would need an income of over $200,000.

Table 28. Maximum Single-Family Home Affordability Based on Area Median Income	
2023 Falmouth SF Median Sales Price	$690,000
Max. Affordability at HAMFI ($124,300)	$423,496
Affordability Gap	**$266,504**
Sources: Banker & Tradesman Town Stats; 2023 HAMFI (HUD); Barrett Planning Group	

For renters, a household renting a 2-bedroom unit at Falmouth's estimated median gross rent ($1,664) plus utilities should have a household income of approximately $77,160 to avoid housing cost burden, yet the estimated median household income of renter households in Falmouth is $34,538.[57,58] This represents an income gap of over $42,600. While this appears to be a dramatic affordability gap, it is important to remember some data limitations:

- Median household income for renters does not distinguish household size. In Falmouth, the majority of renters (52 percent) are one-person households and therefore would not need a two-bedroom unit.[59]

[56] Assumes total mortgage of approximately $402,321 and 5 percent down payment; applies Falmouth's FY2024 residential tax rate of 6.28 and current Freddie Mac weekly average mortgage rate 6.60 percent (Jan 18 2024).

[57] ACS 5-Year Estimates, 2017-2021, Table B25119.

[58] Calculation assumes household does not spend more than 30 percent of income on rent and utilities (heat, electricity, hot water; communication such as Internet and phone not included). Utility allowance of $385 determined by averaging figures from Housing Assistance Corporation's 2022 utility allowances for a 2-bedroom unit in a larger multifamily apartment. See utility allowances for the region here: https://www.mass.gov/info-details/2023-regional-section-8-utility-allowances#housing-assistance-corporation-(hac)

[59] US Census Bureau, 2020 Decennial Census, Table H13

- Median household income and median gross rent do not account for whether a household is living in a subsidized unit.
- The market analysis in Table 25 above was based on a very small sample size of fourteen units over a two-year period.

Nonetheless, based on the renter cost burden levels described above, many renter households undoubtedly face significant affordability gaps.

Table 29. Renter Affordability Gap	
Median Household Income, Falmouth Renter Households	$34,538
Maximum Affordable Housing Costs (Rent + Utilities)	$863
Estimated Utility Allowance, 2-BR[60]	$265
Maximum Affordable Rent at Median Renter Income	**$598**
Median Gross Rent, 2-BR in Falmouth	$1,664
Fair Market Rent, 2-BR, Barnstable County	$1,553
Median Rent, 1-BR in Falmouth (Sample Size: 14)	$1,770

Sources: Falmouth Housing Authority Utility Allowances; ACS 5-Year Estimates, 2017-2022, Table B25119; HUD Fair Market Rents, 2024; Rentometer 24-Month Rent Survey; Barrett Planning Group

Housing Instability & Homelessness

Eviction Filings & Foreclosures

In January 2024, the Massachusetts Housing Partnership published its Housing Instability Monitor, which provides data on eviction filings and foreclosure petitions by community for the six-month period from May-October 2023.[61] In Falmouth, there were forty-two eviction filings and twelve foreclosure petitions during this time. While these figures are higher than in the other Upper Cape communities, Falmouth also has more households; thus, to provide a more accurate comparison, Table 30 below includes the rate per 1,000 applicable households (i.e., owners with a mortgage or renter households). Falmouth does not have the highest rate for foreclosure petitions or eviction filings by community, although its rate of foreclosure petitions was higher than the Upper Cape and Barnstable County.

Table 30. Foreclosure Petitions and Eviction Filings by Community, May-October 2023

	Foreclosure Petitions	Owner Households w/ Mortgage	Rate per 1,000 Owner Households w/ Mortgage	Eviction Filings	Renter Households	Rate per 1,000 Renter Households
Falmouth	12	6,973	1.72	42	3,669	11.45
Bourne	6	4,213	1.42	20	2,164	9.24
Mashpee	7	3,896	1.80	14	1,087	12.88
Sandwich	5	5,197	0.96	15	1,012	14.82
Upper Cape	30	20,279	1.48	91	7932	11.47
Barnstable County	83	51,714	1.60	301	23,167	12.99

Sources: MHP Housing Stability Monitor; 2020 Decennial Census, Table H4; Barrett Planning Group

[60] Utility allowance based on average of heating sources for apartment buildings, 2-bedroom units, as published by Falmouth Housing Authority. Includes heat, hot water, electricity.

[61] Massachusetts Housing Partnership, "Housing Instability Monitor: Massachusetts Evictions & Foreclosures." Accessed January 2024 at https://www.mhp.net/news/2024/housing-stability-monitor

Homelessness

The Point in Time (PIT) count is conducted on a single night in January each year by the area Continuum of Care (CoC), a regional or local planning body that coordinates funding for housing and services for homeless households. CoCs typically apply annually to the US Department of Housing and Urban Development (HUD) for funding. Massachusetts is divided into twelve CoCs, one of which is the Cape and Islands Continuum of Care. At the time of the 2023 PIT count for the Cape & Islands CoC, there were 427 homeless persons counted, up from 397 in 2022.[62] While Falmouth's count decreased from 44 to 40 from 2022 to 2023, the number of *unsheltered* homeless individuals increased from two in 2022 to ten in 2023. However, Cape Cod service providers have noted that the PIT count significantly underrepresents true homelessness.[63]

During the consultation process for this plan, multiple service providers reported that the "face" of homelessness has shifted in recent years. As little as three years ago, those experiencing homelessness in Falmouth were primarily young adults, often battling substance use disorder or mental health challenges. However, more often providers are now seeing older adults; one shelter provider reported that 60 percent of the people who came to their shelter in the last year were over fifty, and most of those older adults actually over sixty. Additionally, this provider noted that their organization used to assist more men than women seeking shelter, but now the majority are women, virtually all of whom are domestic violence victims. Another provider noted that it is not uncommon for people in their 70s or 80s to seek help because they are about to lose their housing. Providers noted that the most common cause of older adults losing their housing has been landlords selling the rental in which they live.[64]

In terms of families with children, school leadership noted that families may become unhoused in May because they can only find winter rentals that end in the spring and then either "double up" with another family temporarily, camp, or find some other means of shelter. Under the McKinney-Vento Act, school districts must provide services to ensure the continued education of students experiencing homelessness. The Massachusetts Department of Elementary and Secondary Education tracks McKinney-Vento data by district to ensure the enrollment, attendance, and success of homeless youth in each community. Students are entered into the data collection system based on their district enrollment; therefore, students sheltered in the district community but transported back to their school of origin in another district are not included. In 2021-2022, the Falmouth Public Schools counted forty homeless students, up from fifteen the previous year.[65] However, these numbers likely do not reflect actual levels of homelessness because families may not seek assistance, especially those who may have housing for most of the year in a winter rental, but then become unhoused in the spring.[66]

[62] PIT count data by community for 2022 and 2023 provided by Barnstable County HMIS Program Manager Martha Taylor.

[63] Barnstable County HOME Consortium, *HOME-ARP Allocation Plan*, March 2023, p.43. Prepared for Barnstable County by Barrett Planning Group

[64] Consultation interviews conducted by Barrett Planning Group and Horsley Witten Group with assistance from the Town of Falmouth, October 16 and 18, 2023.

[65] Massachusetts Department of Elementary and Secondary Education, McKinney Vento Data, 2020-2021 and 2021-2022. Data provided to Barrett Planning Group September 2022.

[66] Under McKinney-Vento, students who are doubling up with another family or staying in a hotel/motel without a voucher are considered homeless. This definition does not qualify them as homeless for purposes of the PIT count, which explains why the number of homeless youths reported by the school districts is higher than the PIT count. N=

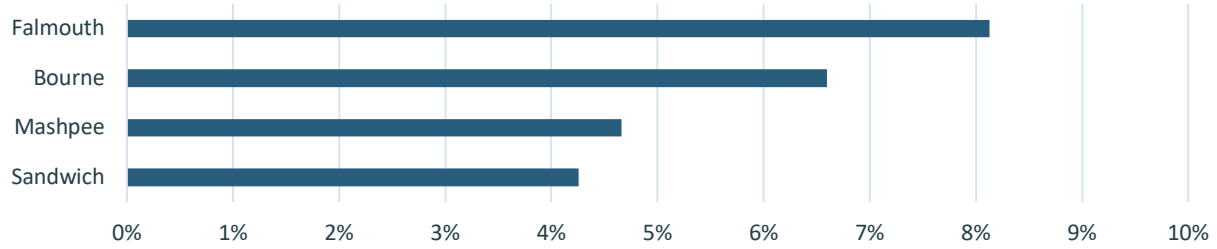
Chapter 40B Subsidized Housing Inventory

Also known as the Comprehensive Permit Law, Chapter 40B of Massachusetts General Law was enacted to provide for a regionally fair distribution of affordable housing for people with low or moderate incomes. Units created under Chapter 40B remain affordable over time because a deed restriction limits resale prices and rents for many years, if not in perpetuity. The law establishes a statewide goal that at least 10 percent of the housing units in every municipality will be deed restricted affordable housing to ensure that all communities meet the "regional fair share" of low- or moderate-income housing. Other options for measuring "fair share" include a general land area minimum and an annual land disturbance standard.[67]

Chapter 40B authorizes the Zoning Board of Appeals (ZBA) to grant a comprehensive permit to pre-qualified developers to build affordable housing.[68] A comprehensive permit covers all the approvals required under local bylaws and regulations, streamlining the application process. Under Chapter 40B, the ZBA can waive local requirements and (a) approve, (b) conditionally approve, or (c) deny a comprehensive permit; however, developers may appeal to the state Housing Appeals Committee (HAC) if their application has been denied in a community that does not meet one of the three statutory determinants of "consistent with local needs." During its deliberations, the ZBA must balance the regional need for affordable housing against valid local concerns such as public health and safety, environmental resources, traffic, or design. Nonetheless, Chapter 40B tips the balance in favor of housing needs in towns that do not meet one the three statutory tests. In addition, ZBAs cannot subject a comprehensive permit project to requirements that "by right" developments do not have to meet.

The 10 percent statutory minimum is based on the total number of year-round housing units in the most recent decennial census. In seasonal communities the number of year-round housing units is significantly lower than the total housing unit count. In Falmouth the 10 percent minimum is currently 1,591 units and is based upon the 2020 Census year-round housing count for Falmouth (15,903). At 8.13 percent, Falmouth currently falls short of the 10 percent minimum, but is closer to achieving this goal than its Upper Cape neighbors (Figure 30).

Figure 30. Subsidized Housing Inventory in Upper Cape Communities
Source: Executive Office of Housing and Livable Communities



[67] The general land area minimum applies if SHI-eligible units have been developed on sites comprising 1.5 percent or more of the total land area zoned for residential, commercial, or industrial use; the annual land disturbance threshold applies if a comprehensive permit application would lead to the construction of SHI-eligible units on sites comprising more than 0.3 percent of the total land area zoned for residential, commercial, or industrial use or ten acres – whichever is greater – in one calendar year.

[68] A "pre-qualified developer" has obtained a "Project Eligibility" letter from a state housing agency.

The Appendix of this plan includes Table A-1, which lists all of Falmouth's SHI units. Below is a list of some key points:

- The seventy projects included on Falmouth's SHI provide a total of 1,293 units.
- To meet the 10 percent standard, the Town would need an additional 298 units based on its current SHI.
- Approximately 87 percent of these units (1,130) are rentals, 12 percent (153) are ownership units, and 1 percent (10) are a mix.
- While the number of rental units far exceeds the number of ownership units, the number of *projects* is fairly equal – 33 ownership projects and 35 rental projects. This is in part because under 40B, only 25 percent of units need to meet affordability requirements, all of the units in a rental development count on the SHI, whereas for ownership development, only the deed-restricted units count.
- The affordability of most units on Falmouth's SHI is protected in perpetuity, but 217 units in eight projects have deed restrictions that will eventually expire. In particular, the deed restriction for the Fairwinds Apartments, which provides twenty rental units, expires in 2027, and Longshank's twenty-two ownership will expire shortly after in 2030.
- As of the publication of this plan, two projects have completed regulatory review and are included in the Table A-1 in the Appendix of this plan as "anticipated units" potentially adding fifteen rental units and twelve ownership units.

Challenges to Producing Affordable Housing

The Town of Falmouth, along with all the communities of Cape Cod, continues to face serious challenges in creating enough affordable housing units to meet the state's 10 percent affordable housing goal, let alone the unmet housing needs of its residents. Pressures on the regional housing market were serious in 2018 when this plan was last adopted. The challenges identified in that plan remain valid, and many have only intensified in the past five years. This section reiterates these challenges and explores options for mitigating them.

INFRASTRUCTURE

Lack of infrastructure continues to be a major constraint to new housing development, Town sewer services in particular. The reliance on septic systems throughout most of town, and on wells in some other areas, will continue to significantly restrict development. This is most problematic in some mixed-use/commercial areas that could otherwise support a wider range of residential and commercial opportunities in Falmouth.

Sewer Services

The Town has very limited municipal sewer services, currently restricted to only about 11 percent of all developed properties. Consequently, most properties must rely on on-site septic systems that can contribute nitrogen into the groundwater. Nitrogen-loading affects the community's drinking water and is a serious threat to surface water as well, particularly environmentally sensitive salt ponds and estuaries. Areas served by sewer services include portions of Woods Hole, Main Street, Davis Straits, and Surf Drive (See Map 9).

New technologies are currently being developed that can treat wastewater from single family homes and other lower flow systems regulated under Title 5 to water quality levels meeting the wastewater treatment plant standards. These technologies could be used to further expand the allowable loading on a property beyond what is currently allowed under Title 5 (440 gallons per day of wastewater per acre in nitrogen sensitive areas).

The Town's Wastewater Treatment Facility is on Blacksmith Shop Road, east of Route 28 and north of Brick Kiln Road. This facility improved upon a previous one that was not designed for nitrogen removal and negatively impacted water quality in West Falmouth Harbor. Because of its northern and uphill location, Falmouth's system must integrate substantial pumping capacity, making the system more expensive to operate. Nevertheless, the upgraded facility has significantly expanded Falmouth's treatment capacity and improved water quality.

Regulations regarding septic systems have long served as a control on development, including Title 5 requirements as well as overlay districts in the Zoning Bylaw. When sewer services are introduced, these limitations on development are less pertinent and consequently the Town imposed a "Flow Neutral" bylaw applicable within the service area of the Wastewater Treatment Facility to control the replacement of modest structures with larger homes and multi-family development. This zoning has consequently regulated and restricted redevelopment efforts. If a development is likely to increase flow by ten percent or greater, a public hearing for a variance is required before the Board of Health and the Wastewater Supervisor must ensure there is flow capacity to accommodate the development. The Town's Wastewater Supervisor works closely with the Town's planning staff to identify expected development and

redevelopment opportunities within the sewered area of town in order to account for them in the Town's discharge permit.

Various options have been under discussion to address future capacity needs, and the Town's Water Quality Management Committee has initiated testing on some innovative approaches that use alternative technology. Currently, the preferred approach of the Water Quality Management Committee is two phased. First, a Town Meeting Article is proposed to expand the sewer system in the Teaticket/Acapesket area, including the expansion of two discharge sites at the wastewater treatment facility. This expansion is projected to reduce overall nitrogen loading in Falmouth's estuaries. Second, the Town is pursuing a longer-term project to develop an ocean outfall in Vineyard Sound. Once completed, this would eliminate the land-based discharges and serve as the sole point of discharge for the Wastewater Treatment Facility. The water coming out of the outfall pipe will be highly treated, with most of the nitrogen removed at the Wastewater Treatment Facility before being discharged into Vineyard Sound.

The permitting and construction timeline for the ocean outfall could last many years. In the meantime, this Housing Production Plan recommends that affordable housing development should become a major priority for any additional public sewer connections.

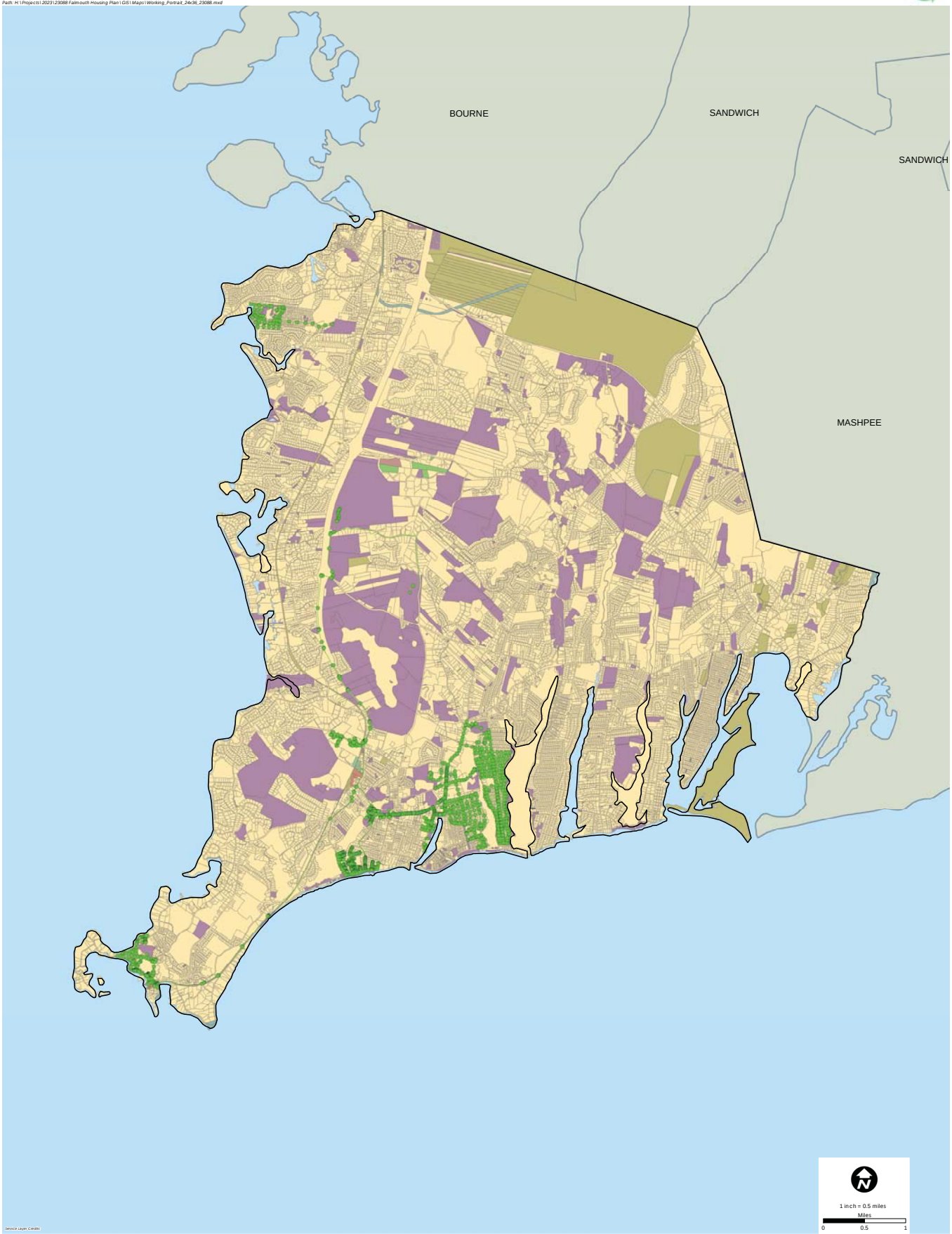
It should also be noted that an issue related to required denitrification systems has been raised as a major challenge to new development. Such systems may be required in a DEP Zone II when increasing flow (increasing the number of bedrooms) under Title 5. Increases in the bedroom count in the Coastal Pond Overlay District currently do not trigger denitrification requirements except for the accessory apartment bylaw. In addition, the Board of Health may require denitrification system installation within this area as part of the Mixed Residential and Commercial Overlay District (see more on this under Zoning below).

Mitigation Measures: Sewer

The Town has prepared and is implementing a Comprehensive Wastewater Management Plan and is planning for the next phases of wastewater system development, as described above, as it recognizes the need for the development of new infrastructure to facilitate growth in an environmentally responsible way.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\Working_Portrait_24x36_23088.mxd



Date: 10/31/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

Town Boundary
Parcels
SewerMains
SewerNodes
Public Owned Land
COMMONWEALTH OF MASS
FALMOUTH TOWN OF
NEW BEDFORD-WOODS HOLE
UNITED STATES OF AMERICA
WOODS HOLE MARTHAS VINEYARD
WOODS HOLE MARTHAS VINEYARD NANTUCKET STEAMSHIP AUTH
WOODS HOLE MARTHAS VINEYARD STEAMSHIP AUTHORITY

Sewer Mains and Publicly Owned Land

Housing Production Plan
Falmouth, Massachusetts

Map 9
Sewer Mains and Publicly Owned Land

ZONING

Falmouth's zoning by-law controls the use of land, including the patterns of housing development. Typically, suburban and rural Massachusetts communities embrace large-lot subdivisions to maintain low housing densities, severely constraining the construction of affordable housing. Falmouth is no exception with minimum lot size requirements generally ranging from 40,000 and 80,000 square feet as shown in Table 31. Moreover, until recently, there were no areas of town where multi-family housing can be built as-of-right. However, this changed with the adoption of the Mixed Residential and Commercial Overlay District (MRCOD), which allows multi-family residential (capped at a certain density) and mixed-use development by right. In addition, multi-family dwellings of up to six units per acre may be built only by special permit in the Industrial and Business Zoning Districts. Outside these areas, however, even the construction of a two-family house or semi-detached single-family home often requires a special permit if allowed at all. Large-lot zoning, while minimizing some environmental impacts, has also led to a pattern of low-density, sprawling development, and a lack of housing options.

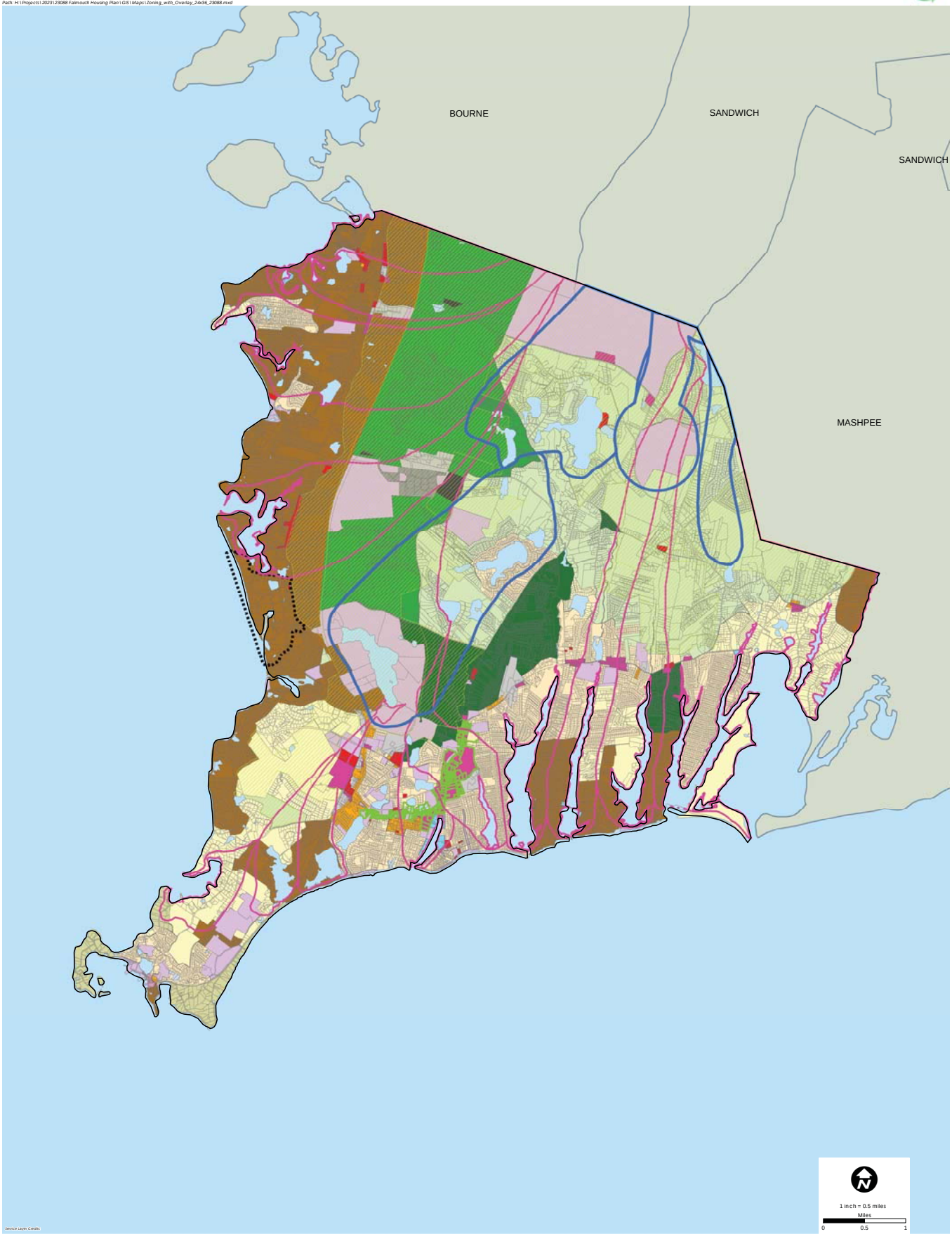
Table 31: Summary of Dimensional Requirements of Zoning Districts District

District	Required Lot Area	Minimum Frontage	By-right Residential Uses
Single Residence AA	80,000 sq. ft.	150 feet	Single-family detached
Single Residence A	45,000 sq. ft.	100 feet	
Single Residence B	40,000 sq. ft.	100 feet	
Single Residence C	40,000 sq. ft.	100 feet	
General Residence	20,000 sq. ft.	100 feet	Single-family detached, 2-family and semi-detached
Public Use	45,000 sq. ft.	100 feet	Single-family detached, 2-family, semi-detached, and elderly housing**
Agricultural AA	80,000 sq. ft.	150 feet	Single-family detached
Agricultural A	45,000 sq. ft.	100 feet	
Agricultural B	40,000 sq. ft.	100 feet	
Marine	20,000 sq. ft.	100 feet	None
Business 1			Single-family detached, 2-family, semi-detached, and elderly housing**
Business 2	40,000 sq. ft.	200 feet	
Business 3*			
Light Industrial A	40,000 sq. ft.	100 feet	None
Light Industrial B	80,000 sq. ft.	100 feet	
Light Industrial C	40,000 sq. ft.	100 feet	
Water Resource Overlay	80,000 sq. ft.	150 feet	Single-family detached
Senior Care Retirement District	45,000 sq. ft.	100 feet	Single-family detached or housing for the elderly**
Mixed Residential and Commercial Overlay District (MRCOD)	Per underlying zoning	Per underlying zoning	Mixed use development, Residential multi-family dwelling units with density up to 20 units per 40,000 square feet of upland

Source: Town of Falmouth Zoning Bylaw. *Requirements are those of the nearest Single Residence, General Residence or Agricultural District, whichever is closest. ** Requirements for public or non-profit housing for the elderly include a density limit of no more than six units per acre.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\Zoning_with_Overlay_24x36_23088.mxd



Service Layer Credits:

Date: 10/30/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- Parcels
- Town Boundary
- Water Resourse Protection District
- Wildlife Corridor Overaly
- Mixed Residential and Commercial Overlay
- DCPC
- Coastal Pond Overlay

Zoning

- Agricultural A
- Agricultural AA
- Agricultural B
- Business 1
- Business 2
- Business 3
- Business Redevelopment
- General Residence
- Light Industrial A
- Light Industrial B
- Light Industrial C
- Marine
- Public Use
- Single Residence A
- Single Residence AA
- Single Residence B
- Single Residence C
- Senior Care Retirement

Existing Zoning Districts

Housing Production Plan
Falmouth, Massachusetts

Map 10
Existing Zoning Districts

Mitigation Measures: Zoning

The Town has adopted the following provisions in its Zoning By-law that are relevant to the issue of housing affordability and/or diversity:

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

The MRCOD encompasses the "greater downtown" area of Falmouth, stretching along Main Street, Davis Straits, and Teaticket Highway, which is primed to support greater residential density. Affordability requirements within the overlay include 25 percent for residential rentals and 50 percent for residential ownership units. While the dimensional requirements of the underlying zoning districts generally apply, the MRCOD reduces the minimum lot size to 10,000 square feet and allows the Planning Board to reduce other requirements related to bulk and parking. In addition, by right density for multi-family residential is capped at 20 units per 40,000 square feet of upland.

The adoption of the MRCOD is arguably the most notable zoning success in the past five years for increasing housing affordability and diversity in Falmouth.

Davis Straits District has been drafted but not yet adopted. It covers the Davis Straits corridor, running from the east end of downtown up to Worcester Court/Jones Road. The intention is to allow for a more walkable, mixed-use environment with a variety of housing. The Davis Straits District is designed to work in tandem with the MRCOD. Multi-family housing would be allowed by right in the Davis Straits District and would be subject to the affordability requirements of the MRCOD. In addition, multi-family residential in the Davis Straits District would not be subject to the residential density cap of the MRCOD.

Senior Care Retirement District (SCRC) allows for alternative housing for senior citizens in a setting that provides them with personal and health-related services and programs and allows for their maximum independence. The SCRC can contain one or more residential buildings for persons 62 years of age or older under a variety of conditions. A density bonus may be granted up to a total of eight units per acre (from six per acre) if the applicant provides at least 15 percent of the units as affordable and one or more of the following: tertiary treatment that achieves an annual average nitrogen reduction to a level of nine mg/l or less, the application results in no net increase in nitrogen loading, or the SCRC is tied into the municipal sewer system. While this is a positive opportunity for housing diversity and affordability, to date it has never been used. Some of the requirements may serve as barriers. For example . . .

- Minimum area of 15 acres.
- At least 65 percent of the area must be set-aside as open space (although some of this may be located off-site at the discretion of the Planning Board).

- The Planning Board must find that the overall impacts in terms of traffic, wastewater issues and fiscal impacts will be no greater than those associated with other uses allowed by-right or by special permit within Single Residence or Agricultural Zoning Districts. This would seem to be a particularly challenging hurdle, and quite expensive if technically achievable.

Planned Residential Development (PRD) is allowed through a special permit process to promote new housing development through smart growth principles that combine clusters of housing with tracts of open space as an alternative to the traditional subdivision grid that promotes sprawl. Major requirements of this zoning as it relates to housing diversity include:

- Multi-family housing is limited to detached structures of no more than four units.
- When multi-family housing is proposed, the parcel must include at least 10 acres in the more rural zoning districts and 5 acres in denser districts.
- A density bonus may be offered to increase the number of units by 20 percent to a maximum of four additional units if the proposed development includes certain types of open space.
- Minimum lot dimensions and yard requirements are less than those required in the underlying zoning.
- Minimum open space is 65 percent of the lot area for multi-family dwellings, versus just 40-50 percent for single-family units.

While PRDs are a good tool for land conservation and smart growth, they do not directly assist with housing affordability and only marginally assist with housing diversity. There is no direct mechanism for providing affordable housing through a PRD, however, an Affordable Housing Development (see below) is basically held to the same standards as a PRD. In addition, multi-family housing development is not a very attractive option in a PRD. They require very large parcel areas and proportionally more open space set asides, while being capped at no more than four units per building. The most recent PRD in Falmouth was approved in 2017.

Affordable Housing Development was adopted to encourage housing for persons who have lived and worked in Falmouth and who have been unable to obtain suitable housing at a reasonable price, not only to help support such people but to maintain a stable economy by preventing the outmigration of low-income groups who provide essential services. Through this bylaw, the Planning Board may issue a special permit that allows an increase in density through a partial waiver of dimensional requirements, and which conforms to Planned Residential Development requirements, if the bonus units can be sold at prices significantly lower than their market value. The Board may also waive certain design standards required by the Town's Subdivision Regulations or permit a transfer of developments rights.

The Planning Board negotiates the number of bonus affordable units but the maximum density increase must be no more than 25 percent greater than that allowed under a standard subdivision. Additionally, these bonus units are prohibited in the Water Resource Protection Districts.

This is potentially a good mechanism for affordable housing creation, serving as a voluntary "inclusionary zoning." The Town should identify places where it wants developers to propose affordable housing opportunities to better use this bylaw. The Town may consider offering greater incentives in areas where greater density and affordability are desired.

Transfer of Development Rights (TDR) was adopted to allow a property owner to transfer a portion or all of the development rights on a 'donor lot' to a 'receiving district' in a different location and different Zoning District. Owners of donor lots must record a covenant that prohibits the construction or placement of any structure on the property. Receiving districts are eligible to accept donor lots based on a specific schedule and formula provided in the bylaw and can then build the extra density that was "transferred" from the donor lot.

TDR is another tool for land conservation and smart growth that does not assist with affordability. The process is complex and only applies to larger areas of several acres or more. According to Town staff, TDR has not been utilized in over 20 years, but is currently being evaluated for ways it can be amended to be more effective. As this bylaw is evaluated, the Town should explore options for incorporating affordable housing into receiving districts.

Accessory Apartment Bylaw allows the creation of accessory apartments, also known as accessory dwelling units (ADUs), by special permit in the Single Residence Districts and Agricultural Districts. The original version of this bylaw produced very few ADUs. However, since the last update to the Housing Production Plan, the Town has adopted amendments to its Accessory Apartment Bylaw which have greatly increased its use. Most notably, ADUs are no longer required to be affordable. This former requirement was a turn off for most residents who wanted to use their ADUs as they thought fit and not as deed restricted affordable housing. This is a very common tension in ADU bylaws. Most successful ADU bylaws are more about increasing housing diversity than increasing deed restricted affordable housing. That said, ADUs do tend to produce more naturally affordable rental housing and fill a need for housing types. Anecdotally, many illegal ADUs were constructed prior to the amendments, demonstrating the high demand for such housing. In this sense, the recent amendments to the Accessory Apartment Bylaw have been a success – producing more housing diversity that is clearly needed in the community.

Inclusionary Zoning is limited to the small General Residence Zoning District, allowing triplexes to be constructed by-right if one of the units is deed restricted as affordable. There are also some inclusionary provisions in the Senior Care Retirement District as part of density bonuses. None of these bylaws have produced any affordable units to date, however.

As noted above, the Affordable Housing Development bylaw acts as a sort of voluntary inclusionary zoning. Generally speaking, though, the most successful inclusionary zoning programs are mandatory and are more broadly applicable. The Mixed Residential and Commercial Overlay District (MRCOD) is a good example of employing inclusionary zoning more broadly, and in time the Town is hopeful it will produce many affordable units. If the MRCOD is successful, the town may consider expanding its inclusionary zoning standards to other parts of town or to standard subdivisions of a certain size.

Conversion of Existing Homes is enabled in zoning for single-family homes that were built before 1980 to be converted to a maximum of four units by special permit in the Single Residence, General Residence, Public Use and Business Districts. While this does not create deed restricted affordable units, it can be a mechanism for producing more naturally affordable rental or ownership (condo) homes. The Town may consider opening this option to more existing single-family homes, either based on date of construction (as it currently is) or on location, lot size, etc.

The 2018 Housing Production Plan noted that in spite of several zoning tools for housing diversity and

affordability, very few of them were being successfully utilized. Since then, the adoption of the MRCOD and the amendments to the Accessory Apartment Bylaw bode well for increases in both affordable housing and ADUs. Adjustments to other zoning tools can help further this progress.

ENVIRONMENTAL CONCERNS

Falmouth has an abundant amount of open space and recreational resources that have been the foundation of its tourism industry and prized by residents. The Town also understands the importance of preserving wildlife habitats and indigenous vegetation. As a result, the Town has made a significant commitment to land conservation, owning nearly 5,000 acres of the community's land area, well over half of which is protected for conservation purposes. The state also owns over 2,000 acres of land with the vast majority protected in perpetuity. There are also several hundred acres of privately-owned land that have been voluntarily protected by conservation restrictions.

Cape Cod involves a complex and sensitive mix of environmental characteristics including substantial coastal and freshwater resources. Additionally, the Cape Cod aquifer, which supplies fresh water to the entire Cape, has been designated as a "sole source aquifer" by the Environmental Protection Agency (EPA) in recognition of its hydrogeological importance. Other important water resources include:

Sagamore Lens is a vital part of the aquifer which lies under the towns of Sandwich, Bourne, Mashpee, Barnstable, and Falmouth. The groundwater flows south and southeast from the top of the lens in Bourne, passing through Falmouth before reaching the ocean. As it has been easily contaminated, the Town has worked closely with neighboring towns to protect the quality of its groundwater.

Buzzards Bay is another regional water resource shared by thirteen Cape communities. Falmouth has participated in regional efforts to protect and improve its waters including the Buzzards Bay Action Committee, a non-profit alliance of officials from the thirteen towns, and the Buzzards Bay Project, a regional agency established under the federal National Estuaries Program.

The Waquoit Bay estuarine complex is another sensitive water resource that Falmouth shares with Mashpee. The state has designated it as an Area of Critical Environmental Concern (ACEC) and both communities have consequently adopted water resource overlay districts to protect its health.

Threatened and Endangered Species: There are also several wildlife and vegetative species in Falmouth that have been identified by the state and/or federal government as being threatened with extinction or are endangered. For example, the Piping Plover and Shortnose Sturgeon are both identified as endangered, and the Short-beaked Bald-rush as threatened. Concerning vegetation, the Fibrous Baldderwort, Purple Cudweed, and Sandplain Gerardia are endangered. The state lists many more animal and plant species as rare.

Water Supply: Water supply is a renewable but sensitive resource, with groundwater aquifer levels fluctuating throughout the year based on demand and the amount of rainfall. Maintaining a healthy and adequate water supply is a major priority for the Town, and studies are currently being conducted to better understand the capacity of the Town's aquifers and how best to conserve water during times of high demand and drought. Water supply is obviously a significant consideration for future development of any kind.

Mitigation Measures: Environmental Concerns

In addition to efforts to remedy limited sewer services, as discussed above, the Town has adopted several measures to protect the environment. For example, the community has thousands of acres of protected land and has also adopted critical zoning overlay districts to better control development including the Water Resource Protection District, Wildlife Corridor Overlay District, and Coastal Pond Overlay District. It has also established a Planned Residential Development bylaw (discussed above under Zoning) to promote the clustering of new development with the preservation of open space. The Town also received approval from the Barnstable County Assembly of Delegates to designate the Black Beach – Great Sippewissett Marsh District as a District of Critical Planning Concern (DCPC) which will increase protection of the barrier beach, dune, and salt marsh system and control flooding.

Another notable local environmental conservation effort is the 300 Committee that was created as the Town celebrated its 300th year. This entity was introduced as a non-profit land trust dedicated to preserving at least 300 acres of open space, which has now grown to well over 1,000 acres.

This amount of preserved open space puts more intense development pressures on still undeveloped but not protected areas of town. As Falmouth moves closer to build-out, these pressures will only intensify. Additionally, regulations to protect the environment (e.g., wetlands, aquifers, septic systems), while essential, constrain new building activity as currently allowed under zoning, further reducing the amount of buildable land and increasing the time and costs of new development. Any new development, including affordable housing initiatives, will have to be sensitive to environmental constraints and regulations.

PROPERTY COSTS AND AVAILABILITY

This Housing Production Plan documents housing trends that point towards rising costs and more limited year-round housing availability as summarized below:

Limited Land Available for Housing Development

The Town's Open Space and Recreation Plan, prepared in June 2014, indicates that the amount of vacant, developable, and residentially zoned land decreased by almost 9 percent between 1994 and 2013, and the Plan states, "Therefore more than half of the developable residential land was allocated to a use other than single-family housing. Much of this land was acquired as open space, including golf courses and conservation land, or developed as multi-family housing under Chapter 40B."[69] Most prime properties have been developed, and there are fewer parcels available that do not involve development restrictions or environmental issues, such as wetlands or Title 5 challenges. This was true in 2018 and is truer than ever today. It is now more challenging than ever to locate development opportunities for affordable housing. Sewer capacity issues, as noted above, also substantially limit land availability for new development.

Large-lot zoning of generally about one acre and two acres in some areas contributes to the high cost of land and a significant deterrent to the creation of affordable housing.

High Cost of Land and Homes

Property costs continue to rise, driven largely by higher income retirees and second homeowners as well as the seasonal housing market. This trend was exacerbated by the COVID-19 pandemic, during which

[69] Falmouth Open Space and Recreation Plan, June 2014, page 12.

many second homeowners moved to Falmouth permanently and other people from larger metropolitan areas such as New York and Boston bought up property to escape the city. This has resulted in an imbalance of housing demand and supply that is pricing middle-income and even upper middle-income earning households out of the housing market. For greater data and analysis of housing prices in Falmouth, see the Housing Needs section of this plan. That section shows a median single-family home sales price of $690,000 for Falmouth. During the public engagement process, many people suggested that this number seems low, and with good reason. Even a casual look at homes on the market today suggest that prices continue to rise. For example, the median single-family home price in Falmouth on www.Redfin.com as of August 2023 was a staggering $850,500 versus $400,000 as of April 2018. This would require a household to earn around $193,000 based on 80 percent mortgage financing, or around $210,000 with 5 percent mortgage financing.[70] The median condo price on the same site was $535,000 versus $330,550 in 2018. This would require an income of about $147,000, also with a 20 percent down payment. According to the U.S. Census, in 2022 the median household income in Falmouth was only $89,809, or $101,740 for homeowners. These prices, even for condos, are much higher than a median income-earning household can afford and gaps between what residents can afford, and market prices have widened substantially in the past five years and continue to get worse.

The Housing Needs section of this plan also dives into the data related to housing cost burden, when homeowners (or renters) pay more than 30 percent of their incomes on housing costs. As reported in that section, about one-third of all households in Falmouth are cost burdened. This is true for about 28 percent of all homeowners in Falmouth. It is very important to note that even when the Town achieves 10 percent of its housing units on the SHI, that will be only a drop in the bucket compared with the actual needs of residents. Meeting the Town's housing needs will take far more work than simply hitting the State's 10 percent goal.

Limited and Pricey Rental Housing

The 2022 census estimates indicate that Falmouth had 2,271 year-round rental units, involving a net decrease of 778 such units since 2016. The 2022 census estimates further identify a median gross rent of $1,221 that would require an income of $59,727 based on spending no more than 30 percent of the household's income on rent, including average monthly utility costs of $175. This income level is much higher than the median income of renter households of $34,538. This represents a decline in income since 2016 when the median income of renter households was $37,264, suggesting that renters are struggling even more today. As noted in the Housing Market section of this report, the Falmouth Rent Survey for the past 24 months, as calculated by Rentometer, shows a median rent for a 1-bedroom unit at $1,575, well above the median gross rent estimated by the Census. Even a casual look at rental listings today shows prices much higher than the Census estimate, which includes households in the middle of long-term leases (paying rates likely less than those seeking a lease today would be charged). The bottom line is that market rate rents are highly unaffordable for the average renter household, no matter what data is being referenced.

Housing cost burden is significantly more prevalent in Falmouth's renter households than in owner households, with just over half of renter households experiencing a cost burden. In fact, about 28 percent

[70] Based on interest rate of 6.6 percent, 30-year fixed mortgage term, 2023 property tax rate of $6.28 per thousand, insurance of $6 per thousand for single-family homes, and $4 per thousand for condos, $250 monthly condo fees, the purchaser spending 30 percent of income on housing cost. For 5 percent financing, assumes Private Mortgage Insurance (PMI) of $7.6 per thousand.

of renters experience severe cost burden, paying more than half of their income on housing costs. Meeting the Town's needs for affordable, year-round rental housing will be an even greater challenge than meeting the needs of homeowners.

Mitigation Measures: Property Costs and Availability

It will be important to guide future development to appropriate locations, maximizing density in some areas, minimizing the effects on the natural environment, and preserving open space corridors and recreational opportunities.

Because of the limited amount of developable property in contrast to expanding need, it is all the more important that the new units that are created help diversify the housing stock and provide greater affordability.

AVAILABILITY OF SUBSIDY FUNDS

On the one hand, the Town has more housing resources available than it has had in the past to promote affordable housing, including Community Preservation funding and the Falmouth Affordable Housing Fund (FAHF). As of fiscal year 2023, over $49 million has been raised through the local Community Preservation surcharge and matched with about $19 million from the state for a total of approximately $68 million. Over $15.6 million of this has been allocated in support of affordable housing initiatives, representing nearly 23 percent of the total since Community Preservation funding started in Falmouth in 2006. This includes all Community Preservation funded projects (Habitat for Humanity projects, etc.) and all allocations to the FAHF. Consequently, the FAHF has successfully been used to purchase deed restrictions from developers, keeping homes affordable in perpetuity.

On the other hand, subsidy funds remain limited. For example, unlike most cities, Falmouth does not receive an annual allocation of federal Community Development Block Grant (CDBG) or HOME Investment Program funding that provide substantial housing support for a wide range of housing activities. HOME funding is available by application from the Barnstable County HOME Consortium for the development of rental housing, rehabilitation loans, and gap financing for homeownership development. Specific down payment and closing cost assistance for first-time homebuyers, administered by the Housing Assistance Corporation, has also been funded through HOME.

In regard to state funds, several sponsors of developments in Falmouth (i.e., for profit and non-profit housing developers, Falmouth Housing Authority, sponsors of group homes) have received financing from state programs for affordable housing development and operations. These awards have been essential to ensuring the financial feasibility of the units but remain extremely competitive sources of financial support. Moreover, the Town has access to rental assistance vouchers including 584 managed by the Falmouth Housing Authority (up from 430 in 2018) and another 85 administered by HAC (up from 46 in 2018); however, as noted above, high rents make finding a qualifying unit very challenging given HUD rent limits.

Mitigation Measures: Subsidy Funds

This Housing Plan provides guidance on the use of Community Preservation Funds, the Falmouth Affordable Housing Fund, HOME funding, as well as other state programs that will enable the Town to support the production of new affordable units and leverage other public and private funding sources.

LIMITED PUBLIC TRANSPORTATION

Public transportation is limited in Falmouth as it is throughout the Cape. However, the Cape Cod Regional Transit Authority (CCRTA) provides three bus lines in Falmouth including:

- The **Sea Line** with daily, year-round, fixed-route service from Hyannis to the Woods Hole Steamship Authority, also making stops at the Falmouth Mall, East Falmouth Library and the Peter Pan Bus Depot (on request).
- **Woods Hole Trolley** (WHOOSH) that runs a fixed route during the summer from the Falmouth Mall to Woods Hole.
- **ADA Paratransit** that offers year-round, door-to-door service by appointment, also lift-equipped for people with disabilities.

It should also be noted that the Council on Aging operates van services for seniors. Such limited public transportation is especially challenging for lower income households who are hard-pressed to afford the costs of owning and maintaining a car.

A major transportation issue is the considerable traffic congestion that becomes a hardship for residents during the summer on some of the community's arterial roadways in Falmouth Village, Woods Hole, Teaticket, and East Falmouth. This seasonal problem is not only the result of the significant numbers of vacationers that visit during the summer months, but also ferry service activity through the Steamship Authority station in Woods Hole, the Island Queen station in Falmouth Harbor, and additional visitors to the scientific institutions in Woods Hole. It should be noted that the Woods Hole ferry service requires that a large amount of land be set-aside for parking while generating further traffic congestion with riders bused through the town without opportunities for contributing to the local economy except through a small fee as part of the ticket price.

Mitigation Measures: Limited Public Transportation

Opportunities to direct development to areas that are most conducive to higher densities, in that they are closer to commercial areas and bus routes, may serve to reduce transportation problems somewhat. For example, this Housing Production Plan recommends changing zoning to better promote multi-family and mixed-use development in areas where greater density is appropriate. Such development would reduce the reliance on automobiles, as it will provide housing that is close to goods and services as well as bus routes.

COMMUNITY PERCEPTIONS

Many residents remain concerned about the impacts that new development will have on local services and quality of life. Many also have negative impressions of affordable housing and question whether there is a real need for such development in Falmouth. Of particular concern are issues related to higher density, traffic, and the lack of public transportation. In addition, people have very real concerns about the impacts of further development on the environment, including water quality and quantity. Therefore, local opposition to new affordable units is more the norm than the exception.

On the other hand, given high real estate prices and community outreach on the issue, more people are recognizing that we are truly in a housing crisis. It used to be municipal employees, services workers,

young adults, or elderly neighbors on a fixed income who may not be able to afford to live or remain in the community without some help. Today, even college-educated professional households with two incomes are struggling to find housing. Unless you are fortunate enough to live with a relative or inherit a house, you may be out of luck. More and more people whose presence makes Falmouth the town that it is are no longer able to stay. That is the largest blow to community character.

That said, even people who recognize the housing crisis can balk at specific affordable housing development. It is one thing to support affordable housing in theory, and quite another to support specific projects in specific locations. It is important to understand that the easy choices for affordable housing development are largely gone. Each remaining opportunity comes with a slew of tradeoffs.

Mitigation Measures: Community Perceptions

Ongoing community outreach and education will be necessary to continue to acquaint the community with unmet housing needs and garner local support and ultimately approvals for new and continuing housing initiatives. This Housing Production Plan also offers an excellent opportunity to showcase the issue of affordable housing, providing information to the community on local needs and proactive measures to address them. It will be important to continue to be sensitive to community concerns and provide opportunities for residents to not only obtain accurate information on housing issues, whether they relate to zoning or new development, but also have genuine opportunities for input.

Housing Production Plan Goals & Strategies

Goals

State regulations and EOHLC Housing Production Plan Guidelines describe the required framework for the goals of a Housing Production Plan, directing communities to include both qualitative and quantitative goals based upon community and regional needs.[71] The quantitative goal should plan for an annual increase in SHI-eligible housing units by at least 0.50 percent of its year-round housing count. Communities that meet their annual goal can request a one-year certification of compliance (often referred to as **safe harbor)** with EOHLC, and communities that reach a 1.0 percent target are eligible for a two-year certification of compliance. Achieving this "safe harbor" threshold and receiving a one- or two-year certification allows communities to have a more flexible approach to managing the comprehensive permit process, despite being below the overall 10 percent target for SHI units.[72] In addition, the plan must propose qualitative goals that can help meet the numerical goal and support a mix of developmentally feasible housing types that are affordable at a range of income levels.

GOAL 1

Produce at least 80 units of affordable housing annually, and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B.

To meet the threshold for one-year certification of this plan, Falmouth currently would need to produce **eighty new SHI-eligible affordable housing units** in a given calendar year based upon the 2020 Census year-round housing count, and 160 units for a two-year certification. Meeting this goal would give the Town more control over comprehensive permit applications. If Falmouth achieves this goal each year over the five-year duration of this plan, the Town would meet its 10 percent obligation under Chapter 40B in 2027. However, because the need for affordable and attainable housing is demonstrably greater than ten percent of the Town's year-round housing stock, Goal 1 addresses the Town's continued commitment to creating and preserving affordable housing beyond the threshold under Chapter 40B.

Table 24. Annual Housing Production Goal

	2024	2025	2026	2027	2028	5-Year Overall Goal
Total Year-Round Units (Census 2020)	15,903	15,903	15,903	15,903	15,903	**15,903**
Target Annual SHI Units	80	80	80	80	80	**400**
Revised SHI Count	1,369	1,448	1,528	1,607	1,687	**1,687**
Revised SHI Percent	8.61%	9.11%	9.61%	10.11%	10.61%	**10.61%**
10% Requirement	1,591	1,591	1,591	1,591	1,591	**1,591**
Gap	222	143	63	**-16**	**-96**	**-96**

[71] 760 CMR 56.03(4)(c) and corresponding EOHLC Housing Production Plan Guidelines, October 2020.

[72] If a community is certified compliant, decisions made by the Zoning Board of Appeals to deny a comprehensive permit will be deemed "consistent with local needs" by the Housing Appeals Committee and will be upheld as a matter of law.

GOAL 2

Promote a diversity of housing types targeting different household needs.

With the cost of housing in Falmouth being so high, it makes it very challenging for households like first-time homebuyers to find attainable housing or for senior citizens to continue to stay in their homes. Creating diversity in the housing stock can provide options for folks looking to transition into different housing within Falmouth, as well as those looking to establish roots in community.

GOAL 3

Maximize the number of affordable units included in development on Town-owned land.

As time goes by, there is less land available for development – especially properties owned by the town. Considering that and the current housing crisis, it behooves the town to create as much affordable housing as possible on the land it owns — provided of course, that it respects and mitigates the impact on saltwater and freshwater pond water quality and drinking water demand.

GOAL 4

Prioritize creation of affordable rental units.

Much like creating housing diversity, focusing on providing affordable rental units will be an important part of Falmouth's economic sustainability. Local businesses cannot thrive without a reliable employment base. The workforce associated with local year-round and seasonal employment, along with the younger members of the scientific community in Woods Hole, need affordable, shorter-term housing options, and increased rental opportunities fill this void.

GOAL 5

Work with private developers to ensure community needs for affordable housing are met.

Collaboration on affordable housing projects can be beneficial to both the town and private developers. As the town is not traditionally considered a development organization, and developers may not be tuned into the needs of the community, this partnership approach is another way to produce gains for both parties. Providing the types of housing options in the best locations and at affordable rates can be a winning strategy for the community for years to come.

GOAL 6

Minimize greenfield development by targeting residential development and redevelopment where it already exists.

Where possible, the focus for creating affordable housing in Falmouth should be in complementary locations and on those properties that were previously disturbed. This approach minimizes tree clearing, habitat displacement, and the unnecessary creation of additional stormwater, all while reusing sites that have either been abandoned or are headed in that direction.

GOAL 7

Consider and apply the findings of other planning processes including the Town's Local Comprehensive Plan and the Cape Cod Commission's Regional Housing Strategy.

The Cape Cod Commission's recently released Regional Housing Strategy is an excellent demonstration of how the housing crisis does not acknowledge or respect geographic boundaries — it affects the entire Cape Cod region. Taking a collaborative, holistic planning approach within Falmouth and across the region is key to providing affordable and attainable housing for current and future Cape Cod residents.

Strategies

The following affordable housing development strategies will help Falmouth reach these goals:

REGULATORY STRATEGIES

1. **Establish mechanisms to monitor or regulate Short Term Rentals.** ***(Priority: Year 1)***

   At a minimum, require a more robust local registration process for short term rentals so that the Town can track their locations and better understand their impacts. Be sure short term rental permits are tracked separately from year-round, longer-term rentals.

   Based on analysis of registration data over time, consider putting restrictions or limitations on short term rentals in order to maintain a greater supply of year-round rental housing.

2. **Allow more diverse housing types in more areas.** ***(Priority: Year 2)***

   Currently, two-family dwellings are allowed in the GR district, public use district, and business districts. Three-family dwellings are only allowed in the BR district. Multifamily (no more than 6 units per acre) is allowed by special permit in the business districts and IA district. The vast majority of Falmouth is zoned for single-family residential only.

   Consider allowing up to four-family dwellings in the GR district, public use district, and business districts.

   Consider allowing two-family dwellings or townhouses by right or by special permit within a ½ mile walking radius of some or all commercial and mixed-use zoning (such as downtown and Davis Straits), even where that radius captures properties within single residential or agricultural districts.

3. **Explore regulatory options to encourage the development of smaller "starter homes."** ***(Priority: Year 3)***

   MGL c. 40Y is a relatively new tool for Massachusetts communities to incentivize "starter homes." Communities may adopt a "starter home" district that requires single-family homes be no more than 1,850 square feet, at no less than four units per acre, and that at least 10 percent of units be affordable to households making no more than 110 percent of the area median income (AMI). The state will provide communities with a one-time payment upon adoption of such a district and additional payments for each starter home created in the district. If the details of this program are not attractive to the Town, it may still establish districts where the square footage of new homes is limited. This can also be combined with any amendments to the Town's Inclusionary Zoning standards.

4. **Consider adopting pre-reviewed detached Accessory Dwelling Unit (ADU) plans to eliminate**

regulatory Board review and incentivize more property owners to participate. ***(Priority: Year 3)***

This approach has been used by communities throughout the country for many years, though adoption has not been widespread. The intent is to make the permitting process faster and more predictable for the Town and for applicants. It can also make construction more affordable by eliminating the need for applicants to pay for brand new architectural designs/plans. One tricky issue is design/plan ownership. The Town will need to consider whether it commissions and "owns" designs/plans itself or whether local architects are invited to submit designs/plans they continue to own and license to applicants. Even with pre-reviewed designs/plans, the administrative review process will likely still need time to ensure the application fits in the context of the lot on which it is proposed.

5. **Explore joint initiatives to support the town's seasonal workforce while respecting the need for year-round rental housing.** ***(Priority: Year 3)***

   Consider partnering with a private developer to develop a dormitory with common spaces, a cafeteria, and laundry facilities that can be occupied by seasonal employees over the summer and serve as affordable accommodations for visitors and/or residents in the off season. If this is pursued, the Town would need to define and allow for dormitories as a permitted use in the zoning bylaws.

   Another option would be to explore opportunities with local partner organizations to convert winter emergency shelters to housing for the seasonal workforce over the summer months. The Town might also partner with local churches to provide dormitory style summer accommodations in basements, gathering halls, etc.

6. **Expand inclusionary zoning (IZ) provisions.** ***(Priority: Year 4)***

   Typically, IZ involves requiring a share of affordable units in residential development projects of a certain scale. Currently, IZ is most notably applied in the Mixed Residential Commercial Overlay District (MRCOD). It also applies in the General Residence Zoning District, allowing triplexes to be constructed by-right if one of the units is deed restricted as affordable. However, this latter provision has been used on a very limited basis.

   The Town may consider expanding the use of IZ to other parts of Town. At a minimum, consider applying IZ to new development within the sewered area of Town. IZ could apply to developments of as little as five (5) units or more and the percent of required affordable units could range from 12-15%. The Town should conduct an economic feasibility analysis to see what the market can bear, and whether density bonuses may be required to offset the added costs of providing affordable housing. Given the very strong housing market, however, the market is likely to bear a significant affordability requirement. If the economic analysis comes back very strong, the Town could consider having IZ apply in the non-sewered areas of Town without a density bonus. The Town should consider the existing density bonus standards in Sec. 240-9.2 Affordable Housing Development of the zoning bylaws.

   If IZ is expanded, the Town should explicitly state that it would apply for developments that hit the unit threshold in a Transfer of Development Rights receiving district. In addition, the Town may consider applying IZ to Planned Unit Development. Finally, the Town may also consider rescinding the voluntary Sec. 240-9.2 Affordable Housing Development of the zoning bylaws in lieu of mandatory IZ.

7. **Modify the Transfer of Development Rights (TDR) bylaw by adding additional density bonuses for**

affordable dwellings. *(Priority: Year 5)*

Under the TDR bylaw, density can be "transferred" from areas the Town wants to protect/conserve ("donor districts") to areas where denser development is more appropriate ("receiving districts"). While this policy has been on the books for many years, it is very rarely utilized.

One way to make the TDR option more attractive is to increase the residential density allowed in the receiving districts. The table in Sec. 240-14.7D Credits of the Town's zoning bylaws may be amended. Currently, the assignable credit ranges from 1.2 to 1.4, depending on the underlying zoning districts of the donor and receiving districts. As a start, these could be increased to 1.4 to 1.6. This could help offset the application of inclusionary zoning (IZ) provisions (see more on this below) that would ensure a portion of the increased housing is deed restricted affordable. In addition, the Town can consider decreasing the minimum lot size for a receiving district (currently 2-10 acres depending on the zoning district), in order to make it easier to identify valid receiving districts.

CAPACITY BUILDING STRATEGIES

8. Conduct ongoing community outreach and education regarding affordable housing needs locally and regionally. *(Priority: Year 1)*

The Town should continue to inform residents and local leaders on the issue of affordable housing and specific new initiatives, building support by generating a greater understanding of the benefits of affordable housing while reducing misinformation and dispelling negative stereotypes. These outreach efforts are mutually beneficial as they provide useful information to community residents and important feedback to local leaders on concerns and suggestions.

Partner with and use the resources of neighboring towns and local non-profit organizations such as the Falmouth Housing Corporation, Falmouth Housing Trust, Housing Assistance Corporation, Housing to Protect Cape Cod, and others to develop materials that address the housing needs on Cape Cod and specific to Falmouth, as well as local and regional housing support programs and services. Resources specific to populations with particular needs, such as seniors and people with disabilities, should be called out.

Use every opportunity to feature these materials on the Town's website, on boards or flyers at public buildings such as Town Hall, libraries, community centers, etc., on public access television, and at community events.

Develop a "traveling show" with a presentation and discussion questions based on these materials. Proactively reach out to local organizations and take the "show on the road," speaking at schools, board meetings, church groups, and any other local organizations.

Having at least an annual forum to share information on current housing issues will help foster greater collaboration among Town boards and committees and alert them to opportunities for additional training on affordable housing issues (e.g. programs managed by the Cape Community Housing Partnership, Citizens Housing and Planning Association, Massachusetts Housing Partnership, Executive Office of Housing and Livable Communities, and others). Additionally, inviting residents and other local and regional stakeholders, such as non-profit housing organizations, developers, and the business community, can help foster partnerships and local interest, improve communication, and ultimately better secure community support.

9. Formalize a program to monitor existing deed-restricted housing units and enforce current conditions. *(Priority: Year 1)*

The Barnstable County Department of Human Services is currently developing a pilot Shared Regional Housing Services program. One of the proposed tasks under this program is to assist communities with monitoring their affordable units. Should this effort be launched, Town staff could work with the County's Department of Human Services system to monitor and enforce affordable housing deed restrictions. Alternatively, the Town could use CPA funds or establish monitoring fees to contract with a service provider that can assist with this task.

In addition, any monitoring system must also track when deed restrictions are set to expire, alerting the Housing Coordinator to start working with property owners well in advance to find financing or other mechanisms to extend deed restrictions.

10. Market the accomplishments of the Falmouth Affordable Housing Fund. *(Priority: Year 2)*

Part of the community outreach and education efforts described above should focus on the successes of the Falmouth Affordable Housing Fund. While more options are needed to secure additional resources to capitalize the Fund (see Strategy 19 below under Finance and Subsidy), there has been much progress in growing and using the Fund to secure more affordable housing opportunities throughout the Town. It is very important for the Town to "toot its own horn" in this respect and celebrate its accomplishments.

At least once a year, develop and release a brief, but graphically interesting, report explaining each project funded by the Fund and what it accomplished. How many new units were built? How many existing units were renovated and/or deed restricted? How many people have been served? Beyond the numbers, tell some stories of the families and individuals who have been able to benefit from these investments.

11. Strengthen local and regional partnerships to share ideas and resources, learn from others, and explore new ways of creating affordable housing. *(Priority: Year 3)*

Partner with and use the resources of neighboring towns and local non-profit organizations such as the Falmouth Housing Corporation, Falmouth Housing Trust, Housing Assistance Corporation, Housing to Protect Cape Cod, and others to stay on top of local, regional, and national trends and housing solutions that might work well in the context of Falmouth. Spearhead an informal quarterly gathering of housing professionals in the region to share ideas and brainstorm solutions to local problems.

Ensure that the Town's Housing Coordinator is given the time and resources to attend conferences and training related to innovative ways to expand affordable housing opportunities.

AFFORDABLE HOUSING STRATEGIES

12. Develop criteria with other departments for assessing the best use of current and future Town-owned properties. *(Priority: Year 1)*

As the Planning Department nears completion of its internal assessment of Town-owned properties, a set of criteria should be established to help guide the use of each property. Once cooperatively developed, criteria can be used in a variety of ways – as part of an RFP for acquiring land for housing; to assess Chapter 61 properties being considered for acquisition; or for evaluating properties (either

publicly or privately held) for their potential to create housing. Massachusetts Housing Partnership has developed a list of considerations for determining the feasibility of land for housing development, and the Cape Cod Commission is also developing criteria to screen parcels for housing development suitability as part of their Regional Housing Suitability Analysis project, in progress at the time of publication of their draft Regional Housing Strategies.[73] The Town may wish to build upon these resources or create its own unique criteria.

13. Encourage development that includes a number of units for special needs populations such as formerly homeless households or persons with disabilities. *(Priority: Year 1)*

Through the Executive Office of Housing and Livable Communities, the state administers various housing subsidy programs, some of which support housing for select populations:

- The Facilities Consolidation Fund finances housing for clients of the Department of Mental Health and the Department of Developmental Services;
- The Community Based Housing program provides funding for integrated housing for people with disabilities and prioritizes those who are either institutionalized or at risk of institutionalization;
- The Housing Innovations Fund supports alternative forms of rental housing for people experiencing homelessness, single room occupancy (SRO) units, transitional and permanent housing, housing for seniors and veterans, and other specialized housing.
- The National Housing Trust Fund Program (HTF, administered through EOHLC) assists the production or preservation of service-enriched affordable housing. EOHLC gives preference to HTF projects that provide housing for homeless families and individuals.

Developers apply to EOHLC for these funds, adhering to the state's Qualified Allocation Plan (QAP), which includes five priority categories for awarding funds, including housing for extremely low-income persons, families, seniors, with a focus on those who are homeless or at risk of homelessness. Because funding rounds are highly competitive, projects prioritizing these vulnerable populations may be more likely to receive funding provided other criteria are met or exceeded.

Outside of funding considerations, the Town could amend its zoning to clearly allow alternative housing types such as Single Room Occupancy (SRO) units. While not explicitly tied to special populations or those in need of service-enriched housing, SROs can provide much lower cost permanent housing for those who need it.

14. Develop informational materials for developers and property owners on a series of topics, with an emphasis on local comprehensive permits. *(Priority: Year 2)*

Once the Town reaches 10 percent of its housing stock on the SHI, "friendly" comprehensive permits will remain a useful tool for developing affordable housing. The Town will simply have more control over where and how comprehensive permits are approved. While the state has its own comprehensive permit requirements and guidelines, the Town can develop supplemental guidance that outline priority housing needs, scale of developments, design review, and areas of town that may be suitable for moderate- to higher-density development. Such guidelines can provide consistent input to developers and could include a suggested local preference policy, marketing preferences,

[73] Cape Cod Commission, Housing Cape Cod: The Regional Housing Strategy [DRAFT], 2023, p.17-18.

references to Falmouth's adopted Design Guidelines for Large Scale Development, or preferred financing structure for the project (e.g., a preference for use of specific subsidy programs).[74,75] The Town of Yarmouth created such guidelines in 2010 and revised them most recently in 2014.[76] Yarmouth's guidelines include information about affordability, local preference, monitoring procedure, funding options, the local review process, and more.

In addition, the Town can invest in educational materials related to building affordable housing, filing LIP applications, permitting and constructing ADUs, etc. There are examples from other communities across the state that can serve as templates or guides.

15. Make suitable public property available for affordable housing. *(Priority: Year 3)*

Map 11 depicts two Town-owned properties with potential for residential development – 6.18 acres on Locustfield Road, and 81 Davisville Road, nearly four acres on part of what is more commonly known as Emerald Properties.[77] In addition to these properties, the Town could use the criteria described in Strategy 12 to continue to survey other Town-owned properties that would be appropriate for housing development or redevelopment.

16. Consider allocating a percentage of sewer capacity for affordable/community housing projects. *(Priority: Year 3)*

In 2013, Town Meeting adopted the Town's Flow Neutral Bylaw, now Article VIII of the Town's General Bylaws. Section 180-56 of Article VIII assigns the Select Board the ability to grant variances to the flow neutral bylaw. As such, in 2018, the Select Board adopted a set of guidelines for granting flow neutral variances and included the following priority uses: economic development, affordable housing, mixed use development in the business redevelopment zone, and municipal use. While these guidelines help prioritize affordable housing, they do not explicitly rank each category for reviewing flow neutral variances. The Town of Provincetown adopted a Growth Management Bylaw that similarly includes four use categories for consideration when granting additional wastewater flow; however, Provincetown's bylaw *clearly states* that Growth Management Allocation Permits will be issued based on priority — and affordable and community housing are ranked as the top two categories, followed by deed-restricted year-round rentals and inclusionary zoning projects.[78] The remaining lower-ranked categories include other residential and non-residential uses.[79] Falmouth could similarly adopt more

[74] The Town should ensure that such guidelines would not hold affordable housing projects to higher design or environmental standards than those that would be applied to new market rate projects.

[75] In 2019, the Falmouth Planning Board adopted the Cape Cod Commission's Design Guidelines for Large Scale Development. Available at https://www.falmouthma.gov/DocumentCenter/View/6712/Design-Guidelines-for-Large-Scale-Development

[76] Town of Yarmouth, "Affordable Housing Standards," Rev. June 3, 2014. Available at: www.yarmouth.ma.us/DocumentCenter/View/17060/Yarmouth-Affordable-Housing-Standards-2014-FINAL

[77] Town staff developed a proposed master plan for Emerald Properties in 2023 and presented it to the Select Board, which authorized staff to conduct a robust civic engagement process. In September 2023, the Select Board directed staff to put the affordable housing component on hold due to neighborhood concerns. If time permits in the future, staff may pursue finding alternatives to the original master plan that may address the issues identified by the neighbors and bring those alternatives, if any, back to the Select Board for consideration.

[78] Under Provincetown's zoning bylaw, "Median Income Community Housing" is affordable up to 120 percent HAMFI, with occupancy limited to households with incomes no higher than 150 percent HAMFI. "Middle Income Community Housing" is affordable up to 160 percent HAMFI, with occupancy limited to households with incomes up to 180 percent HAMFI. (Town of Provincetown, *Zoning By-Laws*, Article 1 – Definitions, p.6-7. Last updated Jan 17, 2024.)

[79] Town of Provincetown, *Zoning By-Laws*, Article 6 – Growth Management By-Law, p.60-64.

specific guidelines or regulations that would prioritize affordable and attainable housing and ensure wastewater capacity as the Town continues its sewer planning.

17. Issue a standing Request for Proposals (RFP) to acquire property for the development of affordable housing. *(Priority: Year 4)*

In 2020, the Town of Chatham issued an RFP for real property acquisition for purposes of affordable housing, with the intent of rereleasing the RFP periodically. The Town successfully acquired two properties and is now in the process of preparing RFPs for their development as 40B projects, in addition to reissuing the original RFP to acquire more property. Having a such a rolling RFP would allow the Town — most likely through its Affordable Housing Fund — to acquire property as opportunities arose in accordance with the procurement process dictated by MGL c.30B. If the AHF had enough funds available, the RFP could indicate that these funds would be used to purchase such a property, thus eliminating the need for an appropriation at Town Meeting. In Chatham's case, one of the properties was purchased with both Affordable Housing Trust funds and free cash from Town Meeting.

FINANCE AND SUBSIDY STRATEGIES

18. Encourage unique development approaches that utilize the Falmouth Affordable Housing Fund. *(Priority: Year 1)*

In January 2024, the Falmouth Select Board supported a plan for a combined open space preservation/affordable housing project on Benjamin Nyes Lane. Under the current plan, the 300 Committee Land Trust would purchase two parcels — one of which is approximately 50 acres and would be preserved, with the adjoining 7.5-acre parcel developed by Habitat for Humanity.[80] This project provides an opportunity for the Falmouth Affordable Housing Fund to assist in an innovative project that highlights the importance of both open space preservation and affordable housing in Falmouth. The FAHF has also supported other creative housing initiatives, such as buying down the market rate units on Brick Kiln Place (20-unit rental project) and Megansett Crossing (10-unit rental project) to make all units affordable at no more than 100 percent HAMFI, and using funds to purchase a home at 156 Club Valley Drive below appraised value, allowing the owner a tax benefit while creating a deed-restricted single family home.

19. Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund. *(Priority: Year 1)*

Among other policies, the Affordable Homes Act (described in more detail in Strategy 22 below) seeks to establish a local option real estate transfer fee — paid by the seller — on the portion of the sale price over $1M or based on the county's median home sale price. Communities would be required to use the revenue from this fee to support affordable housing initiatives. Inclusionary zoning, The Town could also work to raise resident awareness that the Falmouth Affordable Housing Fund can receive tax-deductible gifts in the form of "real property, personal property or money by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity…"[81] Strategy 8 discusses developing a collaborative housing education plan, which could

[80] Annonen, Noelle, "Joint Open Space, Affordable Housing Project in North Falmouth Moves Forward," *The Enterprise,* January 12, 2024. Available at https://www.capenews.net/falmouth/news/joint-open-space-affordable-housing-project-in-north-falmouth-moves-forward/article_3d848975-9e6a-50cc-8e87-12bcc7c300cb.html

[81] An Act Relative to the Falmouth Affordable Housing Fund

include a "fundraising" component that explains how residents can make such tax-deductible gifts to the FAHF, sets fundraising goals, describes how funds and other gifts will be used, and so forth.

20. Explore tax relief for property owners who offer year-round affordable rentals.[82] *(Priority: Year 3)*

The state's SHI eligibility requirements can be overly burdensome for homeowners who simply wish to rent a reasonably affordable accessory apartment or other unit, which may discourage them from doing so. Instead, communities can offer tax relief for providing affordability through a relatively simple annual application process – thereby benefiting both the property owner and tenant. In 2022, Provincetown passed its affordable housing property tax exemption, which makes residential properties occupied by low-income households exempt from taxes. If only some of a parcel is occupied by an eligible household, taxes are reduced proportionally to the percentage of the square footage of the structure occupied by that household. Unlike many other strategies in this section, a Provincetown-style tax incentive would not require any formal deed restrictions — meaning that affordable units created under such a program would not count towards Falmouth's Subsidized Housing Inventory (SHI), but still could address important local needs.

21. Consider utilizing the state's Tax Increment Financing (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas. *(Priority: Year 4)*

Authorized under MGL c.40 § 60, EOHLC administers an Urban Center Housing Tax Increment Financing (UCH-TIF) program, which allows communities to offer tax increment financing in designated commercial centers to promote housing and commercial development. Through tax increment financing, a community can provide real estate exemptions on all or part of the increased value (the "increment") of improved real estate for a period of up to twenty years. The program specifies that 25 percent of the housing assisted by the exemption will be affordable for forty years or the useful life of the housing, whichever is longer. To establish a UCH-TIF, Falmouth's Select Board would first need to designate a commercial center and prepare a UCH-TIF plan for state approval. The plan must include executed agreements with the property owners who will be developing under the TIF and receiving tax increment exemptions. Following a public hearing on the proposed district, Town Meeting would need to adopt the UCH-TIF Plan, which would then be submitted to the state for approval.

22. Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects. *(Priority: Year 1)*

In October 2023, Governor Martha Healey filed Bill H.4138, The Affordable Homes Act, which proposes authorizing a $4.12B bond to support various housing subsidy programs. This Act would provide substantial funding for improvements to state-aided public housing, support for existing subsidy programs to create both rental and ownership housing at a range of income levels, as well as funds for new programs including a new Homeownership Production Tax Credit for the production of homes affordable to moderate-income first-time homebuyers. Bill H.4138 proposes establishing a "seasonal communities" designation to create housing policies better tailored to the unique needs and challenges faced by these communities. Should the Affordable Homes Act pass, depending on what is authorized under this seasonal community designation, communities such as Falmouth may have greater leeway to establish creative funding streams to support housing.

[82] Such a measure would require Town Meeting approval to submit a home rule petition to the Legislature.

In terms of regional funds, in March 2023 HUD approved the Barnstable County HOME Consortium's HOME-ARP Allocation Plan, which outlined the county's planned expenditures of federal HOME-ARP funds.[83] Unlike regular HOME funds, HOME-ARP was a one-time authorization under the American Rescue Plan for additional funds to support the creation of rental housing, with a primary focus on housing for those experiencing homelessness, at risk of homelessness, fleeing domestic violence, and other vulnerable populations. Barnstable County was awarded $1.5M in HOME-ARP funds and plans to prioritize development of rental housing over other eligible activities. The Town should remain aware of the status and availability of these HOME-ARP funds in the coming years, as they must be spent by September 30, 2030.

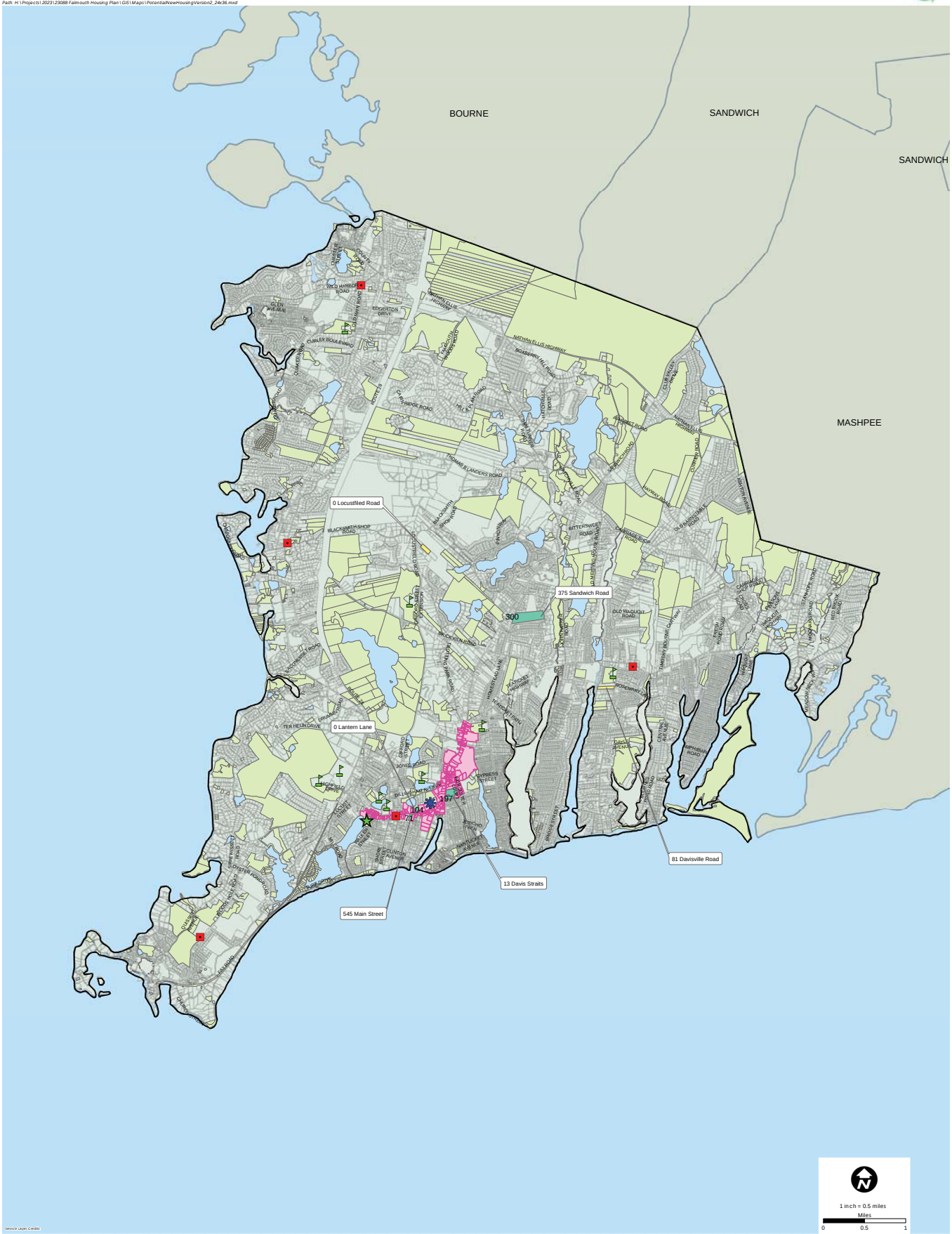
Pending legislation seeks to address these challenges of housing for middle-income earners who are not eligible for most affordable housing because they have incomes over 80 percent HAMFI. Modeled after Provincetown's existing bylaw, Truro recently approved a home rule petition to establish a Year-Round Market Rate Rental Housing Trust (forwarded for state approval as Bill H.3723), while Chatham (H.1366 and H.3971) and Orleans (H.3934) both approved home rule petitions to support the creation of housing for households earning up to 200 percent of the area median income; all four bills are currently pending at the state level.[84] Looking more broadly, An Act Relative to Attainable Housing in Seasonal Communities (S.860) proposes several measures to support the creation of housing affordable to households with incomes over 80 percent HAMFI, such as petitioning the Executive Office of Housing and Livable Communities (EOHLC) to count otherwise ineligible units on a community's Subsidized Housing Inventory under certain circumstances, offering tax incentives for year-round rentals affordable up to 150 percent HAMFI, and petitioning EOHLC to provide subsidy to rental projects up to 120 percent HAMFI.

[83] Barnstable County is a regular recipient of funds from the HOME Investment Partnerships Program, a federal block grant program designed to support the creation of housing for low to moderate income households.

[84] Provincetown passed a home rule petition to establish its Year-Round Market Rate Rental Housing Trust to "create and preserve year-round rental units in the town of Provincetown including, but not limited to, market rate units for the benefit of residents of the Town." The Legislature approved the Town's home rule petition, and the Trust was officially established in 2016.

Horsley Witten Group
Sustainable Environmental Solutions

Path: H:\Projects\2023\23088 Falmouth Housing Plan\GIS\Maps\PotentialNewHousingVersion2_24x36.mxd



Date: 2/9/2024
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- Town Boundary
- Parcels
- Proposed housing development
- Town-owned property appropriate for development
- Mixed Residential and Commercial Overlay
- Falmouth Openspace
- Fire Station
- Police Station
- School
- Town Hall

Potential Locations for New Housing Development

Housing Production Plan
Falmouth, Massachusetts

Map 11
Potential Locations for New Housing Development

Appendices

Appendix A. Subsidized Housing Inventory
Appendix B. Community Engagement Summary

Appendix A. Subsidized Housing Inventory

Table A1. Subsidized Housing Inventory

Current SHI Units (Data Current as of December 18, 2023)

Project Name	Address	Type	Total SHI Units	Affordability Expires	40B Comp. Permit?
Harborview Apartments	115 Scranton Avenue	Rental	80	In Perpetuity	No
Tataket Apartments	138 Teaticket Highway	Rental	83	In Perpetuity	No
Rose Morin Apartments	58 Rose Morin Lane	Rental	8	In Perpetuity	No
Choate Apartments	Choate Lane	Rental	24	In Perpetuity	No
Salt Sea Apartments	Salt Sea Lane	Rental	30	In Perpetuity	No
Rose Morin Apartments	58 Rose Morin Lane	Rental	59	In Perpetuity	No
N/A	Scattered	Rental	9	In Perpetuity	No
N/A	Scattered	Rental	16	In Perpetuity	No
Cape Cod United Church	62 Locust Street	Rental	83	2039	No
Fairwinds Apartments	520 Main Street	Rental	20	2027	Yes
Flynn House	170 Palmer Avenue	Rental	7	In Perpetuity	No
Foundations Project - Cape	Palmer Avenue	Rental	3	2037	No
Gosnold Grove	362 Main Street	Rental	33	2037	No
Longshank	Sam Turner Road & Esker Place	Ownership	22	2030	Yes
Maravista Village	Jeffrey Lane, Maravista Ave. Extension	Ownership	4	2032	Yes
Valley Ridge Condos	Gifford Street	Ownership	11	In Perpetuity	Yes
Gifford Street Housing	Gifford Street	Rental	28	2040	Yes
HOR Program	Scattered Site	Ownership	0	Expired	No
Fairway Meadows	350/354 Old Barnstable Road	Ownership	3	In Perpetuity	Yes
Mill Farm	Mill Farm Way	Ownership	5	In Perpetuity	Yes
Fresh Pond Farms	Luke Road, Bailey Drive, Melyssa Anne Road	Ownership	8	In Perpetuity	Yes
Trotting Park Road	16 Trotting Park Road	Mix	5	In Perpetuity	Yes
Courtyard Apartments	240 Sandwich Road	Rental	13	In Perpetuity	Yes
756 East Falmouth Highway	756 East Falmouth Hightway	Mix	5	In Perpetuity	Yes
Cedar Meadows	1 & 56 Meadows Drive (Teaticket Highway)	Rental	59	In Perpetuity	Yes
Carriage Shop Development Corp	649 Carriage Shop Road	Ownership	3	In Perpetuity	Yes
Cranberry Heights	724 East Falmouth Highway	Ownership	2	In Perpetuity	Yes
Falmouth Housing Corp	704 East Main Street	Rental	58	In Perpetuity	Yes
Wise Living at Falmouth	26 Tennis Club Lane	Ownership	14	In Perpetuity	Yes
DDS Group Homes	Confidential	Rental	23	N/A	No
DMH Group Homes	Confidential	Rental	16	N/A	No
Brick Kiln Road	Nickey Lane	Ownership	2	In Perpetuity	Yes
Gifford Street	643 Gifford Street	Rental	14	In Perpetuity	Yes
East Ridge Affordable Housing Project	224 Sam Turner Road	Ownership	6	In Perpetuity	Yes
Irene's Meadow	53 Carriage Shop Road	Ownership	11	In Perpetuity	Yes
20 Edgerton Drive	20 Edgerton Drive, North Falmouth	Rental	24	2055	No
Ox Bow Rd Realty	4 Oxbow Road	Ownership	0	In Perpetuity	Yes
Habitat for Humanity	Off Sam Turner Road	Ownership	4	In Perpetuity	Yes
Cloverfield Way	Cloverfield Way	Ownership	1	In Perpetuity	No
Kelly Green Condominiums	12/21 Pine Street	Ownership	1	In Perpetuity	Yes
Falmouth Housing Ward & Chester	Ward and Chester	Ownership	2	In Perpetuity	Yes
Forest Cove	637 Gifford Street	Ownership	9	In Perpetuity	Yes

Table A1. Subsidized Housing Inventory

Current SHI Units (Data Current as of December 18, 2023)

Project Name	Address	Type	Total SHI Units	Affordability Expires	40B Comp. Permit?
Veteran's Park	90 & 138 Teaticket Highway	Rental	39	In Perpetuity	Yes
Megansett Crossing	North Falmouth Highway	Rental	10	In Perpetuity	Yes
Woodbriar Senior Living	339 Gifford Street	Rental	125	In Perpetuity	Yes
Hunt Street	Hunt Street	Rental	2	In Perpetuity	Yes
Glenwood Road	Glenwood Road	Ownership	2	In Perpetuity	Yes
1 Chancery Lane	1 Chancery Lane	Rental	4	In Perpetuity	Yes
Shore Street	Shore Street	Rental	3	In Perpetuity	No
Kelly Green Development	Pine Street	Ownership	2	In Perpetuity	Yes
Village at Old Main	41 Old Main Road	Ownership	2	In Perpetuity	Yes
Falmouth Housing Trust/St. Mark's Rd	761 Teaticket Highway	Ownership	3	In Perpetuity	No
Notantico Woods	5 Osham Way & 0 Woods Hole	Rental	11	In Perpetuity	Yes
Little Pond Place	41 Spring Bars Road	Rental	40	In Perpetuity	Yes
Deer Pond	Deer Pond Road	Ownership	1	In Perpetuity	No
Crooked Meadow	Crooked Meadow Road	Ownership	3	In Perpetuity	Yes
Gifford Workforce I & II	587/589/591 Gifford Street	Rental	20	In Perpetuity	Yes
Longshore Village	Shore Street	Ownership	0	In Perpetuity	Yes
Willet Way Housing	0 Barrows Road	Ownership	10	In Perpetuity	Yes
Scranton and Main	763 Main Street and 24 Scranton Avenue	Rental	48	In Perpetuity	Yes
Kendall Lane	Kendall Lane	Ownership	5	In Perpetuity	Yes
Brick Kiln Place	123 Brick Kiln Road	Rental	20	In Perpetuity	Yes
Village at Brick Kiln	511 Brick Kiln Road	Ownership	7	In Perpetuity	Yes
10 Rebecca Ann Lane	10 Rebecca Ann Lane	Rental	10	In Perpetuity	Yes
Lewis Neck Road	Lewis Neck Road	Ownership	2	In Perpetuity	Yes
Beach Plum Path	Beach Plum Path	Ownership	3	In Perpetuity	Yes
Pheasant Lane	Pheasant Lane	Ownership	1	In Perpetuity	Yes
Wild Harbor Condominium	0 & 213 N Falmouth Highway	Ownership	4	In Perpetuity	Yes
Lyberty Green	556 Main St and Lantern Lane	Rental	104	In Perpetuity	Yes
533 Woods Hole Rd	533 Woods Hole Road	Rental	4	In Perpetuity	No
		Total SHI Current Units	**1,293**		

Anticipated Future Units

Project Name	Address	Type	Total SHI Units	Affordability Expires	40B Comp. Permit?
464 Main Street	464 Main Street	Rental	15	Unknown	No
0 Percival Road	0 Percival Road	Ownership	12	Unknown	Yes
		Total Additional Anticipated Units	**27**		
		Anticipated Total	***1,320***		

Appendix B. Community Engagement Summary

The Town provided multiple opportunities for participation by local officials and the community at large. The planning process was guided by a Community Engagement Plan that consisted of the components described below. This summary includes notes from each community meeting as well as meeting minutes from applicable meetings with the Planning Board, Affordable Housing Committee, and Select Board *[minutes pending]*

- **Stakeholder Interviews.** In October and November 2023, the consultant team of Horsley Witten Group and Barrett Planning Group met with fifteen members of the community to further understand the housing needs of Falmouth and related issues. With assistance from Town staff, members of several boards, committees, and commissions; staff department heads; developers; nonprofits and housing advocates; and other important stakeholders in the community were invited to these interviews to share their expertise, experiences, and viewpoints concerning the housing in the Town of Falmouth.
- **First Community Meeting.** On November 8, 2023, approximately fifty community members attended the first community meeting for this plan. After a consultant-led presentation, attendees participated in breakout group discussions to answer questions about housing needs, barriers, and other considerations.
- **Meeting with Planning Board and Affordable Housing Committee**. On December 12, 2023, Barrett Planning Group met with the Planning Board and Affordable Housing Committee to review and discuss strategies from the previous Housing Production Plan, some of which had been updated or expanded based on changes over the past five years. The minutes from this joint meeting are in the Appendix of this plan.
- **Second Community Meeting.** On January 10, 2024, over fifty community members attended the second community meeting, which allowed attendees to provide feedback at several stations, including a mapping exercise and a review of draft strategies.
- **Planning Board Review of Draft Strategies.** On January 23, 2024, the Planning Board reviewed and discussed the draft strategies shared during the January 10 the community meeting.
- **Select Board Review of Draft Strategies.** On January 29, 2024, the Select Board reviewed and discussed the draft strategies shared during the January 10 community meeting.
- [TO BE UPDATED]

Summary of Housing Study Interviews

In October 2023, the consultant team of Horsley Witten Group and Barrett Planning Group met with members of the community to further understand the housing needs of Falmouth and related issues. Fifteen individuals participated, including local and long-term residents, municipal staff, non-profit leaders, developers, housing advocates, and other important stakeholders in the community participated in these interviews to share their expertise, experiences, and viewpoints concerning the housing crisis in the Town of Falmouth.

This summary represents the views and concerns expressed by the interviewees. As such, this summary should not be taken as statements of fact, but rather a collection of impressions, concerns, and visions for the future of housing in Falmouth.

HOUSING COST

- Housing cost is most often cited to be the reason why residents leave Falmouth.
- Prices have drastically increased to the point where middle-income families are struggling to find affordable housing and low-income residents are being forced to consider housing outside of town.
- Increasing prices are largely driven by the lack of housing units and wealthier buyers and renters from out-of-town outcompeting and outbidding local residents.
- The pandemic exacerbated long-standing housing problems.

HOUSING AVAILABILITY

- There are not enough available units to meet the high demand for housing, particularly for rentals.
- Some interviewees expressed concerns about the low quality of housing due to little financial incentive for landlords to maintain or renovate their properties.
- Since the pandemic, more homes have been bought as second homes or converted to short-term rentals, resulting in lower numbers of year-round housing and an increased proportion of seasonal residents.
- A greater variety of housing types would accommodate a diversity of residents with all levels of income and lifestyles, especially the most vulnerable groups.
- Some encouraged the creation of smaller units; apartments, accessory dwelling units, accessible units, temporary employee housing, tiny homes, and smaller single-family homes provide affordable and accessible housing to the workforce and underserved communities.
- There were varying levels of concerns about short term rentals, both because of the resulting loss of winter and year-round rentals and the changing character of neighborhoods.
- The Subsidized Housing Inventory (SHI) does not accurately reflect the number of units that are actually affordable, nor does the ten percent minimum meet actual needs.

DEMOGRAPHICS

- Many wealthy out-of-town residents are moving into the town or buying property for seasonal use.
- Falmouth's aging population is growing and has become more socioeconomically divided: there is the continued trend of wealthy retirees moving to Falmouth, yet there are also more homeless seniors in recent years.
- Seniors and retirees who have lived in Falmouth for a long time are struggling to afford or maintain their residences, so they downsize or move out of town. There is a drastic increase in elderly homelessness as a consequence of landlords selling property and displacing long-term tenants who cannot afford increased rents.
- Young professionals and other workforce participants cannot find an affordable place to live, so they leave town and either commute to work in Falmouth or work outside of town entirely.
- Employee recruitment and retention in town is a continued challenge.

ZONING AND REGULATIONS

- The Town is doing what it can to change zoning bylaws, but then amendments fail to pass at Town Meeting; education is key for understanding housing needs and strategies for addressing these challenges.
- A variety of housing types are needed to accommodate range of income levels and lifestyles, but zoning does not allow this. Zoning and other regulations are currently too restrictive, inconsistent, and unclear to support the development and redevelopment necessary to meet Falmouth's housing needs.
- Permitting processes should be restructured to support property modifications and the creation of new units.
- Many properties are nonconforming – should zoning can be "right sized" to address this?

PUBLIC OPINION

- Some interviewees expressed frustration regarding negative attitudes towards affordable housing and preventing progress towards resolving town-wide housing issues.
- Many development projects face huge opposition from the community and neighbors who cite concerns for safety, traffic, property values, neighborhood characteristics, and negative preconceived notions of affordable housing renters. Some result in being tabled or canceled entirely.
- Some expressed opinions that the general public would benefit from education on affordable housing, which could hopefully combat strong NIMBY attitudes toward development.
- ADUs and conversion of existing properties are likely to be more accepted than other housing types, although a range of housing is needed.

OTHER CONCERNS

- Traffic and commuting are worsening due to increased numbers of the workforce living out-of-town and off-Cape.
- Employers are struggling to fill both public and private sector jobs, sometimes resulting in reduced operating hours.
- Childcare is becoming increasingly expensive and difficult to find for families.
- There is a lack of priority for accessible and ADA-compliant housing.
- Bottom line - what will future generations in town look like if these trends continue?

November 8, 2023 Community Meeting Summary

BACKGROUND

On November 8, 2023, the Town of Falmouth Planning Department, Horsley Witten Group (HWG), and Barrett Planning Group (BPG) held the first community meeting to introduce the update to the Town's Housing Production Plan (HPP) and solicit input from the public. Nearly fifty community members attended the meeting, held at Falmouth High School, to engage in discussions related to housing in Falmouth.

The meeting began with the consultant team's presentation, which outlined the Housing Production Plan process, existing demographic and household information, and challenges to residential development. Attendees separated into smaller groups to participate in facilitated discussions during which they responded to a series of questions related to housing, all of which are listed below. In addition, participants were invited to fill out individual feedback sheets, which fifteen participants turned in. This summary includes a broad overview of common themes, as well as raw notes from discussion groups and individual feedback sheets.

The themes included in this summary represent concerns and viewpoints that the consultant team heard during these meetings. As such, this summary should not be taken as statements of fact, but rather an overview of impressions, concerns, and visions for the future of housing in Falmouth.

DISCUSSION SUMMARY

In six facilitated groups, participants answered the questions below. The bullets under each question summarize general themes; complete raw notes from each group begin on page 5 of this document.

Question 1

Whose housing needs are not being met in Falmouth? What type of housing could best meet these needs? Consider affordability level, household types and sizes, housing type, location, rental versus ownership, etc.

- Participants generally agreed that current housing markets do not support the town's employment base, including lower wage workers, essential workers, institutional employees, and young professionals. As a result, many of these workers live and commute from outside of Falmouth and the Cape.
- In particular, some pointed out that young families and first-time homebuyers have difficulty finding homes for sale that fall within their budgets.
- Attendees described how the limited housing market ultimately affects residents of all ages and incomes, even those who are high-income earners.
- In general, there was consensus that a greater variety of housing types for both owning and year-round renting would create more housing opportunities for the diverse workforce. Options identified include but are not limited to townhouses, conversion of existing structures, one-bedroom rentals, accessory dwelling units (ADU), multifamily homes, tiny homes, middle housing, and shared housing (perhaps starting with a pilot program).

Question 2

The 2018 Housing Production Plan suggested that the target for new affordable units be across an

85% to 15% split of rental units versus ownership units. This target was based upon indicators including lack of rental units, low rental vacancy rates, high levels of cost burden among renters, long waitlists for subsidized rental housing, and more. Do you agree with this split? Why or why not?

- Many participants agreed that more development of rental units will sustain a healthy housing market in Falmouth, provide opportunities for many prospective residents struggling to find housing, and are less difficult to produce units on a large scale.
- Some also noted that rentals promote a diversity of housing, provide more choice, and can serve as a starting point for younger professionals and new residents to transition to home ownership in town.
- However, other participants also felt that rental units would not promote permanency in the way that owning a home would and that there should need to be opportunities to build wealth.

Question 3

We have heard consistent agreement from stakeholders that both housing and natural resource protection (particularly water quality) are critical concerns. How can Falmouth balance these important and inseparable issues?

- Natural resources and open green spaces are immovable priorities of the town residents. Some groups expressed concern about how development might encroach into these areas and impact water quality.
- Some groups emphasized that in general, the Town should closely evaluate development impacts on sewer infrastructure and natural resources. Fixing deteriorating septic systems and improving the stormwater infrastructure can mitigate development impacts on water quality and nearby surface water.
- Participants strongly suggest redeveloping existing and underutilized developments into housing instead of cutting down forests or paving over green spaces to construct more buildings. These ideas include repurposing underutilized commercial spaces into housing, redeveloping empty parking lots and buildings, renovating existing multifamily housing.
- Some supported modifying zoning to support denser housing and to expand the Mixed Residential and Commercial Overlay District (MRCOD) near the town center; supporters noted that higher-density developments can produce more housing while preventing development into natural areas.
- Additionally, some suggested implementing design guidelines to simultaneously promote housing structures that aesthetically conform to surrounding homes and preserve green spaces.

Question 4

Where, physically, can Falmouth best support new housing development or redevelopment? What types of housing are suitable for each identified area?

- Several suggestions for new housing focused on existing densely developed areas in town, particularly the downtown and the Davis Straits commercial corridor. Many of Falmouth's essential services and amenities are located here and placing new housing along these streets

could create walkable, mixed-use communities that both alleviate housing needs and foster a vibrant public life.

- Some expressed that it would make sense to develop smaller units and buildings over underutilized parking lots or to convert existing buildings to housing.
- Others also cautioned that many residents strongly oppose large high-density residential complexes near the town center and prefer homes that look and feel similar to surrounding single-family homes.
- Other ideas include building smaller homes and condos in Woods Hole, utilizing Town-owned properties, redistricting/consolidating public schools to convert an existing school building into higher-density multifamily complexes, and considering access to transportation by building near the bike trail or looking into improved public transportation.

Question 5

The 2018 Housing Production Plan described strategies to encourage the creation of Accessory Dwelling Units (ADUs), including offering a tax abatement or establishing a loan fund to assist property owners interested in building an ADU. Do you agree or disagree with these strategies? Why or why not? What else could incentivize or encourage the creation of ADUs?

- Attendees generally expressed support for proposed tax incentives and other financial support for owners to build ADUs.
- Participants suggested amending current ADU regulations they deem too restrictive, including requirements for owner occupancy or residency. Removing this restriction could encourage the creation of more ADUs in Falmouth.
- Other suggestions included:
  - Establishing a program to provide education for interested and prospective homeowners to facilitate ADU conversions
  - Developing pre-approved ADU plans
  - Establishing a volunteer program to construct ADUs (similar to the Habitat for Humanity model)

Question 6

The 2018 Housing Production Plan also recommended exploring financial incentives for providing year-round rentals (as opposed to seasonal rentals). Do you see this as a viable strategy for Falmouth? Why or why not? What else could encourage year-round rentals, if you consider that to be a priority?

- Participants tended to agree that short-term housing is over-saturated and would like to see more oversight of short-term rentals.
- Suggestions included:
  - Imposing deed restrictions and other regulatory means to limit seasonal housing and second homes
  - Preventing companies from monopolizing the industry
  - Implement taxing and other financial incentives towards year-round rentals, such as paying property owners the difference between STR revenue and year-round rental revenue

- Raising taxes on short-term rentals and diverting the revenue towards year-round housing

PARTICIPANT FEEDBACK SHEETS

Individual responses from participant feedback sheets begin on p.11 of this document. While many of the points were also emphasized in the group discussions (and are therefore not reiterated in the bullets below), some new ideas included:

- There is a broad need for more public education on housing and other aspects of development, policy, and planning. As the respondent noted, “This issue is more than just meeting Chapter 40B requirements.”
- Some inquired as to whether the area median income (AMI) could be recalculated to reflect the wealth of second homeowners.
- One attendee suggested having a minimum requirement/goal of affordable housing units in each of the villages.
- Multiple attendees pointed out that people chose Falmouth for a reason (“land, nature, and space to grow our families”) and do not wish to live in a city.
- One attendee expressed concern about the number of services and recovery programs in Falmouth and the impact on access to affordable housing.

RAW GROUP NOTES

The following pages include each group's raw notes to the discussion questions.

Group 1

1. Minimum wage workers→ rental housing (under $1500/month)
   Workforce housing missing→ diversity in housing stock
   Institutional workforce (science/research)→ need lower rents, higher density
   Adjacent communities' competition for housing→ diversity
   First time homebuyers→ condo/townhouse (density), smaller single family homes

2. Rentals don't encourage permanency→ 50/50 (R/O)
   Rentals will meet the needs better→ workforce, 100/0 (R/O)
   Rentals provide options- progression to ownership→ 100/0 (R/O)
   Hard to produce for sale units in large #s→ 75/25 (R/O)

3. Discover the actual limitation for dev→ outfall= potential unlimited, ground discharge= limited

4. Expand sewer to other areas to help w/ development- not just current plan
   Investigate deed restricted properties for future development→ combine OS w/ AH (56 Benjamin Nye Rd example)

5. Tax abatements
   Pre-approved plans
   Owner occupied requirement = 0
   Air BnBs more of an issue

6. Lead paint issues limit YRR→ $ or loan for abatement
   Buy down program for different AMIs
   Septic system $ upgrades
   Pay back program
   Enforcement is key

Group 2

1. SF apts
   Diverse types: beyond SF, ADUs, smaller unit for all income levels, multifamily
   Pilot program for shared units

2. More rentals
   Workforce
   Close to services and amenities
   More choice

3. Near bike trail
   Septic issues
   MRCOD district
   Development
   Zoning make sense here
   Prog mgr to make development easier
   ADUs

Group 3

1. Need more affordable SFHs, starter homes, missing middle, both rental and ownership
   Scientists (Woods Hole) have trouble finding housing- also, need rentals. Can Woods Hole develop housing for their employees?
   Wants to see more open space conserved→ can we reuse existing buildings for housing

2. 85/15 is generally still good but… let's find ways to build wealth

3. Redeveloping underutilized commercial
   Mashpee Commons is a good example
   Design guidelines are important
   Address perceived massing as well as building height
   Setbacks with green space
   Renovate existing multi-family housing

4. Downtown - Davis Straights
   Woods Hole
   Condo communities made to look like smaller homes
   Keep same look/feel as surrounding SFHs
   Converted buildings
   What gets people upset? Too big, too dense
   Smaller mixed-use buildings
   One-bedroom units walkable to town
   Keep old buildings looking like they do

5. ADUS
   How can we make building them easier? Residency requirement can be a barrier.
   Permitting process is onerous.

6. Seasonal housing- how to incent to be year-round housing?
   Maybe STR market is saturated
   Is town impacted by taxes received by STRs? Would it hurt to give that up?
   Tax incentives?
   Lots of homeowners don't want to be landlords
   Has to be lucrative as STR
   But also saving money by not building new infrastructure
   Repurposing existing buildings

Group 4

1. Year round
   Less age restricted, more single bedroom units for younger generation
   Need more forward thinking to keep and draw younger generation
   Reusing existing building
   Concerned about cost (homeownership/rentals) - who is that affordable for
   (Tax incentives for developer (wastewater/water)

2. Both ownership and rentals with more deed restrictions (moratorium on 2nd homes)
   Develop uptown (MRCOD?)
   Depending on location, capitalize on 40B (taller, more units)

3. So much nitrogen already - new development is drop in pond - what needs to happen is fix what's already there
   Stop leaching
   Use funding to invest in what we can protect while building

4. Redistrict school- close one and build housing on that site
   B2 zoned area could be developed @ higher density (20 units)(not as restricted)
   Consider all villages- there's so much in center of town "Falmouth"
   Look at other villages- more spread out
   More housing in Woods Hole

5. ADU- yes yes!
   Coordinated effort between town, homeowner, EDIC etc
   Town assist- tax incentive
   Programs like volunteering to build ADUs (like Habitat for Humanity)
   Maybe change the owner-occupied restriction

6. Need to address STR
   Raise tax for STR
   Tax incentive for renting year around
   Pay the difference of year-round & STR
   Water/sewer/taxes breaks

Group 5

What housing needs not being met

- Young families
- Young adults 18-30
- New families
- People who cross the bridge to work
- Income is not enough to buy a home (regardless of age)

What are the needs- housing types

- Year-round rentals
- Tiny homes
- Multifamily
- People who had seasonal decided to live full-time
- Supply limited
- Do we have the inventory but not available?
- Regulate Air b&b/short-term rentals

Balancing natural resource protecting & meeting housing needs

→Land that can be used w/o clear cutting trees
Empty parking lots/buildings
Are we at build out?

→Town should build affordable housing
Bond to voters
Taxes from 1 gr/high end sales and bank tax

→Incentive ADUs & regulate

→Dedicating homes for affordable housing

Employers help w/ housing
100% aff developments

Atlanta Law re: short-term rental, residency requirements
Town

Municipal capacity and heart to implement
How to balance summer rental/tourists w/ year-round residents

Group 6

1. Young small families
   Seems to be worse
   Essential workers
   Housing market is biggest barrier for people who work in area to move
   Limited inventory
   Two family homes- in the past was a good model
   Quadruplex ok- but large projects (100+) concerning
   Traffic
   Impact on neighboring property values
   More concern about multiple larger projects coming in
   Zoning would need to change to do smaller unit projects (such as 4-plex)
   Rental→long-term rentals lacking
   Young professionals may want to buy

2. People take pride in ownership & young people renting, wanted to buy, and had to move
   Even advanced positions→can't find housing to purchase
   How many STRs?
   Owning lets you grow wealth
   "Missing" middle

3. Urgency to address older septics
   Not enough education about being a good steward- for existing residents and new -- e.g. educating community about fertilizer
   300 committee- very strong advocates→spaces that should stay open, evaluate each parcel

4. Consider elementary schools' location (4 elementary schools)
   Town owned properties →inventory, tax title properties
   Pre 1980→can convert up to 4 units
   6 units/acre
   Multi-unit overlay- 20 units/acre

5. Financial incentives
   Downsizing is a challenge
   Year-round→tax breaks
   Provincetown, Orleans→limiting # of flips
   Golf courses
   People opposed to density→education

PARTICIPANT FEEDBACK SHEETS

All participants were given the opportunity to provide written input for the project team to review. Fifteen participants turned in their feedback sheets, which prompted them to answer the question:

"Do you have specific or more detailed ideas to share?"

The table below includes all fifteen responses.

Establish a dedicated program to facilitate ADU conversions • Consumer assistance and guidance • Walk w/ owner to go thru process, to speed it up • Lease training • Help w/ financing
→Have more regulations (evaluations?) for landlords to make sure they are renting a property that meets basic habitability needs →We do definitely need accessible transport and access to shops and amenities but I worry about making dense downtown the only place that's affordable. The places people want to live, the beautiful places, shouldn't just be for people's second home.
Affordable housing is an urgent issue. We don't have 3-5 years to hem and how about what structures to build. We need it now.
• It seems that the calculation of area median income is flawed in a community comprised of 55+ and many 2nd homes, as the wealth of these community members isn't accounted for. • Regulate short term rentals through incentives for landowners to convert to year-round rentals- for example deed restrict for 5-10 years to be year-round- or use transfer tax $ to give to landlords to compensate for loss between year-round and seasonal
Consider making an adjustment to the way the area median income is calculated in Falmouth→ People who own 2nd homes here but whose primary residence is not in town are not included. This prevents people who should qualify for affordable housing from being eligible. I agree that Falmouth's current housing stock should be evaluated for conversion into affordable, year-round units through tax incentives. Would it be possible to have a minimum requirement/goal of affordable housing units in each of the villages? Evaluate wastewater impact (assessment) before asking for public feedback
We need to include tiny houses, thinking about the areas where they make most sense- dependent on who needs them/would use them.

(1) Expand 20 units/acre zoning to all B-2/B-3 zoned land (2) Teaticket School Conversion→ redistrict the schools
Housing Needs- starter
Falmouth currently 8.11% of 10% goal What about infrastructure needs- roads, schools, first responders Why would people travel across bridge
I believe instead of more building which is destroying the culture of the cape, wildlife, etc. Not to mention a strain on sewer and other resources… I believe the solution is in short-term rental regulation. If Falmouth had regulations, as many towns and cities have implemented, teachers, scientists, and local families would have a chance in the market. The Atlanta Law (implemented in Atlanta, GA) states a short-term rental must be owned by a year-round resident and that resident can only own 2- 1 in home and 1 outside their home. This would move out large corporations and allow for locals to find housing (to help in employment and school enrollment) as well as keeping the money in the community as only year-round residents can be earning in this market.
I think it's important to note that the uniqueness of the cape is surrounded by nature, biodiversity, and small-town vibe. We need less new development, "clear cutting" and repurposing land, housing exists. We need stricter short-term rental regulations to reopen up rentals, push companies out of monopolizing the industry. We have more and more year-round residents that is already constricting access to medical, dental, and road/construction backups, unsafe roads, and huge impact on water, biodiversity and environmental impact. We don't want to live in a city, we chose land, nature and space to grow our families. We need land to grow food, live in harmony w/ nature and preserve this wonderful land. Things have massively changed since the 2020 census.
Town built 100% affordable housing. Bond to raise funds!
• Limit number of short-term rentals allowed in town. • Incentivize ADUs
• Education is key! • Need to be sure town at large understands this is not just about 40B • Focus on overlay district and its expansion along route 28 for multiple housing types

Small group interviews – who besides Town

Senior population – homelessness?

Why can't WHOI develop their land for their housing needs?

What about public safety (fire and police)?

40B laws not conducive to Cape Cod demographic

We have a lot of recovery programs that bring in people from all over Massachusetts. They often end up in sober houses of which Falmouth has over 100, many of those people stay and get jobs here and are pipelined to affordable housing that bumps our firefighters, teachers, etc. out of rentals and/or federally funded affordable housing. The town needs to be cautious about accepting federal funds.

Mass laws not friendly to landlords.

January 10, 2024 Community Meeting Summary

BACKGROUND

On January 10, 2024, the Town of Falmouth Planning Department, Horsley Witten Group (HWG), and Barrett Planning Group (BPG) held the second community meeting to share data and analysis from the Housing Production Plan (HPP) and solicit input from the public through a series of stations. Over fifty community members attended the meeting, held at Falmouth High School.

The meeting began with the consultant team's presentation, which provided highlights from the Needs Assessment as well as a summary of findings from the first community meeting. Attendees then were invited to visit stations to provide input on potential strategies for the Housing Production Plan. The following pages include the raw notes from these stations.

STATION NOTES

DRAFT Housing Production Plan

Housing Production Plan: Draft Strategies

For each potential strategy for the Town's HPP update, add a dot sticker in the column that aligns with your opinion. If you agree with a strategy, indicate whether it is a high priority in the last column. Please use sticky notes to add additional thoughts.

DRAFT REGULATORY STRATEGIES

Streamlined regulatory reform for AH

STRATEGY	AGREE	DISAGREE	NEED MORE INFO	IF AGREE: HIGH PRIORITY	NOTES
Allow more diverse housing types in more areas. Possibilities include allowing two-family dwellings or townhouses by right or by special permit in some single residential or agricultural districts. *Notes: Currently two-family dwellings are allowed in the GR district, public use district, and business districts. Three-family dwellings are only allowed in the BR district. Multifamily (no more than 6 units per acre) is allowed by special permit in the business districts and IA district.*	16	7	1	7	If more diverse housing types were allowed in different settings, would the emerald properties project have gone through? I support this idea, but it seems like a lot of multi-family units get shut down by public opposition in this town. Reduce parking reg
Modify the Transfer of Development Rights (TDR) bylaw by adding additional density bonuses for affordable dwellings. *Note: Under the TDR bylaw, density can be "transferred" from areas the Town wants to protect/conserve to areas where denser development is more appropriate.*	14	2	4	1	
Expand inclusionary zoning (IZ) provisions. *Note: Typically IZ involves requiring a share of affordable units in residential development projects of a certain scale.*	10	2	1	4	
Establish mechanisms to monitor or regulate Short Term Rentals.	11	2	2	7	Put short term rental registration fees towards affordable housing fund
Explore regulatory options to encourage the development of smaller "starter homes."	8	2	3	3	
Consider adopting pre-approved detached ADU plans to eliminate regulatory Board review and incentivize more property owners to participate.	13	2	3	4	I think eliminating the six-month residency requirement would be more effective.
Explore a joint initiative to draft zoning language to support the town's seasonal workforce while respecting the need for year-round rental housing.	10	2	8	2	

Housing Production Plan: Draft Strategies

For each potential strategy for the Town's HPP update, add a dot sticker in the column that aligns with your opinion. If you agree with a strategy, indicate whether it is a high priority in the last column. Please use sticky notes to add additional thoughts.

DRAFT CAPACITY-BUILDING STRATEGIES

STRATEGY	AGREE	DISAGREE	NEED MORE INFO	IF AGREE: HIGH PRIORITY	NOTES
Conduct ongoing community outreach and education regarding affordable housing needs locally and regionally.	12			9	Division of neighborhoods. Churches involved? "Attainable" housing
Market the accomplishments of the Falmouth Affordable Housing Fund.	11	1			40B must follow Mass Environment Policy Act & respect sole source aquifer. 40B is not sole issue. Respect rights of nature.
Strengthen local and regional partnerships to share ideas and resources, learn from others, and explore new ways of creating affordable housing.	7		1	3	
Formalize a program to monitor existing deed-restricted housing units and enforce current conditions.	11		2	1	Are there no existing programs?
Develop informational materials for developers and property owners on a series of topics (building affordable housing and filing LIP applications, permitting and constructing ADUs, etc.).	11			5	

Housing Production Plan: Draft Strategies

For each potential strategy for the Town's HPP update, add a dot sticker in the column that aligns with your opinion. If you agree with a strategy, indicate whether it is a high priority in the last column. Please use sticky notes to add additional thoughts.

DRAFT AFFORDABLE HOUSING STRATEGIES

School admin building, school land-housing for staff

STRATEGY	AGREE	DISAGREE	NEED MORE INFO	IF AGREE: HIGH PRIORITY	NOTES
Make suitable public property available for affordable housing.	Land or rebuilding? 16		3	4	Not farm land Repurpose public school, East Falmouth or Teaticket Not forest land, recharge area
Develop criteria with other departments for assessing the best use of current and future Town-owned properties.	16		2	4 Town, school, hospital scientific institutions to provide employee housing	Select board needs to be more supportive of housing initiatives Use existing properties to build apartments/ housing units
Issue a standing Request for Proposals (RFP) to acquire property for the development of affordable housing.	14	1	2	3	
Encourage development that includes a number of units for special needs populations such as formerly homeless households or persons with disabilities.	11	1	5	1	
Develop comprehensive permit guidelines that outline priority housing needs, scale of developments, design review, and areas of town that may be suitable for moderate- to higher-density development.	8		3	1	
Consider allocating a percentage of sewer capacity for affordable/community housing projects.	9		7	4	Consider nitrogen & phosphate reduction @ the source

Housing Production Plan: Draft Strategies

For each potential strategy for the Town's HPP update, add a dot sticker in the column that aligns with your opinion. If you agree with a strategy, indicate whether it is a high priority in the last column. Please use sticky notes to add additional thoughts.

DRAFT FINANCE & SUBSIDY STRATEGIES

Land or rebuilding?

STRATEGY	AGREE	DISAGREE	NEED MORE INFO	IF AGREE: HIGH PRIORITY	NOTES
Encourage unique development approaches that utilize the Falmouth Affordable Housing Fund.	8	4	6		Save open space Adhere to MEPA Tiny home communities as modeled in Austin, TX 200 sq ft bedroom houses w/ no utilities and a central shared common kitchen/ toilets
Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects.	17		1		
Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund. Strategic plan	9	1	6		Transfer fee 1% real estate fee for open space land conservatory/ acquisition (as modeled by the Land Bank on M.V.)
Explore tax relief for property owners who offer year-round affordable rentals.	9		1	8	Yes. First regulate short-term rentals and then incentivize long-term rental by town subsidized coverage of the lost income.
Consider utilizing the state's Tax Increment Financing (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas.	14	1		3	

PARTICIPANT FEEDBACK SHEETS

All participants were given the opportunity to provide written input for the project team to review. Seven participants turned in their feedback sheets, which prompted them to answer the question:

"Do you have specific or more detailed ideas to share?"

The table below includes all seven responses.

In order for affordable housing to really be affordable in the systematic sense, transportation infrastructure innovation will be critical, otherwise we will have those in affordable housing walking or riding bikes to work? And if they have a car, the seasonal increase in traffic over the summer means leans commutes. I don't have the answer, but housing, transportation, and the environment all need to be treated as part of our human built ecosystem.
Revise zoning to allow smaller larger density buildings. Very unpopular.
I was really glad to see your presentation address the affordability gap for both homeowners and rental units. I was also glad to see an acknowledgement that the 10% SHI metric does not address the full need of affordable housing in town. I'm wondering whether we could change how area median income is calculated in Falmouth→ members of our community who own a second home in Falmouth but whose primary residence is somewhere else are not included in this calculation. We need more people to qualify for affordable housing in this town to address the real need, and to hold Falmouth accountable to produce affordable housing after reaching the 10% threshold.
1. Preserve open space-woodlands & estuary coastal environments. 2. Protect recharge area for sole source aquifer. 3. Prohibit high-density, high-rise housing in open land. 4. Cape Cod doesn't have a shortage of housing- we have too many vacant, seasonal (2 month) homes. 5. Build Cape Cod style small affordable home. 6. Don't convert Cape Cod to Coney Island- maintain cape character & open space- not apt complexes. 7. Respect "Rights of Nature" conservation principles. 8. Public transportation- rail, trolley 9. Convery already developed land for housing- Christmas tree shop, Davis Straights 10. We do not need 300-900 units, 4-story complexes such as proposed at 375 Sandwich Road. 11. Affordable housing should be downtown centered so that autos are not required & food stress & other necessities are within walking distance of public transportation.
Change how area median income is determined in Falmouth→ many wealthy members who own a second home in Falmouth.

We need Please be transparent about the number of affordable units on the SHI and please list those that made the list because they are the 75% of the department development. Residents do not understand how few affordable units there really are because the SHI is a misleading and untruthful number. How many are restricted for over 62?
Biggest challenge is zoning changes is septic: So 1. Allow more diverse housing types- zoning change to allow conversion of SF dwelling to duplex in all districts, no increase in bedrooms, use existing septic- quick way to allow more units by right. 2. Allow ADUs by right with no increase in bedrooms- owner can remove bedroom from existing home to accommodate ADU.

Town of Falmouth
Housing Production Plan
2024-2029

DRAFT: February 9, 2024

Contact:
Town of Falmouth
Planning Department
59 Town Hall Square
Falmouth, MA 02540
508.495.7440

Town of Falmouth Housing Production Plan

SELECT BOARD MEETING • FEBRUARY 26, 2024

Project Team

Town of Falmouth

Kim Fish, Housing Coordinator

Jed Cornock, Town Planner

Horsley Witten Group

Jeff Davis

Barrett Planning Group

Alexis Lanzillotta

Tony Duong

Judi Barrett

First Community Meeting
November 8, 2023

- Presentation on ***what a HPP is*** and ***why it is important***
- Presentation on ***community demographics***, ***housing statistics***, and ***housing market trends***
- Small group discussions to identify the community's ***housing needs*** and **preferences**

Second Community Meeting
January 10, 2024

- This meeting asked the public to gauge their support for different strategies
- They were asked whether they ***Agree***, ***Disagree*** or ***Need More Info***, whether a strategy should be a ***high priority***, and for any ***further comments***

Feedback from both meetings was used to shape the ***Goals*** *and* ***Strategies*** *for the draft HPP*

Goals

Goal 1: Produce at least 80 units of affordable housing annually, and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B.

Goal 2: Promote a diversity of housing types targeting different household needs.

Goal 3: Maximize the number of affordable units included in development on Town-owned land.

Goal 4: Prioritize creation of affordable rental units.

Goal 5: Work with private developers to ensure community needs for affordable housing are met.

Goal 6: Minimize greenfield development by targeting residential development and redevelopment where it already exists.

Goal 7: Consider and apply the findings of other planning processes including the Town's Local Comprehensive Plan and the Cape Cod Commission's Regional Housing Strategy.

Regulatory Strategies

1: Establish mechanisms to monitor or regulate ***Short Term Rentals***. (***Year 1***)

2: Allow ***more diverse housing types*** in more areas. (***Year 2***)

3: Explore regulatory options to encourage the development of ***smaller "starter homes."*** (***Year 3***)

4: Consider adopting ***pre-reviewed detached Accessory Dwelling Unit (ADU) plans*** to eliminate regulatory Board review and incentivize more property owners to participate. (***Year 3***)

5: Explore joint initiatives to support the town's ***seasonal workforce*** while respecting the need for year-round rental housing. (***Year 3***)

6: Expand ***inclusionary zoning*** (IZ) provisions." (***Year 4***)

7: Modify the ***Transfer of Development Rights*** (TDR) bylaw by adding additional density bonuses for affordable dwellings. (***Year 5***)

Capacity Building Strategies

8: Conduct ongoing ***community outreach and education*** regarding affordable housing needs locally and regionally. (***Year 1***)

9: Formalize a program to ***monitor existing deed-restricted housing*** units and enforce current conditions. (***Year 1***)

10: Market the ***accomplishments*** of the ***Falmouth Affordable Housing Fund***. (***Year 2***)

11: Strengthen ***local and regional partnerships*** to share ideas and resources, learn from others, and explore new ways of creating affordable housing. (***Year 3***)

Affordable Housing Strategies

12: Develop criteria with other departments for assessing the best use of current and future ***Town owned properties***. (***Year 1***)

13: Encourage development that includes a number of units for ***special needs populations*** such as formerly homeless households or persons with disabilities. (***Year 1***)

14: Develop ***informational materials*** for developers and property owners on a series of topics, with an emphasis on local comprehensive permits. (***Year 2***)

15: Make suitable ***public property*** available for affordable housing. (***Year 3***)

16: Consider allocating a percentage of ***sewer capacity*** for affordable/community housing projects. (***Year 3***)

17: Issue a ***standing Request for Proposals*** (RFP) to acquire property for the development of affordable housing. (***Year 4***)

Finance & Subsidy Strategies

18: Encourage ***unique development approaches*** that utilize the Falmouth Affordable Housing Fund. (***Year 1***)

19: Provide ***support for the Falmouth Affordable Housing Fund*** by exploring additional resources and strategies to capitalize the Fund. (***Year 1***)

20: Explore ***tax relief for*** property owners who offer ***year-round affordable rentals***. (***Year 3***)

21: Consider utilizing the state's ***Tax Increment Financing*** (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas. (***Year 4***)

22: Explore the applicability of ***federal, state, and regional programs*** to finance affordable or mixed income housing projects. (***Year 1***)

Next Steps

- The draft HPP is posted on the Town's website at: www.falmouthma.gov/1448/New-Housing-Production-Plan-Information
- The Town is accepting public comments through ***March 1***
- Comments can be sent to: ***housing@falmouthma.gov***

Thank you! *Questions & Discussion*

FALMOUTH HOUSING PRODUCTION PLAN

OPEN SESSION

BUSINESS

3. Vote to endorse 17 Walker Street Local Initiative Program (LIP) application **(10 minutes)**

February 26, 2024

ITEM NUMBER: **Business 3.**

ITEM TITLE: Vote to endorse 17 Walker Street Local Initiative Program (LIP) application

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager and Kimberly Fish, Housing Coordinator

ATTACHMENTS: LIP Application, Architectural Plans, Proposed Site Plan

---

PURPOSE:

The purpose of this item is to provide the developer of the LIP application opportunity to present the project located at 17 Walker Street to the Select Board.

The Select Board is asked to vote to endorse the LIP application by sending a letter outlining their approval and to direct the Town Manager to sign the LIP application on behalf of the Select Board.

BACKGROUND/SUMMARY:

- The development proposes 11 rental housing units at 17 Walker Street. Of the 11 units, 7 are to be market rate and 3 will be deed restricted as affordable to households earning up to 80% area median income, and through negotiation with the developer, 1 will be deed restricted to households earning up to 100% area median income for Barnstable County. Altogether, the development will include 2 studio apartments, 5 one-bedroom apartments and 4 two-bedroom apartments.

- The project is a redevelopment of an existing commercial property that currently contains office and retail use and historically was used for many years as a taxi transportation center. The development team will remove the existing degraded commercial structure and build a new 3 story apartment building with street level garage parking for all the proposed units.

- The proposed development is near Falmouth's vibrant Main Street where it will be walkable to stores, restaurants, the public library, post office, Town Hall, Mullen Hall School (kindergarten to fourth grade), Lawrence Junior High School (seventh and eighth grade) and Surf Drive Beach.

- The property is currently served by the town's water and sewer services and will not need to create new connections.

- The developer and representative appeared before the Affordable Housing Committee (AHC) on September 14, 2023 to describe the project and respond to questions. Following that meeting, the AHC voted unanimously to recommend the Select Board support the project.

- Town staff discussed the project with developer's representatives at the town's Land Use Group meetings (which consists of all development staff) on January 17, 2024 and February 21, 2024 and with the Town Manager, Assistant Town Manager, Zoning Administrator, Town Planner and Housing Coordinator on February 8, 2024.

- Pursuant to the Executive Office of Housing and Livable Communities (EOHLC) Ch. 40B Guidelines, VI.9.e.(1) "the municipality, or its designee, is named in the deed rider as the monitoring agent (along with DHCD)". The developer has agreed to retain the services of a third party to perform the monitoring, acting as the Town's designee and include them in the deed rider along with DHCD (now known as EOHLC).

DEPARTMENT RECOMMENDATION:

Staff recommends the Select Board vote to endorse the LIP application of 17 Walker Street, LLC to construct an 11-unit rental housing project located at 17 Walker Street by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and direct the Town Manager to sign the LIP application.

Recommended Motion:

"I move that the Board endorse the LIP application of 17 Walker Street, LLC to construct an 11 unit rental housing project located at 17 Walker Street by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and direct Town Manager to sign the LIP application."

OPTIONS:

1) Move the recommended motion as presented.
2) Motion to not endorse the LIP application of 17 Walker Street, LLC as presented.
3) Take no action.

BUDGET INFORMATION: **Applicable:** ☐ **Not Applicable:** ☒ **Budgeted:** Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to endorse the LIP application of 17 Walker Street, LLC to construct an 11-unit rental housing project located at 17 Walker Street by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and direct Town Manager to sign the LIP application.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone: (508) 495-7320
townmanager@falmouthma.gov

February 26, 2024

Executive Office of Housing and Livable Communities
100 Cambridge Street, Suite 300
Boston, MA 02114
Attention: Alyxandra Sabatino, LIP/HOP Coordinator

Re: ***Walker Street Apartments – Local Initiative Program Housing Development***
17 Walker Street, Falmouth, MA

Dear Ms. Sabatino:

At its meeting on February 26, 2024, the Falmouth Select Board voted to endorse the Local Initiative Program application of 17 Walker Street, LLC to construct an 11-unit rental housing project on 0.122 acres of land located at 17 Walker Street, Falmouth, MA (Assessor's Map No. 47A 08 013 000).

In summary, the proposed development includes 11 rental housing units located in the heart of downtown Falmouth. Of the 11 units, 7 are to be market rate, 3 will be deed restricted as affordable to households earning up to 80% area median income, and through negotiation with the developer, 1 will be deed restricted to households earning up to 100% area median income for Barnstable County. Altogether, the development will include 2 studio apartments, 5 one-bedroom apartments and 4 two-bedroom apartments located within walking distance of the commercial center of Falmouth. Pursuant to the Executive Office of Housing and Livable Communities (EOHLC) Ch. 40B Guidelines, VI.9.e.(1) "the municipality, or its designee, is named in the deed rider as the monitoring agent (along with DHCD)". The developer has agreed to retain the services of a third party to perform the monitoring, acting as the Town's designee and include them in the deed rider along with DHCD (now known as EOHLC).

The Select Board finds there is a substantial community benefit in endorsing the proposed development. Like many Cape Cod communities, the Town of Falmouth has a significant need for rental units, both two-bedroom, one-bedroom as well as studios, especially in walkable areas. This project is a

redevelopment of an existing commercial property that currently contains office and retail use and historically was used for many years as a taxi transportation center. The development team will remove the existing degraded commercial structure and build a new 3-story apartment building with street level garage parking for all of the proposed units. The development is near Falmouth's vibrant Main Street where it will be walkable to stores, restaurants, the public library, post office, Town Hall, Mullen Hall School (kindergarten to fourth grade), Lawrence Junior High School (seventh and eighth grade), and Surf Drive Beach. Lastly, the property is currently served by the town's water and sewer services and will not need to create new connections.

The developer and representative appeared before the Affordable Housing Committee (AHC) on September 14, 2023 to describe the project and respond to questions. Following that meeting, the AHC voted unanimously to recommend the Select Board support the project. Additionally, town staff discussed the project with developer's representatives at the town's Land Use Group meetings (which consists of all development staff) on January 17, 2024 and February 21, 2024 and with the Town Manager, Assistant Town Manager, Zoning Administrator, Town Planner and Housing Coordinator on February 8, 2024.

The Select Board is pleased to endorse this Local Initiative Program application to create much needed rental units in our community. This letter does not waive any of the requirements for this project to come into full compliance with all applicable laws, rules and regulations.

Sincerely,

Nancy Robbins Taylor, Chair
Falmouth Select Board

MASSACHUSETTS
Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

I. GENERAL INFORMATION

Community: Falmouth, MA
Name of Development: Walker Street Apartments

Site Address: 17 Walker Street, Falmouth, MA 02540
Developer: 17 Walker Street LLC

1. Type of Housing:
   ☐ Single Family homes ☒ Rental
   ☐ Condominium ☐ Age Restricted

2. Project Characteristics:
   ☒ New Construction ☒ Conversion
   ☒ Rehabilitation

3. Total Acres 0.122 acres Density of Project (units/acre) 90/acre

4. Unit Count:

   Total Number of Units 11
   Market Rate 8 (includes 1 studio affordability restricted unit @ 100% AMI)
   Affordable 3 @ 80%AMI

5. Unit Prices/Rents:
   Market Rate (per month) Studio: $1904; 1 Bedroom: $2175-2610; 2 Bedroom: $ 2445-2935 (Maximum Rents)
   Affordable (per month with utility allowance) @ 80% AMI: Studio: $1693; 1 Bedroom: $1935; 2 Bedroom: $2177; @100% AMI: Studio: $1904 (Maximum Rents)

Required Signatures for the Comprehensive Permit Project Application	
Chief Executive Official of Municipality:	Chair, Local Housing Partnership (if applicable):
Signature:_____	Signature: _____
Print Name:	
Date: _____	Date: _____

MASSACHUSETTS
Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

I. GENERAL INFORMATION

Community: Falmouth, MA
Name of Development: Walker Street Apartments

Site Address: 17 Walker Street, Falmouth, MA 02540
Developer: 17 Walker Street LLC

1. Type of Housing:
   ☐ Single Family homes ☒ Rental
   ☐ Condominium ☐ Age Restricted

2. Project Characteristics:
   ☒ New Construction ☒ Conversion
   ☒ Rehabilitation

3. Total Acres 0.122 acres Density of Project (units/acre) 90/acre

4. Unit Count:

   Total Number of Units 11
   Market Rate 8 (includes 1 studio affordability restricted unit @ 100% AMI)
   Affordable 3 @ 80%AMI

5. Unit Prices/Rents:
   Market Rate (per month) Studio: $1904; 1 Bedroom: $2175-2610; 2 Bedroom: $ 2445-2935 (Maximum Rents)
   Affordable (per month with utility allowance) @ 80% AMI: Studio: $1693; 1 Bedroom: $1935; 2 Bedroom: $2177; @100% AMI: Studio: $1904 (Maximum Rents)

Required Signatures for the Comprehensive Permit Project Application	
Chief Executive Official of Municipality:	Chair, Local Housing Partnership (if applicable):
Signature:_____	Signature: _____
Print Name:	
Date: _____	Date: _____

MASSACHUSETTS
Department of Housing and Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

INSTRUCTIONS

Please submit three copies of the application and attachments. Note: only one set of site plan and sample elevations (attachments 11 and 12 noted on page 22) are required. An application fee, payable to the Department of Housing and Community Development, shall be submitted with the application. The schedule of fees is as follows:

	Project Fee	plus	Per Unit Fee
Municipality	$1,000		$30
Non-Profit	$1,750		$40
All Others	$4,000		$50

Mail to:

Local Initiative Program
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: Alana Murphy, Deputy Associate Director

To complete the application electronically, simply position your cursor on a line and type. Use the tab key to move between questions.

If you have any questions, please refer to the DHCD 40B Guidelines, specifically Section VI. For further assistance, contact Rieko Hayashi by phone at (617) 573-1426 or by e-mail at rieko.hayashi@state.ma.us

NOTE: For Rental Projects, to complete information on Project Feasibility (Section X), go to the One Stop Application at http://www.mhic.com and complete Section 3 Sources and Uses and Section 4 Operating Pro Forma. Submit the sections with the Application

Application Contents:

I. General Information
II. Community Support
III. Municipal Contact Information
IV. Development Team
V. Project Information
VI. Site Information
VII. Design and Construction
VIII. Surrounding Area
IX. Financing
X. Project Feasibility
XI. Development Schedule
XII. Marketing Outreach and Lottery
XIII. Checklist of Attachments

January 2016

II. COMMUNITY SUPPORT

1. Letter of Support from Municipality - Attach a letter containing a short narrative on the basics of the project, the history of the project, the ways in which the community is providing support, and how the development team has addressed any concerns the community has. The letter must be signed by the chief elected official of the community.

2. Letter of Support from Local Housing Partnership - If the community has a housing partnership, please attach a letter from them indicating their support for the project. The letter should summarize how the partnership has been working with the developer.

3. Local Contributions - Check off all that apply and provide a brief description at the end.

- ☐ Land donation (dollar value_____)
- ☐ Building donation (dollar value_____)
- ☐ Marketing assistance
- ☒ Other work by local staff
- ☒ Density increase
- ☐ Waiver of permit fees
- ☐ Other regulatory or administrative relief (specify) _____
- ☒ Local funds (cash)
  Amount N/A Source: Falmouth Affordable Housing Fund
- ☐
- ☐ Agreement by a lender to provide favorable end-loan financing (ownership projects only)
- ☐ Other (specify) _____

Briefly explain the contributions: The Developer is seeking $525,000 from the Falmouth Affordable Housing Fund. Estimated Cost of Development Per unit is $547,039.

4. Municipal Actions and Local Plans - Briefly describe how the project fits with any planning the community has done (e.g. master plan, community development plan, affordable housing plan) and other local land use and regulatory actions that provide the opportunity for affordable housing (including multi-family and overlay districts, inclusionary zoning by-laws and ordinances).

The project is a redevelopment of an existing commercial property that currently contains office and retail use and historically was used for many years as a Taxi transportation center. The project will remove the existing degraded commercial buildings (built about 1935) and build a new 3 story apartment building. The project addition of 11 apartment rental units in a downtown location is in keeping with community planning for affordable housing. In December of 2018 a Housing Production Plan was approved by the Town of Falmouth and by the Commonwealth. It calls for 714 additional affordable units within 5 years. At the November 2021 Town Meeting, there was discussion of the crisis the Town now has due to the increasing cost of housing and lack of affordable housing. New zoning by-laws were approved at November 2021 Town Meeting in the hopes of incentivizing the development of more affordable housing. Three articles were proposed by the Select Board to increase funding for the Falmouth Affordable Housing Fund, which were approved at Town Meeting in November 2021 as well.

III. MUNICIPAL CONTACT INFORMATION

Chief Elected Official

Name	Nancy Taylor, Chair Select Board
Address	59 Town Hall Square, Falmouth, MA 02540
Phone	(508) 774-454-0207
Email	Nancy.taylor@falmouthma.gov

Town Administrator/Manager

Name	Michael Renshaw
Address	59 Town Hall Square
Phone	(508) 495-7320
Email	michael.renshaw@falmouthma.gov

Town Planner

Name	Jed Cornock, Town Planner
Address	59 Town Hall Square, Falmouth, MA 02540
Phone	(508) 495-7481
Email	jed.cornock@falmouthma.gov

City/Town Counsel

Name	Maura O'Keefe, Esq.
Address	157 Locust Street, Falmouth, MA 02540
Phone	(508) 548-8800
Email	maura.okeefe@falmouthma.gov

Chairman, Local Housing Partnership (if any)

Name	David Garrison, Chair Affordable Housing Committee
Address	59 Town Hall Square, Falmouth, MA 02540
Phone	508-548-7611
Email	davegarrison@mac.com

Community Contact Person for this project

Name	Laura M. Moynihan, Esq.
Address	17 Academy Lane, Suite 1 Falmouth, MA 02540
Phone	(508) 524-5192
Email	laura@lmoynihanlaw.com

IV. DEVELOPMENT TEAM INFORMATION (include all development members)

Developer
Name 17 Walker Street LLC c/o Stuart Rothman, Manager.
Address 907 Massachusetts Avenue, Cambridge, MA 02139
Phone (617-547-6559)
Email srothman@firstcambridgerealty.com
Tax ID

Contractor
Name RT Bowman LLC
Address PO Box 201, West Falmouth, MA 02574
Phone 508-548-8853
Email rtbowman@aol.com
Tax ID

Architect
Name Khalsa Design (Evan Stellman)
Address 17 Ivaloo Street Suite 400, Somerville, MA 02143
Phone 617-591-8682
Email estellman@tkgeast.com
Tax ID

Engineer
Name Falmouth Engineering, Inc.
Address 17 Academy Lane, Falmouth, MA 02540
Phone (508) 495-1222
Email mike@falmouthengineering.com
Tax ID _____

Attorney
Name Laura M. Moynihan, Attorney at Law
Address 17 Academy Lane, Falmouth, MA 02540
Phone (508) 524-5192
Email laura@lmoynihanlaw.com
Tax ID _____

Housing Consultant
Name None
Address _____
Phone _____
Email _____
Tax ID _____

Marketing/Lottery Agent
Name Housing Assistance Corporation
Address 460 West Main Street, Hyannis, MA, 02601
Phone (508) 771-5400
Email hac@haconcapecod.org
Tax ID _____

TEAM EXPERIENCE – DEVELOPER/CONTRACTOR QUALIFICATIONS

Complete the charts on the following pages for all housing projects undertaken by the developer and the contractor during the past five years. Include projects currently in construction. Provide owner references for each project, including a current phone number. Alternatively, a resume outlining the experience that covers the items listed on the chart below may be submitted.

1. Developer: 17 Walker Street, LLC

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:	21 Brookline Street	925 Massachusetts Avenue	35 Herrick Road	The Block Natick
Community Address:	21 Brookline-177 Cambridge MA	925 Massachusetts Avenue, Cambridge MA	35 Herrick Road, Newton, MA	One South Main St, Natick, MA
Housing Type:	Residential	Residential/Commercial	Residential	Residential/Commercial
Number of Units:	49	30; 5000 SF Commercial	9	6; 10,500 SF Commercial
Total Development Costs:	$8.6 million	$4.5 million	$5.2 million	Approx. $6 million
Subsidy Program (if applicable):	6 inclusionary housing units	N/A	1 inclusionary unit	N/A
Date Completed:	2/2008	7/2011	Projected 3/24	Projected 8/25
Reference: Name and Telephone #:	Anthony Papantonis, Nauset Construction 781-453-2220	Anthony Papantonis, Nauset Construction 781-453-2220	Justin Welch, James Welch Construction 978-744-9300	Justin Welch, James Welch Construction 978-744-9300

2. Contractor: **SEE CONTRACTOR RESUME ATTACHED HERETO**

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:				

3. Other Chapter 40B Experience

Have you or any members of your team had previous Chapter 40B experience with DHCD and/or other subsidizing agencies? ☒ Yes ☐ No
If yes, please explain. Project Attorney Laura M. Moynihan has had approximately 20 years' experience representing affordable housing developers in the Town of Falmouth to permit and construct affordable housing, including but not limited to the Falmouth Housing Corporation and the Falmouth Housing Trust, Inc. and has worked as counsel on many affordable housing projects with DHCD, Mass Housing and the Town of Falmouth. Project Engineer Falmouth Engineering, Inc. has also worked on affordable housing projects in the Town of Falmouth.

4. Bankruptcy / Foreclosure

Have you or any entities you control ever filed for bankruptcy or have had a property foreclosed? ☐ Yes ☒ No
If yes, please explain. _____
_____
_____
_____.

DEVELOPER CERTIFICATION

The undersigned hereby certifies that he/she is **Manager** (Title) of **17 Walker Street LLC** (Legal Name of Applicant) and that the information requested below for the project known as **Walker Street Apartments** (Project Name) is complete and that all information contained in this application is true and correct to the best of his/her knowledge. The undersigned Developer agrees to execute DHCD model documents, as required. If the Developer is other than a non profit corporation or public entity, the Developer hereby certifies that it shall comply with all reporting requirements described in 760 CMR 56.00 and as set forth in the LIP Guidelines.

Signature of Developer _____

Print Name: **Stuart Rothman, Manager of 17 Walker Street LLC**

Date _____

V. PROJECT INFORMATION

1. Type of Housing:

	Total Number of Units
Single-Family House	0
Condo	0
Rental	11
Other	0

2. Total Number of Units: Affordable 3 Market 8 (1 of the 8 "Market" will be deed restricted at 100% AMI)

3. Project Style:

	Total Number of Units
Detached single-family house	0
Rowhouse/townhouse	0
Duplex	0
Multifamily house (3+ family)	0
Multifamily rental building	11
Other (specify)	0

4. Is this an age-restricted (55+) Development? Yes ☐ No ☒
If yes, please submit a marketing study that demonstrates an understanding of the region's demographics, market demand and the particular strategies necessary to attract buyers to both market and affordable units.

5. Estimate the percentage of the site used for:

Buildings- 86.1%
Parking & Paved Areas- 94.5%
Usable Open Space 5.5% Unusable Open Space 0%

6. Is any portion of the project designed for non-residential use? **NO**
If yes, explain the non-residential uses. _____

7. Sustainable Development Design and Green Building Practices

In accordance with the Sustainable Development Principles adopted by Governor Patrick's Administration in 2007, DHCD encourages housing development that is consistent with sustainable development design and green building practices. For more information, see Appendix VI.A-1 and VI.B-1 of the 40B Guidelines for a list of links to resources and opportunities related to sustainable development.

A. How will this development follow Sustainable Development Principles? This project supports many of Massachusetts' Sustainable Development Principles. This project will expand housing opportunities with the development of multifamily rental housing in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means. The project is rehabilitation of an existing degraded commercial site and represents "infill" development in a higher density downtown center with sewer service availability. This project also supports regional planning by the development of and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. The Town of Falmouth residents strongly support affordable housing, as was proven at Falmouth's November 2021 Town Meeting when several articles were passed

unanimously in favor of allocating more funding towards the Falmouth Affordable Housing Fund.

B. How will the project maximize energy efficiency and meet Energy Star Standards? The apartments will be heat and cooled by heat pump technology. Fridges and stoves will be energy-efficient. High-efficiency furnaces will be implemented.

C. What elements of "green design" are included in the project (e.g. reduction of energy and water consumption, increasing durability and improving health)? Dual-flush toilets, low-volume shower heads, LED lighting fixtures..

8. Project Eligibility

A. Have you ever applied for a project eligibility letter involving any portion of the site, or are you aware of any prior application for a project eligibility letter involving any portion of the site?

☐ Yes ☒ No If yes, explain.

_____

_____

_____.

B. Has the municipality denied a permit on another proposal for this site within the last 12 months? Yes **No X**

9. Outstanding Litigation

Is there any outstanding litigation relating to the site? Yes **No X**
If yes, explain

10. Unit Composition

Complete the chart below. Include a separate entry for each unit type according to its square 1 foot/age and/or sales price/rent.

Type of Unit	# of Units	# of Bdrms	# of Baths	Gross Sq. Ft.	# of Parking Spaces	Sales Price/ Rent	Condo Fee	Handicap Accessible
Affordable	1 Unit 303	1 Studio	1	550	1	$1693 (80% AMI)	None	☐ # _____
Affordable	1 Unit 101	1	1	700	1	$1935 (80% AMI)	NONE	☐ # _____
Affordable	1 Unit 204	2	1	906	1	$2177 (80% AMI)	NONE	☐ # _____
Market (Restricted at 100% AMI)	1	1 Studio	1	550	1	$1904 (100% AMI)	NONE	☐ # _____
Market	2	1	1	701-743	1	$2175	NONE	☐ # _____
Market	2	1	1	701-743	1	$2610	NONE	☐ # _____
Market	1	2	1	906-956	1	$2445	NONE	☐ # _____
Market	2	2	1	906-956	1	$2935	NONE	☐ # _____
	11	15	11	8412 ±	11	_____	_____	☐ # _____

VI. SITE INFORMATION

1. Total Acreage 0.122 Total Buildable Acreage 0.122

2. Describe the current and prior uses of the subject site: Developed Commercial Site with Building built about 1935, and 100% paved with impervious surface (no open space)

Existing buildings on site? Yes X No
If yes, describe plans for these buildings:

3. Current Zoning Classification:

   Residential **Yes (small portion only)**

   Commercial **Yes** Industrial No Other **Business 1 Zoning District (which allows both commercial and residential use)**

4. Does any portion of the site contain significant topographical features such as wetlands?

   Yes ☐ No ☒ If yes, how many acres are wetlands? _____

   If yes, attach map of site noting wetland areas.
   Is map attached? ☐ Yes ☒ No

5. Is the site located within a designated flood hazard area?

   Yes ☐ No ☒
   If yes, please attach a map of the site with flood plain designations.
   Is map attached? ☐ Yes ☐ No

6. Is the site or any building located on the site listed, nominated or eligible for listing on the National Register of Historic Places? Yes ☐ No ☒

7. Is the site within a Historic District? Yes ☒ No ☐
   If yes, describe the architectural, structural and landscape features of the area: The project site is located in the Falmouth local bylaw designated Historic District of Main Street. The architecture is Cape Cod commercial in nature with large 3 or more story buildings, many of which front on Main Street and are located close to the street frontage, with relatively small lots and absence of open space.

8. In the past three years, have there been any defaults on any mortgage on the property or any other forms of financial distress?

   Yes ☐ No ☒ If yes, please explain: _____

9. ☐ Indicate which utilities are available to the site:

Public Sewer ☒	Private Septic ☐	Public Streets ☒
Public Water ☒	Private Wells ☐	Private Ways ☐
Natural Gas ☒	Electricity ☒	

On-site Sewer Treatment Facility ☐

Other ☐ Explain: _____

10. Describe any known or suspected hazardous waste sites on or within a ½ mile radius of the project site. None.

11. Has a 21E hazardous waste assessment ever been done on this site? If so, attach a summary of the filing. ☐ Yes ☒ No

12. What waivers will be requested under the comprehensive permit?

The Zoning Bylaw waivers that will be requested for the project are: (1) Building Setbacks, and Side/Rear Yard; (2) Number of Stories (3 are proposed); (3) Maximum Lot Coverage by Structure; (4) Maximum Lot Coverage by Structures, Pavement and Parking (the site is currently non-conforming to lot coverage requirements); (5) Parking Spaces per Unit (1 proposed per unit); (6) Site Plan Review (7) Multi-Family Units and Density. See List of Waivers attached hereto.

13. Describe the current status of site control and attach copies of relevant deeds or executed agreements.

A. **X** Owned by Developer

B. Under Purchase and Sale Agreement _____

C. ☐ Under Option _____

Seller: Buyer:

Is there an identity of interest between the Buyer and Seller? If yes, please explain: N/A.

Date of Agreement N/A Expiration Date N/A

Extensions granted? Yes ☐ No Date of Extension _____

Purchase Price $

VII. DESIGN AND CONSTRUCTION

1. **Drawings**

Please submit one set of drawings.

Cover sheet showing written tabulation of:

- ☒ Proposed buildings by design, ownership type, and size. Identity and describe affordable units and handicapped accessible units.
- ☒ Dwelling unit distribution by floor, size, and bedroom/bath number
- ☒ Square footage breakdown of commercial, residential, community, and other usage in the buildings
- ☒ Number of parking spaces

Site plan showing:

- ☒ Lot lines, streets, and existing buildings
- ☒ Proposed building footprint(s), parking (auto and bicycle), and general dimensions
- ☒ Zoning restrictions (i.e. setback requirements, easements, height restrictions, etc).
- ☐ Wetlands, contours, ledge, and other environmental constraints
- ☒ Identification of affordable units
- ☐ Identification of handicapped accessible units.
- ☒ Sidewalks and recreational paths
- ☒ Site improvements, including landscaping
- ☐ Flood plain (if applicable)

Utilities plan showing:

- ☒ Existing and proposed locations and types of sewage, water, drainage facilities, etc.

Graphic depiction of the design showing:

- ☒ Typical building plan
- ☒ Typical unit plan for each unit type with square footage tabulation
- ☐ Typical unit plan for each accessible unit type with square footage tabulation
- ☒ Elevation, section, perspective, or photograph
- ☒ Typical wall section

2. **Construction Information**

Foundations	# Mkt. Units	# Aff. Units	Attic	# Mkt. Units	# Aff. Units
Slab on Grade	_____	_____	N/A	8	3
Crawl Space	_____	_____		_____	_____
Full Basement – (Unfinished)	N/A			_____	_____

Exterior Finish	# Mkt. Units	# Aff. Units	Parking	# Mkt. Units	# Aff. Units
Wood	_____		1 space/unit	8	3
Vinyl	8	3		_____	_____
Brick	_____	_____		_____	
Fiber Cement	_____	_____		_____	_____
Other	_____				

Heating System

Fuel: ☐ Oil ☒ Gas ☒ Electric Other

Distribution method (air, water, steam, etc.):

Energy Efficient Materials

Describe any energy efficient or sustainable materials used in construction: The building will be constructed per the Stretch Energy Code. The roof will be constructed with a high albedo roofing material and will include a solar ready zone. Windows will use low-E glass.

Modular Construction

If modular construction will be used, explain here: No

Amenities

Will all features and amenities be available to market buyers also be available to affordable buyers? If not, explain the differences. Yes. Each unit will have a washer and dryer. Each unit will have 1 designated parking space within the garage parking area.

VIII. SURROUNDING AREA

1. Describe the land uses in the surrounding neighborhood: **Mixed Use Commercial/Residential.**

2. What is the prevailing zoning in the surrounding neighborhood? **Mixed Use Commercial/Residential.**

3. How does the project's proposed site plan and design relate to the existing development pattern(s) of the immediately surrounding area?
Built to be consistent with the surrounding high density mixed use commercial/residential area of downtown Falmouth. By minimizing the building setbacks from public streets, the front and street façade of the building visually reinforces the street enclosures.

4. Describe and note distances to nearby amenities and services such as shopping, schools, parks and recreation, or municipal offices.
The project site, being located in downtown Falmouth is within walking distance (ie. less than ¼ mile) of services and shopping on Main Street, Mullen Hall elementary school, Lawrence Junior High School, Library Square Park, a U.S. Post Office and Town Hall municipal offices. Surf Drive Beach, a public beach, is approximately 1 mile from the project site.

5. Explain how developing the site contributes to smart growth development in the area (e.g. mixed use, reuse, concentrated development).
This project is rehabilitation of an existing commercial site and is "infill" development concentrated within an existing high density mixed use commercial/residential area of downtown Falmouth. The project site is located on a public way with infrastructure for sewer, roads and utilities currently in place. The construction of the new apartment building does not require use of open space lands in a naturally vegetated condition to allow for preservation of open space elsewhere in the development of housing within Falmouth.

6. Is the site located near public transit (bus, subway, commuter rail, etc.)? If so, indicate the type, distance to the nearest stop, and frequency of service.
The project site is in close proximity to Main Street, which is on a regular route for the Cape Cod Regional Transit Authority with connections within Falmouth and to Bourne, Hyannis and further down Cape. The project site is located approximately ½ mile from the Falmouth Bus Station with regional bus service, including to and from Boston and Providence.

IX. FINANCING

1. Attach a letter of interest from a construction lender - **Eastern Bank**.

Are there any public funds to be used for this project? If yes, indicate the source, amount, use and status of funds: An application will be made to the Falmouth Affordable Housing Fund.

Describe the form of financial surety to be used to secure the completion of cost certification for this project. Cash bond.

X. PROJECT FEASIBILITY

The section is for developers of home ownership projects.

Developers of multi-family rental projects must use the One Stop Application at http://www.mhic.com and complete Section 3 Sources and Uses and Section 4 Pro Forma.

SEE ONE STOP SOURCES AND USES AND OPERATING PRO FORMA ATTACHED HERETO

Ownership Pro Forma

		Total Costs	Per Unit	Per Sq. Ft.	% of Total
(a)	Site Acquisition	$	$	$	$
Hard Costs:		$	$	$	$
	Earth Work	$	$	$	$
	Site Utilities	$	$	$	$
	Roads & Walks	$	$	$	$
	Site Improvement	$	$	$	$
	Lawns & Planting	$	$	$	$
	Demolition	$	$	$	$
	Unusual Site Conditions	$	$	$	$
(b)	Total Site Work	$	$	$	$
	Concrete	$	$	$	$
	Masonry	$	$	$	$
	Metals	$	$	$	$
	Carpentry	$	$	$	$
	Roofing & Insulation	$	$	$	$
	Doors & Windows, Framing	$	$	$	$
	Exterior & Interior Finishes	$	$	$	$
	Cabinets & Appliances	$	$	$	$
	Plumbing & HVAC	$	$	$	$
	Electrical	$	$	$	$
(c)	Total Construction	$	$	$	$
(d)	General Conditions	$	$	$	$
(e)	**Subtotal Hard Costs (a+b+c+d)**	$	$	$	$
(f)	Contingency	$	$	$	$
(g)	**Total Hard Costs (e+f)**	$	$	$	$

Soft Costs:		$	$	$	$
	Permits/Surveys	$	$	$	$
	Architectural	$	$	$	$
	Engineering	$	$	$	$
	Legal	$	$	$	$
	Bond Premium	$	$	$	$
	Real Estate Taxes	$	$	$	$
	Insurance	$	$	$	$
	Security	$	$	$	$
	Developer's Overhead	$	$	$	$
	General Contractor's Overhead	$	$	$	$
	Construction Manager	$	$	$	$
	Property Manager	$	$	$	$
	Construction Interest	$	$	$	$
	Financing/Application Fees	$	$	$	$
	Utilities	$	$	$	$
	Monitoring Fees	$	$	$	$
	Accounting	$	$	$	$
	Marketing	$	$	$	$
(h)	**Subtotal Soft Costs**	$	$	$	$
(i)	Contingency	$	$	$	$
(j)	**Total Soft Costs (h+i)**	$	$	$	$
(k)	**Total Development Costs (g+j)**	$	$	$	$

Profit Analysis (should conform to the pro forma)

Sources:

Affordable projected sales $
Market sales $
Philanthropy $
Public grants $
(A) Total Sources $

Uses:

Construction Contract Amount $
(B) Total Development Costs $

Profit:

(C) Total Profit (A-B) $0
(D) Percentage Profit (C/B) $0

Cost Analysis (should conform to the pro forma)

Total Gross Building Square Footage

Residential Construction Cost per Sq. Ft.

Total Hard Costs per Sq. Ft.

Total Development Costs per Sq. Ft.

Sales per Sq. Ft.
(do not include proceeds from public grants)

XI. DEVELOPMENT SCHEDULE

Complete the chart below by providing the appropriate month and year. Fill in only as many columns as there are phases. If there will be more than three phases, add columns as needed.

	Phase 1	Phase 2	Phase 3	Total
Number of affordable units	3	_____	_____	4
Number of market units (including 1 @100% AMI)	8	_____	_____	_____
Total by phase	11	_____	_____	_____

Please complete the following chart with the appropriate projected dates:

	Phase 1	Phase 2	Phase 3	Total
All permits granted	6/30/2024	_____	_____	_____
Construction start	9/30/2024	_____	_____	_____
Marketing start – affordable units	7/31/2024	_____	_____	_____
Marketing start – market units	7/31/2024	_____	_____	_____
Construction completed	9/30/2025	_____	_____	_____
Initial occupancy	9/30/2025	_____	_____	_____

XII. MARKETING OUTREACH AND LOTTERY

Affirmative Fair Housing Marketing Plan:

Please submit your Affirmative Fair Housing Marketing Plan (AFHMP), prepared in accordance with Section III of the 40B Guidelines, and a description of the lottery process that will be used for this project. This shall describe:

- Information materials for applicants that will be used that provides key project information;
- Eligibility requirements;
- Lottery and resident selection procedure;
- Any preference system being used (Note: if local preference is proposed for this project, demonstration of the need for local preference must be demonstrated and accepted by DHCD);
- Measures to ensure affirmative fair marketing including outreach methods;
- Application materials that will be used; and
- Lottery Agent.

XIII. CHECKLIST OF ATTACHMENTS

The following documentation must accompany each application:

1. ☒ Letter of support signed by Chief Elected Officer of municipality
2. ☒ Letter of support from local housing partnership (if applicable)
3. ☒ Signed letter of interest from a construction lender
4. ☒ Map of community showing location of site
5. Check payable to DHCD
6. ☒ Rationale for calculation of affordable purchase prices or rents (see Instructions)
7. ☒ Copy of site control documentation (deed or Purchase & Sale or option agreement)
8. ☐ 21E summary (if applicable) N/A
9. ☒ Photographs of existing building(s) and/or site
10. ☒ Site Plan showing location of affordable units
11. ☒ Sample floor plans and/or sample elevations
12. ☒ Proposed marketing and lottery materials

N. B.: Appraisal: DHCD will commission an appraisal, for which the sponsor of the project will pay. We will not issue a Project Eligibility Letter until that appraisal has been completed and accepted by DHCD.

17 Walker Street LLC
Walker Street Apartments

PROJECT DESCRIPTION

1. History of the Project Site.

The Walker Street Apartment project proposes to redevelop a parcel of business zoned land at 17 Walker Street in close proximity to Main Street. The parcel is currently the site of a commercial building built about 1935 that is now used for office and retail uses, and historically was used for a Taxi transportation center. The existing building is proposed to be demolished and the site redeveloped with one 3 story building to contain 11 apartment units and an enclosed parking area within the building. The project site is extremely well located within downtown Falmouth to services, employment, and transportation, and municipal sewer service is available to the project.

2. Project and Surrounding Land Use.

The subject site is located on land primarily zoned as a Business 1. The project is located in a densely developed area in the downtown center of Falmouth. The surrounding area is largely commercial, though it includes multi-family residential within apartments located on Main Street and single family dwellings along Walker Street to the south of the project site.

The project site is 0.122 acres. The project site is serviced by the Town sewer system. The applicant proposes to demolish the existing building and to construct 11 apartment units within one new building. Of the 11 units, 5 are proposed as 1 bedroom apartment units, 4 are proposed as 2 bedroom apartment units, and 2 are proposed as studio apartment units. Each unit will contain its own washer and dryer. The project also proposes common space on the first floor and a parking garage space at the lower level. Two points of access are proposed, with one curb cut on Glenwood Avenue and one on Chancery Lane.

The existing lot coverage for structures, pavement and parking is 100%. The site is currently nonconforming to overall lot coverage requirements under the Falmouth Zoning Bylaw within the Business District (Business 1 zoning district, 70% and Residential C 40%). The proposed lot coverage by structures is 86.1%. The proposed overall lot coverage for structures pavement and parking at 94.5%. The project is designed to provide for 1 parking space per unit within the enclosed garage area. Public parking is also available along Walker Street, Main Street and nearby public parking lots.

The estimated total daily wastewater flow generated from the existing uses at the site is 500 gallons per day. The new apartment building proposes 15 bedrooms with a calculated daily wastewater flow at 110 gallons per day per bedroom, for a total proposed wastewater flow of 1650 gallons per day. This amounts to an increase of 1150 gallons per day of wastewater flow. Pursuant to M.G.L. Chapter 40B, the Falmouth Zoning Board of Appeals is the permit granting authority within the Comprehensive Permit process to approve a change of use relative to wastewater flow and the sewer system.

Concentrating housing development in particular within the center of Falmouth allows for preservation of open space in undeveloped areas outside of the Town center, while strengthening the economy and infrastructure of the Town. This strategy serves the needs within the community while offsetting waste of finite resources. The project location is consistent with land use planning guidelines set by the Local Comprehensive Plan ("LCP") for the Town of Falmouth and the Cape Cod Commission's Regional Policy Plan. Falmouth's LCP encourages "infill" development and is consistent with the objective that development and redevelopment should be directed to regional growth centers that have sufficient carrying capacity to sustain the impacts of growth and development. The Town Center, although not formally designated as a "Growth Activity Center" by the Cape Cod Commission, is for all practical purposes a growth activity center and is eligible for such designation if pursued by the Town of Falmouth. The Cape Cod Commission defines a "Regional Growth/Activity Center" as a densely developed area providing a wide variety of commercial goods and services for the immediately surrounding area as well as for the larger region, and that such areas have or support different types of residential uses and are usually served by urban-scale infrastructure, such as sewer. The downtown area of Falmouth where the project is proposed meets this definition. The Regional Policy Plan provides that growth should be concentrated in or adjacent to existing village centers and Growth/Activity Centers. In addition, the Regional Policy Plan sets a minimum performance standard that development shall be located and designed to promote infill within Growth/Activity Centers.

The project location is also consistent with the Town's Affordable Housing Production Plan adopted in 2019 in accordance with state affordable housing regulations and approved by the Town of Falmouth. The rental housing need within Falmouth is identified within the Town's Affordable Housing Production Plan as a significant need. The project will contribute to the affordable housing goal as set forth in the Town's Affordable Housing Production Plan of the creation of 256 affordable housing rental units in 5 years. Additionally, 3 of the proposed units will be deed restricted as affordable housing units for households earning up to 80% of Area Median Income and 1 of the proposed units will be deed restricted as an affordable housing unit for households earning up to 100% of Area Median Income. All of the rental housing units proposed will be eligible to be added to the Subsidized Housing Inventory for the Town of Falmouth and counted toward the Town's 10% affordability goal. A lottery process will be employed with respect to the affordable housing units proposed with the developer seeking approval for a local preference lottery pool.

The proposed density and redevelopment is comparable to other apartment-style residential buildings within the downtown area of Falmouth, such as 704 Main Street Apartments on Main Street (59 units), 763 Main Street (48 units), Fairwinds Housing on

East Main Street, which contains 20 units along with a Walgreen's Pharmacy Building, Wise Living at Falmouth on Dillingham Avenue (55 units), Tataket Apartments in Teaticket (83 units), Schoolhouse Green in Teaticket (39 units). The project will be compatible with the downtown Falmouth location given the urban-like setting, and pedestrian and public transportation options available. When considering all of these factors, including the particular site location and surrounding land uses, the density proposed for 11 apartment units is appropriate. In addition, the 3 story building proposed is consistent with other apartment buildings located in the downtown of Falmouth, such as 704 Main Street and Scranton Main Housing at 763 Main Street, as well as with other 3 story buildings currently located on Main Street in relatively close proximity to the project site. The 3 story building allows for parking to be constructed at the first floor building level.

The project is proposed as a Local Initiative Program (LIP) project through the Massachusetts Executive Office of Housing & Livable Communities (EOHLC).

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

SOURCES AND USES

SECTION 3

ONE STOP APPLICATION

Section 3
SOURCES AND USES OF FUNDS

Sources of Funds

Optional user calculations

| | | |

Uses of Funds

Direct Construction:

The Contractor certifies that, to the best of their knowledge, the construction estimates, and trade-item breakdown on this page are complete and accurate.

. Who prepared the estimates?

RT Bowman Construction *Name* | *Signature*

. Basis for estimates?

	DV	Trade Item	Amount	Description
## .	3	Concrete	$55,000	foundation
## .	4	Masonry	$91,000	
## .	5	Metals	$182,000	steel
## .	6	Rough Carpentry	$68,000	
## .	6	Finish Carpentry	$91,000	
## .	7	Waterproofing	$45,000	
## .	7	Insulation	$68,000	
## .	7	Roofing	$109,000	
## .	7	Sheet Metal and Flashing		
## .	7	Exterior Siding	$250,000	
## .	8	Doors	$68,000	
## .	8	Windows	$72,000	
## .	8	Glass	n/a	
## .	9	Lath & Plaster	n/a	part of drywall
## .	9	Drywall	$227,000	
## .	9	Tile Work	n/a	part of flooring and tile
## .	9	Acoustical	$27,000	
## .	9	Wood Flooring	n/a	part of flooring and tile
## .	9	Resilient Flooring	n/a	part of flooring and tile
##	9	flooring/tile/resilient/carpet	$257,000	includes gypcrete
## .	9	Paint & Decorating	$68,000	
## .	10	Specialties	$45,500	garage overhead doors, signag
## .	11	Special Equipment	$67,500	bathroom and kitchen accessories, interior flat work, access panels
## .	11	Cabinets	$118,000	includes countertops
## .	11	Appliances	$55,000	
## .	12	Blinds & Shades	$18,000	
## .	13	Modular/Manufactured	n/a	
## .	13	Special Construction	n/a	
## .	14	Elevators or Conveying Syst.	$130,000	
## .	15	Plumbing & Hot Water	$318,000	
## .	15	Heat & Ventilation	$370,000	
## .	15	Air Conditioning	n/a	part of heat and ventilation
##	15	Fire Protection	$136,500	spinkler, firestopping, fireproofing, and fire extinguishers
## .	16	Electrical	$370,000	includes fire alarm
## .		Accessory Buildings		
## .		Other/misc		
## .		**Subtotal Structural**	$3,306,500	
## .	2	Earth Work	n/a	included in site improvements
## .	2	Site Utilities	n/a	included in site improvements
## .	2	Roads & Walks	n/a	included in site improvements
## .	2	Site Improvement	$363,775	includes demolition
## .	2	Lawns & Planting	$79,300	includes landscapping, flatwork, fencing, and paving
##	2	Geotechnical Conditions	$20,000	
##	2	Environmental Remediation	$0	
##	2	Demolition	$25,000	
## .	2	Unusual Site Cond	$0	
## .		**Subtotal Site Work**	$488,075	
## .		**Total Improvements**	$3,794,575	
## .	1	General Conditions	$181,887	
## .		**Subtotal**	$3,976,462	
## .	1	Builders Overhead	$258,470	
## .	1	Builders Profit	$367,000	
## .		**TOTAL**	$4,601,932	

Total Cost/square foot: N/A Residential Cost/s.f.: N/A

Development Budget:

		Total	Residential	Commercial	Comments
##	. Acquisition: Land	$550,000			
##	. Acquisition: Building	$0			
##	. **Acquisition Subtotal**	$550,000	$0	$0	
##	. Direct Construction Budget	$4,601,932	$4,601,932		(from line 159)
##	. Construction Contingency	$230,097	$230,097		5.0% of construction
##	. **Subtotal: Construction**	$4,832,029	$4,832,029	$0	
	General Development Costs:				
##	. Architecture & Engineering	$144,961			
##	. Survey and Permits	$48,656			
##	. Clerk of the Works	$0			
##	. Environmental Engineer	$0			
##	. Bond Premium	$45,000			
##	. Legal	$25,000			
##	. Title and Recording	$10,000			
##	. Accounting & Cost Cert.	$15,000			
##	. Marketing and Rent Up	$26,083			
##	. Real Estate Taxes	$10,800			
##	. Insurance	$15,300			
##	. Relocation	$0			
##	. Appraisal	$5,000			
##	. Security	$0			
##	. Construction Loan Interest	$0			
##	. Inspecting Engineer	$28,000			
##	. Fees to: application	$20,000			
##	. Fees to:	$0			
##	. MIP	$0			
##	. Credit Enhancement Fees	$0			
##	. Letter of Credit Fees	$0			
##	. Other Financing Fees	$0			
##	. Development Consultant	$0			
##	. Other:	$0			
##	. Other:	$0			
##	. Soft Cost Contingency	$241,601			61.4% of soft costs
##	. **Subtotal: Gen. Dev.**	$635,402	$635,402	$0	
##	. **Subtotal: Acquis., Const., and Gen. Dev.**	$6,017,430	$6,017,430	$0	
##	. Capitalized Reserves	$0			
##	. Developer Overhead	$0			
##	. Developer Fee	$0			
##	. **Total Development Cost**	$6,017,430	$6,017,430	$0	**TDC per unit** $547,039
##	. **TDC, Net**	$6,017,430	$6,017,430	$0	**TDC, Net per unit** $547,039

Additional Detail on Development Pro-Forma: NOT APPLICAPLE

## .	Gross Syndication Investment	
	Off-Budget Costs:	
	Syndication Costs:	
## .	Syndication Legal	
## .	Syndication Fees	
## .	Syndication Consultants	
## .	Bridge Financing Costs	
## .	Investor Servicing (capitalized)	
## .	Other Syndication Expenses	
## .	Total Syndication Expense	$0
## .	Current Reserve Balance	
	Reserves (capitalized):	
## .	Development Reserves	
## .	Initial Rent-Up Reserves	
## .	Operating Reserves	
## .	Net Worth Account	
## .	Other Capitalized Reserves	
## .	Subtotal: Capitalized Reserves	$0
## .	Letter of Credit Requirements	
## .	Total of the Above	$0

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):

## .	Gross Sales From Units	$
## .	Cost of Sales (Commissions, etc.)	$
## .	Net Receipt from Sales	$0

Debt Service Requirements:

## .	Minimum Debt Service Coverage	
## .	Is this Project subject to HUD Subsidy Layering Review?	No

Optional user comments

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

OPERATING PRO FORMA SECTION 4 ONE STOP APPLICATION

Section 4
OPERATING PRO-FORMA

Operating Income

Rent Schedule:

	Contract Rent monthly w/o util allowa	Utility allowance/annun	Total Gross Rent/annum	No. of Units
222 . Low-Income (at 80%):				
SRO			$0	0
0 bedroom electric heat $117/mo	$1,693	$1,404	$18,912	1
1 bedroom electric heat $138/mo	$1,935	$1,656	$21,564	1
2 bedrooms electric heat $160/mo	$2,177	$1,920	$24,204	1
3 bedrooms			$0	0
4 bedrooms			$0	0
223 . Market tier 1				
SRO Based on 30% of 100% AIM			$0	0
0 bedroom (Affordable Restricted @100% AMI)	$1,904	$0	$22,848	1
1 bedroom	$2,175	$0	$26,100	2
2 bedrooms	$2,445	$0	$29,340	1
3 bedrooms			$0	0
4 bedrooms			$0	0
224 . Market tier 2				
SRO Based on 30% of 120% AIM			$0	0
0 bedroom			$0	0
1 bedroom	$2,610	$0	$31,320	2
2 bedrooms	$2,935	$0	$35,220	2
3 bedrooms		$0	$0	0
4 bedrooms			$0	0
225 . Other Income (User-defined)				
SRO			$0	0
0 bedroom			$0	0
1 bedroom			$0	0
2 bedrooms			$0	0
3 bedrooms			$0	0
4 bedrooms			$0	0
226 . Market Rate (unrestricted occupancy):				
SRO				0
0 bedroom				0
1 bedroom				0
2 bedrooms				0
3 bedrooms				0
4 bedrooms				0

Commercial Income:

227 . Square Feet: 0 @ (average) _____ /square foot = $0

Parking Income:

228 . Spaces: 11 @ (average) $75.00 /month x 12 = $9,900

Other Operating Income Assumptions:

			Optional user calculations	
229 . Laundry Income (annual):		$ -		
230 . Other Income:	a.			
	b.			
	c.			
	d.			
	e.			
	f.			

Vacancy Allowance:

231 . Low-Income 80%	5.0%
232 . Low-Income 100%	5.0%
233 . Income 120%	5.0%
234 . Other Income (User-defined)	
235 . Market Rate	
236 . Commercial	

Trending Assumptions for Rents:

	Year 2	Year 3	Years 4-5	Years 6-20
237 . Low-Income (Rental Assistance)	%	%	%	%
238 . Low-Income 80%	3.0%	3.0%	3.0%	3.0%
239 . Low-Income 100%	4.0%	4.0%	4.0%	4.0%
240 . Other Income (User-defined)	%	%	%	%
241 . Income 120%	5.0%	5.0%	5.0%	5.0%
242 . Commercial Space Rental	%	%	%	%
243 . Laundry Income	%	%	%	%
244 a Other Income -	%	%	%	%
b Other Income -	%	%	%	%
c Other Income -	%	%	%	%
d Other Income -	%	%	%	%
e Other Income -	%	%	%	%
f Other Income -	%	%	%	%

Operating Subsidy and Capitalized Operating Reserves:

245 . Subsidy Source I		
246 . Subsidy Source II		
247 . Capitalized Operating Reserve Amount:	$	Source:

248 . Yearly Draws on Subsidies and Reserves:

	Subsidy Source I	Subsidy Source II	Draw on Oper. Reserve
Year 1	$	$	$
Year 2	$	$	$
Year 3	$	$	$
Year 4	$	$	$
Year 5	$	$	$
Year 6	$	$	$
Year 7	$	$	$
Year 8	$	$	$
Year 9	$	$	$
Year 10	$	$	$
Year 11	$	$	$
Year 12	$	$	$
Year 13	$	$	$
Year 14	$	$	$
Year 15	$	$	$
Year 16	$	$	$
Year 17	$	$	$
Year 18	$	$	$
Year 19	$	$	$
Year 20	$	$	$
Year 21	$	$	$

249 . **Annual Operating Income (year 1)**	$301,672	

Operating Expenses

	Annual Operating Exp.:	Total	Residential	Commercial	Comments
250	Management Fee	$18,100	$18,100		6% EGI
251	Payroll, Administrative	$0			
252	Payroll Taxes & Benefits, Admin.	$0			
253	Legal	$3,000	$3,000		$250/mo
254	Audit	$0			
255	Marketing/Brokerage	$8,296	$8,296		Turnover 33% per annum
256	Telephone	$1,200	$1,200		$100/mo for elevator
257	Office Supplies	$0			
258	Accounting & Data Processing	$1,800	$1,800		Tax Prep
259	Investor Servicing	$0			
260	DHCD Monitoring Fee	$0			
261	Other:	$0			
262	Other:	$0			
263	**Subtotal: Administrative**	$14,296	$14,296	$0	
264	Payroll, Maintenance	$18,100	$18,100		6% of EGI
265	Payroll Taxes & Benefits, Admin.	$0			
266	Janitorial Materials	$0			
267	Landscapingand Cleaning	$5,200	$5,200		100/wk includes interior cleanin
268	Decorating (inter. only)	$0			
269	Repairs (inter. & ext.)	$0			included in payroll maintenance
270	Elevator Maintenance	$3,360	$3,360		$280/mo
271	Trash Removal	$3,000	$3,000		$250/mo
272	Snow Removal	$1,600	$1,600		$200/storm at 8 storms
273	Extermination	$880	$880		Twice annual $40/unit
274	Recreation	$0			
275	Other:	$0			
276	**Subtotal: Maintenance**	$32,140	$32,140	$0	
277	**Resident Services**	$0			
278	**Security**	$0			
279	Electricity	$6,360	$6,360		o for common plus elevator use 85 H
280	Natural Gas	$0			
281	Oil	$0			
282	Water & Sewer	$4,290	$4,290		n usage of preexisting units in Fa
283	**Subtotal: Utilities**	$10,650	$10,650	$0	
284	**Replacement Reserve**	$543	$543		3% of EGI
285	**Operating Reserve**	$6,033	$6,033		2% of EGI
286	Real Estate Taxes	$24,220	$24,220		tax rate 6.92 value $3.5M
287	Other Taxes	$0			
288	Insurance	$11,893	$11,893		rate $.8/sq-ft 14,866 sq-ft
289	MIP	$0	$0		
290	Other:	$0			
291	**Subtotal:Taxes, Insurance**	$36,113	$36,113	$0	
292	**TOTAL EXPENSES**	$117,876	$117,876	$0	

Other Operating Expense Assumptions

Trending Assumptions for Expenses

		Year 2	Year 3	Years 4-5	Years 6-20
293	Sewer & Water	4.0%	4.0%	4.0%	4.0%
294	Real Estate Taxes	4.0%	4.0%	4.0%	4.0%
295	All Other Operating Expenses	4.0%	4.0%	4.0%	4.0%

year ending 5/23 CPI National 4%

Reserve Requirements:

296	Replacement Reserve Requirement	$4,525.07	per unit per year
297	Operating Reserve Requirement	$4,525.07	per unit per year

Debt Service:

			Annual Payment
298	MHFA	MHFA Program 1	N/A
299	MHFA	MHFA Program 2	N/A
300	MHP Fund Permanent Loan		N/A
301	Other Permanent Senior Mortgage		N/A
	Source:	N/A	
302	Other Permanent Senior Mortgage		N/A
	Source:	N/A	
303	**Total Debt Service (Annual)**		$0
304	**Net Operating Income**		$183,796 (in year one)
305	**Debt Service Coverage**		N/A (in year one)

Affordability: Income Limits and Maximum Allowable Rents

306 . County [ ] MSA [ ]

This MSA does not match the county you have chosen

307 . **Maximum Allowed Rents, by Income, by Unit Size:**

Income Limits last updated on 3/12/12

	Maximum Income 50%	60%	0%	*Maximum Rent (calculated from HUD income data)* 50%	60%	0%
SRO	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
0 bedroom	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
1 bedroom	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2 bedrooms	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
3 bedrooms	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
4 bedrooms	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
Area median income for a family of four:		#VALUE!				

308 . **H.U.D. "Fair Market Rents" (Maximum):**

0 bedroom	#VALUE!
1 bedroom	#VALUE!
2 bedrooms	#VALUE!
3 bedrooms	#VALUE!
4 bedrooms	#VALUE!
5 bedrooms	#VALUE!

FMR Information last updated on 3/12/12

	Operations before this transaction:				Operations after:		
	Type	*Number*	*Current Rent*	*Annualized Income*	*Number*	*Future Rents*	*Market Rent GPR*
309 .	SRO	0	0	0	0	0	0
310 .	0 bedroom	0	0	0	0	0	0
311 .	1 bedroom	0	0	0	0	0	0
312 .	2 bedrooms	0	0	0	0	0	0
313 .	3 bedrooms	0	0	0	0	0	0
314 .	4 bedrooms	0	0	0	0	0	0
315 .	**Gross Potential Rental Income**			0			0
316 .	Vacancy		0%	0	Vacancy	5%	-15,356
317 .	Other Income			0	Other Income		9,900
318 .	Effective Gross Income			0	Effective Gross Income		-5,456

	Operating Expenses	Year	*Reason*	*% Change*	Year
319 .	Management fee	0			18,100
320 .	Administration	0			14,296
321 .	Maintance/Operations	0			32,140
322 .	Resident Services	0			0
323 .	Security	0			0
324 .	Utilities	0			10,650
325 .	Replacement Reserve	0			543
326 .	Operating Reserve	0			6,033
327 .	Real Esate Taxes	0			24,220
328 .	Insurance	0			11,893
329 .	**Total Expenses**	0			117,876
330 .	**Net Operating Income**	0	**Net Operating Income**		-123,332

331 . **Transaction Description:**

Optional user calculations

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

ZONING BYLAW

LIST OF WAIVERS

List of Waivers – 17 Walker Street, Falmouth, MA

1. **Section 240-11.2B – Minimum Lot Width.** The subject located in the Business 1 ("B1") BR zoning district and a small portion of the site at the southeast corner is located in the RC zoning district. The Business 1 zoning district does not have a minimum lot width requirement for new lots. The Residential C ("RC") zoning district requires a minimum lot width for new lots at 100 feet. The lot width for the subject site is less than 100 feet. A new lot is not being created for this project. However, if deemed applicable, a waiver of this provision of the Zoning Bylaw is required for the RC zoning district.

2. **Section 240-11.3A – Maximum Lot Coverage by Structures, Pavement and Parking**. The B1 zoning district requires a maximum lot coverage of 70% for structures and 90% for structures, pavement and parking. The RC zoning district requires a maximum lot coverage of 20% for structures and 40% for structures, pavement and parking. A small portion of the proposed building is to be located in the RC zoning district at the southeast corner of the lot. The existing lot coverage by structures, pavement and parking is 100% and will be reduced by the proposed project. The proposed lot coverage for structures, pavement and parking is 94.5%. A waiver of these provisions of the Zoning Bylaw is required for the B1 and RC zoning districts.

3. **Section 240-11.3A – Maximum Lot Coverage by Structures.** The B1 zoning district requires a maximum lot coverage of 70% for structures. The RC zoning district requires a maximum lot coverage of 20% for structures. The proposed lot coverage for structures is 86.1% over the entire site, with only minimal coverage in the RC District. A waiver of the provisions of Section 240-11.3A of the Zoning Bylaw is required as to the lot coverage by structures.

4. **Section 240-11.5A – Maximum Building Height.** The zoning bylaw requires a maximum building height of 35 feet for principal structures in the B1 and RC zoning districts. The proposed building height is 35 feet not including the elevator enclosure. A waiver of this provision of the Zoning Bylaw is required with respect to the elevator enclosure in excess of 35 feet.

5. **Section 240-11.5A – Maximum Building Stories.** The zoning bylaw requires a maximum number of stories at 2 ½ stories for principal structures in the B1 and RC zoning districts. The proposed building is 3 stories. A waiver of this provision of the Zoning Bylaw is required.

6. **Section 240-11.4A(1) – Front Yard Setback.** The Zoning Bylaw requires a minimum front yard setback of 50 feet in the B1 and RC zoning district for multifamily dwellings exceeding 2 ½ stories. The frontage of the proposed building is located in the B1 zoning district adjacent to Walker Street. The proposed front yard setback for the new building is 1 foot, which is similar to other buildings in close proximity on Main Street where in the B1 zoning district where little or no front yard setback is provided. In addition, adjacent road area exists between the lot frontage and the actual travelled way of Walker Street (as shown on the site plans) that visually expands the front yard setback. Notwithstanding, a waiver of this provision of the Zoning Bylaw is required.

7. **Section 240-11.4(2) – Side and Rear Yard Setbacks.** The Zoning Bylaw provides in Section 11.4(2)(e) that no side or rear setback is required in the B1 zoning district. In the RC zoning district, the Zoning Bylaw Section 240-11.4(2)(b) requires a minimum side yard setback of the building height for multifamily dwellings exceeding 2 ½ stories and Section 240-11(2)(b) requires a minimum rear yard

setback of 100 feet for multifamily dwellings. Only a small portion of the proposed building will be located in the RC zoning district at the southeast corner of the lot. The proposed side yard setback in the RC Zoning district is 2 feet adjacent to Chancery Lane. Notwithstanding, a waiver of these provisions of the Zoning Bylaw is required.

8. **Section 240-14.1E– Minimum Parking Requirements.** The Zoning Bylaw requires 1.5 parking spaces for each 1 bedroom apartment unit and 2 spaces for each 2 bedroom apartment unit. The project proposes 2 studio units, 5-1 bedroom units and 4-2 bedroom units (11 units). The proposed parking is 11 spaces. A waiver of this provision of the Zoning Bylaw as to residential apartment unit parking will be required. For projects that are not M.G.L. Chapter 40B projects, Section 14.1.E(3) allows for a reduction in parking by special permit of the Zoning Board of Appeals in special circumstances. The close proximity of the project site to public parking, pedestrian amenities to access services, and public transportation in this downtown location are special circumstances for a parking reduction. Notwithstanding, a waiver of this provision of the Zoning Bylaw will be required for the proposed residential apartment parking.

9. **Section 240-6.2A – Multi-family Units and Density.** The Zoning Bylaw requires a special permit from the Zoning Board of Appeals for multifamily dwellings in the B1 zoning district. Multi-family dwellings are not permitted in the RC zoning district under the Zoning Bylaw. Section 240-6.2A of the Zoning Bylaw requires a maximum density of 6 units per acre for multi-family dwellings in the B1 zoning district. The Zoning Bylaw does permit multi-family dwellings at a density of 8 units per acre in the Business Redevelopment zoning district. The proposed project exceeds the density requirements for multi-family dwellings in the B1 zoning district. A waiver of these provisions of the Zoning Bylaw will be required.

10. **Section 240-12.2B – Site Plan Review.** The Zoning Bylaw requires site plan review from the Planning Board for any new development on a lot that would add 500 square feet or more of gross floor area or which would under Section 240-14.1.E (Table of Minimum Parking Requirements) require a total of five or more parking spaces based on both existing and new development. A waiver of this provision of the Zoning Bylaw will be required.

11. **Sewer Bylaw, Code of Falmouth, Section 180-55**. The Town of Falmouth Sewer Bylaw requires a variance from the Select Board for change of use increased flows in excess of 10%. The existing flow has been calculated at 500 gallons per day based on the existing commercial uses (retail and hair salon). The proposed flow is 1650 gallons per day based on 15 bedrooms proposed at 100 gallons per day per bedroom. The increase due to the change of use is more than 10%. A waiver of this provision of the Sewer Bylaw will be required. The Zoning Board of Appeals is the waiver granting authority under a Comprehensive Permit pursuant to M.G.L. Chapter 40B and regulations thereto.

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

PHOTOGRAPHS

EXISTING SITE

Town of Falmouth, MA

Property

Zoom To | Share | Print | 17 walker

17 WALKER ST

Street View

Google

Google Directions | Zoom

Town of Falmouth

Property Record Card

Barnstable County Registry of Deeds

Planning Board Regulations

General

Address	17 WALKER ST
Property ID	47A 08 013 000
Parcel Account #	23100

Ownership

Owner	17 WALKER STREET LLC
Mailing Address	907 MASSACHUSETTS AVE
	CAMBRIDGE, MA 02139
Last Sale	$ on

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

LETTER OF SUPPORT

FALMOUTH AFFORDABLE HOUSING COMMITTEE

Laura Moynihan

From: Dave Garrison <davegarrison@mac.com>
Sent: Monday, September 18, 2023 11:47 AM
To: nancy.taylor@falmouthma.gov
Cc: Laura Moynihan; Kim Fish; noreen.stockman@falmouthma.gov
Subject: Affordable Housing Committee support for 17 Walker Street project

TO: Nancy Taylor, Chair, Falmouth Select Board

FROM: David Garrison, Chair, Affordable Housing Committee

CC: Laura Moynihan, Kim Fish, Noreen Stockman

RE: 17 Walker Street project

At its regularly scheduled monthly meeting on Thursday, September 14, 2023, the Falmouth Affordable Housing Committee expressed its unanimous support for the proposed eleven-unit apartment building at 17 Walker Street. As presented by Attorney Laura Moynihan, Stuart Rothman (President, First Cambridge Reality Corporation), and Michael Borselli (Falmouth Engineering), the project will include three, deed-restricted affordable rental units serving tenants with incomes at or below 80% of AMI. The project is proposed to be a LIP.

The location of this multifamily rental apartment building just a block off of Main Street seems to the AHC to be an excellent idea, not only because it will bring much needed rental units to the downtown but also because it will include three affordable units. Parking spaces will be provided in the building for tenants. Tenants will have easy access to nearby shops and transportation options along Main Street.

The Affordable Housing Committee urges support for the project.

David Garrison
Chair
Falmouth Affordable Housing Committee=

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

FALMOUTH ASSESSOR'S INFORMATION

Unofficial Property Record Card - Falmouth, MA

General Property Data

Parcel ID 47A 08 013 000	Account Number Falmouth
Prior Parcel ID --	
Property Owner 17 WALKER STREET LLC	Property Location 17 WALKER ST
	Property Use STORE
Mailing Address 907 MASSACHUSETTS AVE	Most Recent Sale Date 8/30/2022
	Legal Reference 35335-324
City CAMBRIDGE	Grantor MOORE TRUSTEE,PAUL P
Mailing State MA Zip 02139	Sale Price 575,000
ParcelZoning B1	Land Area 0.125 acres

Current Property Assessment

Card 1 Value	Building Value 129,600	Xtra Features Value 0	Land Value 262,800	Total Value 392,400

Building Description

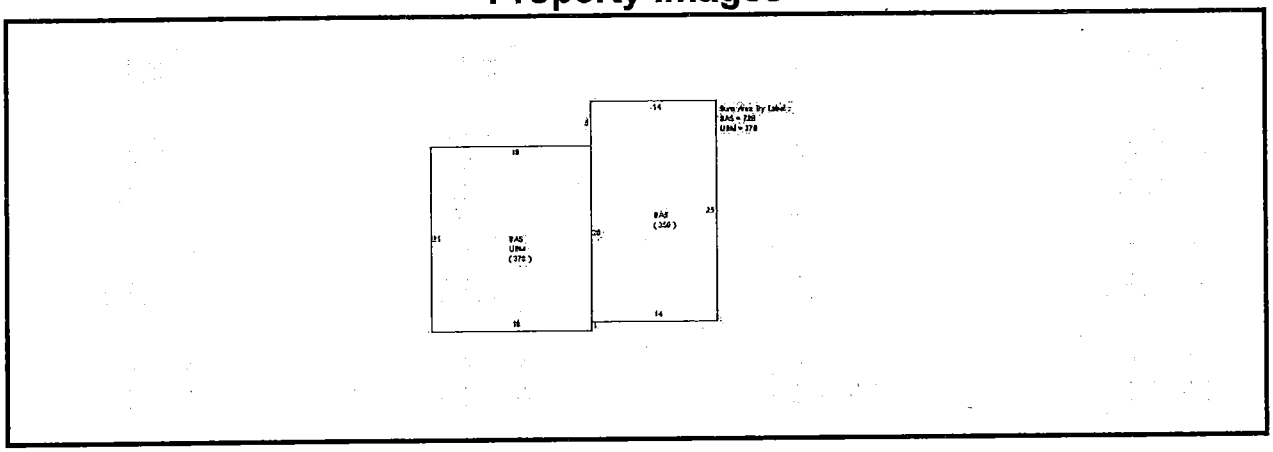
Building Style Office Build	Foundation Type	Flooring Type Hardwood
# of Living Units 1	Frame Type Masonry	Basement Floor N/A
Year Built 1935	Roof Structure Gable/Hip	Heating Type Frcd Hot Air
Building Grade 6 1.35	Roof Cover Asphalt	Heating Fuel Gas
Building Condition Average	Siding CB Stucco	Air Conditioning 100%
Finished Area (SF) 728	Interior Walls Drywall	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 2	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.125 acres of land mainly classified as STORE with a(n) Office Build style building, built about 1935 , having CB Stucco exterior and Asphalt roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 2 half bath(s).

Property Images



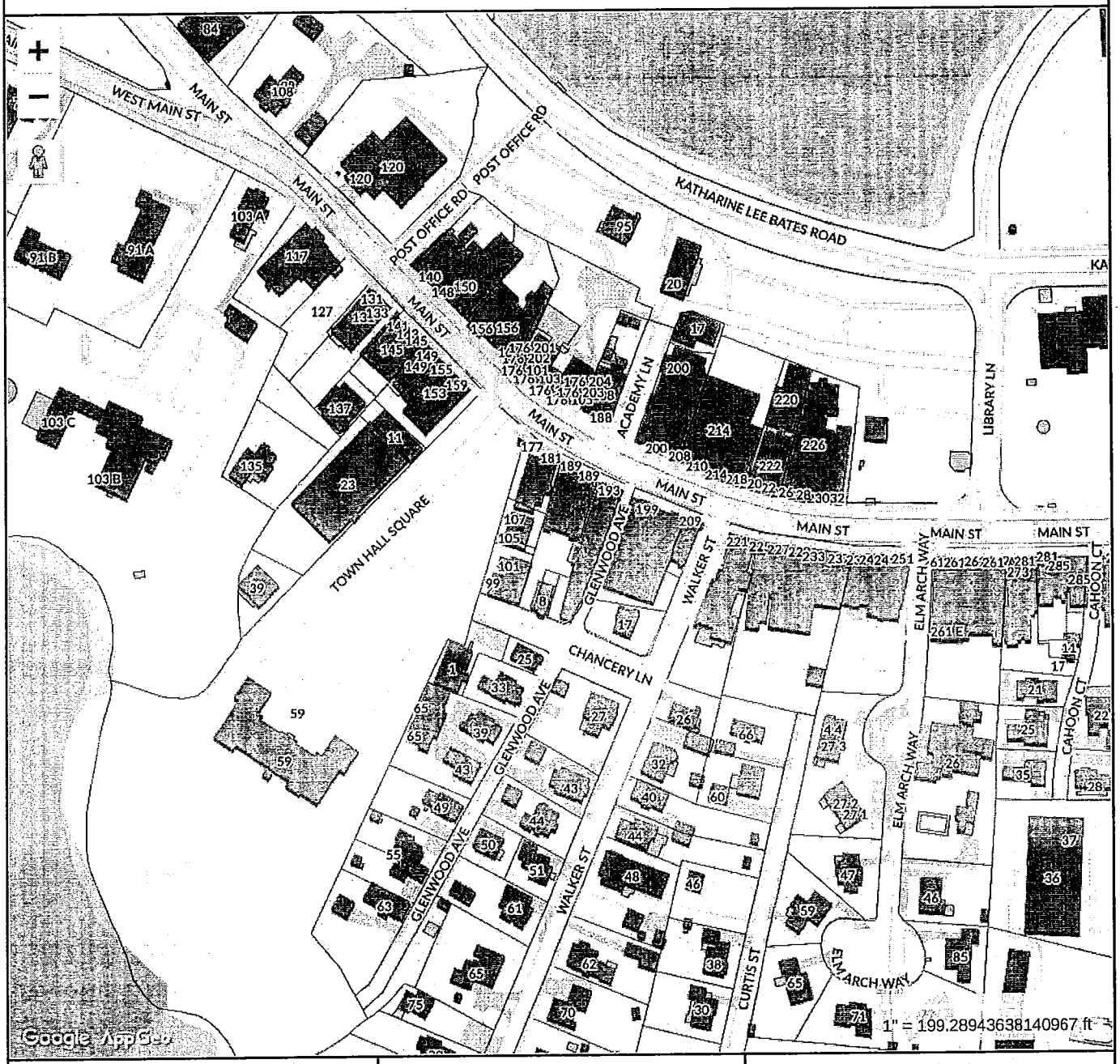
Disclaimer: This information is believed to be correct but is subject to change and is not warranteed.

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

FALMOUTH

GIS MAP



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Falmouth, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 01/03/2023
Data updated 09/05/2023

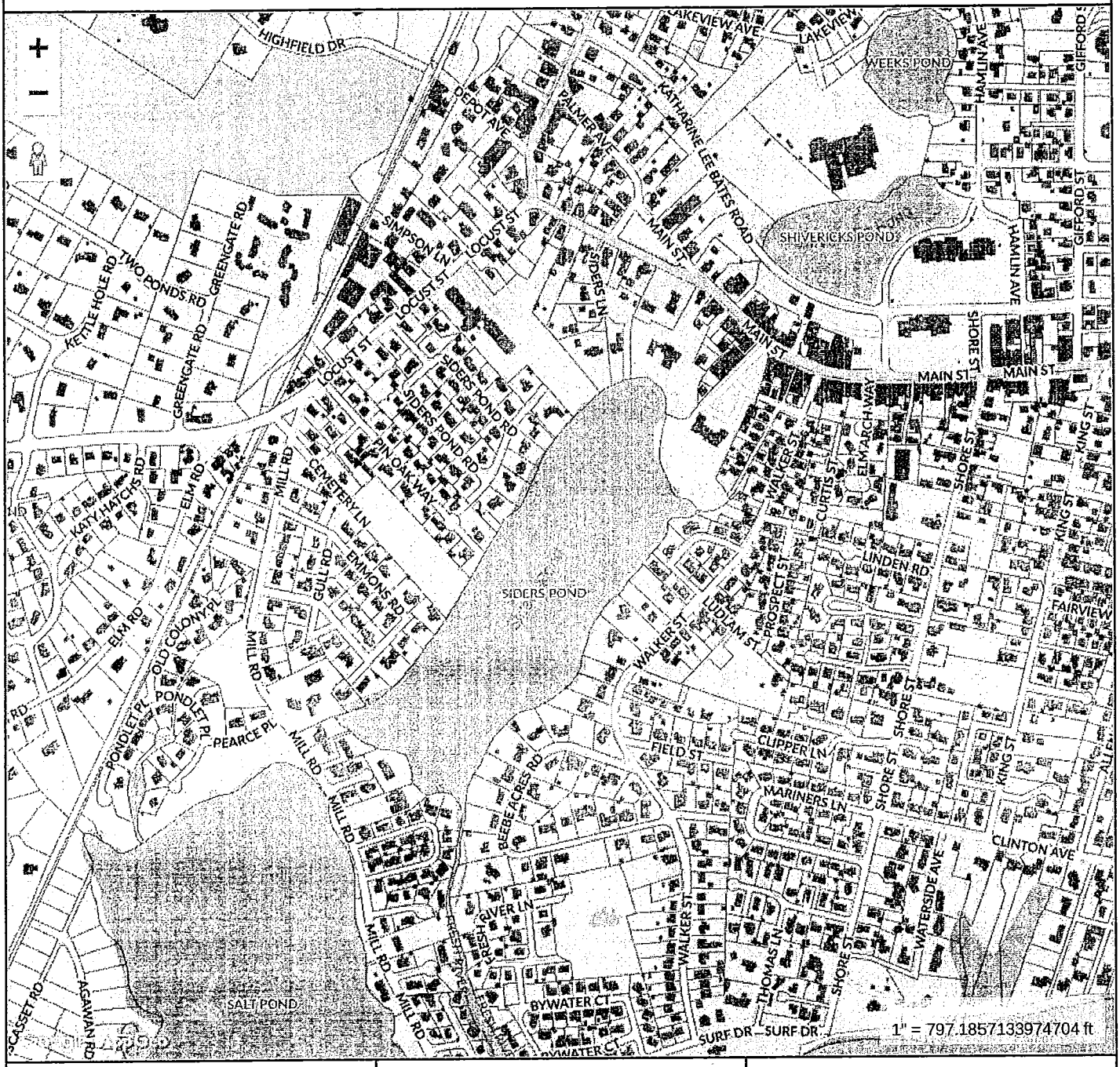
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Falmouth, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 01/03/2023
Data updated 07/21/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Falmouth, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 01/03/2023
Data updated 09/05/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

DEED TO

PROJECT SITE

Bk 35335 Pg324 #43377
08-30-2022 @ 10:18a

QUITCLAIM DEED

We, **Paul P. Moore and Timothy M. Kelly, Trustees of the 17 Walker St. Realty Trust u/d/t dated March 13, 2008 and recorded at the Barnstable Registry of Deeds in Book 22774, Page 23,** of 17 Walker Street, Falmouth, Massachusetts 02540

In consideration paid of
Five Hundred Seventy-Five Thousand and 00/100 Dollars ($575,000.00)

Grant to **17 WALKER STREET, LLC,** A Massachusetts Limited Liability Company, of 907 Massachusetts Avenue, Cambridge, Massachusetts 02139

*With **QUITCLAIM COVENANTS***

The land together with the buildings and improvements thereon situated at 17 Walker Street in Falmouth, Barnstable County, Massachusetts 02540, more particularly described as follows:

NORTHERLY: by land now or formerly of Maxwell Provitzel, ninety-seven and 44/100 (97.44) feet;

EASTERLY: by Walker street, one hundred twenty-five and 00/100 (125.00) feet;

SOUTHERLY: by land now or formerly of Harry San Souci, one hundred five and 00/100 (105.00) feet; and

WESTERLY: by Glenwood Avenue by two courses measuring a total of one hundred six and 56/100 (106.56) feet.

The aforesaid parcel of land is shown on a plan entitled "Plan of Land, Charles E. Morrison, Falmouth, Mass., Scale one inch equals 20 feet, dated July 15, 1943", George A. Griffin, C.E., Woods Hole, Mass., recorded with the Barnstable County Registry of Deeds in Plan Book 68, Page 99.

Said Premises are subject to a Taking for South Access Road (now known as Chancery Lane) recorded at said Registry in Book 1109 Page 289 and shown on a plan recorded at said Registry in Plan Book 161 Page 75.

PROPERTY ADDRESS: 17 Walker Street, Falmouth, Massachusetts 02540

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 08-30-2022 @ 10:18am
Ctl#: 217 Doc#: 43377
Fee: $1,966.50 Cons: $575,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 08-30-2022 @ 10:18am
Ctl#: 217 Doc#: 43377
Fee: $1,759.50 Cons: $575,000.00

Said Premises are conveyed subject to and with the benefit of all other rights of way, restrictions, reservations and easements of record insofar as the same are in force and applicable.

We, Paul P. Moore and Timothy M. Kelly, as Trustees of the **17 Walker Street Realty Trust**, u/d/t/ dated March 13, 2008 and recorded in the Barnstable Registry of Deeds in Book 22774, Page 23 do hereby certify, under the pains and penalties of perjury, that we are the only Trustees of the Trust; that the Trust has not been revoked or terminated or amended; that all the beneficiaries of the Trust are of full legal age and are competent, that none of the beneficiaries of the Trust are corporations, or decedent's subject to estate tax liens, that all the beneficiaries of the Trust have authorized and directed us to convey the property of the Trust located at 17 Walker Street, Falmouth, MA 02540 to 17 Walker Street, LLC, for the consideration of $575,000.00, and further to execute and deliver a Deed to effectuate said conveyance and that in accordance with the provisions of the Trust, we have full power and authority to execute and deliver this Deed on behalf of the Trust.

The Grantors herein certify that no persons have homestead rights in the premises herein conveyed as the premises are not residential property but are commercially used property.

For title see deed recorded in Book 22774 Page 29 of the Barnstable Registry of Deeds, and Confirmatory Deed recorded at said Registry in Book 25539 Page 225.

Executed as a sealed instrument and under the pains and penalties of perjury this 24 day of August 2022.

17 Walker St. Realty Trust
dated March 13, 2008

By: Paul P. Moore
Paul P. Moore, Trustee

COMMONWEALTH OF MASSACHUSETTS

Barnstable County ss: August 24, 2022

On this 24 day of August, 2022, before me, the undersigned notary public, personally appeared **Paul P. Moore, Trustee** as aforesaid proved to me through satisfactory evidence of identification, which were [✓] MA Drivers License or [ ] Other (_____) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for the stated purpose, and who swore or affirmed to me that the contents of this document are truthful and accurate to the best of his knowledge and belief.

Austin R. Sanidas
Notary Public: Austin R. Sanidas
My Commission Expires: 06/09/2028

AUSTIN R. SANIDAS
Notary Public, Commonwealth of Massachusetts
My Commission Expires June 09, 2028

PROPERTY ADDRESS: 17 Walker Street, Falmouth, Massachusetts 02540

Executed as a sealed instrument and under the pains and penalties of perjury this 24 day of August 2022.

17 Walker St. Realty Trust
Dated March 13, 2008

By: _____
Timothy M. Kelly, Trustee

COMMONWEALTH OF MASSACHUSETTS

Barnstable County ss: August 24, 2022

On this 24 day of August, 2022, before me, the undersigned notary public, personally appeared **Timothy M. Kelly, Trustee** as aforesaid proved to me through satisfactory evidence of identification, which were [/] MA Drivers License or [ ] Other (_____) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for the stated purpose, and who swore or affirmed to me that the contents of this document are truthful and accurate to the best of his knowledge and belief.

_____
Notary Public: Austin R. Sanidas
My Commission Expires: 06/09/2028

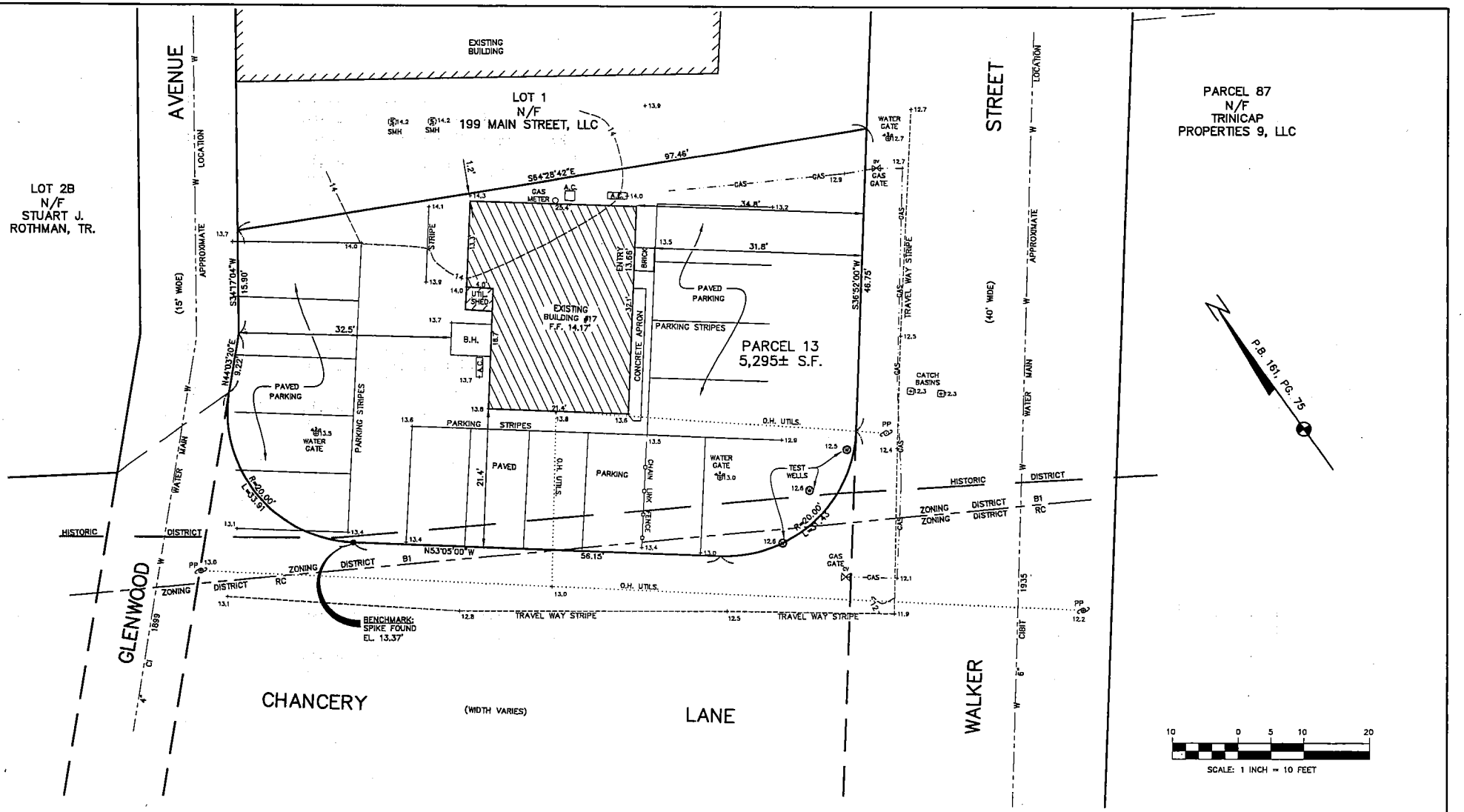
AUSTIN R. SANIDAS
Notary Public, Commonwealth of Massachusetts
My Commission Expires June 09, 2028

PROPERTY ADDRESS: 17 Walker Street, Falmouth, Massachusetts 02540

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

EXISTING CONDITIONS PLAN



GENERAL NOTES:

1. ASSESSOR'S INFORMATION: 47A 08 013 000
2. FLOOD ZONE: X (0.2%) (FEMA MAP 25001C0736J)
3. ZONING DISTRICTS: B1 & RC
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICT: HISTORIC DISTRICT
6. LOT COVERAGE BY:
   A. STRUCTURES: 786 S.F./5,295 S.F. = 14.8%
   B. STRUCTURES/PARKING/PAVING: 5,295 S.F./5,295 S.F. = 100%
7. WIND BORNE DEBRIS REGION: HIGH
8. STREET ADDRESS: WALKER STREET
9. BUILDING NUMBER: 17
10. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
11. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.

LEGEND

——14——	EXISTING 2' CONTOUR
+12.5	EXISTING SPOT ELEVATION
x14.0	PROPOSED SPOT ELEVATION
SMH Ⓢ	EXISTING SEWER MANHOLE
PP	EXISTING UTILITY POLE
➡	DRAINAGE FLOW

EXISTING CONDITIONS PLAN

FOR #17 WALKER STREET

PREPARED FOR

17 WALKER STREET, LLC

IN

FALMOUTH MA

PLAN DATE: JULY 25, 2023 PLAN SCALE: 1"=10'

CIVIL ENGINEERING
WASTEWATER DESIGN
TITLE 5 PLOT PLANS
LAND USE PLANNING
WETLANDS PERMITTING
COASTAL ENGINEERING
PIERS AND DOCKS
COMMERCIAL/RESIDENTIAL

FALMOUTH ENGINEERING

Serving Cape Cod and Southeastern Massachusetts

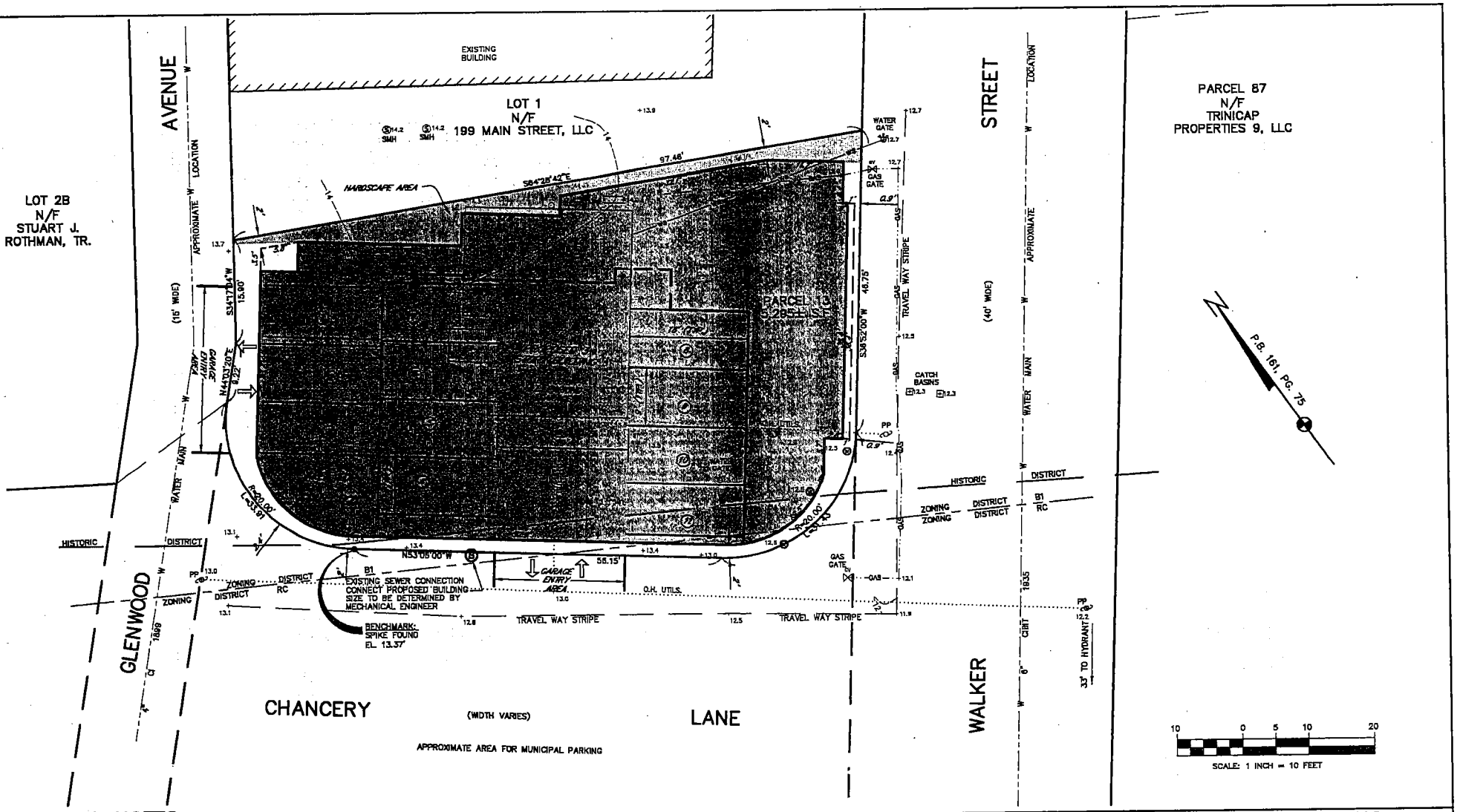
17 ACADEMY LANE, SUITE 200 – FALMOUTH, MA – 02540 – 508.495.1225

PROJECT NUMBER: 23011	CAD FILE NAME: 23011SP	DRAWN BY: L.M./	SHEET 1 OF 1

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

PROPOSED SITE PLAN



GENERAL NOTES:

1. ASSESSOR'S INFORMATION: 47A 08 013 000
2. FLOOD ZONE: X (0.2%) (FEMA MAP 25001C0736J)
3. ZONING DISTRICTS: B1 & RC
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICT: HISTORIC DISTRICT
6. LOT COVERAGE BY:
   A. PROPOSED STRUCTURES: 4,560 S.F./5,295 S.F. = 86.1%
   B. PROPOSED STRUCTURES/PARKING/PAVING: 5,002 S.F./5,295 S.F. = 94.5%
7. WIND BORNE DEBRIS REGION: HIGH
8. STREET ADDRESS: WALKER STREET
9. BUILDING NUMBER: 17
10. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
11. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.
12. THE PROPERTY IS NOT WITHIN A COASTAL POND OVERLAY DISTRICT
13. THE PROPERTY IS NOT WITHIN A WATER PROTECTION DISTRICT OR ZONE II OF A PUBLIC WATER SUPPLY

LEGEND

——14——	EXISTING 2' CONTOUR
+12.5	EXISTING SPOT ELEVATION
x14.0	PROPOSED SPOT ELEVATION
SMH Ⓢ	EXISTING SEWER MANHOLE
PP	EXISTING UTILITY POLE
➡	DRAINAGE FLOW

SITE PLAN – PROPOSED BUILDING

FOR #17 WALKER STREET

PREPARED FOR

17 WALKER STREET, LLC

IN

FALMOUTH MA

PLAN DATE: NOVEMBER 7, 2023 PLAN SCALE: 1"=10'

CIVIL ENGINEERING
WASTEWATER DESIGN
TITLE 5 PLOT PLANS
LAND USE PLANNING

FALMOUTH ENGINEERING

WETLANDS PERMITTING
COASTAL ENGINEERING
PIERS AND DOCKS
COMMERCIAL/RESIDENTIAL

Serving Cape Cod and Southeastern Massachusetts

17 ACADEMY LANE, SUITE 200 – FALMOUTH, MA – 02540 – 508.495.1225

PROJECT NUMBER: 23011 | CAD FILE NAME: 23011SP | DRAWN BY: L.M./ | SHEET 2 OF 2

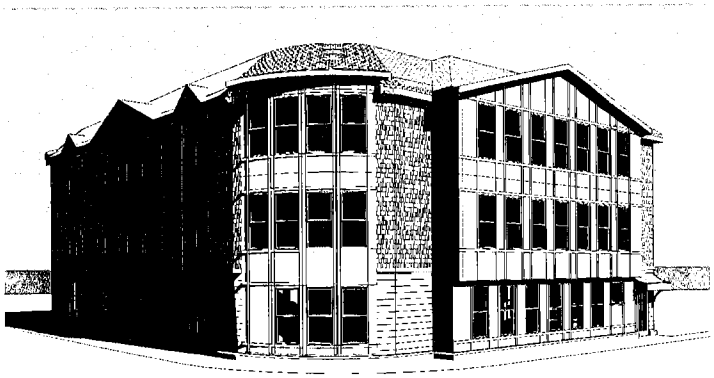
17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

ARCHITECTURAL PLANS

ELEVATIONS & FLOOR PLANS

ARCHITECTURAL DRAWING LIST		
Sheet Number	Sheet Name	Sheet Issue Date
A-000	COVER SHEET	09/26/2023
C1	EXISTING CONDITIONS SITE PLAN	07/25/2023
A-020	ARCHITECTURAL SITE PLAN	09/26/2023
A-100	FIRST FLOOR PLAN	09/26/2023
A-101	SECOND & THIRD FLOOR PLAN	09/26/2023
A-300	GLENWOOD ROAD & CHANCERY LANE ELEVATIONS	09/26/2023
A-301	WALKER STREET & SIDE ELEVATIONS	09/26/2023
AV-1	PROPOSED PERSPECTIVES	09/26/2023



PROJECT:
17 WALKER STREET RESIDENCES

PROJECT ADDRESS:
17 WALKER STREET
FALMOUTH, MA 02540

ARCHITECT
KHALSA DESIGN INC.
17 IVALOO STREET, SUITE 400
SOMERVILLE, MA 02143

OWNER
17 WALKER STREET, LLC,
C/O FIRST CAMBRIDGE REALTY CORPORATION
907 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

SD SET
09/26/2023

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT

KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE. 617-591-8682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	ES
Checked by	TC
Scale	1/8" = 1'-0"

REVISIONS

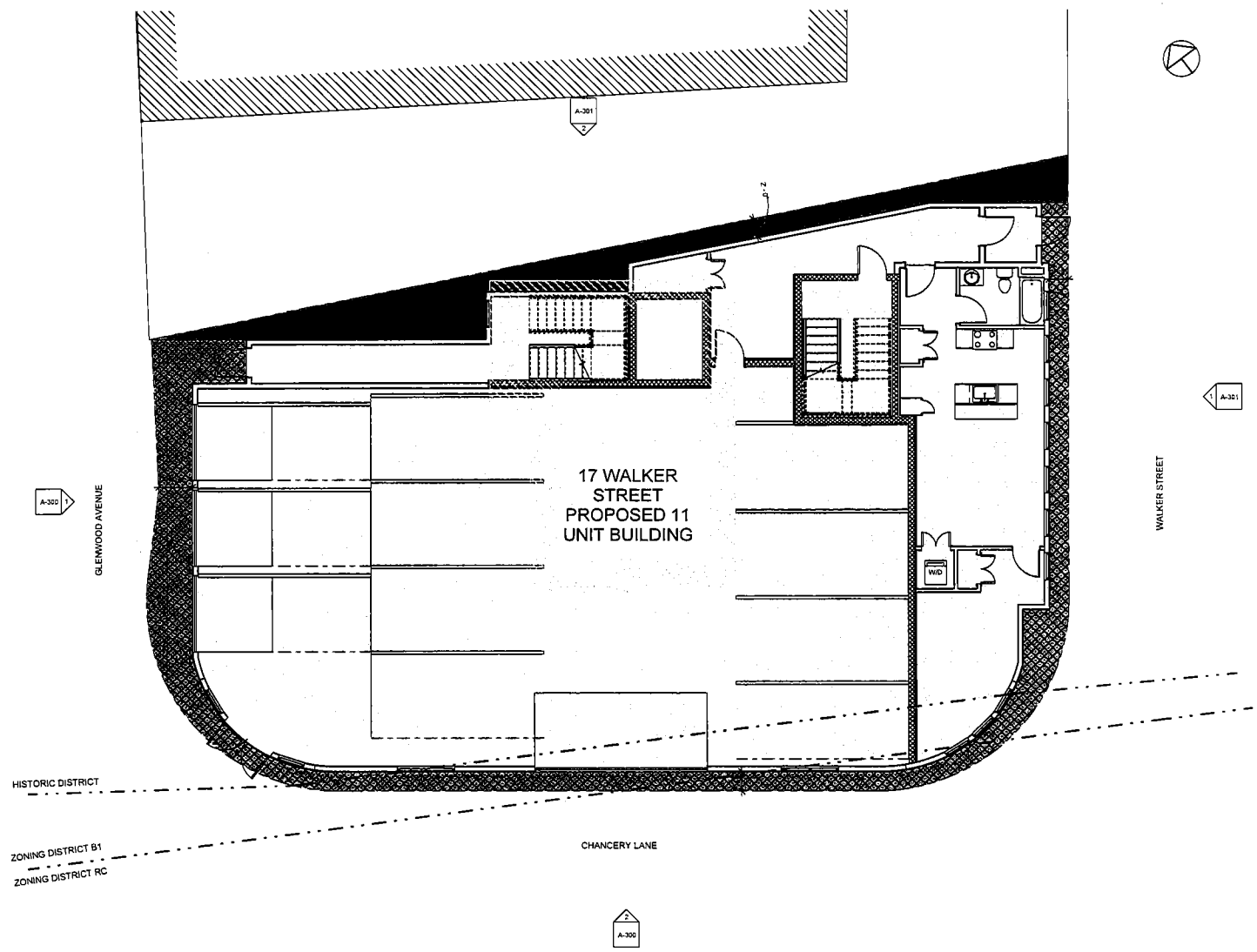
No.	Description	Date

COVER SHEET

A-000

WALKER STREET MULTIFAMILY

V:\KDI-SERVER\Data\23\23041_Fort Cambridge_17 Walker St\03 Drawings\00_ARCH_SD_DD\23-x-17Walker_Falmouth.SkpsetSet.pgsan 2.rvt
9/25/2023 7:16:01 PM



SITE PLAN LEGEND

- PROPOSED FOOTPRINT
- LANDSCAPE
- PAVERS
- REQUIRED SETBACKS

NOTE:

THIS PLAN IS FOR INFORMATIONAL AND ILLUSTRATIVE PURPOSES ONLY. THE PREPARER OF THIS PLAN MAKES NO CLAIM TO ITS ACCURACY. THIS PLAN SHALL NOT BE USED OR RELIED UPON IN ANY CIRCUMSTANCE. A CERTIFIED LAND SURVEYOR SHALL PROVIDE AN OFFICIAL CERTIFIED PLOT PLAN.

PROJECT NAME

WALKER STREET MULTIFAMILY

PROJECT ADDRESS

17 WALKER STREET
FALMOUTH, MA

CLIENT

FCRC

ARCHITECT

DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-8682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	ES
Checked by	TC
Scale	As indicated

REVISIONS

No.	Description	Date

ARCHITECTURAL SITE PLAN

A-020

WALKER STREET MULTIFAMILY

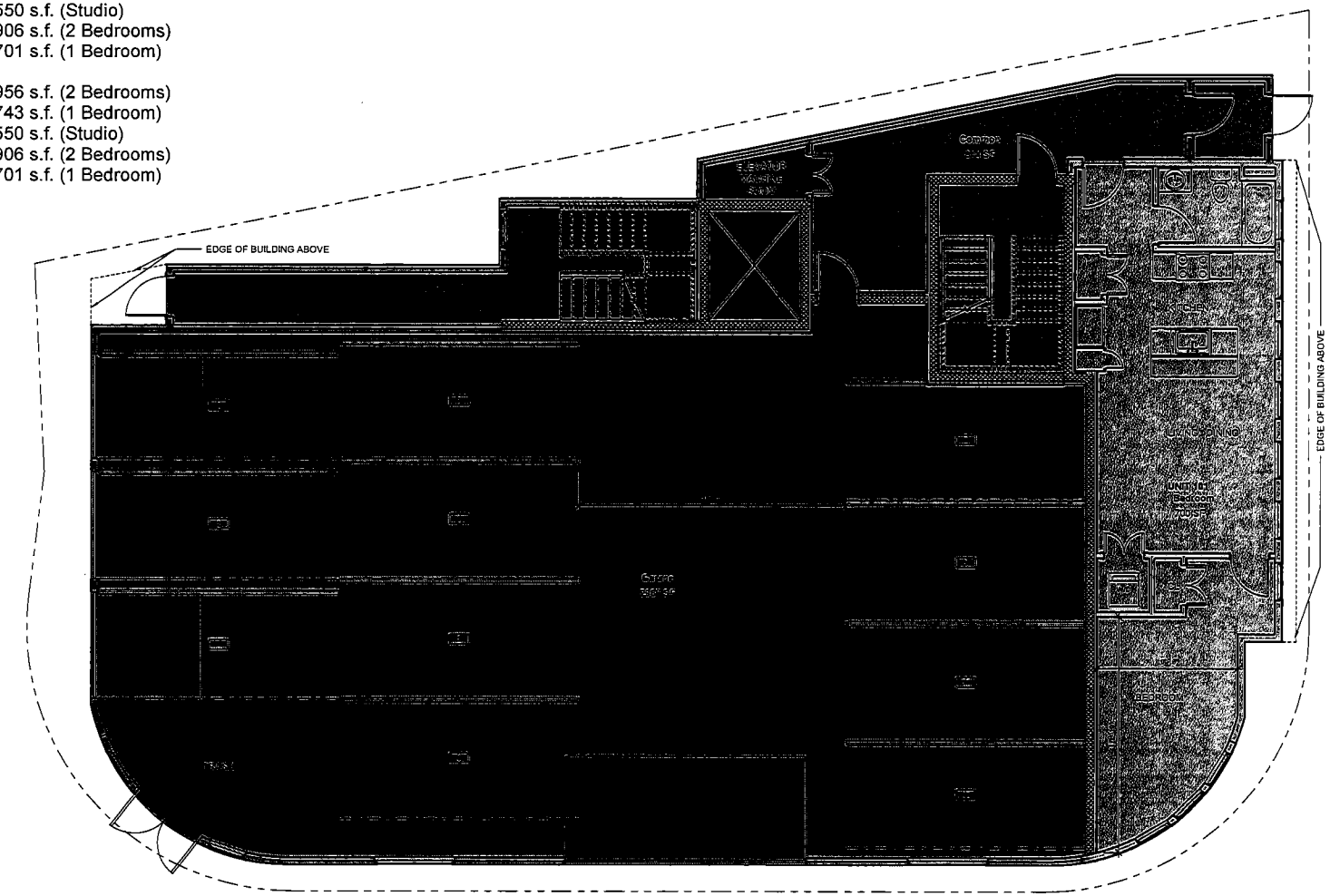
FLOOR	STUDIO	1 BEDROOM	2 BEDROOM	TOTAL
1	0	1	0	1
2	1	2	2	5
3	1	2	2	5
TOTAL	**2**	**5**	**4**	**11**

FLOOR	RESIDENTIAL S.F.	COMMON	GARAGE	TOTAL S.F.
1	±700 S.F.	±814 S.F.	±2,987 S.F.	±4,501 S.F.
2	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
3	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
TOTAL	**±8,412 S.F.** (764 S.F. AVERAGE UNIT SIZE)	**±2,158 S.F.**	**±2,987 S.F.**	**±13,557 S.F.** (1,232 S.F. PER UNIT)

Unit 101: 700 s.f. (1 Bedroom)

Unit 201: 956 s.f. (2 Bedrooms)
Unit 202: 743 s.f. (1 Bedroom)
Unit 203: 550 s.f. (Studio)
Unit 204: 906 s.f. (2 Bedrooms)
Unit 205: 701 s.f. (1 Bedroom)

Unit 301: 956 s.f. (2 Bedrooms)
Unit 302: 743 s.f. (1 Bedroom)
Unit 303: 550 s.f. (Studio)
Unit 304: 906 s.f. (2 Bedrooms)
Unit 305: 701 s.f. (1 Bedroom)



1 1ST FLOOR
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT

DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE 617-591-8882

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	ES
Checked by	TC
Scale	As indicated

REVISIONS

No.	Description	Date

FIRST FLOOR PLAN

A-100

WALKER STREET MULTIFAMILY

\\KDI-SERVER\Data\23\23041 - First Cambridge_17 Walker ST\03 Drawings\00_ARCH_SD_D\03-x-17Walker_Falmouth-Stupeli\Floor option 2.rvt
9/26/2023 1:16:02 PM

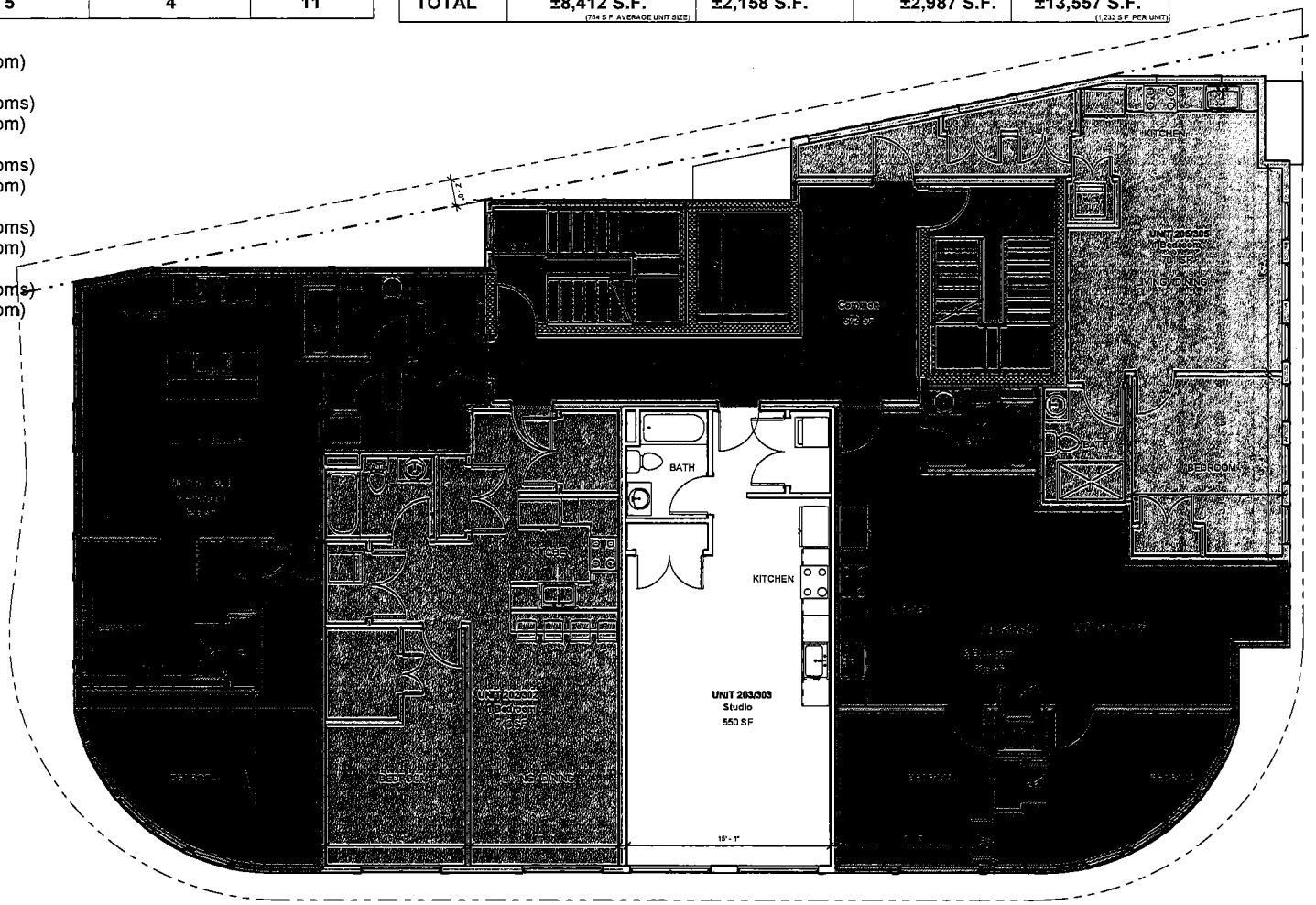
FLOOR	STUDIO	1 BEDROOM	2 BEDROOM	TOTAL
1	0	1	0	1
2	1	2	2	5
3	1	2	2	5
TOTAL	**2**	**5**	**4**	**11**

FLOOR	RESIDENTIAL S.F.	COMMON	GARAGE	TOTAL S.F.
1	±700 S.F.	±814 S.F.	±2,987 S.F.	±4,501 S.F.
2	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
3	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
TOTAL	**±8,412 S.F.** (764 S.F. AVERAGE UNIT SIZE)	**±2,158 S.F.**	**±2,987 S.F.**	**±13,557 S.F.** (1,232 S.F. PER UNIT)

Unit 101: 700 s.f. (1 Bedroom)

Unit 201: 956 s.f. (2 Bedrooms)
Unit 202: 743 s.f. (1 Bedroom)
Unit 203: 550 s.f. (Studio)
Unit 204: 906 s.f. (2 Bedrooms)
Unit 205: 701 s.f. (1 Bedroom)

Unit 301: 956 s.f. (2 Bedrooms)
Unit 302: 743 s.f. (1 Bedroom)
Unit 303: 550 s.f. (Studio)
Unit 304: 906 s.f. (2 Bedrooms)
Unit 305: 701 s.f. (1 Bedroom)



1 Bedroom
2 Bedroom
Common
Studio

① 2ND FLOOR
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
KHALSA DESIGN
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-391-6682

CONSULTANTS:
CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	EG
Checked by	TC
Scale	As Indicated

REVISIONS

No.	Description	Date

SECOND & THIRD FLOOR PLAN

A-101

WALKER STREET MULTIFAMILY

I:\TKG-SERVER\Data\23\23041 First Comments - 17 Walker St\03 Drawings\00 ARCH SD DD\23-17Walker Falmouth_SpaceRoadcolor2.rvt
9/26/2023 1:16:03 PM

1 West (Glenwood Road) Elevation
1/4" = 1'-0"

2 South (Chancery Lane) Elevation
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT

DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-6682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	SB
Checked by	TC
Scale	1/4" = 1'-0"

REVISIONS

No.	Description	Date

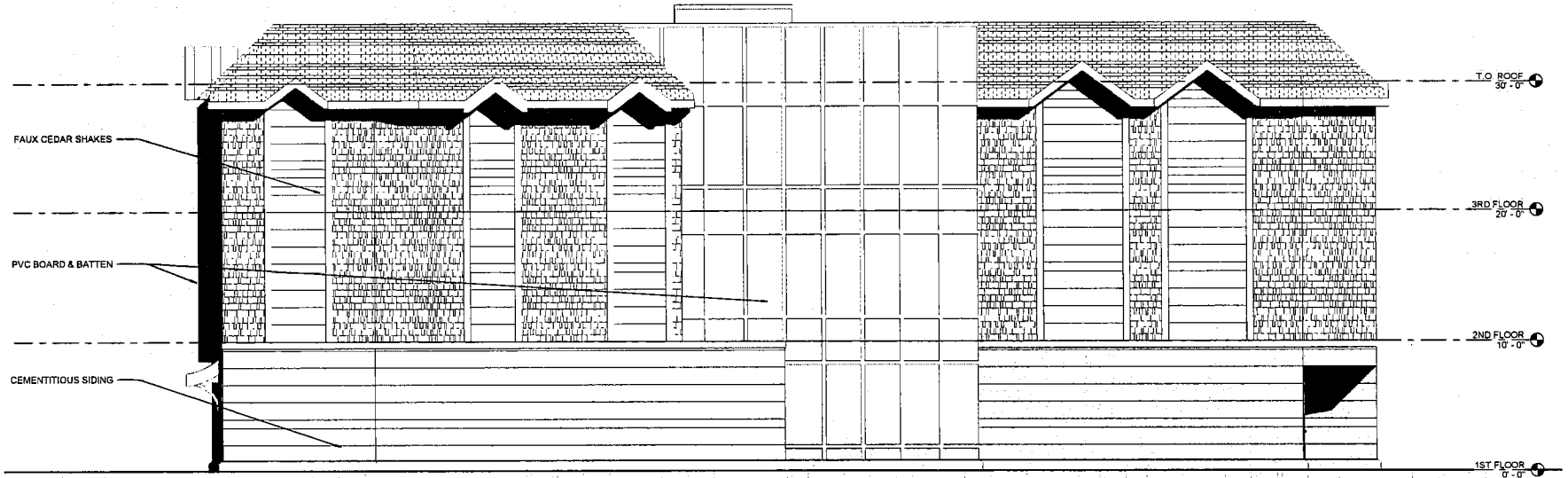
GLENWOOD ROAD & CHANCERY LANE ELEVATIONS

A-300

WALKER STREET MULTIFAMILY

I:\KDI_SERVER\Projects\2023\23041 East Cambridge 17 Walker\SD\03 Drawings\20 ARCH SD DD23-17Walker Falmouth-SteamRoof-action2.rvt

1 East (Walker Street) Elevation
1/4" = 1'-0"



2 North (Side) Elevation
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
DESIGN
KHALSA
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-8882

CONSULTANTS:
CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
REGISTERED ARCHITECT
COMMONWEALTH OF MASSACHUSETTS
NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	ES
Checked by	TC
Scale	1/4" = 1'-0"

REVISIONS

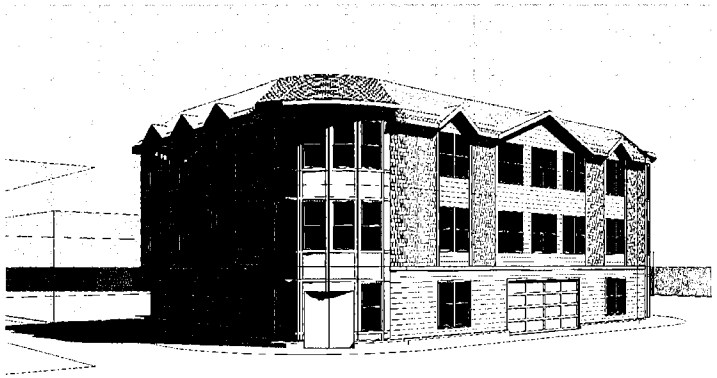
No.	Description	Date

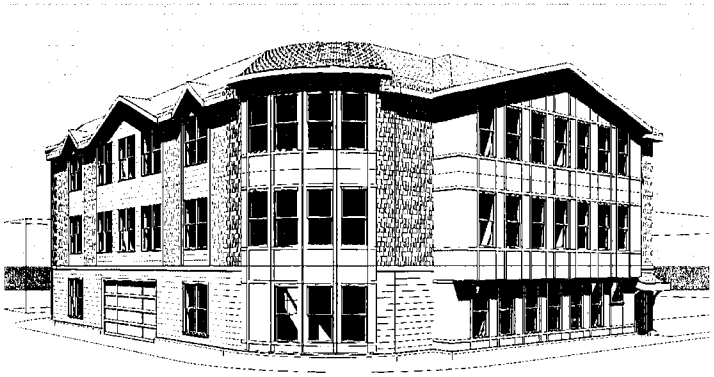
WALKER STREET & SIDE ELEVATIONS

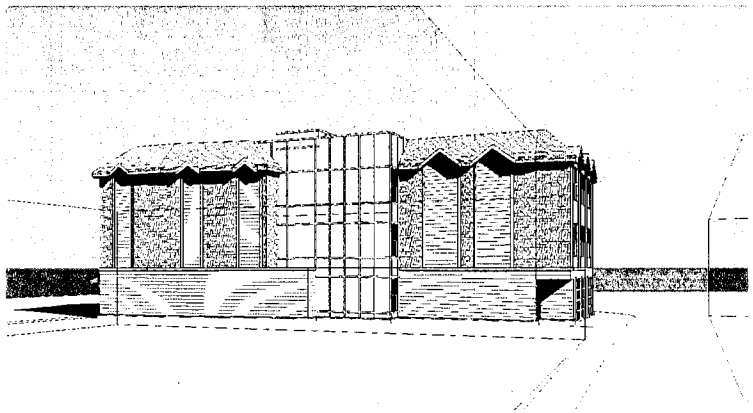
A-301

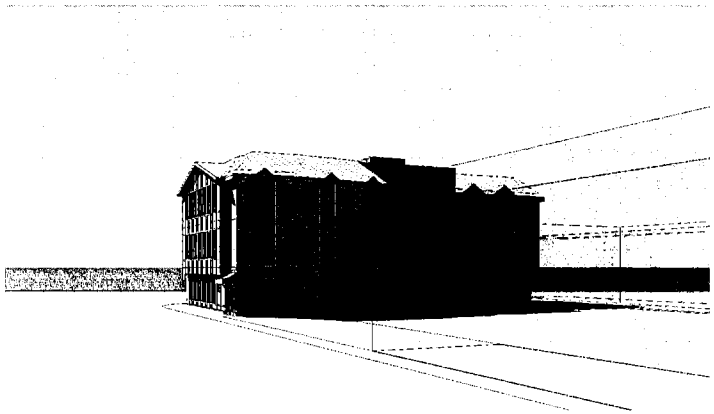
WALKER STREET MULTIFAMILY

\\TKG-SERVER\Data\23\23041_First Cambridge_17 Walker 2023 Drawings\00_ARCH_SD_DD23+\17Walker_Falmouth-SepteRed-logan 2.rvt
9/26/2023 1:16:22 PM









PROJECT NAME

WALKER STREET MULTIFAMILY

PROJECT ADDRESS

17 WALKER STREET
FALMOUTH, MA

CLIENT

FCRC

ARCHITECT

DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-8662

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	Author
Checked by	Checker
Scale	

REVISIONS

No.	Description	Date

PROPOSED PERSPECTIVES

AV-1

WALKER STREET MULTIFAMILY

\\FAS-SERVER\Data\23041_Fmt Cambridge_17 Walker St\01 Drawings\00_ARCH_SD_2023+\17Walker_Falmouth_Sept25 set.rvt
9/26/2023 1:16:27 PM

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

AFFIRMATIVE HOUSING MARKETING PLAN

Housing Assistance

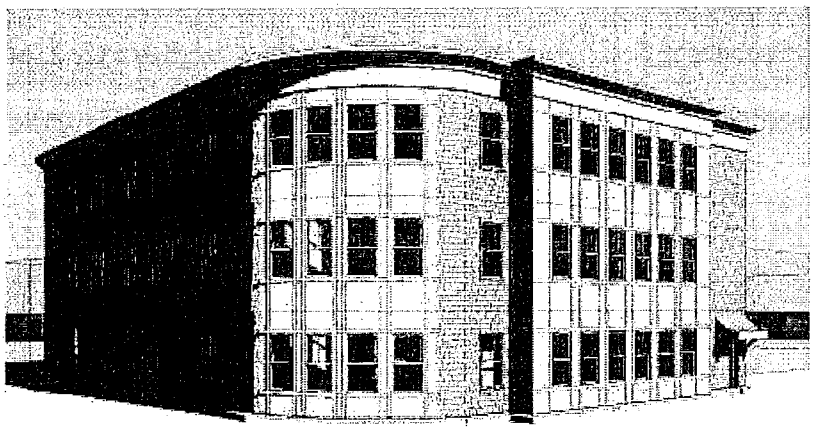
AFFIRMATIVE FAIR HOUSINGMARKETING PLAN

17 Walker Street
Falmouth MA 02540

Affordable Rental Opportunity

Three (3) Affordable Units

C/O First Cambridge Realty Corporation



EQUAL HOUSING OPPORTUNITY

AFFIRMATIVE FAIR HOUSING MARKETING PLAN (AFHMP) AFFORDABLE RENTAL UNITS

I. Project Information

A. Project Name: 17 Walker Street Residences
Address: 17 Walker Street, Falmouth MA 02540

B. Developer Name: C/O First Cambridge Realty Corporation
Address: 970 Massachusetts Avenue, Cambridge, MA 02139

Contact Person: Stuart Rothman
Telephone: (617) 547-6559 Email: srothman@fcrcorp.com

C. Owner Name: C/O First Cambridge Realty Corporation
Address: 970 Massachusetts Avenue, Cambridge, MA 02139

Contact Person: Stuart Rothman
Telephone: (617) 547-6559 Email: srothman@fcrcorp.com

D. Agent/Officer authorized and responsible for carrying out the AFHMP.
Name: Main Street Real Estate
Address: 189 Main Street, Falmouth MA 02540
Contact Person: Jim Fox, Owner | jimfox1111@gmail.com

E. Number of Units and Projected Rent: ***Total # Units*** - 11 ***Total # Affordable*** - 3

Unit Type	Unit Size	# Units	Household Size	Project Rent (80%)
Studio	550 SF	1	1-2	$1,693
1BR	700 SF	1	1-2	$1,935
2BR	906 SF	1	2-4	$2,177

F. Housing Characteristics CHECK ALL THAT APPLY

Heating System		Amenities	
Hot Water		Off-Street Parking	X
Warm Air	X	Porch/Deck	
Heat Pump		Garage	
Steam		Wheelchair Adaptable	

EQUAL HOUSING OPPORTUNITY

G. Construction Type: New __X_ Rehabilitation Combination

H. Rental Building Type: HUD Development __XX__MHFA/Mass Housing Development

__X___20 Units or Less_____More than 20 Units

II. Federal, State and Local Funding Sources:

- TBD

III. Unit Affordability and Household Income Guidelines

Maximum Income Limit by Median Income

Gross income from all sources cannot exceed:

Household Size	80% of Median
1	64,450
2	73,650
3	82,850
4	92,050

*Applicant income must be sufficient to cover rent or have a tenant-based subsidy that will do so.

Unit Mix and Rent Matrix

Unit Type/Size	Affordability Tier	Type of Rent	# of Units	Initial Rent Schedule (gross)	Initial Utility Allowance	Initial Contract Rent
Studio	80%	Low	1	$1,693	included	$1,693
1 BR	80%	Low	1	$1,935	included	$1,935
2 BR	80%	Low	1	$2,177	included	$2,177

**2023 Income Limits for Barnstable County, MA MSA HUD AMI

IV. Preferences

Two of the three 80% units will be made available first to households who meet the local preference guideline.

- Current resident of the town of Falmouth.

EQUAL HOUSING OPPORTUNITY

- Current employee of the town of Falmouth.
- Current employee of a business located in the town of Falmouth.
- Children attend Falmouth Public Schools

V. Marketing Plan

Housing Assistance Corporation (HAC) will launch a marketing campaign 6 months prior to the date in which the building is ready for occupancy. Occupancy anticipated to be TBD. All marketing materials and advertisements will display the HUD Equal Housing Opportunity logo and slogan. Affirmative marketing will start one month prior to general advertising. All affordable and accessible units will be listed on the HousingNavigator preference for the accessible apartments will be given to households who require the features of an accessible apartment.

In carrying out the marketing plan, C/O First Cambridge Realty Corporation and Housing Assistance Corporation, will comply with all Federal, State and local fair housing and civil rights laws and with all Equal Opportunity requirements. This applies to advertising, accepting, and processing applications, selecting tenants from among eligible applicants on the waiting lists, assigning apartments, certifying and recertifying income eligibility for the affordable apartment homes and all other aspects of continued occupancy.

Advertising

Placement of ads will be done a minimum of two times over a 60-day period. Marketing and advertising will be closely monitored to ensure that the property is receiving numerous applications for the apartments available. All ads will be consistent in size and other major attributes and include the HUD Equal Housing Opportunity logo. All advertising and marketing materials portraying persons will depict members of classes of persons protected under fair housing laws, including majority and minority groups as well as persons with disabilities. The ads will specify the affordable housing opportunity, rent and income limits, date, time and location of the info sessions and lottery drawing, deadline to apply, where to obtain an application and where to return a completed application. These newspaper ads will reach tenants both least likely to apply and most likely to apply. Where applicable, the print ads will be translated into the primary language of the newspaper readership. Online ads will also run on the property's website, HousingNavigator, and online ads that run with the print ads.

Mailing List

Additional notices and flyers describing the affordable housing opportunity and lottery will be mailed and/or emailed to fair housing commissions, area places of worship, local and regional housing agencies, local housing authorities, civic groups, social service agencies, and other non-profit organizations.

Community Outreach

To supplement the above advertising and mailings, we will also contact and establish rapport with community agencies and groups that can provide access to individuals who would not be reached by other methods.

Information Sessions

Housing Assistance Corporation along with C/O First Cambridge Realty Corporation will host one informational session during the application period via zoom, so that applicants may be able to ask questions, and get assistance with completing their application.

Affirmative Outreach

Based on review of area demographics from the Unites States Census Bureau, the groups least likely to apply have been identified as:

- American Indian or Alaska Native - currently .7% of existing population
- Hispanic or Latino - currently 3.7% of existing population
- Black (non-Hispanic) - currently only 3.8% of existing population
- Asian - currently only 1.7% of existing population

This Affirmative Fair Marketing campaign will encourage those least likely to apply with targeted outreach to the following sources:

- Local Housing Authorities (Yarmouth, Barnstable, Bourne, Mashpee, Sandwich, Falmouth, Dennis, Harwich & Brewster) and other housing and human service providers listed in the community contacts below. Outreach will be through general outreach, electronic mail, U.S. mail or fax to these local housing authorities and civic organizations.

Advertisements and/or announcements will be provided to:

- Cape Cod Times
- Cape Verdean News (Cape Verdean/New Bedford)
- Portuguese Times
- SamPan (Chinese/Boston)

Media Resources: List the media to be used to advertise the availability of the units:

- Internet Listings on the HousingNavigator and haconcapecod.org.

Name of Newspaper, Radio or TV Station	Racial/Ethnic Market
Bay State Banner	African American
Cape Cod Times	ALL
Portuguese Times	Portuguese
SamPan	Chinese

EQUAL HOUSING OPPORTUNITY

Organizations and Agencies

Housing Assistance Corp., Falmouth Housing Corp., Harwich Ecumenical Council for the Homeless, Community Development Partnership, Cape Organization for Rights of the Disabled, Duffy Health Center, Elder Services, Capecodseniors.org)

Community Agency/Organization	Racial/Ethnic Constituency(s)
Housing Assistance Corporation	All
Falmouth Housing Corporation	All
Harwich Ecumenical Council for the Homeless	Homeless Families and Individuals and those at-risk for homelessness
Cape Organization for Rights of the Disabled	Disabled Persons
Duffy Health Center	Homeless Families and Individuals and those at-risk for homelessness
Amplify POC Cape Cod	ALL
Cape Cod Seniors	Seniors
Community Development Partnership	All

VI. Project Description

The 17 Walker Street Project will involve the new construction of 11 rental units of which 3 of the units are designated as affordable rental housing. 1 studio, 1- one-bedroom unit, and 1- two-bedroom unit.

Three (3) units or 100% of the total affordable units will be affordable to individuals or families at or below 80% of the Area Median Income. All units will be accessible to visitors with disabilities.

VII. Marketing Plan

OUTREACH

Housing Assistance Corporation (HAC) will publicize the availability of units 17 Walker Street to low-income households in a newspaper of general circulation, minority media, and by other suitable means. Advertisements will be run a minimum of twice during the 60-day application period.

Affirmative marketing will begin one (1) month before general marketing and outreach.

To reach people who cannot or do not read newspapers, Housing Assistance Corporation will distribute fact sheets to community service programs, places of worship and housing authorities. The fact sheet will provide housing eligibility factors and guidelines so agencies can make proper referrals for 17 Walker Street.

RIGHT TO PRIVACY

All applicants are required to sign an Authorization for Release of Information as part of the application package.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant.

REQUIRED POSTINGS

C/O First Cambridge Realty Corporation will post, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- Statement of Policies and Procedures governing Admission and Continued Occupancy
- Income Limits for Admission
- Utility Allowance Schedule
- Fair Housing Poster
- Equal Opportunity in Employment Poster

EQUAL HOUSING OPPORTUNITY

It is the policy of C/O First Cambridge Realty Corporation, hereinafter referred to as the Agent, to promote equal opportunity and non-discrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing including, The

Fair Housing Amendments Act of 1988, 42 U.S.C.A. 3601-3620, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A 794 et seq., The Americans with Disabilities Act of 1990, 42 U.S.C.A.

12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.Aə 2000d, the Age Discrimination Act of 1975, 42 U.S.C.A. əə 6101-6107, Executive Order 11,063, Chapter 151B of the Massachusetts General Laws, and the Massachusetts Equal Rights Law, M.G.L. c 93, ə 103.

Applicants will be selected without regard to race, color, national origin, gender, gender identity, religious creed, sex, age, sexual orientation, genetic information, ancestry, marital status, veteran or active military status, familial status, children, source of income or receipt of public assistance, or disability. Disabled persons are entitled to request a reasonable accommodation of rules, policies, practices, or services or to request a reasonable modification of the housing, when such accommodations are necessary to afford the disabled person equal opportunity to use and enjoyment of the housing. (A requested change that would impose an undue financial and administrative burden on the housing provider, or that would fundamentally alter the nature of the provider's operations, would typically not be considered "reasonable.")

In satisfaction of Executive Order 13166, Owner/Manager will take reasonable steps to ensure meaningful access to the Development and its programs by persons with Limited English Proficiency (LEP). Owner/Manager will ensure that all vital documents pertaining to property management or lease-up are translated into the foreign language(s) that are prevalent in the community and amongst those who are anticipated to apply. Owner/Manager will provide Oral Language Services (i.e. Interpretation) and Written Language Services (i.e. Translation) that may be required in connection with the application process for occupancy of the Project.

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English are entitled to language assistance with respect to a particular type of service, benefit, or encounter. Assistance will be provided in accordance with C/O First Cambridge Realty Corporation Language Assistance Plan (LAP) a copy of which is included in the Tenant Selection Plan for 17 Walker Street.

Appointments for an application or for reasonable accommodations, including materials in alternate formats, may be made by contacting the management agent's office:

Name:	Main Street Real Estate
Address:	189 Main Street, Falmouth MA 02540
Contact:	774-763-5441 | jimfox1111@gmail.com

VIII. Taking Applications During the Lottery

PROCESS APPLICATION PROCESS:

Applicants wishing to apply for 17 Walker Street will be required to complete an application for Housing Assistance. Applications may be obtained as follows:

- MAILED to interested individuals upon request by calling Housing Assistance Corporation at #508-771-5400 ext. 282 or emailing lotteries@haconcapecod.org.

- IN PERSON at the:
    - North Falmouth Library 6 Chester St., No. Falmouth, MA 02556
    - Falmouth Main Library 300 Main S., Falmouth, MA 02540
    - Housing Assistance Office, 460 West Main Street, Hyannis, MA 02601

    *All locations are wheelchair accessible.

- DOWNLOADED from the Housing Assistance Corporation website at www.haconcapecod.org
- Marketing Timeline – Marketing will begin 180 Days prior to anticipated occupancy.

EQUAL HOUSING OPPORTUNITY

Affirmative Marketing (180days prior to occupancy)	TBD
General Marketing (150 days prior to occupancy	TBD
Applications available	
Application deadline	
Pre-lottery Screening	
Lottery	
Selection	
Occupancy	

An evening information session will be held on one date (date TBD) during the application period via zoom. To allow applicants to ask questions about the rental units and the application process.

Persons with disabilities who require reasonable accommodation in obtaining or completing an application may call Housing Assistance Corporation (HAC) to make special arrangements. Housing Assistance Corporation uses Mass Relay to communicate with applicants who may be speech or hearing impaired. The Mass Relay telephone number is 1-800-439-2370 for TTY and 1-800-439-0183 for voice.

The completed application will be returned to Housing Assistance Corporation and date/time stamped upon receipt. After checking for basic eligibility and completeness, applications will be sorted by income qualified and non-income qualified households. To be considered for selection, applicants must have submitted a completed application and required documentation, To determine preliminary eligibility, the application will be accepted as a self-certifying statement. No third-party verification will be required until the final screening for selection. Information to determine an applicant's eligibility will be verified within 90 days prior to formal acceptance for occupancy.

Note: preliminary eligibility does not constitute acceptance and further screening will be required to determine an applicant's ability to maintain a successful tenancy. All applicants will be notified by mail or email of their preliminary acceptance or rejection based on the preliminary screening. Rejection notices will contain the reason(s) for rejection and procedures to appeal within five (5) days.

IX. Lottery

A. A complete Application Package includes the application form and required documentation. HAC reviews this information to determine eligibility to participate in the lottery.

B. If eligible, applicants will receive a lottery number through email prior to the date of the lottery. The lottery will be held within 30 days of the application close date. If ineligible, the applicant will receive a denial email with a deadline of five (5) days to appeal the denial.

C. Lottery numbers will be drawn, recorded, and ranked per pool based on bedroom maximization, where preference is given to applicants that fill the bedrooms. In the event of a lottery drawing error, the initial drawing will be negated, and a redraw will take place. The lottery will be held via zoom at a convenient time for a majority of the applicants.

D. The Property Management team will use the "as drawn" master list to process all the applicants in accordance with the approved Tenant Selection Plan. Applicants will be considered for every category for which they are eligible as categorized below.

Household Size Requirements

A. First Preference (household size)
   First preference shall be given to households requiring the total number of bedrooms in the unit based on the following criteria:
   1. There is at least one occupant per bedroom, unless HH member needs a larger unit due to a disability as a Reasonable Accommodation.
   2. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
   3. A person described in the first sentence of #2 above shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.
   4. A household may count an unborn child as a household member. The household must submit proof of pregnancy with the application.
   5. If the applicant is in the process of a divorce or separation, the applicant must provide proof that the divorce or separation has begun or has been finalized.
B. Second Preference (household size)
   Second preference shall be given to households requiring the number of bedrooms in the unit minus one, based on above criteria.
C. Third Preference (household size)
   Third preference shall be given to households requiring the number of bedrooms in the unit minus tow, based on above criteria.

Minority Pool Balancing

As 17 Walker Street has a local preference, to avoid discriminatory effects this project will have two applicant pools: a local preference pool and an open pool. After the deadline for submitting applications has passed, the lottery agent will determine the number of local resident minority households there are in the municipality and the percentage of minorities in the local preference pool. If the percentage of minority local residents in the local preference pool is less than 15% of minorities in the surrounding HUD-defined area, the lottery agent will make the following adjustments to the local preference pool:

1. Hold a preliminary lottery comprised of all minority applicants who did not qualify for the local preference pool and rank the applicants in order of drawing.
2. Minority applicants will then be added to the local preference pool in order of their ranking until the percentage of minority applicants in the local preference pool is equal to the percentage of minorities in the surrounding HUD-defined area.
3. Applicants will be entered into all pools for which the qualify.
4. Minorities will be identified in accordance with the classifications established by HUD and the U.S. Census, which are the racial: Black or African America, Asian, Native American or Alaska Native, Native Hawaiian or Pacific Islander, or other (non-white); and the ethnic classification Hispanic or Latino.

EQUAL HOUSING OPPORTUNITY

X. Eligibility for Admission

INTRODUCTION

There are two eligibility requirements for admission to 17 Walker Street:

1. Applicant qualifies as a household that has an income within the income limits for the respective units;
2. Applicant signs consent authorization documents.

ELIGIBILITY/SUITABILITY CRITERIA

Occupancy numbers – studio unit: maximum 1 person; 1-bedroom unit: maximum 2 persons; 2-bedroom unit: maximum 3-4 persons. Once an applicant is selected, the Agent will verify third party income, check landlord and other references, and obtain and review a CORI in order to complete the selection process. CORI is consistent with DHCD guidelines.

GROUNDS FOR DENIAL

Applicants will be disqualified if:

1. Verified household income does not meet project guidelines.
2. Applicant fails to submit required documentation or a request to declare continued interest in the program.
3. Landlord or other references are not satisfactory. Unsatisfactory references include allegations that the prospective tenant: • has a history of late rental payments • has a history of non-payment of rent • has engaged in criminal behavior • has a five-year housing history with landlord contact information is incomplete.
4. CORI indicates violent and/or drug charges.

XI. Conclusion

The goal of this Affirmative Housing Marketing Plan is to ensure fair and open access to affordable housing. Any questions on this plan or on implementing of the Marketing and Lottery process should be directed to the Lottery Agent.

As authorized representatives of C/O First Cambridge Realty Corporation and Housing Assistance Corporation, respectively, each of us has reviewed this plan and agrees to implement this AFHMP, which shall be made effective as of the approval date. Further, by signing this form, Housing Assistance agrees to review and update its AFHMP to ensure compliance with Masshousing's requirements for Affirmative Fair Housing Marketing and Resident Selection Plans. We hereby certify that all the information stated herein, as well as any information provided here with is true and accurate.

Housing Assistance Corporation

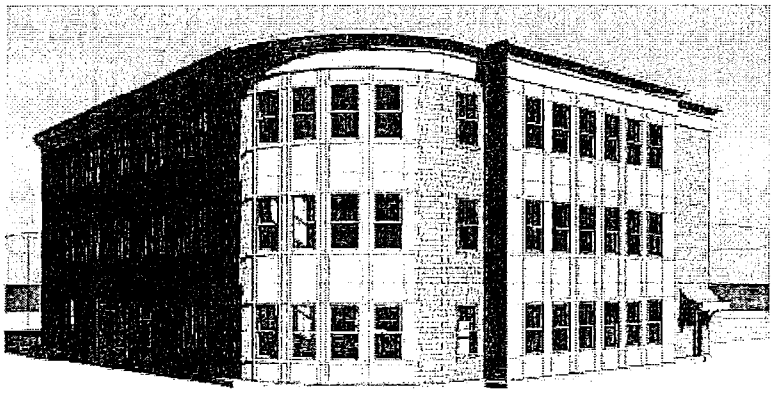
C/O First Cambridge Realty Corporation

EQUAL HOUSING OPPORTUNITY

17 Walker Street in Falmouth

3 NEW AFFORDABLE RENTAL HOMES FOR FAMILIES

Housing Assistance



LOTTERY APPLICATION DEADLINE:

TBD

APPLICANTS FOR ALL UNITS WILL BE CHOSEN THROUGH A LOTTERY WHICH WILL BE HELD WITHIN 30 DAYS OF THE DEADLINE

Studio,1, & 2 bedroom apartments in a BRAND NEW community!

Anticipated Move-In Date: TBD

On-site parking, in-unit laundry, tenant storage, & 24-hour emergency maintenance

EQUAL HOUSING OPPORTUNITY

Monthly Rent

Size	Planned Monthly Rent
Studio	$1,693
1 BR	$1,935
2BR	$2,177

Minimum Gross Annual Income Limits Based on Bedroom Size

(unless tenant has a voucher):

Size	Minimum
1 BR	TBD
2BR	TBD

Applicants below min. income but with sufficient assets to cover rent are encouraged to apply.

Income Limits – Maximum Gross Income

Household Size (# of people)	80% AMI–
1	$64,450
2	$73,650
3	$82,850
4	$92,050

TO APPLY

Application available at **haconcapecod.org/lotteries**

Email
lotteries@haconcapecod.org

Call
508-771-5400 ext 284
TTY on all lines

Visit
Housing Assistance Corporation
460 W Main St, Hyannis, MA 02601

Applications also available at the Falmouth Town Hall and Falmouth Public Libraries

Housing Assistance

Affordable Rental Lottery Application

17 Walker Street is a brand-new development located at 17 Walker Street in Falmouth, MA with easy access to Route 28, restaurants, shops, a Cape Cod Rapid Transit sheltered bus stop, and community resources. This application is for placement into the rental lottery that determines initial rent up of the three affordable rental homes.

The Property Offers:

- In-Unit Laundry Hook Up

Completed applications and supporting documentation must be submitted by

TBD

Applications can be submitted through the following methods:

Mail/Drop off:
460 West Main Street
Hyannis, MA 02601
Dropbox:
www.haconcapecod.org

Free language assistance and reasonable accommodations are available. For assistance and more information, please call Housing Assistance Corporation (HAC) 508-771-5400 or email lotteries@haconcapecod.org.

Este documento é importante, por favor, tê-lo traduzido
Este documento es importante, por favor, haz que se tradujo

Additional applications are available at Falmouth Town Hall, The North Falmouth Public Library, The Main Falmouth Public Library, and the following websites:

www.haconcapecod.org/lotteries

HAC does not discriminate in the selection of applicants on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance recipiency, religion, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law.

17 Walker Street

Information Overview

Area Median Income	Units Available	Unit Size	Monthly Rent w/o utilities	Household Size	Approx Yearly Income
80% AMI	1	Studio | 550SF	$1,693	1 person	$64,450
	1	1-bedroom | 700 SF	$1,935	1 person	$64,450
				2 persons	$73,650
	1	2-bedroom | 906 SF	$2,177	1 persons	$64,450
				2 persons	$73,650
				3 persons	$82,050
				4 persons	$92,050

** Area Median Income is based on the 2022 HUD Income for Barnstable County MA.

Lottery Applicant Qualifications:

1. Household income must be within the maximum and minimum gross allowable income limits (tables above), however, **if an applicant is below the minimum but can substantiate the ability to pay the rent, they are encouraged to apply.** Income limits do not apply to subsidy holders.
2. When assets total $5,000 or less, the actual income received is included in the annual income as income from assets. When assets exceed $5,000, annual income includes the greater of actual income from assets or a .06% imputed income calculation.
3. In addition to income and asset eligibility the applicant will also be subject to a Tenant Selection screening by the project and determined eligible. This may include passing reviews on credit scores, tenant history, and criminal background checks.
4. Households cannot own a home, including homes in a trust.

Are there household size preferences?

1. First preference shall be given to households requiring the total number of bedrooms in the unit based on the following criteria:
    a. There is at least one occupancy per bedroom, unless Household member needs a larger unit due to a disability as a Reasonable Accommodation.
    b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom
    c. A person described in the first sentence of #2 above shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.
    d. A household may count an unborn child as a household member. The household must submit proof of pregnancy with the application.
    e. If the applicant is in the process of a divorce or separation, the applicant must provide proof that the divorce or separation has begun or has been finalized.
2. Second preference shall be given to households requiring the number of bedrooms in the unit minus one, based on above criteria.
3. Third preference shall be given to households requiring the number of bedrooms in the unit minus two, based on above criteria.

Are there Local Preference units available in this project?

1. Yes, two of the 80% AMI units are designated for local preference.

Timeline Overview

Step 1: Applying for Lottery TBD

Step 2: The Lottery – within 30 days of the application close date.

Step 3: Notification of Lottery results – TBD

Step 4: Tenant Selection – The lottery list is established at the time of the lottery and given to Property Management to begin the tenant selection process.

Step 5: Waitlist- The lottery list turns into the waiting list.

Application Instructions:

1. This application must be filled out entirely in order for your application to be processed. Every space given to initial must be initialed, even if you answer N/A. LEAVE NOTHING BLANK.
2. You must include all income and asset documentation as directed with this application. Late or incomplete applications will not be accepted for the lottery.
3. Signatures and applicable documentation are required for all household members 18 years or older.

Lottery Process

1. The Application window will be open from TBD
2. Once all required information has been received, qualified applicants will be assigned a lottery number. **Only applicants who meet the applicable eligibility requirements shall be entered into the lottery.**
3. All applicants will be notified of the lottery date and their lottery number.
    a. The lottery is expected to be held within 30 days of the application close date.
    b. Households do not need to be present for the Lottery drawings, but all are welcome to attend.
4. Lottery numbers for all eligible applicants are pulled at random from all pools for which they are eligible.
5. If the number of minority applicants in the local pool is less than the percentage of minorities in Barnstable County (15%), a preliminary lottery comprised of all minority applicants who did not qualify for the local preference pool will be held and applicants will be added to the local pool in order of drawing until the percentage of minority applicants in the local preference pool is equal to the percentage of minorities in Barnstable County.
6. Every eligible applicant will be entered into the "open" pool.
7. Applicants who qualify for local preference will be entered into the "local" pool.
8. Housing Assistance Corporation will send emails or letters to each applicant with the results of the lottery. The results will also be posted on HAC's website.

PAGE INTENTIONALLY LEFT BLANK

17 Walker Street

Lottery Application
Deadline: TBD

How did you hear about this housing opportunity?

- ☐ Word of Mouth
- ☐ Social Media (fb, insta, twitter, etc.)
- ☐ Newspaper ads
- ☐ Case Manager
- ☐ Other_____

I. APPLICANT INFORMATION:

Please provide all the following contact information for the Head Applicant *(please print clearly).*
We communicate through email, if you do not furnish one, we will communicate via postal mail.

Full Name: _____
First *Last* *M.I.*

Mailing Address _____
Street Address *Apartment/Unit #*

_____
City *State* *ZIP Code*

Phone: _____ Email: _____@_____

BEDROOM SIZE Information: Please check what size you maximize: (see the section about household size preferences and for income maximums and minimums pg. 2)

- ☐ Studio, 80% AMI
- ☐ 1-Bedroom, 80% AMI
- ☐ 2-Bedroom, 80% AMI

RENTAL ASSISTANCE: Do you have a mobile Section 8, MRVP, or other Housing Voucher? If yes, a copy of your voucher must be attached to your application. (The lottery agent does not discriminate based on source of income. This question is asked for the sole purpose of determining ability to pay rent)

- ☐ Yes
- ☐ No

Please fill out the chart below for everyone who will be occupying the unit- INCLUDE YOURSELF:

Name	Age	Head Applicant, Co-Applicant, or Dependent	Relationship to Head Applicant	Fulltime Student?
1.				Yes No
2.				Yes No
3.				Yes No
4.				Yes No
5.				Yes No
6.				Yes No

I certify that my household size is: _____ Initial: _____

II. HOUSEHOLD INCOME:

Income must be reported for all household members 18 years of age and older. Total annual gross (before any deductions) income includes all income from all sources such as wages, salaries, tips, social security, SSI, SSDI, TAFDC, child support, alimony, VA Benefits, unemployment, pensions, retirement funds, etc.
Please note: Income is calculated for household members who are fulltime students, over the age of 18 years old, and/or dependents as $480/year (however, all such income must still be documented even if it is exempt from the household income calculation).

If consistently employed you must attach 5 most recent consecutive pay stubs. If employment is seasonal or inconsistent you must attach 12 months of paystubs. (For ALL working members of the household, 18 years and older)

If you are self-employed, attach Copies of Schedule C for the past two (2) years and a Notarized Profit and Loss Statement reflecting your earnings and expenses, to date for the current year. The name of the business must be on the Profit and Loss Statement. It must show quarterly or yearly profit and loss, include income and expenses and must be for the previous 12 months.

Employment Income by Household member: Write "N/A" if it does not apply to you.
Supporting Documentation MUST be submitted with the application. See attached checklist

Household Member Name: _____

Company Name: _____ Years Employed: _____

Company Address: _____ Current Gross Paycheck: $ _____

[ ] weekly [ ] biweekly [ ]monthly

Household Member Name: _____

Company Name: _____ Years Employed: _____

Company Address: _____ Current Gross Paycheck: $ _____

[ ] weekly [ ] biweekly [ ]monthly

Household Member Name: _____

Company Name: _____ Years Employed: _____

Company Address: _____ Current Gross Paycheck: $ _____

[ ] weekly [ ] biweekly [ ]monthly

OTHER SOURCES OF INCOME BY HOUSEHOLD MEMBER:

List all sources of income that apply to your household. If a source of income does not apply to you write "N/A."

Household Member Name	Source of Income: (Circle and/or provide detail)	Gross Earnings: $_____per_____ (week, month, year)
	SSI, SS, SSDI, TAFDC, VA Benefits	$_____per_____ (week, month, year)
	Unemployment Compensation, Workman's Compensation or Severance Pay	$_____per_____ (week, month, year)
	Child Support/ Alimony	$_____per_____ (week, month, year)
	Gifts received via cash (Venmo, Zelle, Paypal etc.)	$_____per_____ (week, month, year)
	Pension	$_____per_____ (week, month, year)
	Retirement Funds	$_____per_____ (week, month, year)
	OTHER	$_____per_____ (week, month, year)
	OTHER	$_____per_____ (week, month, year)

Does anyone in your household currently own a home?

- ☐ Yes
- ☐ No

If yes, what type of property: _____

Address of the property: _____

Approximate Market Value: _____

Mortgage or loan balance due: _____

**You must sell the property prior to leasing an affordable unit.

III. **HOUSEHOLD ASSETS:**

Assets are cash on hand, held in Savings & Checking Accounts, Stocks, Bonds, IRA's 401K's, cash value of Life Insurance Policy, Pension funds, and Real Estate owned. There is no asset limit for this development, but income from assets will be counted. The higher of the actual income earned from assets, or the imputed income of 0.06% of all assets, will be counted as income. Household Assets are calculated at the time of application.

Please list all the accounts for every member in the household. Supporting Documentation MUST be submitted with the application. See attached checklist. If an asset does not apply to you write "N/A"

Checking Accounts	Bank Name	Last 4 Digits of Acct #	Amount
			Balance $
			Balance $
			Balance $
			Balance $
			Balance $
Savings Accounts			Balance $
			Balance $
			Balance $
			Balance $
			Balance $
			Balance $
Certificates or CDs			Balance $
			Balance $
Trust Account			Balance $
			Balance $
Retirement Accts (104K, IRA, Pension etc.)	Company Name:		Value $
	Company Name:		Value $
	Company Name:		Value $
	Company Name:		Value $
Mutual Funds	Name:	# of Shares:	Value $
			Value $
			Value $
Stocks			Value $
OTHER			
OTHER			

IV. HOUSEHOLD PREFERENCES

LOCAL PREFERENCE: A portion of the units will be given to households who can demonstrate local preference as defined: **A)** current resident in the Town of Falmouth, **B)** employee in the Town of Falmouth **C)** households with children attending a school(s) in the Falmouth School District.

Applicants are required to provide documentation of your local preference in the "Required Documents" Section. (This could include a lease, utility bill, car registration, pay stub, letter from employer or school, etc.)

Please check all that apply:

- ☐ I live in the Town of Falmouth
- ☐ I work in the Town of Falmouth
- ☐ My child attends school in the Falmouth School District
- ☐ I DO NOT have local preference

REASONABLE ACCOMMODATION: Disabled persons are entitled to request a reasonable accommodation in rules, policies, practices, or services, or to request a reasonable modification in the housing, when such accommodations or modifications may be necessary to a household with disabilities an equal opportunity to use and enjoy the housing. That request must be made directly to the Owner/Developer.

Does any member of the household have any reasonable accommodation requests or alternative ways we need to communicate with you?

- ☐ Yes, please explain: _____
- ☐ No

EQUAL OPPORTUNITY/ FAIR HOUSING INFORMATION

The following information will be required by the Federal Government to monitor this owner/ management agent's compliance with Equal Housing Opportunity and Fair Housing Laws. The law provides that an applicant may not be discriminated against on the bases of the information supplied below whether or not the information is furnished.

RACE/ ETHNICITY (OPTIONAL)

You are requested to complete the following optional section in order to assist with determining preference. Completing this section may qualify you for additional lottery pools. (please check all boxes that apply):

- ☐ Alaskan Native or Native American
- ☐ Black or African American (not of Hispanic origin)
- ☐ Hispanic or Latino
- ☐ Not mentioned above: _____
- ☐ Asian
- ☐ Native Hawaiian or Pacific Islander
- ☐ White (not of Hispanic origin)

CONFLICT OF INTEREST: Does the applicant have financial interest in the development, The Developer, or Housing Assistance Corporation? Individuals who have a financial interest in the development and their families shall not be eligible.

- ☐ Yes
- ☐ No

If yes, please explain:

Required Documentation-

TO BE RETURNED WITH APPLICATION

Please remember that ALL HOUSEHOLDs need to submit the below documents that apply to them. Electronic JPEG and PNG images will not be accepted. If mailing in or dropping off at Housing Assistance Corporation only submit COPIES of your documentation.

Initial below for the documents that are attached and apply to you; write **"N/A"** for those that do not apply to you.

Head Applicant Name: _____

_____**Documentation to prove local preference:** e.g. utility bills, driver's license, tax bills, rental agreements etc.

_____**Identification:** e.g. Driver's license, birth certificate

_____**5 most recent consecutive pay stubs if pay is steady without significant variations, or 12 months for inconsistent or seasonal pay.** (For ALL working members of the household, 18 years and older)

_____**Verification of any other household income:** e.g. such as social security, SSI, SSDI, TAFDC, VA Benefits, unemployment, pensions, retirement funds, etc. We need official statement of monthly amount received for current year.

_____**Verification of child support or Alimony:** Copy of child support order, divorce decree, etc.

_____**3 Months of all Checking Account Statements** (Identification of all cash deposits over $100 into Checking Accounts (including Venmo, PayPal, Zelle etc. You must identify by highlighting or circling and provide source documents.)

_____**3 Months of all Savings Account Statements** (Identification of all cash deposits into Savings Accounts (including Venmo, PayPal, Zelle etc. You must identify and provide source documents.)

_____**2021 Federal Tax Return (1040) & 2021 W2: Must be signed.** If you have not filed a tax return, please call 800-829-1040 and ask for a print out. Only federal taxes please, no state taxes.

I did not file taxes in year_____, Initial_____

_____**Verification of cash value of all assets:** Assets are generally non- cash items that can be converted to cash, such as stocks, Certificates of Deposit, IRA's retirement funds. This does not include car or furniture. A detailed list can be supplied upon request.

- **SELF EMPLOYMENT: People who are self-employed will need to submit ALL of the above applicable documentation plus the following:**

_____**Copies of Schedule C for the past two (2) years.**

_____**A Notarized Profit and Loss Statement** reflecting your earnings and expenses, to date for the current year. The name of the business must be on the Profit and Loss Statement. It must show quarterly or yearly profit and loss, include income and expenses and must be for the previous 12 months.

Required Documentation-

TO BE RETURNED WITH APPLICATION

Please remember that ALL HOUSEHOLDs need to submit the below documents that apply to them. Electronic JPEG and PNG images will not be accepted. If mailing in or dropping off at Housing Assistance Corporation only submit COPIES of your documentation.

Initial below for the documents that are attached and apply to you; write **"N/A"** for those that do not apply to you.

Co-Head Applicant Name:_____

_____**Documentation to prove local preference:** e.g. utility bills, driver's license, tax bills, rental agreements etc.

_____**Identification:** e.g. Driver's license, birth certificate

_____**5 most recent consecutive pay stubs if pay is steady without significant variations, or 12 months for inconsistent or seasonal pay.** (For ALL working members of the household, 18 years and older)

_____**Verification of any other household income:** e.g. such as social security, SSI, SSDI, TAFDC, VA Benefits, unemployment, pensions, retirement funds, etc. We need official statement of monthly amount received for current year.

_____**Verification of child support or Alimony:** Copy of child support order, divorce decree, etc.

_____**3 Months of all Checking Account Statements** (Identification of all cash deposits over $100 into Checking Accounts (including Venmo, PayPal, Zelle etc. You must identify by highlighting or circling and provide source documents.)

_____**3 Months of all Savings Account Statements** (Identification of all cash deposits into Savings Accounts (including Venmo, PayPal, Zelle etc. You must identify and provide source documents.)

_____**2021 Federal Tax Return (1040) & 2021 W2: Must be signed.** If you have not filed a tax return, please call 800-829-1040 and ask for a print out. Only federal taxes please, no state taxes.

I did not file taxes in year_____, Initial_____

_____**Verification of cash value of all assets:** Assets are generally non- cash items that can be converted to cash, such as stocks, Certificates of Deposit, IRA's retirement funds. This does not include car or furniture. A detailed list can be supplied upon request.

- **SELF EMPLOYMENT: People who are self-employed will need to submit ALL of the above applicable documentation plus the following:**

_____**Copies of Schedule C for the past two (2) years.**

_____**A Notarized Profit and Loss Statement** reflecting your earnings and expenses, to date for the current year. The name of the business must be on the Profit and Loss Statement. It must show quarterly or yearly profit and loss, include income and expenses and must be for the previous 12 months.

Please CAREFULLY read each item and initial below before you sign:

1. _____ I understand that this application will be considered incomplete if I do not sign and date this page and initial at all indicated points in the application and that failure to timely and/or fully supply information in accordance with the application may result in the denial of my application and loss of position on all waiting lists.
2. _____ I hereby declare under pain and penalty of perjury that the information provided on every page of this application is true and correct. I understand that if any sources of income or assets are not disclosed on this application, or any information provided herein is not true and accurate, this application may be removed immediately from further consideration, and I will no longer be allowed to reserve a unit.
3. _____ I understand that if my household is given the opportunity to lease an affordable unit, any changes to income at the same job or income source will need to be documented.
4. _____ The undersigned certify that the affordable unit will be undersigned's main residence and the undersigned cannot own a home or have one in trust while living in the unit.
5. _____ I understand that while previous year's tax transcripts and documentation are required, HAC does not use income reported on the previous years' tax documentation to calculate current annualized income.
6. _____ I understand that the lease or residency agreement for the units to be occupied through this affordable housing program may be subject to cancellation if any of the information above is not true or accurate.
7. _____ I understand this is a Lottery Application and the information provided does not guarantee housing. I also understand this is not the lease application used by the management company where the management company (not HAC) will use criteria such as credit score, tenant history, and criminal background screening (in addition to affordable housing eligibility) to determine eligibility for an affordable unit.
8. _____ I understand that any material changes in the income or assets of my household that occurs after the submission of this application may make me ineligible for affordable housing. I understand that any changes to income or assets may out my household into another income tier must be reported to HAC.
9. _____ Co-signers and Guarantors are not permitted unless they are co-tenants who will reside in the unit.
10. _____ I acknowledge that if my email address is provided in this application, HAC will correspond with me by email instead of postal mail unless I make a written request otherwise. I understand that any changes to my contact information or household composition must be reported to HAC.
11. _____ I acknowledge that the determination of edibility by HAC is based upon the guidelines that govern the development and, as such, barring any confirmed error by HAC in applying the guidelines and/or calculating the decision is final and I further agree to hold harmless HAC from any claim (s) related to this application.
12. _____I understand that I may submit only one Lottery Application per household and that duplicate household applications will disqualify my household from the lottery.
13. _____Applications can be submitted as soon as they are complete but they must be received no later than Friday, November 4, 2022 at 4:00 PM. Applications can be mailed to Housing Assistance Corporation, 460 W. Main St., Hyannis, MA 02601, faxed to 508-775-7434 or e-mailed to lotteries@haconcapecod.org.
14. _____ The undersigned give consent the Developers, Property Management, and Housing Assistance Corporation to verify the information provided in this application. I also understand the documentation will be given to the property management company after the lottery. *The undersigned authorize the release of information in determining income and assets from third-party references.*

Your signature confirms that you have read the above statements:

_____ _____

Applicant's Signature Date:

_____ _____

Applicant's Signature Date:

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

CONSTRUCTION LENDER

LETTER OF INTEREST

Eastern Bank
JOIN US FOR GOOD®

265 Franklin Street easternbank.com
Boston, MA 02110-3120

August 1, 2023

17 Walker LLC
Stuart Rothman, Manager

RE: 17 Walker Street, Falmouth MA
11 residential units

This letter is to serve as a Letter of Interest (LOI) to provide financing for the planned 11 unit (partially affordable) residential housing project at 17 Walker Street, Falmouth MA. We understand that theproject developer will create a total of 11 units (a combination of studios, 1BRs and 2BRs) and that 3 units will be subject to affordable restrictions and leased to tenants earning up to 80% of median income for Barnstable County.

The project developer is in good standing and has immediate access to a $5,000,000 line of credit at the Bank that can be used for the subject project. Please let us know if any additional information is needed.

Sincerely,

Sean Boucher
Senior Vice President
Commercial Real Estate

17 WALKER STREET LLC

17 WALKER STREET, FALMOUTH, MA

CONTRACTOR RESUME

Contractor Resume

Robert Bowman Builders
R.T. Bowman, LLC
PO Box 201
West Falmouth, MA 02574
Phone: 508-548-8853

Robert Bowman Builders is a full-service commercial and residential construction company. The company has experience in construction of multi-unit residential projects, including most recently an 18-unit cluster townhouse development in Dennis Port, Massachusetts. The company specializes in residential home construction, extensive remodeling of older homes and home repairs. Robert Bowman Builders is well-known as a fine home builder, whether contemporary, traditional or historic revival build.

Robert Bowman Builders was founded in the 1940's in Falmouth, Massachusetts. Robert ("Bob") Bowman, Jr. is the current principal of the company operating as R.T. Bowman, LLC. Bob's father, Robert Bowman, Sr., joined the family construction business in 1955. Bob represents the third generation of Bowman Builders. Bob started working for his father in high school and then joined the business full time after college.

Robert Bowman Builders has an extensive in-house staff, including administrative support, estimators and project managers. Framing and finish carpenters are on staff, as well as roofing, siding, tile, cabinets and stair building crews.

Architect and Customer References for Robert Bowman Builders are attached.

R.T. BOWMAN, LLC

P.O. BOX 201 - WEST FALMOUTH, MA 02574
Phone 508-548-8853
E-mail:rtbowmaninc@aol.com

Customer Reference - Call List

Saul Pannell
(Former CEO Wellington Management)
129 Penzance Point
Falmouth, MA 02540
spannell@comcast.net,

Scott Lopez
(Vice Chair, Senior Managing Director / Partner Wellington Management)
67 Carey Lane
Quissett, Ma 02540
(Cell) 617-872-0869

Mr. & Mrs. Robert Birch
(Former Managing Director, Oppenhiemer & Company)
(Eugenie - Co Director At Penn Institute For Urban Research)
1124 County Road
#10 & #12 Depot Road
Cataumet, MA
Robert Birch Passed Away In 2022. Please Call Genie Birch If Reference Needed
Genie (Cell) 917-412-7911

Brian & Maryann Storms
111 Little Neck Bars Road
West Falmouth, MA 02574
(Cell) 908 672-0029

R.T. BOWMAN, LLC

P.O. BOX 201 - WEST FALMOUTH, MA 02574

Phone 508-548-8853

Architects

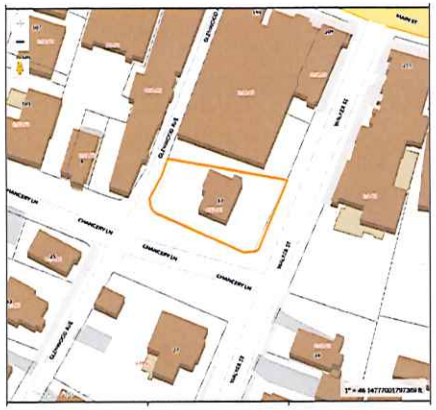
Rescom Architectural, Inc
Contact; Greg Siroonian
Office: 508-759-9828
rescomarch.com

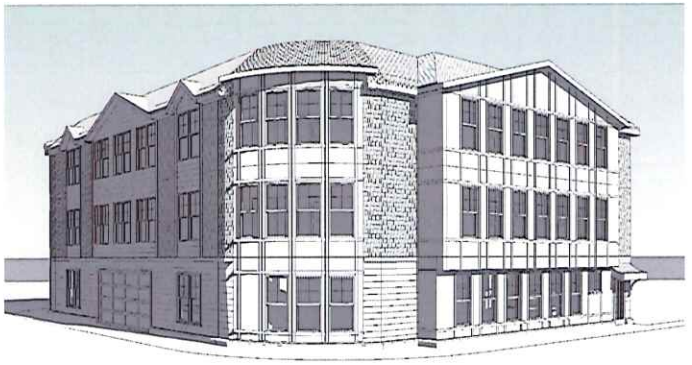
Giampietro Architects
Contact; Russell
Office: 508-540-7400
www.giampietroarchitects.com

Keenan & Kenny Architects
189 Main Street
Falmouth, Ma 02540
Office: 508-540-0075
office@kandkarchitects.com,
Contact: Jon Or Antonia

Thomas R. Huth Architects
Owner: Tom Huth
617-965-4601
hutcharchitects.com

ARCHITECTURAL DRAWING LIST		
Sheet Number	Sheet Name	Sheet Issue Date
A-000	COVER SHEET	09/26/2023
C1	EXISTING CONDITIONS SITE PLAN	07/25/2023
A-020	ARCHITECTURAL SITE PLAN	09/26/2023
A-100	FIRST FLOOR PLAN	09/26/2023
A-101	SECOND & THIRD FLOOR PLAN	09/26/2023
A-300	GLENWOOD ROAD & CHANCERY LANE ELEVATIONS	09/26/2023
A-301	WALKER STREET & SIDE ELEVATIONS	09/26/2023
AV-1	PROPOSED PERSPECTIVES	09/26/2023





PROJECT:
17 WALKER STREET RESIDENCES

PROJECT ADDRESS:
17 WALKER STREET
FALMOUTH, MA 02540

ARCHITECT
KHALSA DESIGN INC.
17 IVALOO STREET, SUITE 400
SOMERVILLE, MA 02143

OWNER
17 WALKER STREET, LLC,
C/O FIRST CAMBRIDGE REALTY CORPORATION
907 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

SD SET
09/26/2023

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-4682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
NOT FOR CONSTRUCTION

Project number	23041
Date	09/29/2023
Drawn by	EO
Checked by	TC
Scale	1/8" = 1'-0"

REVISIONS

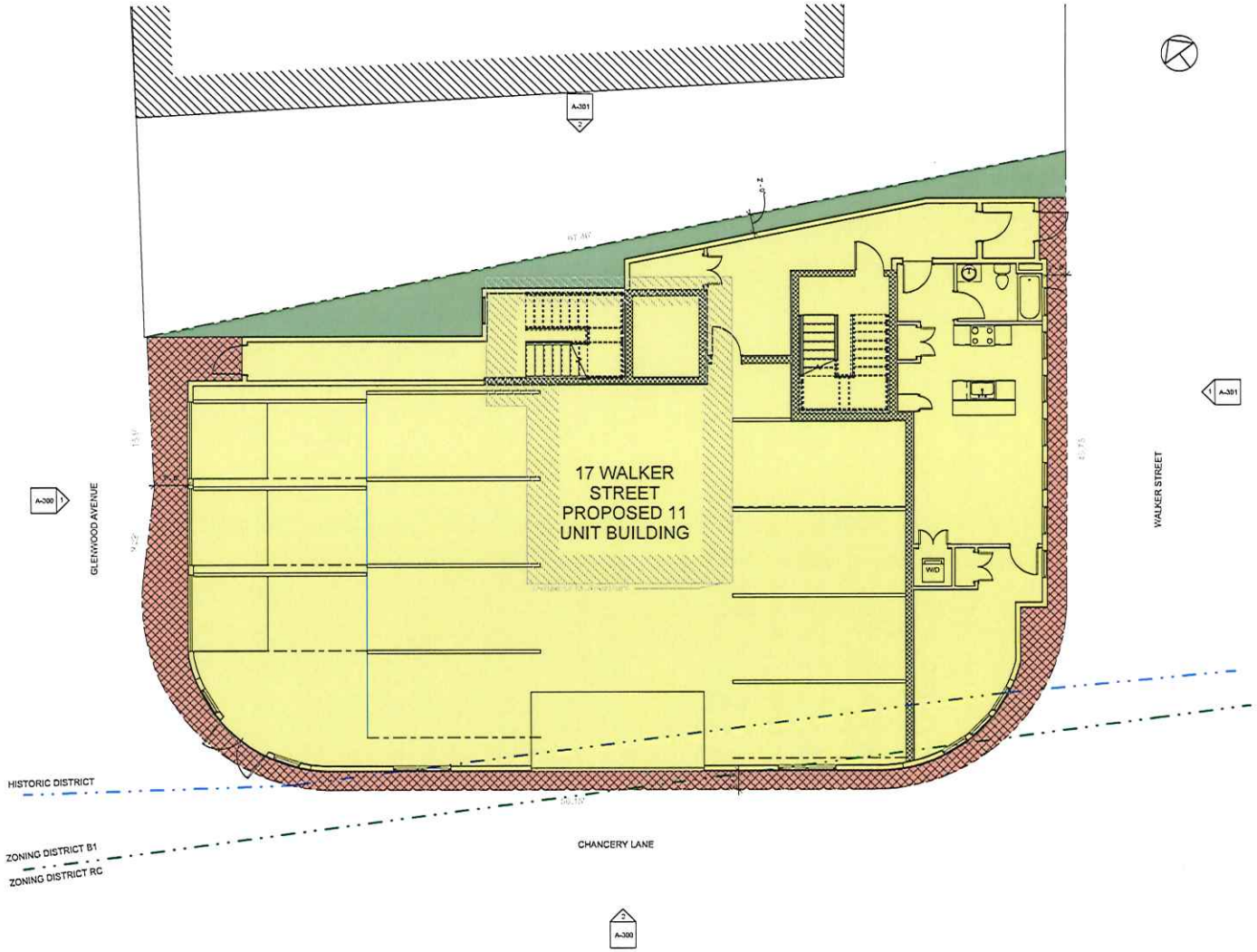
No.	Description	Date

COVER SHEET

A-000

WALKER STREET MULTIFAMILY

17 WALKER STREET\Docs\23041_First Century\23_17 Walker St\3 Drawings\00_ARCH_23041_17 Walker St_Falmouth_Site Plan Submission 2.pln
9/26/2023 1:16:01 PM



SITE PLAN LEGEND

- PROPOSED FOOTPRINT
- LANDSCAPE
- PAVERS
- REQUIRED SETBACKS

NOTE:

THIS PLAN IS FOR INFORMATIONAL AND ILLUSTRATIVE PURPOSES ONLY. THE PREPARER OF THIS PLAN MAKES NO CLAIM TO ITS ACCURACY. THIS PLAN SHALL NOT BE USED OR RELIED UPON IN ANY CIRCUMSTANCE. A CERTIFIED LAND SURVEYOR SHALL PROVIDE AN OFFICIAL CERTIFIED PLOT PLAN.

PROJECT NAME

WALKER STREET MULTIFAMILY

PROJECT ADDRESS

17 WALKER STREET
FALMOUTH, MA

CLIENT

FCRC

ARCHITECT

KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-4682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/20/2023
Drawn by	EO
Checked by	TC
Scale	As indicated

REVISIONS

No.	Description	Date

ARCHITECTURAL SITE PLAN

A-020

WALKER STREET MULTIFAMILY

9/20/2023 10:02 PM
17-DESIGN\Dwg\23041_First Construction_17 Walker St\03 Drawings\00_ARCH_R3_D2023-11\Walker_Falmouth_Design Submission 2.rvt

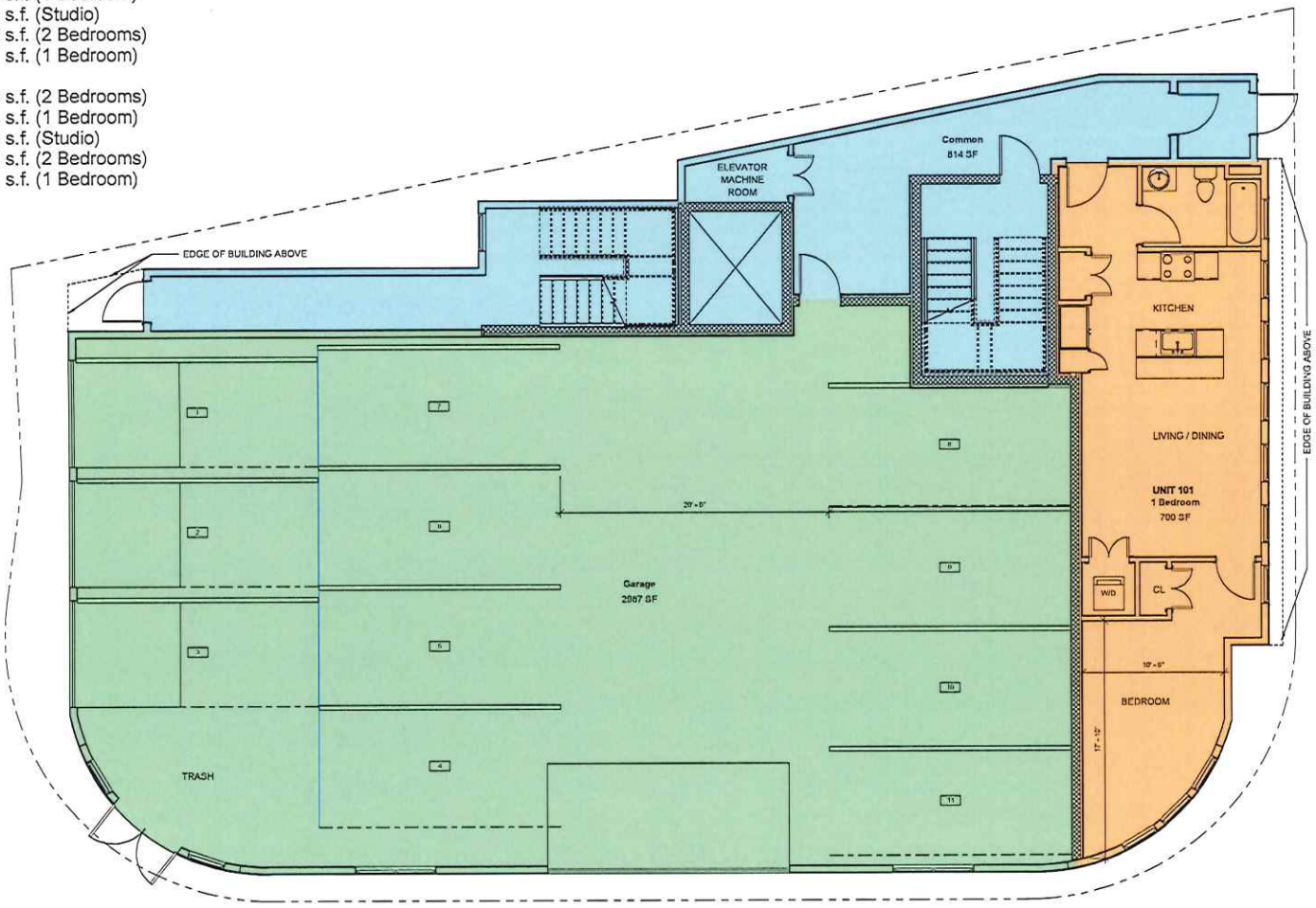
FLOOR	STUDIO	1 BEDROOM	2 BEDROOM	TOTAL
1	0	1	0	1
2	1	2	2	5
3	1	2	2	5
TOTAL	**2**	**5**	**4**	**11**

FLOOR	RESIDENTIAL S.F.	COMMON	GARAGE	TOTAL S.F.
1	±700 S.F.	±814 S.F.	±2,987 S.F.	±4,501 S.F.
2	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
3	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
TOTAL	**±8,412 S.F.** (764 S.F. AVERAGE UNIT SIZE)	**±2,158 S.F.**	**±2,987 S.F.**	**±13,557 S.F.** (1,232 S.F. PER UNIT)

Unit 101: 700 s.f. (1 Bedroom)

Unit 201: 956 s.f. (2 Bedrooms)
Unit 202: 743 s.f. (1 Bedroom)
Unit 203: 550 s.f. (Studio)
Unit 204: 906 s.f. (2 Bedrooms)
Unit 205: 701 s.f. (1 Bedroom)

Unit 301: 956 s.f. (2 Bedrooms)
Unit 302: 743 s.f. (1 Bedroom)
Unit 303: 550 s.f. (Studio)
Unit 304: 906 s.f. (2 Bedrooms)
Unit 305: 701 s.f. (1 Bedroom)



1 1ST FLOOR
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
KHALSA DESIGN
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-9682

CONSULTANTS:
CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
NOT FOR CONSTRUCTION

Project number	23041
Date	09/21/2023
Drawn by	ET
Checked by	TC
Scale	As indicated

REVISIONS

No.	Description	Date

FIRST FLOOR PLAN

A-100

WALKER STREET MULTIFAMILY

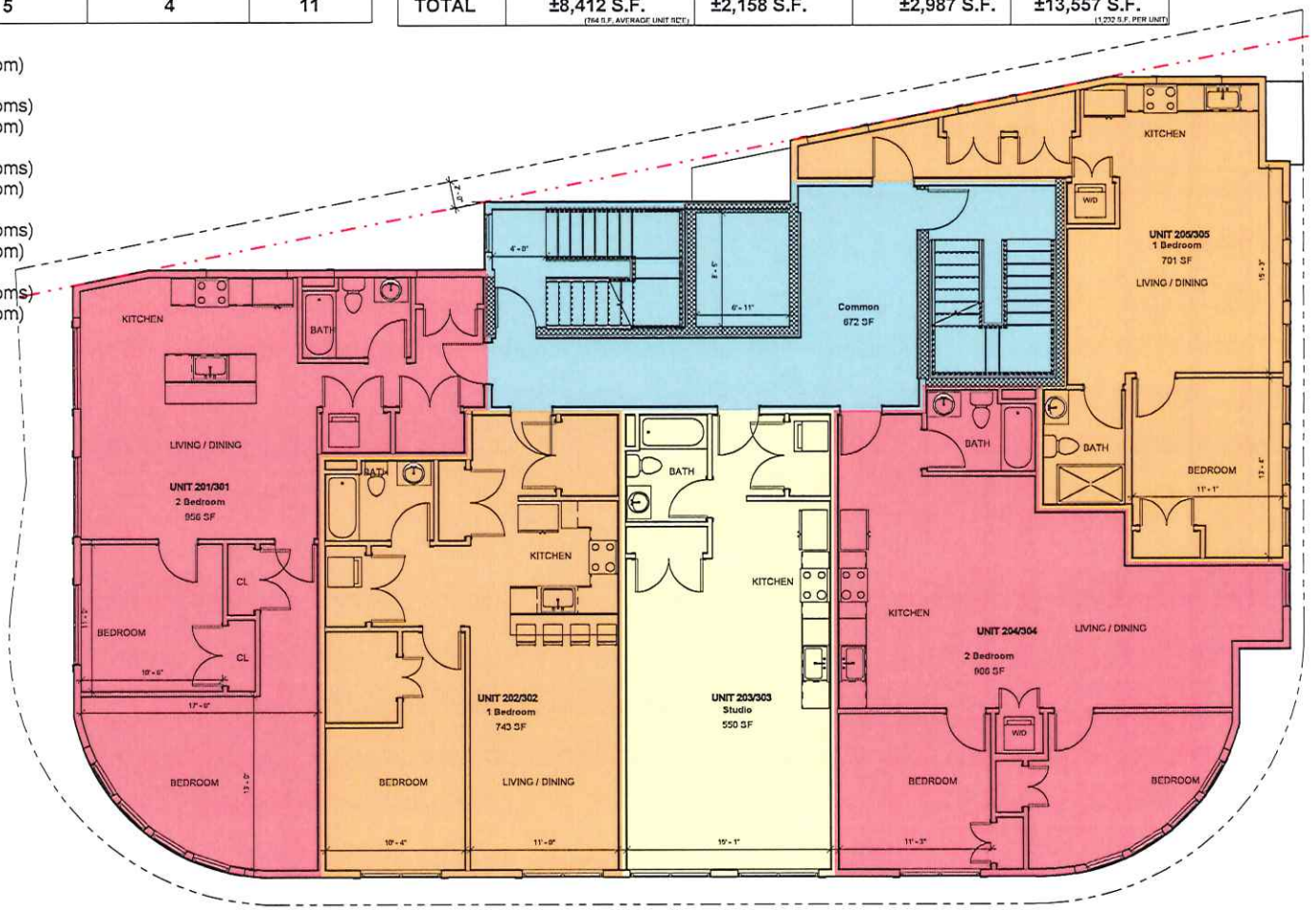
FLOOR	STUDIO	1 BEDROOM	2 BEDROOM	TOTAL
1	0	1	0	1
2	1	2	2	5
3	1	2	2	5
TOTAL	**2**	**5**	**4**	**11**

FLOOR	RESIDENTIAL S.F.	COMMON	GARAGE	TOTAL S.F.
1	±700 S.F.	±814 S.F.	±2,987 S.F.	±4,501 S.F.
2	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
3	±3,856 S.F.	±672 S.F.	0 S.F.	±4,528 S.F.
TOTAL	**±8,412 S.F.** (764 S.F. AVERAGE UNIT SIZE)	**±2,158 S.F.**	**±2,987 S.F.**	**±13,557 S.F.** (1,232 S.F. PER UNIT)

Unit 101: 700 s.f. (1 Bedroom)

Unit 201: 956 s.f. (2 Bedrooms)
Unit 202: 743 s.f. (1 Bedroom)
Unit 203: 550 s.f. (Studio)
Unit 204: 906 s.f. (2 Bedrooms)
Unit 205: 701 s.f. (1 Bedroom)

Unit 301: 956 s.f. (2 Bedrooms)
Unit 302: 743 s.f. (1 Bedroom)
Unit 303: 550 s.f. (Studio)
Unit 304: 906 s.f. (2 Bedrooms)
Unit 305: 701 s.f. (1 Bedroom)



1 Bedroom
2 Bedroom
Common
Studio

1 2ND FLOOR
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
DESIGN KHALSA
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-5562

CONSULTANTS:
CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
NOT FOR CONSTRUCTION

Project number	23041
Date	01/21/2023
Drawn by	EG
Checked by	TC
Scale	As indicated

REVISIONS

No.	Description	Date

SECOND & THIRD FLOOR PLAN

A-101

WALKER STREET MULTIFAMILY

1 West (Glenwood Road) Elevation
1/4" = 1'-0"

2 South (Chancery Lane) Elevation
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT

KHALSA DESIGN
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-4662

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	ES
Checked by	TC
Scale	1/4" = 1'-0"

REVISIONS

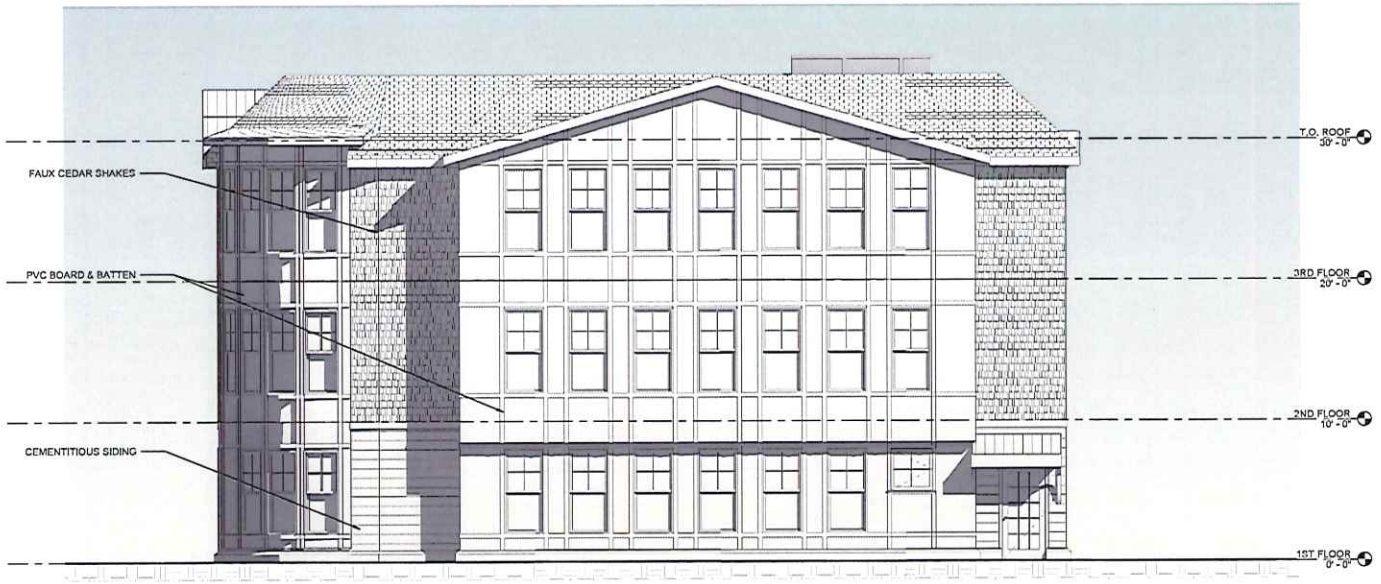
No.	Description	Date

GLENWOOD ROAD & CHANCERY LANE ELEVATIONS

A-300

WALKER STREET MULTIFAMILY

9/26/2023 11:16:16 PM



1 East (Walker Street) Elevation
1/4" = 1'-0"

2 North (Side) Elevation
1/4" = 1'-0"

PROJECT NAME
WALKER STREET MULTIFAMILY

PROJECT ADDRESS
17 WALKER STREET
FALMOUTH, MA

CLIENT
FCRC

ARCHITECT
DESIGN
KHALSA
17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-4582

CONSULTANTS:
CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION
REGISTERED ARCHITECT
COMMONWEALTH OF MASSACHUSETTS
NOT FOR CONSTRUCTION

Project number	23041
Date	09/20/2023
Drawn by	EJ
Checked by	TC
Scale	1/4" = 1'-0"

REVISIONS

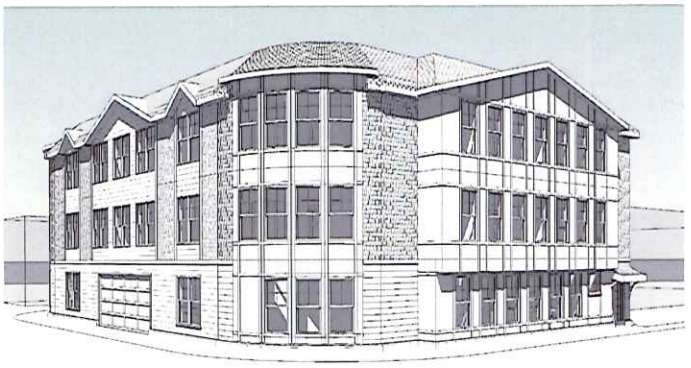
No.	Description	Date

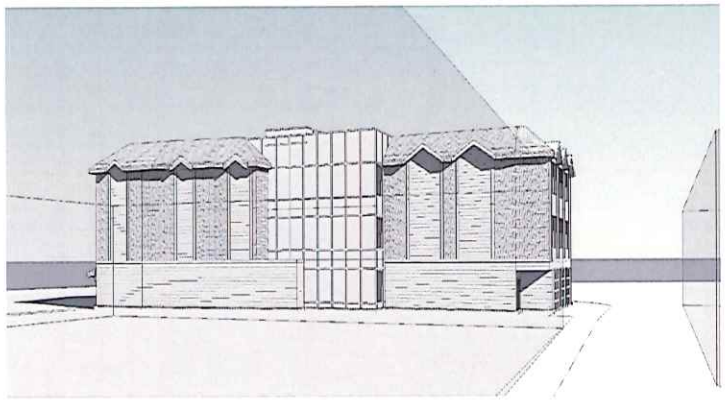
WALKER STREET & SIDE ELEVATIONS

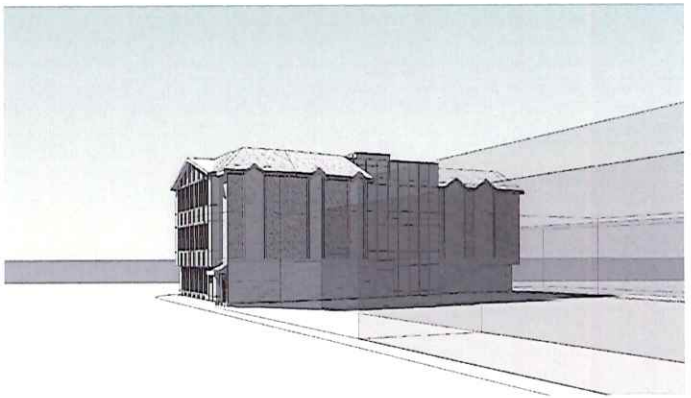
A-301

WALKER STREET MULTIFAMILY

17-JOBS\EJ\Desktop\23041_Final Design_17 Walker St\3 Drawings\00_ARCH_3D_23041_17 Walker St_Falmouth_Site Application 2.rvt
9/20/2023 11:22 PM







PROJECT NAME

WALKER STREET MULTIFAMILY

PROJECT ADDRESS

17 WALKER STREET
FALMOUTH, MA

CLIENT

FCRC

ARCHITECT

DESIGN
KHALSA

17 IVALOO STREET SUITE 400
SOMERVILLE, MA 02143
TELEPHONE: 617-591-1682

CONSULTANTS:

CIVIL ENGINEER
FALMOUTH ENGINEERING
17 ACADEMY LANE, SUITE 200
FALMOUTH, MA 02540

LEGAL
LAW OFFICE OF LAURA M. MOYNIHAN
17 ACADEMY LANE, SUITE 1
FALMOUTH, MA 02540

COPYRIGHT KDI © 2023
THESE DRAWINGS ARE NOW AND DO REMAIN THE SOLE PROPERTY OF KHALSA DESIGN INC. USE OF THESE PLANS OR ANY FORM OF REPRODUCTION OF THIS DESIGN IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED AND SHALL RESULT IN THE FULLEST EXTENT OF PROSECUTION UNDER LAW

REGISTRATION

NOT FOR CONSTRUCTION

Project number	23041
Date	09/26/2023
Drawn by	Author
Checked by	Checker
Scale	

REVISIONS

No.	Description	Date

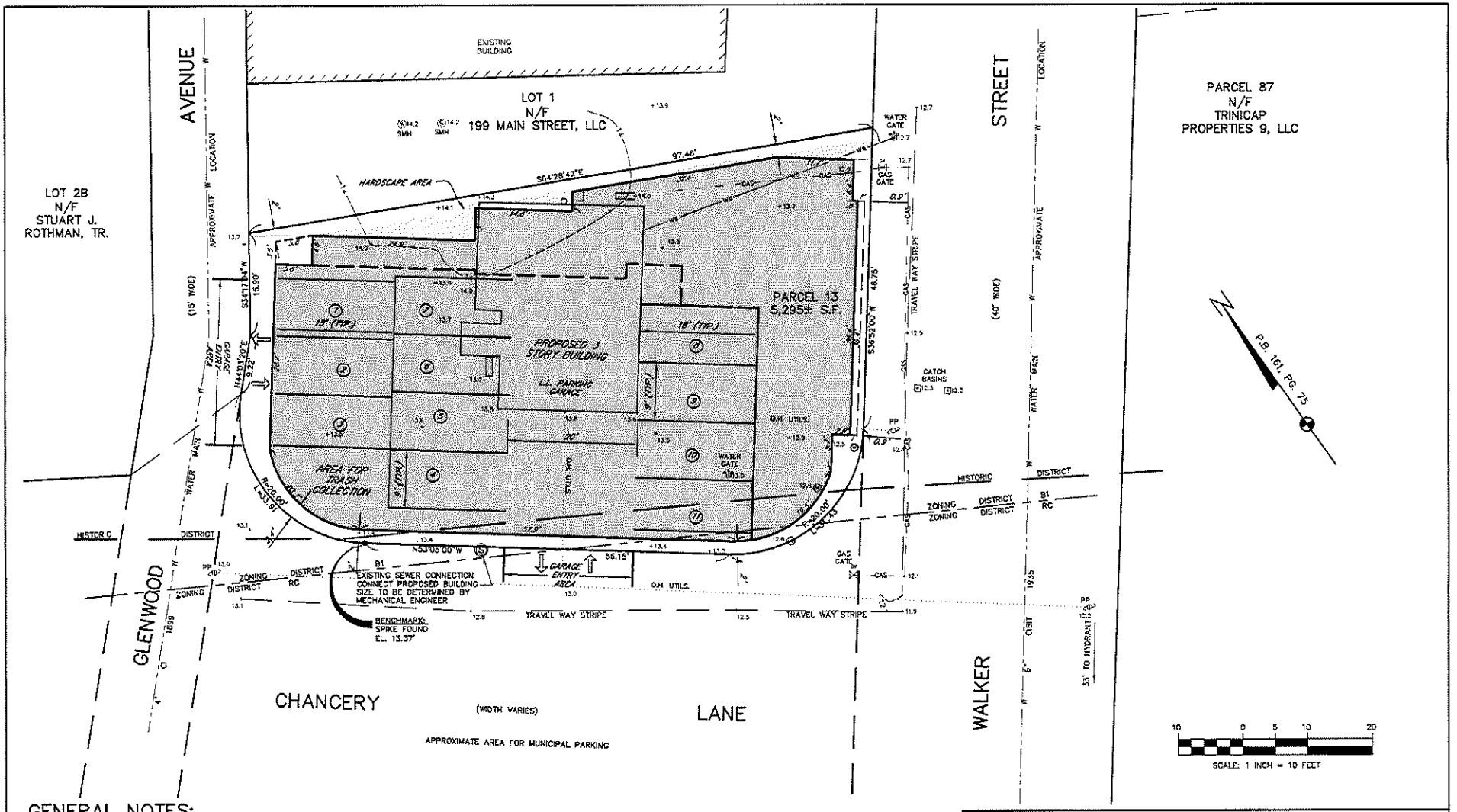
PROPOSED PERSPECTIVES

AV-1

WALKER STREET MULTIFAMILY

9/26/2023 11:27 PM

17_23_EXECHK_232041_Architecture_17 Walker St\3 Drawings\00_ARCH_00_CO23+17Walker_Falmouth_Plans\Sculptor 2.rvt



GENERAL NOTES:

1. ASSESSOR'S INFORMATION: 47A 08 013 000
2. FLOOD ZONE: X (0.2%) (FEMA MAP 25001C0736J)
3. ZONING DISTRICTS: B1 & RC
4. WIND EXPOSURE CATEGORY: C
5. OVERLAY DISTRICT: HISTORIC DISTRICT
6. LOT COVERAGE BY:
   A. PROPOSED STRUCTURES: 4,560 S.F./5,295 S.F. = 86.1%
   B. PROPOSED STRUCTURES/PARKING/PAVING: 5,002 S.F./5,295 S.F. = 94.5%
7. WIND BORNE DEBRIS REGION: HIGH
8. STREET ADDRESS: WALKER STREET
9. BUILDING NUMBER: 17
10. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
11. ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.
12. THE PROPERTY IS NOT WITHIN A COASTAL POND OVERLAY DISTRICT
13. THE PROPERTY IS NOT WITHIN A WATER PROTECTION DISTRICT OR ZONE II OF A PUBLIC WATER SUPPLY

LEGEND

——14——	EXISTING 2' CONTOUR
+12.5	EXISTING SPOT ELEVATION
x14.0	PROPOSED SPOT ELEVATION
SMH Ⓢ	EXISTING SEWER MANHOLE
PP	EXISTING UTILITY POLE
→	DRAINAGE FLOW

SITE PLAN – PROPOSED BUILDING

FOR #17 WALKER STREET

PREPARED FOR

17 WALKER STREET, LLC

IN

FALMOUTH MA

PLAN DATE: NOVEMBER 7, 2023 PLAN SCALE: 1"=10'

CIVIL ENGINEERING
WASTEWATER DESIGN
TITLE 5 PLOT PLANS
LAND USE PLANNING
WETLANDS PERMITTING
COASTAL ENGINEERING
PIERS AND DOCKS
COMMERCIAL/RESIDENTIAL

FALMOUTH ENGINEERING

Serving Cape Cod and Southeastern Massachusetts

17 ACADEMY LANE, SUITE 200 – FALMOUTH, MA – 02540 – 508.495.1225

PROJECT NUMBER: 23011	CAD FILE NAME: 23011SP	DRAWN BY: L.M./	SHEET 2 OF 2

OPEN SESSION

BUSINESS

4. Vote to approve Morse Pond School roof project Massachusetts School Building Authority (MSBA) Statement of Interest **(5 minutes)**

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Business 4.**

ITEM TITLE: Vote to authorize the School Superintendent to submit a Statement of Interest to the MSBA for Morse Pond School roof repairs.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Paul Dart and Stephanie Madsen

ATTACHMENTS: Statement of Interest Vote Form Morse Pond Roof FEB26 2024

PURPOSE:

The School Superintendent needs approval from the Select Board to submit a Statement of Interest (SOI) for Massachusetts School Building Authority's (MSBA) Accelerated Repair Program (ARP) formerly known as the Green Repair Program to secure grant funds to support repairing Morse Ponds roof.

BACKGROUND/SUMMARY:

- Morse Pond roof is over 25 years old and needs repair. Recently received Engineer reports show that the roof, after reparation, can support a solar array.

- Our goal is to submit a Statement of Interest to MSBA in an effort to secure funding to repair Morse Pond's roof to enhance energy efficiency and allow for the future installation of solar panels to reduce energy-related expenses.

DEPARTMENT RECOMMENDATION:

The School Superintendent recommends that the Select Board vote to approve the Statement of Interest (SOI) application so that potential grant dollars can fund the Morse Pond roof repair. We plan to submit a Statement of Interest to MSBA's Accelerated Roof Repair/Green Roof Program in an effort to secure funding to repair Morse Pond's roof to enhance energy efficiency and allow for future solar panel installation which will decrease energy-related expenses. The Statement of Interest is non-binding.

OPTIONS:

- Motion to authorize the School Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 26, 2024 for the Morse Pond School located at 323 Jones Road, Falmouth, MA 02536 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Morse Pond qualifies for Priority #5:" Replacement, renovation, or modernization, of school facility systems such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility." Specifically, the Morse Pond School, located in an Environmental Justice Community (EJC), needs extensive roof repair as the ages of roof sections range from 28 to 63 years old. Repair to the roof will increase energy efficiency and allow for post solar installation which will decrease energy-related costs.

- Motion to deny authorizing the School Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 26, 2024 for the Morse Pond School located at 323 Jones Road, Falmouth, MA.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board authorize the School Superintendent to submit to the Massachusetts School Building Authority a Statement of Interest Form for the Morse Pond School located at 323 Jones Road for necessary roof repairs that will enhance energy efficiency as well as allow for future roof-mounted solar panels to reduce energy-related expenses.

Michael Renshaw

_____ 2/21/2024

Town Manager **Date**

Resolved: Having convened in an open meeting on February 26, 2024, prior to the SOI submission closing date, the Select Board of Falmouth, MA in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 26, 2024 for the Morse Pond School located at 323 Jones Road, Falmouth, MA 02536 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future. Morse Pond qualifies for Priority #5:" Replacement, renovation, or modernization, of school facility systems such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility." Specifically, the Morse Pond School, located in an Environmental Justice Community (EJC), needs extensive roof repair as the ages of roof sections range from 28 to 63 years old. Repair to the roof will increase energy efficiency and allow for post solar installation which will decrease energy-related costs. We plan to submit a Statement of Interest to MSBA's Accelerated Roof Repair/Green Roof Program in an effort to secure funding to repair Morse Pond's roof;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Falmouth to filing an application for funding with the Massachusetts School Building Authority.

IN WITNESS WHEREOF THE TOWN OF FALMOUTH has caused its corporate seal to be hereto affixed and these present to be signed, acknowledged, and delivered in it name and behalf by its Select Board hereby duly authorized this _____ day of _____, 2024.

TOWN OF FALMOUTH

_____
Nancy Robbins Taylor, Chair

_____
Onjalé Scott Price, Select Board Member

_____
Edwin P. Zylinski II, Vice Chair

_____
Robert P. Mascali, Select Board Member

_____
Douglas C. Brown, Select Board Member

In witness whereof I have hereunto subscribed my name and seal of the Town of Falmouth, this _____ day of _____, 2024.

_____
Michael Palmer, Falmouth Town Clerk

OPEN SESSION

BUSINESS

5. Sustainability Coordinator presentation and updates **(10 minutes)**

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Business 5.**

ITEM TITLE: Sustainability Coordinator Presentation and Updates

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Stephanie Madsen, Sustainability Coordinator

ATTACHMENTS: Stephanie Madsen Sustainability Presentation to SelectBoard_FEB22_2024.ppt

---

PURPOSE:

Stephanie will present a 10-minute PowerPoint presentation to the Select Board with a brief overview of her priorities, goals, and project development as Sustainability Coordinator for the Town of Falmouth.

BACKGROUND/SUMMARY:

- Stephanie filled the Sustainability Coordinator position 5 months ago in late September 2023
- She reports to Peter Johnson-Staub and was tasked with 3 priorities – Green Communities, solar installations, and EV charging stations.

DEPARTMENT RECOMMENDATION:

For informational purposes only; no formal action is requested of the Select Board.

OPTIONS:

N/A

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

For informational purposes only; no formal action is requested of the Select Board.

Michael Renshaw

_____ 2/22/2024

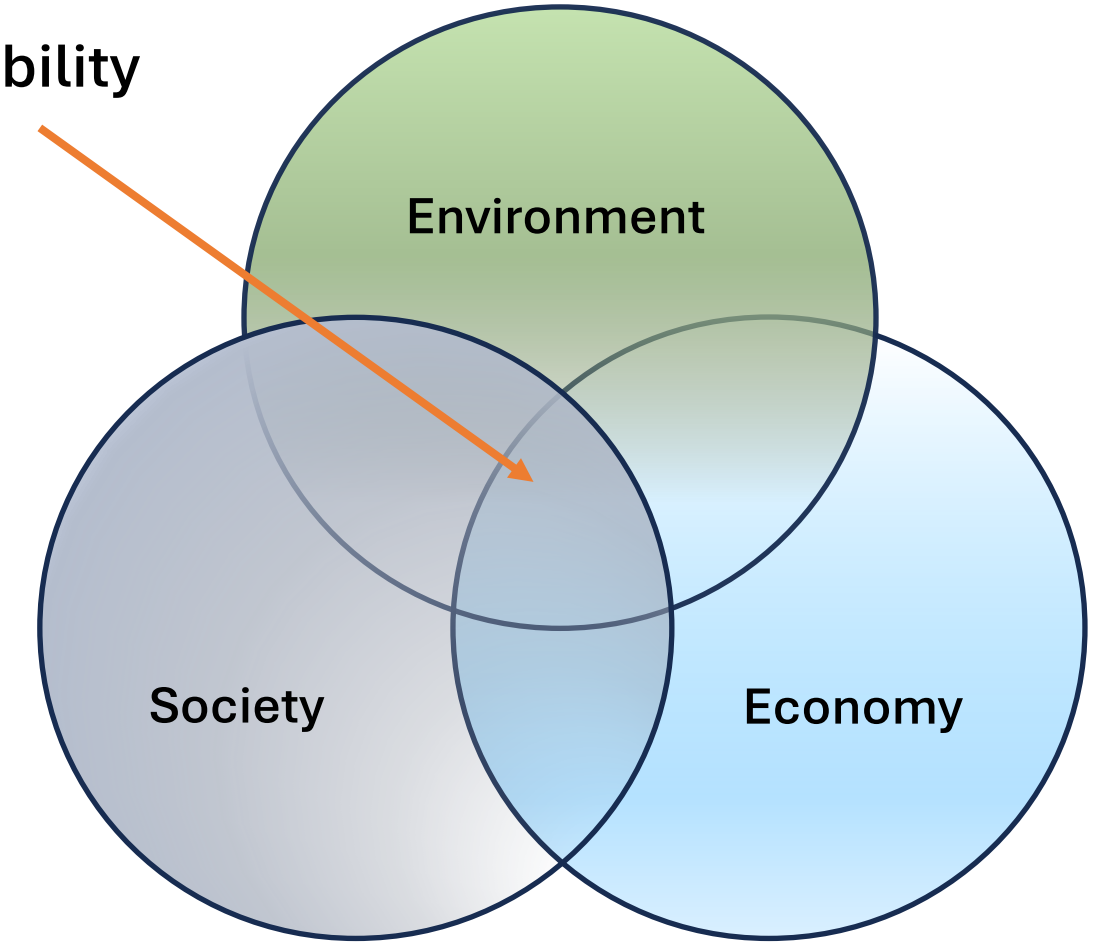
Town Manager **Date**

Stephanie Madsen

Sustainability Coordinator

Town of Falmouth

stephanie.madsen@falmouthma.gov
59 Town Hall Square
Falmouth, MA 02540
508-495-7326



https://www.falmouthma.gov/1450/Sustainability

Sustainability Mission:

Save the Town money while cutting greenhouse gas emissions

Prioritizing 3 Areas of Focus:

1. Green Communities Program
2. Solar Photovoltaic (PV) Installation
3. Electric Vehicle (EV) Charging Stations

1. Green Communities (GC) Program

Program Management Focus:

- Annual reporting-energy usage and fleet vehicles
- Utility analytics- electric and gas
- Municipal/School Buildings energy efficiency measures
- Competitive grant project design (plan to submit Grant in the Fall)
- Stretch code compliance

https://www.mass.gov/orgs/green-communities-division

Green Communities (GC) Program- Designation Grant

Awarded $188,214

Designation Grant Project Cost Information		
Total Project Cost ($) [4]	Approved Funding ($)	Utility Incentives ($)
$ 549,771.35	$ 164,611	$ 385,160
Cost to Town = $0.00	as of FEB 9 2024. $23k left	

GC Designation Grant Projects Completed and in Queue

- ***Status Update***: We are applying to use remaining Designation Grant (DG) funds ($23k). After DG completion, we plan to submit a Competitive Grant next Fall

Building Name and/or Location	Project Name
East Falmouth Library	LED Lighting
North Falmouth Library	LED Lighting
North Falmouth Fire Station	LED Lighting
Fire HQ	LED Lighting
School Admin Building	LED Lighting
East Falmouth Elementary	LED Lighting
Lawrence Jr High	LED Lighting
North Falmouth Elementary	LED Lighting
Teaticket Elementary	LED Lighting
East Falmouth Fire Station	Boiler upgrade
East Falmouth Fire Station	Oil to Heat Pump Conversion
East Falmouth Fire Station	Air Sealing
East Falmouth Fire Station	Building Insulation and Air Sealing
Police Department	**Air Source Heat Pump**
N. Fal Library	Air Source Heat Pump

2. Solar Renewable Energy

Solar Installations on Municipal and School Buildings

Exploring options for rooftop, ground mount, and parking lot solar canopies to save money and meet the State's Clean Energy and Climate Plan.

Solar Feasibility Analysis

- Prioritize municipal and school sites based on scored criteria- location, roof condition, energy usage
- Explore potential solar vendors and determine Town ownership vs long- term lease (a power purchase agreement, often referred to as a PPA)
- Review Eversource and Dept of Public Utility (DPU) restrictions and our local bylaws
- Review with School Board and Select Board (as well as Site Plan Review) to determine projects that can move forward

Solar Challenges

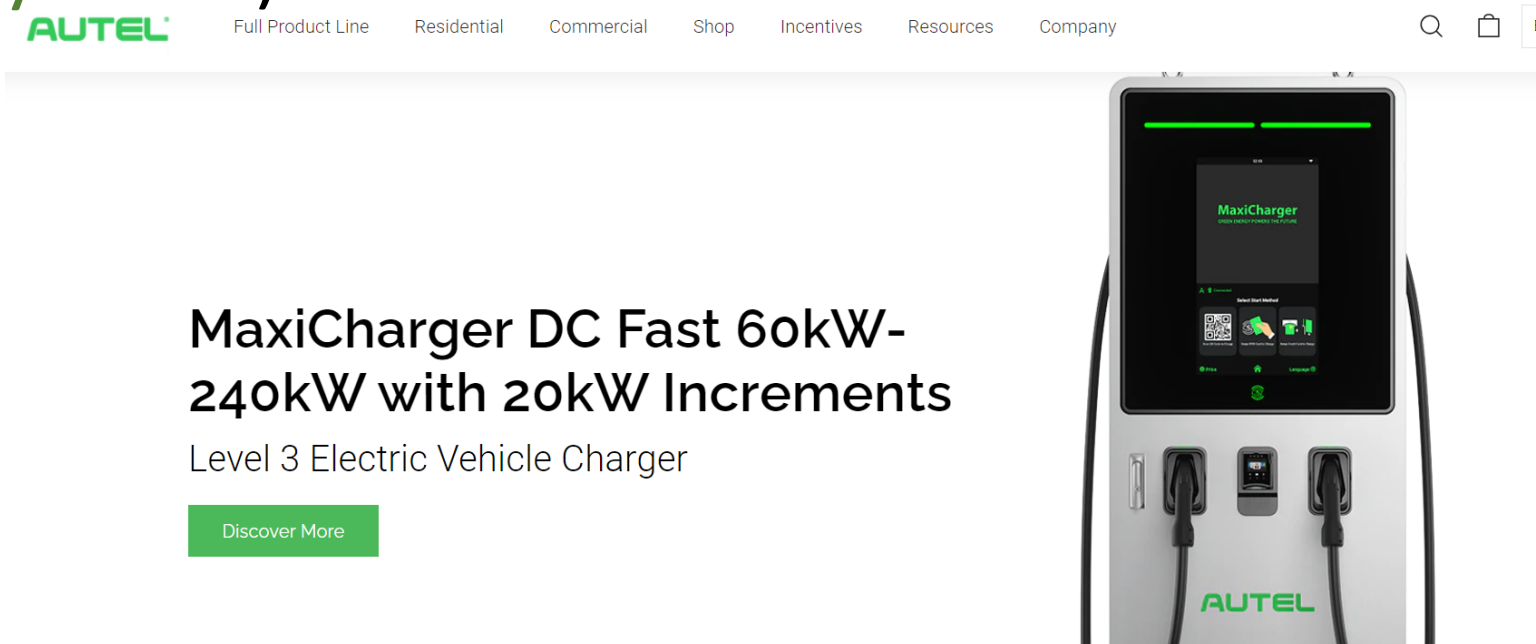
- *age and/or strength of building rooftop*
- *DPU limit to 25 kw AC sized arrays unless 100% behind the meter (with no netmeter)*
- *Solar overlay bylaw limitations to 250kwDC for ground mount projects*

Status Update: After exploring feasibility of solar options, we aim to install at least 2 rooftop arrays (Senior Center + Water Treatment Plant) in 2024.

3. EV Charging Stations for the Public

Project was initiated by DPW 2 years ago and recently transitioned project process to Sustainability coordinator

- DC Fast Chargers (one unit – 2 ports) being installed at 20 Academy Lane -Peg Noonan Parking Lot (supported by $170k EV Make Ready Grant)



Proposed Plan: Tier II Level 2, 240volt charger installation expected in the next year (TBD)

Funding Source $: EV Make Ready Program Funds will pay for the installation (except for hardware)

EV Status Update: 20 Academy -Peg Noonan DC Fast Charger: Waiting for Eversource design and transformer and charger installation. It will be open to the Public for a kwh fee (tbd). In progress with Services licensing agreement with 3rd party vendor to manage the EV Chargers.

Sustainability Next Steps:

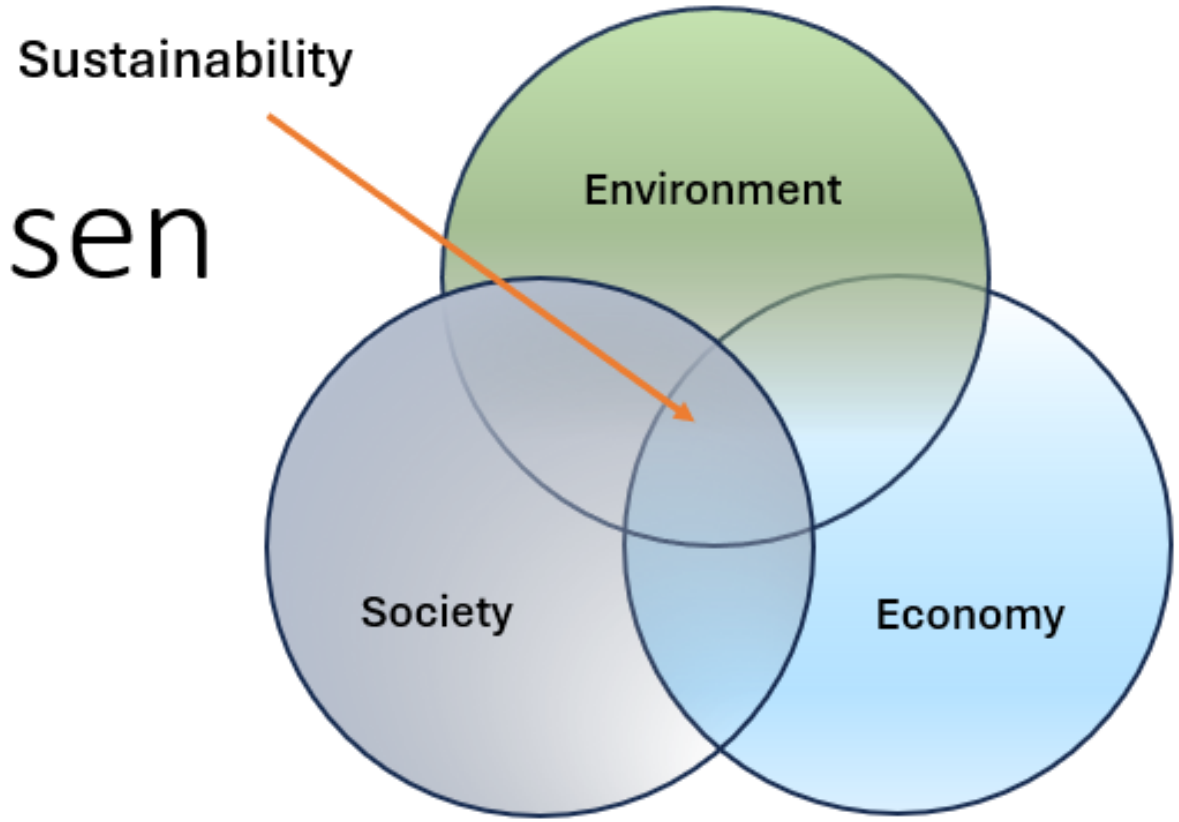
- **Apply for Green Communities Competitive Grants annually (each valued over $200k)**
- **Explore additional solar installations when DPU restrictions are lifted**
- **Identify EV Charging Station locations for both public and municipal use – apply for EV Make Ready Grants**
- **Work with Municipal and School Buildings to identify energy efficiency projects, savings $, and funding agencies**
- **Continue to collaborate with Town staff, the Energy Committee, and membership and funding agencies**

Stephanie Madsen

Sustainability Coordinator

Town of Falmouth

stephanie.madsen@falmouthma.gov
59 Town Hall Square
Falmouth, MA 02540
508-495-7326



https://www.falmouthma.gov/1450/Sustainability

End of Presentation:

- Auxiliary Slide to follow

GC Designation Grant Project Details

Updated Feb9 2024		Project Cost Information			Data Summary	
Building Name and/or Location (as noted in MEI)	**Project Name** (description for Traditional Projects) [1]	**Total Project Cost ($)**	**Approved Funding ($)GC Grant**	**Utility Incentives ($)**	**Projected Annual Energy Cost Savings ($)**	**GHG emissions (tons CO2) saved per year**
East Falmouth Library	LED Lighting	$ 2,367.05	$ 958.05	$ 1,409.00	$ 217.93	0.5
North Falmouth Library	LED Lighting	$ 2,907.71	$ 2,212.78	$ 694.93	$ 107.73	0.2
North Falmouth Fire Station	LED Lighting	$ 1,693.57	$ 101.56	$ 1,592.01	$ 247.85	0.6
Fire HQ	LED Lighting	$ 36,883.94	$ 1,290.85	$ 35,593.09	$ 5,040.60	11.7
School Admin Building	LED Lighting	$ 20,243.60	$ 6,882.78	$ 13,360.82	$ 2,059.18	4.8
East Falmouth Elementary	LED Lighting	$ 62,140.51	$ 4,971.28	$ 57,169.23	$ 8,841.82	20.5
Lawrence Jr High	LED Lighting	$ 182,238.06	$ 47,199.65	$ 135,038.41	$ 21,007.93	48.7
North Falmouth Elementary	LED Lighting	$ 70,300.14	$ 5,764.57	$ 64,535.57	$ 10,018.74	23.2
Teaticket Elementary	LED Lighting	$ 69,117.77	$ 16,933.82	$ 52,183.95	$ 8,118.44	18.8
East Falmouth Fire Station	Boiler upgrade	$ 21,000.00	$ 19,500.00	$ 1,500.00	$ 8,298.00	21.9
East Falmouth Fire Station	Oil to Heat Pump Conversion	$ 37,456.00	$ 29,956.00	$ 7,500.00	$ 4,146.96	17.3
East Falmouth Fire Station	Air Sealing	$ 2,340.00	$ 2,340.00	$ -	$ 90.83	0.2
East Falmouth Fire Station	Building Insulation and Air Sealing	$ 10,260.00	$ 10,260.00	$ -	$ 224.29	0.5
Police Department	Heat Pump	$ 30,823.00	$ 16,240.00	$ 14,583.00		
N.Falmouth Library	Heat Pump and Weatherization					
School Admin Building	Heat Pump Water Heater					
Green Community: Falmouth		**$ 549,771**	**$ 164,611**	**$ 385,160**	**$ 68,420.27**	**169.0**
	Grant Award = $188,214		$164,611.34			
		Grant $ Remaining	**$ 23,602.66**			

New Solar Site Selection Rubric

Solar Criteria for Selecting Sites

Scoring Range 1 (not ideal/weak) through 4 (ideal/strong)

	FHS	Morse Pond	E Fal Elem	N Fal Elem	WWTF	WTP	Senior Center Roof	Veteran's Center (300 Dillingham)
Building Usage is high	4	3	3	3	4	4	3	3
Substantial Greenhouse Gas Reductions	4	4	4	4	4	4	2	3
Roof Structural Integrity	1	1	1	1	4	4	4	4
Parking Lot feasibility	4	4	4	4	3	4	1	3
Minimal Aesthetic impact	4	4	4	4	4	4	4	4
Minimal impact on Neighbors (roof or carport)	4	4	4	4	4	4	4	4
Minimal impact on Trees	4	3	4	4	4	4	4	4
Outreach/Education Opportunities	4	4	4	4	4	2	2	4
Minimal Maintenance Requirements	4	4	4	4	4	4	4	4
Cost Effectiveness	tbd	tbd	tbd	tbd	tbd	tbd	tbd	4
Total Score	**33**	**31**	**32**	**32**	**35**	**34**	**28**	**33**

Solar Renewable Energy

Existing: Maintain older solar installations + report on kwh production

- Landfill (6 MW)– Owned and Operated by Citizens Energy- Falmouth and EDIC are Off-Takers
- Town Hall Rooftop – 24kw
- Crooked Pond Rooftop – 16kw
- Recreation Center – 5 kw
- Morse Pond – 2 kw- not operational
- Falmouth High School 3.8 kw– not operational

Landfill Solar Array – 6 MW Total

Falmouth Phase I (2017) – 4 MW ($500k savings per year)
Falmouth Phase II (August 2021) – 2 MW with Off-Takers

OPEN SESSION

BUSINESS

6. Historic District Markers – Presentation by Ed Haddad, Chairman of the Historical Commission **(10 minutes)**

ITEM NUMBER: **Business 6.**

ITEM TITLE: Historic District Markers

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Melinda Tondera, Assistant Town Planner and Ed Haddad, Chairman of the Falmouth Historical Commission

ATTACHMENTS: Color rendering of proposed Historic District Marker, Map showing the 7 Historic Districts

---

PURPOSE:

We seek Select Board input of placing signs throughout Falmouth indicating the location of the seven Historic Districts. The purpose of these signs is to showcase the historic districts to residents and visitors of Falmouth.

BACKGROUND/SUMMARY:

- Overview:
  - There are 7 Historic Districts located throughout Falmouth:
    - Waquoit – 250' deep from each side of Rt. 28 in the area of Parson's Lane
    - Davisville – 200' deep on each side of Davisville Rd from Menauhant Rd to Shaker Ln
    - Falmouth Village – various depths along Palmer Ave from Jones Rd through North Main St and Locust Street to Elm Road, Depot Ave, part of Mill Rd, on Main Street from North Main St to Shore St, and all of Shore Street.

- Quissett – 200' deep from each side of Quissett Ave and 500' in from Quissett Harbor
- Woods Hole – 200' deep on Church St, on Woods Hole Rd from Harbor Hill Rd continuing through to the drawbridge on Water St, and on School St from Water Street to Millfield St.
- West Falmouth – 150' deep on each side of West Falmouth Hwy
- North Falmouth – 150' deep on each side of Old Main Rd

- The Historical Commission is concerned that many residents are unaware that their properties and in a Historic District.
- Over the past year, the Historical Commission has had this item on their agenda 9 times for discussion. They have researched historic signs in other towns, come up with an idea of what Falmouth signs would look like, and determined approximate locations of signs in each district.
- A local sign company has created a rendering of the proposed historic district markers. Waquoit, Davisville, Quissett, and Woods Hole would have 1, West Falmouth and North Falmouth would have 2 signs, and Falmouth Village would have 3 signs.
- There have been meetings between the DPW Director, Planning Dept staff, and the Historical Commission Chairman to coordinate the process of how and when the signs would be installed once they are constructed.
- A capital request for funding to make the signs will be submitted by the Planning Department for the November 2024 Town Meeting.

➢ Project Benefits:
- Provides knowledge to residents and visitors of the importance Falmouth's Historic Districts in that they were adopted to enhance and protect some of Falmouth most historic places and of the architectural significance of these areas, reinforces the historic heritage of Falmouth, instills pride in the residents of the historic districts, and could encourage historic tourism.
- Creates awareness for property owners and contractors in obtaining proper approvals from the Historical Commission for new construction or any exterior changes to their existing buildings and hardscapes.

DEPARTMENT RECOMMENDATION:

The Chairman of the Historical Commission and Planning Department staff are not making a formal recommendation at this time, rather a request that the Select Board review the proposed Historic District markers and provide input prior to the capital request for funding at the November 2024 Town Meeting.

OPTIONS:

Although no formal action is being requested of the Select Board at this time, the Historical Commission and Planning Department staff are seeking input from the Board prior to seeking capital funding at the November 2024 Town Meeting.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

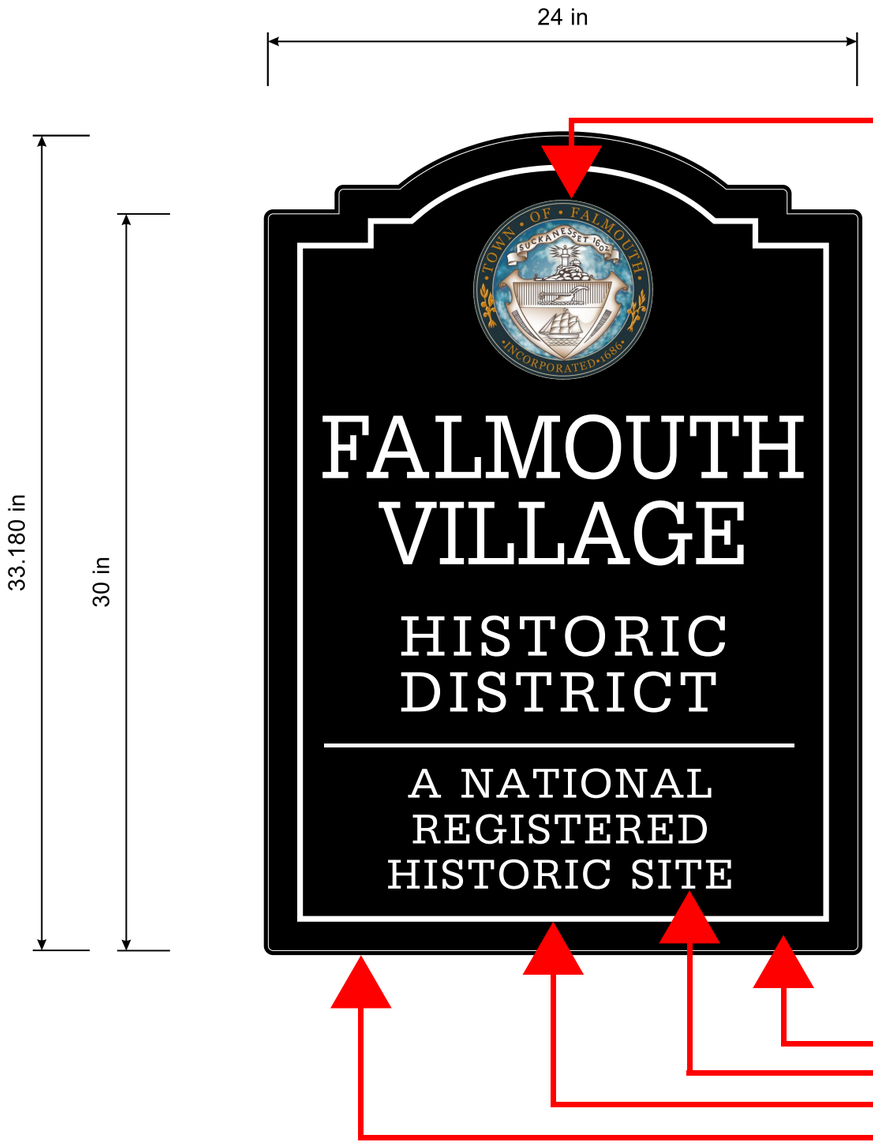
TOWN MANAGER COMMENTS:

No formal action is requested at this time, but rather the Select Board is being asked to review the proposed Historic District markers and provide input prior to a capital request for funding at the November 2024 Town Meeting.

Michael Renshaw

_____ 2/21/2024

Town Manager **Date**



SIGN MATERIALS

Quantities (LARGER) X3

PLEASE NOTE - THE FOLLOWING MATERIALS ARE WHAT KIWI SIGNS RECOMMENDS FOR A QUALITY, LONG LASTING SIGN. WE HAVE OTHER MATERIALS WHICH CAN BE USED TO FIT WITHIN THE CUSTOMERS BUDGET UPON REQUEST.

1. RAISED TOWN LOGO TO HAVE A PRIMED AND PAINTED BASE MADE FROM 0.75" COMPOSITE. TOWN SEAL TO BE DIGITALLY PRINTED & ADHERED TO FACE WITH A 10YEAR UV PROTECTION FILM.

2. 1.5" THICK HIGH DENSITY URETHANE SIGN BASE TO BE PAINTED WITH BLACK ENAMEL PAINT. BLACK BACKGROUND TO HAVE A SATIN FINISH.

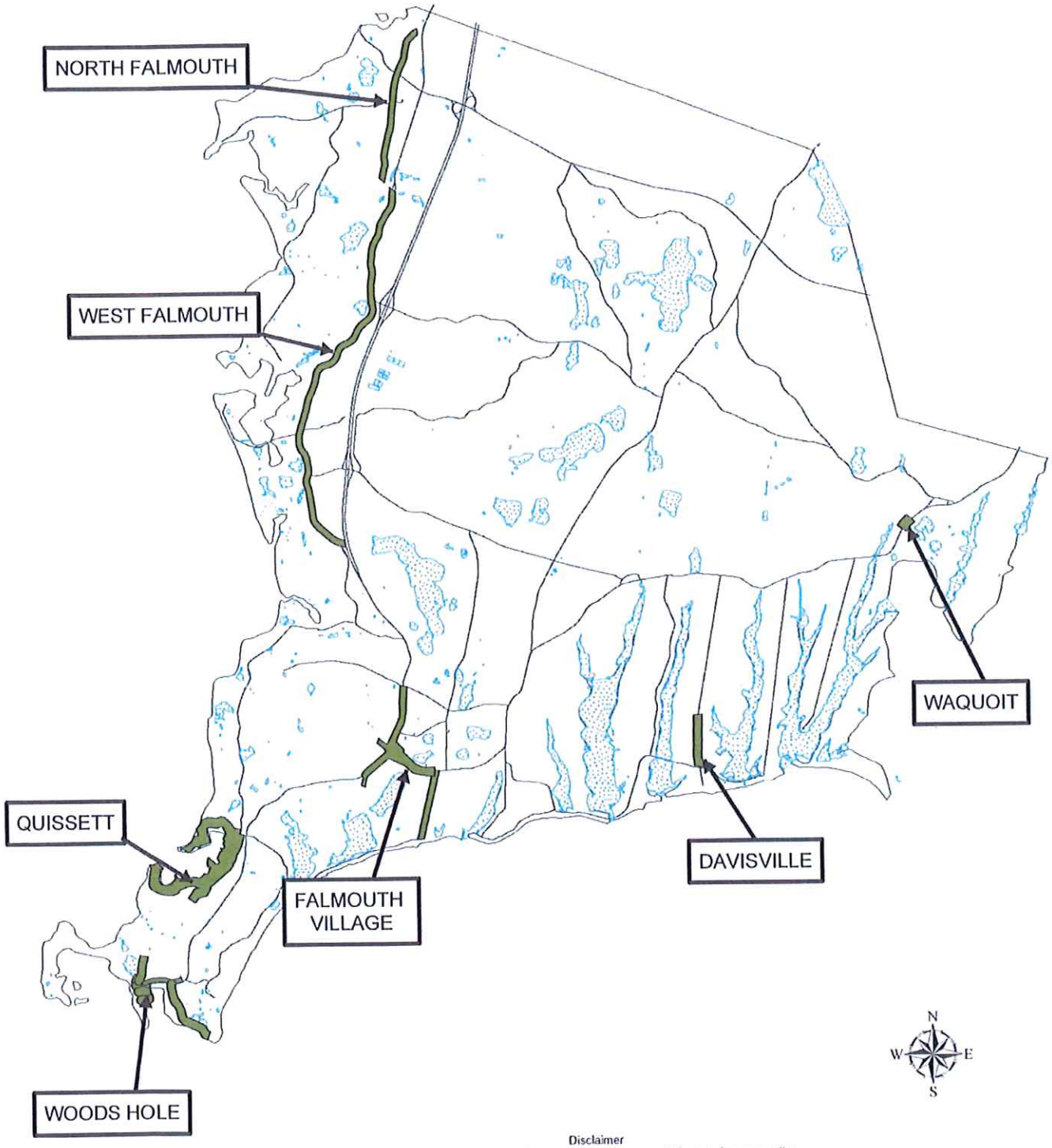
3. ALL LETTERS & UNDERLINE TO BE V-CARVED AND HAND-PAINTED WITH WHITE GLOSS ENAMEL.

4. PAINTED, HIGH DENSITY URETHANE TO BE V-CARVED BORDER/OUTLINE. HAND-PAINTED WITH WHITE GLOSS ENAMEL.

5. STEEL PERIMETER FRAME FABRICATED FROM 3/16" THICK MILD STEEL. PERIMETER FRAMES TO BE THE SAME THICKNESS AS THE SIGN PANEL AT 1.5" WIDE.

THIS ARTWORK IS FOR THE USE OF KIWI SIGNS & MARINE GRAPHICS, LLC ONLY.

FALMOUTH HISTORIC DISTRICTS



Disclaimer
The Town of Falmouth makes no claims,no representations and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and/or GIS products furnished by the Town, including the implied validity of any uses of such data.Parcel lines are graphic representations only. Planimetric features derived from 3/98 Aerials.
Prepared by Falmouth G.I.S.

OPEN SESSION

BUSINESS

7. Vote to approve a letter to MassDOT requesting "Lines and Signs" improvements along Route 28A/West Falmouth Highway **(5 minutes)**

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Business 7.**

ITEM TITLE: Vote to approve a letter to MassDOT requesting "Lines and Signs" improvements along Route 28A/West Falmouth Highway.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Peter M. McConarty, Director of Public Works

ATTACHMENTS: 2024-02-27 Draft Letter to MassDOT District 5

PURPOSE: Request MassDOT assistance with improvements to West Falmouth Highway, Route 28A.

BACKGROUND/SUMMARY:

- A Road Safety Audit along Route 28A was performed by MassDOT in April 2023.
- The audit included participants from the West Falmouth Village Association, Town of Falmouth staff, MassDOT staff and their consultant; the audit identified areas of concern and potential improvements.
- The attached draft letter to MassDOT District 5 requests improvements that are considered short term achievable improvements consistent with the audit in accordance with DOT's "Line and Sign" program.

- The draft letter includes most of the items requested by the West Falmouth Village Association but does not include some items that are expected to be long-term improvements requiring further investigation with MassDOT.

DEPARTMENT RECOMMENDATION:

Public Works recommends submittal of the attached letter to MassDOT.

OPTIONS:

- Motion to approve submitting a letter to MassDOT requesting the listed "Lines and Signs" improvements along Route 28A/West Falmouth Highway.

- Motion to deny approval of a letter to MassDOT requesting the listed "Lines and Signs" improvements along Route 28A/West Falmouth Highway.

- Some other Board-defined alternative.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☒

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to approve submitting a letter to MassDOT requesting the listed "Lines and Signs" improvements along Route 28A/West Falmouth Highway.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone: (508) 495-7320
townmanager@falmouthma.gov

February 26, 2024

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

Re: Falmouth - "Lines and Signs" improvement recommendations - West Falmouth Highway, Route 28A

Dear Ms. Perry:

A Roads Safety Audit was completed for a portion of West Falmouth Highway on April 24, 2023. Since the audit, there have been additional meetings with MassDOT with regards to interim low to medium cost improvements that were referred to as "Lines and Signs" improvements. As we recognize that some items identified in the audit will require more time to implement, we are requesting that some more timely "Lines and Signs" improvements be undertaken this spring. In particular, we are requesting MassDOT perform the following:

1. Pavement markings and roadway long-lines throughout the three-mile corridor be restriped in accordance with MUTCD standards, including all crosswalks.

2. Speed Limit Signs be installed at the following locations:
   a. Southbound, south of Thomas B. Landers Road intersection.
   b. Southbound, north of Westmoreland Drive.
   c. Southbound, south of Brick Kiln Road.

3. "Thickly Settled" signage be installed (where it meets MassDOT standards) at the following locations:
   a. Northbound, north of Hawks Way.
   b. Northbound, north of Brick Kiln Road.
   c. Northbound, north of Chapoquoit Road.
   d. Southbound, south of Carlisle Road.
   e. Southbound, south of Brick Kiln Road.

4. Install, where appropriate, "Share the Road" signs along the entire Route 28A corridor, northbound and southbound.

5. Coordinate with Falmouth Public Schools on installation of School Bus Stop signage.

6. Cut back vegetation along the entire corridor, especially at all intersections and traffic sign locations.

7. Review the existing line striping layout at the intersection with Old Dock Road and add traffic calming lines where appropriate.

8. Evaluate the existing directional signage at the Old Dock Road intersection for consolidation.

9. Intersection of Route 28A and Chapoquoit Road:
   a. Evaluate the speed limit signage and replace as needed.
   b. Evaluate the possible installation of a solar powered speed feedback sign along the northbound lane.
   c. Evaluate the relocation of "Intersection Ahead" signage.
   d. Install an "Intersection Ahead" sign on the southbound lane.
   e. Repair the curb on the southwest corner of the intersection.

10. Crosswalk location at West Falmouth Library and Quaker Meeting House:
    a. Evaluate moving the existing crosswalk to the north, and make compliant with ADA requirements.
    b. Evaluate sign locations for the crosswalk and fire station.

11. Evaluate existing sidewalks along the entire corridor and make repairs as necessary.

12. Evaluate the removal of the passing lane between Blair Lane and Hawks Way.

13. At West Falmouth Square, paint stop lines at intersecting roadways where needed.

14. At the location of the Brick Kiln Road intersection:
    a. Repaint the intersection to define a narrower right turn lane.
    b. Repaint the center island to enlarge the painted area.
    c. Replace signage to be consistent with retro-reflectivity requirements.
    d. Update the flashing beacon lighting, install correct LED light size.
    e. Relocate the Brick Kiln Road sign to within the island.
    f. Improve the intersection warning signage along the northwest lane of Brick Kiln Road.
    g. Evaluate tree removal to improve sight lines along Brick Kiln Road westbound.

15. Replace the stop sign at Thomas B. Landers intersection so it is consistent with retro-reflectivity requirements.

Respectfully,

Nancy Robbins Taylor, Chair
Falmouth Select Board

January 19, 2024

Dear Select Board,

On November 3, 2023, members of the West Falmouth Village Association' Safety Committee met with the Massachusetts Department of Transportation's District 5 Engineering Team to discuss the status of their plans to implement the recommendations of the Road Safety Audit performed on April 4, 2023 and to learn when MADOT plans to perform the second Road Safety Audit requested on July 24, 2023 in a letter sent to Mary-Joe Perry by the Falmouth Select Board.

During this meeting we learned the following: a) it takes roughly three to five years for a complex, corridor wide project requiring geometric and other construction improvements to be made, b) the Road Safety Audit requested by the Select Board in July 2023 has not been scheduled and is subject to MassDOT scheduling priorities, and c) major investments like those needed to improve safety on Route 28A/West Falmouth Highway require dedicated funding.

We also learned that the funding of such major safety improvement projects generally includes Federal funds and is managed through a process that includes the Cape Cod Commission. We plan to discuss the funding process further with our State Senator, State Representative, and the County Commission.

Based on the seriousness of the safety concerns along Route 28A/West Falmouth Highway and the time required for the State of Massachusetts to effect permanent improvements, the MADOT District 5 engineering team recommended that the West Falmouth Village Association develop a "Lines and Signs" plan to allow temporary improvements to be made. Signing and striping improvements are considered to be low or medium-cost improvements and can often be made in a shorter period of time. We are hopeful that some of these improvements can be made this coming spring. This type of work can be performed within the operating budget authorized for MADOT District 5.

The "Lines and Signs" project list must be requested by the Falmouth Select Board. On behalf of the residents of West Falmouth, the West Falmouth Village Association asks that the Select Boad send a letter to MADOT requesting that the attached list of "Lines and Signs" improvements be planned for the spring of 2024. This document has been developed based on the April 4, 2023, Road Safety Audit and the report provided by the West Falmouth Village Association as the basis of the July 24, 2023, Road Audit Request. We have additionally included a request for school bus stop signs based on Falmouth School District information.

Sincerely,

James Gray
West Falmouth Village Association, President

Cc: Mike Renshaw

OPEN SESSION

BUSINESS

8. Vote article recommendations for April 2024 Annual Town Meeting **(15 minutes)**

February 26, 2024

TOWN OF FALMOUTH

APRIL 2024 ANNUAL TOWN MEETING

Select Board Announce Annual Town Meeting Schedule ..... Monday, December 4, 2023

Close Warrant ..... Friday, January 12, 2024

Select Board Vote Articles & Execute Warrant.....Monday, January 29, 2024

Publish Articles Only ..... Friday, February 2, 2024

Petition Article Presentations.....Monday, February 12, 2024

Select Board Vote Article Recommendations.....Monday, February 26, 2024

Send Warrant with Recommendations to Printer and Newspaper.....Monday, March 4, 2024

Publish Warrant with Recommendations and Mail Warrant Booklets ..... Friday, March 15, 2024

Town Meeting.....Monday, April 8, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business #8

ITEM TITLE: Vote article recommendations for the April 2024 Annual Town Meeting

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Selected Warrant Articles with draft recommendations and explanations

---

PURPOSE:

The Select Board is asked to vote recommendations for articles that fall under its purview.

BACKGROUND/SUMMARY:

- There are seven (7) articles for which the Select Board will submit the formal recommendation to Town Meeting; these recommendations will be printed in the Town Meeting warrant book distributed to all Town Meeting members.

- The Finance Committee submits recommendations for financial articles, the Planning Board submits recommendations for zoning articles, and the Community Preservation Committee submits recommendations for funding from the Community Preservation fund.

- Included in your meeting packet are draft recommendations and explanations prepared by staff for all 7 of these articles, subject to Select Board discussion and approval. These

recommendations and explanations can be amended based on input received from the Board during this meeting.

- The recommendations must be voted by the Select Board in order to be printed and submitted to Town Meeting. The wording of the explanations may be refined and updated by staff without a Select Board vote after this meeting.

- The Town Meeting warrant book is scheduled to be sent to the printer March 4th which makes this the Select Board's last meeting to vote its recommendations.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends approval of the Town Meeting article recommendations as submitted.

OPTIONS:

- Motion to approve the April 2024 Annual Town Meeting article recommendations as submitted;

- Motion to approve the April 2024 Annual Town Meeting article recommendations as amended;

BUDGET INFORMATION: **Applicable**: ☒ **Not Applicable**: ☐ **Budgeted**: Yes ☒ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

TOWN MANAGER COMMENTS:

The Town Manager recommends approval of the April 2024 Annual Town Meeting article recommendations as submitted.

Michael Renshaw

_____ 2/23/2024

Town Manager **Date**

ARTICLE 4: To see if the Town will vote to amend the Town's Position Classification Plan. Or do or take any other action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): To see if the Town will vote to amend the Town's Position Classification Plan as follows:

Technical Administrative and Management Positions

Position:	Current Grade	Existing Grade with New Numbering*	Existing FY25 Pay Range		Proposed Grade	Proposed FY2025 Pay Range	
Assistant Town Manager	M-11	M-12	$ 59.58	$ 80.51	M-13	$ 64.03	$ 86.51
Director of Public Works	M-11	M-12	$ 59.58	$ 80.51	M-13	$ 64.03	$ 86.51
Finance Director	M-11	M-12	$ 59.58	$ 80.51	M-13	$ 64.03	$ 86.51
Human Resources Director	M-9	M-9	$ 48.18	$ 65.09	M-11	$ 54.66	$ 73.85
IT Director	M-10	M-10	$ 51.82	$ 70.00	M-11	$ 54.66	$ 73.85
Building Commissioner	M-9	M-9	$ 48.18	$ 65.09	M-10	$ 51.82	$ 70.00
Collector/Treasurer	M-9	M-9	$ 48.18	$ 65.09	M-10	$ 51.82	$ 70.00
Deputy Finance Director	NA	NA	NA	NA	M-10	$ 51.82	$ 70.00
Town Accountant	M-9	M-9	$ 48.18	$ 65.09	M-10	$ 51.82	$ 70.00
Conservation Administrator	M-8	M-8	$ 43.15	$ 58.30	M-9	$ 48.18	$ 65.09
Emergency Communications Director	M-7	M-7	$ 41.71	$ 56.36	M-9	$ 48.18	$ 65.09
Fleet Services Manager	M-8	M-8	$ 43.15	$ 58.30	M-9	$ 48.18	$ 65.09
Recreation Director	M-8	M-8	$ 43.15	$ 58.30	M-9	$ 48.18	$ 65.09
Senior Services Director	M-8	M-8	$ 43.15	$ 58.30	M-9	$ 48.18	$ 65.09
Housing Coordinator	M-6	M-6	$ 39.74	$ 53.69	M-8	$ 43.15	$ 58.30
Network Administrator	M-7	M-7	$ 41.71	$ 56.36	M-8	$ 43.15	$ 58.30
Clinical Social Workers (including Police Social Workers)	M-6	M-6	$ 39.74	$ 53.69	M-7	$ 41.71	$ 56.36
GIS Coordinator	M-6	M-6	$ 39.74	$ 53.69	M-7	$ 41.71	$ 56.36
IT Systems Analyst	M-6	M-6	$ 39.74	$ 53.69	M-7	$ 41.71	$ 56.36
Outreach Coordinator - Senior Services	M-4	M-4	$ 32.93	$ 44.50	M-6	$ 39.74	$ 53.69
Office Manager to the Town Manager and Select Board	M-4	M-4	$ 32.93	$ 44.50	M-5	$ 37.87	$ 51.16
Administrative Assistant to the Fire Chief	M-3A	M-3A	30.75	41.55	M-4	$ 32.93	$ 44.50
Administrative Assistant to the Police Chief	M-3A	M-3A	30.75	41.55	M-4	$ 32.93	$ 44.50
Benefits Administrator	M-3	M-3	$ 28.60	$ 38.65	M-4	$ 32.93	$ 44.50
Human Resources Assistant	M-2	M-2	$ 24.91	$ 33.68	M-3	$ 28.60	$ 38.65
Solid Waste Coordinator	NA	NA	NA	NA	M-3	$ 28.60	$ 38.65

Grade '3A' is being eliminated; Grade 10A is renumbered as Grade 11

Library Positions

	Existing Grade	Existing FY2024 Pay Range	Proposed Grade	Proposed FY2024 Pay Range Eff. 01/01/2024
Managing Librarian - Adult Services	L-11	$ 31.39 $ 39.73	L-12	$ 33.59 $ 42.49
Managing Librarian - Technical Services	L-11	$ 31.39 $ 39.73	L-12	$ 33.59 $ 42.49
Managing Librarian - Branch Services	L-10	$ 29.33 $ 37.11	L-12	$ 33.59 $ 42.49
Managing Librarian - Public Services	L-10	$ 29.33 $ 37.11	L-12	$ 33.59 $ 42.49
Managing Librarian - Youth Services	L-10	$ 29.33 $ 37.11	L-12	$ 33.59 $ 42.49
Information Systems Manager	L-10	$ 29.33 $ 37.11	L-12	$ 33.59 $ 42.49
Librarian - Adult Services	L-10	$ 29.33 $ 37.11	L-11	$ 31.39 $ 39.73
Librarian - Young Adult Services	L-10	$ 29.33 $ 37.11	L-11	$ 31.39 $ 39.73
Library Associate - Branch Services	L-07	$ 23.94 $ 30.31	L-08	$ 25.61 $ 32.41
Library Associate - Public Services	L-07	$ 23.94 $ 30.31	L-08	$ 25.61 $ 32.41
Library Associate - Youth Services	L-07	$ 23.94 $ 30.31	L-08	$ 25.61 $ 32.41
Library Information Assistant	L-06	$ 22.37 $ 28.31	L-07	$ 23.94 $ 30.31

AFSCME A Position

	Existing Grade	Existing FY2024 Pay Range	New Grade	Proposed FY2024 Pay Range Eff. 04/09/2024
Electrician	A-10	$ 30.34 $ 38.38	A-12	$ 34.73 $ 43.93

EXPLANATION: The Town Manager seeks to add two new positions to the Town Position Classification plan and to change the pay classification for the existing positions listed above.

Changes to Existing Positions – Non-Union and Library:
The Town retained an outside consultant to review all union Library positions and all non-union positions within the Technical Administrative and Management group. The purpose of the review, and the Classification Plan generally, is to group positions into pay grades based on:

- Internal equity
- Organizational structure
- Labor market realities

The review process is designed to be as objective as possible and included:

- Job assessment questionnaire completed by employees
- Consultant interviews of employees
- Initial assignment of positions into pay grades
- Adjustments for organizational structure, labor market and aspects unique to Falmouth based on dialog with management staff

The cost to implement the classification changes for Library positions effective retroactive to January 1, 2024 is estimated to be $42,000 ($14,000 in FY2024 and $28,000 in FY2025). This represents an increase of 1.6% to total Library union wages.

The cost to implement the classification changes for Technical Administrative and Management positions effective July 1, 2024 is estimated to be approximately $50,000 for FY2025. This represents an increase of 0.8% to base wages for this group.

Changes to Existing Positions – Electrician:
The Town advertised a vacancy for the Electrician position twice and has not been able to hire a qualified applicant. In response to the market, we seek to increase the pay grade of this AFSCME A position from grade 10 to grade 12.

New Positions:

- Solid Waste Coordinator: This article would authorize upgrading this position from 19 hours per week without benefits to 37.5 hours per week with benefits. This position is an integral part of solid waste and recycling operations within Public Works. Since the position's inception in 2021, the duties and demands of have increased substantially. The added cost to increase the hours and benefits for this position will be offset to some extent by increased recycling grants and potentially by diverting solid waste from the waste stream through various initiatives including composting.
- Deputy Finance Director: We seek to create this position to create some options for succession planning for the Finance Director, Treasurer/Collector, Town Accountant, and Town Assessor positions. This is a novel approach in that we are not proposing that this position be funded on a long-term basis in addition to these existing positions. The intent is to advertise the Finance Director position after Town Meeting, hopefully, approves the new pay classification. If a Finance Director is hired, we would not immediately plan to fill the Deputy Finance Director position. If we are unable to recruit a fully qualified Finance Director, we might fill the Deputy Finance Director instead of the Finance Director position. That individual would take on a portion of the Finance Director duties and be provided with professional development so that she/he might be promoted to the Finance Director position within a year or two at which time the Deputy position would remain vacant. Another potential use of the Deputy Finance Director position would be to fill it some 6 months before an anticipated retirement in one of the Finance Division Head positions -- Treasurer/Collector, Assessor, Town Accountant. The individual would take on special projects and some of the duties of the retiring -Division Head and be well prepared to take over the duties of the Division Head position when the incumbent retires, at which time his/her title would change to the Division Head title and the Deputy Finance Director would be left vacant.

ARTICLE 23: To see if the Town will vote to Authorize the Selectmen to modify the shape and area of the existing Town water tower easement more particularly described in that certain Easement filed with the Barnstable County Registry District of the Land Court as Document 371,731, as affected by that certain Modification of Easement filed with the Barnstable County Registry District of the Land Court as Document 1,007,776 over a portion of the land owned by the Falmouth Economic Development and Industrial Corporation at 64 Technology Park Drive, Falmouth Assessors Parcel 15-04-027A-021. On petition of Wayne Lingafelter.

RECOMMENDATION (SELECT BOARD): That the Town authorize the Select Board to acquire a permanent easement for municipal water system purposes within a parcel of land now or formerly owned by the Falmouth Economic Development and Industrial Corporation known as 64 Technology Drive, being parcel 15 04 027A 021 on the Falmouth Assessors Maps, and as filed with the Barnstable Land Court Division as Certificate of Title. No. 88797; and to authorize the Select Board to enter into an agreement to enter upon, in and over said land to locate, relocate, construct, reconstruct, lay, relay, repair, replace, maintain, operate, remove and inspect water mains, and other facilities or equipment associated therewith; and further to authorize the Select Board to enter into any agreements and execute any documents and instruments to effectuate the purpose of this article, including any that may be required to abandon former easements on the parcel. Or do or take any other action on the matter.

EXPLANATION: This petition article seeks to authorize the Select Board to modify an existing Town water easement on land owned by the Economic Development and Industrial Corporation upon which a water tower is located by moving the easement to a different location on the same parcel. The easement will be relocated in order to facilitate any future development of the parcel. This authorization is required as a technical reinforcement for the authority of the Town to the easement.

Approval of this article requires a 2/3 Town Meeting vote.

ARTICLE 24: SMART (Southeast Massachusetts Regional Transportation Task Force) requests that the Select Board petition the State Traffic Engineer for speed limit changes along the so-called ferry corridor in Falmouth pursuant to General Law chapter 90 section 18 as recently amended by Chapter 358 of the Acts of 2022. Maps outlining the existing conditions and proposed changes are attached.* On petition of Nathaniel Trumbull.

RECOMMENDATION (SELECT BOARD): That the Town vote Article 24 as printed.

EXPLANATION: This article seeks a Town Meeting vote to encourage the Select Board to petition the Massachusetts Department of Transportation to reduce the speed limit on certain sections of Woods Hole Road. The applicable sections of Woods Hole Road are identified on a map submitted by the petitioners which is reproduced in the back of this Town Meeting warrant book. This is a non-binding, advisory article.

ARTICLE 25: To see if the Town will vote to authorize the Select Board to lease certain portions of land or buildings owned by the Town as further described below for the installation of solar photovoltaic energy facilities and supplying solar energy, for a term up to thirty (30) years, on terms acceptable to the Select Board, and on such other terms and conditions and for such consideration as the Select Board deems appropriate; and to authorize the Select Board to enter into such leases and to grant such access, utility, and other easements in, on and under said land as may be necessary or convenient to construct, operate and maintain such solar photovoltaic energy facilities and supply solar energy, and to authorize the Select Board to take any actions and execute any documents necessary to accomplish the foregoing; and further to authorize the Town Manager to enter into any power purchase agreements with any lessee of such property to purchase all or a portion of the electricity produced.

RECOMMENDATION (Select Board): That the Town vote to authorize the Select Board to lease portions of the following town-owned parcels for a term of up to 30 years for the purposes of this article.

Line #	Parcel Identification	Site Description	Street Address
1	35 05 006 000	Water Treatment Plant Rooftop	650 Gifford St
2	39 21 001 000	Senior Center Rooftop	780 Main St

EXPLANATION: The Town is actively pursuing opportunities to implement solar photovoltaic (PV) roof installations. The listed sites have been evaluated and will deliver cost savings to the Town. The Town is proposing to enter into power purchase agreements with solar vendors in order to avoid the up-front cost of purchasing and installing the solar systems. The power purchase agreement also assigns to the solar vendor the responsibility for monitoring, maintaining and repairing the solar installation. In order to make such an agreement financially viable, a long-term agreement is required. State law prohibits contract terms in excess of three (3) years, unless specifically authorized by Town Meeting. This article authorizes the Select Board to enter into agreements with solar vendors of up to 30 years. The specific terms of the lease will be determined by the Town Manager and subject to Select Board approval.

Approval of this Article requires a 2/3 Town Meeting vote.

ARTICLE 26: To see if the Town will vote to authorize the Select Board to grant certain easements to NStar Electric Company dba Eversource Energy in connection with the construction of an electric vehicle charging station on, in, over, under and across certain Town property, including but not limited to:

1. The municipal parking lot located at 20 Academy Lane, Peg Noonan Parking Lot;

Said easements to be for the purpose of the installation and maintenance of underground power supply to the electric vehicle charging station upon such terms and conditions as the Select Board deems reasonable and proper. Or do or take any other action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote Article 26 as printed.

EXPLANATION: The easement is requested by Eversource in connection with the planned installation of a Level III Direct Current (DC) Fast Electric Vehicle Charging unit with 2 connectors/ports. The charging station will be located on an existing island in the parking lot adjacent to the Falmouth Main Library and will be available for public use. The Town will recover the cost of delivering power to private electric vehicle owners via a fee charged to users.

ARTICLE 27: To see if the Town will vote to authorize the Select Board to lease for a term up to thirty (30) years, on terms acceptable to the Select Board, and for such consideration as the Select Board deems appropriate, portions of one or more of the town-owned parcels currently used for the Golf Course and facilities.

RECOMMENDATION (Select Board): That the Town vote to authorize the Select Board to lease the following town-owned parcels for a term of up to 30 years.

Parcel Identifications	Street Address
21 10 022 000	630 CARRIAGE SHOP RD
28 08 001 000	377 OLD BARNSTABLE RD
29 01 001 001	504 OLD BARNSTABLE
21 10 020 008	26 CALEBS WAY

EXPLANATION: The Falmouth County Club is owned by the Town and leased to a private operator -- Troon (previously Billy Casper Golf). This lease expires 12/31/2024 and cannot be renewed without a new competitive solicitation process. The Select Board and Town Manager seek Town Meeting approval to solicit competitive proposals for a contract term of up to 30 years, including renewals. State law prohibits contract terms in excess of three (3) years, unless specifically authorized by Town Meeting. This article provides the Select Board with the flexibility to reach agreements with potential vendors in excess of 3 years. A longer term may be mutually beneficial to the Town and the vendor. One potential benefit to the Town is that the longer term provides the private operator with an incentive to make capital improvements that have a useful life in excess of 3 years.

Approval of this Article requires a 2/3 Town Meeting vote.

ARTICLE 33: To see if the Town will vote to authorize the Select Board to petition the General Court for a special act that would impose a real estate transfer fee to be used by the Town for the purposes acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town. Or do or take any action on the matter. On request of the Select Board.

RECOMMENDATION (Select Board): That the Town vote to authorize the Select Board to petition the General Court for a special act to impose a real estate transfer fee as follows: a Real Estate Transfer Fee applies to all sales of residential real estate where the sales price is one million dollars or more; the graduated fee structure is a percentage of the sales price; for conveyances where the sales price is between one million dollars up to but not including 1.5 million dollars, a 1% fee of the sales price is assessed, for conveyances where the sales price is between 1.5 million dollars to two million dollars a 1.5% fee of the sales prices is assessed, for conveyances where the sales price is two million dollars and more, a 2% fee of the sales price is assessed; the fee is payable by the seller at the time of transfer; all

fees collected are deposited to the Falmouth Affordable Housing Fund; and any other terms that would effectuate the purpose of this article.-

EXPLANATION: The structure of this revenue source is to assess a fee at such a time that a residential dwelling is transferred to different ownership. The fee would be charged only on sales of residential property exceeding one million and only on the amount more than this threshold. There are exceptions where the fee would not apply, such as in divorce settlements and transfers to government or non-profit organizations. These funds would be designated to fund affordable and/or attainable housing. For Falmouth to meet the serious challenges posed by the lack of housing, it must have sufficient resources on hand to provide subsidies for qualifying projects. Governor Maura Healey has filed a Housing Bond Bill, which this Real Estate Transfer Fee aligns with.

OPEN SESSION

CONSENT AGENDA

1. **Licenses**

    a. Application for Special One-Day Wine & Malt Liquor License – Food Truck Festivals of America LLC – Cape Cod Food Truck & Craft Beer Festival – Cape Cod Fairgrounds – Saturday, 8/10/24

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Licenses 1.a.**

ITEM TITLE: Application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/24

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Special One-Day Liquor License for the Sale of Alcoholic Beverages dated August 30, 2023; Letter dated August 30, 2023; Security Plan

---

PURPOSE:

The Select Board will consider the approval of an application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/2024.

BACKGROUND/SUMMARY:

- Applicant Food Truck Festivals of America LLC submitted the Special One-Day License for the Sale of Alcoholic Beverages on August 30, 2023.

- The event, titled Cape Cod Food Truck and Craft Beer Festival, will be held on August 10, 2024 (11:00 AM to 5:00 PM) and approximately 2,500 people are expected to attend.

- The Fire Rescue Department has reviewed the application and advised applicant must contact the Department to schedule inspections of the food truck vendors.

- The Police Department, Building Department, DPW, MES, and Recreation reviewed and have no objections.

- The Health Department has required that each vendor apply for a food permit 30 days in advance of the event.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/24 from 11:00 AM to 5:00 PM as presented.

OPTIONS:

- Motion to approve the application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/24 from 11:00 AM to 5:00 PM as presented.

- Motion to deny approval of the approve the application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/24 from 11:00 AM to 5:00 PM as presented.

- Select Board Defined alternative.

BUDGET INFORMATION: **Applicable**:☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Liquor License- Food Truck Festivals of America LLC- Cape Cod Food Truck & Craft Beer Festival- Cape Cod Fairgrounds- Saturday, 8/10/24 from 11:00 AM to 5:00 PM as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

Date: 2/26/24

ONE-DAY LIQUOR LICENSE APPLICATION REVIEW FORM

Applicant: Food Truck Festivals of America LLC

Event: Cape Cod Food Truck & Craft Beer Festival

Location: Cape Cod Fairgrounds, 1220 Nathan Ellis Hwy.

Date: Saturday, 8/10/24 **Time:** 11:00 a.m. - 5:00 p.m.

License Type: ☑ Wine & Malt Beverages or ☐ All Alcoholic Beverages

Application sent to the departments, indicated below, for comment:

☑	Police	No objections.
☑	Fire	Contact Fire Department to schedule inspections of food truck vendors.
☑	Health	Each individual vendor must apply for food permit 30 days in advance.
☑	Building	No objections.
☐	Communications	
☑	M.E.S.	No objections.
☑	DPW	No objections.
☑	Recreation	No objections.
☑	Beach	
☐		

NOTES: This event was discussed by the Internal Working Group for Special Events at its meeting on Thursday, January 25, 2024. The Working Group recommends approval.

PAID $25.00 CK# 1495

RECEIVED
DEC - 6 2023
SELECT BOARD OFFICE

APPLICATION

SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES

M.G.L.A. CHAPTER 138, SECTION 14

NAME OF APPLICANT: Anthony Pepe

ADDRESS OF APPLICANT: 247 Washington St, Ste 21

Stoughton (TOWN) | MA (STATE) | 02072 (ZIP CODE)

NAME OF ORGANIZATION: Food Truck Festivals of America LLC

MAILING ADDRESS: 247 Washington St, Ste 21, Stoughton MA 02072

TELEPHONE #: [redacted] EMAIL: mish@ftfofamerica.com

LOCATION TO BE LICENSED-ADDRESS: Cape Cod Fairgrounds - 1220 Nathan Ellis Hwy

Falmouth (TOWN) | MA (STATE) | 02536 (ZIP CODE)

EVENT TITLE: Cape Cod Food Truck + Craft Beer Festival APPROXIMATE # OF PEOPLE: 2500

DATE(S) OF EVENT: 8/10/24 HOURS OF EVENT: 11a - 5p

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Wendy Brown

TYPE OF LICENSE:

1. WINE & MALT [X] FOR PROFIT [ ]
2. ALL ALCOHOLIC [ ] *NON-PROFIT ORGANIZATIONS ONLY* NON-PROFIT [ ]

REQUIREMENTS check list:

✓ 1. Submit in a separate note or letter a narrative overview of the event including a description of the premises, food service, and security

N/A 2. Certificate of non-profit status (if your organization is non-profit)

update 3. Certificate of liquor liability insurance; *1 MILLION PER OCCURANCE - $2 MILLION AGGREGATE*

pending 4. Certificate of TIPS or other alcohol safety training for all persons handling alcohol

✓ 5. Floor plan of area where alcohol will be served, consumed, and securely stored and how this will be separated from public areas (roping, fences, etc.)

advised ✓ 6. Temporary Food Permit (Health Department)

8/30/23
DATE

APPLICANT SIGNATURE

FEE: $25.00 PER DAY
$10.00 FILING FEE

August 30, 2023

Food Truck Festivals of America, LLC
247 Washington Street, Suite 21
Stoughton MA 02072
[redacted]

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

To Whom It May Concern:

Food Truck Festivals of America is coming back for our 12th Annual Cape Cod Food Truck & Craft Beer Festival. It will be held at the Cape Cod Fairgrounds in Falmouth, MA. The hours will be 11am-5pm and will be held on Saturday August 10, 2024. We will be putting on a family friendly event that will have approximately 25 food trucks and 25 artisan/vendors. We will be serving craft beer from our distributor Craft Collective and will have all the needed police, fire, EMS present. We have sent in our 1-day liquor license application as well. There will be a beer garden, as previous years. We hope this will be another successful year for us and the community.

Thank you,

Anthony Pepe

Anthony Pepe
Owner

TO: ALL CONCERNED
FROM: The FTFA Team
DATE: August 30, 2023

RE: SECURITY PLAN – FALMOUTH LICENSING BOARD

Hours of Operation:

WHAT: Cape Cod Food Truck & Craft Beer Festival
WHERE: Cape Cod Fairgrounds, 1220 Nathan Ellis Hwy, E Falmouth MA 02536
WHEN: Saturday, August 10, 2024 **11 am to 5 pm** – Last call 4:30 pm

Distributor: Craft Collective will provide the beer and servers for our event.

Security: I.D. Checks will happen at the front gate. I.D. Checkers will ensure everyone drinking will be 21 or older. They will then issue a wristband that reads FTFA 21+. All servers from Craft Collective know to only serve those with a wristband. Wristbands are non-transferable.

Flow & Control: This event is for all ages, a family friendly event. Our main entrance/exit will be the only point of normal entry and exit. Personnel will be posted at the main entrance/exit with a mechanical counter. This person's sole responsibility will be to keep an accurate count of people entering and leaving the area. All the other exits with the exception of the main exit/entrance point will be designated as emergency exits only.

Beer will be served out of fenced in tent – see site plan

Entertainment: We are planning to have either a DJ or live music at our event—small P/A System.

Police: FTFA will hire the number of police officers that the Town of Falmouth requires.

Anthony Pepe

Anthony Pepe
Owner
Food Truck Festivals of America
[redacted]

Cape Cod Food Truck
&
Craft Beer Festival
Parking
Parking
Handicap
Parking
ENTRY
GATE
Exit
ARTISANS
BEER
GARDEN
Emergency
Exit
SPONSORS
Beer Ticket Tent
Guest Seating
Restrooms
Food Trucks
FOOD TRUCK
FESTIVALS
OF AMERICA

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

a. Approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one (1) new JO Pole to be labeled 69/77-5 approximately 50' (feet) east of existing pole #69/77 on Menauhant Rd. This work is necessary for new Eversource equipment.

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.a.**

ITEM TITLE: Approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one new JO pole to be labeled 69/77-5 approximately 50' east of existing pole 69/77 on Menauhant Rd. This work is necessary for new Eversource equipment.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Eversource petition documents; Public Hearing Notice, February 2, 2024; Site Plan

---

PURPOSE:

The Select Board will consider the approval of a petition by Eversource Energy and Verizon New England, Inc. for the installation of a Jointly Owned pole on Menauhant Road necessary for the installation of new Eversource equipment.

BACKGROUND/SUMMARY:

- Eversource Energy submitted the attached petition for the installation of a Joint or Identical Pole (69/77-5) location under Work Order #15646707.
- The pole is necessary for the installation of new Eversource equipment, and a public hearing was held at Town Hall on February 12, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager is recommending that the Select Board approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one new JO pole to be labeled 69/77-5 approximately 50' east of existing pole 69/77 on Menauhant Road as presented.

OPTIONS:

- Motion to approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one new JO pole to be labeled 69/77-5 approximately 50' east of existing pole 69/77 on Menauhant Road as presented.

- Motion to deny approval of the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one new JO pole to be labeled 69/77-5 approximately 50' east of existing pole 69/77 on Menauhant Road as presented.

- Some other Board defined alternative.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager is recommending that the Select Board approve the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one new JO pole to be labeled 69/77-5 approximately 50' east of existing pole 69/77 on Menauhant Road as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

PUBLIC HEARING NOTICE

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Old Water Department Room at 3:00 p.m. on Wednesday, February 21, 2024, upon the petition of NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install one (1) new JO Pole to be labeled 69/77-5 approximately 50' (feet) east of existing pole #69/77 on Menauhant Road, Falmouth.

This work is necessary for new Eversource equipment.

Per Order of the Falmouth Select Board

Publication Date: Friday, February 9, 2024, Falmouth Enterprise
Acct. #2056

Town of Falmouth
Department of Public Works - Engineering Division
416 Gifford Street, Falmouth, MA 02540
Office: 508-457-2543, Fax: 508-548-1537

Nicholas Croft, Engineering Technician nicholas.croft@falmouthma.gov

Date: Feb 23, 2024

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: **Eversource – Petition to install one (1) new Jointly Operated-Eversource Pole on Menauhant Road**

A petition was submitted by Eversource to install one (1) new Jointly Operated-Eversource Pole (69/77-5) on Menauhant Road to accommodate control, disconnects, bypasses, radio, antenna etc.

The Engineering recommendation is to approve the request as submitted on Plan No. 15646707, W/O #15646707, dated December 12, 2023.

Eversource Reminder: All Street Openings require a permit obtained from the Engineering Office.

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

Eversource Energy
50 Duchaine Blvd.
New Bedford, MA 02745
Attn: Jessica Elder

FORM OF ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS
WO#15646707

SELECT BOARD FOR THE TOWN OF FALMOUTH, MASSACHUSETTS.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY and
VERIZON NEW ENGLAND INC.
be and they are hereby granted joint or identical locations for permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 12th day of December 2023.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber and reasonably straight and shall be set substantially at the points indicated upon the plan marked **Plan No. 15646707** Dated December 12, 2023 filed with said petition. There may be attached to said poles by said **VERIZON NEW ENGLAND, INC**. not to exceed 40 wires and 4 cables and by said **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** necessary wires, cables and fixtures

and all said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Menauhant Road, Falmouth
To install 1 new JO pole to be labeled 69/77-5 approximately 50' (feet) east of existing pole 69/77.
One (1) JO Pole 69/77-5

This pole location is necessary for new Eversource equipment.

Also that permission be and hereby granted to each of said companies to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board for the Town of Falmouth, Massachusetts held on the 26th day of February 2025.

Phyllis A Downey
Clerk of Select Board

We hereby certify that on February 21, 2023 at 3:00 o'clock, P. M. at Falmouth Town Hall a public hearing was held on the petition of the

NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
VERIZON NEW ENGLAND INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

_____

_____

_____

_____

Select Board for the Town of Falmouth, Massachusetts _____

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Select Board of the Town of Falmouth, Massachusetts, on the _____ day of _____ 2023, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

_____

Town Clerk.

N:\SHARED–mmas–vf02\CIMAGE\BASELINS\FAL\FAL–MENAUHAC.dwg

Plan to accompany petition of EVERSOURCE ENERGY to install JO–ES Pole #69/77–5 in the Right of Way of Menauhant Rd.

45 16 000 002
418 MENAUHANT ROAD
N/F
DELAPA TR JOANNE C
DELCOR REALTY TRUST

45 16 001 001
422 MENAUHANT ROAD
N/F
MCDONOUGH TRUSTEE ROBERT J
MCDONOUGH TRUSTEE JUDITH M

APPROX. ℄

NAD 1983

R.O.W.

69/77
JO–ES

PROPOSED
69/77–5
JO–ES

69/78
JO–ES

R.O.W.

50'±

72'±

EOP

EOP

APPROX. 518'± TO
HARBOR FARMS RD.

MENAUHANT RD.

EOP

APPROX. EDGE OF PAVEMENT(EOP)

SIDEWWALK(BIT.)

R.O.W.

APPROX. RIGHT OF WAY(R.O.W.)

45 15 000 001
0 MENAUHANT ROAD
N/F
FALMOUTH TOWN OF

APPROX. ℄

45 15 001 002
0 GREEN HARBOR RD
N/F
FALMOUTH TOWN OF

LEGEND
- Existing Pole
- Proposed Pole

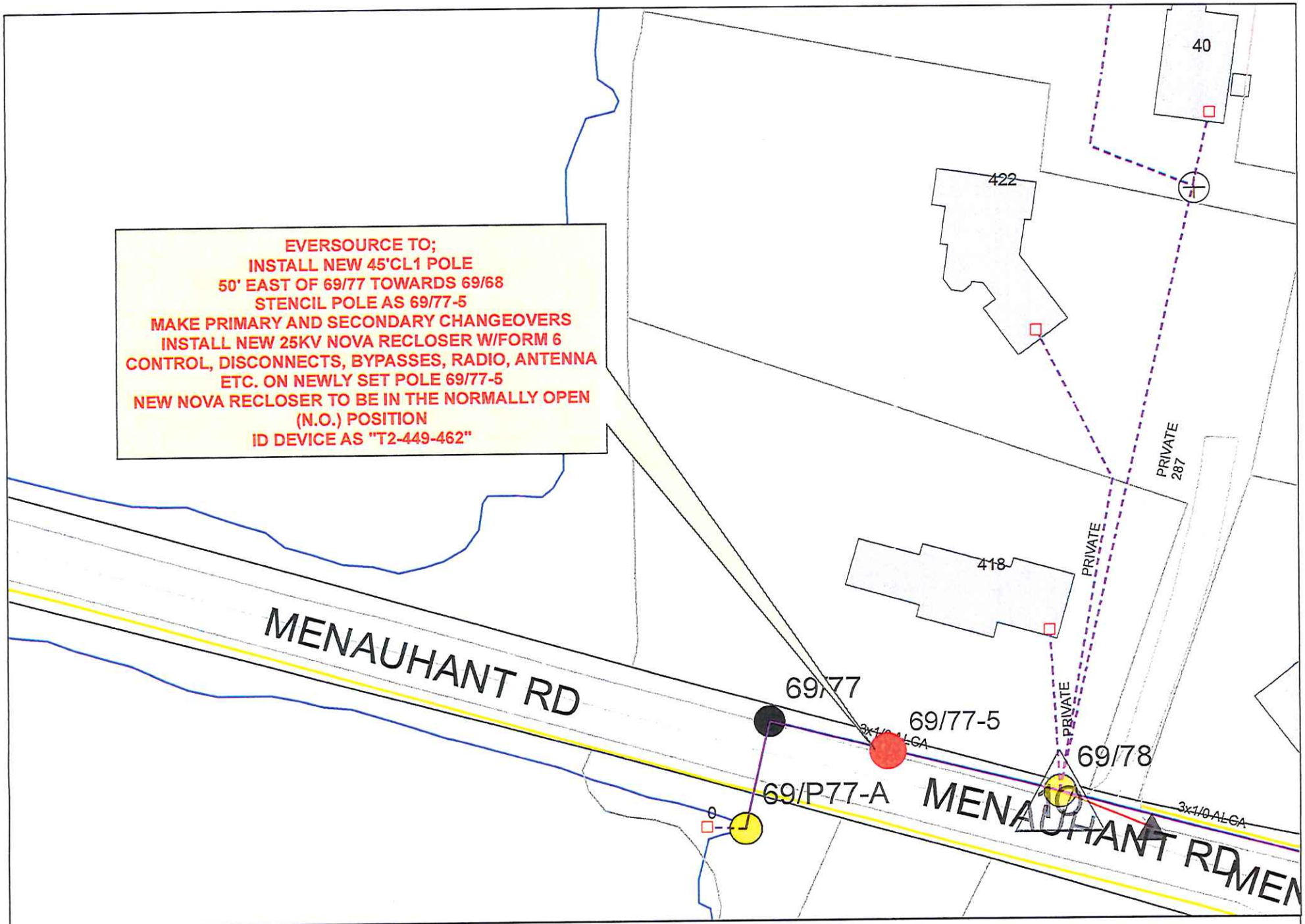
0 20 40
SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED

MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan # 15646707	NSTAR ELECTRIC d/b/a EVERSOURCE
Ward #	1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Work Order # 15646707	
Surveyed by: N/A	*Plan of* MENAUHANT ROAD
Research by: JC	FALMOUTH
Plotted by: SJ	Showing PROPOSED POLE LOCATION
Proposed Structures: SJ	
Approved: K. RICE	Scale 1"=20' Date DECEMBER 12, 2023
P#	SHEET 1 of 1



4-98B-449/4-98A-462 SKETCH NOT TO SCALE	W.O.15646707 NEW POLE 69/77-5 MENAUHANT RD FALMOUTH	12/06/2023 PG 1 OF 1	EVERSOURCE PAT RODDEN

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

b. Request for variance to Sign Code - §184-32 Off-Premise Signs: Rotary Club of Falmouth – Day of Play on Saturday, 7/6/24

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.b.**

ITEM TITLE: Request for variance to sign code, Section 184-32 Off-Premise Signs: Rotary Club of Falmouth- Day of Play on Saturday 7/6/2024

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: List of locations for requested off-premises signage provided by Rotary Club of Falmouth, Dimensions and Illustration of Signs

---

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by The Rotary Club of Falmouth for off-premise signs for its Day of Play event on Saturday, July 6, 2024.

BACKGROUND/SUMMARY:

- The Rotary Club of Falmouth submitted its request for a variance to the Sign Code (Off-Premise) to include the posting of 2 ft by 3 ft signs (within sign code, illustrations attached) at 10 separate locations within Town.
- The signs are to be placed on Tuesday, June 25, 2024 through Saturday, July 6, 2024.
- A banner sign is to be displayed on a table the day of the event as is permitted as a special event sign and is within the 8 sq. ft. size restriction.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Rotary Club of Falmouth.
- Motion to deny approval of the Off-Premises sign code variance as requested by the Rotary Club of Falmouth;

BUDGET INFORMATION: **Applicable:** ☐ **Not Applicable:** ☒ **Budgeted:** Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

2/26/24

Rotary Club of Falmouth Kids Day of Play – Saturday, July 6, 2024:

Request for off-premise promotional signage at the following locations:

1. TD Bank, Route 28 and Jones Road
2. Corner of Scranton Avenue and Route 28
3. Opposite Coffee Obsession, Queens Byway
4. Smitty's Ice Cream, East Falmouth
5. John Barrett Real Estate, East Falmouth
6. Deer Run Veterinary Clinic, 168 Teaticket Highway
7. Suzanne Glynn's office, 49 Locust Street
8. Corner Route 151 and Sandwich Road
9. Route 151 by the Route 28 overpass
10. Ransom Road and Woods Hole Road

Length of Time: Tuesday, June 25, 2024 through Saturday, July 6, 2024 (12 days)

Dimensions: 2' x 3' = 6 sq. ft. (size within sign code)

The banner sign to be displayed on a table the day of the event is allowed as a special event sign, and is within the 8 sq. ft. sign size.

ROTARY CLUB OF FALMOUTH

KIDS FAIR

SATURDAY - JULY

(RAIN DATE: SATURDAY - JULY)

FALMOUTH MAIN LIBRARY LAWN

FALMOUTH DAY OF PLAY.COM

FALMOUTH
ROTARY CLUB

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

c. Request for variance to Sign Code - §184-32 Off-Premise Signs: Rotary Club of Falmouth Craft Fair on Saturday, 8/31/24 and Sunday, 9/1/24

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.c.**

ITEM TITLE: Request for variance to sign code, Section 184-20 Off-Premises Signs: Rotary Club of Falmouth- Craft Fair on Saturday, 8/31/24 and Sunday 9/1/24

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: List of locations for requested off-premises signage provided by Rotary Club of Falmouth; Sign Permit Application; Dimensions and Illustration of Signs

---

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by The Rotary Club of Falmouth for off-premises signs for its Rotary Club Craft Fair at Marina Park on August 31 and September 1, 2024.

BACKGROUND/SUMMARY:

- The Rotary Club of Falmouth submitted a request for a variance to the Sign Code (Off-Premises) to include the posting of eleven (11) 2 ft by 3 ft promotional sandwich-board style signs (within sign code, illustrations attached) at 11 separate locations within Town.

- The signs are to be placed on August 26, 2024 through September 2, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Rotary Club of Falmouth for the Craft Fair on August 31 and September 1, 2024.
- Motion to deny approval of the Off-Premises sign code variance as requested by the Rotary Club of Falmouth;

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

Falmouth Rotary Club Craft Fair Signs:

Request for variance to sign code §184-30 off-premise promotional signs for Rotary Club Craft Fair at Marina Park on Saturday, August 31 and Sunday, September 1, 2024.

Length of time: August 26 – September 2, 2024

Locations:

1. Smitty's Ice Cream Shop, Rt. 28, East Falmouth
2. John Barrett Real Estate Office, Rt. 28, East Falmouth
3. Deer Run Veterinary Clinic, Rt. 28, Teaticket
4. Condos at corner of Sandwich Rd. and Brick Kiln Rd., East Falmouth
5. Corner of Scranton Ave. and Rt. 28, Falmouth
6. Suzanne Glynn's Office, Locust St., Falmouth
7. Corner Rt. 151 and Sandwich Rd., Hatchville
8. Rt. 151 by the Rt. 28 overpass, North Falmouth
9. Jack in the Beanstalk, Rt. 28A, North Falmouth
10. Crabapples Restaurant, Rt. 28, Falmouth
11. The Eatery Restaurant, 151 Sandwich Rd., East Falmouth

Quantity: 11

Size: (2 ft. x 3 ft.) 6 square feet. Sign size is within the 8 sq. ft. maximum size.

Falmouth Rotary Club Craft Fair Shuttle Signs:

Length of time: On event days: Saturday, August 31 and Sunday, September 1, 2024

Locations:

1. Marina Park (Craft Fair)
    a. Parking and Shuttle Available at Christmas Tree Shops (5) 18" high x 24" wide
    b. Shuttle to Christmas Tree Shops (5), 18" high x 24" wide
2. Former Christmas Tree Shop Parking Lot (Shuttle Side)
    a. Free Shuttle and Parking (5), 18" high x 24" wide
    b. Craft Fair Shuttle, (1), banner 5' long x 6" wide

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

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

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

DATE: _____
STREET ADDRESS FOR PROPOSED SIGN(S): _____
BUSINESS NAME: FALMOUTH ROTARY CLUB
BUSINESS OWNER: _____ ADDRESS/PHONE: _____
PROPERTY OWNER: _____ ADDRESS/PHONE: _____
CONTRACTOR / SIGN COMPANY: _____
APPLICANT E-MAIL: [redacted]

Please Provide Two Copies of the Following:

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

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

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

Type of Sign	**Check**	
FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35	☐	
WALL SIGN(s) § 184-37; Awning(s) § 184-22	☐	
ROOF SIGN(s) § 184-37	☐	
PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30 SANDWICH SIGNS	☑	ROTARY CRAFT FAIR
OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20	☐	AUGUST 26 - SEPT. 2

The Select Board must approve all off-premise signs.
Proposed location: SEE ATTACHED Size: 2x3
Please Attach Approval Letter

Chris B. Kfoury, BOD 12/14/2023 — Signature of Applicant — Date

FALMOUTH ROTARY CLUB — Signature of Owner — Date

_____ _____
Historic District Commission — Date
With the following conditions: _____

_____ _____
Sign Review Committee — Date
With the following conditions: _____

_____ _____
Building Commissioner/Inspector — Date
With the following conditions: _____

DEC. 14, 2023

Bill Kerfoot

RE: Location of Rotary Antique Fair Sandwich Board Signs

(1) Smithy's Ice Cream Shop Rt. 28 East Falmouth

(2) John Barrett Real Estate Office Rt. 28 East Falmouth

(3) Deer Run Veterinary Clinic Rt. 28 Teaticket

(4) Condos @ Corner of Sandwich Rd. and Brick Kiln Rd. East Falmouth

(5) Corner of Scranton Ave. and Rt. 28 Falmouth

(6) Suzanne Glynn's Office Locust Street Falmouth

(7) Corner Rt. 151 and Sandwich Rd. Hatchville

(8) Rt. 151 by the Rt. 28 Overpass North Falmouth

(9) Jack In The Beanstalk Rt 28A North Falmouth

(10) Crabapples Restaurant Rt. 28 Falmouth

(11) The Eatery Restaurant 151 Sandwich Rd. East Falmouth

FRONT & BACK VIEW

SIDE VIEW

Dear Sirs:

Falmouth Rotary would like to have the following signs produced for their Craft Fair, the size would be 18 inches high and 24 inches wide (Rotary Craft Fair would be green at bottom on all three):

1) Free Shuttle and Parking Rotary Craft Fair (5)
2) Shuttle to Christmas to Christmas Tree Shop Rotary Craft Fair (5)
3) Parking and Shuttle available at Christmas Tree Shops Rotary Craft Fair (5)
   In addition, we would like a banner 5ft long and 6 inches wide with CRAFT FAIR SHUTTLE.

William Kerfoot
Rotary Club of Falmouth

8/15/2023

FREE SHUTTLE
AND PARKING
ROTARY CRAFT FAIR

SHUTTLE TO
CHRISTMAS TREE SHOP
ROTARY CRAFT FAIR

PARKING AND SHUTTLE AVAILABLE AT

CHRISTMAS TREE SHOPS

ROTARY CRAFT FAIR

CRAFT FAIR SHUTTLE

(banner – 5 ft long, 6 inch to be placed on Shuttle side)

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

d. Request for variance to Sign Code - §184-32 Off-Premise Signs: Buzzards Bay Coalition – Buzzards Bay Watershed Ride on Sunday, 10/6/24

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.d.**

ITEM TITLE: Request for variance to sign code, Section 184-32 Off-Premises Signs: Buzzards Bay Coalition- Buzzards Bay Watershed Ride on Sunday, 10/6/2024

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: List of locations for requested off-premises signage provided by the Buzzards Bay Coalition Watershed Ride; Table with Sign Quantities and Dimensions, and Illustration of Signs

---

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by Buzzards Bay Coalition for its Buzzards Bay Watershed Ride event on Sunday, October 6, 2024.

BACKGROUND/SUMMARY:

- The Buzzards Bay Coalition submitted its request for a variance to the Sign Code (Off-Premises) to include the placement of multiple signs (see attached list of locations, dimensions, and illustrations) at 7 separate locations within Town.

- All signs are to be removed within 24 hours of the completion of the event.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Buzzards Bay Coalition- Buzzards Bay Watershed Ride.

- Motion to deny approval of the Off-Premises sign code variance as requested by the Buzzards Bay Coalition- Buzzards Bay Watershed Ride.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

2/26/24

Buzzards Bay Watershed Ride:

Request for approval of variance to sign code §184-32 off-premise promotional signs for the Buzzards Bay Watershed Ride on the Shining Sea Bike Path to MBL in Woods Hole on Sunday, October 6, 2024.

Location	Quantity	Type	Size	Length of Time
1. Corner of MBL St. & North St.	1	Finish line banner	2' x 11.8'	Day of event
2. Swope Center Property	3	Sandwich boards		Day of event
3. Swope Building	1 – 3	Banners	3' x 6'	Day of event
4. 49 School St. & WHOI Lot Corner Water St. & MBL St. Corner Water St. & Albatross St. MBL Loeb Lot, North St. MBL Broderick Lot, North St.	5	Parking location signs	24" x 36"	Day of event
5. Allowed under sign code	6	Route marking signs	10" x 14"	Friday before event, 9/29
6. Bike path & County Rd. Bike path & Old Dock Rd. Hutker Architects, 533 Palmer Ave. Corner Cycle, 115 Palmer Ave. Water St. & MBL St.	5	Yard signs	18" x 24"	6 – 8 weeks before event
7. Bike path & County Rd. Bike path & Old Dock Rd.	2	Yard signs	10" x 14"	Week before event

All signs will be removed within 24 hours of the completion of the event.

Buzzards Bay Coalition Watershed Ride

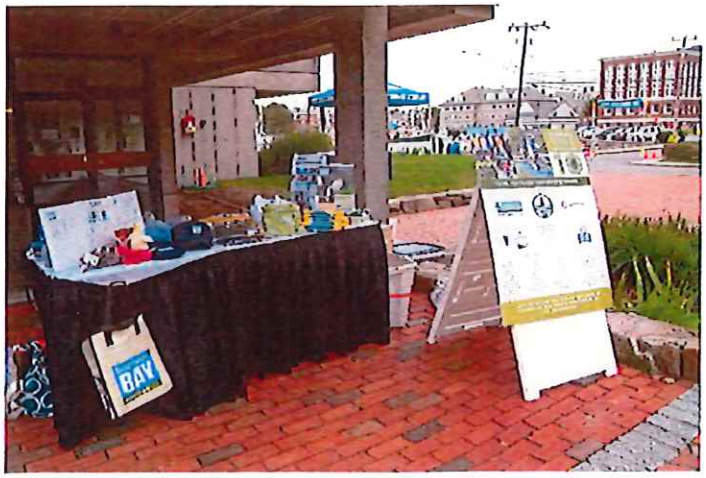
Sunday, October 6, 2024

Schedule of Signs – Falmouth, MA

1) Finish Line "Save Buzzards Bay" banner (2' x 11.8') at corner of MBL & North Street

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

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



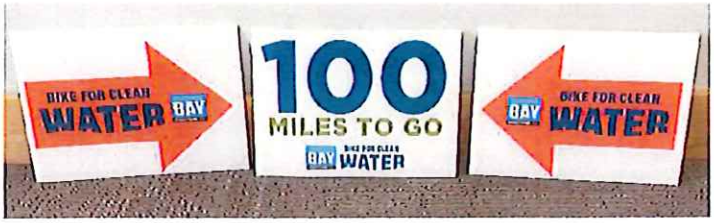
3) **One to three (3' x 6') sponsor banners** to be hung on Swope Building, TBD. Set up on Sunday, day of event at 10am, removed by 6pm same day.

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

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

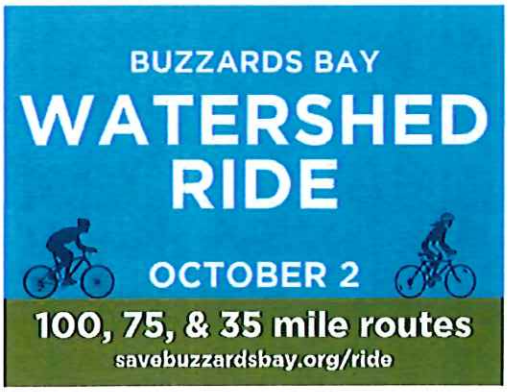
5) Six (6) **10" x 14" route marking signs** on wire "H" stands directing cyclists at the following locations. Set up on Friday before event at 10am, removed on day of event by 6pm.

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



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

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

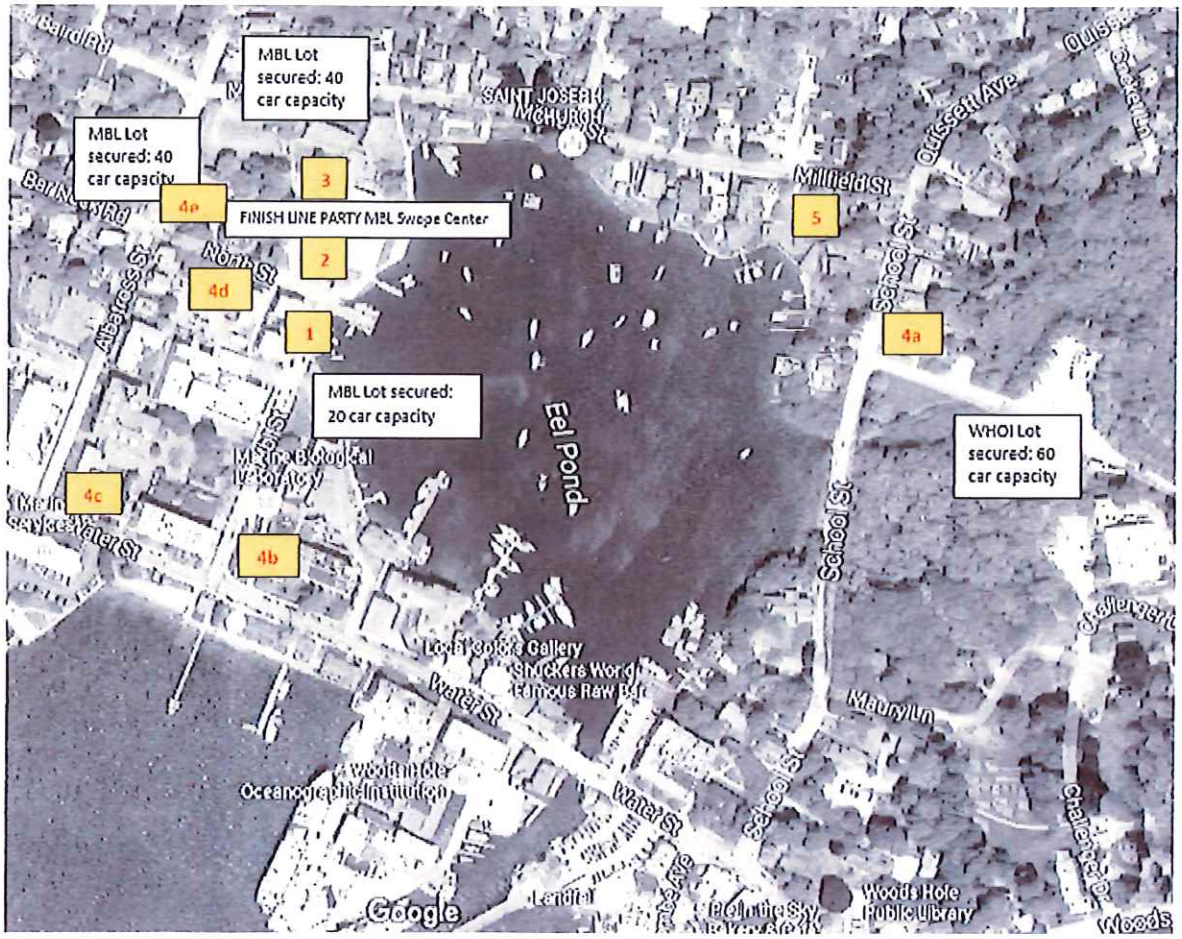


7) At the request of Town of Falmouth, **10" x 14" coroplast yard signs** on wire "H" stands alerting cyclists that an event is happening on Sunday, October 6, 2024. To be posted as requestested by Town:

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

Buzzards Bay Watershed Ride

Site & Sign Map – Woods Hole



BOARD OF DIRECTORS
Mike Angelini, *Chair*
Mike Huguenin, *Vice-Chair*
Chris Schade, *Treasurer*
Melissa Haskell, *Clerk*
Mark Rasmussen, *President*
Julius Britto
John Bullard
Virginia Clark
David Croll
Andrew Dimmick
Don Dufault
Paul Elias
Emma Green-Beach
Kat Jones
Hon. Lloyd Macdonald, Ret.
Kendra Medina
Chris Neill, Ph.D.
Christine Parks
Skylah Reis
Laura Ryan Shachoy, Esq.

December 11, 2023

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

Dear Select Board,

We are reaching out to request use of public roads and the Shining Sea Bikeway for the **Buzzards Bay Coalition Watershed Ride** – an annual fundraising bicycling event – on **Sunday, October 6, 2024**. This will be the 18th year of this important fundraiser to protect clean water in Falmouth, and all of Buzzards Bay. (www.savebuzzardsbay.org/ride)

We'll use the same route as previous years - and as always, we'll assign volunteers to the critical turns to ensure our cyclists pass smoothly through the route. Please see attached for full cue sheet for the event. We expect to have around 400 cyclists passing through town between 1:00-5pm.

The longest route, the 100-mile route, will begin at 7:30am in Sakonnet Point, RI and will end at 5pm at the Swope Center in Woods Hole. All finish line festivities (food, beverage, restrooms, tables, and chairs) will be run by the Swope Center at MBL and their professional catering, security, and facilities services. In previous years we have had **police details at Railroad & Water St and at Water and MBL St** that we plan to repeat.

We also request permission to post **event signs and promotional signs**, please see attached schedule. All signs will be removed within 24 hours of the event's completion.

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

Many thanks,

Nina Chomak

Nina Chomak
Director of Public Engagement
(508)999-6363 x205

cc: Jeffrey Lourie, Chief of Police

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

e. Request for variance to Sign Code - §184-7 Placement and §184-32 Off-Premise Signs: Falmouth Commodores – flags on Main Street light poles and Guv Fuller Field light poles – June 7 – August 14, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.e.**

ITEM TITLE: Request for variance to sign code, Section 184-7 Off-Premises Signs: Falmouth Commodores- flags on Main Street light poles and Guv Fuller Filed light poles- June 7- August 14, 2024.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Sign quantity list and sign dimensions provided by the Falmouth Commodores; Comments from Department of Public Works RE Installation Instructions; Sign Permit Application dated February 5, 2024

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by the Falmouth Commodores to hang flags on Town light poles to promote the All-Star game on July 27, 2024.

BACKGROUND/SUMMARY:

- The Falmouth Commodores submitted its request for a variance to the Sign Code (Off-Premises) to include the placement of 24 flags (see attached list of locations, dimensions, and illustrations) on light poles along Main Street and Guv Fuller Field.

- The flags will be in place from June 7 through August 14, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Falmouth Commodores to promote the All-Star game on July 27, 2024.

- Motion to deny approval of the Off-Premises sign code variance as requested by the Falmouth Commodores to promote the All-Star game on July 27, 2024.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

2/26/24

Cape Cod Baseball League, Falmouth Commodores All Star Game on July 27, 2024:

Request for off-premise promotional signs.

Locations: **Light poles on Main Street**

Quantity: 24

Size: 24"w x 36"h = 6 sq. ft. Sign size is within the 8 sq. ft. maximum size.

Length of time: June 7 – August 14, 2024

Location: **Light poles at Guv Fuller Field** (790 Main Street, Falmouth)

Quantity: 4 tandem signs on alternating lamp posts

Size: 36"w x 48"h = 12 sq. ft.

Length of Time: June 7 – August 14, 2024

DPW Comments:

- There are 44 lamp posts on Main Street between the Town Green and Shore Street. The banners to be hung on alternate poles.
- The American flag brackets are the highest they can go on the poles and they are used only for the flags.
- The signs need to be installed inward, facing the buildings.
- The bottom of the banners need to have a 7' clearance to the sidewalk surface so pedestrians will not hit their heads on the banners.
- Due to liability, the banners will need to be installed by a Town Department (typically after-hours), and the Falmouth Commodores will be invoiced for the labor, equipment and materials.

Diane Davidson

From: Mark Ordway[redacted]
Sent: Tuesday, February 6, 2024 6:31 AM
To: Diane Davidson
Subject: Falmouth Commodores 2024 Sign Application requests
Attachments: 2024 Commodores Game Day Sign Application.pdf; 2024 Commodores Clinic Sign Application.pdf; 2024 Commodore CCBL ASG event downtown lamp post Sign Application.pdf; 2024 Commodore CCBL ASG event Gov Fuller Field Sign Application.pdf

Diane Davidson
Office Manager/ Licensing
Town of Falmouth

Dear Diane,

Last year, our Commodores celebrated their 100th anniversary. The Town of Falmouth approved signage that enabled our club to promote numerous events to share with our community.

This year we have been chosen to host Cape Cod Baseball League's All Star Game, July 27th, 2024, at Gov Fuller Field. We are currently working with the CCBL, the Falmouth Chamber of Commerce, and many local businesses to put together this event. Our goal is to make this another community celebration showcasing these future Major League Baseball stars. We request the same sign opportunities that were approved at last year's, March 13th, 2023, selectboard meeting.

I attach four applications with sign definition for each requested sign.

Please let me know if you need any further information.
It will be helpful to know what meeting date my request will be placed on the agenda.

Thank you Diane,
Mark Ordway
Falmouth Commodores
Game Day Administrator

[redacted]

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

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

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

DATE: February 5, 2024
STREET ADDRESS FOR PROPOSED SIGN(S): 188 MAIN STREET, FALMOUTH, MA (24) LAMP POSTS
BUSINESS NAME: FALMOUTH COMMODORES BASEBALL CLUB
BUSINESS OWNER: 501 C3 ADDRESS/PHONE: _____
PROPERTY OWNER: TOWN OF FALMOUTH ADDRESS/PHONE: _____
CONTRACTOR / SIGN COMPANY: SIGN-O-RAMA
APPLICANT E-MAIL: [redacted]

DOWN TOWN BANNER SIGNS

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

IS THE PROPOSED SIGN LOCATED WITHIN A LOCAL HISTORIC DISTRICT? Y / N
If YES, the applicant must first submit this application to the Historic District Commission (HDC) for their approval (§184-13).

Type of Sign	**Check**
FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35	☐
WALL SIGN(s) § 184-37; Awning(s) § 184-22	☐
ROOF SIGN(s) § 184-37	☐
PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30	☒
OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20	☐

The Select Board must approve all off-premise signs.
Proposed location: 188 Main Street Size: 24"w x 36"h
Please Attach Approval Letter

Mark P. O'Mahony — Signature of Applicant
2/5/2024 — Date
_____ — Signature of Owner
_____ — Date

_____ — Historic District Commission
_____ — Date
With the following conditions: _____

_____ — Sign Review Committee
_____ — Date
With the following conditions: _____

_____ — Building Commissioner/Inspector
_____ — Date
With the following conditions: _____

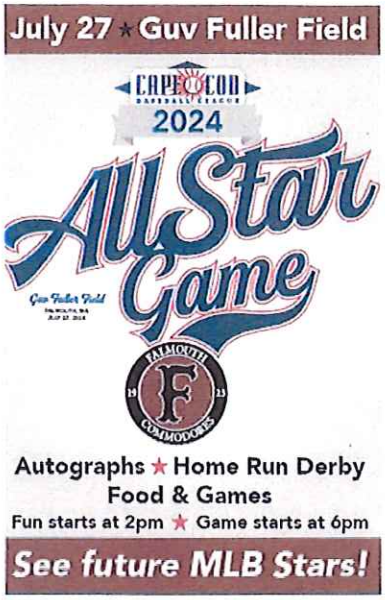
Falmouth Commodores
2024 Sign Permit Application

All-Star Game event signs

Locations

1. Downtown lamp posts
   (24) Alternating lamp posts

Summer 2023 Picture



Banner

24” wide x 36” high

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

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

For office use only:

BD Permit#:_____ Fee*:_____ HDC App. #:_____ DRC App. #:_____

*$8 per $1000/ Min. $100 (per sign)

DATE: February 5, 2024

STREET ADDRESS FOR PROPOSED SIGN(S): 790 MAIN STREET, GOV FULLER FIELD (8) LAMP POSTS

BUSINESS NAME: FALMOUTH COMMODORES BASEBALL CLUB

BUSINESS OWNER: 501 c3 ADDRESS/PHONE: _____

PROPERTY OWNER: TOWN OF FALMOUTH ADDRESS/PHONE: _____

CONTRACTOR / SIGN COMPANY: SIGN-A-RAMA

APPLICANT E-MAIL: [redacted]

GOV FULLER FIELD SIGNS

Please Provide Two Copies of the Following:

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

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

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

Type of Sign	**Check**
FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35	☐
WALL SIGN(s) § 184-37; Awning(s) § 184-22	☐
ROOF SIGN(s) § 184-37	☐
PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30	☒
OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20	☐

The Select Board must approve all off-premise signs.
Proposed location: 790 Main Street Size: 36"w x 48"h
Please Attach Approval Letter

Matt P. Dunway 2/5/2024 _____ _____

Signature of Applicant Date Signature of Owner Date

_____ _____

Historic District Commission Date

With the following conditions: _____

_____ _____

Sign Review Committee Date

With the following conditions: _____

_____ _____

Building Commissioner/Inspector Date

With the following conditions: _____

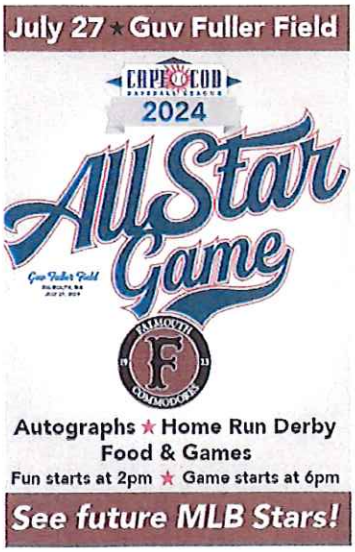
Falmouth Commodores
2024 Sign Permit Application

All-Star Game event signs

Locations

1. Gov Fuller Field (790 Main Street, Falmouth)

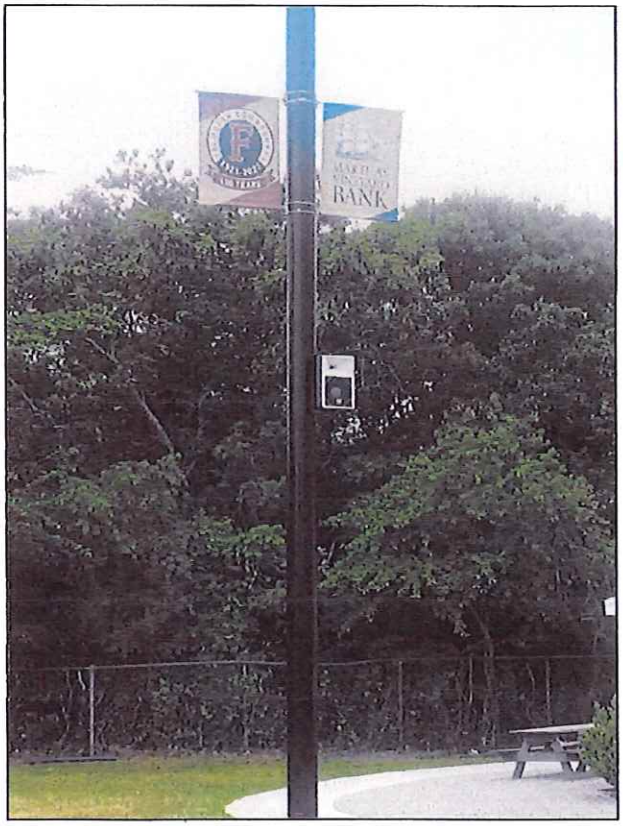
   (4) tandem signs on alternating lamp posts



Banner

36" wide x 48" high

2023 Season Field Picture



OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

f. Request for variance to Sign Code - §184-32 Off-Premise Signs: Falmouth Commodores Baseball Clinics – late-April through August 14, 2024

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.f.**

ITEM TITLE: Request for variance to sign code, Section 184-32 Off-Premises Signs: Falmouth Commodores- Baseball Clinics late April through August 14, 2024.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Sign location and quantity list and sign dimensions provided by the Falmouth Commodores

---

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by the Falmouth Commodores for the placement of yard signs to promote their baseball clinics.

BACKGROUND/SUMMARY:

- The Falmouth Commodores submitted its request for a variance to the Sign Code (Off-Premises) to include the placement of 13 yard signs (see attached list of locations, dimensions, and illustrations); the signs are all 18" high by 24" wide.

- The signs will be in place from late April through August 14, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a

variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Falmouth Commodores to promote their baseball clinics.

- Motion to deny approval of the Off-Premises sign code variance as requested by the Falmouth Commodores to promote their baseball clinics.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

2/26/24

Falmouth Commodores Baseball Clinic Signs:

Request for off-premise promotional signs.

Locations:

1. North Falmouth Elementary School (62 Old Main Rd., North Falmouth)
2. Morse Pond (323 Jones Road, Falmouth)
3. East Falmouth School (33 Davisville Rd., East Falmouth)
4. Mullen-Hall School (130 Katharine Lee Bates Road, Falmouth)
5. Teaticket Elementary School (45 Maravista Ave. Ext., Teaticket)
6. Lawrence Middle School (113 Lakeview Ave., Falmouth)
7. Johnson Homes (143 Palmer Ave., Falmouth)
8. The Cape Cod Cooperative (660 North Falmouth Highway, North Falmouth)
9. The Cape Cod Cooperative (238 Worcester Court, Falmouth)
10. Rockland Trust (20 Davis Straits, Falmouth)
11. Rockland Trust (78 County Rd., North Falmouth)
12. Gus Canty Community Center (790 Main St., Falmouth)
13. Dean's Market (580 North Falmouth #580A, North Falmouth, MA 02556)

Length of time: Late April through August 14, 2024.

Quantity: 13

Size: 18"h x 24"w = 3 square feet. Sign size is within the 8 sq. ft. maximum size.

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

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

For office use only:

BD Permit#:_____ **Fee*:** _____ **HDC App. #:**_____ **DRC App. #:**_____

*$8 per $1000/ Min. $100 (per sign)

DATE: February 5, 2024

STREET ADDRESS FOR PROPOSED SIGN(S): see attached list CLINIC SIGNS

BUSINESS NAME: Falmouth Commodores Baseball Club

BUSINESS OWNER: 501 c3 ADDRESS/PHONE: _____

PROPERTY OWNER: Town of Falmouth ADDRESS/PHONE: _____

CONTRACTOR / SIGN COMPANY: Sign-o-rama

APPLICANT E-MAIL: [redacted]

Please Provide Two Copies of the Following:

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

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

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

Type of Sign	**Check**
FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35	☐
WALL SIGN(s) § 184-37; Awning(s) § 184-22	☐
ROOF SIGN(s) § 184-37	☐
PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30	☒
OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20	☐

The Select Board must approve all off-premise signs.

Proposed location: see attached list Size: 18"H x 24"W

Please Attach Approval Letter

Mark P O'Meara 2/5/2024

Signature of Applicant Date Signature of Owner Date

_____ _____

Historic District Commission Date

With the following conditions: _____

_____ _____

Sign Review Committee Date

With the following conditions: _____

_____ _____

Building Commissioner/Inspector Date

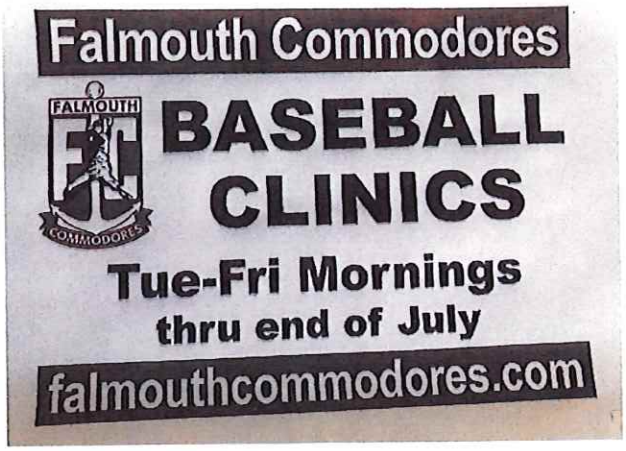
With the following conditions: _____

Falmouth Commodores
2024 Sign Permit Application

Baseball Clinic Signs

Locations

1. North Falmouth Elementary School (62 Old Main Rd., North Falmouth)
2. Morse Pond (323 Jones Road, Falmouth)
3. East Falmouth School (33 Davisville Rd., East Falmouth)
4. Mullen-Hall School (130 Katharine Lee Bates Road, Falmouth)
5. Teaticket Elementary School (45 Maravista Ave. Ext., Teaticket)
6. Lawrence Middle School (113 Lakeview Ave., Falmouth)
7. Johnson Homes (143 Palmer Ave., Falmouth)
8. The Cape Cod Cooperative (660 North Falmouth Highway, North Falmouth)
9. The Cape Cod Cooperative (238 Worcester Court, Falmouth)
10. Rockland Trust (20 Davis Straits, Falmouth)
11. Rockland Trust (78 County Rd., North Falmouth)
12. Gus Canty Community Center (790 Main St., Falmouth)
13. Dean's Market (580 North Falmouth #580A, North Falmouth, MA 02556



Yard Sign
18" high x 24" wide

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

g. Request for variance to Sign Code - §184-32 Off-Premise Signs: Falmouth Commodores Game Day Signs – mid-June to August 14, 2023

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: **Consent Agenda – Administrative Orders 2.g.**

ITEM TITLE: Request for variance to sign code, Section 184-32 Off-Premises Signs: Falmouth Commodores- Game Day Signs mid-June through August 14, 2024.

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Sign location and quantity list and sign dimensions provided by the Falmouth Commodores

---

PURPOSE:

The Select Board is requested to review and consider a sign code variance requested by the Falmouth Commodores for the placement of A-frame style signs at eight locations to promote Game Day.

BACKGROUND/SUMMARY:

- The Falmouth Commodores submitted its request for a variance to the Sign Code (Off-Premises) to include the placement of 8 A-frame style signs (see attached list of locations, dimensions, and illustrations); the signs are all 48" high by 24" wide.

- The signs will be in place from mid-June through August 14, 2024.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

OPTIONS:

- Motion to approve the Off-Premises sign code variance as requested by the Falmouth Commodores to promote their game days.

- Motion to deny approval of the Off-Premises sign code variance as requested by the Falmouth Commodores to promote their game days.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request for a variance to the Off-Premises sign code as presented.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

2/26/24

Falmouth Commodores "Game Today" Signs:

Request for off-premise promotional signs.

Locations (permission of owners has been obtained):

1. Home of Rob Blomberg (559 Woods Hole Rd., Woods Hole)
2. Smitty's Ice Cream (326 East Falmouth Highway, E. Falmouth)
3. Waquoit Grain & Feed (411 Waquoit Highway, E. Falmouth)
4. Admiralty Inn (51 Teaticket Highway, E. Falmouth)
5. Seafood Sam's (356 Palmer Ave., Falmouth)
6. Back gate of Guy Fuller park on Dillingham, Falmouth
7. Kinlin Grover (10 County Rd., North Falmouth)
8. West Falmouth Market (623 Rt. 28-A, Falmouth)
9. Falmouth Chamber of Commerce (20 Academy Lane, Falmouth)

Length of time: Put out on game days (22 days total plus playoffs) from mid-June through August 14, 2024.

Quantity: 8

Size: 48"h x 24"w (2' x 4' = 8 sq. ft.). Sign size is within the 8 sq. ft. maximum size.

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

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

For office use only:

BD Permit#:_____ Fee*: _____ HDC App. #:_____ DRC App. #:_____

*$8 per $1000/ Min. $100 (per sign)

DATE: February 5, 2024

STREET ADDRESS FOR PROPOSED SIGN(S): see attached list GAME DAY SIGN

BUSINESS NAME: FALMOUTH Commodores BASEBALL CLUB

BUSINESS OWNER: 501C ADDRESS/PHONE: _____

PROPERTY OWNER: TOWN OF FALMOUTH ADDRESS/PHONE: _____

CONTRACTOR / SIGN COMPANY: SIGN-O-RAMA

APPLICANT E-MAIL: [redacted]

Please Provide Two Copies of the Following:

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

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

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

Type of Sign	**Check**
FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35	☐
WALL SIGN(s) § 184-37; Awning(s) § 184-22	☐
ROOF SIGN(s) § 184-37	☐
PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30	☒
OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20	☐

The Select Board must approve all off-premise signs.
Proposed location: see attached list Size: 48"h x 24"w
Please Attach Approval Letter

[signature] 2/5/2024 _____ _____

Signature of Applicant Date Signature of Owner Date

_____ _____

Historic District Commission Date

With the following conditions: _____

_____ _____

Sign Review Committee Date

With the following conditions: _____

_____ _____

Building Commissioner/Inspector Date

With the following conditions: _____

Falmouth Commodores
2024 Sign Permit Application

Game Day Signs

Locations

1. Home of Rob Blomberg (559 Woods Hole Rd., Woods Hole)
2. Smitty's Ice Cream (326 East Falmouth Highway, E. Falmouth)
3. Waquoit Grain & Feed (411 Waquoit Highway, E. Falmouth)
4. Admiralty Inn (51 Teaticket Highway, E. Falmouth)
5. Seafood Sam's (356 Palmer Ave., Falmouth)
6. Back gate of Guv Fuller park on Dillingham, Falmouth
7. Kinlin Grover (10 County Rd., North Falmouth)
8. West Falmouth Market (623 Rt. 28-A, Falmouth)
9. Falmouth Chamber of Commerce (20 Academy Lane, Falmouth)

A-Frame Sidewalk Sign
48" high x 24" wide

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

h. Approve Freshwater Ponds Advisory Committee mission statement

AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.h.

ITEM TITLE: Approve Freshwater Ponds Advisory Committee Mission Statement

MEETING DATE: 2/26/2024

WORK SESSION ☐ **REGULAR MEETING** ☒ **PUBLIC HEARING** ☐

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Mission Statement

PURPOSE:

The Select Board is asked to adopt a mission statement for this new committee. Once adopted, the committee member vacancies will be advertised, and a date set for committee member interviews.

BACKGROUND/SUMMARY:

- The Select Board voted to create the Freshwater Ponds Advisory Committee at the meeting of January 29, 2024.

- Mr. Kim Comart prepared an excellent mission statement. The draft enclosed includes some edits by staff to allow for flexibility in appointing members who may not have all the desired experience and qualifications.

- Once the Select Board has approved a mission statement, staff will submit a display ad to the *Falmouth Enterprise* summarizing the Committee mission and the qualifications sought for members. The mission statement will also be posted on the Town website where committee vacancies are listed - https://www.falmouthma.gov/647/Town-Committees-Commissions-and-Boards.

- Interviews of candidates for appointment will be scheduled after the posted preference date provided we receive applications from at least 5 candidates.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends approval of the mission statement as submitted.

OPTIONS:

1) Approval of the mission statement as submitted;

2) Approval of the mission statement with amendments initiated by the Select Board;

3) Defer action on this item.

BUDGET INFORMATION: **Applicable**: ☐ **Not Applicable**: ☒ **Budgeted**: Yes ☐ No ☐

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the mission statement for the Freshwater Ponds Advisory Committee as submitted.

Michael Renshaw

_____ 2/22/2024

Town Manager **Date**

TOWN OF FALMOUTH
FRESHWATER PONDS ADVISORY COMMITTEE
MISSION STATEMENT

DRAFT February 22, 2024

The purpose of the Freshwater Ponds Advisory Committee is to advise the Select Board and Town Manager on the protection and preservation of Falmouth's freshwater ponds and to recommend goals, strategies, action steps, and measurable outcomes that can be integrated into the Town's overall Strategic Plan.

The Freshwater Ponds Advisory Committee shall be appointed by the Select Board in accordance with relevant provisions of the Falmouth Home Rule Charter and Town bylaws.

The Committee shall consist of five (5) members and two (2) alternates. The Select Board shall seek individuals who possess the following knowledge and skills in recruiting and appointing members to this Committee:

- At least two members with strong understanding of freshwater pond science, including water chemistry and hydrology, and pond management, including knowledge of remediation measures.
- At least one member who is knowledgeable about pond protection issues and relevant health issues associated with freshwater ponds, including familiarity with local, state, regional and federal regulations concerning freshwater ponds.
- At least one member with experience in environmentally-friendly landscaping, including using native plants and installing hardy plant barriers along the shoreline to help limit the amount of nutrients entering ponds.
- At least one member who is knowledgeable about stormwater management.
- At least one member with experience and knowledge of Falmouth Town government structure and politics.

Members shall have a demonstrated ability to work effectively in a group process with volunteers, community members, and public officials. Members are expected to attend public meetings and occasional site visits.

OPEN SESSION

MINUTES

1. Review and vote to approve minutes of meetings
   - Public Session – February 12, 2024

February 26, 2024

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
Open Session
MONDAY, FEBRUARY 12, 2024 – 6:00 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

Present: Nancy Robbins Taylor, Chair; Edwin P. Zylinski II, Vice Chair; Douglas C. Brown; Onjalé Scott Price; Robert P. Mascali.

Staff Present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Maura O'Keefe, Town Counsel.

1. **Chair Taylor called the open session to order at 6:00 p.m. Ms. Scott Price made a motion to convene the executive session under 1. M.G.L. c.30A s.21(a)(3) – Review and discuss proposed workers' compensation settlements for town employees because to not go into executive session could prejudice ongoing negotiations. Mr. Zylinski seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Mr. Mascali, aye; Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

1. Chair Taylor reconvened the open session at 6:30pm.

2. Pledge of Allegiance

3. Recognition

   Delivery of citations to the Cape Cod Wheelchair Curlers

   Mr. Renshaw received notice from Senator Moran to that this item was cancelled and would be held another day.

4. Announcements
   Ms. Scott Price read a proclamation in the packet: February, 2024 Black History Month.

   Mr. Mascali said Cape Cod Regional Transit Authority (CCRTA) announced free fares for people with disabilities and seniors through June 30, 2024.

   Mr. Brown is participating in an event on Broadband tomorrow at the Museums on the Green at 7pm.

5. Public Comment

   Michael Palmer, Silver Beach Avenue, MBL Community Action League, asked about the proposed projects, stating it is important to have representatives at the Panning Board Meetings and other board meetings. If the Town calls it a priority, the Town should treat it as such.

   Marc Finneran, Grand Ave., requested an update on the issue around town where the sewer has been installed, it is causing water to back up into people's basements. One individual needs to have a sixth water pump installed. There are three people he knows of having difficulties with their basements since the sewer was installed in their area. This should be investigated before we have other problems.

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
    a. Constable – Ahmed A. Mustafa
    Mr. Mustafa was present.

    Ms. Scott Price made a motion to appoint Mr. Mustafa to a term ending 6/30/24. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

6:45 p.m. PUBLIC HEARINGS

1. Request to dedicate the beach side of the Menauhant Bridge to Bruce G. Mogardo

    Mr. Zylinski read the hearing notice.

    Joe Netto, Precinct 9, put forth this request per Select Board Policy a year ago. Mr. Netto provided some personal history about him and Mr. Mogardo. Mr. Mogardo worked for the Beach Department every summer from 1963-2022, he started in the Maintenance Department and moved onto other positions. Most of the dunes built on the Town's public beaches were built by Mr. Mogardo. He was a Falmouth Public Schools Teacher, coach, and his passion was the beaches. Mr. Netto is proposing the beach side of the bridge be named in Mr. Mogardo's name.

    The Beach Committee approved. The bridge was to be named in another person's name, the other family was contacted and had no problem sharing the name of the bridge with Mr. Mogardo.

    Mr. Zylinski said Mr. Mogardo taught him and others about integrity. Mr. Mogardo always did what he felt was right.

    Public Comment:

    Peter McConarty, Director of Public Works. Mr. Mogardo was always active with the DPW, he made sure all beaches were well maintained.

    The naming will happen now and carry over to the new bridge.

    Ms. Scott Price made a motion to close the hearing. Mr. Brown seconded the motion. Vote: Yes-5. No-0.

    Board Discussion:
    There were a number of letters of support received by the Select Board.

    Mr. Zylinski made a motion to grant the name of the beach side of the new bridge in the name of Bruce G. Mogardo. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.

2. Application for an Annual Entertainment License and Sunday Entertainment License for Historic Highfield d/b/a Highfield Hall and Gardens, 56 Highfield Drive

    Mr. Zylinski read the hearing notice.

    Tara Burke, Co-executive Director of Highfield Hall and Gardens. They subcontract out to Murphy's Liquors for catering alcohol service. Alcohol service is in a contained area.

    Public Comment: none.

    Ms. Scott Price made a motion to close the hearing. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

    Discussion:
    Mr. Zylinski said the events are well run and Mr. Brown noted it is a benefit to the Town.

Ms. Scott Price made a motion to approve as proposed. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

BUSINESS

1. Presentation on Broadband MLP's – Gigi Sohn, American Association for Public Broadband

   Gigi Sohn, Executive Director of the American Association for Public broadband. Ms. Sohn urged the Select Board to own Falmouth's future and stated that access to high speed, affordable broadband is necessary. The private sector served with the greatest return. Some things broadband enabled: telehealth, telework, online schooling. This increases home values, attracts businesses, tourists, and enables us to become a SMART community. Improves the quality of life, attracts businesses, and helps provide better government service to the public. There are multiple ways to have broadband network, the community can control how this is done. The technology has been around for 25 years, if the Town's cable/internet provider wanted to offer community broadband, they would have done so by now.

2. Resilient Woods Hole Presentation

   Leslie Ann McGee, works at WHOI, was joined by Joe Famely of the Woods Hole Group. Resilient Woods Hole--WHOI, MBL, National Oceanic and Atmospheric Administration, fisheries, and the Woods Hole Group are active partners in this group and are committed to preserve direct access to the sea which is threatened by climate affects. Provided an update on the project, the initiative, and made a PowerPoint presentation.

   Ms. McGee and Mr. Famely reviewed the mission of the initiative. They would like to develop and apply strategies to address climate change in Woods Hole. Working with the nine neighborhoods within Woods Hole. Those involved include WHOI, MBL, NOAA Fisheries, WH Group, and MA Coastal Zone Management. Steering Committee was reviewed and includes the Town of Falmouth, Coastguard, US Geological Survey, Steamship Authority, Town Planner, Sea Education Association, and others.

   Ms. McGee reviewed the effect of the storm in December 2023. This impacts the institutions, businesses, neighborhoods, and they are trying to make this everyone's plan. WHOI is the second largest employer on the Cape. Reviewed the projected still water surface elevation. Outlined steps taken, community involvement and outreach to date. Reviewed the reports.

   They would like to have a workshop to engage municipal leaders in late April 2024.

   Mr. Renshaw feels Falmouth should become more active participants in this initiative.

   The Select Board appreciates the opportunity to work together and noted they are seeking funding at Town Meeting this year to hire a Coastal Resilience position.

3. Presentation of Petition Articles for the April 2024 Annual Town Meeting

   a. Petition Article 22 – Earle Barnhart, Hilda Maingay, Kim Comart, Ron Zweig, Green Center Inc. and Others

      Ms. Maingay thanked those who supported this project of urine diversion.

      Mr. Barnhart explained why they want this diversion project.
      Read a letter of support.

   b. Petition Article 23 – Wayne Lingafelter

      Mr. Mascali is a member of the EDIC and will not take action on anything related to this issue.

      Mr. Lingafelter made a computer presentation. EDIC owns Lot #21, Town has an easement, it holds the Town water tank. They want to reconfigure the easements on the parcel to create a buildable lot for future development, the area was reviewed via computer presentation. This would

reduce the size of the drainage easement, there is a deep and low spot on the site, this easement and the easement to the water tank was something they worked on with the DPW. They propose to reconfigure the water tower easement. Reviewed a diagram of the proposed area. The Town benefits from a dedicated and titled drainage easement plan, DPW approved, the size of the water tower easement is unchanged, and a buildable land parcel will be created for future industrial development in the Town. EDIC will have a marketable parcel of property.

c. Petition Article 24 – Nathaniel Trumbull
Phil Logan, Precinct 1, they would like to change areas of concern along the freight corridor. The Traffic Advisory Committee concurred with some changes; 35 mph and 25 mph in critical areas. There is a 40 mph stretch. He handed a packet to the Select Board and then reviewed it.

4. Discuss disposal of surplus firearms

Chair Taylor noted this is the first time the Select Board has seen this idea. The Select Board needs to determine whether it is legally viable. Town Counsel prepared a concept plan, the details are not included, there is a question of whether this concept has merit and if the Select Board will give Mr. Renshaw permission to look into it further.

Mr. Zylinski started this inquiry. The public could donate funds for this purpose, the FPD surplused about thirty guns, they are still in FPD custody, and were going to trade them for a reduced cost for replacement shotguns. Town Counsel noted more information is needed. Mr. Zylinski spoke with the Town Finance Director who spoke with the Town Accountant. The Select Board may not directly solicit private funds, the Select Board is not under obligation to destroy public property. He is asking for direction and if the Select Board see donating into the revolving fund as a viable idea.

The fiduciary duty is they are spending public funds and how they are expended is important.

Mr. Renshaw noted it does not have to be a nonprofit and the Town would not be in charge of setting up a nonprofit.

Ms. Scott Price supports further investigation.

Town Counsel noted the fiduciary duty, is the will of the people enough to balance out the fiduciary duty and if there needed to be a financial offset in addition to the will of the people.

Public Comment:

Nan Logan, Woods Hole Road, is excited to hear this conversation again. We have fiduciary responsibility and for safety. She referred to a Hawaii News Now report: Honolulu will destroy $500,000 worth of old police guns in an effort to keep them off the street.

The Town Manager has responsibility to determine the disposition, Falmouth Gun Safety Coalition supports paying the full price for replacement weapons. Ms. Logan read a statement.

Reverend (retired) Deborah Warner, thanked the Select Board for letting them share this information. Reverent Warner is willing to work with the Town. Reverend Warner read a statement and asked what is the cost of allowing surplus fire arms going back in circulation, we can raise funds, we cannot raise the lives of those sacrificed when they are seriously injured or killed.

Tom Stone, Precinct 6, if residents raise these funds, the guns would be totally destroyed, excess funds returned to contributors, and the destruction witnessed.

Matthew Hanley, Thomas Landers Rd., has experience in repurposing surplus vehicles for fire departments. Manufacturers supplying government entities, how the surplus items will be destroyed of, how they will be transported. If the path is breached, it could affect our buying price at the next contract. Fine details need to be looked at. What is the cost of destroying those items, with the program now they are exchanging the weapons for new weapons.

Chair Taylor noted there are many details.

The task in front of the Select Board: do they support directing the Town Manager to continue looking into this concept.

Target value, accept a donation in that amount.

Third party funding cost of the trade in value or fiduciary responsibility they are woven together.

Chair Taylor asked if the Select Board wants to direct the Town Manager to look into it.

Consensus of the Select Board is to have Town Manager look into this and bring information back to the Select Board.

Marc Finneran, Grand Ave., stated that one of the most law abiding demographics are licensed gun owners. There has been a trend nationwide to go to constitutional carry, and in Ohio, this has resulted in a drop in crime in major cities.

Mr. Zylinski stated he is a high threat security operator and is aware of the dangers. It is the Select Board's job is to come up with a responsible idea to help the community come together.

5. Vote to approve pay classification changes, benefits changes, and 2% Cost of Living Adjustment (for non-union Technical, Administrative, and Management (TAM) positions)

The Town Manager explained process began in May 2023, just concluded it and is seeking Select Board approval prior to Town Meeting.

Mr. Johnson-Staub explained three related actions asking the Select Board to consider.

1. Cost of living adjustment (COLA) for this group; 57 positions in this category. For the 2025 fiscal year, 5 of 9 unions settled with COLA of 2%. There are frequently compensation adjustments and benefit changes that include more than the COLA.

2. Recommended changes for the position classification plan, in order to change the pay classification for a full time position, a Town Meeting vote is required. A study was done by an outside consultant and they conducted a classification review; are we grouping positions within the right paygrade within a group. Began with a job assessment questionnaire to the impacted employees, consultant interviewed them, then made a recommendation. There was then a dialogue with management staff regarding factors unique to the Town, including the labor market. The classification changes in the packet. 21 positions increase in their paygrade classification, cost to implement this plan, market adjustment of about a 15% increase was made this year. Cost of the plan is estimated to be $50,000 to be implemented for fiscal year 2025 and would be paid for by a wage adjustment article at Town Meeting. If supported by the Select Board, next steps would be at the next Select Board meeting these would be included in the warrant article and wage adjustment article.

   They are not evaluating existing employees, looking at the position as if it were vacant; experience value, education value, are all considered.

   The Select Board approved conflict of interest disclosures on Mr. Johnson-Staub and Susan Lumping's positions, which are included.

3. Susan Lumping reviewed benefits and personnel policy, improve recruitment efforts, consider retention, and asked employees for input. Bring policies in line with best practices. She highlighted changes in fiscal year 2025, include vacation benefits, increased long term benefits, uniforms and safety boots for some positions, increase to sick leave payout at retirement for those who used less than half their sick leave benefits. Tuition reimbursement offering with payback position if employee separates from service within three years. Cost is about $100,000, about 1.7% base wages for these employees. Cost can be funded by the wage settlement article proposed in the April Town Meeting.

   The Select Board supports this plan. This has not happened in a long time.

Ms. Scott Price made a motion to approve 2% Cost of Living Adjustment (COLA) for Technical Administrative and Management Positions for FY2025. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

Ms. Scott Price made a motion to approve the changes to benefits and personnel policies for Technical Administrative and Management positions as submitted subject to funding appropriation. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

Ms. Scott Price made a motion to recommend Town Meeting approval of changes to the Town Position Classification Plan for Technical Administrative and Management positions and one AFSCME Unit a position. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

6. Discuss and vote on Real Estate Transfer Fee provisions

Copy of presentation in the packet at 11/9/23 meeting.

Mr. Renshaw reviewed the information in the packet.

Article in the warrant.

Mr. Renshaw recommends the Select Board vote to approve the threshold $1milion, 2%, and seller pays the fee.

Mr. Mascali asked by when does Town Manager need this direction so he can prepare a home rule petition. Mr. Mascali is uncomfortable making the decision tonight. Mr. Renshaw said the direction is needed by the Select Board Meeting on 2/26/24, that would be final vote.

Mr. Brown asked to consider graduated scale as the price of the house goes up. Consider 5% on a $500,000 house, then $1 million would go to 1%, then $1.5 million would be 1.5%, then over $2 million would be 2%. Mr. Brown suggested the buyer and seller split the cost.

Mr. Mascali said that this is what is in Governor Healey's proposal.

Town Counsel noted this is mirroring the Governor's plan. There is room for movement with the terms, but in the end the purpose of this exercise is to push the legislature to act. Submitting this lets the legislature know this is important.

Mr. Mascali said the buyer is paying it because the seller negotiates the price based on the fee. When they go to the registry, someone makes sure the payment is made. He would hold it as the seller paying it.

Ms. Scott Price asked if the legislature has the same language, can we adjust our home rule later.

Town Counsel said that if the legislature passes something, their numbers become the Town's numbers.

The Select Board discussed the details and support.

Public Comment:

Dave Garrison, Chair Affordable Housing Committee, procedural matter. The idea of the proposal is that we send forward to Town Meeting an approach that is as close as possible that will come out of the Governor's proposal. When the Governor's proposal is enacted, the Town would be able to proceed ahead with the transfer fee program without having a version approved by Town Meeting. Could go ahead with the transfer fee right away. If it lines up properly, his understanding is that it could happen. It matters if we try different approaches and ensures the Town will then have to go through the process again once the legislature acts and we would lose about a year. At the 2% fee level, estimate $2.4 million would be available using the 2023 data. This is underestimated, it does not include private sales, only information from realtors. $2.3 million is the gross. If the fee is changed, the number is changed. The Housing Coordinator has told him that there is $7.8 million in the affordable housing fund, there is $8 million in que

of projects that are coming. If we are burning $7-8 million a year in affordable housing funding, with only $3 million coming in each year, we need more money. That is why the 2% is important. This is important to the Affordable Housing Committee.

Mr. Mascali asked if the Governor's proposal meets what Falmouth's proposal says, what has Town Meeting approved? If the Governor's proposal goes through, it gives authority to the Town.

Governor's bill is a local option law, if enacted, Town Meeting would decide whether to accept the local option.

Mr. Mascali noted some people raised valid concerns about million dollar houses. We owe it to our constituents to hear their input.

Mr. Brown asked to continue graduated increase of 2% when you get up to the higher value homes.

Mr. Garrison said entry level threshold either $1million or area median sale price, whichever is higher. The Governor's proposal is to give a range.

Marc Finneran, Grand Ave., Mr. Brown's proposal at $500,000 would hit almost everyone in Town, median price is about $700,000. $8 million in the affordable housing fund, $3 million coming every year, he does not see that being spent in the next year. Why not write a letter in support of the Gov's proposal instead?

According to Mr. Johnson-Staub, the Governor is specifically asking communities to go through this process to put more pressure on the legislature. The Select Board could vote to send a letter but does that have the same impact as a home rule petition.

Mr. Zylinski likes it the way it is written and then we have time to dissect it after.

Chair Taylor said go with the home rule petition, if the Governor's bill goes through, it will come back to the Town to go to Town Meeting.

Town Counsel said that this is all about getting this in front of the legislature. The legislature will see the strength in numbers, it will be a local action statute, and it will be whatever the legislature decided.

Ms. Scott Price supports the existing plan.

Mr. Mascali feels there is substantial concern in the community.

Chair Taylor disagrees with the $500,000 but agrees with the graduated over $1 million.

Ms. Scott Price noted this is going to come back to us, some opposition does not believe there is an affordable housing crisis. Only 20 people showed up to the meeting. We need to do something tonight, have options in front of us that have been vetted, and this will come back if passed by the legislature.

Town Counsel believes whatever the legislature passes will be a statute in their terms and we can accept or not accept.

Mr. Johnson-Staub noted the local option statute may allow for ranges, could be fixed, that could come around again for another opportunity for community input.

The Select Board wants to support the home rule petition.

Mr. Mascali motioned to direct the Town Manager to draft home rule petition with a graduated scale starting at $1 million - $1.5 million (1% of excess), $1.5 million - $2 million (1.5% of excess), above $2 million (2% of excess), payable by the seller. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

Ms. Scott Price asked if there is time and opportunity for this to happen for us to take a vote at our next meeting for Town Meeting? Mr. Renshaw said they could have numbers to show the comparison, but the Select Board's language tonight is needed in order to draft the language.

Mr. Brown wants to include the split of cost between the buyer and seller.

7. Discuss and consider the approval of a Letter of Support for the 41 North Offshore LLC's proposal to the Steamship Authority to provide on-demand truck freight service to Martha's Vineyard from the Fish Island Terminal in New Bedford

Ms. Scott Price made a motion to approve a Letter of Support be sent to the Steamship Authority in support of the Island Freight Lines' request to renew, extend, and modify its Freight Truck Transportation Service Agreement to allow service to Martha's Vineyard for the Fish Island Terminal in New Bedford on an on-demand basis. Mr. Brown seconded the motion. Vote: Yes-5. No-0.

CONSENT AGENDA

1. Administrative Orders
    a. Vote to opt in to in-person early voting for the May 21st Annual Town Election
    b. Sign Warrant for Presidential Primary on Tuesday, March 5, 2024
    c. Request for variance to Sign Code – §184-30 (C) Special Events: St. Barnabas Church, 91 Main Street
    d. Accept a donation from the Falmouth Commodores for an in-kind donation with an estimated value of $10,000 (for Fuller Field bleacher repairs)
    e. Water Main Easement Acceptance for 1061 East Falmouth Highway and 4 Edgewater Drive West
    f. Approve a Letter of Support to raise the Ferry Embarkation Fee from $0.50 to $2.00
    g. Accept the Executive Office of Public Safety and Security and Department of Fire Services (DFS) FY2024 Firefighter Safety Equipment Grant in the amount of $18,715.90

Mr. Zylinski made a motion to approve the consent agenda. Ms. Scott Price seconded the motion. Vote: Yes-5. No-0.

MINUTES

1. Review and vote to approve minutes of meetings
    a. Public Sessions
    January 8, 2024
    January 29, 2024

Mr. Brown made a motion to approve as presented. Mr. Zylinski seconded the motion. Vote: Yes-5. No-0.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Comment about getting packets out earlier to the Select Board, they will work towards that and are trying to implement a more automated process. Requested the Select Board members send questions to Mr. Renshaw prior to the meeting.

Mr. Mascali noted he would like the public to have the materials sooner.

Chair Taylor explained that this has come up before, with the current system we may not be able to do that. There are things that come up at the last minute. This is not a new concept, the Town Manager is looking at new software and she asked that the Select Board give the Town Manager more leeway on this.

The packet is posted on the Town website on Friday, the same day that it is sent to the Select Board.

SELECT BOARD REPORTS

Mr. Brown:
Attended a coastal workshop on what information is needed going forward for training workshops and how to be better informed about what other towns are doing.

Planning Board: ready to talk about ideas for zoning. Mr. Brown will continue be involved in this conversation.

Ms. Scott Price made a motion to adjourn. Mr. Mascali seconded the motion. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

DRAFT