

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, MARCH 25, 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

6:00 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – To discuss strategy with respect to collective bargaining – AFSCME C

6:30 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation
4. Recognition – Samuel H. Patterson, Jr.
5. Announcements
6. Public Comment

6:35 p.m. COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
 - a. Affirmative Action Committee – Mananjo Jonahson
 - b. Board of Health – Dr. George P. Topulos
 - c. Community Preservation Committee – Ralph Herbst
 - d. Conservation Commission – Ronald F. Driscoll
 - e. Council on Aging – Kevin Murphy

6:45 p.m. PUBLIC HEARINGS

1. Shade Tree Hearing – on application of D & M Civil for the removal of one (1) Platanus acerifolia (London plane tree) tree at 556 Main Street, Falmouth (10 minutes)

6:55 p.m. BUSINESS

1. Vote to approve final Housing Production Plan (5 minutes)
2. Presentation on the East Falmouth Library project (10 minutes)
3. Approve Recreation Department request to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application approved at the June 2021 Town Meeting (5 minutes)
4. Update – Cape Light Compact programs – Matt Patrick (10 minutes)
5. Approve application filed by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager of its All Alcohol Innholder License located at 350 Quaker Road, North Falmouth (5 minutes)
6. Approve application filed by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager of its Seasonal All Alcohol Common Victualler License located at 28 Water Street, Unit C, Woods Hole (5 minutes)
7. Approve application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024, from 3:30 p.m. to 6:00 p.m. (5 minutes)

8. Consider and vote to extend the Taskforce on Sustainable Living for Falmouth's Workforce Families date of operation in the committee charge (5 minutes)
9. Discuss and vote on a Firearm Disposal Policy (10 minutes)
10. Discuss and vote to approve a Resolution in Support of Higher Education for All (5 minutes)
11. Presentation by the Falmouth Municipal Light Board (10 minutes)
12. License Renewals – 2024 Seasonal and Spring Annual (5 minutes)

SECOND-HAND DEALER LICENSE

Blooming Resale, 557 North Falmouth Highway, Bldg. B
Cape Kids Treasures, 15 Davis Straits
Hannoush Jewelers, 352 Main Street

8:15 p.m. CONSENT AGENDA

1. Licenses
 - a. Approve application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth
2. Administrative Orders
 - a. Approve the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5' (feet) of 1-3" PVC conduit under town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-A southerly to customers private property. This work is necessary to provide electric service to #5 Harrisburg Avenue.
 - b. Accept the FY24 Wellness Grant in the amount of \$600.00 from Cape Cod Municipal Health Group to the Human Resources Department grant account
 - c. Approve request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust fund for its music outreach program for the homeless, Music at the Table
 - d. Appoint member to the Board of Registrars of Voters: Kathleen Mortenson
 - e. Authorize the non-binding Solar Letters of Intent (LOI's) for the Senior Center and Water Treatment Plant

8:20 p.m. MINUTES

1. Review and vote to approve minutes of meetings
 - Executive Session – February 12, 2024 and February 26, 2024

8:25 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

8:30 p.m. SELECT BOARD REPORTS

8:40 p.m. ADJOURN

Nancy Robbins Taylor, Chair
Select Board

OPEN SESSION

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
 - a. Affirmative Action Committee – Mananjo Jonahson
 - b. Board of Health – Dr. George P. Topulos
 - c. Community Preservation Committee – Ralph Herbst
 - d. Conservation Commission – Ronald F. Driscoll
 - e. Council on Aging – Kevin Murphy

Town Committee Vacancies

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

Committee	Term Until	Preference Date to Apply
Affirmative Action Committee (1 position)	6/30/26	
Affordable Housing Committee (1 position)	6/30/24	3/15/24
Board of Health (1 position)	6/30/25	3/15/24
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)	6/30/26	1/26/24
Conservation Commission (1 position + 3 alternate positions)	6/30/25 (3), 6/30/26	3/15/24
Constable (1 position)	6/30/24	
Council on Aging (1 position)	6/30/24	1/19/24
Cultural Council (2 positions)	6/30/24 (2)	
Economic Development & Industrial Corp. (EDIC) (2 positions) (Real Estate experience)	6/30/25	3/15/24
(Low Income/Affordable Housing experience)	6/30/26	
Edward Marks Building Advisory Committee (1 position)	12/31/24	
Energy Committee (1 position)	6/30/25	
Falmouth Housing Authority (1 position)	Next annual Town election	1/19/24
Freshwater Ponds Advisory Committee (5 positions + 2 alternate positions)		3/29/24
Human Services Committee (1 position)	6/30/24	

Applications are available on the Town website <https://www.falmouthma.gov/647/Town-Committees-Commissions-and-Boards>. Please submit applications to the Office of the Town Manager and Select Board, or email to townmanager@falmouthma.gov.

Publication date: Friday, March 1, 2024; Falmouth Enterprise.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews 1.a.

ITEM TITLE: Interview, vote, and appoint committee members, Affirmative Action Committee- Mananjo Jonahson

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Board and Committee Application Form

PURPOSE:

The Select Board will conduct an interview of Mananjo Jonahson in order to fill a current vacancy on the Affirmative Action Committee.

BACKGROUND/SUMMARY:

- There are currently two vacant positions on the Energy Committee, one of which has a term ending of June 30, 2025 and the second with a term ending date of June 30, 2026.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Mananjo Jonahson to fill the Affirmative Action Committee vacancy with a term that expires on June 30, 2026.

OPTIONS:

- Motion to appoint Mananjo Jonahson to serve on the Affirmative Action Committee to fill the current vacant position with a term ending June 30, 2026.

- Motion to deny the appointment of Mananjo Jonahson to serve on the Affirmative Action Committee to fill the current vacant position with a term ending June 30, 2026.

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 Mananjo Jonahson to fill the Affirmative Action Committee vacancy with a term that expires on June 30, 2026.

Michael Renshaw

Town Manager

3/18/2024

Date

Affirmative Action Committee (5 members) (3-year terms)

One vacancy:

- One term ending 6/30/26

One applicant:

- Mananjo Jonahson



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: Mananjo Jonahson

Address: 2 Amvets Ave

Village: Falmouth

ZIP: 02540

Mailing

Address: 2 Amvets Ave

Village: Falmouth

ZIP: 02540

Telephone: [REDACTED]

Email: [REDACTED]

How long have you been a Resident: 15 (date: 12/2009) / Taxpayer: 15 (date: 12/2009)

Amount of time you are available to give: 3-4 hours per week.

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

1. Affirmative Action
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:

Affiliated with the Annual Multicultural Fair, which aims at showcasing the different nationalities and background of people living, working and paying taxes in the Town of Falmouth;
Active in working towards making Falmouth a caring, welcoming non-discriminatory town

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

School Council Member, Falmouth High School (Sept 2023 – current)

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

Academically training in cultural understanding (Fulbright Scholar, British Chevening Scholar).
World traveled, fluent in three languages.
Advanced computer skills and digital outreach.

You may attach a resume to this application.

List three (3) references:

<u>Name</u>	<u>Title</u>	<u>Phone</u>
1. <u>Suzanne Thomas</u>	<u>Mrs</u>	██████████
2. <u>Amanda Poston</u>	<u>Mrs</u>	██████████
3. <u>Daniel White</u>	<u>Mr</u>	██████████

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

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

Tuesday, March 5, 2024

DATE

G. M. Joubert
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 appoint



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews 1.b.

ITEM TITLE: Interview, vote and appoint committee members: Board of Health – Dr. George P. Topulos

MEETING DATE: 3/25/2024

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. George P. Topulos to serve on the Board of Health.

BACKGROUND/SUMMARY:

- Applicant Dr. George P. Topulos submitted his application form to serve on the Board of Health on February 26, 2024 (copy attached).
- There is currently one (1) vacancy on the Board of Health, with a term to expire on June 30, 2025; the vacancy was properly advertised in accordance with Select Board policy, with a preference date to apply of March 15, 2024.
- Dr. Topulos is a retired medical physician who worked at Brigham & Women's Hospital as well as being an Associate Professor at Harvard Medical School for more than 25 years.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Dr. George P. Topulos to serve on the Board of Health for a term to expire on June 30, 2025.

OPTIONS:

- Motion to appoint applicant Dr. George P. Topulos to serve on the Board of Health for a term to expire on June 30, 2025.

- Motion to deny the appointment of Dr. George P. Topulos to serve on the Board of Health for a term to expire on June 30, 2025.

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. George P. Topulos to serve on the Board of Health for a term to expire on June 30, 2025.

Michael Renshaw

Town Manager

3/18/2024

Date

Board of Health (5 members) (3-year terms)

One vacancy:

- One unexpired term ending 6/30/25

One applicant:

- Dr. George P. Topulos



TOWN OF FALMOUTH

**BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM**

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Name: George P Topulos

Address: 83 Teaticket Path Village: E Falmouth ZIP: 02536

Mailing Address: Same Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident May 2017) / Taxpayer May 2017)

Amount of time you are available to give: A few hours per 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: _____
I am a retired physician. I worked at Brigham & Women's Hospital, and was an Associate Professor at Harvard Medical School for more than 25 years.

CV attached.

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

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

I would be the only physician on the board, and be able to add knowledge of
medicine to the group. I have served on many, & chaired some, large committees
in the past.

CV attached

You may attach a resume to this application.

List three (3) references:

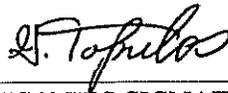
	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Ronald Hurley	MD	[REDACTED]
2.	David Scadden	MD	[REDACTED]
3.	David Isenberg		[REDACTED]

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.

Feb 26, 2024

DATE



APPLICANT'S SIGNATURE

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

CURRICULUM VITAE (Abbreviated)

Date Prepared: February 2024
Name: George Paul Topulos, MD
Home Address: 83 Teaticket Path, E Falmouth, MA 02536
Phone home: [REDACTED]
Phone mobile: [REDACTED]

Education:

1975 B.A. Bucknell University, Lewisburg, PA
1980 M.D. University of Massachusetts, Worcester, MA

Professional:

1985-2016 Senior Consultant Department of Anesthesiology, Perioperative and Pain Medicine, Brigham and Women's Hospital, Boston, MA. In 2005 I gave up clinical care of patients due to my health. Retired from BWH and HMS Feb 2016.
1985-2016 Harvard Medical School Faculty, retired as Associate Professor
1998-2005 Assistant Professor, Harvard School of Public Health Dept of Environmental Health, Respiratory Biology Program
2005-2009 Director, Educational Programs Harvard Medical School Department of Continuing Education

Licensure and Certification:

1981 Diplomat, National Board of Medical Examiners certificate
1983-2017 Massachusetts Medical License
1985 Diplomat, American Board of Anesthesiology certificate

Public/Community Service

2008-2016 Planned Parenthood League of Massachusetts, Medical Advisory Committee
2011-2016 Planned Parenthood Federation of America, National Medical Committee
2020- Falmouth Service Center Food Bank volunteer



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews 1.c.

ITEM TITLE: Interview, vote and appoint committee members: Community Preservation Committee- Ralph Herbst

MEETING DATE: 3/25/2024

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 Ralph Herbst to serve on the Community Preservation Committee.

BACKGROUND/SUMMARY:

- Applicant Ralph Herbst submitted his application form to serve on the Community Preservation Committee on March 15, 2024 (copy attached).
- There is currently one (1) vacancy on the Committee, and its term ends on June 30, 2026.
- Mr. Herbst has a long history of community service, including serving on the Planning Board for 14 years (twice as Chair), ten years on the Community Preservation Committee, and one year on the Transportation Committee.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Ralph Herbst to serve on the Community Preservation Committee for a term to expire on June 30, 2026.

OPTIONS:

- Motion to appoint applicant Ralph Herbst to serve on the Community Preservation Committee for a term to expire on June 30, 2026.

- Motion to deny the appointment of Ralph Herbst to serve on the Community Preservation Committee for a term to expire on June 30, 2026.

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 Ralph Herbst to serve on the Community Preservation Committee for a term to expire on June 30, 2026.

Michael Renshaw

Town Manager

3/20/2024

Date

Community Preservation Committee (9 members) (3-year terms)

One vacancy:

- One unexpired term ending 6/30/26

One applicant:

- Ralph Herbst



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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Name: RALPH HERBST

Address: 121 REGIS RD Village: HATCHVILLE ZIP: 02536

Mailing Address: SAME ↗ Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident (date: 31 YRS) / Taxpayer (date: 31 YRS)

Amount of time you are available to give: ENOUGH

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

1. CPC (COMMUNITY PRESERVATION COMMITTEE)
2. TRANSPORTATION COMMITTEE (IF REVISED)
3. _____

Seeking: Permanent Position Alternate Position

Have you attended any meetings of the committee for which you are applying? 10 YEARS WORTH

Relevant affiliation and work and personal experiences _____

14 YEARS ON PLANNING BOARD (CHAIR TWICE)

10 YEARS (CPC) CHAIR ONCE

1 YR TRANSPORTATION COMMITTEE

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

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

MANAGEMENT EXPERIENCE

AIRLINE CAPTAIN (RETIRED)

HABITAT FOR HUMANITY CONSTRUCTION VOLUNTEER

MBA, BS MECH ENG

You may attach a resume to this application.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>SAUDY CUNNEY</u>	<u>CPC CHAIR</u>	_____
2.	<u>BOB HEARY</u>	<u>PLANNING BD</u>	_____
3.	<u>PAUL DRYER</u>	<u>PLANNING BD</u>	_____

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

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

3/15/2024
DATE


APPLICANT'S SIGNATURE

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



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews 1.d.

ITEM TITLE: Interview, vote, and appoint committee members, Conservation Commission- Ronald F. Driscoll

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Board and Committee Application Form

PURPOSE:

The Select Board will conduct an interview of Rober F. Driscoll in order to fill a current vacancy on the Conservation Commission.

BACKGROUND/SUMMARY:

- There is currently one vacant full voting member position on the Conservation Commission with a term that expires on June 30, 2025; there are also three (3) alternate position vacancies, two of which have terms ending on June 30, 2025 and one with a term ending June 30, 2026.
- The sole applicant, Mr. Ronald F. Driscoll, submitted his application materials on March 4, 2024.
- Mr. Driscoll holds a B.S. degree in Chemistry, was an independent lab chemist, and managed a certified environmental laboratory; he also has approximately 32 years of legal experience, primarily in estate planning and probate.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Ronald F. Driscoll to fill the full voting member Conservation Commission vacancy with a term that expires on June 30, 2025.

OPTIONS:

- Motion to appoint applicant Ronald F. Driscoll to fill the full voting member Conservation Commission vacancy with a term that expires on June 30, 2025.

- Motion to deny the appointment of applicant Ronald F. Driscoll to fill the full voting member Conservation Commission vacancy with a term that expires on June 30, 2025.

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 Ronald F. Driscoll to fill the full voting member Conservation Commission vacancy with a term that expires on June 30, 2025.

Michael Renshaw

Town Manager

3/18/2024

Date

Conservation Commission (7 members) (3-year terms) and (3 alternate members) (2-year terms)

One full member vacancy:

- One unexpired term ending 6/30/25

Three alternate member vacancies:

- One term ending 6/30/25
- One term ending 6/30/25
- One term ending 6/30/26

One applicant:

- Ronald F. Driscoll



TOWN OF FALMOUTH

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Name: Ronald F Driscoll

Address: 184 Siders Pond Road Village: Falmouth ZIP: 02540

Mailing Address: same Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 5 yrs (date: 5/19) / Taxpayer 6 yrs (date: 5/18)

Amount of time you are available to give: few days per week

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

1. Conservation commission
2. _____
3. _____

Seeking: Permanent Position Alternate Position

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

Relevant affiliation and work and personal experiences: BS Chemistry; Independent lab chemist; Manager of Certified Environmental lab; partner in environmental company MGL 21E Assessments; Attorney estate planning

Town offices held in Falmouth or elsewhere and dates of years served: member ice rink committee Hingham 2004-05; condo board Easton 1991-83

Briefly describe the particular skills you feel you will add to the committee or board: _____
I feel my scientific education and experience along with my work history
_____ provides a unique set of qualifications to implement the various rules and
_____ complex regulations of the Conservation Commission. In addition to the
_____ scientific quakities I also bring 32 years of legal experience mostly in estate
_____ planning and probate but touching upon real estate and environmental
_____ issues as they arose. I am semi-retired so I will be able to devout the time
_____ necessary to successfully work on the Conservation Commission.

You may attach a resume to this application.

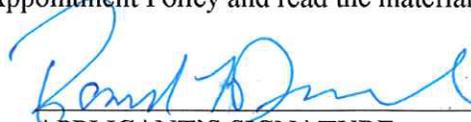
List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>William Guiggina</u>	<u>Manager Retired</u>	<u>██████████</u>
2.	<u>Robert O'Leary</u>	<u>CEO Retired</u>	<u>██████████</u>
3.	<u>Suzanne Glynn</u>	<u>Attorney</u>	<u>██████████</u>

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

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

3/4/2024
DATE


APPLICANT'S SIGNATURE

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



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews – 1.e.

ITEM TITLE: Interview, vote and appoint committee members: Council on Aging-
Kevin Murphy

MEETING DATE: 3/25/2024

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 Kevin Murphy to serve on the Council on Aging.

BACKGROUND/SUMMARY:

- Applicant Kevin Murphy submitted his application form to serve on the Council on Aging on January 2, 2024 (copy attached).
- There is currently one (1) vacancy on the Council on Aging, with a term to expire on June 30, 2024; the vacancy was properly advertised in accordance with Select Board policy, with a preference date to apply of January 19, 2024.
- Mr. Murphy is an active member of the Senior Center, a Town Meeting member, and previously has served as a member of the Select Board.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint applicant Ralph Murphy to serve on the Council on Aging for a term to expire on June 30, 2024.

OPTIONS:

- Motion to appoint applicant Ralph Murphy to serve on the Council on Aging for a term to expire on June 30, 2024.

- Motion to deny the appointment of Ralph Murphy to serve on the Council on Aging 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 Ralph Murphy to serve on the Council on Aging for a term to expire on June 30, 2024.

Michael Renshaw

Town Manager

3/20/2024

Date

Council on Aging (9 members) (3-year terms)

One vacancy:

- One unexpired term ending 6/30/24

One applicant:

- Kevin Murphy



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: Kevin Murphy

Address: 53 Dale Dr Village: N. Falmouth ZIP: 02540

Mailing Address: PO Box 1164 Village: N. Falmouth ZIP: 02556

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident (date: 1982) / Taxpayer (date: 1982)

Amount of time you are available to give: 20 Hours month

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

1. Council on Aging
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: active senior center member, town meeting member selectman,

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

5-03 → 5-09, 5-11 → 5-14
Sealer of weights & measures 7-06 → 2-23

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

vast knowledge of the town, its inner
working of budgets and long range
goals, Ability to listen, ask questions,
and investigate answers & solutions.

You may attach a resume to this application.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>Steve Rennie</u>	<u>MGR</u>	<u>[REDACTED]</u>
2.	<u>Ron Braga</u>	<u>Friend</u>	<u>[REDACTED]</u>
3.	<u>Carole Kenney</u>	<u>Friend</u>	<u>[REDACTED]</u>

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

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

12-2024
DATE

[Signature]
APPLICANT'S SIGNATURE

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

OPEN SESSION

PUBLIC HEARING

1. Shade Tree Hearing – on application of D & M Civil for the removal of one (1) *Platanus acerifolia* (London plane tree) tree at 556 Main Street, Falmouth

March 25, 2024

NOTICE OF A PUBLIC HEARING

Removal of Public Shade Trees Town of Falmouth, Department of Public Works

In accordance to Massachusetts General Laws Chapter 87, Sections 3 and 4, a public hearing will be held on Monday, March 25 at 6:45 PM in the Selectmen's Office at 59 Town Hall Square, Falmouth, MA to consider the removal of the following public tree:

Locations:

1. 556 Main Street – Removal of 1 *Platanus acerifolia* (London plane)

Size (DBH 17.5")

Reason: Close proximity to proposed driveway for new development (Lyberty Green) as well as unsightly appearance from utility pruning. Tree is the wrong species for the current location under utility lines.

The tree identified above has been posted for public inspection. Any objections to their removal must be submitted in writing to the Tree Warden prior to or during the hearing. The mailing address for the Tree Warden is Department of Public Works, Town of Falmouth, 416 Gifford Street, Falmouth, MA 02540. Email: jeremiah.pearson@falmouthma.gov, Phone: 508-457-2543 x3008





AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearings 1.

ITEM TITLE: Public Hearings- Shade Tree Hearing – on application for D+M Civil for removal of one London Plane tree at 556 Main Street, Falmouth

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Jeremiah Pearson, Tree Warden

ATTACHMENTS: Parks and Forestry Division Investigation and Recommendation Letter, Notice of Public Hearing, Application for Hearing and removal of a Town Shade Tree

PURPOSE:

A Public Hearing is being held, in accordance with M.G.L Chapter 87 section 3, for the purpose of considering the removal of London Plane tree located at 556 Main Street, Falmouth.

BACKGROUND/SUMMARY:

- The applicant, D+M Civil, submitted the Application for hearing and removal of Town Shade Tree on February 16, 2024.
- In application, the applicant reason for removal is the new construction of Liberty Green Housing project. (Tree's location is the main entrance of development).

- The Town Tree Warden inspected the tree and concluded that it's the wrong tree for its location. The Tree is growing directly under utilities, and due to its size has been trimmed to change its natural shape and structure.
- Removal should be done by the expense of applicant

DEPARTMENT RECOMMENDATION:

The Department of Public Works/ Parks and Forestry Division Recommends that permission be granted to remove the tree. Several replacement trees will be planted for canopy coverage.

OPTIONS:

- Motion to approve the removal of the London Plane tree at 556 Main Street with the condition of replanting canopy coverage.
- Motion to grant permission to remove the London Plane tree at 556 Main Street with other conditions specified.
- Motion to deny permission to remove the London Plane tree from 556 Main Street.

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 removal of the London Plane tree located at 556 Main Street, Falmouth as presented with the condition of replanting canopy coverage.

Michael Renshaw

Town Manager

3/18/2024

Date



Town of Falmouth

Department of Public Works

Parks & Forestry Division

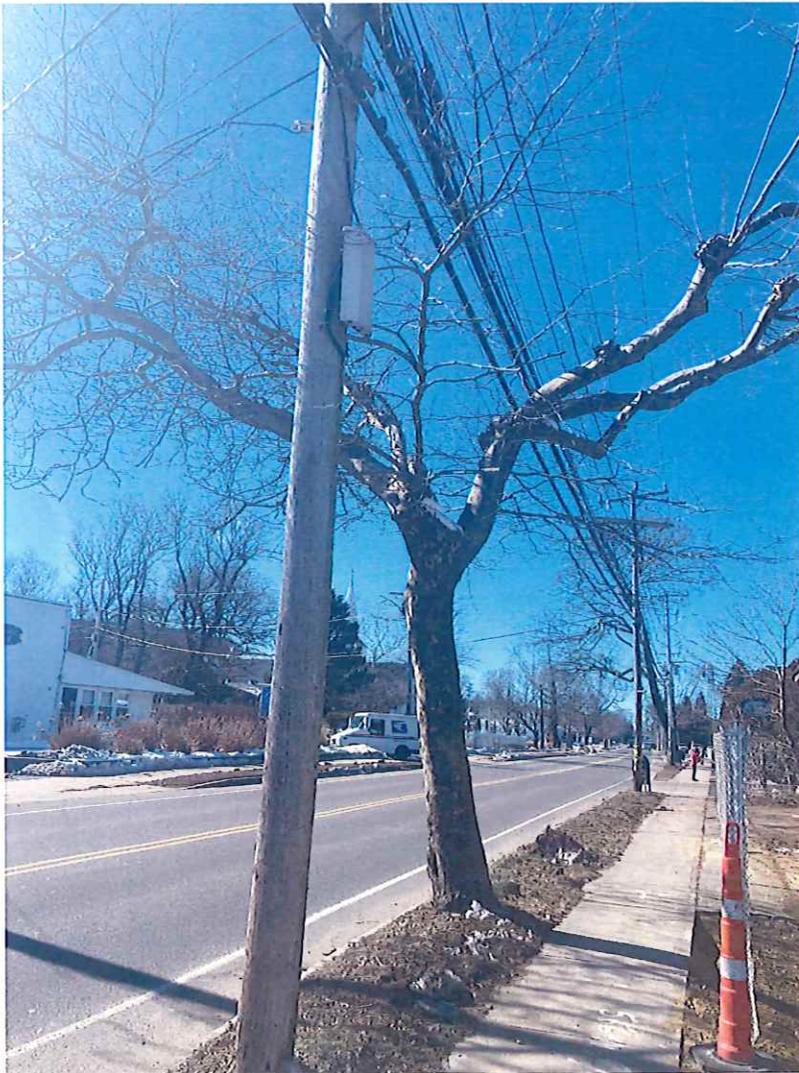
416 Gifford Street
Falmouth, MA 02350

Telephone: (508) 457-2543

Fax: (508) 548-1537

Jeremiah Pearson
Parks Superintendent

Tree Wardens Opinion Letter for the removal of one London Plane tree located at 556 Main Street



The tree in question is being requested for removal by D+M Civil for the upcoming construction of Lyberty Green Housing Project located at 556 Main Street. The main entrance of this new development is situated in the proximity of the existing tree.

The current condition of the tree is rather unsightly due to it being the wrong tree for its location. The tree is growing directly under several utilities, and due to its size has been trimmed to change its natural shape and structure.

It is the Tree Wardens opinion to grant permission for removal. The landscape design for this new project does include several trees as replacement that would be a great addition to the canopy coverage, and beautification to this part of Main Street.

OPEN SESSION

BUSINESS

1. Vote to approve final Housing Production Plan (**minutes**)



ITEM NUMBER: Business 1.

ITEM TITLE: Final Housing Production Plan

MEETING DATE: 3/25/2024

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

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

ATTACHMENTS: Final Housing Production Plan & Appendix C: Comments Received and Staff Responses

PURPOSE:

We seek Select Board approval on the Final Housing Production Plan that has completed its public review and comment period. Over the course of the two week period, 10 written comments were received and addressed within the final plan (see Appendix C: Comments Received and Staff Responses). This Housing Production Plan includes seven (7) goals and twenty-three (23) strategies aimed at producing affordable housing over the next five years and town staff is eager to begin this good work.

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 Planning Board voted unanimously to approve the Final HPP at their 3/12/24 meeting.

- 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 recommending that the Select Board approve the Final Housing Production Plan as presented.

OPTIONS:

- Motion to approve the Final Housing Production Plan as presented.
- Motion to approve the Final Housing Production Plan with amendments.

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 Final Housing Production Plan as presented.

Michael Renshaw

Town Manager

3/19/2024

Date



Town of Falmouth
Housing Production Plan
2024-2029
March 11, 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

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Onjalé Scott Price
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Peter Johnson-Staub, *Assistant Town Manager*
Kimberly Fish, *Housing Coordinator*
Jed Cornock, *Town Planner*

CONSULTANT 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*

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Samuel Patterson

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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 EOHLIC. 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 than 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. Collaborate both within Falmouth and with neighboring communities and other regional partners to address housing needs and implement related planning processes.

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. Expand inclusionary zoning (IZ) provisions.
6. Explore joint initiatives to support the town’s seasonal workforce while respecting the need for year-round rental housing.
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 fair housing and 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.

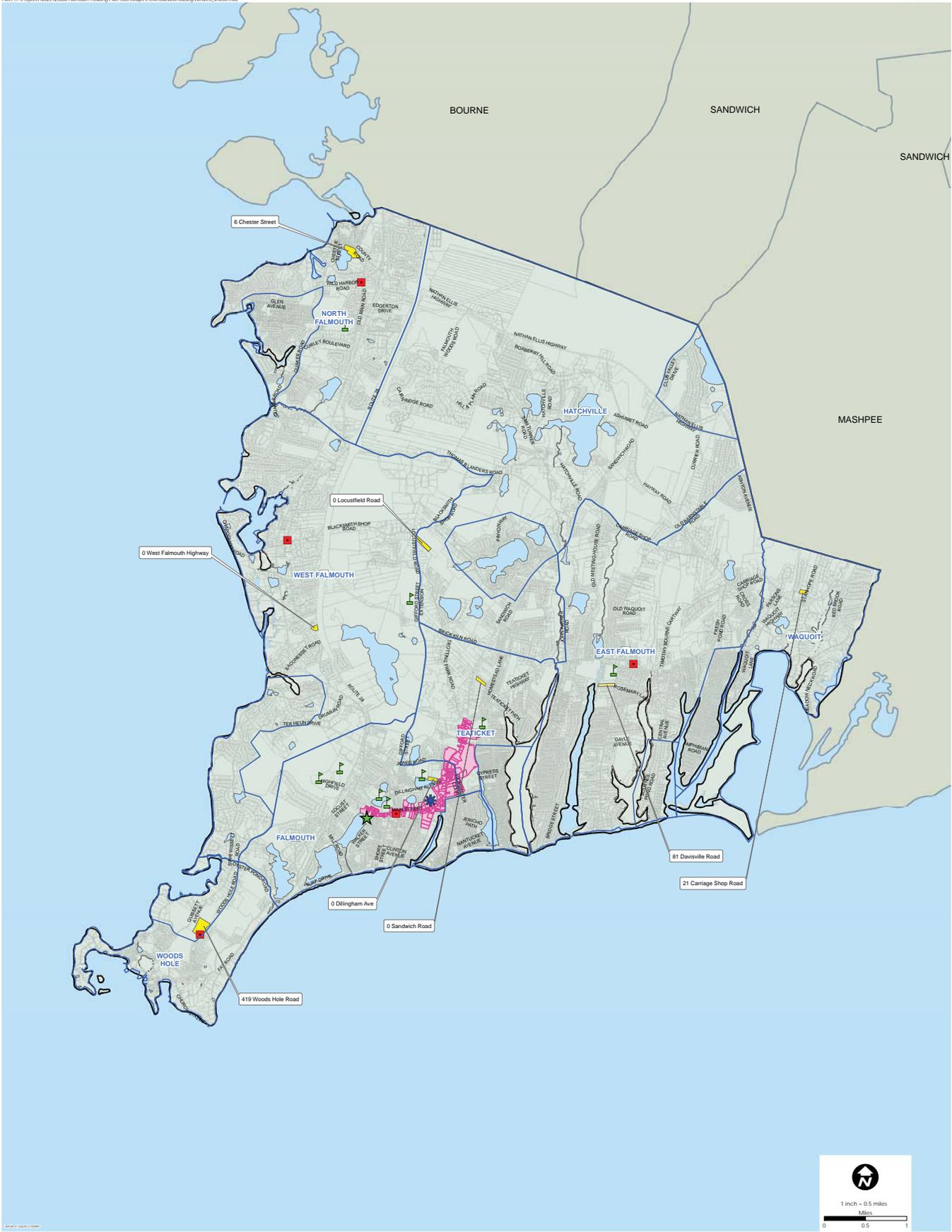
11. Explore options for increasing staff to support housing initiatives.
12. Strengthen local and regional partnerships to share ideas and resources, learn from others, and explore new ways of creating affordable housing.

Affordable Housing Strategies

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

Finance and Subsidy Strategies

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



Date: 3/8/2024
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
- Villages
- Parcels
- Mixed Residential and Commercial Overlay
- Town-owned property appropriate for development*
- Fire Station
- ★ Police Station
- ✎ School
- ★ Town Hall

*The town owned properties shown on the map are suggestions which may require additional research, legal agreements, or infrastructure improvements in order to create affordable housing.

Potential Locations for New Housing Development

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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.

	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: U.S. Census Bureau, via University of Massachusetts Donahue Institute State Data Center

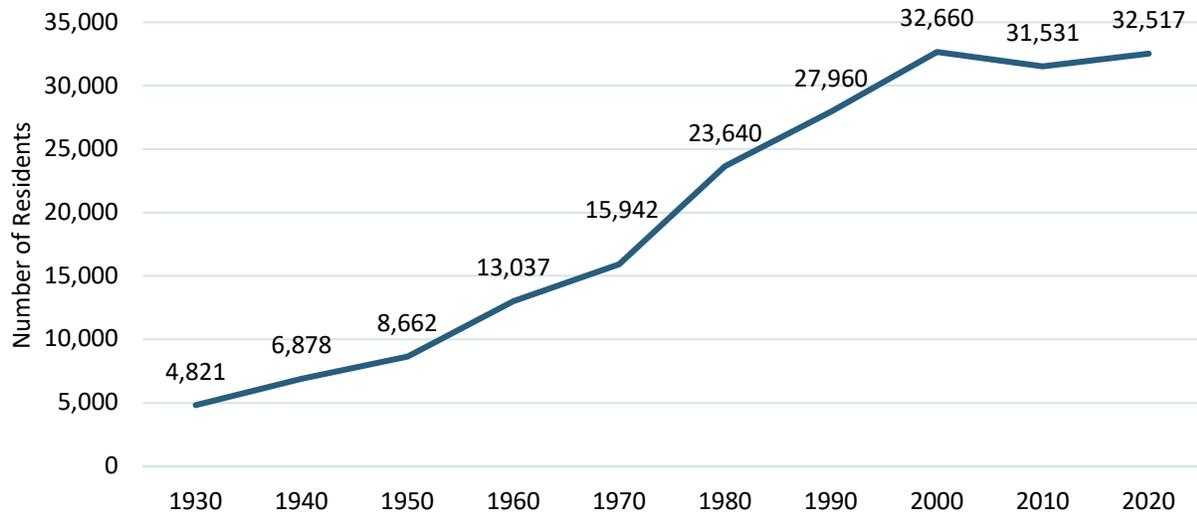


Table 2 compares population growth for Falmouth to other communities on the Upper Cape (Bourne, Falmouth, Sandwich, and Mashpee – see Figure 2), as well as Barnstable County and the state. While Falmouth’s population grew by around 38 percent between 1980 and 2020, this represents a slower growth rate 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 Growth Projections (August 2023)* available at <https://www.mapc.org/learn/projections/>.

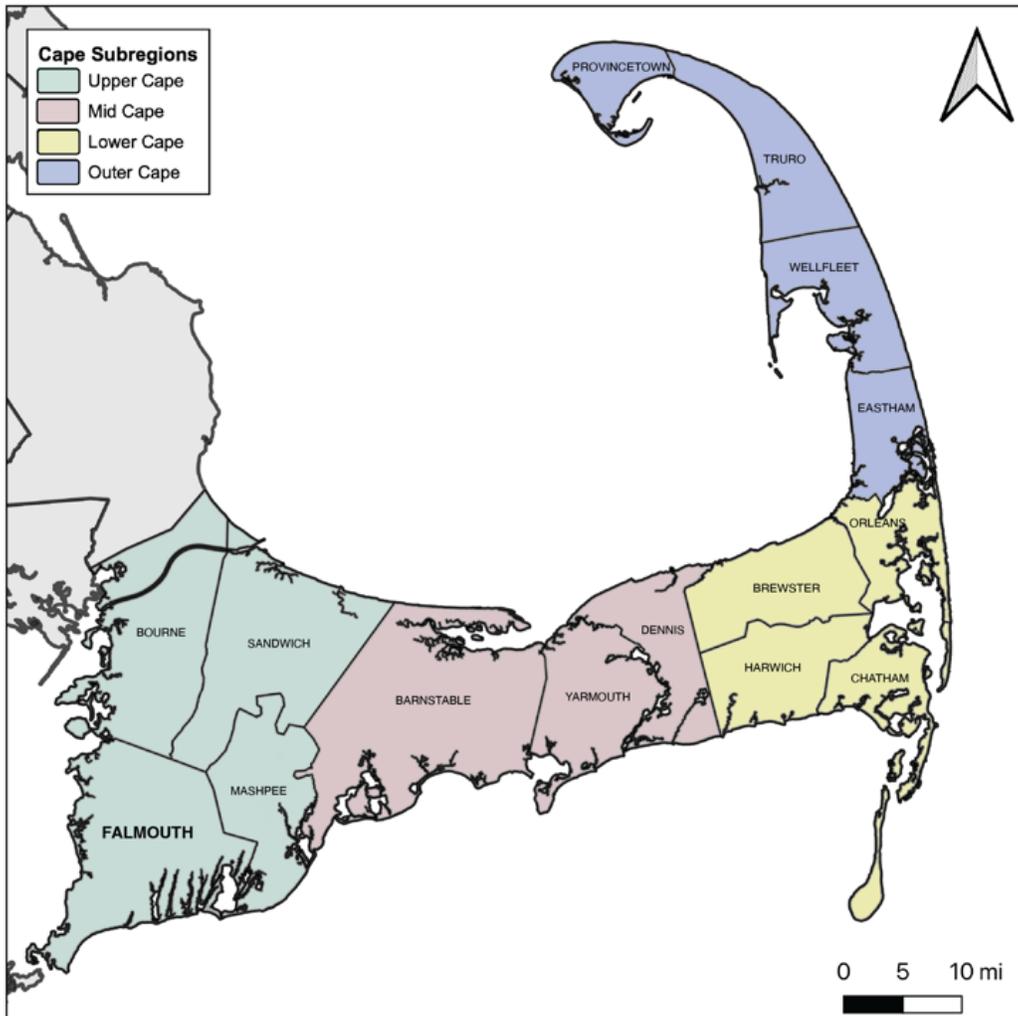
⁵ UMass Donahue Institute, “Massachusetts Population Projections: UMDI-DOT Vintage 2022.” December 15, 2022. Available at <https://donahue.umass.edu/business-groups/economic-public-policy-research/massachusetts-population-estimates-program/population-projections>

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

Geography	Decennial Census (Actual)					Population Projections		
	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

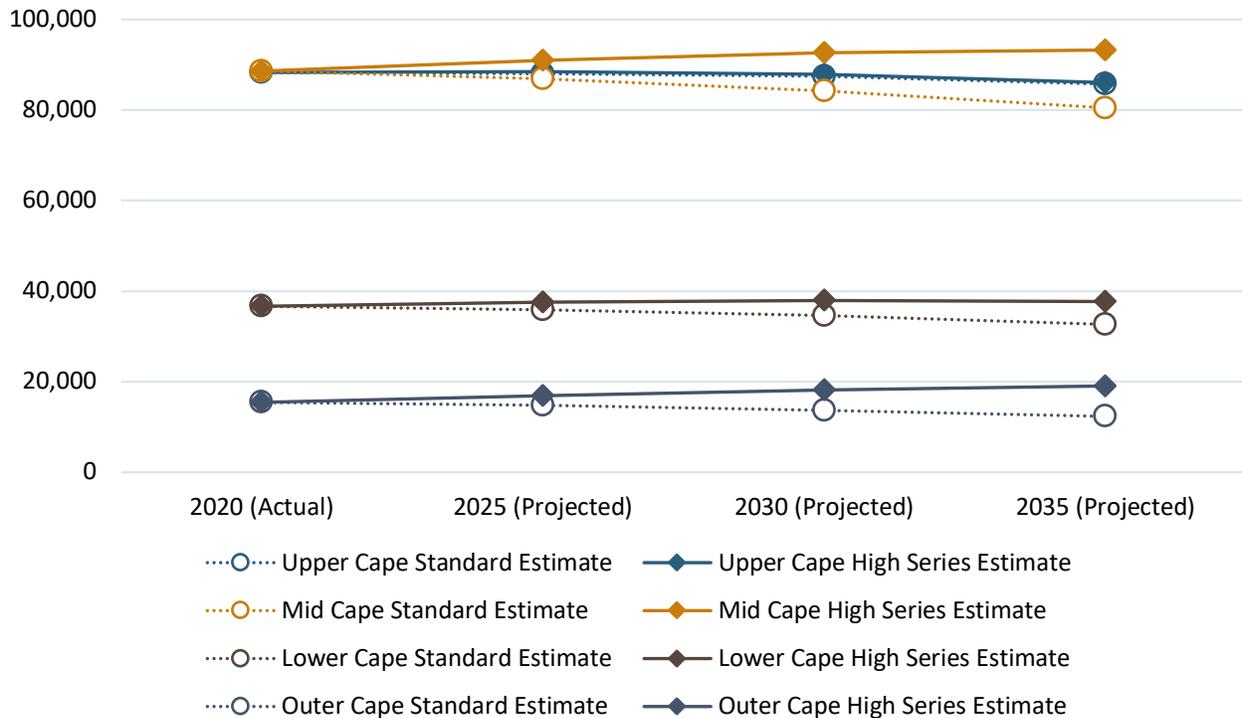
Sources: U.S. Census Bureau; UMass Donahue Institute, 2022

Figure 2. Cape Cod Subregions



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-



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.

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 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

Race	2000		2010		2020	
	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

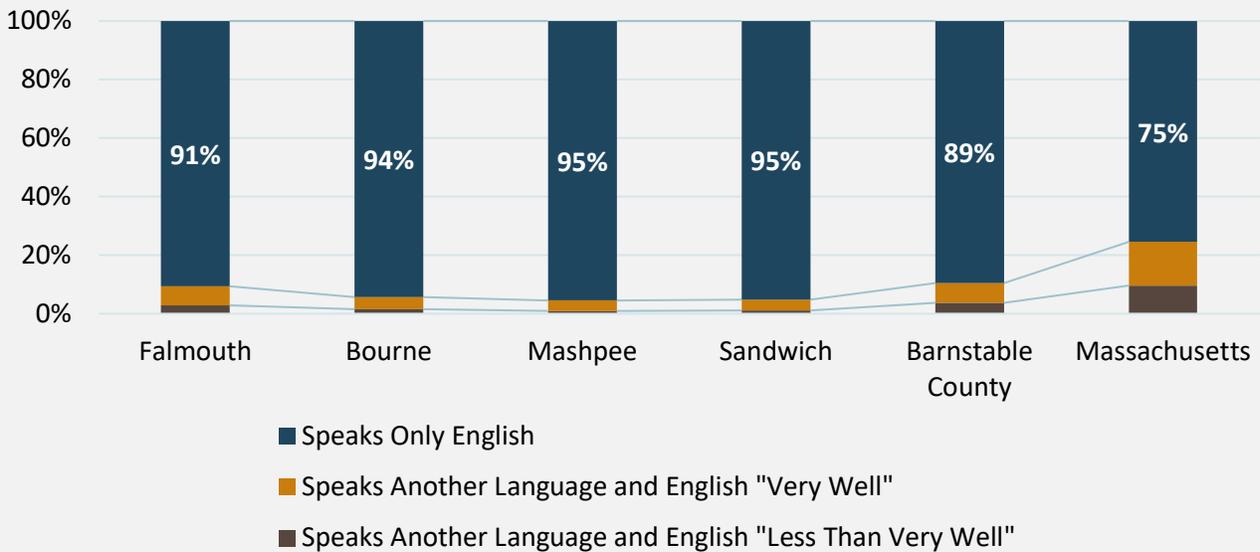
Table 5. Foreign-Born Population

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 Figure 5 has increased each census period from 1990 to 2020.

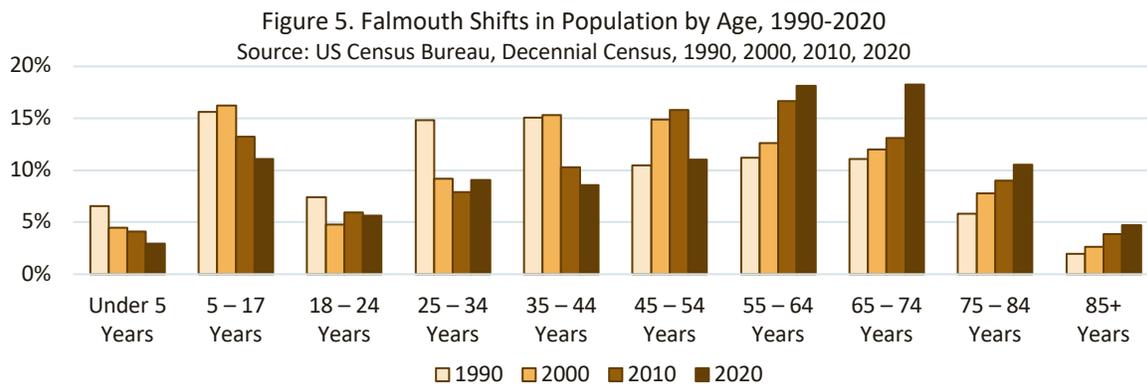
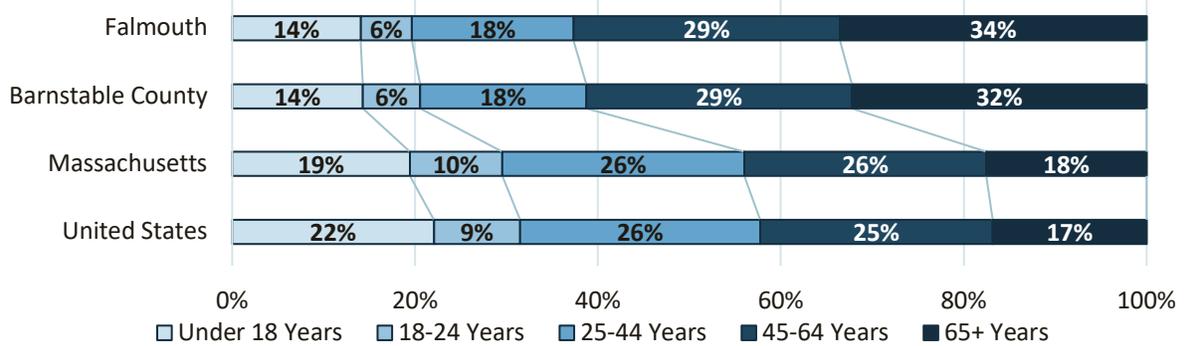


Figure 6 shows that Falmouth’s age distribution is relatively comparable to the county, but considerably different than the state and nation. This reflects the popularity of Cape Cod as a retirement destination, with both Falmouth and Barnstable County having much lower levels of younger residents and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

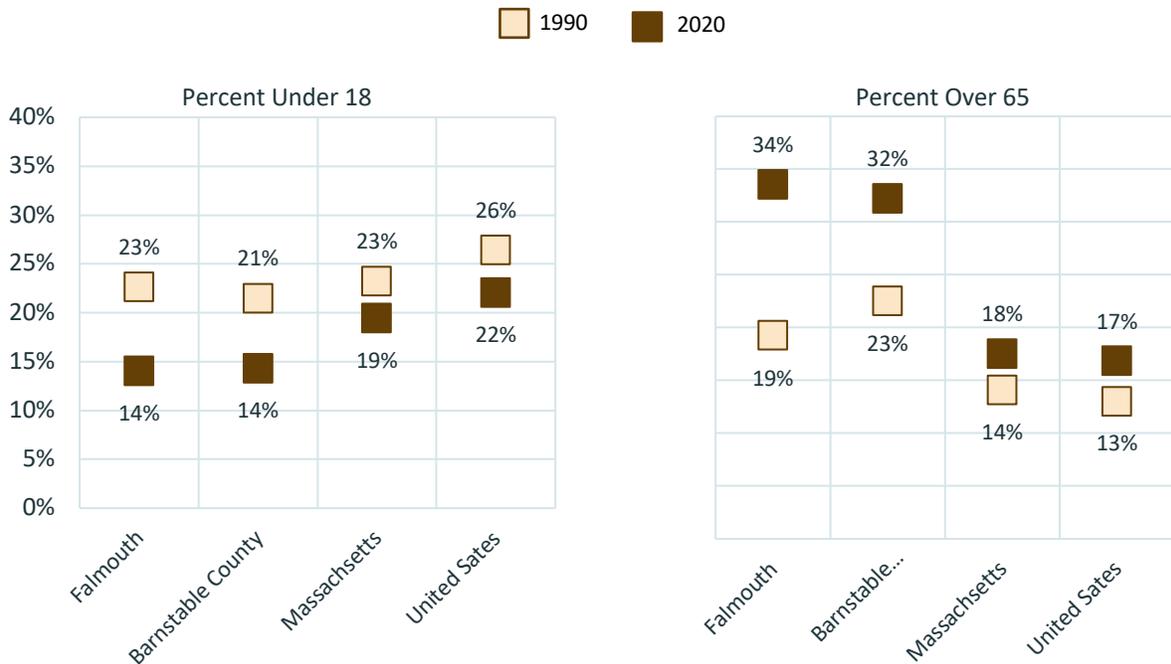
Figure 6. Population by Age, 2020
Source: US Census Bureau, Decennial Census 2020



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.

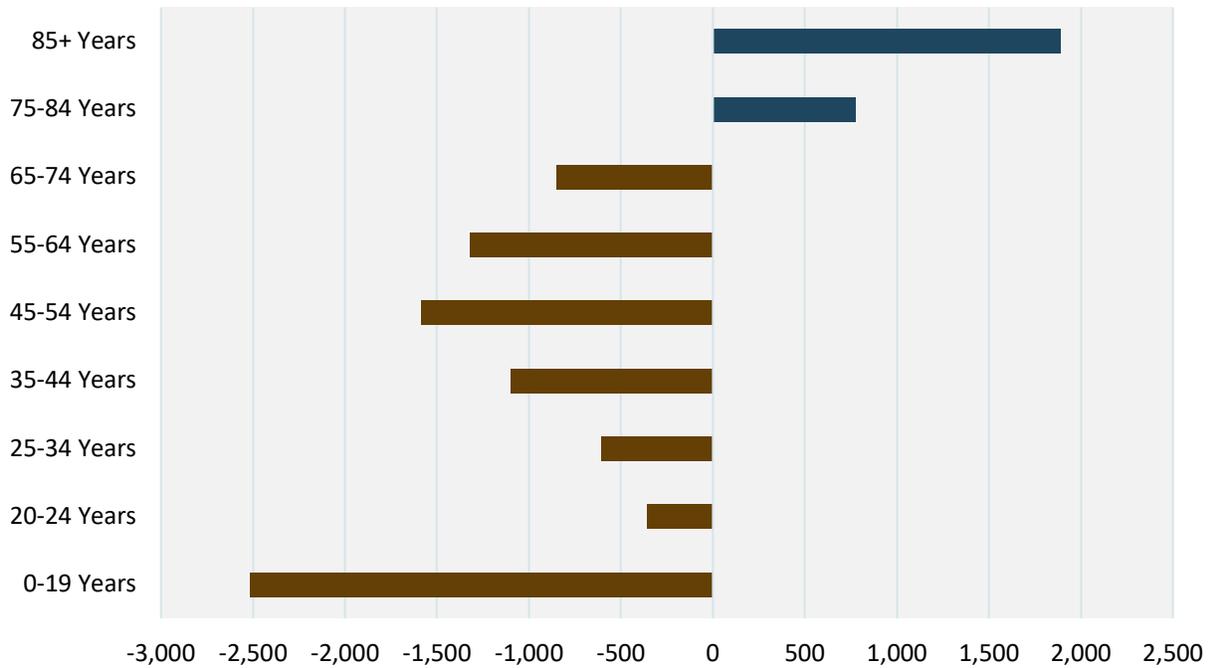
Table 5. Median Age, 2000-2020								
Falmouth			Barnstable County			Massachusetts		
2000	2010	2020	2000	2010	2020	2000	2010	2020
45.0	50.5	56.1	44.6	49.9	55.0	36.5	39.1	39.9

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.

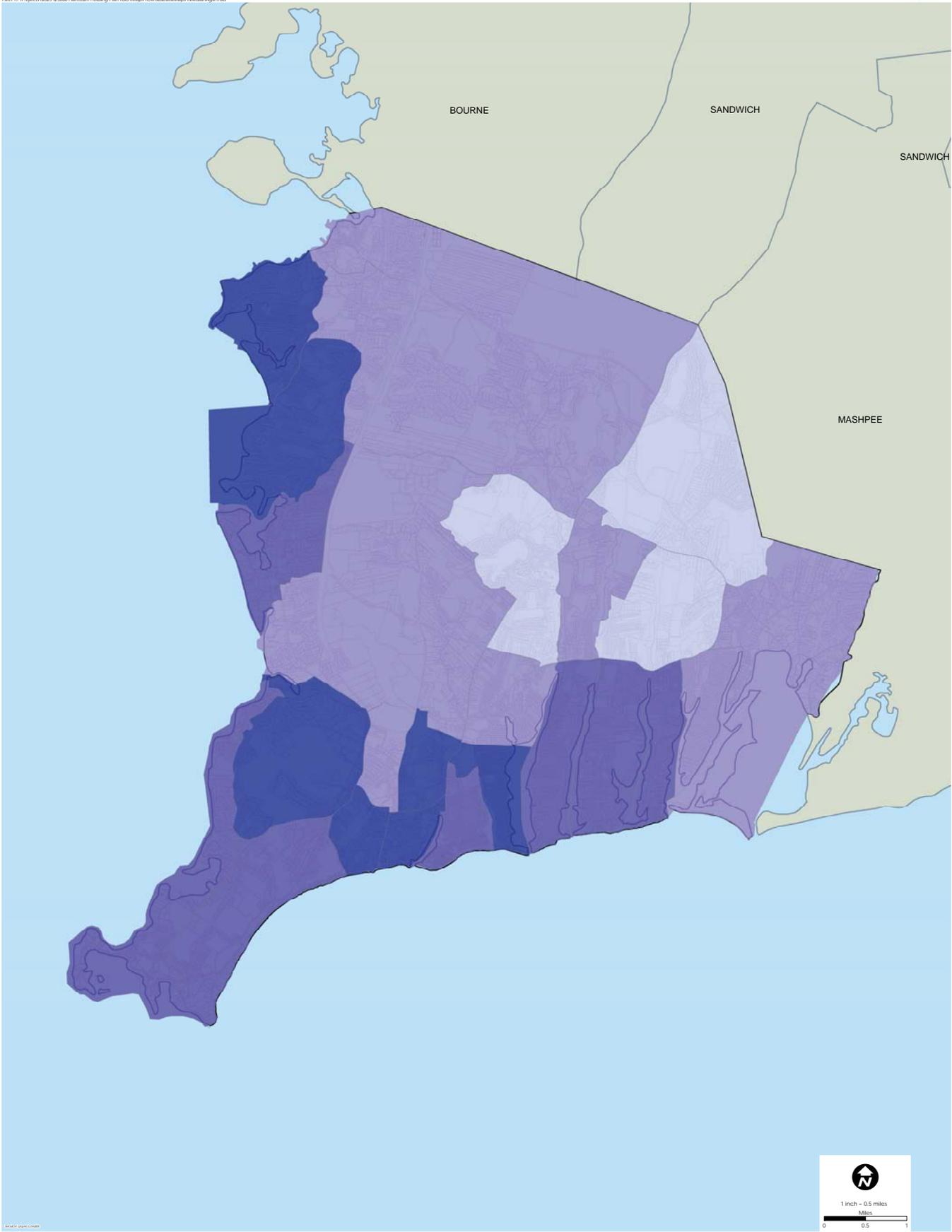
According to State Data Center projections, these age trends are expected to continue. Figure 8 shows that by 2050, all age cohorts except 75+ are expected to drop in Falmouth; however, the number of residents age 65-74 is expected to *increase* through 2030 before declining through 2050.¹²

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.

Path: H:\Projects\2021\2088 Falmouth Housing Plan\GIS\Map\1\Consolidated\Map1\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

DISABILITY STATUS¹³

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.

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

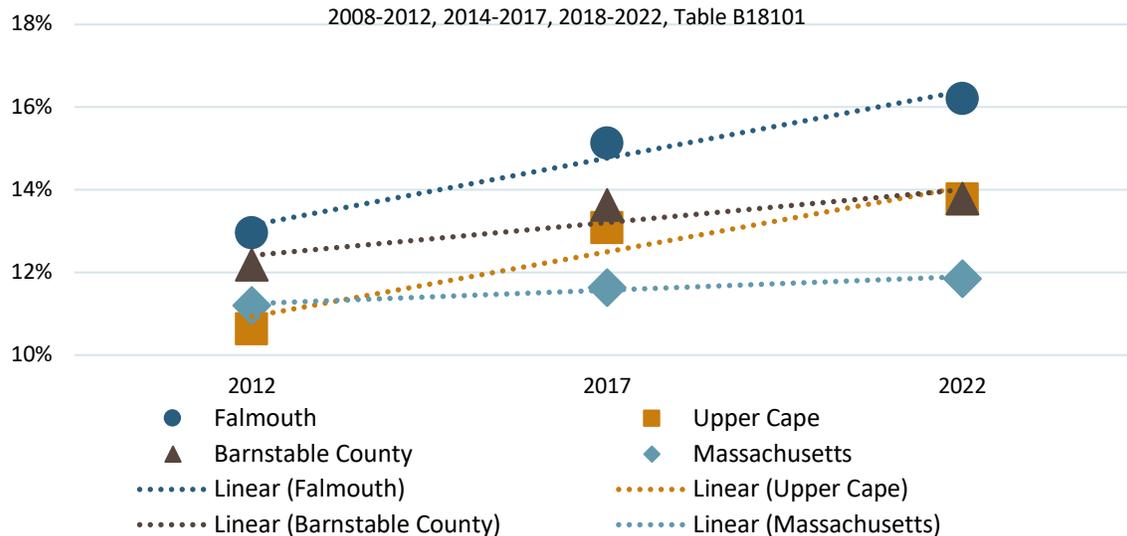
Type of Disability	Falmouth	Upper Cape	Barnstable County	Massachusetts
Hearing	13.1%	12.7%	13.3%	12.3%
Vision	4.1%	4.0%	3.7%	4.8%
Cognitive	4.2%	4.2%	4.5%	7.5%
Ambulatory	14.2%	13.4%	13.4%	18.6%
Self-Care	6.4%	4.5%	4.5%	7.3%
Independent Living	12.0%	7.9%	8.7%	10.6%

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

Type of Household	2000		2010		2020	
	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%
<i>Married Couple*</i>	7,201	80.2%	6,723	77.8%	7,021	77.9%
<i>Other Family*</i>	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%
<i>Living Alone**</i>	4,136	84.7%	4,578	84.3%	5,104	85.3%
<i>Not Living Alone**</i>	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%

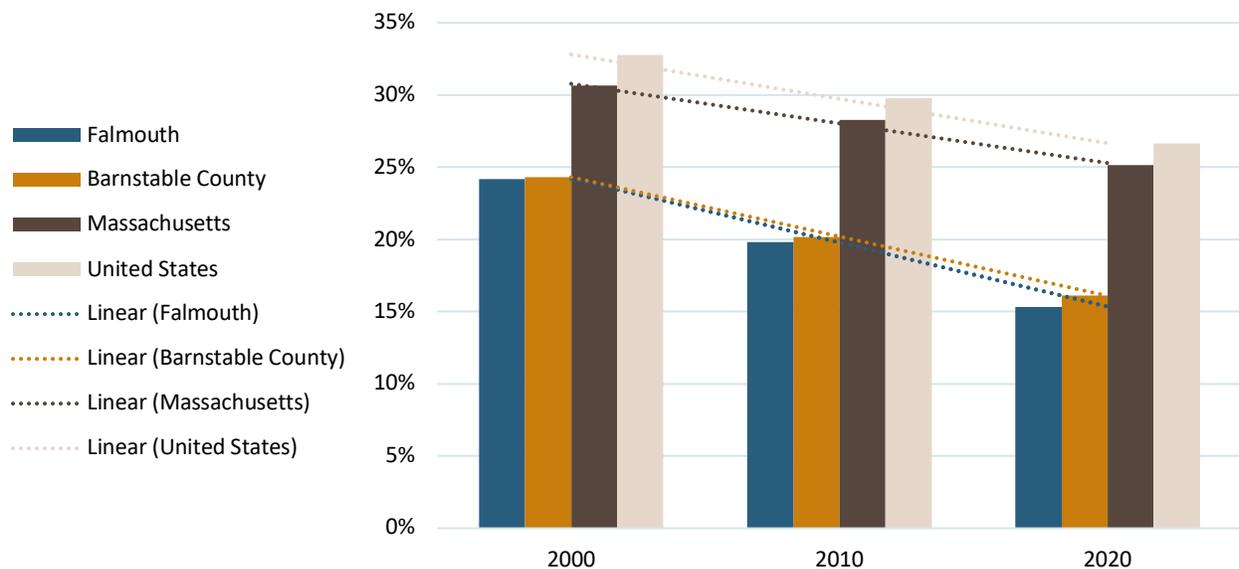
Source: US Census Bureau, Decennial Census 2000, 2010, and 2020

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

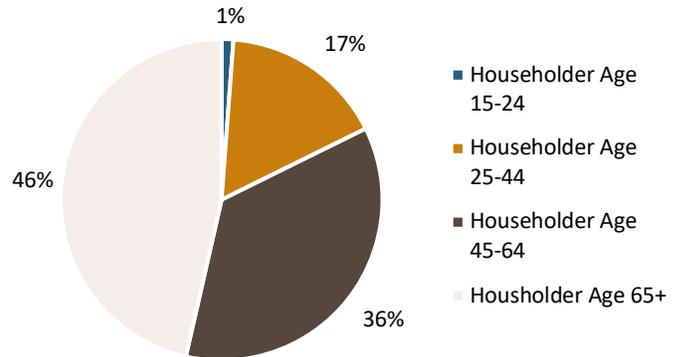
Source: US Census Bureau, Decennial Census, 2000, 2010, 2020



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%	--	--	--
<i>1-person</i>	84.7%	84.3%	85.3%	N/A	N/A	N/A	29.8%	32.5%	34.0%
<i>2-person</i>	13.1%	13.4%	12.2%	52.4%	54.8%	57.3%	38.6%	38.8%	39.3%
<i>3-4 persons</i>	2.0%	2.1%	2.2%	37.2%	35.9%	34.2%	24.8%	22.8%	21.4%
<i>5+ persons</i>	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.

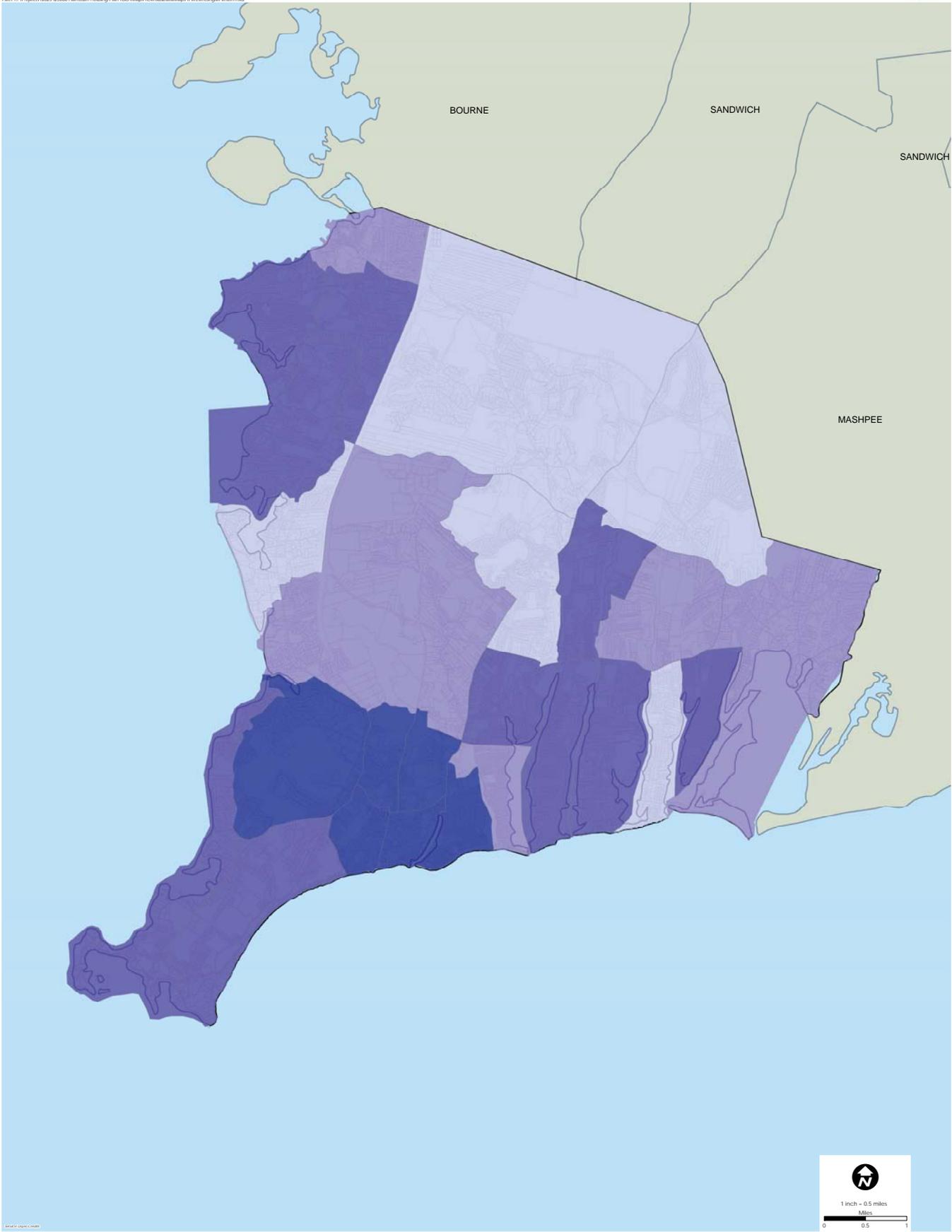
Table 9 compares the distribution of household sizes among Upper Cape communities as well as the county and state based on 2020 census figures. This indicates that Falmouth has a somewhat larger share of one-person households than surrounding communities, but is on par with the countywide figure. Nonetheless,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

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.

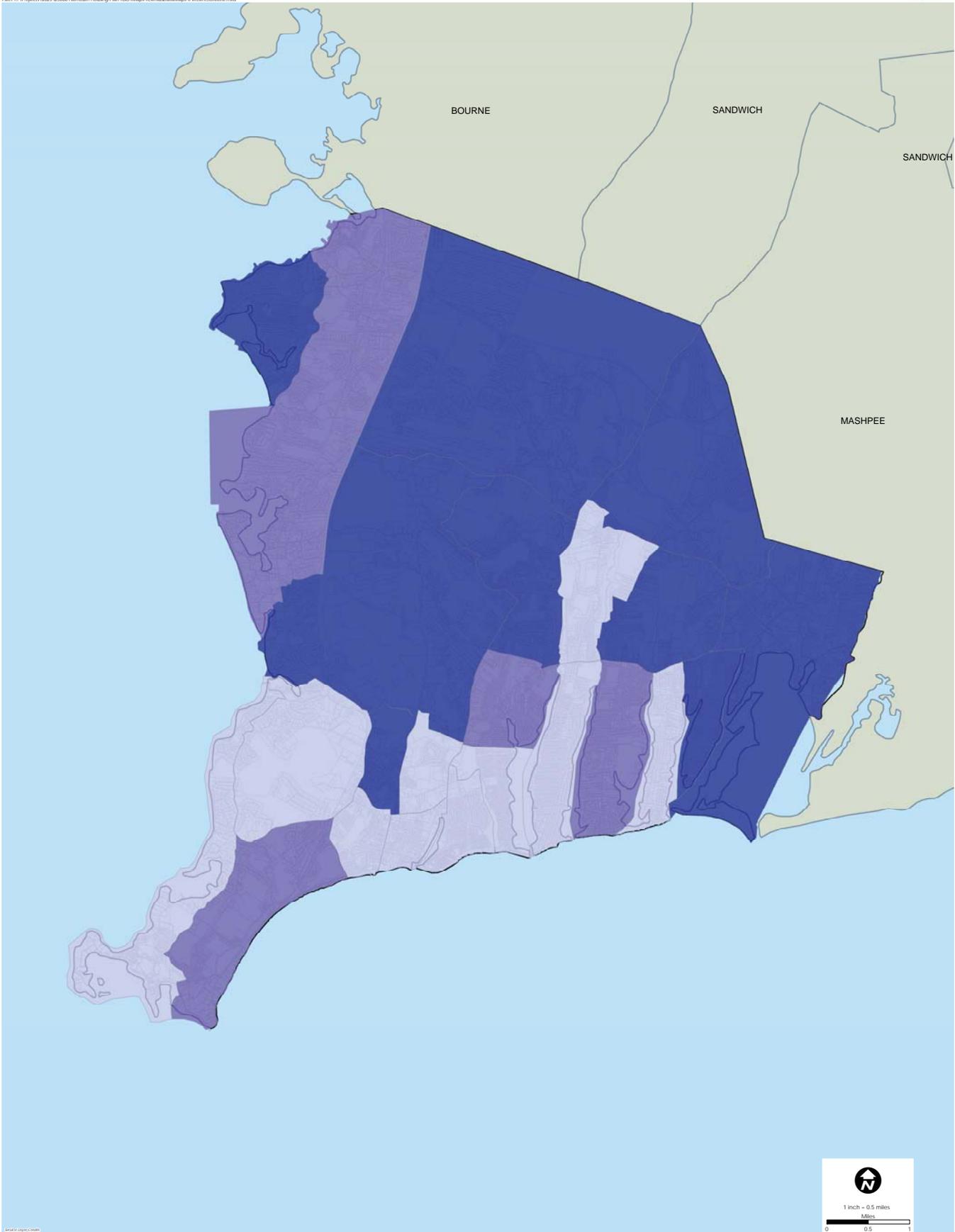


Date: 11/29/2023
 Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth
 This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- Town Boundary
- Parcels
- Percent Households**
- 19 - 25%
- 25.01 - 30%
- 30.01 - 40%
- 40.01 - 69%

Percent of Single Person Households

F:\H:\Projects\2021\23088 Falmouth Housing Plan\GIS\Maps\CensusData\Mapa\Percent5orMore.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

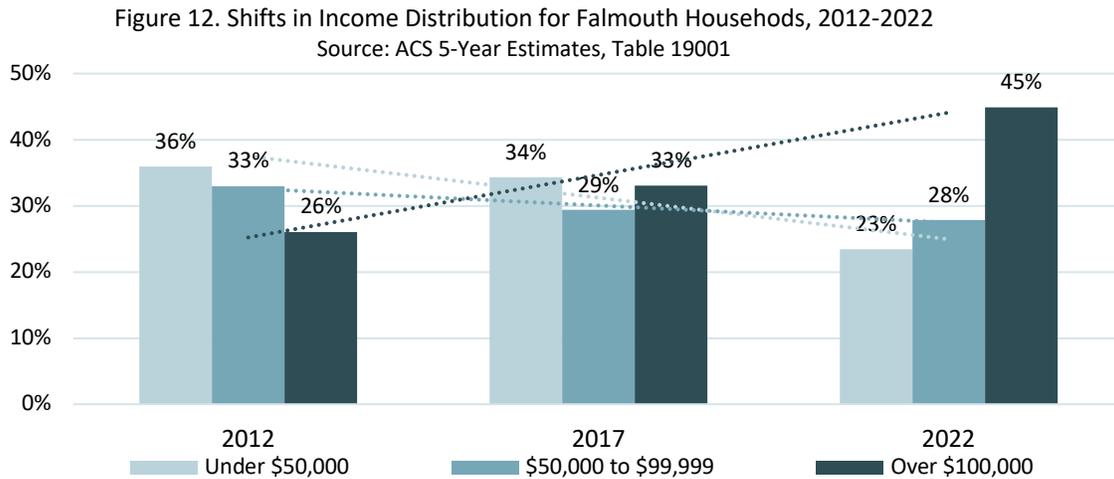
Economic Profile

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

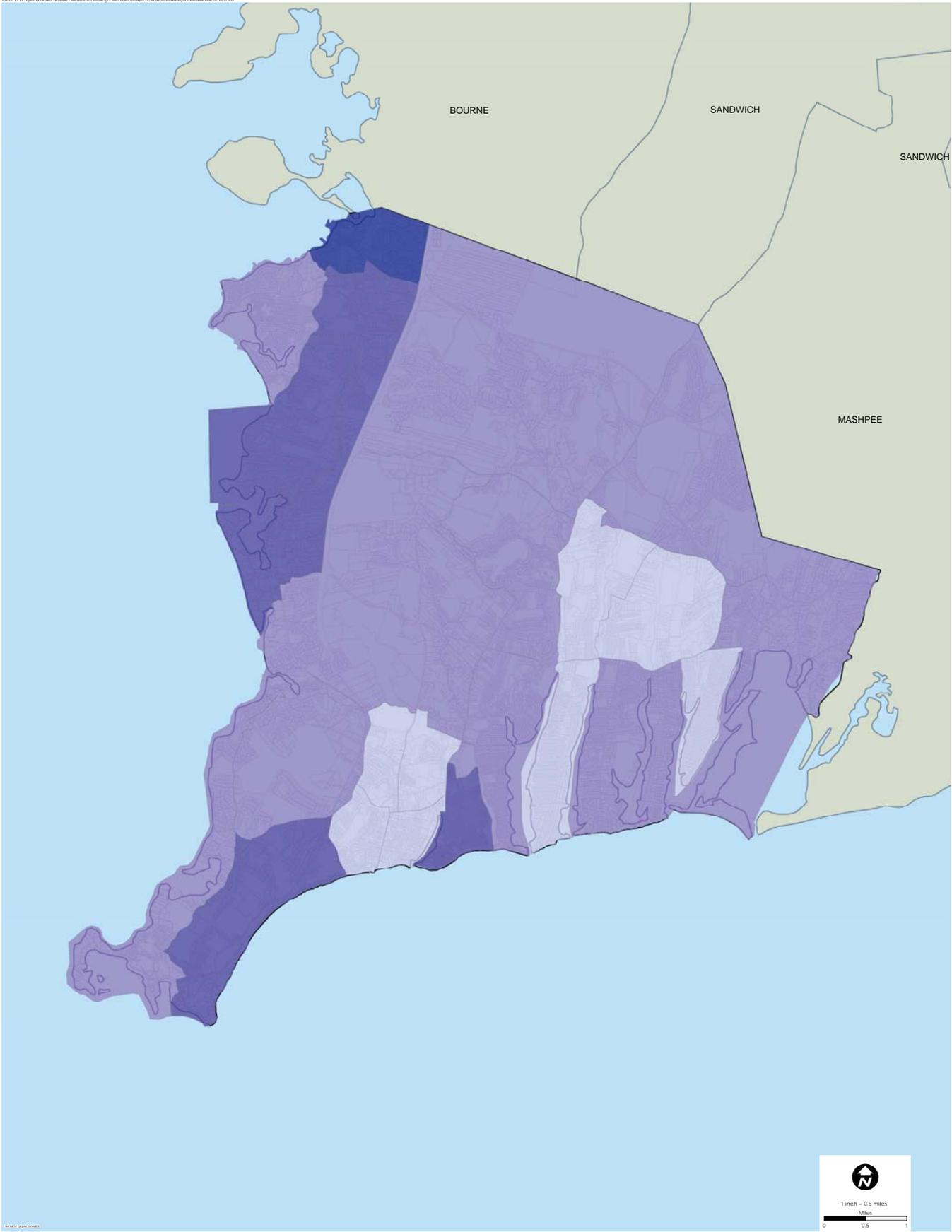


²⁰ UMass Donahue Institute, “Cape Cod Second Homeowners Survey - 2021,” prepared for the Cape Cod Commission, February 2022.

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.

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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)

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.

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

Type of Household/Householder	Estimated Median Household Income Levels	
	2017	2022
Households	\$70,918	\$89,809
Families	\$91,940	\$118,683
<i>Married Couple Families with Children</i>	\$117,656	\$172,500
<i>One-Parent Households, Female</i>	\$22,418	\$43,151
<i>One-Parent Households, Male</i>	\$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

²⁵ C24060

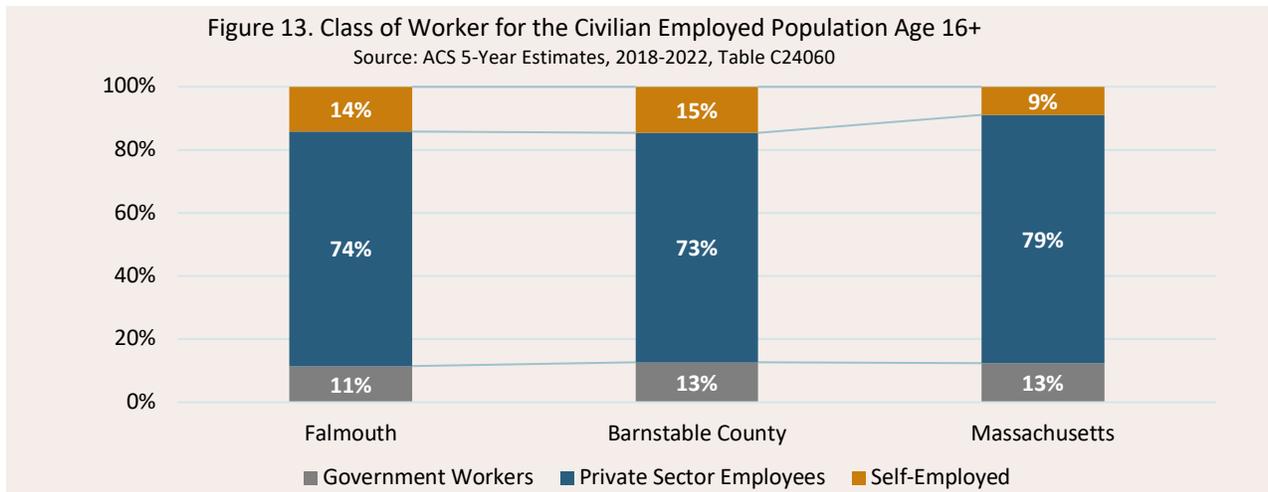
²⁶ B19059 and B19069

²⁷ B19055 and B19065

²⁸ B19056 and B19066

²⁹ B19058

“broader culture of innovation and entrepreneurship” on Cape Cod.³⁰ Local establishments with fewer 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



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.

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.

³⁰ Cape Cod Commission, Data Cape Cod: “Business Establishment and Age.” Accessed January 22, 2024 at <https://datacapecod.org/pf/establishment-size-age/>

³¹ Ibid.

POVERTY STATUS³²

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.

Geography	Individuals				Families		
	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

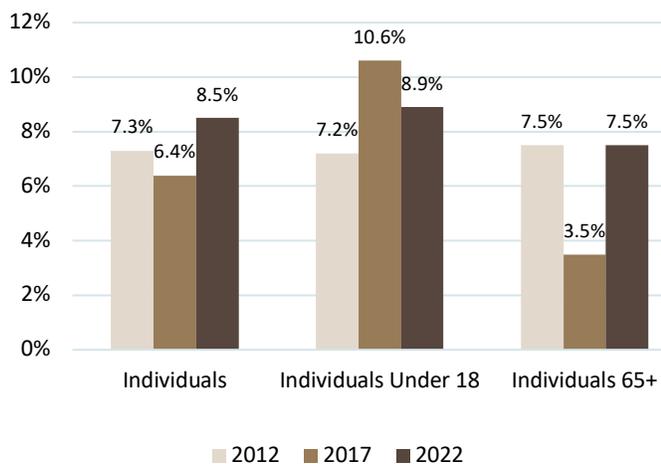
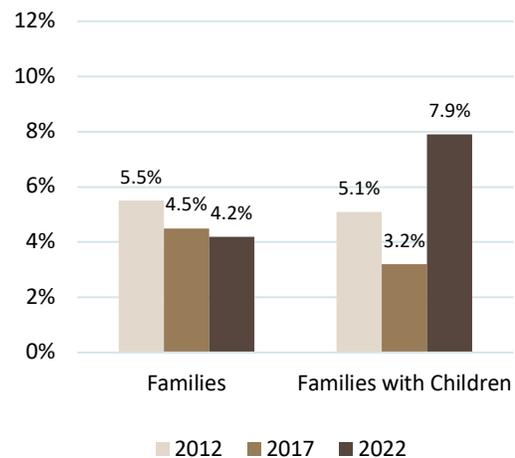


Figure 15. Falmouth Percent Families in Poverty, 2012-2017

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).

Occupation	Falmouth		Barnstable County		Massachusetts	
	% 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.

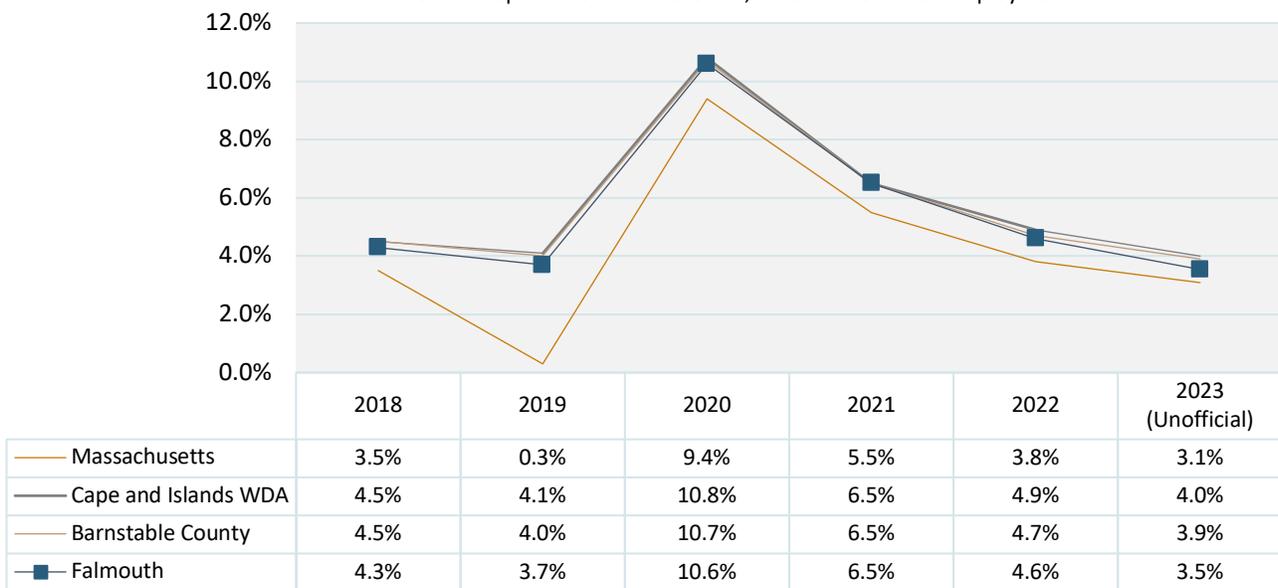
³⁴ B12006

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



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.

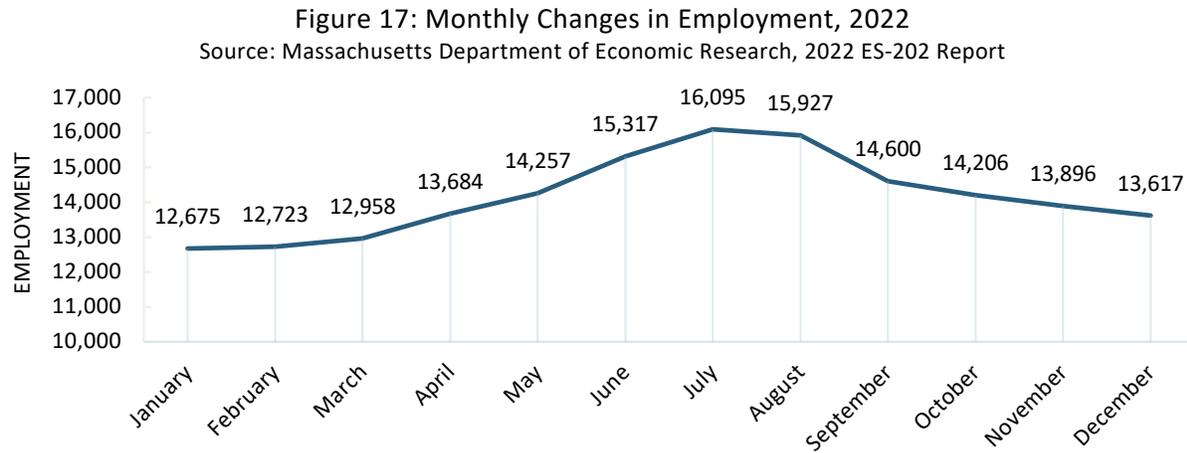
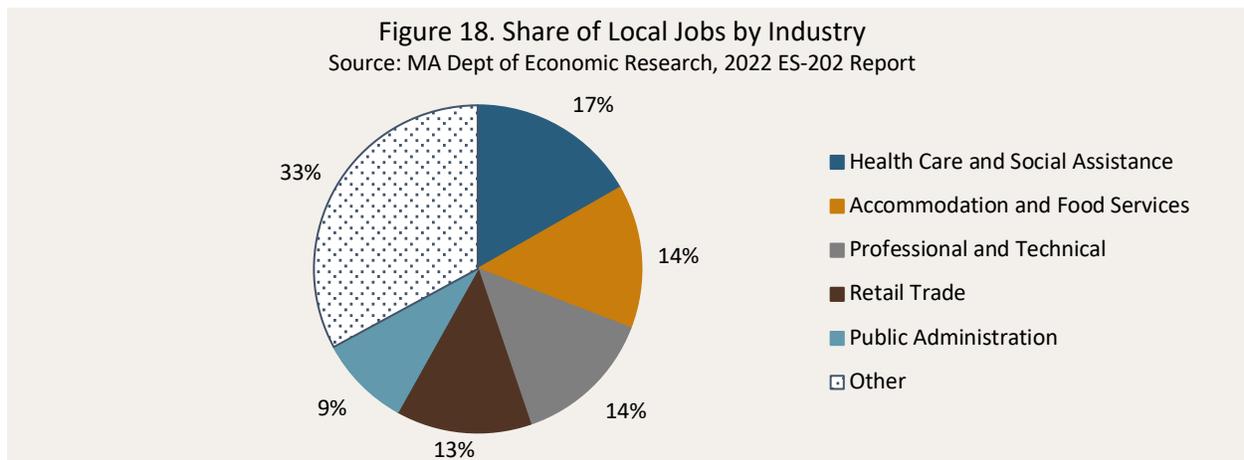


Table 15 confirms a mix of employment opportunities in Falmouth, including lower-paying retail and service sector jobs and higher wage local jobs in finance, professional or technical services, wholesale trade, and public administration. Figure 18 shows the top five industries in Falmouth based on the 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.



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

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.

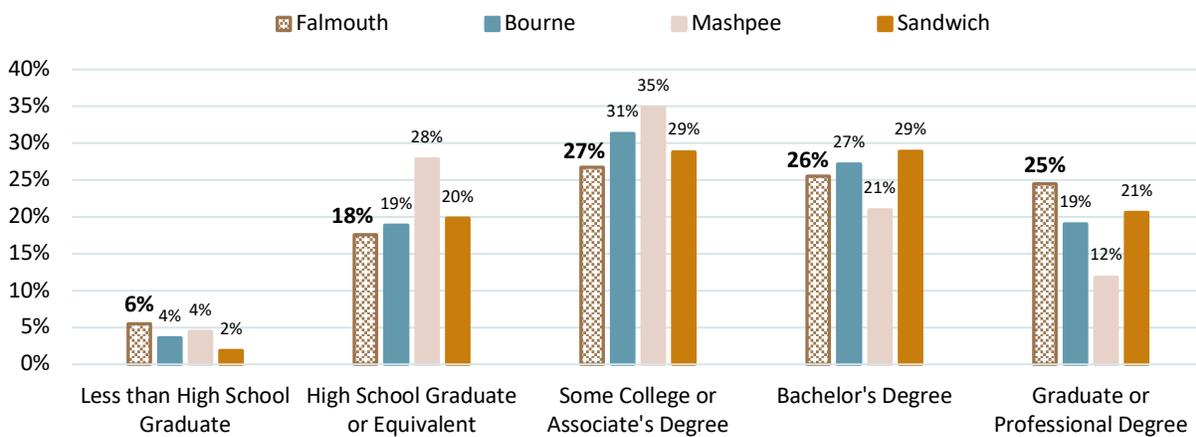
³⁹ Massachusetts Department of Economic Research, “Employment and Wages Report (ES-202),” 2022.

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

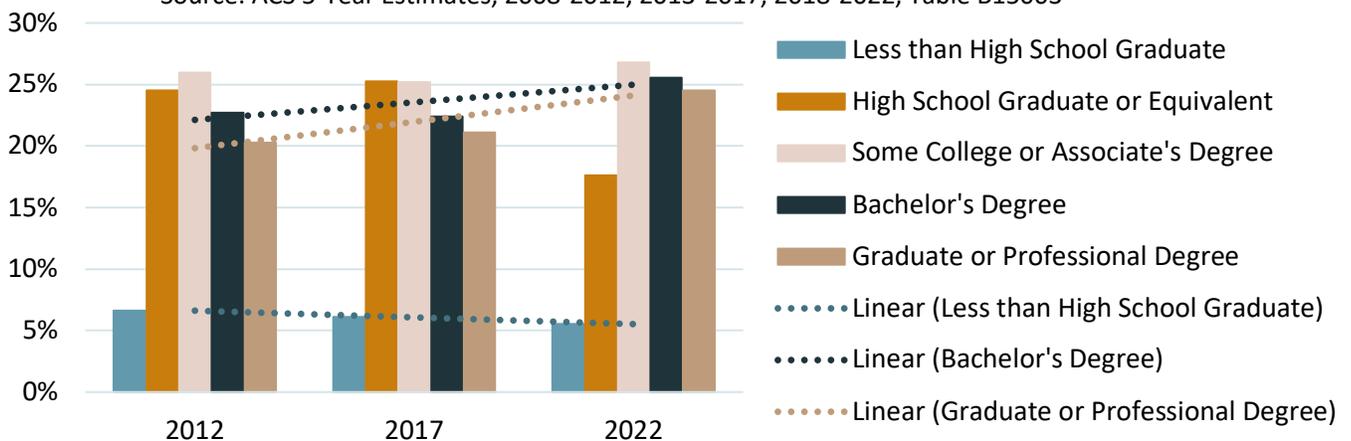


Table 16. Median Earnings by Level of Educational Attainment, 2022

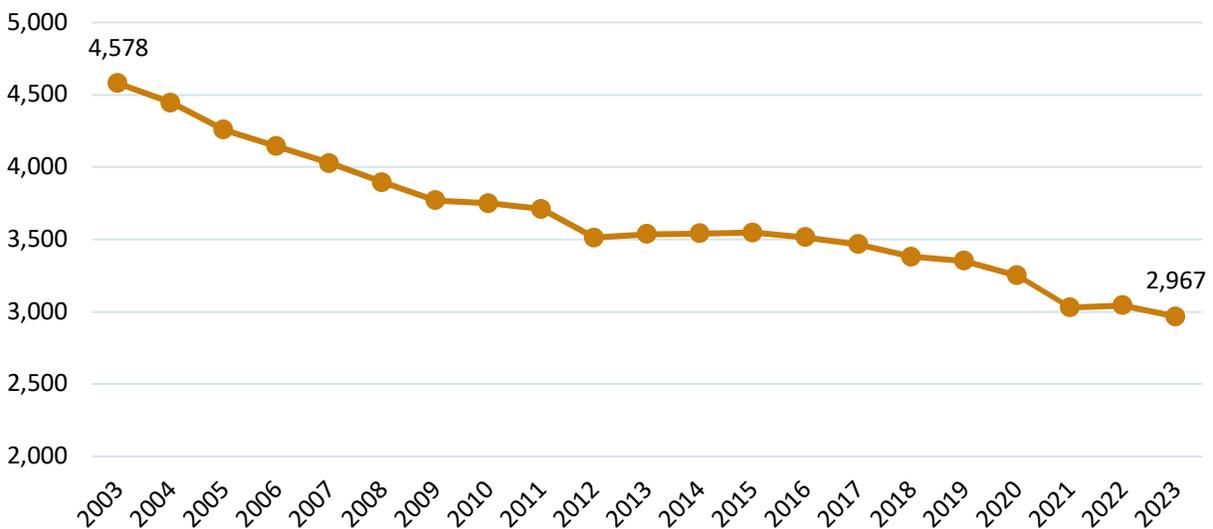
	Bourne	Falmouth	Mashpee	Sandwich	Barnstable County	Massachusetts
Less Than High School Graduate	\$39,673	\$29,517	\$52,798	No Data	\$33,053	\$33,558
High School Graduate Or Equivalent	\$40,833	\$44,909	\$45,248	\$57,344	\$43,780	\$43,492
Some College Or Associate's Degree	\$51,500	\$45,564	\$50,039	\$42,760	\$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 Enrollments⁴⁰

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.⁴¹

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



⁴⁰ Concerns about straining the schools should not be considered a limiting factor for housing development in deference to the Fair Housing Act, which provides protections based on familial status (among other factors).

⁴¹ 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.⁴²

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

⁴² 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 reverted 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

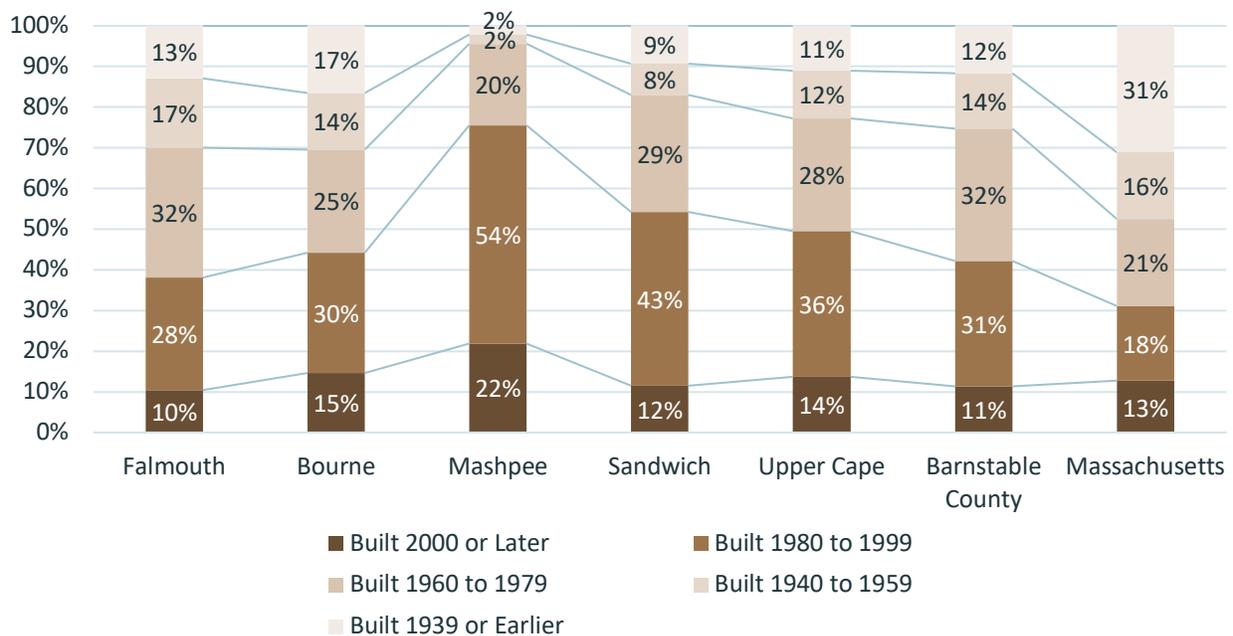
The housing profile provides an overview of Falmouth’s current housing characteristics, including factors such as housing age, type, tenure, and occupancy. This section also explores housing market conditions and discusses development trends, housing cost, and factors influencing affordability for households.

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 2020.⁴³ 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.⁴⁴ 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.⁴⁵ 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.⁴⁶

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



⁴³ US Census Bureau, Decennial Census, 1990 and 2020, Housing Units

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

⁴⁵ ACS 5-Year Estimates, 2018-2022, Table B25034

⁴⁶ 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

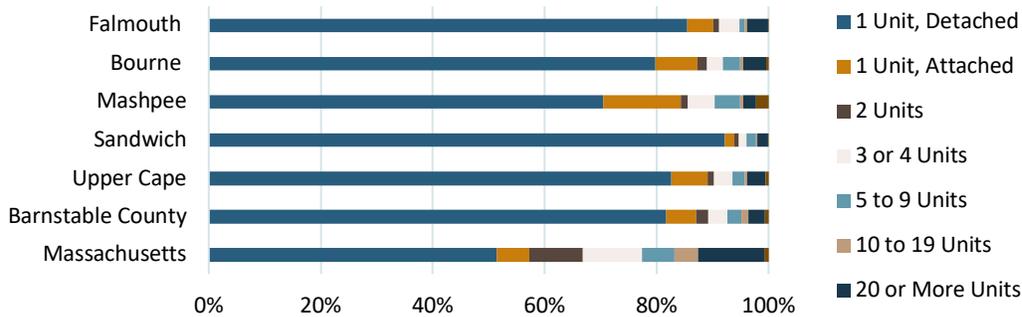
An estimated 86 percent of Falmouth’s housing units are detached single-family homes, a figure slightly higher than the Upper Cape and all of Barnstable County (both 81 percent) and significantly higher than the state (52 percent).⁴⁷ As shown in Figure 23, Cape Cod has a much higher estimated share of “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).⁴⁸ Assessor’s records reveal a similar picture breakdown, although there is some difference and overlap in

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

⁴⁸ ACS 5-Year Estimates, 2018-2022, Table B25024

definitions. To wit, what ACS refers to as “1, Attached” is typically thought of as a townhouse – that is, an 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.

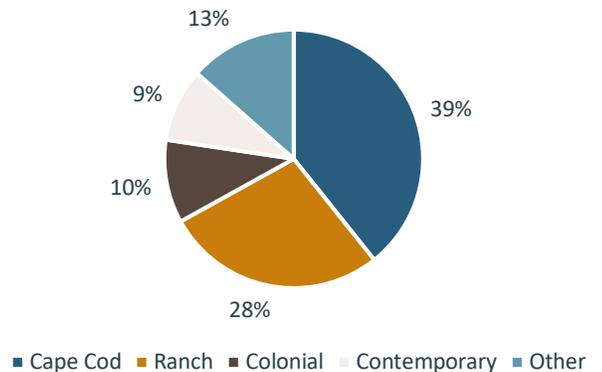
Figure 23. Units in Structure
Source: ACS 5-Year Estimates, 2017-2022, Table 25024



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%).⁴⁹ 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



⁴⁹ 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.

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.⁵⁰ 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 Tatakiet Apartments: 83 units built in 1984
 - Rose Morin Apartments: 59 units built in 1971⁵¹
- 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.⁵²

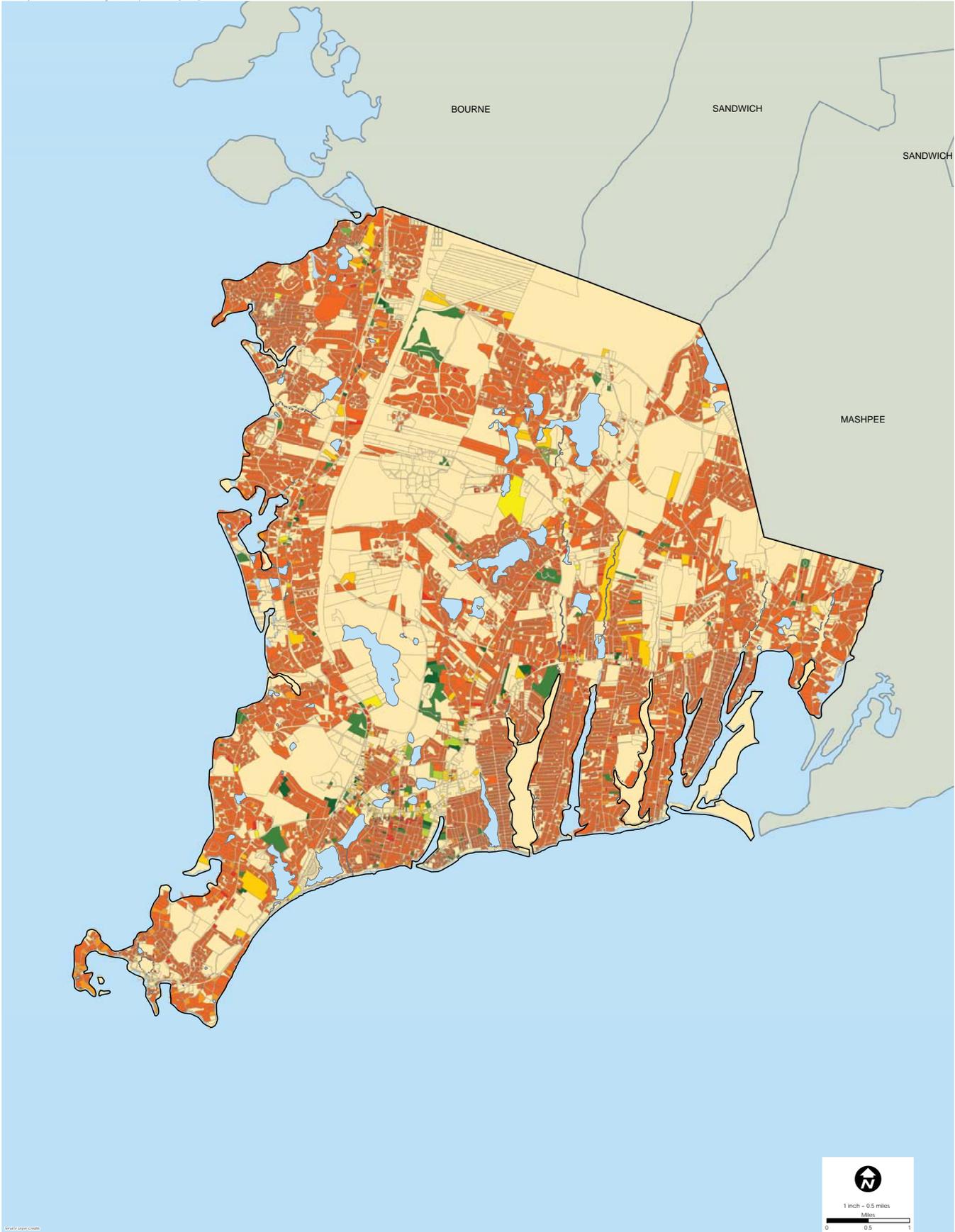
Congregate Care Settings

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.

⁵⁰ Executive Office of Housing and Livable Communities, Chapter 40B Subsidized Housing Inventory, Falmouth. Report from December 18, 2023.

⁵¹ Federal Public Housing <https://www.falmouthhousing.org/fedpubhousing>

⁵² "Massachusetts State Public Housing" <https://www.falmouthhousing.org/statepublichousing>



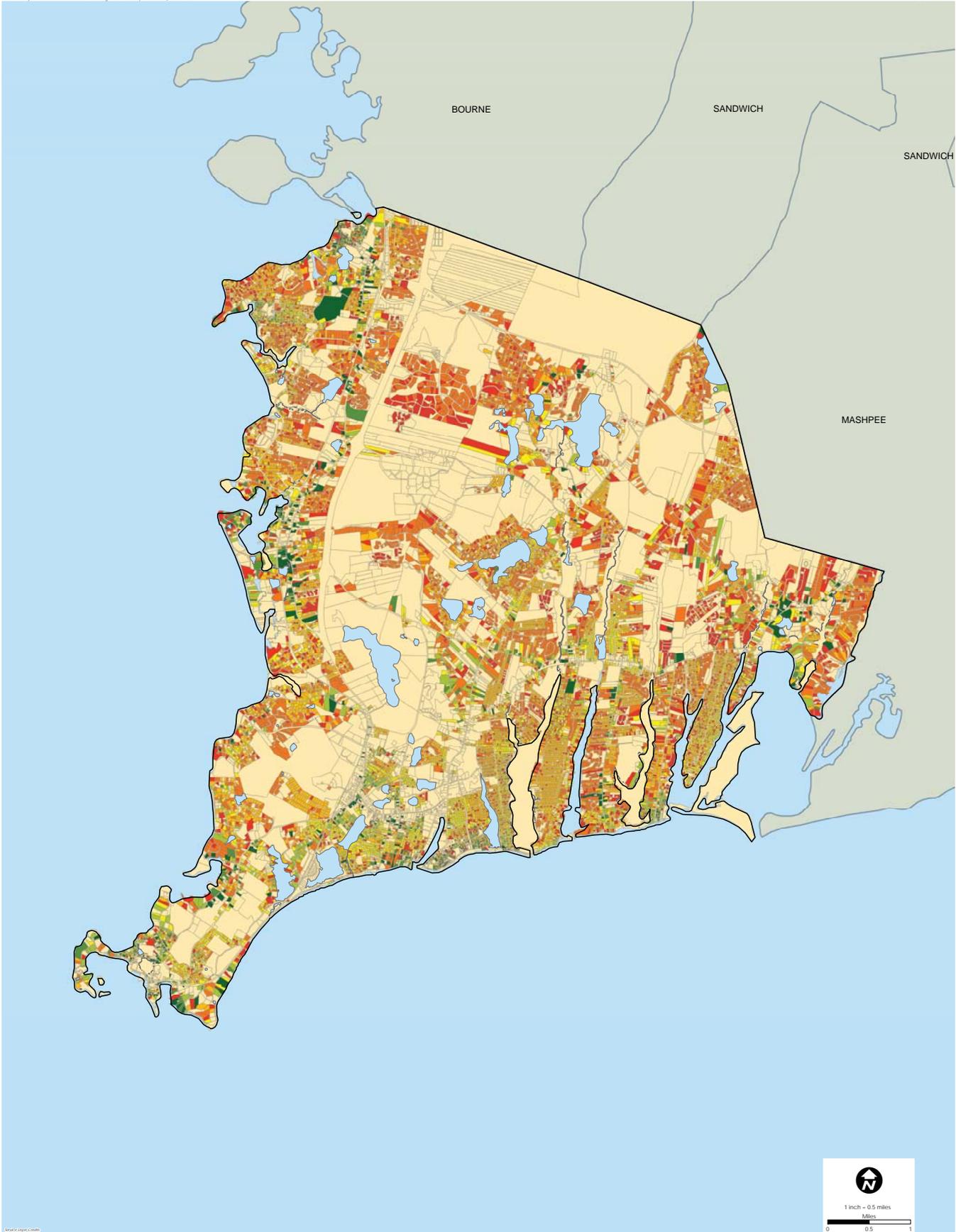
Date: 3/20/2024
 Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth
 This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

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



Residential Use by Type

Housing Production Plan
Falmouth, Massachusetts



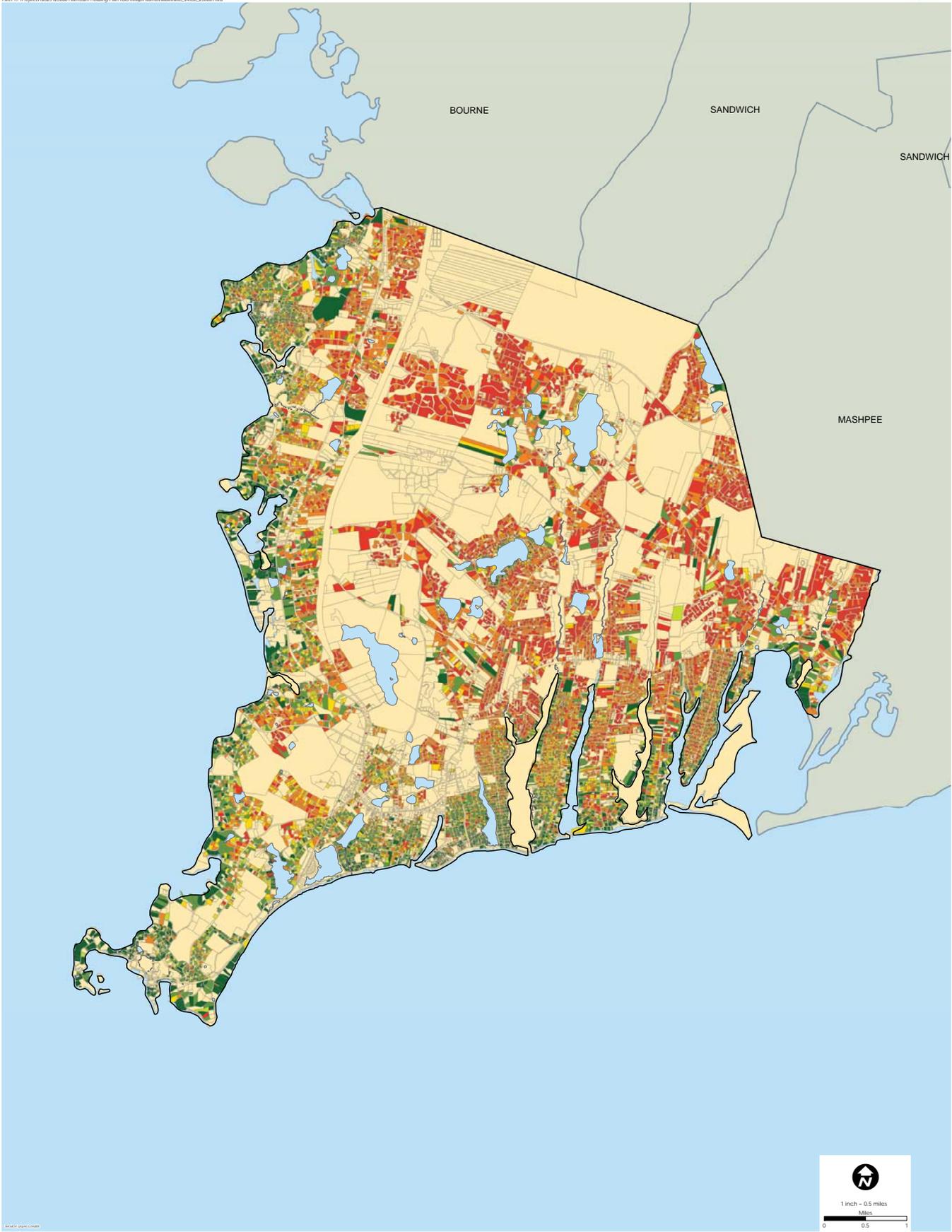
Date: 11/7/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI, Town of Falmouth
This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- 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



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

Improvement to Land Value Ratio for Single Family Homes

Housing Production Plan
 Falmouth, Massachusetts

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

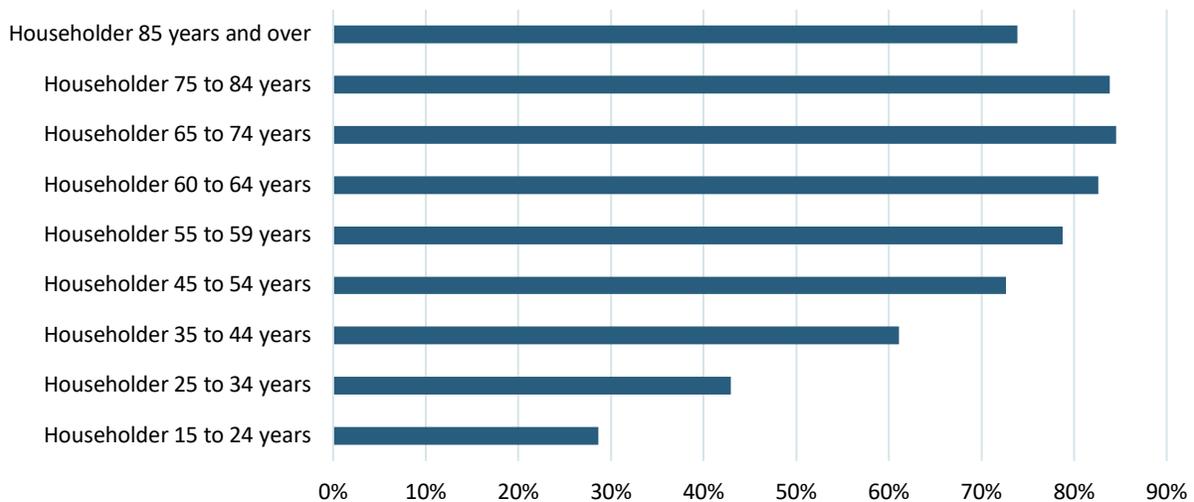


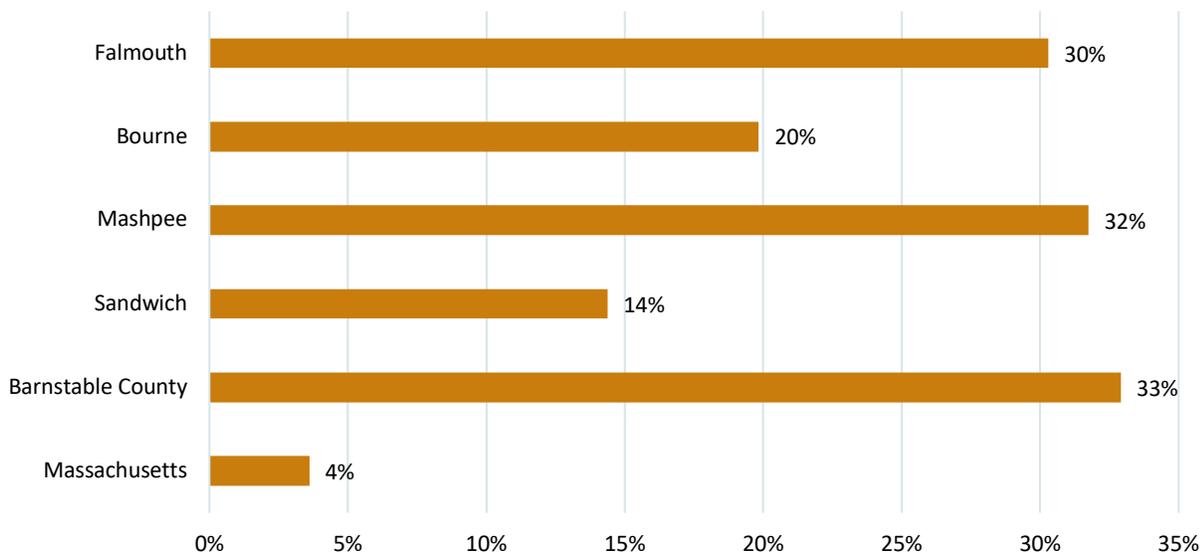
Table 23. Median Household Income by Tenure				
	All Households	Owner Households	Renter Households	Income Ratio: Owners to Renters
Falmouth	\$89,809	\$101,740	\$34,538	2.95
Bourne	\$90,640	\$105,354	\$44,884	2.35
Mashpee	\$90,465	\$96,968	\$50,465	1.92
Sandwich	\$121,038	\$130,161	\$51,250	2.54
Barnstable 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

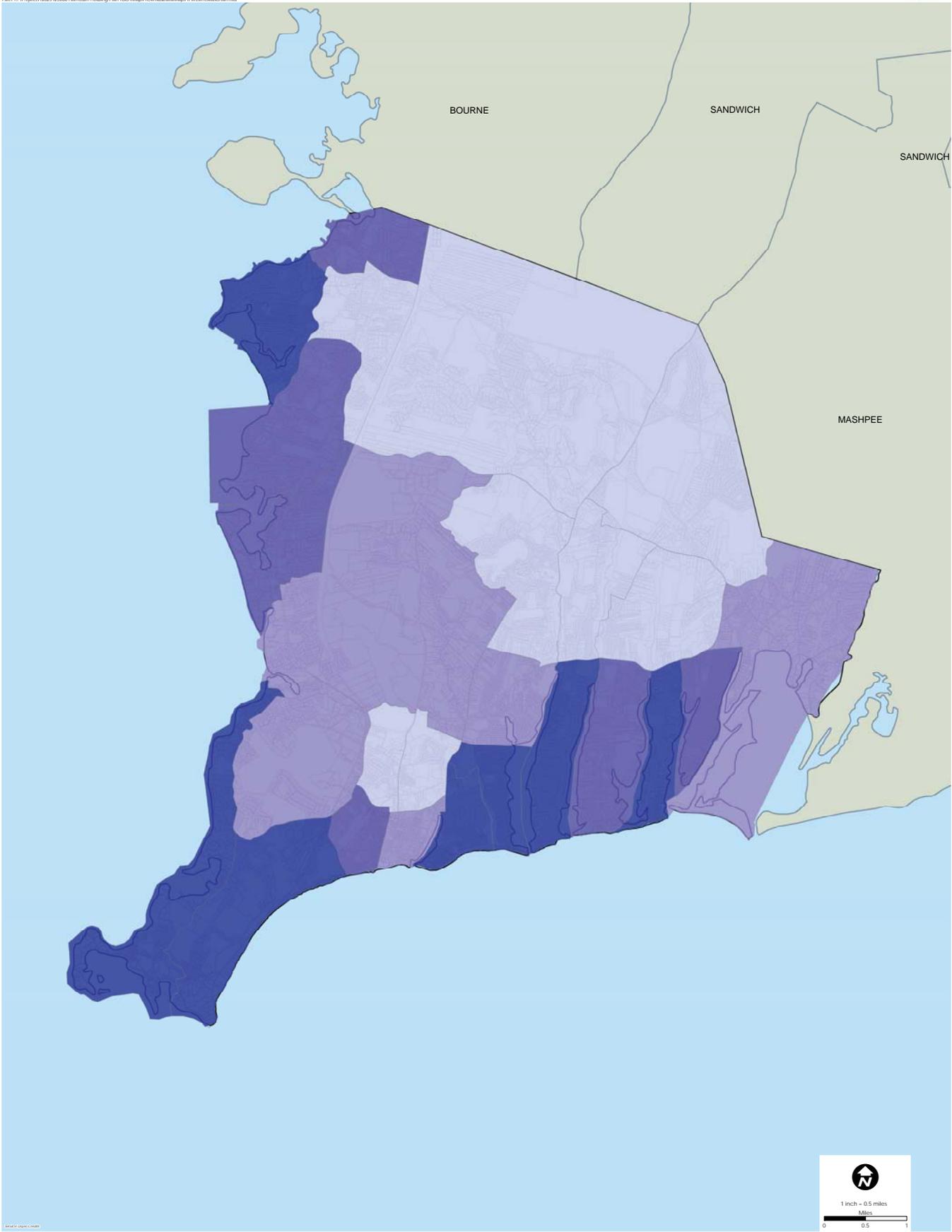
Vacancy

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 Housing Units for Seasonal, Recreational, or Occasional Use
Source: US Decennial Census 2020, Table H13



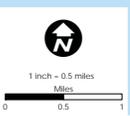
Path: H:\Projects\2021\21088 Falmouth Housing Plan\GIS\Map9\CensusData\Map9\PercentSeasonal.mxd



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



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.⁵³

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.

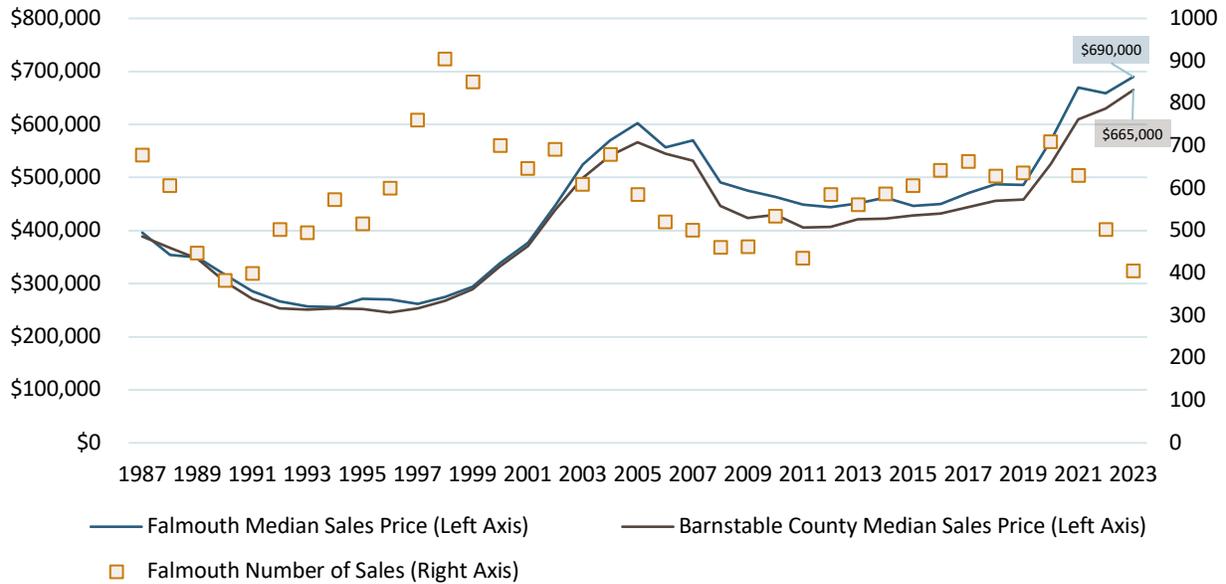
Housing Sales Prices

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.

⁵³ 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.

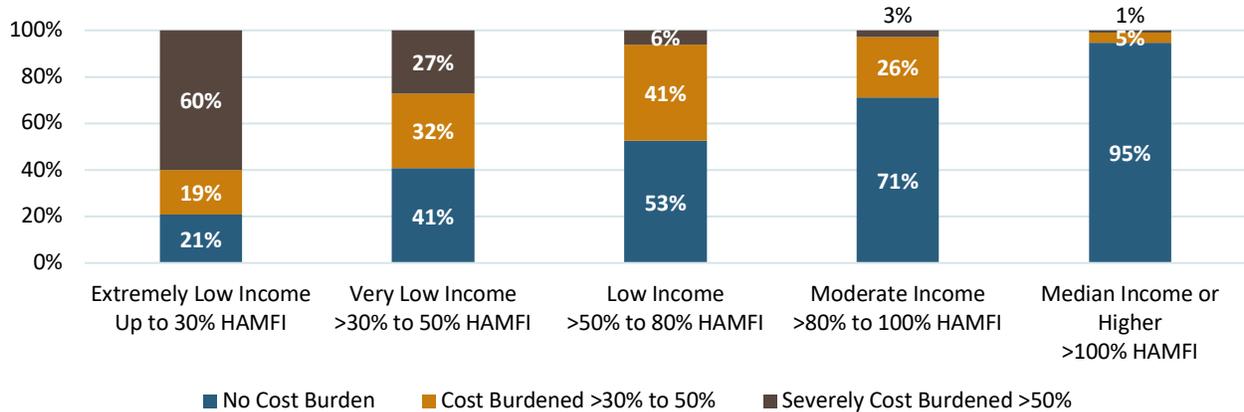
Table 25. Falmouth Rents by Bedroom					
Bedrooms	Barnstable County Fair Market Rent (2024) (Source: HUD)	Median Gross Rent (Source: ACS 2018-2022 5-Year Estimates, B25031)	Falmouth Rent Survey, Past 24 Months (Source: Rentometer)		
			Median Rent	Sample Size	
1-bedroom	\$1,585	\$864	\$1,575	8	
2-bedroom	\$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).⁵⁴ 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.

⁵⁴ 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.⁵⁵ 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.

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.⁵⁶

⁵⁵ Comprehensive Housing Affordability Strategy (CHAS) data, 2016-2020, Table 7

⁵⁶ Based upon CHAS 2006-2010, 2011-2015, 2016-2020.

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 28.⁵⁷ To afford a home at the median sales price for single family homes, a household would need an income of over \$200,000.

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.^{58,59} 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-

⁵⁷ 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).

⁵⁸ ACS 5-Year Estimates, 2017-2021, Table B25119.

⁵⁹ 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-\(hac\)](https://www.mass.gov/info-details/2023-regional-section-8-utility-allowances#housing-assistance-corporation-(hac))

bedroom unit.⁶⁰

- 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.

Median Household Income, Falmouth Renter Households	\$34,538
Maximum Affordable Housing Costs (Rent + Utilities)	\$863
Estimated Utility Allowance, 2-BR ⁶¹	\$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 2023.⁶² 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.

	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

⁶⁰ US Census Bureau, 2020 Decennial Census, Table H13

⁶¹ 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.

⁶² Massachusetts Housing Partnership, "Housing Instability Monitor: Massachusetts Evictions & Foreclosures." Accessed January 2024 at <https://www.mhp.net/news/2024/housing-stability-monitor>

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
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

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 2022.⁶³ 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.⁶⁴

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.⁶⁵

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

⁶³ PIT count data by community for 2022 and 2023 provided by Barnstable County HMIS Program Manager Martha Taylor.

⁶⁴ Barnstable County HOME Consortium, *HOME-ARP Allocation Plan*, March 2023, p.43. Prepared for Barnstable County by Barrett Planning Group

⁶⁵ Consultation interviews conducted by Barrett Planning Group and Horsley Witten Group with assistance from the Town of Falmouth, October 16 and 18, 2023.

from fifteen the previous year.⁶⁶ 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.⁶⁷

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.⁶⁸

Chapter 40B authorizes the Zoning Board of Appeals (ZBA) to grant a comprehensive permit to pre-qualified developers to build affordable housing.⁶⁹ 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).

⁶⁶ Massachusetts Department of Elementary and Secondary Education, McKinney Vento Data, 2020-2021 and 2021-2022. Data provided to Barrett Planning Group September 2022.

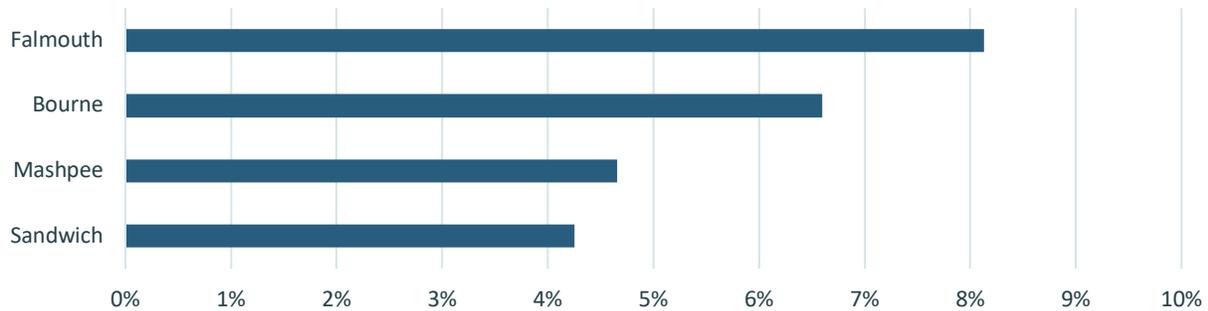
⁶⁷ Under McKinney-Vento, students who are doubling up with another family or staying in a hotel/motel without a voucher are considered homeless. This definition does not qualify them as homeless for purposes of the PIT count, which explains why the number of homeless youths reported by the school districts is higher than the PIT count. N=

⁶⁸ 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.

⁶⁹ A “pre-qualified developer” has obtained a “Project Eligibility” letter from a state housing agency.

Figure 30. Subsidized Housing Inventory in Upper Cape Communities

Source: Executive Office of Housing and Livable Communities



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, representing an increase of 361 units since the 2018 HPP. While many of these newer affordable units are from new projects, some represent additions to existing projects. For example, Longshank/Esker Place increased from eighteen to twenty-two ownership units due to investment by the Falmouth Housing Trust; Irene’s Meadow increased by six ownership units, and Forest Cove increased by eight ownership 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 some of Longshank’s twenty-two ownership units begin expiring in 2029.⁷⁰
- 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.

⁷⁰ Six of Longshank’s twenty-two units are deed restricted in perpetuity.

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.

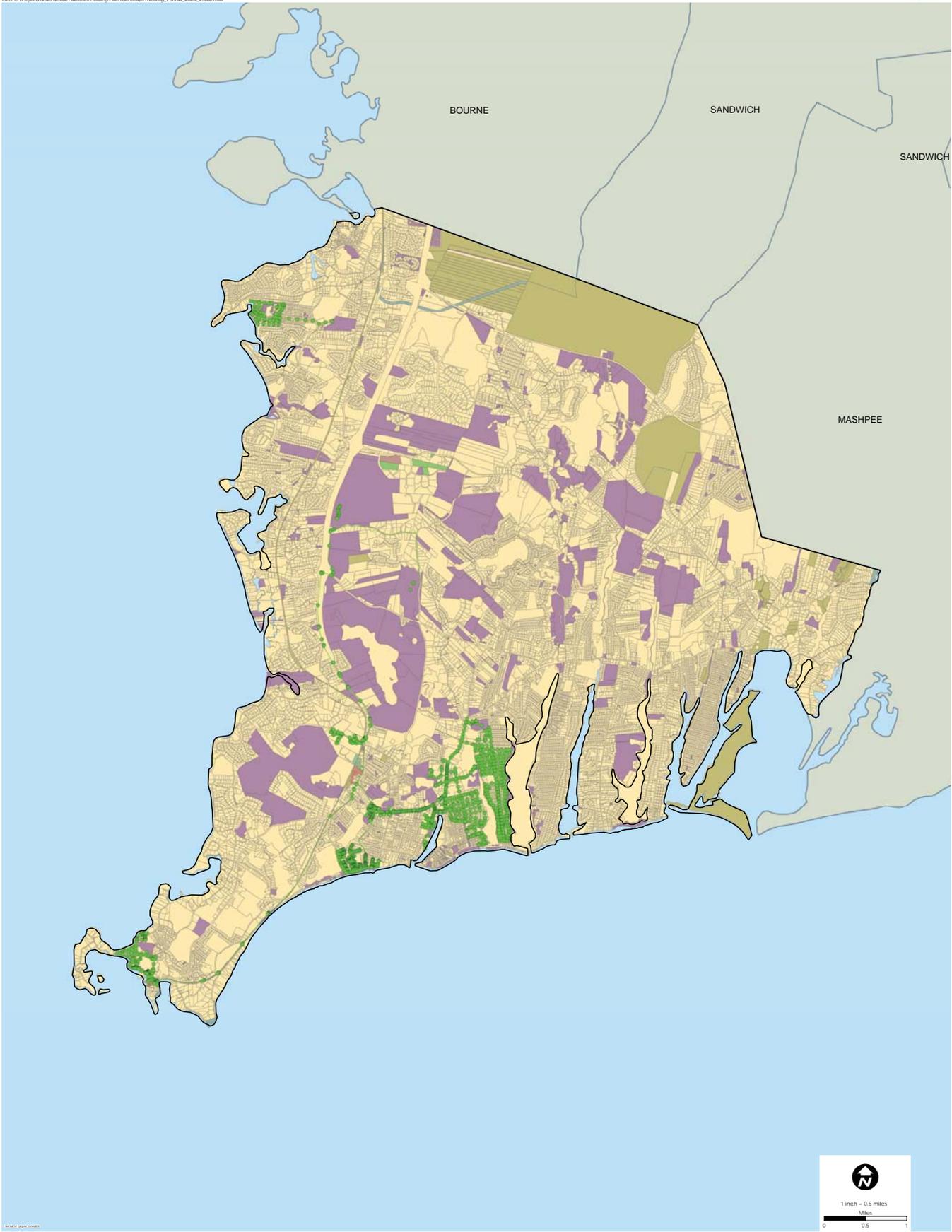
Various options have been under discussion to address future capacity needs, and the Town's Water Quality Management Committee has initiated testing on some innovative approaches that use alternative technology. Currently, the preferred approach of the Water Quality Management Committee is two phased. 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.



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
- Sewer Mains
- Sewer Mains
- 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

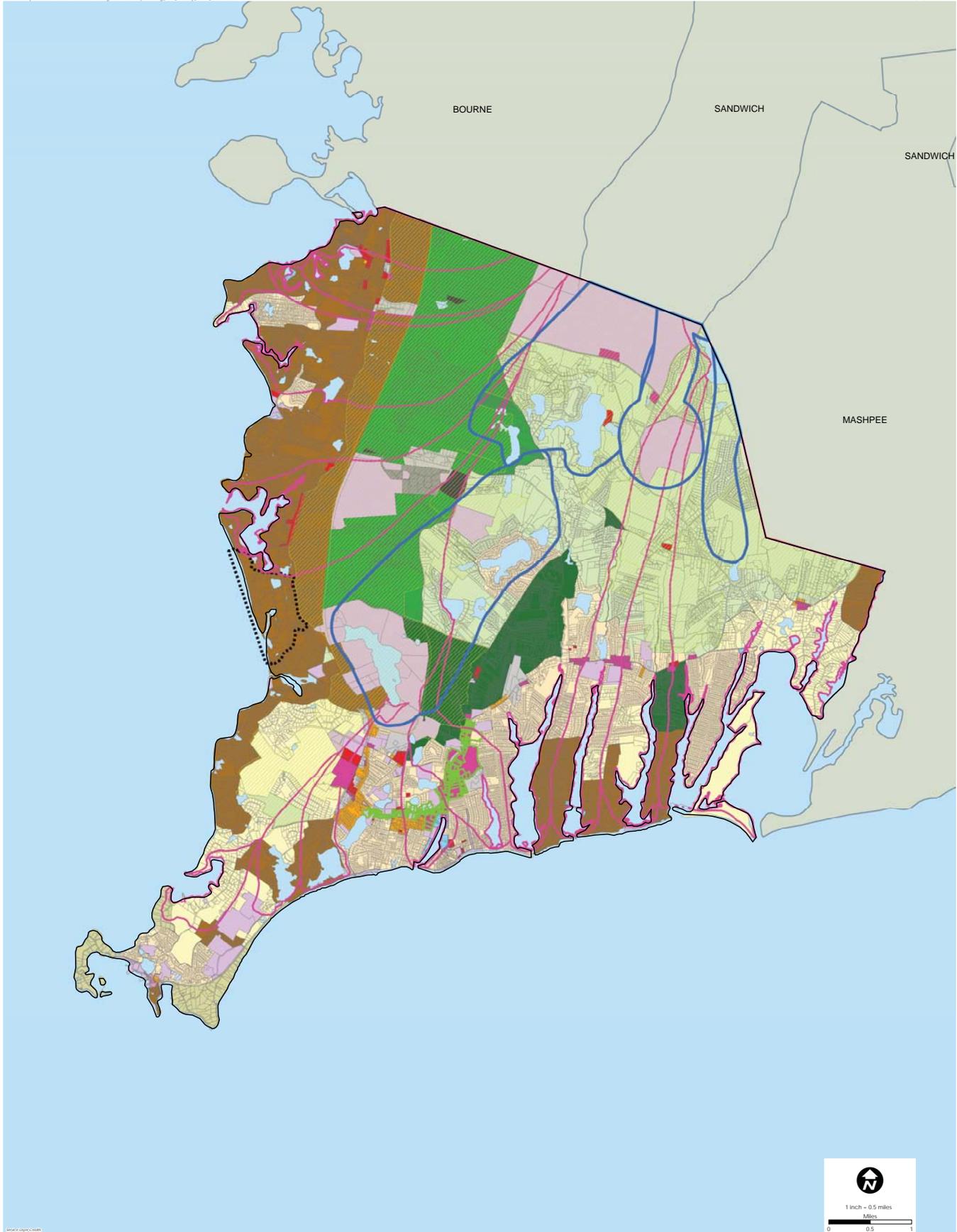
Sewer Mains and Publicly Owned Land

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.

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.



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 | Agricultural AA | Light Industrial C |
| Town Boundary | Agricultural B | Marine |
| Water Resource Protection District | Business 1 | Public Use |
| Wildlife Corridor Overlay | Business 2 | Single Residence A |
| Mixed Residential and Commercial Overlay | Business 3 | Single Residence AA |
| DCPC | Business Redevelopment | Single Residence B |
| Coastal Pond Overlay | General Residence | Single Residence C |
| Zoning | Light Industrial A | Senior Care Retirement |
| Agricultural A | Light Industrial B | |



Existing Zoning Districts

Housing Production Plan
Falmouth, Massachusetts

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. These inclusionary zoning options, however, have historically been underutilized.

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."⁷¹ 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.

⁷¹ Falmouth Open Space and Recreation Plan, June 2014, page 12.

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 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.⁷² 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.

⁷² 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.

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 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 EOHLIC 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.⁷³ 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 EOHLIC, 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.⁷⁴ 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

⁷³ 760 CMR 56.03(4)(c) and corresponding EOHLIC Housing Production Plan Guidelines, October 2020.

⁷⁴ 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 and for senior citizens to continue to stay in their homes or downsize to a smaller home within Falmouth. 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 local workforce associated with both year-round and seasonal employment needs 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

Collaborate both within Falmouth and with neighboring communities and other regional partners to address housing needs and implement related planning processes.

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.

Explore zoning options for allowing clusters of small-scale cottages or “tiny homes” on single parcels. This could be particularly beneficial in two contexts. First, cottage clusters could be an alternative to multi-family development in that same ½ mile radius (and could blend with Strategy #3 below, though perhaps of an even smaller size – e.g. 1,200 square feet or less). Second, a single cottage or small cluster of cottages at an even smaller scale (e.g. 600 square feet or less) could be appropriate within the agricultural districts in an effort to provide homes for agricultural workers.

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. 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 sewerage 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 percent. 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. In sewerage areas, the Town may consider applying the existing density bonus standards in Sec. 240-9.2 Affordable Housing Development of the zoning bylaws, which allows up to a 25 percent increase over a standard subdivision. The Town may also consider applying different density formulas based upon income levels served.

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.

6. Explore joint initiatives to support the town's seasonal workforce while respecting the need for year-round rental housing. (Priority: Year 5)

The Town could consider innovative solutions to create seasonal workforce housing that could serve

alternative purposes in the winter months. For example, the Town could partner with a private developer and service providers to develop a dormitory with common spaces, a cafeteria, and laundry facilities that can be occupied by seasonal employees over the summer, and then used as a winter emergency shelter for those experiencing homelessness. Such a space could also be used 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.

The Town might also partner with local churches to provide dormitory style summer accommodations in basements, gathering halls, etc.

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/conservate (“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 fair housing and 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.

The Affordable Housing Committee and Town staff can 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. If possible, the Affordable Housing Committee, Select Board, Planning Board, Zoning Board of Appeals, and any other interested boards, committees, and commissions can promote and attend these events to ensure newer voices are brought into local conversations around housing.

9. Formalize a program to monitor existing deed-restricted housing units and enforce current conditions. (Priority: Year 1)

Before being able to monitor existing deed restrictions, the Town should develop a more robust local record of deed restricted affordable housing. This could include information about how many units within a rental project on the SHI are actually deed restricted as affordable, what income levels are served, information about age restrictions and bedrooms, and so on. Monitoring will be more efficient once the Town has a handle on its current SHI, as well as any units that are not on the SHI but are nonetheless deed-restricted to certain income levels.

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. Explore options for increasing staff to support housing initiatives. (Priority: Year 2)

While the Planning Department has a full-time Housing Coordinator, making significant strides to address the Town’s affordable housing needs requires *substantial* communication across departments, boards, committees, and commissions because housing is a topic that touches many other Town issues. Planning for housing means planning for water quality, protection of Town’s built and natural environments, land use, economic development, social equity, traffic and transportation, provision of resident services, and so much more. To ensure the open, consistent communication and collaboration necessary to implement this plan, the Planning Department would benefit from having additional housing support. Depending on the nature of this position, Community Preservation Act funds could likely be used to support the cost of adding housing staff.

12. 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, the Falmouth Housing Authority, 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.

Remain up to date on regional opportunities to encourage and create affordable housing, such as the possibilities offered by disposition of land on Joint Base Cape Cod, as recommended in the Cape Cod Commission’s draft Regional Housing Strategy.⁷⁵

AFFORDABLE HOUSING STRATEGIES

13. 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.⁷⁶ The Town may wish to build upon these resources or create its own unique criteria.

Given Cape Cod’s unique environmental and water quality challenges, such criteria should include a focus on environmental suitability for development or redevelopment, wastewater considerations,

⁷⁵ Cape Cod Commission, Housing Cape Cod: The Regional Housing Strategy [DRAFT], 2023, p.68.

⁷⁶ Cape Cod Commission, Housing Cape Cod: The Regional Housing Strategy [DRAFT], 2023, p.17-18.

and other important factors. This is the advantage to an interdepartmental approach so that the Town's Conservation, Marine & Environmental Services, Wastewater, and other appropriate departments are included in the conversation about the best, most responsible uses of land going forward.

14. Make suitable public property available for affordable housing. (Priority: Year 1)

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.

15. Encourage development that includes a number of units for populations with unique needs such as formerly homeless households or persons with disabilities. (Priority: Year 2)

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 EOHLIC) assists the production or preservation of service-enriched affordable housing. EOHLIC gives preference to HTF projects that provide housing for homeless families and individuals.

Developers apply to EOHLIC 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.

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.

16. Develop informational materials for developers and property owners on a series of topics, with an emphasis on local comprehensive permits. (Priority: Year 3)

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, 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).^{78,79} The Town of Yarmouth created such guidelines in 2010 and revised them most recently in 2014.⁸⁰ 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.

17. 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.⁸¹ The remaining lower-ranked categories include other residential and non-residential uses.⁸² Falmouth could similarly adopt more specific guidelines or regulations that would prioritize affordable and attainable housing and ensure

⁷⁸ 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.

⁷⁹ 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>

⁸⁰ 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

⁸¹ 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.)

⁸² Town of Provincetown, *Zoning By-Laws*, Article 6 – Growth Management By-Law, p.60-64.

wastewater capacity as the Town continues its sewer planning.

18. 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

19. Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund. (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. Among other policies, the Affordable Homes Act 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. If the Town chooses to explore expanded Inclusionary Zoning (IZ), it could consider including an option for developers to pay fee in lieu of providing units, with any revenue from this could support the Falmouth Affordable Housing Fund (FAHF). 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...”⁸³ ⁸⁴ Strategy 8 discusses developing a collaborative housing education plan, which could 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. Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth. (Priority: Year 1)

The Affordable Homes Act described above 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

⁸³ An Act Relative to the Falmouth Affordable Housing Fund

⁸⁴ In this context, “devise” is a legal term that refers to a gift of real estate made by a will.

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. Also described above, the bill seeks to establish a real estate transfer fee as a local option for communities to raise funds for affordable housing.

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.⁸⁵ 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.⁸⁶ 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.

21. Encourage unique development approaches that utilize existing resources including the Falmouth Affordable Housing Fund and Falmouth Housing Authority to meet a broader range of income levels. (Priority: Year 2)

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.⁸⁷ 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.

⁸⁵ 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.

⁸⁶ 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.

⁸⁷ 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

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. Because the Falmouth Affordable Housing Fund was established by a special act of the legislature, it has more flexibility in the income levels it can serve than a traditional Affordable Housing Trust established under MGL c.44 Section 55C.

The Falmouth Housing Authority (FHA) can also help provide deeper subsidy to affordable rental projects by converting a number of its Housing Choice Vouchers to project-based vouchers (PBVs). A Public Housing Agency (PHA) can use up to 20 percent of its authorized tenant-based housing choice vouchers (HCVs, commonly known as Section 8 vouchers) by converting to PBVs.⁸⁸ The Falmouth Housing Authority has supported multiple affordable projects with PBVs, including several Falmouth Housing Corporation projects. This additional subsidy allows affordable housing developments to include units affordable to extremely low income households.

22. Explore tax relief for property owners who offer year-round affordable rentals.⁸⁹ (Priority: Year 4)

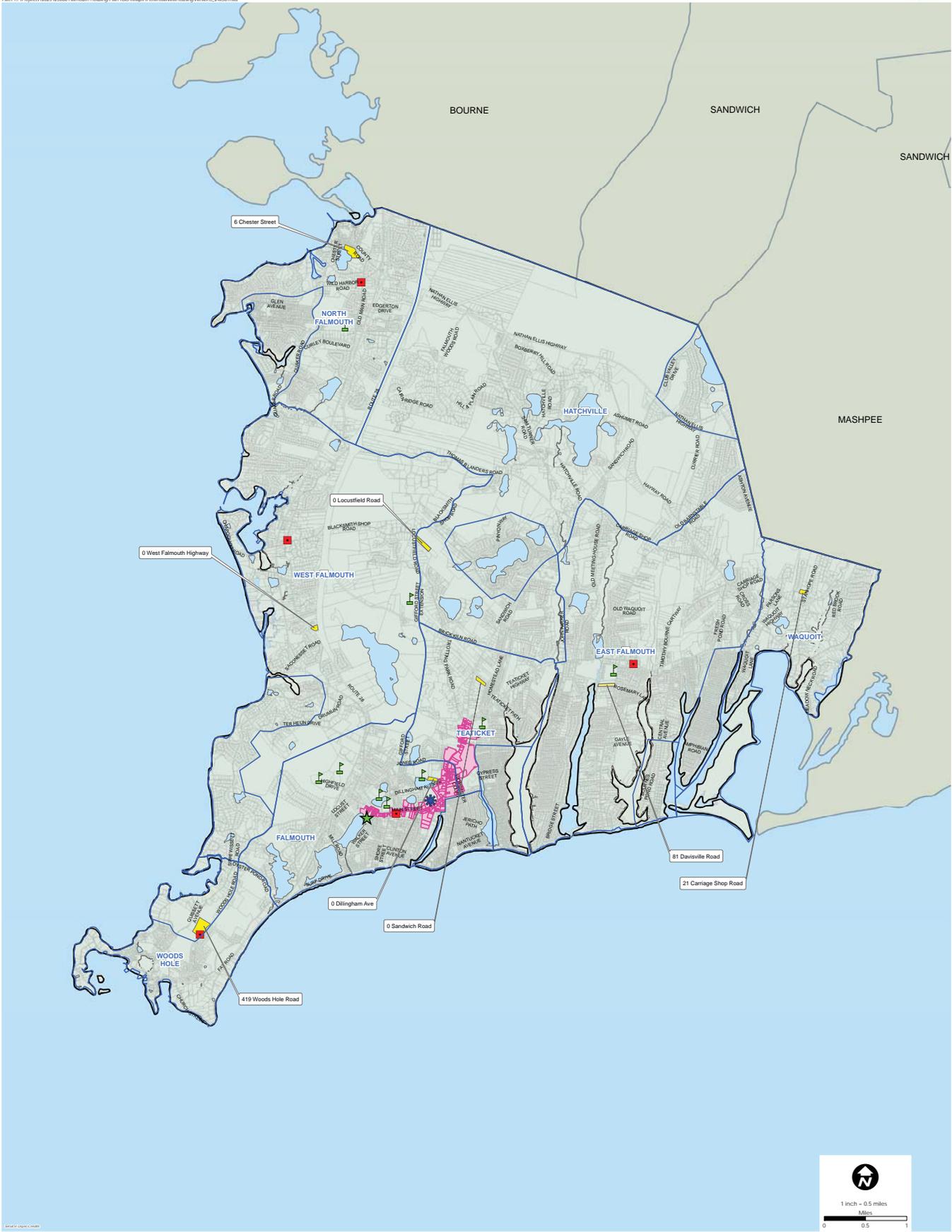
The state’s SHI eligibility requirements can be overly burdensome for homeowners who simply wish to rent a reasonably affordable accessory apartment or other unit, which may discourage them from doing so. Instead, communities can offer tax relief for providing affordability through a relatively simple 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.

23. Consider utilizing the state’s Tax Increment Financing (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas. (Priority: Year 5)

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. An approved TIF allows the community to provide real estate exemptions on all or part of the increased value of improved real estate for 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, the 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 developing under the TIF. Following a public hearing, Town Meeting would need to adopt the UCH-TIF Plan, which would then be submitted to the state for approval.

⁸⁸ In certain cases, the PHA may use an additional 10 percent of its authorized voucher units for project-based voucher (PBV) assistance.

⁸⁹ Such a measure would require Town Meeting approval to submit a home rule petition to the Legislature.



Date: 3/8/2024
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
- Villages
- Parcels
- Mixed Residential and Commercial Overlay
- Town-owned property appropriate for development*
- Fire Station
- ★ Police Station
- ✎ School
- ★ Town Hall

*The town owned properties shown on the map are suggestions which may require additional research, legal agreements, or infrastructure improvements in order to create affordable housing.

Potential Locations for New Housing Development



Approach to Implementation

The action plan below brings the recommendations into focus and organizes them by year to create a clear anticipated timeline for implementation. ***The plan years below are suggestions and can be adjusted if the Town wishes to respond to new opportunities, unforeseen challenges, or shifting local priorities.*** Generally, nearer-term actions indicate either higher priority, a logical order for the action to occur in relation to current initiatives, or simply that the recommendation can be addressed faster than most.

The success of any local plan depends on the Town’s commitment to monitoring its implementation, providing status updates to the community, and adjusting or amending the plan as needed. The Town’s Housing Coordinator (HC) should monitor, track, and coordinate the implementation of these strategies with appropriate parties, including other departments; boards, committees, and commissions; and other partners working on housing-related issues. In addition, the HC should provide an annual status update of this plan’s implementation through the Annual Town Report, semiannual or annual presentations or memos to the Select Board, at Town Meeting, or other avenues as appropriate.

YEAR ONE: SUGGESTED ACTIONS

Category	Strategy
Regulatory	1. Establish mechanisms to monitor or regulate Short Term Rentals.
Capacity Building	8. Conduct ongoing community outreach and education regarding fair housing and affordable housing needs locally and regionally. 9. Formalize a program to monitor existing deed-restricted housing units and enforce current conditions.
Affordable Housing	13. Develop criteria with other departments for assessing the best use of current and future Town owned properties. 14. Make suitable public property available for affordable housing.
Finance & Subsidy	19. Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund. 20. Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth.
SHI UNITS PRODUCED	80

YEAR TWO: SUGGESTED ACTIONS

Category	Strategy
Regulatory	2. Allow more diverse housing types in more areas.
Capacity Building	10. Market the accomplishments of the Falmouth Affordable Housing Fund. 11. Explore options for increasing staff to support housing initiatives.
Affordable Housing	15. Encourage development that includes a number of units for populations with unique needs such as formerly homeless households or persons with disabilities.

YEAR TWO: SUGGESTED ACTIONS

Category	Strategy
Finance & Subsidy	21. Encourage unique development approaches that utilize existing resources including the Falmouth Affordable Housing Fund and Falmouth Housing Authority to meet a broader range of income levels.
SHI UNITS PRODUCED	80

YEAR THREE: SUGGESTED ACTIONS

Category	Strategy
Regulatory	3. Explore regulatory options to encourage the development of smaller “starter homes” 4. Consider adopting pre-reviewed detached Accessory Dwelling Unit (ADU) plans to eliminate regulatory Board review and incentivize more property owners to participate.
Capacity Building	12. Strengthen local and regional partnerships to share ideas and resources, learn from others, and explore new ways of creating affordable housing.
Affordable Housing	16. Develop informational materials for developers and property owners on a series of topics, with an emphasis on local comprehensive permits. 17. Consider allocating a percentage of sewer capacity for affordable/community housing projects.
SHI UNITS PRODUCED	80

YEAR FOUR: SUGGESTED ACTIONS

Category	Strategy
Regulatory	5. Expand inclusionary zoning (IZ) provisions
Affordable Housing	18. Issue a standing Request for Proposals (RFP) to acquire property for the development of affordable housing.
Finance & Subsidy	22. Explore tax relief for property owners who offer year-round affordable rentals.
SHI UNITS PRODUCED	80

YEAR FIVE: SUGGESTED ACTIONS

Category	Strategy
Regulatory	6. Explore joint initiatives to support the town’s seasonal workforce while respecting the need for year-round rental housing. 7. Modify the Transfer of Development Rights (TDR) bylaw by adding additional density bonuses for affordable dwellings.
Finance & Subsidy	23. Consider utilizing the state’s Tax Increment Financing (TIF) program as an opportunity to encourage affordable housing development in designated commercial areas.
SHI UNITS PRODUCED	80



Town of Falmouth
Housing Production Plan
March 2024

Appendices

Appendix A. Subsidized Housing Inventory

Appendix B. Community Engagement Summary

Appendix C. Comments Received & Staff Responses

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
Tatakot 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 ⁹⁰	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 ⁹¹	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 ⁹²	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	4 ⁹³	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 Highway	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

⁹⁰ Age restricted

⁹¹ Age restricted

⁹² Some units drop off in 2029, per 03/06/2024 email from Karen Bissonnette, Chief Development Officer, Falmouth Housing Trust. Six of the twenty-two units are deed restricted in perpetuity, per 02/26/2024 email from Laura Moynihan, Executive Director, Falmouth Housing Trust

⁹³ Reduced from five, per 03/06/2024 email from Karen Bissonnette, Chief Development Officer, Falmouth Housing Trust

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?
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
Veteran's Park ⁹⁴	90 & 138 Teaticket Highway	Rental	39	In Perpetuity	Yes
Megansett Crossing	North Falmouth Highway	Rental	10	In Perpetuity	Yes
Woodbriar Senior Living ⁹⁵	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
Willett Way Housing	0 Barrows Road	Ownership	10	In Perpetuity	Yes
Scranton and Main ⁹⁶	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

⁹⁴ Age restricted

⁹⁵ Age restricted

⁹⁶ Age restricted

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?
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		
<i>Anticipated Total</i>			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.
- **Presentation to Planning Board.** On February 20 2024, Horsley Witten Group and Barrett Planning Group provided a presentation of the draft Housing Production Plan to the Planning Board.
- **Presentation to Select Board.** On February 26 2024, Horsley Witten Group and Barrett Planning Group provided a presentation of the draft Housing Production Plan to the Select Board.
- **Comment Period.** The draft Housing Production Plan was posted online for public comment from Friday, February 15 to Friday, March 1, 2024. Ten comments were received.
- **Planning Board Adoption of Plan.** [To be updated]
- **Select Board Adoption of Plan.** [To be updated]

Summary of Housing Needs 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.

Reminder: The notes from this meeting only reflect the opinions of those who attended and participated (approximately fifty members of the community).

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.

Reminder: The notes from this meeting only reflect the opinions of those who attended and participated (approximately fifty members of the community).

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 septic
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.

<p>Establish a dedicated program to facilitate ADU conversions</p> <ul style="list-style-type: none"> • Consumer assistance and guidance • Walk w/ owner to go thru process, to speed it up • Lease training • Help w/ financing
<p>→Have more regulations (evaluations?) for landlords to make sure they are renting a property that meets basic habitability needs</p> <p>→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.</p>
<p>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.</p>
<ul style="list-style-type: none"> • 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
<p>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.</p> <p>I agree that Falmouth’s current housing stock should be evaluated for conversion into affordable, year-round units through tax incentives.</p> <p>Would it be possible to have a minimum requirement/goal of affordable housing units in each of the villages?</p> <p>Evaluate wastewater impact (assessment) before asking for public feedback</p>

<p>We need to include tiny houses, thinking about the areas where they make most sense- dependent on who needs them/would use them.</p>
<p>(1) Expand 20 units/acre zoning to all B-2/B-3 zoned land (2) Teaticket School Conversion→ redistrict the schools</p>
<p>Housing Needs- starter</p>
<p>Falmouth currently 8.11% of 10% goal</p> <p>What about infrastructure needs- roads, schools, first responders</p> <p>Why would people travel across bridge</p>
<p>I believe instead of more building which is destroying the culture of the cape, wildlife, etc.</p> <p>Not to mention a strain on sewer and other resources...</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>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.</p>
<p>Town built 100% affordable housing. Bond to raise funds!</p>
<ul style="list-style-type: none"> ● Limit number of short-term rentals allowed in town. ● Incentivize ADUs
<ul style="list-style-type: none"> ● 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.

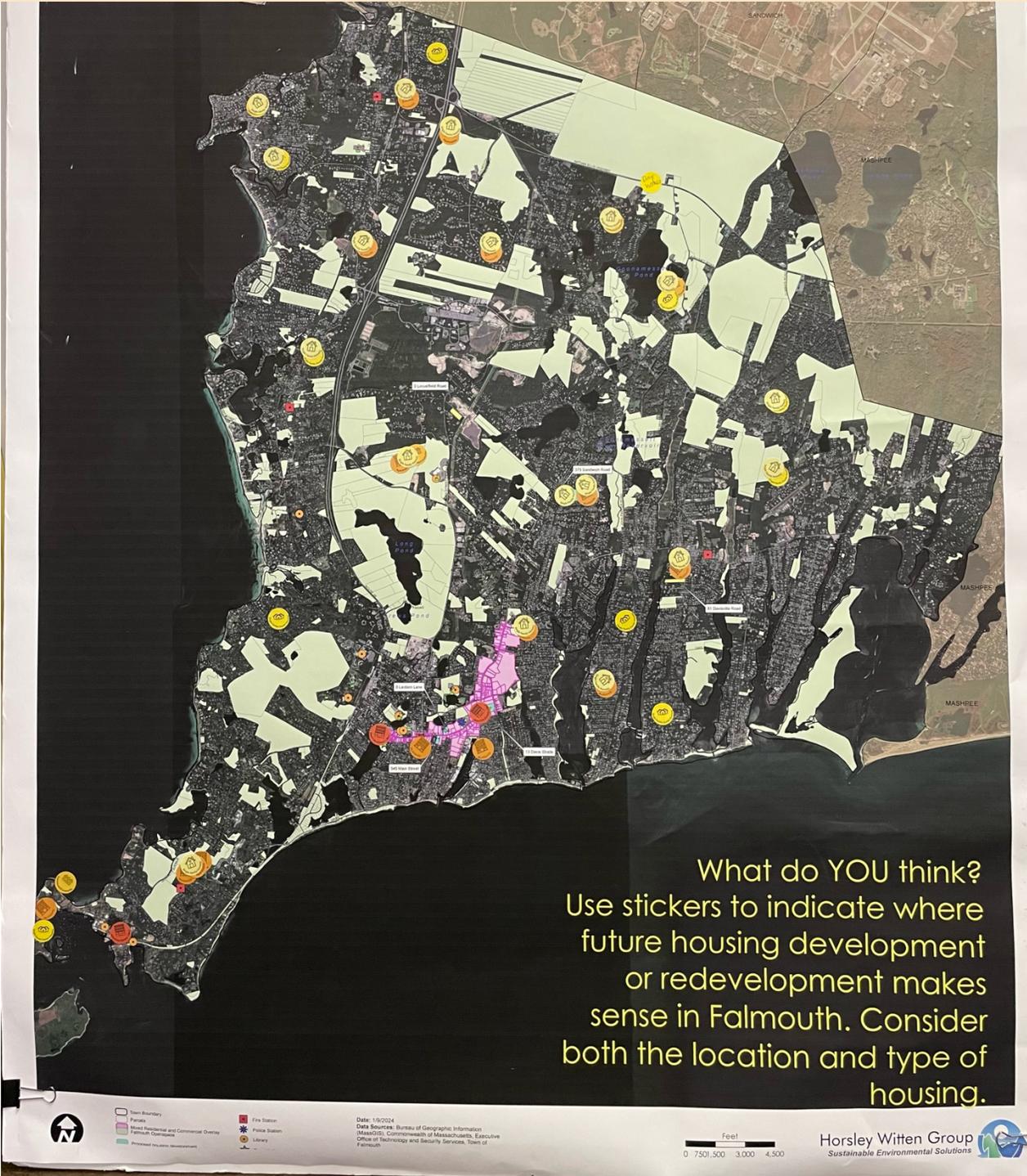
The meeting began with the consultant team's presentation, which provided highlights from the Needs Assessment as well as a summary of findings from the first community meeting. Attendees then were invited to visit stations to provide input on potential strategies for the Housing Production Plan. The following pages include the raw notes from these stations.

Reminder: The notes from this meeting only reflect the opinions of those who attended and participated (approximately fifty members of the community).

STATION NOTES

Where should new housing development be encouraged in the Housing Production Plan?

Reminder: The notes from this meeting only reflect the opinions of those who attended and participated (approximately fifty members of the community).



What do YOU think?
Use stickers to indicate where
future housing development
or redevelopment makes
sense in Falmouth. Consider
both the location and type of
housing.



- Town Boundary
- Fire Station
- Police Station
- Library
- Mass Regional and Commercial Overlay
- Farmstead Domains
- Proposed Village Development

Date: 1/6/2024
Data Sources: Bureau of Geographic Information
MassGIS, Commonwealth of Massachusetts, Executive
Office of Technology and Security Services, Town of
Falmouth

Feet
0 750 1,500 3,000 4,500





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
<p>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.</p> <p><i>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.</i></p>	16	7	1	7	<p>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.</p> <p>Reduce parking req</p>
<p>Modify the Transfer of Development Rights (TDR) bylaw by adding additional density bonuses for affordable dwellings.</p> <p><i>Note: Under the TDR bylaw, density can be "transferred" from areas the Town wants to protect/conservate to areas where denser development is more appropriate.</i></p>	14	2	4	1	
<p>Expand inclusionary zoning (IZ) provisions.</p> <p><i>Note: Typically IZ involves requiring a share of affordable units in residential development projects of a certain scale.</i></p>	10	2	1	4	
<p>Establish mechanisms to monitor or regulate Short Term Rentals.</p>	11	2	2	7	<p>Put short term rental registration fees towards affordable housing fund</p>
<p>Explore regulatory options to encourage the development of smaller "starter homes."</p>	8	2	3	3	
<p>Consider adopting pre-approved detached ADU plans to eliminate regulatory Board review and incentivize more property owners to participate.</p>	13	2	3	4	<p>I think eliminating the six-month residency requirement would be more effective.</p>
<p>Explore a joint initiative to draft zoning language to support the town's seasonal workforce while respecting the need for year-round rental housing.</p>	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	Select board needs to be more supportive of housing initiatives Use existing properties to build apartments/housing units Town, school, hospital scientific institutions to provide employee housing
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.

<p>In order for affordable housing to really be affordable in the systematic sense, transportation infrastructure <u>innovation</u> 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.</p>
<p>Revise zoning to allow smaller larger density buildings. Very unpopular.</p>
<p>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.</p>
<ol style="list-style-type: none"> 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 “<u>Rights of Nature</u>” 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.
<p>Change how area median income is determined in Falmouth → many wealthy members who own a second home in Falmouth.</p>

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.

Appendix C. Comments Received & Staff Responses

During the two-week public comment period, the Planning Department received ten written comments. Contact information has been redacted. This section includes these comments, as well as **responses from the Planning Department**.

Kerry Walton

FEBRUARY 17, 2024

VIA EMAIL

Hi Kim,

Hope you are well, Just sent the following to Dave.

Kerry

----- Forwarded message -----

Hi Dave,

I think that they did a good job overall. At first I thought it was too long, but most of it is data, which is helpful.

The most helpful part (pgs 73-83), of course, is the Goals & Strategy section. Some of these we've discussed, but some are new.

It would be helpful to me to organize the Strategies by year, maybe in a Table.

On the first page, I think it's not clear that in the summer we need more "seasonal or occasional housing units." It sounds like we have more.

More comments on draft: <https://acrobat.adobe.com/id/urn:aaid:sc:US:fc77b179-d0e4-49da-a4da-f92f6bd68fce>

[TABLE BELOW IN SEPARATE ATTACHMENT]

Working Table to Achieve Goals of 2024 HPP

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

Year One Action Plan

Type	Strategy	Who would lead this effort?
Regulatory	Establish mechanisms to monitor or regulate Short Term Rentals.	
Capacity Building	Conduct ongoing community outreach and education regarding affordable housing needs locally and regionally.	AHC working with other towns & organizations
	Formalize a program to monitor existing deed-restricted housing units and enforce current conditions.	With County Dept of Human Services
Affordable Housing	Develop criteria with other departments for assessing the best use of current and future Town owned properties.	Planning Dept, Housing Coordinator's Office
	Encourage development that includes a number of units for special needs populations such as formerly homeless households or persons with disabilities.	Planning, zoning
Finance & Subsidy	Encourage unique development approaches that utilize the Falmouth Affordable Housing Fund.	
	Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund.	AHC
	Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects	

Planning Department Response

Thank you for your suggestions.

Regarding the comment about the language on p.1 discussing "seasonal or occasional housing units," this language is not referring to housing for the seasonal workforce, but rather second homes and investment properties used for seasonal rentals.

Regarding the table organizing recommendations by year, we have added this to the plan but did not include the "Who would lead this effort?" column. Instead we have added introductory text that explains Kim Fish's role in providing general oversight of the plan's implementation and working with appropriate departments; and boards, committees, or commissions; and other groups as needed.

Laura M. Moynihan

FEBRUARY 26, 2024

VIA EMAIL

Good morning - attached are comments on the Draft Housing Production Plan.

Thank you,

Laura

[ATTACHMENT TEXT BELOW]

Laura M. Moynihan,
Executive Director
Falmouth Housing Trust, Inc.

February 26, 2024

Via Email

Select Board and Planning Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Dear Board Members:

The following are comments on the Draft Housing Production Plan (“HPP”):

The Draft HPP contains a wealth of useful data and the use of Appendix sheets are helpful for efficient access to data. The Goals and Strategies section in a narrative format by list is also helpful in terms of organization and future reference.

Appendix A Subsidized Housing Inventory (SHI)

The Draft HPP contains the SHI in Appendix A. The SHI numbers are important but need to be transparent to assist in the explanation that a 10% SHI mark will not solve the housing crisis because so many of those SHI units are age restricted and may be rented at market rates. It would be very helpful if the Draft HPP could include data outlining how many of the rental units on the SHI are age-restricted at 55 and over or 62 and over. This could be added to Appendix A with an additional column of “Age Restricted” and then a “Yes” or “No” entry. The addition of this data will help to understand what percentage of the SHI units serve only the older population. We know that our younger workforce population is also in dire need of rental housing. All 40B rental units are included in the SHI regardless of whether they are affordable or market rate rentals. Appendix A could also itemize how many restricted affordable units are provided. Adding another column as “Restricted Affordable” and the number of affordable restricted units for each development to identify the number of affordable restricted units will assist in this effort. These additions will allow for the “full picture” of the SHI.

Key Points on Falmouth’s SHI Units (page 58) and Appendix A SHI

Fifth Bullet: Longshank (now known as Esker Place) has 18 units that were originally subject to affordability restrictions with a 30-year time limit. Four units were added in 2023 by the Falmouth Housing Trust that will be restricted in perpetuity. Two of the original Esker Place units at 2 Esker Place and 5 Esker Place were acquired by the Falmouth Housing Trust, renovated, and resold with affordability restrictions in perpetuity. The Falmouth Affordable Housing Trust Fund provided funding to assist with this effort of preserving the deed restrictions. Currently 6 of the 22 units are deed restricted in perpetuity. The reference to all 22 units being deed restricted to 2030 is therefore not accurate (this is also noted in Appendix A).

Mitigation Measures: Zoning Inclusionary Zoning (page 66)

Inclusionary Zoning might also include a MGL Chapter 40A special permit mechanism to produce 100% deed restricted affordable housing for ownership (single family dwellings) by special permit for income levels up to 140% Annual Median Income. This type of zoning bylaw would significantly assist non-profit housing developers in efficient and less expensive permitting of affordable housing where all units are deed restricted. Such a bylaw might provide for alternative density inside and outside Village Centers and density increases on sewerred lots.

Inclusionary zoning might also include a provision for a zoning bylaw change that allows for Accessory Dwelling Units to be permitted by right with certain standards. Currently, the permitting process is expensive and time-consuming. If standards are developed in the zoning bylaw for creation of by-right ADUs this will be a very efficient method of adding to the housing stock. If septic issues are a concern, a by-right ADU could be allowed if there is no increase in bedrooms on the entire site. A homeowner that wishes to construct a by-right ADU could eliminate a bedroom or bedrooms in the main residence to provide for those bedrooms in the ADU.

Tiny Homes can assist with the housing shortage as well. The MA Building Code Appendix Q permits Tiny Homes at 400 square feet by-right but municipalities need to adopt zoning bylaw changes to accommodate Tiny Homes. Nantucket has adopted a Tiny Home Bylaw and other municipalities are considering bylaw amendments for Tiny Homes. Tiny Homes in Falmouth could be appropriate on a lot that contains a single-family dwelling. Tiny Homes are not ADUs as they are smaller in size. They can qualify for the SHI.

The GR Zoning District triplex bylaw for by-right construction has produced affordable units to date on Palmer Avenue and on Locust Street. The statement: “None of these bylaws have produced any affordable units to date....” does not appear accurate as a result.

Goals & Strategies

The construction of affordable housing continues to be challenging with the high cost of land, permit timelines involved for 40B affordable housing (minimum of one year), rising construction costs and interest rate increases. New construction projects from design phase to occupancy are typically at least two years. The quickest and most efficient way to create additional housing units is through inclusionary zoning bylaw changes, use of existing housing, and use of Town owned land.

However, the Goals & Strategies section of the Draft HPP lists these three measures in Priority Year 3 or Priority Year 4. Measures to assist with ADU creation are noted as Priority Year 3 and Inclusionary Zoning as Priority Year 4. Similarly, the use of Town-owned land is noted as Priority Year 3. “Explore Tax Relief for Property Owners who offer year-round housing” is noted in Priority Year 3.

Town owned properties that are suitable for affordable housing development are easily identifiable and have been identified to date. If RFPs can be issued for these parcels in Priority Year 1 this will significantly further affordable housing development within the 5 year time frame of the new HPP.

Inclusionary Zoning in Priority Year 4 for all practical purposes, given the length of time involved to draft and adopt zoning bylaw changes, likely means those measures will take 5 or more years to complete. “Exploring” Tax Relief for year-round landlords/owners in Priority Year 1 instead of Priority Year 3 may lead to a more effective increase in the rental housing supply with existing housing to address current need. In addition, this “exploring” might also include review of other potential year-round rental housing incentives. Such incentives might be the creation of standard form year-round leases available online to landlords to assist them with the costs involved of year-round leases, providing comparative costs analysis of year-round versus short term rentals (ie. pros and cons), programs to fund the “gap” in income from short term to year-round rentals, and programs to fund capital improvements for a landlord, such as a new roof or septic system replacement, in exchange for a number of guaranteed years of year-round rentals.

Comparison to 2019 HPP

Evaluation of past performance in meeting target goals from the 2019 HPP is critical to addressing the affordable housing crisis. The Draft HPP does not contain a comparison from the 2019 HPP target goals for housing units to be produced in 5 years as compared to what was produced. This information could be included in a further Appendix to be attached. Falmouth did not meet the 2019 HPP target goals for housing production. This data will assist in evaluating why target goals were not met (aside from the impacts of the COVID 19 pandemic), and what areas or types of housing production may have had success over other areas.

The work that has been done to date on the Draft HPP is commendable and appreciated. While it is understood that the Draft HPP has as one purpose meeting state requirements and documenting SHI, the HPP can also go further to appropriately prioritize goals and strategies to produce housing in the most efficient and cost-effective manner possible and to provide a full transparent picture of the SHI.

Thank you for the opportunity to comment.

Sincerely,

Laura M. Moynihan,
Executive Director
Falmouth Housing Trust, Inc.

Cc Kim Fish, Housing Coordinator
Jed Cornack, Town Planner

Planning Department Response

Thank you for your comments and suggestions for strengthening the draft Housing Production Plan.

Appendix A Subsidized Housing Inventory (SHI)

We agree this would be a very helpful addition to the SHI data. Because such details are not currently provided in the state's SHI report, this time-intensive task is out of scope for this HPP. However, we intend to move in this direction going forward and have elaborated on strategy #9 (Formalize a program to monitor existing deed-restricted housing units and enforce current conditions) to include adding data such as age restrictions to the town's local SHI tracking. For purposes of this HPP at this time, we have added information about age restrictions to the table.

Key Points on Falmouth's SHI Units (page 58) and Appendix A SHI

Thank you for this clarification. We have made these corrections and footnoted your feedback as an explanation for the change, as the table is simply the SHI data as provided by the Executive Office of Housing and Livable Communities.

Fifth Bullet: Longshank (now known as Esker Place) has 18 units that were originally subject to affordability restrictions with a 30-year time limit. Four units were added in 2023 by the Falmouth Housing Trust that will be restricted in perpetuity. Two of the original Esker Place units at 2 Esker Place and 5 Esker Place were acquired by the Falmouth Housing Trust, renovated, and resold with affordability restrictions in perpetuity. The Falmouth Affordable Housing Trust Fund provided funding to assist with this effort of preserving the deed restrictions. Currently 6 of the 22 units are deed restricted in perpetuity. The reference to all 22 units being deed restricted to 2030 is therefore not accurate (this is also noted in Appendix A).

Mitigation Measures: Zoning Inclusionary Zoning (page 66)

We have added language to the explanatory text for this strategy to include a range of income levels for ownership as suggested and corrected the error regarding no affordable units being produced to date. While not added to the Inclusionary Zoning strategy, we also added language about tiny homes to strategy #2 (Allow more diverse housing types in more areas).

Goals & Strategies

We have added language that the timing of recommendations is subject to change and is a suggestion only.

Comparison to 2019 HPP

We have added text comparing the SHI at the time of the last HPP to the current HPP.

Thank you again for your comments and for the continued work of the Falmouth Housing Trust.

Wayne Lingafelter

FEBRUARY 28, 2024

VIA EMAIL

Hello Kim – I have reviewed the 2.15.24 draft of the Housing Production Plan. My general observation is that it is well researched, organized and written. My compliments to you, Jed, and the team of consultants for putting together a well drafted and substantive plan for the community. I would like to offer several suggestions for changes or additions to the HPP for your consideration.

1. On page 81 “Finance and Subsidy Strategies”, please consider adding a strategy which supports the monitoring of the State legislative initiative for the Real Estate Transfer Fee in the Governor Healy’s housing bill and Falmouth’s approval of the same at a future Town Meeting. (Priority: Year 1).
2. On pages 80 – 81, “Affordable Housing Strategies”, please consider moving #15, #16, and #17 to a Year 1 priority. Each of these strategies is “low-hanging fruit”, and largely within the control of the Town. Each offers significant upside with a modest amount of effort and therefore it seems they could be of a higher priority in this plan.
3. On page 77, “Capacity Building Strategies #8”, it would seem that the Affordable Housing Committee could be added as a resource in conducting community outreach and education regarding affordable housing.
4. Strategy #10 addresses better marketing of the FAHF. While I agree with this step, I believe a more important first strategy would be for the role, governance and make-up of the FAHF to be studied. As more funds become available to the FAHF to administer, and the needs and challenges of affordable housing become more pronounced, the responsibilities, approach, and transparency of the FAHF “Board” should be evaluated for areas of improvement which would lead to better community engagement and reporting. Criticisms around how much funding is needed for housing and how it is to be sourced, could in part be addressed through such stronger FAHF administration and enhanced profile.

Thank you for your consideration of these suggestions. I am available to answer any questions which these may raise.

Regards - Wayne

Wayne Lingafelter

Planning Department Response

We appreciate your suggestions and thoughtful feedback. Please find the Planning Department's responses to each point below:

1. We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We adjusted the language to say "Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth" and added a reference to the real estate transfer fee to the explanatory text for the strategy.
2. We have moved draft strategy #15 (Make suitable public property available for affordable housing) to a Year Two. We also added an action plan by year, with introductory language emphasizing that the timing of recommendations is subject to change depending on new opportunities, challenges, or priorities.
3. We added the Affordable Housing Committee as a resource to strategy #8.
4. The Housing Coordinator (HC) is in the process of revising documents for the FAHF and discussing the FAHF with the Select Board, with the goal of transparency in mind. To this end, the HC started presenting updates on the fund annually at the Select Board's meeting and the Assistant Town Manager now presents at Town Meeting annually. We will consider how we can expand these details to increase transparency and community awareness of the operations of the FAHF.

William Scully

FEBRUARY 28, 2024

VIA EMAIL

My name is William Scully, I reside at _____ E.Falmouth. I am against any zoning changes until the matter of 375 Sandwich Rd has been decided. I find it quite disturbing that this is even being considered at this time. I'd also like to know how many members of Falmouth Housing and the ZBA live in the area of 375 Sandwich Rd. I'm sure that would tell a story all of its own.

Planning Department Response

Thank you for your feedback on the Housing Production Plan. Under state regulations (760 CMR 56.03[4][d]), a Housing Production Plan is required to identify zoning districts or areas in which the municipality proposes to modify current regulations (i.e., zoning) to encourage units meeting the criteria for the Subsidized Housing Inventory (SHI). Inclusionary zoning is the primary mechanism for creating affordable units through zoning, and for it to be effective at contributing to a community's SHI, it must be paired with the ability to create housing types other than single family homes.

Jennifer Bussum

FEBRUARY 28, 2024

VIA EMAIL

To the Falmouth Housing Board,

After reviewing the current plan, and with public comments closing March 1, I noticed that "tiny homes" were not included in the current plan. I would like to see inclusion of tiny homes allowed, especially for use of agricultural workers on agricultural lands.

Thank you for your time,

Jennifer Bussum

Planning Department Response

Thank you for your comment regarding tiny homes. We have added language relating to zoning for "tiny homes" to Strategy #2, "Allow more diverse housing types in more areas."

Dave Garrison
FEBRUARY 29, 2024
VIA EMAIL

Kim,

Thank you for the opportunity to comment on the draft HPP. The Affordable Housing Committee was unable to muster a quorum for its February meeting (the agenda for which included a discussion of the draft HPP). The Committee was also unable to get a quorum for a special meeting to discuss the draft HPP. Thus, my comments here are my own and not on behalf of the committee.

To begin, the draft HPP is a well-done, helpful document. It is broad in scope and puts forth a number of stretch goals for the Town. This HPP will provide various policy avenues worthy of exploration by the AHC.

Regarding the seven goals, I have a couple of comments.

Goal 2 calls for a diversity of housing types. The first sentence of the explanation mentions two target groups for this diversity: first-time homebuyers and seniors wishing to remain in their homes. An important third group in our town are those seniors that are anxious to find smaller accommodations so that they can sell their current house, stay in area, and downsize in the process.

Goal 4 urges the creation of affordable rental units. The third sentence in the explanation says our “workforce associated with local year-round ... employment ... need affordable, shorter-term housing options...”. Some editing needs to be done to this sentence. Beyond the observation that the verb likely should be the plural “needs” (as in the workforce needs), the substance of the sentence seems garbled in that “local year-round” employees need year-round housing options, not “shorter-term housing options”. I think I know what the text is trying to say. It just needs some reworking.

While it is late in the game to suggest an additional goal, I should note that none of the seven goals calls for collaborative efforts among localities on this end of the Cape (I have Mashpee, Sandwich, Bourne and Falmouth especially in mind). Yet it is clear that the affordable housing challenge is really a regional phenomenon. Falmouth doesn’t care where the affordable housing is located around the Upper Cape so long as it is within reasonable commuting distance to jobs in Falmouth. We do, of course, desire that more families locate within town limits so that there are more children attending our schools. I would suggest a goal focused just on the regional collaboration task.

As to a related strategy, now that the Joint Base has approached Bourne about the possibility of having several hundred acres of base property made available for affordable housing, there is even greater need for Falmouth to focus on this option and find ways to support this idea. Having this sort of prospect stated as a strategy would be helpful. Perhaps strategy #11 would be an appropriate place for this idea.

Under the Regulatory Strategies section, there is an item missing that I raised twice during the earlier discussions of the draft HPP. The Town acknowledges that the creation of more affordable housing is a top priority. If the Town means what it says, then why not give affordable housing project proposals

priority as they move through the Town's planning and permitting steps? For example, it is often the case that projects are asked to return for a subsequent hearing in order to provide additional information. In such situations, why not give that project priority to get back on the agenda at the earliest possible opportunity, thus saving the developers valuable resources, rather than having the project wait in line to get on subsequent agendas? If affordable housing is our priority, let's show our commitment by moving such projects along through our process as quickly as we can.

In Regional Strategy 5, the second paragraph describes the idea of using winter emergency shelters for summer seasonal residents — in other words, having such structures do double-duty. Knowing only a bit about the complexity and difficulty that organizations like Belonging to Each Other face in securing sheltering space for the un-housed during the winter, I suspect that the double-duty idea may not be quite so simple. If you haven't already spoken with Gina Torielli about this idea, I urge you to do so before moving this paragraph forward.

In Regional Strategy 6, the last sentence in the second paragraph appears to need a word change. Should not the last sentence begin "The Town should reconsider the existing density bonus standards..."? The previous sentence speaks of changing the Town's density bonus approach. I'm guessing that the last sentence of the paragraph seeks to urge reconsideration of the existing approach.

Under Capacity Building Strategies, I would urge that there be a separate one focused on the critical need to increase the Town's housing staffing capacity. It is hard to argue that creating more affordable housing, especially by taking advantage of the wide variety of new programs and policies laid out in this draft HPP, can be done with a single staff person. We need to be serious about the scope and complexity of the task and expand the Town's staff capacity accordingly. As you know, the AHC made such a formal recommendation to the Select Board last year. The HPP should stress the need to increase staff.

Number 8 addresses outreach and education. The fifth paragraph calls for an annual forum drawn from Town boards and committees. At the end of that same paragraph, the text suggests inviting residents and local stakeholders to also participate. My concern about forums of this type that have been held in Falmouth in the last couple of years is that they appear to draw the same small group of people who are already involved in the process. They rarely bring in people who are not somehow involved already. My instinct is that other measures are needed to reach larger audiences. Preaching to the choir doesn't get us very far. Perhaps if the Select Board, the Planning Board and the ZBA led the way by constructing and participating themselves in such sessions and the Select Board reached out to relevant town committees to urge their participation, then we could begin to broaden the circle of people knowledgeable about options to create more housing.

Item #14 speaks to an important point. As we approach the 10% SHI target, the Town needs to commit itself to reaching a much higher percentage — and one that doesn't count non-deed-restricted rental units as the state's SHI calculation does with 40B rental projects. I urge that an effort be made to develop a numerical target representing what the Town actually needs, perhaps stated as a range, toward which the Town should direct its efforts. The target should be tiered over a number of years and set at as high a level as the data can support.

Some editing is needed in #19. In the fourth line there is the two-word phrase "Inclusionary zoning." It

appears that these two words were meant to be omitted but left in by mistake. Further in the same paragraph, in line seven, the word “devise” is used. What does the word mean in this context? How does the word “devise” relate to tax-deductible gifts, the subject of this sentence? Could a different and less technical word be used to capture the idea?

Finally, I want to associate myself with the comment made by my colleague, Wayne Lingafelter, in which he notes that the strategies section of the plan needs to recognize that there is a good deal of work still to do to adopt and operate a real estate transfer fee. The state needs to authorize a local option, the Town will then need to trigger the local option with approval of Town Meeting, and then staff need to work with the Barnstable Recorder of Deeds Office to set up the fee, have the County collect the funds and disburse them to Falmouth, and the Falmouth Affordable Housing Fund will need to set up policies for utilizing the funds. I recognize that there is some awkwardness in including language in the HPP that endorses the transfer fee idea before this April’s Town Meeting approves the warrant article. Perhaps the HPP can state that should the Town Meeting approve the article, then there are further steps needed to realize the local adoption of the fee and its subsequent management and oversight.

David Garrison
Chair
Falmouth Affordable Housing Committee

Planning Department Response

We thank you for your meaningful suggestions for improving the HPP. The Planning Department’s responses are detailed below:

Goals

- *Supporting language for Goal 2/lack of reference to seniors who wish to downsize:*
Thank you – we have added language about this important need.
- *Confusing wording of Goal 4 supporting language:*
Thank you; we have reworded for clarity.
- *Suggestion for new goal encouraging collaborative efforts:*
Rather than add a new goal, we have updated Goal 7 to touch upon this need.

Strategies

- *Joint Base:*
We have added supporting language to the draft strategy 11 (now strategy 12 due to other shifts) calling out this as an opportunity to keep an eye on, as this is also referenced in the Cape Cod Commission’s draft Regional Housing Strategy.

- *Expedited permitting:*
Our stance is that this complicates the process for other applicants, but the Planning Department will make every effort to prioritize efficient permitting of affordable housing projects.
- *Use of winter shelters:*
We clarified the language to suggest that if dormitory or other housing is built in the future for summer workers, it also be considered for a winter shelter; this is not proposing the opposite, which would be using any existing winter beds for housing seasonal workers. We added clarifying language that this is something to explore, as it may or may not be feasible given the complexities of different funding sources that would be involved. However, this could be a great tool where Falmouth could lead by example.
- *Strategy 6/Inclusionary Zoning/Density Bonuses:*
We have clarified this language, as it was in fact our intention to refer to the current affordable housing density bonus standards in the zoning and potentially use them in any future IZ amendments.
- *Capacity Building Strategies/Additional staff:*
Thank you. We have added a new strategy relating to staff capacity.
- *Strategy 8/outreach and education:*
We have added language encouraging the SB, PB, and ZBA to attend such events and for the SB to work with staff and/or the AHC to invite other boards and committees.
- *Strategy 14/tracking deed-restricted vs non-deed restricted units on SHI and setting targets:*
To develop a numerical target relating to deed-restricted affordable units (rather than just the SHI), the Town first needs to have an understanding of the breakdown on the SHI. Unfortunately, this data is not provided by the state. As such, we have elaborated on strategy #9 (Formalize a program to monitor existing deed-restricted housing units and enforce current conditions) to include adding data such as number of deed-restricted units, age restrictions, and other factors to the town's local SHI tracking.
- *Strategy 19/Inclusionary Zoning language/"Devise" and gift giving:*
Thank you for catching this hanging reference to IZ. We did in fact intend to have language relating to IZ, but this appears to have been omitted in the draft. We have added the following: "If the Town chooses to explore expanded Inclusionary Zoning (IZ), it could consider including an option for developers to pay fee in lieu of providing units, with any revenue from this could support the Falmouth Affordable Housing Fund (FAHF)."

As for the word "devise," this is the language used in the Act Relative to the Falmouth Affordable Housing Fund. We have added a footnote to explain what this means – a devise is a legal term that refers to a gift of real estate made by a will.

- *Real estate transfer fee*

We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We adjusted the language to say “Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth” and added a reference to the real estate transfer fee to the explanatory text for the strategy.

Thank you again for your thorough read of the plan and your comments, and thank you for your continued work as Chair of the Affordable Housing Committee.

Marjorie Parmenter

FEBRUARY 29, 2024

VIA EMAIL

Here are my comments:

Whenever land or property is being evaluated for the production of additional housing within the Falmouth municipality, the disposal of wastewater, nitrogen loading groundwater, and contaminating surface runoff, should be THE critical determining factors. Any new "on-site" wastewater treatment plant that proposes to discharge treated effluent directly into ground that sits over a freshwater aquifer is "pure poison" to this town's (and the state's) long term goal of reducing the nitrogen load into our watersheds, estuary embayments, and coastal waters. Therefore, the Housing Production Plan should make it a top priority that new housing, whether single dwellings, attached dwellings, or stacked apartments should be built on land that is already accessible for tie in to town-owned and town-operated existing sewer lines.

It is a ridiculous waste of town resources to produce new housing that is not within a half mile or so of existing town infrastructure and amenities, such as public transportation, proximity to school district bus routes, handicap accessible sidewalks, bike lanes, commercial shops, banks, grocery stores, restaurants, and the like. The Housing Production Plan should make "close proximity to town resources" its top priority for new housing builds.

For new housing builds, every effort should be made by the Falmouth municipality to prioritize the acquisition of reclaimed property or previously disturbed land, rather than for the town to acquire, dig up, and destroy undisturbed naturally forested land.

Environmental concerns for aquifers, watersheds, and wildlife species were only broadly addressed in this Housing Production Plan. No specific approach was described as to how the town would actually go about assessing a property for potential environmental risk. The lack of specific text in this Housing Production Plan with regard to preserving existing trees, vegetation, and animal habitat on build lots is appalling. It underscores a continuing disregard for Falmouth's environment, and the Rights of Nature which recognizes that wildlife have a right to exist, persist, and reproduce within their natural habitat spaces. Producing new housing each and every year will come at a great sacrifice with regard to reducing Falmouth's available open spaces and habitat. For every acre that gets completely clear-cut for new housing and parking lots, that becomes yet another acre of green space or wildlife habitat that will be completely and forever lost. Simply stating in the Plan that "consideration will be taken to preserve open space" does not say enough. The Housing Production Plan should offer a method of balancing out this loss, derive a practical metric for achieving this, and preserve and protect a certain percentage of natural green space, even if that lot space is only one acre.

Marjorie Parmenter

East Falmouth, MA

Planning Department Response

We thank you for your comment. The Town addressed the myriad environmental constraints to development in the barriers analysis within the Needs Assessment. In addition, the Housing Production Plan (HPP) encourages redevelopment and development where it already exists to minimize greenfield development. The plan also recommends prioritizing affordable housing when planning for sewer capacity, as the Town of Provincetown has successfully done.

As for assessing a property for potential risk to the environment, while it is beyond the scope of this plan to *establish* such criteria, the plan recommends that the town take an interdepartmental approach to creating a standard set of metrics to assess property (draft strategy 12, now strategy 13 due to other shifts). We have added language to the recommendation's supporting text to include the need for criteria focusing on environmental suitability for development or redevelopment, wastewater considerations, and other important factors. This is the advantage to an interdepartmental approach so that the Town's Conservation, Marine & Environmental Services, Wastewater, and other appropriate departments are included in the conversation about the best, most responsible uses of land going forward.

Frances Chevarley

FEBRUARY 29, 2024

VIA EMAIL

Dear Sirs and Madams,

I appreciate all of the the town's work in producing this draft Housing Production Plan. And I apprecaite this opportunity to provide comments. Please see my attached comments.

Thank you.

Sincerely yours,

Frances Chevarley

[ATTACHMENT TEXT BELOW]

RE: Comments to Falmouth Draft Housing Production Plan

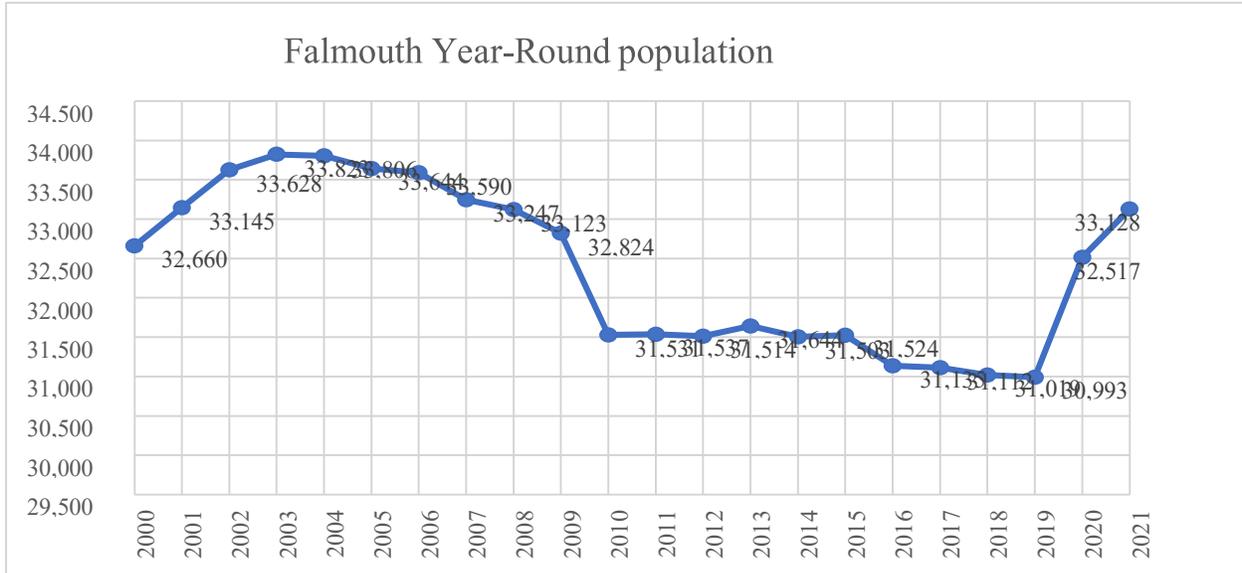
Falmouth Housing Production Plan Team
59 Town Hall Square
Falmouth, MA 02540
Email: housing@falmouthma.gov

Dear Sirs and Madams:

Thank you for the Town's extensive work in producing Falmouth's 2024-2028 Draft Housing Projection Plan. I appreciate this opportunity to provide comments to this Draft Housing Production Plan that I accessed from the website: <https://www.falmouthma.gov/1448/NewHousing-Production-Plan-Information>.

My comments to the file "DRAFT Housing Production Plan 20240215.pdf" are listed below.

1. p.6 first bullet, "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." that is based on Figure 1 (Figure 1. Falmouth Population Growth, 1930 to 2020).



Comment: Here is the single year data (not just the 10-year Census data) from 2000 to 2021. Figure 1 and the p. 6 bullet are missing all of these nuances by only providing the 10-year Census data. Your graph doesn't show the increase from 2000 to 2003 and general decrease from 2003 to 2019 and then the increase after 2019 due to Covid. These single-year data are more informative. I believe the 2022 data is also available.

One option would be to produce another figure just for the more recent time period say 2000 to 2022 with single-year data. **Another option** may be to modify Figure 1 and include census year data up until 2000 and then include single-year data from 2000 to 2022 so that the trends for the more recent period (2000 to 2020) would be more accurately reported. In either option you could continue to label just the Census Years (though you would see shifts in the actual graph at other years) or you may decide to label the points when the increases or decreases changed from 2000 to 2022.

2. Map 11 Potential Locations for New Housing Development is on p. 11 and also p. 88 Six properties are identified on this map: 1. 0 Locustfield Road; 2. 81 Davisville Road; 3. 375 Sandwich Road; 4. 13 Davis Straits; 5. 545 Main Street; and 6. 0 Lantern Lane.

Text referencing Map 11 is in two places.

p. 9 Bullet 3. Maximize the number of affordable units included in development on Town-owned land. (See Map 11, attached)

p. 84 Bullet 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 Townowned properties that would be appropriate for housing development or redevelopment.

Comments:

I am not sure the same Map 11 needs to be on two different pages. Just a thought.

I am confused by Map 11 whose title is Potential Locations for New Housing Development and identifies 6 properties, yet the bullets referencing Map 11 only refer to the two town-owned properties. I am of the opinion that Map 11 should only include the two town-owned properties of Locustfield Road and Davisville Road. The title of Map 11 could be changed to something like: Potential Town-Owned Properties for New Housing Development.

I am not sure what the criteria was for including the 4 other properties on Map 11. These 4 properties are: 0 Lantern Lane (is this the Lyberty Green property on the Appendix A December 18, 2023 Subsidized Housing Inventory?); 375 Sandwich Road proposed project whose Comprehensive Permit is under review and has not been approved by the ZBA and which has a lot of town opposition; and I don't know what can be said about the 13 Davis Straits and 545 Main St properties. I think we are better off of only including the two town-owned properties on Map 11. Otherwise, if another property were included someone may want to misinterpret its (their) inclusion on Map 11 as a type of "letter of support" (asked about in the Mass Housing application) for their project. It's just cleaner to just include the two town-owned properties referenced in the two bullets and changing the title.

3. On p. 54 it states: "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." Comment: It sounds like reaching the 10% goal under 40B is being used as the justification for the 375 Sandwich Road proposed project. The end does not justify the means. Do not use reaching the 10% goal as a justification for showing support for the 375 Sandwich Road proposed project. The 375 Sandwich Road proposed project doesn't help with Falmouth's local housing needs, and it destroys existing working-class neighborhoods which would further exacerbate Falmouth's essential workers' housing crisis. What about replacing this statement with one that is more neutral and that doesn't call out a given project. The statement could be something like: Falmouth is making good progress and is on track with reaching its 10% SHI goal in the next year or two. [As of December 18, 2023, Falmouth already has 1,293 of the needed 1,590 SHI units to reach 10% and needs only an additional 297 SHI units. There are a number of relatively small suitable projects in the works that are in locations with amenities and sewage (downtown), and on reclaimed property (not pristine forrest). With projects like these, Falmouth can reach the 10% goal without destroying Falmouth and it's neighborhoods in the process.]
4. On p. 110 there are stickers on a map where people attending the meeting designated 375 Sandwich Road where they think future housing development or redevelopment makes sense for Falmouth.
Comment: Those attending the meetings were a very small group of people who were not necessarily representative of Falmouth residents. In describing this map, there needs to be a statement indicating that these comments and stickers are just a small number of attendees and cannot be considered representative of Falmouth's resident population. It should also be noted

on the map that zoning for 375 Sandwich Road is Agricultural B.

My comment to the map in the file "ResidentialUse 11-8-23.pdf."

1. In this map the 45 Pitch Pine Lane parcel is indicated as Two- and Three-Family. Comment: This is the only parcel in the vicinity on the map with this designation and this would be a zoning change for 45 Pitch Pine Lane from the current zone of Agricultural B. I assume this is a mistake? I don't recall this coming up or being discussed in any ZBA meetings. It is currently zoned Agricultural B with agricultural and residential uses which according to the real estate flyers would be single family homes. The designation for "45 Pitch Pine Lane" needs to be corrected to Single Family Detached. This correction needs to be made on this map and on any other maps that may have 45 Pitch Pine Lane incorrectly designated as Two- and Three-Family. If there were a zoning change of Pitch Pine Lane it would have the impression of being a conflict of interest and would look suspicious since that property is currently under a purchase and sales agreement and such a change would be of financial advantage to the person with the P&S agreement.

In conclusion, I appreciate the Town of Falmouth work in advancing housing solutions while focusing on preserving current housing stock for locals and which housing solutions will be advantageous to locals. Thank you for your time and consideration.

Sincerely yours,
Frances Chevarley

cc: Noreen Stockman, Falmouth Zoning Board of Appeals

Planning Department Response

Thank you for your suggestions and comments. Please see the Planning Department's responses below:

- *Yearly Population*
Thank you for providing these figures. While we agree graphing annual population counts would be very useful for observing trends more closely, the figures in the graph you provided appear to be based on census *estimates*, which are determined for years in between the decennial census years. By contrast, the decennial census is based on actual counts. As such, this is the preferred measure for viewing longer-term population shifts.
- *Map 11 – Properties Included*
The legend on the original map indicated that several of the properties had current proposals for housing. We agree this was unclear and have removed those from the map. We also added several other town-owned properties for consideration.

- *375 Sandwich Road*
The reference to the 300 units and the Town’s SHI is intended as a statement of fact, not an indication of support. However, we have removed the sentence altogether.
- *Map of potential housing locations from community meeting*
We have added language emphasizing that any feedback received at these meetings only reflected the opinions of those in attendance and participating.
- *Residential Use Map*
Thank you for catching this issue with the property mapped as two- and three-family. There was an error with how a particular land use code was mapped, which we have now corrected in the final plan. However, because the map is showing how a property is *used* rather than how it is *zoned*, we cannot map it as single family since that is not its current use.

Barbara Samuels

MARCH 1, 2024

VIA EMAIL

Dear Ms. Fish,

Please find and accept the attached comments on the draft Housing Production Plan. If you have any questions I can be reached at 443-695-2657.

Barbara Samuels

[ATTACHMENT TEXT BELOW]

To: Town of Falmouth c/o
Kim Fish, Housing Coordinator
Jed Cornock, Town Planner
From: Barbara Samuels

Re: Comments on Draft Falmouth Housing Production Plan 2024-2029

Date: March 1, 2024

Thank you for the opportunity to comment on Falmouth's draft Housing Production Plan (the Plan) for 2024-2029. Below are some general impressions and comments based on my review of the Plan:

1. The recommendation for actions fall short of the findings presented in the Plan. The data analysis is thorough and well presented. It clearly shows the dimensions of the housing supply and affordability crisis as it impacts Falmouth. The identification of challenges and mitigation strategies follow from the available evidence and address some of the available policy options. These strategies are good as far as they go --- but they do not go far enough and do not match the severity of the crisis. We are beyond the point of half measures. As the Plan notes, "all of the issues and barriers identified in the 2018 HPP remain but magnified."

2. The housing crisis is causing Falmouth to lose its well-rounded small-town character. In the past, many people chose to live in Falmouth because it was a real, year-round small town, not just a seasonal community or a retirement village. But as well documented in the Plan, as housing prices have escalated, Falmouth has been rapidly aging and becoming more seasonal. The Plan finds a dramatic 26% decrease in the population of young and school age children, resulting in a 30% decline in school enrollment. Relatedly, the Plan also finds substantial declines in the population of young and middle-aged adults and the middle class. This is the core population that drives the town's economy and serves the aging. Without it, Falmouth will lose its character as an authentic community.

3. Of the six major factors that limit affordable housing development outlined in the Plan, it is striking that five of those factors are policy choices within the control of the town. The environment is the only natural factor that is not the result of policy decisions. But here too, the town makes choices as to how it responds to environmental challenges.

- Infrastructure
- Regulatory Constraints
- Environment
- Property Costs and Availability
- Availability of Subsidy Funds
- Community Perception

These interrelated factors cause an artificial scarcity of developable land, limiting housing supply and driving up costs. For example, in almost every corner of Falmouth, zoning and regulatory constraints enacted by the town make other forms of housing illegal to build. As the Plan explains, small measures have been taken in recent years to offer relief from these regulatory barriers. However, they are so narrowly framed and restrictively applied that they are largely ineffective.

The failure of the town to build adequate sewerage infrastructure further limits the availability of buildable sites, even in already developed areas. The problem is not so much nitrogen leaching into the ponds and estuaries from homeowners' existing septic systems --- it is the town's failure over decades to protect those sensitive environmental areas by building sewers instead of relying on septic.

Meanwhile, as the plan notes, the town has acquired at least 5,000 acres of land and taken that land out of the market, making the demand for other land more intense and driving up costs. Often, state Community Preservation funds have been used for these land purchases. Yet only 26% of those funds have been used to for affordable housing purposes, such as the acquisition of land. The Plan identifies only a handful of town-owned parcels deemed suitable to meet the affordable housing shortage, including one on Davisville Road. When a small project planned for the Davisville Road site met with neighborhood opposition, the Select Board quickly killed the project. In doing so, town officials allowed the negative "community perceptions," described in the Plan to prevail over the urgency of the need support for the project.

4. The data shows the lack of housing options, and resulting housing cost pressures, is excluding young adults and middle-aged families with children, and displacing some who can no longer secure housing in Falmouth. This is not just an affordable housing problem --- it is a Fair Housing issue. Families with children are a protected group under the Fair Housing Act. They are also more likely to be racially and ethnically diverse.⁹⁷ Falmouth has a duty under the Fair Housing Act to refrain from policies that exclude protected groups, and beyond that, to affirmatively further fair housing (AFFH). This includes the duty to take proactive measures to mitigate the exclusion and/or displacement of protected groups. Instead it

⁹⁷ The fact that Falmouth's population is 86.8% white alone and only 2.1% Black does not mean that it does not have Fair Housing issues. To the contrary, this demographic profile may indicate a history of racially exclusionary policies.

seems to approach potential mitigation measures as a purely discretionary selection from a menu of available policies while the crisis demands an "all of the above" response

5. There is more that Falmouth can, and should, undertake to begin alleviating its housing crisis. It is encouraging that Falmouth is pledging to continue its efforts if or when it reaches the 10% "safe harbor" threshold. But there are a number of potential "best practices" that are not included in the Plan, as well as other steps mentioned in the Plan that do not show up as recommendations for action. Below is a partial list of additional actions that Falmouth can and should take:

- Production targets should be set for each village to ensure that all parts of town are doing their fair share. Some areas in each village, and within a mile radius of each elementary school, should be zoned "by right" for multifamily housing of varying density.
- Affordable multifamily housing should not be restricted or disproportionately targeted to commercial areas downtown or neighborhoods along Rte 28 like Teaticket.
- Duplexes, tri-plexes and four plexes should be legalized in all residential zones, including those currently zoned single family. These small multifamily structures can be designed to look like large single family homes and will blend into the neighborhoods.
- ADUs should be allowed everywhere and not limited to year round owner-occupants.
- Affordable housing should be prioritized for extension of sewers and exempted from "flow neutral" restrictions on redevelopment in already sewered areas.
- The town should resume development of the Davisville Road site for affordable housing.
- The town should acquire additional land for affordable housing development and/or. examine the 5,000 acres already owned and held for conservation to identify some parcels that can appropriately be used for affordable housing.
- The town should increase funding for affordable housing via measures such as the proposed "Mansion Tax" on sales of million dollar single family homes, increased occupancy taxes on Short Term Rentals, and an increased share of Community Preservation Funds for affordable housing.
- Local affordable housing funds, like state and federal funds, should be used to subsidize development of housing for households with the most severe housing burdens, i.e. those with incomes below 60% of AMI. These units should be in mixed income developments as well as those that are 100% affordable.
- The Town should ensure that new affordable housing is designed to be suitable for families with children --- not just small one bedroom units, or seasonal units.
- The housing affordability needs of moderate and middle income households should be addressed primarily through zoning and regulatory reforms. If properly implemented, these reforms will increase the supply of more modest homes and rentals, and moderate rents.
- The Town of Falmouth should undertake affordable housing development utilizing the existing institutional structure of the Falmouth Housing Authority. For some reason, the Housing Authority is barely mentioned as a partner in carrying out the Plan.
- The Town should build capacity by hiring at least one additional FTE staff person to focus on affordable housing production. Last September, members of the Select Board cited the

workload of town staff as a reason to kill the Davisville Road project and instructed staff to focus efforts elsewhere. Instead, more staff should be hired.

- The town should partner with a Fair Housing organization to carry out community education seeking to change "community perceptions" of affordable housing, In addition, town officials should receive training on Fair Housing and the role of government officials in resisting and overcoming NIMBY opposition.

Thank you in advance for your consideration of these comments.

Barbara Samuels

Planning Department Response

We appreciate your constructive input and recommendations for strengthening this HPP. While we were unable to incorporate all of your suggestions into this five-year plan, here are some points we have addressed:

- *Lack of reference to fair housing*
We have added language relating to fair housing considerations in the context of households with children to the Needs Assessment section on school enrollment trends. We have also updated strategy 8 to now read "Conduct ongoing community outreach and education regarding fair housing and affordable housing needs locally and regionally." Additionally, we have added explanatory language about connecting conversations regarding equity to housing needs and potentially partnering with local groups such as the Human Services Committee.
- *Village production targets*
While the plan does not establish a numerical target by village, we have added more municipal properties for potential affordable housing development to Map 11 so that each village is represented on the map.
- *Real estate transfer, STR taxes, etc.*
We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We also substantially adjusted the language to say "Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth."
- *Need for deeper subsidies*
We have added language to strategy 21 (formerly strategy 18, now reading "Encourage unique development approaches that utilize existing resources including the Falmouth Affordable

Housing Fund and Falmouth Housing Authority to meet a broader range of income levels”) to provide more detail about opportunities to buy down affordability on proposed affordable units or to convert housing choice vouchers to project-based vouchers , as the FHA has done to support several projects.

- *Lack of reference to Falmouth Housing Authority (FHA)*
See above bullet (*Need for deeper subsidies*); we also added language to strategy 12 (formerly 11) regarding partnering with the FHA, among other entities.
- *Staff capacity*
Thank you. We have added a new strategy relating to increasing staff capacity.

Tyler Barron

MARCH 1, 2024

VIA EMAIL

Overall, the production plan looks good, as do many needs assessment, reports, and works done by consultants. My fear however is that none of this will be put into action. It seems as though we have all of the tools and ideas at our disposal and yet we lack the will to make any change out of fear of what might go wrong. As someone who recently has left Falmouth because it is unlivable as a young adult, and who has seen the vast majority of my high school class never come back, it's clear that Falmouth continues to change in a certain way, and because this keeps happening it seems like this change is by design not by accident. All of the production plans in the world won't put them into action and it is my deep hope that Falmouth's leadership take a risk, a risk that is considered unpopular by the very people the town has been advertising itself, because it will matter. It will matter to Falmouth's ability to grow food, it will matter to the increasing number of low income residents, and because it will matter to younger people like myself who consider whether or not they want to continue making a home of their hometown. The social value lost by people never returning, the challenges associated with paying more than 50% of your income on housing produce a deterioration of community that can't be replaced by economic gains and new single family homes. This deterioration has long lasting effects that get harder and harder to change.

I suppose it's like creating a new habit that is good for you. It's not fun or comfortable to go start going to the gym or eating broccoli everyday, but over time this positive incremental change adds up. None of this work in Falmouth will be fun or comfortable, and it will come with tradeoffs, but the longer term results will matter.

Planning Department Response

Thank you for your thoughtful comment. We have added language to the section on strategies about how the Housing Coordinator and Planning Department can track and report on the implementation of this HPP.

Ellie Costa

MARCH 1, 2024

VIA EMAIL

Hello Kimberly,

I am a member of the board of Farming Falmouth. We thank you for your work toward a cohesive housing production plan for the town. We notice there is no mention of tiny houses as an option for consideration. We feel this option should be named, along with all of the others, as it may be viable and preferable in some cases. Our mission is to strengthen our local food system. That includes working to preserve as much of our remaining farmland as possible, and to ensure there is affordable housing for young, innovative farmers working that land.

With appreciation,
Ellie Costa, and the Board of Farming Falmouth

Planning Department Response

Thank you for your comment regarding tiny homes. We have added language relating to zoning for “tiny homes” to Strategy #2, “Allow more diverse housing types in more areas.”



Town of Falmouth Housing Production Plan 2024-2029

March 11, 2024

Contact:
Town of Falmouth
Planning Department
59 Town Hall Square
Falmouth, MA 02540
508.495.7440



Appendix C. Comments Received & Staff Responses

During the two-week public comment period, the Planning Department received ten written comments. Contact information has been redacted. This section includes these comments, as well as **responses from the Planning Department**.

Kerry Walton

FEBRUARY 17, 2024

VIA EMAIL

Hi Kim,

Hope you are well, Just sent the following to Dave.

Kerry

----- Forwarded message -----

Hi Dave,

I think that they did a good job overall. At first I thought it was too long, but most of it is data, which is helpful.

The most helpful part (pgs 73-83), of course, is the Goals & Strategy section. Some of these we've discussed, but some are new.

It would be helpful to me to organize the Strategies by year, maybe in a Table.

On the first page, I think it's not clear that in the summer we need more "seasonal or occasional housing units." It sounds like we have more.

More comments on draft: <https://acrobat.adobe.com/id/urn:aaid:sc:US:fc77b179-d0e4-49da-a4da-f92f6bd68fce>

[TABLE BELOW IN SEPARATE ATTACHMENT]

Working Table to Achieve Goals of 2024 HPP

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

Year One Action Plan

Type	Strategy	Who would lead this effort?
Regulatory	Establish mechanisms to monitor or regulate Short Term Rentals.	
Capacity Building	Conduct ongoing community outreach and education regarding affordable housing needs locally and regionally.	AHC working with other towns & organizations
	Formalize a program to monitor existing deed-restricted housing units and enforce current conditions.	With County Dept of Human Services
Affordable Housing	Develop criteria with other departments for assessing the best use of current and future Town owned properties.	Planning Dept, Housing Coordinator's Office
	Encourage development that includes a number of units for special needs populations such as formerly homeless households or persons with disabilities.	Planning, zoning
Finance & Subsidy	Encourage unique development approaches that utilize the Falmouth Affordable Housing Fund.	
	Provide support for the Falmouth Affordable Housing Fund by exploring additional resources and strategies to capitalize the Fund.	AHC
	Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects	

Planning Department Response

Thank you for your suggestions.

Regarding the comment about the language on p.1 discussing "seasonal or occasional housing units," this language is not referring to housing for the seasonal workforce, but rather second homes and investment properties used for seasonal rentals.

Regarding the table organizing recommendations by year, we have added this to the plan but did not include the "Who would lead this effort?" column. Instead we have added introductory text that explains Kim Fish's role in providing general oversight of the plan's implementation and working with appropriate departments; and boards, committees, or commissions; and other groups as needed.

Laura M. Moynihan

FEBRUARY 26, 2024

VIA EMAIL

Good morning - attached are comments on the Draft Housing Production Plan.

Thank you,

Laura

[ATTACHMENT TEXT BELOW]

Laura M. Moynihan,
Executive Director
Falmouth Housing Trust, Inc.

February 26, 2024

Via Email

Select Board and Planning Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Dear Board Members:

The following are comments on the Draft Housing Production Plan (“HPP”):

The Draft HPP contains a wealth of useful data and the use of Appendix sheets are helpful for efficient access to data. The Goals and Strategies section in a narrative format by list is also helpful in terms of organization and future reference.

Appendix A Subsidized Housing Inventory (SHI)

The Draft HPP contains the SHI in Appendix A. The SHI numbers are important but need to be transparent to assist in the explanation that a 10% SHI mark will not solve the housing crisis because so many of those SHI units are age restricted and may be rented at market rates. It would be very helpful if the Draft HPP could include data outlining how many of the rental units on the SHI are age-restricted at 55 and over or 62 and over. This could be added to Appendix A with an additional column of “Age Restricted” and then a “Yes” or “No” entry. The addition of this data will help to understand what percentage of the SHI units serve only the older population. We know that our younger workforce population is also in dire need of rental housing. All 40B rental units are included in the SHI regardless of whether they are affordable or market rate rentals. Appendix A could also itemize how many restricted affordable units are provided. Adding another column as “Restricted Affordable” and the number of affordable restricted units for each development to identify the number of affordable restricted units will assist in this effort. These additions will allow for the “full picture” of the SHI.

Key Points on Falmouth’s SHI Units (page 58) and Appendix A SHI

Fifth Bullet: Longshank (now known as Esker Place) has 18 units that were originally subject to affordability restrictions with a 30-year time limit. Four units were added in 2023 by the Falmouth Housing Trust that will be restricted in perpetuity. Two of the original Esker Place units at 2 Esker Place and 5 Esker Place were acquired by the Falmouth Housing Trust, renovated, and resold with affordability restrictions in perpetuity. The Falmouth Affordable Housing Trust Fund provided funding to assist with this effort of preserving the deed restrictions. Currently 6 of the 22 units are deed restricted in perpetuity. The reference to all 22 units being deed restricted to 2030 is therefore not accurate (this is also noted in Appendix A).

Mitigation Measures: Zoning Inclusionary Zoning (page 66)

Inclusionary Zoning might also include a MGL Chapter 40A special permit mechanism to produce 100% deed restricted affordable housing for ownership (single family dwellings) by special permit for income levels up to 140% Annual Median Income. This type of zoning bylaw would significantly assist non-profit housing developers in efficient and less expensive permitting of affordable housing where all units are deed restricted. Such a bylaw might provide for alternative density inside and outside Village Centers and density increases on sewerred lots.

Inclusionary zoning might also include a provision for a zoning bylaw change that allows for Accessory Dwelling Units to be permitted by right with certain standards. Currently, the permitting process is expensive and time-consuming. If standards are developed in the zoning bylaw for creation of by-right ADUs this will be a very efficient method of adding to the housing stock. If septic issues are a concern, a by-right ADU could be allowed if there is no increase in bedrooms on the entire site. A homeowner that wishes to construct a by-right ADU could eliminate a bedroom or bedrooms in the main residence to provide for those bedrooms in the ADU.

Tiny Homes can assist with the housing shortage as well. The MA Building Code Appendix Q permits Tiny Homes at 400 square feet by-right but municipalities need to adopt zoning bylaw changes to accommodate Tiny Homes. Nantucket has adopted a Tiny Home Bylaw and other municipalities are considering bylaw amendments for Tiny Homes. Tiny Homes in Falmouth could be appropriate on a lot that contains a single-family dwelling. Tiny Homes are not ADUs as they are smaller in size. They can qualify for the SHI.

The GR Zoning District triplex bylaw for by-right construction has produced affordable units to date on Palmer Avenue and on Locust Street. The statement: “None of these bylaws have produced any affordable units to date....” does not appear accurate as a result.

Goals & Strategies

The construction of affordable housing continues to be challenging with the high cost of land, permit timelines involved for 40B affordable housing (minimum of one year), rising construction costs and interest rate increases. New construction projects from design phase to occupancy are typically at least two years. The quickest and most efficient way to create additional housing units is through inclusionary zoning bylaw changes, use of existing housing, and use of Town owned land.

However, the Goals & Strategies section of the Draft HPP lists these three measures in Priority Year 3 or Priority Year 4. Measures to assist with ADU creation are noted as Priority Year 3 and Inclusionary Zoning as Priority Year 4. Similarly, the use of Town-owned land is noted as Priority Year 3. “Explore Tax Relief for Property Owners who offer year-round housing” is noted in Priority Year 3.

Town owned properties that are suitable for affordable housing development are easily identifiable and have been identified to date. If RFPs can be issued for these parcels in Priority Year 1 this will significantly further affordable housing development within the 5 year time frame of the new HPP.

Inclusionary Zoning in Priority Year 4 for all practical purposes, given the length of time involved to draft and adopt zoning bylaw changes, likely means those measures will take 5 or more years to complete. “Exploring” Tax Relief for year-round landlords/owners in Priority Year 1 instead of Priority Year 3 may lead to a more effective increase in the rental housing supply with existing housing to address current need. In addition, this “exploring” might also include review of other potential year-round rental housing incentives. Such incentives might be the creation of standard form year-round leases available online to landlords to assist them with the costs involved of year-round leases, providing comparative costs analysis of year-round versus short term rentals (ie. pros and cons), programs to fund the “gap” in income from short term to year-round rentals, and programs to fund capital improvements for a landlord, such as a new roof or septic system replacement, in exchange for a number of guaranteed years of year-round rentals.

Comparison to 2019 HPP

Evaluation of past performance in meeting target goals from the 2019 HPP is critical to addressing the affordable housing crisis. The Draft HPP does not contain a comparison from the 2019 HPP target goals for housing units to be produced in 5 years as compared to what was produced. This information could be included in a further Appendix to be attached. Falmouth did not meet the 2019 HPP target goals for housing production. This data will assist in evaluating why target goals were not met (aside from the impacts of the COVID 19 pandemic), and what areas or types of housing production may have had success over other areas.

The work that has been done to date on the Draft HPP is commendable and appreciated. While it is understood that the Draft HPP has as one purpose meeting state requirements and documenting SHI, the HPP can also go further to appropriately prioritize goals and strategies to produce housing in the most efficient and cost-effective manner possible and to provide a full transparent picture of the SHI.

Thank you for the opportunity to comment.

Sincerely,

Laura M. Moynihan,
Executive Director
Falmouth Housing Trust, Inc.

Cc Kim Fish, Housing Coordinator
Jed Cornack, Town Planner

Planning Department Response

Thank you for your comments and suggestions for strengthening the draft Housing Production Plan.

Appendix A Subsidized Housing Inventory (SHI)

We agree this would be a very helpful addition to the SHI data. Because such details are not currently provided in the state's SHI report, this time-intensive task is out of scope for this HPP. However, we intend to move in this direction going forward and have elaborated on strategy #9 (Formalize a program to monitor existing deed-restricted housing units and enforce current conditions) to include adding data such as age restrictions to the town's local SHI tracking. For purposes of this HPP at this time, we have added information about age restrictions to the table.

Key Points on Falmouth's SHI Units (page 58) and Appendix A SHI

Thank you for this clarification. We have made these corrections and footnoted your feedback as an explanation for the change, as the table is simply the SHI data as provided by the Executive Office of Housing and Livable Communities.

Fifth Bullet: Longshank (now known as Esker Place) has 18 units that were originally subject to affordability restrictions with a 30-year time limit. Four units were added in 2023 by the Falmouth Housing Trust that will be restricted in perpetuity. Two of the original Esker Place units at 2 Esker Place and 5 Esker Place were acquired by the Falmouth Housing Trust, renovated, and resold with affordability restrictions in perpetuity. The Falmouth Affordable Housing Trust Fund provided funding to assist with this effort of preserving the deed restrictions. Currently 6 of the 22 units are deed restricted in perpetuity. The reference to all 22 units being deed restricted to 2030 is therefore not accurate (this is also noted in Appendix A).

Mitigation Measures: Zoning Inclusionary Zoning (page 66)

We have added language to the explanatory text for this strategy to include a range of income levels for ownership as suggested and corrected the error regarding no affordable units being produced to date. While not added to the Inclusionary Zoning strategy, we also added language about tiny homes to strategy #2 (Allow more diverse housing types in more areas).

Goals & Strategies

We have added language that the timing of recommendations is subject to change and is a suggestion only.

Comparison to 2019 HPP

We have added text comparing the SHI at the time of the last HPP to the current HPP.

Thank you again for your comments and for the continued work of the Falmouth Housing Trust.

Wayne Lingafelter

FEBRUARY 28, 2024

VIA EMAIL

Hello Kim – I have reviewed the 2.15.24 draft of the Housing Production Plan. My general observation is that it is well researched, organized and written. My compliments to you, Jed, and the team of consultants for putting together a well drafted and substantive plan for the community. I would like to offer several suggestions for changes or additions to the HPP for your consideration.

1. On page 81 “Finance and Subsidy Strategies”, please consider adding a strategy which supports the monitoring of the State legislative initiative for the Real Estate Transfer Fee in the Governor Healy’s housing bill and Falmouth’s approval of the same at a future Town Meeting. (Priority: Year 1).
2. On pages 80 – 81, “Affordable Housing Strategies”, please consider moving #15, #16, and #17 to a Year 1 priority. Each of these strategies is “low-hanging fruit”, and largely within the control of the Town. Each offers significant upside with a modest amount of effort and therefore it seems they could be of a higher priority in this plan.
3. On page 77, “Capacity Building Strategies #8”, it would seem that the Affordable Housing Committee could be added as a resource in conducting community outreach and education regarding affordable housing.
4. Strategy #10 addresses better marketing of the FAHF. While I agree with this step, I believe a more important first strategy would be for the role, governance and make-up of the FAHF to be studied. As more funds become available to the FAHF to administer, and the needs and challenges of affordable housing become more pronounced, the responsibilities, approach, and transparency of the FAHF “Board” should be evaluated for areas of improvement which would lead to better community engagement and reporting. Criticisms around how much funding is needed for housing and how it is to be sourced, could in part be addressed through such stronger FAHF administration and enhanced profile.

Thank you for your consideration of these suggestions. I am available to answer any questions which these may raise.

Regards - Wayne

Wayne Lingafelter

Planning Department Response

We appreciate your suggestions and thoughtful feedback. Please find the Planning Department's responses to each point below:

1. We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We adjusted the language to say "Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth" and added a reference to the real estate transfer fee to the explanatory text for the strategy.
2. We have moved draft strategy #15 (Make suitable public property available for affordable housing) to a Year Two. We also added an action plan by year, with introductory language emphasizing that the timing of recommendations is subject to change depending on new opportunities, challenges, or priorities.
3. We added the Affordable Housing Committee as a resource to strategy #8.
4. The Housing Coordinator (HC) is in the process of revising documents for the FAHF and discussing the FAHF with the Select Board, with the goal of transparency in mind. To this end, the HC started presenting updates on the fund annually at the Select Board's meeting and the Assistant Town Manager now presents at Town Meeting annually. We will consider how we can expand these details to increase transparency and community awareness of the operations of the FAHF.

William Scully

FEBRUARY 28, 2024

VIA EMAIL

My name is William Scully, I reside at _____ E.Falmouth. I am against any zoning changes until the matter of 375 Sandwich Rd has been decided. I find it quite disturbing that this is even being considered at this time. I'd also like to know how many members of Falmouth Housing and the ZBA live in the area of 375 Sandwich Rd. I'm sure that would tell a story all of its own.

Planning Department Response

Thank you for your feedback on the Housing Production Plan. Under state regulations (760 CMR 56.03[4][d]), a Housing Production Plan is required to identify zoning districts or areas in which the municipality proposes to modify current regulations (i.e., zoning) to encourage units meeting the criteria for the Subsidized Housing Inventory (SHI). Inclusionary zoning is the primary mechanism for creating affordable units through zoning, and for it to be effective at contributing to a community's SHI, it must be paired with the ability to create housing types other than single family homes.

Jennifer Bussum

FEBRUARY 28, 2024

VIA EMAIL

To the Falmouth Housing Board,

After reviewing the current plan, and with public comments closing March 1, I noticed that "tiny homes" were not included in the current plan. I would like to see inclusion of tiny homes allowed, especially for use of agricultural workers on agricultural lands.

Thank you for your time,

Jennifer Bussum

Planning Department Response

Thank you for your comment regarding tiny homes. We have added language relating to zoning for "tiny homes" to Strategy #2, "Allow more diverse housing types in more areas."

Dave Garrison
FEBRUARY 29, 2024
VIA EMAIL

Kim,

Thank you for the opportunity to comment on the draft HPP. The Affordable Housing Committee was unable to muster a quorum for its February meeting (the agenda for which included a discussion of the draft HPP). The Committee was also unable to get a quorum for a special meeting to discuss the draft HPP. Thus, my comments here are my own and not on behalf of the committee.

To begin, the draft HPP is a well-done, helpful document. It is broad in scope and puts forth a number of stretch goals for the Town. This HPP will provide various policy avenues worthy of exploration by the AHC.

Regarding the seven goals, I have a couple of comments.

Goal 2 calls for a diversity of housing types. The first sentence of the explanation mentions two target groups for this diversity: first-time homebuyers and seniors wishing to remain in their homes. An important third group in our town are those seniors that are anxious to find smaller accommodations so that they can sell their current house, stay in area, and downsize in the process.

Goal 4 urges the creation of affordable rental units. The third sentence in the explanation says our “workforce associated with local year-round ... employment ... need affordable, shorter-term housing options...”. Some editing needs to be done to this sentence. Beyond the observation that the verb likely should be the plural “needs” (as in the workforce needs), the substance of the sentence seems garbled in that “local year-round” employees need year-round housing options, not “shorter-term housing options”. I think I know what the text is trying to say. It just needs some reworking.

While it is late in the game to suggest an additional goal, I should note that none of the seven goals calls for collaborative efforts among localities on this end of the Cape (I have Mashpee, Sandwich, Bourne and Falmouth especially in mind). Yet it is clear that the affordable housing challenge is really a regional phenomenon. Falmouth doesn’t care where the affordable housing is located around the Upper Cape so long as it is within reasonable commuting distance to jobs in Falmouth. We do, of course, desire that more families locate within town limits so that there are more children attending our schools. I would suggest a goal focused just on the regional collaboration task.

As to a related strategy, now that the Joint Base has approached Bourne about the possibility of having several hundred acres of base property made available for affordable housing, there is even greater need for Falmouth to focus on this option and find ways to support this idea. Having this sort of prospect stated as a strategy would be helpful. Perhaps strategy #11 would be an appropriate place for this idea.

Under the Regulatory Strategies section, there is an item missing that I raised twice during the earlier discussions of the draft HPP. The Town acknowledges that the creation of more affordable housing is a top priority. If the Town means what it says, then why not give affordable housing project proposals

priority as they move through the Town's planning and permitting steps? For example, it is often the case that projects are asked to return for a subsequent hearing in order to provide additional information. In such situations, why not give that project priority to get back on the agenda at the earliest possible opportunity, thus saving the developers valuable resources, rather than having the project wait in line to get on subsequent agendas? If affordable housing is our priority, let's show our commitment by moving such projects along through our process as quickly as we can.

In Regional Strategy 5, the second paragraph describes the idea of using winter emergency shelters for summer seasonal residents — in other words, having such structures do double-duty. Knowing only a bit about the complexity and difficulty that organizations like Belonging to Each Other face in securing sheltering space for the un-housed during the winter, I suspect that the double-duty idea may not be quite so simple. If you haven't already spoken with Gina Torielli about this idea, I urge you to do so before moving this paragraph forward.

In Regional Strategy 6, the last sentence in the second paragraph appears to need a word change. Should not the last sentence begin "The Town should reconsider the existing density bonus standards..."? The previous sentence speaks of changing the Town's density bonus approach. I'm guessing that the last sentence of the paragraph seeks to urge reconsideration of the existing approach.

Under Capacity Building Strategies, I would urge that there be a separate one focused on the critical need to increase the Town's housing staffing capacity. It is hard to argue that creating more affordable housing, especially by taking advantage of the wide variety of new programs and policies laid out in this draft HPP, can be done with a single staff person. We need to be serious about the scope and complexity of the task and expand the Town's staff capacity accordingly. As you know, the AHC made such a formal recommendation to the Select Board last year. The HPP should stress the need to increase staff.

Number 8 addresses outreach and education. The fifth paragraph calls for an annual forum drawn from Town boards and committees. At the end of that same paragraph, the text suggests inviting residents and local stakeholders to also participate. My concern about forums of this type that have been held in Falmouth in the last couple of years is that they appear to draw the same small group of people who are already involved in the process. They rarely bring in people who are not somehow involved already. My instinct is that other measures are needed to reach larger audiences. Preaching to the choir doesn't get us very far. Perhaps if the Select Board, the Planning Board and the ZBA led the way by constructing and participating themselves in such sessions and the Select Board reached out to relevant town committees to urge their participation, then we could begin to broaden the circle of people knowledgeable about options to create more housing.

Item #14 speaks to an important point. As we approach the 10% SHI target, the Town needs to commit itself to reaching a much higher percentage — and one that doesn't count non-deed-restricted rental units as the state's SHI calculation does with 40B rental projects. I urge that an effort be made to develop a numerical target representing what the Town actually needs, perhaps stated as a range, toward which the Town should direct its efforts. The target should be tiered over a number of years and set at as high a level as the data can support.

Some editing is needed in #19. In the fourth line there is the two-word phrase "Inclusionary zoning." It

appears that these two words were meant to be omitted but left in by mistake. Further in the same paragraph, in line seven, the word “devise” is used. What does the word mean in this context? How does the word “devise” relate to tax-deductible gifts, the subject of this sentence? Could a different and less technical word be used to capture the idea?

Finally, I want to associate myself with the comment made by my colleague, Wayne Lingafelter, in which he notes that the strategies section of the plan needs to recognize that there is a good deal of work still to do to adopt and operate a real estate transfer fee. The state needs to authorize a local option, the Town will then need to trigger the local option with approval of Town Meeting, and then staff need to work with the Barnstable Recorder of Deeds Office to set up the fee, have the County collect the funds and disburse them to Falmouth, and the Falmouth Affordable Housing Fund will need to set up policies for utilizing the funds. I recognize that there is some awkwardness in including language in the HPP that endorses the transfer fee idea before this April’s Town Meeting approves the warrant article. Perhaps the HPP can state that should the Town Meeting approve the article, then there are further steps needed to realize the local adoption of the fee and its subsequent management and oversight.

David Garrison
Chair
Falmouth Affordable Housing Committee

Planning Department Response

We thank you for your meaningful suggestions for improving the HPP. The Planning Department’s responses are detailed below:

Goals

- *Supporting language for Goal 2/lack of reference to seniors who wish to downsize:*
Thank you – we have added language about this important need.
- *Confusing wording of Goal 4 supporting language:*
Thank you; we have reworded for clarity.
- *Suggestion for new goal encouraging collaborative efforts:*
Rather than add a new goal, we have updated Goal 7 to touch upon this need.

Strategies

- *Joint Base:*
We have added supporting language to the draft strategy 11 (now strategy 12 due to other shifts) calling out this as an opportunity to keep an eye on, as this is also referenced in the Cape Cod Commission’s draft Regional Housing Strategy.

- *Expedited permitting:*
Our stance is that this complicates the process for other applicants, but the Planning Department will make every effort to prioritize efficient permitting of affordable housing projects.
- *Use of winter shelters:*
We clarified the language to suggest that if dormitory or other housing is built in the future for summer workers, it also be considered for a winter shelter; this is not proposing the opposite, which would be using any existing winter beds for housing seasonal workers. We added clarifying language that this is something to explore, as it may or may not be feasible given the complexities of different funding sources that would be involved. However, this could be a great tool where Falmouth could lead by example.
- *Strategy 6/Inclusionary Zoning/Density Bonuses:*
We have clarified this language, as it was in fact our intention to refer to the current affordable housing density bonus standards in the zoning and potentially use them in any future IZ amendments.
- *Capacity Building Strategies/Additional staff:*
Thank you. We have added a new strategy relating to staff capacity.
- *Strategy 8/outreach and education:*
We have added language encouraging the SB, PB, and ZBA to attend such events and for the SB to work with staff and/or the AHC to invite other boards and committees.
- *Strategy 14/tracking deed-restricted vs non-deed restricted units on SHI and setting targets:*
To develop a numerical target relating to deed-restricted affordable units (rather than just the SHI), the Town first needs to have an understanding of the breakdown on the SHI. Unfortunately, this data is not provided by the state. As such, we have elaborated on strategy #9 (Formalize a program to monitor existing deed-restricted housing units and enforce current conditions) to include adding data such as number of deed-restricted units, age restrictions, and other factors to the town's local SHI tracking.
- *Strategy 19/Inclusionary Zoning language/"Devise" and gift giving:*
Thank you for catching this hanging reference to IZ. We did in fact intend to have language relating to IZ, but this appears to have been omitted in the draft. We have added the following: "If the Town chooses to explore expanded Inclusionary Zoning (IZ), it could consider including an option for developers to pay fee in lieu of providing units, with any revenue from this could support the Falmouth Affordable Housing Fund (FAHF)."

As for the word "devise," this is the language used in the Act Relative to the Falmouth Affordable Housing Fund. We have added a footnote to explain what this means – a devise is a legal term that refers to a gift of real estate made by a will.

- *Real estate transfer fee*

We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We adjusted the language to say “Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth” and added a reference to the real estate transfer fee to the explanatory text for the strategy.

Thank you again for your thorough read of the plan and your comments, and thank you for your continued work as Chair of the Affordable Housing Committee.

Marjorie Parmenter

FEBRUARY 29, 2024

VIA EMAIL

Here are my comments:

Whenever land or property is being evaluated for the production of additional housing within the Falmouth municipality, the disposal of wastewater, nitrogen loading groundwater, and contaminating surface runoff, should be THE critical determining factors. Any new "on-site" wastewater treatment plant that proposes to discharge treated effluent directly into ground that sits over a freshwater aquifer is "pure poison" to this town's (and the state's) long term goal of reducing the nitrogen load into our watersheds, estuary embayments, and coastal waters. Therefore, the Housing Production Plan should make it a top priority that new housing, whether single dwellings, attached dwellings, or stacked apartments should be built on land that is already accessible for tie in to town-owned and town-operated existing sewer lines.

It is a ridiculous waste of town resources to produce new housing that is not within a half mile or so of existing town infrastructure and amenities, such as public transportation, proximity to school district bus routes, handicap accessible sidewalks, bike lanes, commercial shops, banks, grocery stores, restaurants, and the like. The Housing Production Plan should make "close proximity to town resources" its top priority for new housing builds.

For new housing builds, every effort should be made by the Falmouth municipality to prioritize the acquisition of reclaimed property or previously disturbed land, rather than for the town to acquire, dig up, and destroy undisturbed naturally forested land.

Environmental concerns for aquifers, watersheds, and wildlife species were only broadly addressed in this Housing Production Plan. No specific approach was described as to how the town would actually go about assessing a property for potential environmental risk. The lack of specific text in this Housing Production Plan with regard to preserving existing trees, vegetation, and animal habitat on build lots is appalling. It underscores a continuing disregard for Falmouth's environment, and the Rights of Nature which recognizes that wildlife have a right to exist, persist, and reproduce within their natural habitat spaces. Producing new housing each and every year will come at a great sacrifice with regard to reducing Falmouth's available open spaces and habitat. For every acre that gets completely clear-cut for new housing and parking lots, that becomes yet another acre of green space or wildlife habitat that will be completely and forever lost. Simply stating in the Plan that "consideration will be taken to preserve open space" does not say enough. The Housing Production Plan should offer a method of balancing out this loss, derive a practical metric for achieving this, and preserve and protect a certain percentage of natural green space, even if that lot space is only one acre.

Marjorie Parmenter

East Falmouth, MA

Planning Department Response

We thank you for your comment. The Town addressed the myriad environmental constraints to development in the barriers analysis within the Needs Assessment. In addition, the Housing Production Plan (HPP) encourages redevelopment and development where it already exists to minimize greenfield development. The plan also recommends prioritizing affordable housing when planning for sewer capacity, as the Town of Provincetown has successfully done.

As for assessing a property for potential risk to the environment, while it is beyond the scope of this plan to *establish* such criteria, the plan recommends that the town take an interdepartmental approach to creating a standard set of metrics to assess property (draft strategy 12, now strategy 13 due to other shifts). We have added language to the recommendation's supporting text to include the need for criteria focusing on environmental suitability for development or redevelopment, wastewater considerations, and other important factors. This is the advantage to an interdepartmental approach so that the Town's Conservation, Marine & Environmental Services, Wastewater, and other appropriate departments are included in the conversation about the best, most responsible uses of land going forward.

Frances Chevarley

FEBRUARY 29, 2024

VIA EMAIL

Dear Sirs and Madams,

I appreciate all of the the town's work in producing this draft Housing Production Plan. And I apprecaite this opportunity to provide comments. Please see my attached comments.

Thank you.

Sincerely yours,

Frances Chevarley

[ATTACHMENT TEXT BELOW]

RE: Comments to Falmouth Draft Housing Production Plan

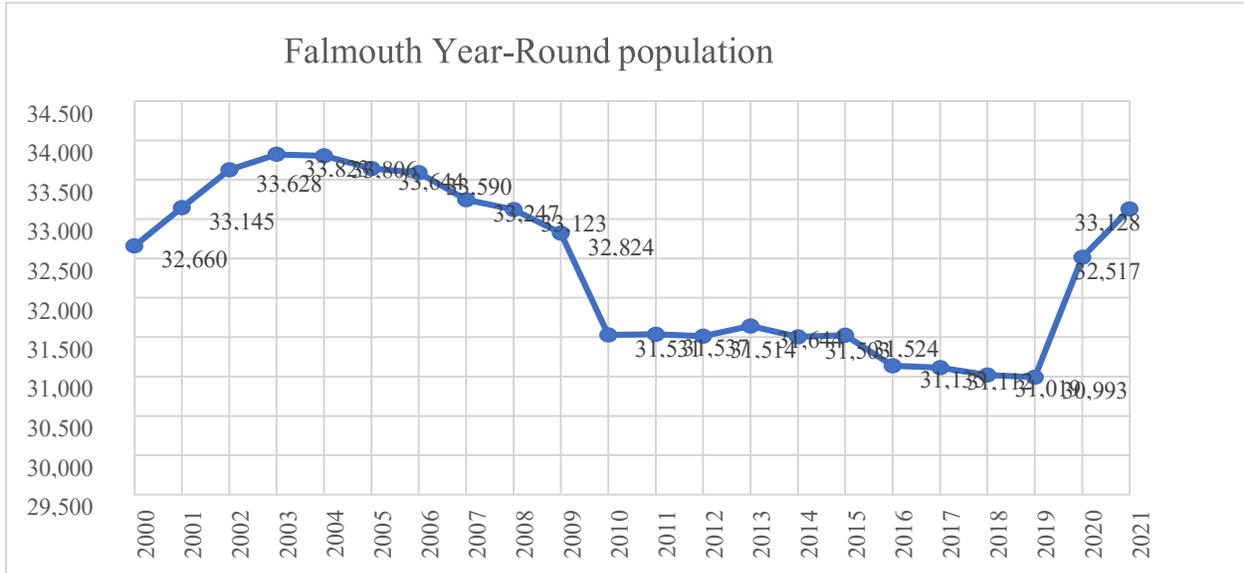
Falmouth Housing Production Plan Team
59 Town Hall Square
Falmouth, MA 02540
Email: housing@falmouthma.gov

Dear Sirs and Madams:

Thank you for the Town's extensive work in producing Falmouth's 2024-2028 Draft Housing Projection Plan. I appreciate this opportunity to provide comments to this Draft Housing Production Plan that I accessed from the website: <https://www.falmouthma.gov/1448/NewHousing-Production-Plan-Information>.

My comments to the file "DRAFT Housing Production Plan 20240215.pdf" are listed below.

1. p.6 first bullet, "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." that is based on Figure 1 (Figure 1. Falmouth Population Growth, 1930 to 2020).



Comment: Here is the single year data (not just the 10-year Census data) from 2000 to 2021. Figure 1 and the p. 6 bullet are missing all of these nuances by only providing the 10-year Census data. Your graph doesn't show the increase from 2000 to 2003 and general decrease from 2003 to 2019 and then the increase after 2019 due to Covid. These single-year data are more informative. I believe the 2022 data is also available.

One option would be to produce another figure just for the more recent time period say 2000 to 2022 with single-year data. **Another option** may be to modify Figure 1 and include census year data up until 2000 and then include single-year data from 2000 to 2022 so that the trends for the more recent period (2000 to 2020) would be more accurately reported. In either option you could continue to label just the Census Years (though you would see shifts in the actual graph at other years) or you may decide to label the points when the increases or decreases changed from 2000 to 2022.

2. Map 11 Potential Locations for New Housing Development is on p. 11 and also p. 88 Six properties are identified on this map: 1. 0 Locustfield Road; 2. 81 Davisville Road; 3. 375 Sandwich Road; 4. 13 Davis Straits; 5. 545 Main Street; and 6. 0 Lantern Lane.

Text referencing Map 11 is in two places.

p. 9 Bullet 3. Maximize the number of affordable units included in development on Town-owned land. (See Map 11, attached)

p. 84 Bullet 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 Townowned properties that would be appropriate for housing development or redevelopment.

Comments:

I am not sure the same Map 11 needs to be on two different pages. Just a thought.

I am confused by Map 11 whose title is Potential Locations for New Housing Development and identifies 6 properties, yet the bullets referencing Map 11 only refer to the two town-owned properties. I am of the opinion that Map 11 should only include the two town-owned properties of Locustfield Road and Davisville Road. The title of Map 11 could be changed to something like: Potential Town-Owned Properties for New Housing Development.

I am not sure what the criteria was for including the 4 other properties on Map 11. These 4 properties are: 0 Lantern Lane (is this the Lyberty Green property on the Appendix A December 18, 2023 Subsidized Housing Inventory?); 375 Sandwich Road proposed project whose Comprehensive Permit is under review and has not been approved by the ZBA and which has a lot of town opposition; and I don't know what can be said about the 13 Davis Straits and 545 Main St properties. I think we are better off of only including the two town-owned properties on Map 11. Otherwise, if another property were included someone may want to misinterpret its (their) inclusion on Map 11 as a type of "letter of support" (asked about in the Mass Housing application) for their project. It's just cleaner to just include the two town-owned properties referenced in the two bullets and changing the title.

3. On p. 54 it states: "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." Comment: It sounds like reaching the 10% goal under 40B is being used as the justification for the 375 Sandwich Road proposed project. The end does not justify the means. Do not use reaching the 10% goal as a justification for showing support for the 375 Sandwich Road proposed project. The 375 Sandwich Road proposed project doesn't help with Falmouth's local housing needs, and it destroys existing working-class neighborhoods which would further exacerbate Falmouth's essential workers' housing crisis. What about replacing this statement with one that is more neutral and that doesn't call out a given project. The statement could be something like: Falmouth is making good progress and is on track with reaching its 10% SHI goal in the next year or two. [As of December 18, 2023, Falmouth already has 1,293 of the needed 1,590 SHI units to reach 10% and needs only an additional 297 SHI units. There are a number of relatively small suitable projects in the works that are in locations with amenities and sewage (downtown), and on reclaimed property (not pristine forrest). With projects like these, Falmouth can reach the 10% goal without destroying Falmouth and it's neighborhoods in the process.]
4. On p. 110 there are stickers on a map where people attending the meeting designated 375 Sandwich Road where they think future housing development or redevelopment makes sense for Falmouth.
Comment: Those attending the meetings were a very small group of people who were not necessarily representative of Falmouth residents. In describing this map, there needs to be a statement indicating that these comments and stickers are just a small number of attendees and cannot be considered representative of Falmouth's resident population. It should also be noted

on the map that zoning for 375 Sandwich Road is Agricultural B.

My comment to the map in the file "ResidentialUse 11-8-23.pdf."

1. In this map the 45 Pitch Pine Lane parcel is indicated as Two- and Three-Family. Comment: This is the only parcel in the vicinity on the map with this designation and this would be a zoning change for 45 Pitch Pine Lane from the current zone of Agricultural B. I assume this is a mistake? I don't recall this coming up or being discussed in any ZBA meetings. It is currently zoned Agricultural B with agricultural and residential uses which according to the real estate flyers would be single family homes. The designation for "45 Pitch Pine Lane" needs to be corrected to Single Family Detached. This correction needs to be made on this map and on any other maps that may have 45 Pitch Pine Lane incorrectly designated as Two- and Three-Family. If there were a zoning change of Pitch Pine Lane it would have the impression of being a conflict of interest and would look suspicious since that property is currently under a purchase and sales agreement and such a change would be of financial advantage to the person with the P&S agreement.

In conclusion, I appreciate the Town of Falmouth work in advancing housing solutions while focusing on preserving current housing stock for locals and which housing solutions will be advantageous to locals. Thank you for your time and consideration.

Sincerely yours,
Frances Chevarley

cc: Noreen Stockman, Falmouth Zoning Board of Appeals

Planning Department Response

Thank you for your suggestions and comments. Please see the Planning Department's responses below:

- *Yearly Population*
Thank you for providing these figures. While we agree graphing annual population counts would be very useful for observing trends more closely, the figures in the graph you provided appear to be based on census *estimates*, which are determined for years in between the decennial census years. By contrast, the decennial census is based on actual counts. As such, this is the preferred measure for viewing longer-term population shifts.
- *Map 11 – Properties Included*
The legend on the original map indicated that several of the properties had current proposals for housing. We agree this was unclear and have removed those from the map. We also added several other town-owned properties for consideration.

- *375 Sandwich Road*
The reference to the 300 units and the Town’s SHI is intended as a statement of fact, not an indication of support. However, we have removed the sentence altogether.
- *Map of potential housing locations from community meeting*
We have added language emphasizing that any feedback received at these meetings only reflected the opinions of those in attendance and participating.
- *Residential Use Map*
Thank you for catching this issue with the property mapped as two- and three-family. There was an error with how a particular land use code was mapped, which we have now corrected in the final plan. However, because the map is showing how a property is *used* rather than how it is *zoned*, we cannot map it as single family since that is not its current use.

Barbara Samuels

MARCH 1, 2024

VIA EMAIL

Dear Ms. Fish,

Please find and accept the attached comments on the draft Housing Production Plan. If you have any questions I can be reached at 443-695-2657.

Barbara Samuels

[ATTACHMENT TEXT BELOW]

To: Town of Falmouth c/o
Kim Fish, Housing Coordinator
Jed Cornock, Town Planner
From: Barbara Samuels

Re: Comments on Draft Falmouth Housing Production Plan 2024-2029

Date: March 1, 2024

Thank you for the opportunity to comment on Falmouth's draft Housing Production Plan (the Plan) for 2024-2029. Below are some general impressions and comments based on my review of the Plan:

1. The recommendation for actions fall short of the findings presented in the Plan. The data analysis is thorough and well presented. It clearly shows the dimensions of the housing supply and affordability crisis as it impacts Falmouth. The identification of challenges and mitigation strategies follow from the available evidence and address some of the available policy options. These strategies are good as far as they go --- but they do not go far enough and do not match the severity of the crisis. We are beyond the point of half measures. As the Plan notes, "all of the issues and barriers identified in the 2018 HPP remain but magnified."

2. The housing crisis is causing Falmouth to lose its well-rounded small-town character. In the past, many people chose to live in Falmouth because it was a real, year-round small town, not just a seasonal community or a retirement village. But as well documented in the Plan, as housing prices have escalated, Falmouth has been rapidly aging and becoming more seasonal. The Plan finds a dramatic 26% decrease in the population of young and school age children, resulting in a 30% decline in school enrollment. Relatedly, the Plan also finds substantial declines in the population of young and middle-aged adults and the middle class. This is the core population that drives the town's economy and serves the aging. Without it, Falmouth will lose its character as an authentic community.

3. Of the six major factors that limit affordable housing development outlined in the Plan, it is striking that five of those factors are policy choices within the control of the town. The environment is the only natural factor that is not the result of policy decisions. But here too, the town makes choices as to how it responds to environmental challenges.

- Infrastructure
- Regulatory Constraints
- Environment
- Property Costs and Availability
- Availability of Subsidy Funds
- Community Perception

These interrelated factors cause an artificial scarcity of developable land, limiting housing supply and driving up costs. For example, in almost every corner of Falmouth, zoning and regulatory constraints enacted by the town make other forms of housing illegal to build. As the Plan explains, small measures have been taken in recent years to offer relief from these regulatory barriers. However, they are so narrowly framed and restrictively applied that they are largely ineffective.

The failure of the town to build adequate sewerage infrastructure further limits the availability of buildable sites, even in already developed areas. The problem is not so much nitrogen leaching into the ponds and estuaries from homeowners' existing septic systems --- it is the town's failure over decades to protect those sensitive environmental areas by building sewers instead of relying on septic.

Meanwhile, as the plan notes, the town has acquired at least 5,000 acres of land and taken that land out of the market, making the demand for other land more intense and driving up costs. Often, state Community Preservation funds have been used for these land purchases. Yet only 26% of those funds have been used to for affordable housing purposes, such as the acquisition of land. The Plan identifies only a handful of town-owned parcels deemed suitable to meet the affordable housing shortage, including one on Davisville Road. When a small project planned for the Davisville Road site met with neighborhood opposition, the Select Board quickly killed the project. In doing so, town officials allowed the negative "community perceptions," described in the Plan to prevail over the urgency of the need support for the project.

4. The data shows the lack of housing options, and resulting housing cost pressures, is excluding young adults and middle-aged families with children, and displacing some who can no longer secure housing in Falmouth. This is not just an affordable housing problem --- it is a Fair Housing issue. Families with children are a protected group under the Fair Housing Act. They are also more likely to be racially and ethnically diverse.⁹⁷ Falmouth has a duty under the Fair Housing Act to refrain from policies that exclude protected groups, and beyond that, to affirmatively further fair housing (AFFH). This includes the duty to take proactive measures to mitigate the exclusion and/or displacement of protected groups. Instead it

⁹⁷ The fact that Falmouth's population is 86.8% white alone and only 2.1% Black does not mean that it does not have Fair Housing issues. To the contrary, this demographic profile may indicate a history of racially exclusionary policies.

seems to approach potential mitigation measures as a purely discretionary selection from a menu of available policies while the crisis demands an "all of the above" response

5. There is more that Falmouth can, and should, undertake to begin alleviating its housing crisis. It is encouraging that Falmouth is pledging to continue its efforts if or when it reaches the 10% "safe harbor" threshold. But there are a number of potential "best practices" that are not included in the Plan, as well as other steps mentioned in the Plan that do not show up as recommendations for action. Below is a partial list of additional actions that Falmouth can and should take:

- Production targets should be set for each village to ensure that all parts of town are doing their fair share. Some areas in each village, and within a mile radius of each elementary school, should be zoned "by right" for multifamily housing of varying density.
- Affordable multifamily housing should not be restricted or disproportionately targeted to commercial areas downtown or neighborhoods along Rte 28 like Teaticket.
- Duplexes, tri-plexes and four plexes should be legalized in all residential zones, including those currently zoned single family. These small multifamily structures can be designed to look like large single family homes and will blend into the neighborhoods.
- ADUs should be allowed everywhere and not limited to year round owner-occupants.
- Affordable housing should be prioritized for extension of sewers and exempted from "flow neutral" restrictions on redevelopment in already sewered areas.
- The town should resume development of the Davisville Road site for affordable housing.
- The town should acquire additional land for affordable housing development and/or. examine the 5,000 acres already owned and held for conservation to identify some parcels that can appropriately be used for affordable housing.
- The town should increase funding for affordable housing via measures such as the proposed "Mansion Tax" on sales of million dollar single family homes, increased occupancy taxes on Short Term Rentals, and an increased share of Community Preservation Funds for affordable housing.
- Local affordable housing funds, like state and federal funds, should be used to subsidize development of housing for households with the most severe housing burdens, i.e. those with incomes below 60% of AMI. These units should be in mixed income developments as well as those that are 100% affordable.
- The Town should ensure that new affordable housing is designed to be suitable for families with children --- not just small one bedroom units, or seasonal units.
- The housing affordability needs of moderate and middle income households should be addressed primarily through zoning and regulatory reforms. If properly implemented, these reforms will increase the supply of more modest homes and rentals, and moderate rents.
- The Town of Falmouth should undertake affordable housing development utilizing the existing institutional structure of the Falmouth Housing Authority. For some reason, the Housing Authority is barely mentioned as a partner in carrying out the Plan.
- The Town should build capacity by hiring at least one additional FTE staff person to focus on affordable housing production. Last September, members of the Select Board cited the

workload of town staff as a reason to kill the Davisville Road project and instructed staff to focus efforts elsewhere. Instead, more staff should be hired.

- The town should partner with a Fair Housing organization to carry out community education seeking to change "community perceptions" of affordable housing, In addition, town officials should receive training on Fair Housing and the role of government officials in resisting and overcoming NIMBY opposition.

Thank you in advance for your consideration of these comments.

Barbara Samuels

Planning Department Response

We appreciate your constructive input and recommendations for strengthening this HPP. While we were unable to incorporate all of your suggestions into this five-year plan, here are some points we have addressed:

- *Lack of reference to fair housing*
We have added language relating to fair housing considerations in the context of households with children to the Needs Assessment section on school enrollment trends. We have also updated strategy 8 to now read "Conduct ongoing community outreach and education regarding fair housing and affordable housing needs locally and regionally." Additionally, we have added explanatory language about connecting conversations regarding equity to housing needs and potentially partnering with local groups such as the Human Services Committee.
- *Village production targets*
While the plan does not establish a numerical target by village, we have added more municipal properties for potential affordable housing development to Map 11 so that each village is represented on the map.
- *Real estate transfer, STR taxes, etc.*
We moved what was strategy #22 (Explore the applicability of federal, state, and regional programs to finance affordable or mixed income housing projects) up to #20. We also substantially adjusted the language to say "Monitor the availability of federal, state, and regional programs and local options to finance affordable or mixed income housing projects and explore their applicability and appropriateness for Falmouth."
- *Need for deeper subsidies*
We have added language to strategy 21 (formerly strategy 18, now reading "Encourage unique development approaches that utilize existing resources including the Falmouth Affordable

Housing Fund and Falmouth Housing Authority to meet a broader range of income levels”) to provide more detail about opportunities to buy down affordability on proposed affordable units or to convert housing choice vouchers to project-based vouchers , as the FHA has done to support several projects.

- *Lack of reference to Falmouth Housing Authority (FHA)*
See above bullet (*Need for deeper subsidies*); we also added language to strategy 12 (formerly 11) regarding partnering with the FHA, among other entities.
- *Staff capacity*
Thank you. We have added a new strategy relating to increasing staff capacity.

Tyler Barron

MARCH 1, 2024

VIA EMAIL

Overall, the production plan looks good, as do many needs assessment, reports, and works done by consultants. My fear however is that none of this will be put into action. It seems as though we have all of the tools and ideas at our disposal and yet we lack the will to make any change out of fear of what might go wrong. As someone who recently has left Falmouth because it is unlivable as a young adult, and who has seen the vast majority of my high school class never come back, it's clear that Falmouth continues to change in a certain way, and because this keeps happening it seems like this change is by design not by accident. All of the production plans in the world won't put them into action and it is my deep hope that Falmouth's leadership take a risk, a risk that is considered unpopular by the very people the town has been advertising itself, because it will matter. It will matter to Falmouth's ability to grow food, it will matter to the increasing number of low income residents, and because it will matter to younger people like myself who consider whether or not they want to continue making a home of their hometown. The social value lost by people never returning, the challenges associated with paying more than 50% of your income on housing produce a deterioration of community that can't be replaced by economic gains and new single family homes. This deterioration has long lasting effects that get harder and harder to change.

I suppose it's like creating a new habit that is good for you. It's not fun or comfortable to go start going to the gym or eating broccoli everyday, but over time this positive incremental change adds up. None of this work in Falmouth will be fun or comfortable, and it will come with tradeoffs, but the longer term results will matter.

Planning Department Response

Thank you for your thoughtful comment. We have added language to the section on strategies about how the Housing Coordinator and Planning Department can track and report on the implementation of this HPP.

Ellie Costa

MARCH 1, 2024

VIA EMAIL

Hello Kimberly,

I am a member of the board of Farming Falmouth. We thank you for your work toward a cohesive housing production plan for the town. We notice there is no mention of tiny houses as an option for consideration. We feel this option should be named, along with all of the others, as it may be viable and preferable in some cases. Our mission is to strengthen our local food system. That includes working to preserve as much of our remaining farmland as possible, and to ensure there is affordable housing for young, innovative farmers working that land.

With appreciation,
Ellie Costa, and the Board of Farming Falmouth

Planning Department Response

Thank you for your comment regarding tiny homes. We have added language relating to zoning for “tiny homes” to Strategy #2, “Allow more diverse housing types in more areas.”

OPEN SESSION

BUSINESS

2. Presentation on the East Falmouth Library project **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 2.

ITEM TITLE: Presentation East Falmouth Library project

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Brian Stokes, Interim Library Director

ATTACHMENTS: 1-Stokes-PPT-SB-EFBL-Presentation-7-slides.pptx; 2-Stokes-PDF-Print-SB-East-Falmouth-Branch-Library-7-slides.pdf; 3-Stokes-PDF-Print-2024 Excerpt-GaleAssoc-EFBL-Bldg-Assessment.pdf

PURPOSE:

The Interim Library Director, Brian Stokes, will give a summary of the key points from the recent building assessment of the East Falmouth Branch Library, completed by Gale Associates at the request of Board of Library Trustees in advance of Falmouth Public Library's application to the 2023-24 Massachusetts Public Library Construction Program (MPLCP) grant round.

BACKGROUND/SUMMARY:

- The East Falmouth Branch Library opened in its present location in July 1971 in a building that was originally constructed as a private residence circa 1950.
- While the present building has served the East Falmouth community admirably for over 50 years, several issues have limited its utility for some time, including a broken HVAC system, a lack of meeting room space, and significant accessibility problems.

- The Massachusetts Board of Library Commissioners' MPLCP grants cover up to 50% of the cost of construction of a new public library or the renovation of an existing building. The Board of Library Trustees wanted to explore both possibilities, and a building assessment is required for municipalities that are applying for grants to cover renovations.
- Gale Associates completed on-site assessment of the building in November 2023, delivering a final report to the Board of Library Trustees in January 2024.
- The report's sections include Site and Grounds, Structural Systems, Building Enclosure, Interior Finishes, Mechanical Systems, and Accessibility Compliance. Each section is divided into three repair categories: Immediate (zero-to-two years), Short-Term (two-to-five years), and Long-Term (five-to-fifteen years), as applicable.
- Given Gale's observations and opinions, the total order of magnitude cost estimates for the three repair categories are \$2,111,522 for immediate, \$578,354 for short-term, and \$692,656 for long-term, totaling \$3,382,523. The immediate and short-term repair categories overlap with the time frame of the MPLCP grant.
- These repairs will trigger a requirement of full compliance with state and federal accessibility standards, which will have a significant impact on the present layout of the library. It would also not address the lack of meeting space at the library, which was cited as a primary need by the East Falmouth community in a 2022 survey.

DEPARTMENT RECOMMENDATION:

No formal Board action is requested at this time, however the expense of immediate repairs, the need for the addition of meeting room space, and the challenge of making the present building accessible leads us to believe that new construction is the appropriate path to pursue for the East Falmouth branch library.

OPTIONS:

Not applicable. This informational item does not require action at this time.

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:

This report is for informational purposes only. No formal Board action is requested at this time.

Michael Renshaw

Town Manager

3/18/2024

Date

EAST FALMOUTH BRANCH LIBRARY

Building Assessment Report

Gale Associates, Inc.
30 January 2024

Presentation to Falmouth Select Board

Brian Stokes, FPL Interim Director

25 March 2024



East Falmouth Branch Library
 Building Assessment
 Falmouth, MA

APPENDIX B – ORDER OF MAGNITUDE COST ESTIMATES

Possible EFBL
 construction
 2027

1/30/2024

LINE ITEM	SECTION	2024-2026	2026-2030	
		Immediate	Short Term	Long Term
		(0-2 years) - Markedup & Escalated	(2-5 years) - Markedup & Escalated	(5-15+ years) - Markedup & Escalated
		7.72%	11.70%	43.64%
1	SITE & GROUNDS	\$ 38,960	\$ 30,763	\$ 270,313
2	STRUCTURAL SYSTEMS	\$ 464,360	\$ 20,919	\$ -
3	BUILDING ENCLOSURE	\$ 347,274	\$ 309,735	\$ 230,441
4	INTERIOR FINISHES	\$ 8,810	\$ -	\$ 162,299
5	HVAC	\$ 833,272	\$ -	\$ -
6	ELECTRICAL	\$ 147,038	\$ 163,451	\$ 29,603
7	PLUMBING	\$ 89,192	\$ -	\$ -
8	FIRE PROTECTION	\$ -	\$ -	\$ -
9	ACCESSIBILITY COMPLIANCE	\$ 382,616	\$ 53,477	\$ -
	TOTALS BY PRIORITY	\$2,111,523	\$ 578,345	\$ 692,656

[\$2,689,868]

Structural Systems

Masonry Basement Wall

REPAIR PRIORITY

Immediate: 0-2 Years

Repair and/or rebuild approximately 120 linear feet of wall; walls are approximately 8 feet tall.



Image 16/5: Front side of building. Significant separation along joint, and wall is showing signs of inward bowing.

Structural Systems



Image 18/11: View of disconnected cross-bracing in basement.



Image 18/14: 8-inch-deep steel beam supported by 4-inch diameter steel columns.



Image 19/18: timber beam with pipe penetration, reduces load-carrying capacity of beam.

First Floor Framing

REPAIR PRIORITY

Immediate: 0-2 Years

Augmentation and addition of timber joists, timber beams, steel beams, and steel columns to increase capacity to carry applied load conditions.

HVAC



Image 29/14: Broken air handler in attic.



Image 56/10: Existing air conditioning supplied by window AC's (in winter storage)



Image 57/18: Existing Condenser (Carrier, 1993) – not operational.

Air Conditioning/Cooling

REPAIR PRIORITY

Immediate: 0-2 Years

Improved mechanical ventilation and new air conditioning system needed

Accessibility



Image 81/3: The sunken reading room is accessible via stairs only.



Image 81/11: Interior doorways measure less than 32-inch minimum.



Image 81/4: Most bookshelves have less than 36-inch clearance for wheelchair access.



Image 85/15: Public toilets do not provide for wheelchair turnaround.

Accessibility Compliance

REPAIR PRIORITY

Immediate: 0-2 Years

There are 25 accessibility deficiencies with major ones being the sunken reading room's lack of accessibility, 10 issues with the public toilet room(s), issues with access routes, an existing ramp, the entrance, signage, doors and doorways, stairs, floor surfaces, and tables and seating.

APPENDIX B – ORDER OF MAGNITUDE COST ESTIMATES



East Falmouth Branch Library
 Building Assessment
 Falmouth, MA

Possible EFBL
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EAST FALMOUTH BRANCH LIBRARY

Building Assessment Report

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30 January 2024

Presentation to Falmouth Select Board

Brian Stokes, FPL Interim Director

25 March 2024



East Falmouth Branch Library
 Building Assessment
 Falmouth, MA

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Image 18/11: View of disconnected cross-bracing in basement.



Image 18/14: 8-inch-deep steel beam supported by 4-inch diameter steel columns.



Image 19/18: timber beam with pipe penetration, reduces load-carrying capacity of beam.

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REPAIR PRIORITY

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Augmentation and addition of timber joists, timber beams, steel beams, and steel columns to increase capacity to carry applied load conditions.

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Image 57/18: Existing Condenser (Carrier, 1993) – not operational.

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REPAIR PRIORITY

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Improved mechanical ventilation and new air conditioning system needed

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Image 81/11: Interior doorways measure less than 32-inch minimum.



Image 81/4: Most bookshelves have less than 36-inch clearance for wheelchair access.



Image 85/15: Public toilets do not provide for wheelchair turnaround.

Accessibility Compliance

REPAIR PRIORITY

Immediate: 0-2 Years

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East Falmouth Branch Library
Building Assessment
Falmouth, MA

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[\$2,689,868]



Building Assessment

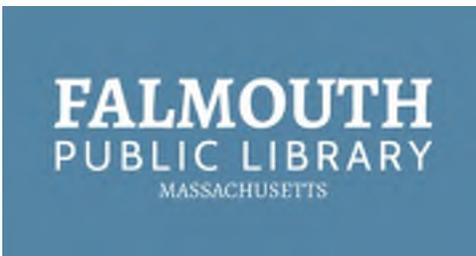
**East Falmouth Branch Library
310 East Falmouth Highway
East Falmouth, MA 02536**

**Gale JN 842280
January 30, 2024**



Excerpt with all repair priority periods
Immediate: Zero-to-Two (0-2) Years;
Short-term: Two-to-Five (2-5) Years;
Long-term: Five-to-Fifteen (5-15) Years

Condition Assessment Report



Prepared For:

**Mr. Brian Stokes
Falmouth Public Library
300 Main Street
Falmouth, MA 02540**



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APPENDICES

- APPENDIX A – COMPILED SUGGESTED SCOPE OF WORK NARRATIVES
- APPENDIX B – ORDER OF MAGNITUDE COST ESTIMATES
- APPENDIX C – BUILDING ENCLOSURE PHOTOGRAPHIC ELEVATIONS AND OBSERVATIONS

EXECUTIVE SUMMARY

The East Falmouth Branch Library (EFBL) is a one-story building with a lower level that was originally constructed as a private residence circa 1950 and was converted to a library in 1971. The building is predominantly wood-framed with various steel framing elements, contains a concrete slab on grade, and contains a concrete foundation wall that is exposed at the rear elevation with a patio space (grade varies). Elevations are clad primarily with wood shingles and contain mostly replacement windows of varying age. The roof consists of steep-sloped asphalt shingles and includes two (2) brick chimneys and a cupola which extend above the roof. The building contains a septic system (reportedly replaced in 2000), an oil-fired boiler, air handling units in the attic, two (2) reportedly inoperable exterior condensing units, an electrical panel with no additional service capacity, an electric hot water heater, and no fire protection sprinkler provisions. The interior contains finishes of varying age and condition and includes numerous items that are noncompliant with current accessibility code requirements.

The building was inventoried under the Massachusetts Historical Commission (Inventory No. FAL.2172) but has not been designated with national recognition or historic restrictions. According to the Falmouth assessor's website, the latest 2024 assessed building value for EFBL is \$1,644,100, with extra features value of \$20,500 and land value of \$741,100. The full fair and cash value of EFBL is \$1,749,043, which utilizes a 2022 assessment ratio of 0.94 from the Massachusetts Department of Revenue for Falmouth. Full compliance with the Massachusetts Architectural Access Board (MAAB) code will be required if work performed is equal to or exceeds \$524,713 over a three year period.

Per various discussions with Falmouth Public Library (FPL), it is Gale's understanding that the current building does not provide the space required to offer full library services, including space for additional collections and a 50-person meeting room. The basement contains a partially finished space that is not currently accessible to the public. FPL is considering applying for an upcoming construction grant and they have requested Gale Associates, Inc. (Gale) to provide a building assessment report to assist FPL with their planning for future improvements and overall intended use of the EFBL building. This study excludes assessing the feasibility of constructing additions, major modifications, or full accessibility access. Report sections include Site and Grounds, Structural Systems, Building Enclosure, Interior Finishes, Mechanical Systems (by our MEP subconsultant which include HVAC, Electrical, Plumbing, and Fire Protection), and Accessibility Compliance.

Gale has categorized our building assessment observations and suggested scope of work narratives into three (3) repair categories: Immediate (zero-to-two years), Short-Term (two-to-five years), and Long-Term (five-to-fifteen years), as applicable. Categorization was determined by factoring in the overall age and condition of the associated element, potential life safety implications, code compliance concerns, etc. Our cost estimator consultant has developed order of magnitude cost estimates for the various identified scope of work narratives. Gale has also provided regular maintenance/monitoring narratives to identify suggested components that typically require regular maintenance/monitoring. Given Gale's observations and opinions, the total order of magnitude cost estimates for the three repair categories are \$2,111,522 for immediate, \$578,354 for short-term, and \$692,656 for long-term, totaling \$3,382,523. The immediate category cost estimate exceeds the full and fair cash value of EFBL. Refer to Appendix A for a compiled list of suggested scope of work narratives across all sections of this report and Appendix B for a more detailed breakdown of the order of magnitude cost estimates.

Given the potential amount of suggested scope of work across numerous disciplines, FPL will need to determine if maintaining the EFBL building for use as a public library is economically feasible. If maintaining the building under its current use, more focused feasibility studies will be necessary to refine the scope of work and use of space desired by FPL. Gale suggests that FPL consider the immediate scope of work narratives identified in the Structural Systems section as the highest priority as there are potential life safety impacts if left unaddressed.

APPENDIX A – COMPILED SUGGESTED SCOPE OF WORK NARRATIVES

Appendix A – Compiled Suggested Scope of Work Narratives

COMPILED REPAIR PRIORITY PERIODS

Immediate: Zero-to-Two (0-2) YearsSite and Grounds

1. Evaluation/subsurface evaluation of the four (4) metal pipes located adjacent to the angled spaces north of the library.
2. Septic system (Title V) evaluation and report.
3. Extend preservative-treated fence as a visual barrier to the end of the angled parking spaces (approximately 110 feet).
4. Remove and relocate existing six (6) curb stops and provide new two (2) curb stops to the angled parking spaces without sufficient curbing.
5. Repoint missing or deteriorated mortar on rear brick masonry retaining wall. Further evaluation may be considered in conjunction with these repairs.
6. Remove parge repairs at rear patio concrete retaining wall, evaluate wall, and patch as necessary.
7. Repair or replace loose patio stone tiles. Repair other trip and fall hazards on patio.

Structural Systems

1. Masonry Basement Wall
 - a. Repair and/or partial rebuild – install shoring to support upper levels, excavate outside grade, repair and/or partially rebuild wall.
 - 1) Approximately 120 linear feet of wall needs to be repaired and/or rebuilt.
 - 2) Walls are approximately 8 feet tall.
2. First-Floor Framing
 - a. Augmentation of timber joists, timber beams, steel beams, and steel columns.
 - 1) Approximately 75% of timber joists require structural augmentation – installation of approximately thirty (30) sister 2x10 joists bolted to existing joists 13 feet-6 inches long, install one (1) new steel W8x40 beam 36 feet-0 inches long pocketed into CMU with three (3) new round HSS4x0.25 steel columns each 8 feet-0 inches tall, and install one (1) new steel W8x40 beam 32 feet-0 inches long with one (1) new steel column 8 feet-0 inches tall.
 - 2) Pipe penetration shown in Image 18 significantly reduces the capacity of a 4x6 timber beam – install a steel scab plate on the bottom of the existing 4x6 timber beam, approximately 6 feet-0 inches long.
 - 3) Timber beams and steel columns do not have sufficient capacity to carry applied load conditions – install five (5) new steel columns, each approximately 8 feet-0 inches tall, to reduce timber beam span length and the load supported by each column.

Appendix A – Compiled Suggested Scope of Work Narratives

- 4) Steel beams and steel columns do not have sufficient capacity to carry applied load conditions – install two (2) new steel columns, each approximately 8 feet-0 inches tall, to reduce steel beam span length and the load supported by each column.

Building Enclosure

1. Replace northern chimney step flashing, chimney cap, and repoint deteriorated mortar joints. Perform more detailed evaluation of chimney and water test as necessary to recreate reported water leakage/determine if other repairs are necessary.
2. Repair asphalt shingle roof and underlayment around northern fan vent penetration. Replace fan vent unit if roof repairs do not resolve potential leakage.
3. Replace step flashing and repair asphalt shingle roof and underlayment around the chimney at the south end of the building. Perform more detailed evaluation of chimney and water test as necessary to recreate potential future water leakage/determine if other repairs are necessary.
4. Replace gutters and downspouts with aluminum components. Replace associated wood trim and sealant along eave edges. Provide splash blocks at downspout locations or connect to subsurface pipes if confirmed that they are operational.
5. Replace/repair wood siding where defects exist, including broken, severely cupped, and missing shingles. Replace deteriorated shingles below certain windows following window sill/trim treatment.
6. Remove and replace all deteriorated wood window trim and sills with PVC trim components. Replace sealant associated with the trim. Provide sill flashing provisions.
7. At the east bay window, perform more detailed evaluation and water test as necessary to recreate reported water leakage/determine if other repairs are necessary. At a minimum, improve securement of copper accent roof above.
8. Provide light-well covers above all light-well windows.
9. Remove existing sealant and install new sealant around the windows.
10. Install improved gasketing, sweeps, and weatherstripping at all three (3) doors.
11. Install head flashing over main and rear entrance doors.
12. Excavate and apply waterproofing at exterior foundation walls.

Interior Finishes

1. Patch and repair stained portions of the gypsum ceiling. Evaluate and perform roofing or other building enclosure repairs as necessary prior to repairing ceiling.
2. Patch missing tile in the public toilet room.

Appendix A – Compiled Suggested Scope of Work Narratives

3. Install vinyl base cove trim around the perimeter of the public toilet rooms.
4. Perform modifications to interior finishes as necessary to accommodate accessibility upgrade work. Refer to the Accessibility Compliance portion of the report for additional information.

Mechanical Systems – Heating Ventilation and Air Conditioning

1. Mechanical ventilation.
 - a. General Building – Provide ventilation for the entire building with sufficient dedicated outside air and exhaust ventilation. Based on the building's square footage, GGD anticipates that approximately 3000 CFM of ventilation is needed for the entire building. This could be achieved by a single dedicated outside air unit or multiple units to reduce structural load distribution and minimize ductwork runs. GGD estimates that 3 units at 1000 CFM each would best suit the overall building. These units would be located in the attic space and require outside air intake and exhaust louvers at the building exterior.
 - b. Toilet Room-Specific – Mechanical exhaust for toilet rooms; GGD anticipates that 3 exhaust vents would be needed via ceiling mounted exhaust fans ducted to roof or wall cap. Intermittent exhaust when toilet room is occupied is needed.
2. New Air conditioning system
 - a. Provide new air conditioning system to replace existing failing AC systems. The existing system is ducted fan coil units located in the attic space only accessible from the exterior. As a replacement option a variable refrigerant flow (VRF) system may better serve the building layout and provide better thermal comfort throughout the building.
 - b. Approximate capacity of an AC heat pump system that could serve the entire building would be approximately an 18 ton VRF system. This would likely require an electrical system upgrade for increased power provisions. This would however provide full air conditioning and humidity control in the building to eliminate the needs of the supplemental window AC units and dehumidifiers located in the basement while also addressing the areas of the building that could already have are served by AC units that are not currently functioning.
 - c. Partial AC replacement/heat pump option could be considered based on constraints of the existing electrical system. This option would utilize the existing power provisions in place and allow for new AC/heat pump selections to be considered based on reusing power from the existing units. This would reuse existing wiring inside the building and not change breaker size in the electrical panel.
3. New Automatic temperature control system
 - a. Upgraded temperature controls will provide improved thermal comfort throughout the building and improve energy efficiency.
 - b. If a VRF system is chosen to replace the air conditioning system, the system would come with a control package that would be capable of overall viewing system performance and remote monitoring and adjustment.

Mechanical Systems – Electrical

1. Replace existing ungrounded receptacles with new grounding type receptacles.
2. The existing electrical service should be updated due to age and capacity.

Appendix A – Compiled Suggested Scope of Work Narratives

3. Provide a new addressable fire alarm system with voice evacuation in compliance with code.
4. Provide LED exit signs with battery back-up throughout the library.
5. Provide additional receptacles to eliminate the use of extension cords.

Mechanical Systems – Plumbing

1. Provide new high-efficiency plumbing fixtures throughout including a new drinking fountain and service sink. Plumbing fixtures to be accessible where required.
2. Replace existing domestic water shutoff valves with new ball valves.
3. Install thermostatic mixing valve at existing water heater to prevent scalding.
4. Replace existing exterior sillcocks with non-freeze hydrant with integral vacuum breakers.

Mechanical Systems – Fire Protection (Not Included)Accessibility Compliance

1. Replace the door threshold from the foyer to the reception threshold with a threshold that provides 1/4-inch maximum change in height and shallower slope to meet the reception floor area.
2. Regrade the concrete walkway immediately in front of the entrance to reduce the change in height to the door threshold to 1/4-inch maximum change in height.
3. At the exterior of the entrance, provide permanent, wall-mounted signage with the International Symbol of Accessibility, raised lettering, braille, and other graphic requirements as noted in 521 CMR 41.00.
4. Provide an accessible toilet room with the dimensions required for wheelchair turnaround space. EFBL could consider two preliminary options for providing an accessible toilet room:
 - a. Option 1 – Remove one toilet room and expand the other toilet room. This will entail relocating the plumbing wall, relocating the lavatory and toilet, infilling one doorway, relocating one doorway, and refinishing the room.
 - b. Option 2 – Relocate the partition walls for one toilet to provide the required space dimensions. This will entail redesigning the layout of the bookshelves in the stacks room, relocating one doorway, and refinishing the room.
 - c. In both scenarios within the accessible toilet room, EFBL will also need to:
 - 1) Reposition the toilets to be 18-inches from the side wall.
 - 2) Raise the height of the lavatory to be greater than the 29-inch minimum.
 - 3) Provide two (2) compliant side and rear grab bars at the toilet.
 - 4) Replace and relocate paper towel dispenser to limit protrusion from the wall and be 42-inches maximum above the floor.
 - 5) Replace and relocate the mirror to have maximum 40-inches height above the floor.
 - 6) Relocate the light switch to be 18-inches from the corner of the room.
 - 7) Relocate the toilet paper dispensers to be 24-inches above the floor.

Appendix A – Compiled Suggested Scope of Work Narratives

- 8) Insulate or protect pipes below the lavatory.
 - 9) Outside of the toilet room, provide permanent, wall-mounted signage adjacent to the door with the International Symbol of Accessibility, raised lettering, braille, and other graphic requirements as noted in 521 CMR 41.00.
 - 10) Provide new door with compliant width and operating hardware.
5. Replace the non-fixed tables and book look-up desks within the young adult's room and the children's room to provide the 27-inch minimum knee clearance below the tables and 28-inch minimum countertop height.
 6. Provide permanent, wall-mounted, compliant signage that designate the publicly accessible spaces (i.e., for the stacks room, reading room, children's room, etc.).
 7. Remove the existing wood handrail and install two (2) compliant handrails, one on each side of the stairs within the reading room.
 8. Install a code compliant guardrail and access gate around the basement stairs.
 9. Refer to the Mechanical Systems - Electrical section of the report with regard to egress signage and alarms.

Appendix A – Compiled Suggested Scope of Work Narratives

Short-Term: Two-to-Five (2-5) Years

Site and Grounds

1. Septic system (Title V) repair/replacement
 - a. Suggested repair period may increase or decrease depending on the results of a septic system (Title V) evaluation; typical septic systems last approximately 25 – 30 years.

Structural Systems

1. Cast-In-Place Concrete Slab-on-Grade
 - a. Repair of cracks with gravity feed epoxy or rout and seal: 42 linear feet
2. Concrete Parge Coat
 - a. Repair of cracks with sealant: 40 linear feet

Building Enclosure

1. Remove and replace west elevation wood shingle siding. Improve thermal and air barrier as necessary.
2. Scrape/repair/prime/paint other wood trim with some selective PVC trim replacement at locations not previously addressed in the immediate repair priority period (e.g., building corners, rake edges, etc.).
3. Replace basement light-well windows.

Interior Finishes

1. Perform modifications to interior finishes as necessary to accommodate accessibility upgrade work. Refer to the Accessibility Compliance portion of the report for additional information.

Mechanical Systems – Heating Ventilation and Air Conditioning

1. Reduce dependency of fossil fuel appliances
 - a. If a VRF system described above is selected for the AC replacement, the system would be capable of providing heat as well. These types of systems can provide simultaneous heating and cooling or can also be utilized as the primary heat source for the building.

Mechanical Systems – Electrical

1. Provide automatic lighting control system with automatic dimming sensors.
2. Replace indoor lighting with LED sources and provide dimming photo sensor within areas with daylight to dim fixtures automatically.

Mechanical Systems – Plumbing (Not Used)

Mechanical Systems – Fire Protection (Not Included)

Accessibility Compliance

1. Install a ramp with two (2) compliant handrails to allow access to the sunken portion of the reading room. For the existing change in elevation of 15-inches, a compliant ramp would need to be at least 15-feet long. Due to space constraints, further design and space planning would be required to determine how the ramp may fit within the space or to explore alternatives.
2. Relocate or replace non-fixed furniture within the stacks room to allow for an accessible route to bookshelves. Relocate bookshelves to provide 36-inch minimum corridor between the bookshelves. Due to space constraints, further space planning would be required to minimize the reduction of shelving space.
3. Replace the ramp within the children's room and provide two (2) compliant handrails. For the existing change in elevation of 9-1/2-inches, the ramp would need to be at least 9-1/2-feet long, 2-feet longer than the existing ramp.
4. Widen the doorway from corridor to young adult's room to be 32-inches minimum.

Appendix A – Compiled Suggested Scope of Work Narratives

Long-Term: Five-to-Fifteen (5-15) Years

Site and Grounds

1. Parking lot repaving
2. Install drywell at bottom of entry drive, abutting East Falmouth Highway
 - a. Can be installed when the parking lot is repaved.

Structural Systems (Not Used)

Building Enclosure

1. Remove and replace wood shingle siding at all other elevations not replaced in the short-term repair priority period. Improve thermal and air barrier as necessary.

Interior Finishes

1. Evaluate library back-of-house functionality and storage to streamline and organize staff spaces.
2. Replace carpet within the main corridor and front entrance area with a more durable, moisture-resistant, easily cleaned flooring such as hardwood veneer or VCT.
3. Replace wood steps within the reading room with more durable wood or metal framed construction and durable, non-slip surfacing and nosings on the stair treads. Refer to the Accessibility Compliance portion of the report for considerations regarding access to the reading room.
4. Replace the vinyl sheet flooring in the toilet rooms with epoxy or ceramic tile.
5. Replace the carpet within the finished portion of the basement with epoxy or finished concrete topping if it will continue to be used as storage.

Mechanical Systems – Heating Ventilation and Air Conditioning (Not Used)

Mechanical Systems – Electrical

1. Provide a new lightning protection system or lightning preventor system to the building.

Mechanical Systems – Plumbing (Not Used)

Mechanical Systems – Fire Protection (Not Included)

Accessibility Compliance (Not Used)

Appendix A – Compiled Suggested Scope of Work Narratives

General Regular Maintenance/Monitoring

Site and Grounds

1. Clean drywells yearly, or as needed.
 - a. Regular inspections and cleaning; maintain functionality and extends the life of the drywell.
2. Street sweep parking lot as needed (particularly after fall and winter seasons).
 - a. Street sweeping extends the life of drywells and can potentially extend maintenance intervals.

Structural Systems

1. Monitor identified structural deficiencies twice a year to determine if issues worsen.
2. Do not increase loading of structural components without providing identified structural enhancements.

Building Enclosure

1. Regularly monitor and maintain asphalt shingle roof; review if asphalt shingle baking condition occurs.
2. Clean gutters and downspouts at least annually after the fall season. Check downspout connections at least once annually to avoid unnecessary water shedding onto facades, masonry, and soffits.
3. Remove vegetative growth and debris from light-wells regularly/as needed to prevent water build-up in these areas.

Interior Finishes

1. Monitor gypsum ceilings and walls for staining or peeling paint as they may be indicators of water infiltration into the building.

Mechanical Systems – Heating Ventilation and Air Conditioning

1. The only routine maintenance of existing equipment that GGD recommended would be to annually service the boiler of the central heating plant to help the boiler operate as anticipated during the heating seasons.

Mechanical Systems – Electrical

1. The only routine maintenance of existing equipment that GGD recommends would be to annually test the batteries for the emergency lights and exit signs.

Mechanical Systems – Plumbing

1. Routine maintenance of existing equipment.
2. Continue to provide annual maintenance on the electric water heater.

Appendix A – Compiled Suggested Scope of Work Narratives

Mechanical Systems – Fire Protection (Not Included)

Accessibility Compliance

1. Regular maintenance and review of accessibility facilities should be performed. Note that 521 CMR 2.6 makes reference to regular maintenance of these items.

APPENDIX B – ORDER OF MAGNITUDE COST ESTIMATES





**Feasibility
Estimate**

East Falmouth Branch Library
Building Assessment
Falmouth, MA

PM&C LLC
20 Downer Ave, Suite 5
Hingham, MA 02043
(T) 781-740-8007
(F) 781-740-1012

Prepared for:

Gale Associates, Inc.

January 30, 2024

APPENDIX B – ORDER OF MAGNITUDE COST ESTIMATES



East Falmouth Branch Library
 Building Assessment
 Falmouth, MA

Possible EFBL
 construction
2027

1/30/2024

2024-2026 2026-2030

LINE ITEM	SECTION	Immediate	Short Term	Long Term
		(0-2 years) - Markedup & Escalated	(2-5 years) - Markedup & Escalated	(5-15+ years) - Markedup & Escalated
		7.72%	11.70%	43.64%
1	SITE & GROUNDS	\$ 38,960	\$ 30,763	\$ 270,313
2	STRUCTURAL SYSTEMS	\$ 464,360	\$ 20,919	\$ -
3	BUILDING ENCLOSURE	\$ 347,274	\$ 309,735	\$ 230,441
4	INTERIOR FINISHES	\$ 8,810	\$ -	\$ 162,299
5	HVAC	\$ 833,272	\$ -	\$ -
6	ELECTRICAL	\$ 147,038	\$ 163,451	\$ 29,603
7	PLUMBING	\$ 89,192	\$ -	\$ -
8	FIRE PROTECTION	\$ -	\$ -	\$ -
9	ACCESSIBILITY COMPLIANCE	\$ 182,616	\$ 53,477	\$ -
TOTALS BY PRIORITY		\$2,111,523	\$ 578,345	\$ 692,656

[\$2,689,868]

Alternates Markedup

- ADA-1 Remove one toilet room and expand the other toilet room.
- ADA-2 Relocate the partition walls for one toilet to provide the required space dimensions.

BASE
DEDUCT **-\$46,475**

OPEN SESSION

BUSINESS

3. Approve Recreation Department request to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application approved at the June 2021 Town Meeting **(5 minutes)**



ITEM NUMBER: Business 3.

ITEM TITLE: Approve Recreation Department request to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application previously approved at the June 2021 Town Meeting.

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Joe Olenick-Recreation Dept.

ATTACHMENTS: BSS design quote, Lawrence and Lynch quote, Community Preservation application

PURPOSE:

To receive Select board Approval to submit an application to the CPC for an amendment to the Bell Tower Tennis Court application previously approved at the June 2021 Town Meeting.

BACKGROUND/SUMMARY:

- CPC Time-Urgent Application is due April 10, 2024.
- The original Bell Tower Tennis Court application was approved at June 2021 Town Meeting in the amount of \$250,000.
- If approved, CPC funds would be available one month after November 2024 Town Meeting.

- Due to delays caused by Covid-19 and the DPW being overburdened with work, the Recreation Department was requested by the Department of Public Works to outsource the Design and Engineering work needed for the Americans with Disabilities Act (ADA) compliant path to the courts as well as 2 ADA compliant parking spaces.
 - The Recreation Department has received proposals for both the path design/engineering as well as the parking spaces.
 - The Recreation Department is requesting additional funding (contingency funds of 13%) to cover a possible increase in cost of the construction.
 - The total additional funding request is \$82,000.

Engineering	5,000
Sidewalk and Site Work	37,000
Contingency	40,000
TOTAL	\$82,000

- DPW Engineering will create Bid, Post Bid, Open Bid, and award Bid.

DEPARTMENT RECOMMENDATION:

- The Recreation Department recommends that this request be approved by the Select Board so that this project can move forward.
- It has been delayed by 3 years and the courts are almost unplayable; the nets are falling down, and the gates are frozen half open.

OPTIONS:

- Motion to approve the Recreation Department's request to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application in the amount of \$82,000.
- Motion to deny the request of the Recreation Department to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application previously approved at the June 2021 Town Meeting.

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 Recreation Department's request to submit an application to the Community Preservation Committee (CPC) for an amendment to the Bell Tower Tennis Court application in the amount of \$82,000.

Michael Renshaw

03/18/2024

Town Manager

Date

Lawrence-Lynch Corp.
 PO Box 913
 Falmouth, MA 02541
 Phone 508.548.1800
 www.lawrencelynch.com



To:	Falmouth Recreation Department	Contact:	Joe Olenick
Address:	790 Main Street Falmouth, MA 02540	Phone:	508-457-2567
Project Name:	Bell Tower Parking Lot And Walkway.	Bid Number:	J24-033
Project Location:	Bell Tower Lane, Woods Hole, MA	Bid Date:	

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Bell Tower Lane					
1.0	Saw Cut And Excavation Of Parking Lot And Sidewalk	44.00	CY	\$192.00	\$8,448.00
1.1	Reclaimed Base Material	66.00	TON	\$98.96	\$6,531.36
1.2	Fine Grade & Roll	265.00	SY	\$7.23	\$1,915.95
1.3	2.5" Binder Paving	42.00	TON	\$206.74	\$8,683.08
1.4	1.5" Surface Course Paving	35.00	TON	\$233.60	\$8,176.00
1.5	Loam Edges.	1.00	LS	\$3,188.86	\$3,188.86
Total Price for above Bell Tower Lane Items:					\$36,943.25

Notes:

- **Scope of work is as follows.**
 - Excavate and remove the unsuitable materials from the new sidewalk and parking lot addition.
 - Furnish and place Reclaimed pavement borrow in the areas to be paved.
 - Grade and roll the areas to be ADA Compliant.
 - Pave the areas with 4" inches of hot mix asphalt in two courses.
 - Loam the edges as needed.
 - SEED BY OTHERS

Payment Terms:

Progress Billings A service charge of 1-1/2% on all past due balances over 30 days. (18% per annum)

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Lawrence-Lynch Corp.</p> <p style="text-align: right;"><i>Jonathan C. Croft</i></p> <p>Authorized Signature: _____</p> <p>Estimator: Jonathan C. Croft 508-548-1800 jcroft@lawrencelynch.com</p>
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January 29, 2024

Town of Falmouth
Recreation Department
attn: Joe Olenick
Email: joe.olenick@falmouthma.gov

BSS
DESIGN
ENGINEERING
& SURVEYING

www.bssdesign.com
BSS Design, Incorporated
164 Katharine Lee Bates Rd.
Falmouth, Massachusetts 02540
508.540.8805 Fax 508.548.8313

Re: Site Plan for Handicap Parking Spaces & Walkway to Tennis
Courts Bell Tower Lane, Falmouth

Dear Jeremiah:

Thank you for requesting this proposal from BSS Design, Inc. to prepare a Site Plan and Request for Determination of Applicability (RDA) for 0 Bell Tower Lane, Falmouth, Massachusetts, (Assessor's # 49A 04 056A 000). The proposed scope of services under this contract is described below. If the project is not approved by the Conservation Commission under a RDA, additional fees will be required to file a Notice of Intent with the Commission.

BSS Design, Inc. will provide the following services to Town of Falmouth Recreation Department:

Phase A. Survey, Plot Plan and RDA

1. Conduct a topographic survey and prepare a plan of the property including the north end of Bell Tower Lane and the southwest corner of the tennis court, showing the property lines, bounds, edge of pavement, parking area, flag pole, boulder, guard rail, tennis court, visible utilities, flood zones, 1 foot contours and spot elevations, trees, and other details as necessary. We will locate the closest wetland edges- one north and one east of the tennis court using our best non-professional judgement to estimate if the work is within 100' of a wetland. If the work is close to being within 100' of a wetland we will request a site visit by conservation department personnel to determine if we can file this with a Request for Determination of Applicability (RDA) or if a Notice of Intent (NOI) will be required.
2. Prepare a plot plan and discuss with you the location, size, shape, drainage, etc., of the proposed ADA compliant parking spots and path to the tennis court. Finish the plan showing the dimensions, grading and surface type of the parking and walkway, fences, drainage system, and concrete slab for portable toilets.
3. We will prepare either a RDA or NOI based on the result of step 1. (above) and file the plans and forms with the Conservation Commission for approval of the handicap parking spots, walkway to tennis court and slab for portable toilets. We will provide copies of all of our documents for filing the project with the Commission and DEP. If we need to file a NOI we will need to notify abutters within 100' of the property and record the Order of Conditions (permit) at the Registry of Deeds.

4. Stake the project and protected resource areas in accordance with the Commission's standards.
5. Attend a public hearing at Town Hall and present the project to the Conservation Commission.

Phase B. Construction Surveying and Certified Plan.

1. Stake the layout of the proposed slab and parking area (if requested).
2. Return to the site again to measure the slab and prepare a Certified Plot Plan, if required by the Building Department.

SCHEDULE:

The survey and plan of existing conditions will be complete within four to six weeks after authorization to proceed has been received by our office. All jobs are put in the queue as they come in and will be done as close to our time estimate as possible, however weather and construction schedules (of prior projects) may affect the schedule. When the base plan is complete we will prepare a preliminary layout of the requested improvements and send a copy to you and/or other interested parties for review and discussion. The Site Plan showing the handicap parking area, design walkway to tennis court and slab for portable toilets will evolve based on feedback from you and others.

FEE:

The professional services described above will be **billed on an hourly basis** in accordance with the terms and conditions in Appendix A, attached and incorporated herein, for the following estimated fees. **Our final bill may be higher or lower than our estimate.**

Phase A: Plot Plan & RDA	\$ 3,000 +/-
extra for NOI	\$ 1,000 +/-
Phase B. Construction staking:	\$ 350 +/-
Certified Plan:	\$ 600 +/-

Note: This is an estimate not a quote. BSS Design, Inc. will provide and bill for only those services which: 1) in our professional opinions, are needed to prepare plans and applications properly and completely for the proposed project; 2) are requested by the client; 3) are requested by reviewing agencies beyond what might usually be required. Other services may be provided and billed, but only after authorization by the client. Filing and recording fees are not included in our estimated fees. We will request the necessary fees from you at the appropriate time.

ADDITIONAL SERVICES:

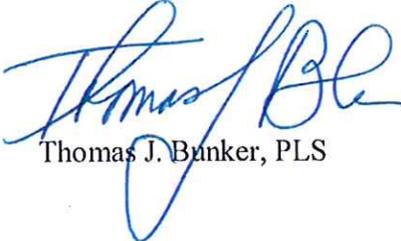
1. Revisions requested by you or town agencies after the initial filing of the project.
2. If we need to file for a NOI we will need to prepare an existing Conditions plan and request for Certificate of Compliance from the Conservation Commission after the changes have been completed. This fee will depend on the complexity of the plan and whether or not everything was completed according to the approved plans and conditions. It can range from a site visit to verify that construction is correct and file the application (\$300+/-), to an as-built survey, plan revisions, meetings with staff, etc (\$1,000 or more) if construction is not correct.

EXCLUSIONS:

BSS Design will not prepare cost estimates, specifications or bid packages for this project. If a NOI is required to be filed we will need to subcontract an engineer to prepare storm water calculations required by DEP for non residential projects.

If this proposal meets with your approval please sign below, return the original to our office. If you have any questions, please feel free to contact me.

Sincerely
BSS Design, Inc



Thomas J. Bunker, PLS

I hereby authorize and agree to pay for the work described above upon receipt of invoice

Authorized Signer for	Date	Telephone#
The Town of Falmouth		

APPENDIX A

Appended to and constituting a part of the agreement for professional services between BSS DESIGN, Inc. (BSS) and Town of Falmouth (CLIENT) dated January 29, 2024.

FEE FOR PROFESSIONAL SERVICES

The fee listed in the body of this proposal is based on an efficient delivery of the services described herein, with reasonable accommodation made for client requests and interaction. In the event of material changes in the scope of the project or the role of BSS, or unanticipated demands of the CLIENT, the fee for professional services will be subject to renegotiation, based upon the following hourly rate schedule of BSS:

Principal (Registered Professional)	\$200.00 per hour	Clerical	\$75.00 per hour
Engineer / Surveyor Associate	\$150.00 per hour	Survey Field Crew (one man robotic)	\$160.00 per hour
Technician	\$120.00 per hour	Survey Field Crew (two man)	\$175.00 per hour
Draftsperson	\$100.00 per hour	Survey Field Crew (three man)	\$225.00 per hour

REIMBURSABLE COSTS:

The following costs will be reimbursed by CLIENT and are not included in the Fee For Professional Services:

- Photocopy and reproduction of drawings, regulations, reports and other documents prepared, acquired, or furnished in connection with this agreement.
- Postage and shipping expenses other than first class mail.
- Fees for additional special consultants retained with CLIENT's approval.
- Fees for filing applications with appropriate town and state agencies.

PAYMENT SCHEDULE AND TERMS

Fees for professional services and reimbursable costs will be billed monthly and are payable upon receipt. All account balances outstanding over thirty (30) days will be assessed a service charge equal to one and one-half percent (1 1/2 %) per month. CLIENT agrees that all statements shall be final and not subject to adjustment unless BSS is notified in writing of a disputed charge within thirty (30) days of the statement date.

BSS reserves the right to stop work temporarily with a 10 day notice of work stoppage, until account is within terms of proposal

AMENDMENTS

This agreement may not be amended without the written approval of both CLIENT and an authorized representative of BSS

RESPONSIBILITIES AND INDEMNITY

BSS will be responsible for the acts and work product of its principals and employees. BSS will not be responsible for any acts, errors or omissions of any architect, contractor, sub-contractor, consultant or other person or entity performing services on the project. CLIENT agrees to indemnify and hold BSS harmless from all claims, damages, losses, and expenses (including attorney's fees) arising out of or resulting from any such acts, errors or omissions. In cases where new structures or additions are erected, BSS will not be responsible for the horizontal or vertical position of such structures if BSS did not mark the corners of the structure on the concrete footing (horizontal position) and/or set and clearly identify a bench mark for the foundation or floor elevation (vertical position).

OWNERSHIP OF DOCUMENTS

All drawings, specifications and other documents, as instruments of service, are copyrighted and shall remain the property of BSS. The CLIENT will be permitted to retain copies for information and reference for the purpose for which the drawings have been prepared. They are not to be used by the CLIENT or BSS on other projects or extensions of this project; or sold or otherwise distributed without specific written agreement of BSS and of the CLIENT. Any use without such written approval will be a material breach of contract and without liability to BSS. CLIENT agrees to indemnify and hold harmless BSS from all claims, damages, losses and expenses (including attorney's fees) arising out of or resulting from unauthorized use.

TERMINATION

This agreement may be terminated upon ten (10) days written notice by either party. Upon termination, BSS will be entitled to compensation under the terms of this agreement through the date of termination, with any outstanding balance due and payable within fifteen (15) days following the date of termination.

LIFE OF PROPOSAL

This proposal is valid for a period of thirty (30) days, and will be considered revoked if written acceptance is not received in my office within thirty (30) days of the date of this proposal. Upon acceptance, this proposal will constitute the written agreement for the services described herein between CLIENT and BSS.

RIGHT OF ENTRY

The signing of this contract gives authorization for BSS Design and other personnel & equipment to enter upon the site to conduct site examinations, surveys, soil tests, and other work as required to accomplish the scope of work as described herein. It is understood by the client that these surveys and tests may require the cutting of trees and brush and that the digging of holes for soil tests will cause noticeable and lasting disturbance to the ground. Furthermore, access to the site by heavy machinery may cause disturbance to stone walls and the ground surface. If the client is not the record owner of the site at the time that this contract is executed, it shall be the CLIENT's responsibility to obtain right of entry from the owner of record.

COVER PAGE

APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit one (1) unbound original and one (1) unbound copy to the Community Preservation Office, 59 Town Hall Square, Falmouth, MA 02540. Transmit an electronic version of the application to cpfund@falmouthma.gov. **Time-Urgent Applications are due April 10, 2024 at 3:00 p.m.**

Date:	3-20-2024
Name of Applicant/Sponsoring Organization:	Falmouth Recreation department
Mailing Address:	790 Main Street Falmouth Ma. 02540
Name of Proposal/Project:	Bell Tower tennis Courts
Project Location/Street Address (if applicable):	1 Bell tower Lane Woods Hole, Ma.

Project Representative/Manager Name and Title:	Joe Olenick
Mailing Address:	790 Main Street, Falmouth Ma
Daytime Phone:	508-457-2567
Evening Phone:	
Email:	joe.olenick@falmouthma.gov

Cost of Project - this app.	CPA Funds	Cost Share - Private	Cost Share - Other Public
\$ \$82,000	\$ \$82,000	\$	\$

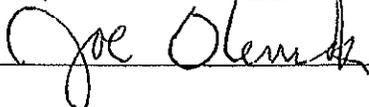
CPA Category (You must check at least one category, but may identify additional categories if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Open Space | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> Community Housing |

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE INDIVIDUAL OR GOVERNING BODY OF THE APPLICANT.

Authorized Project Representative:

Typed (Printed) Name and Title: Joe Olenick

Signature:  Date: 3-20-2024

APPLICATION NARRATIVE

Please answer the following questions, keeping answers complete but brief (use separate paper as necessary). Refer to the Application Guidelines on Page 3 while completing this application. Applications will be returned if all requested information is not provided. Include supporting materials, as necessary. Applications that (1) present a thorough description of the project with as many details as possible; (2) have significant support from other Town Boards and Committees; and (3) present a comprehensive, well described and reasonable budget with realistic implementation schedule will have the greatest likelihood of success.

1. **A. Project Description:** Describe the proposed project and how it will be completed. What steps are involved in completing this project? Include supporting materials and exhibits as necessary.

This application is to increase funding needed to start and complete the project at the Bell Tower Tennis Courts in Woods Hole. Due to DPW Engineering being over burdened with other projects I have been asked to take on some of the project that the DPW would work on. That includes getting cost proposals for Design and Engineering of the ADA path from the courts to the parking lot as well as some limited paving of the parking lot that includes two ADA Handicapped parking spaces.

Recreation-Joe Olenick-Recreation Director/Kevin Rottler, Assistant Recreation Director
DPW Engineering-Jim Mclaughlin, DPW Parks Supervisor

- B. Applicant's Previous CPA Project Funding:** Has a previous phase of this project, or any previous project, received CPA funding? If yes, explain.

Yes, The Bell Tower Court rehabilitation was originally approved by Town Meeting at the June 2021 meeting for \$250,000.

2. **Community Need and Public Benefit:** Why is this project needed? (See definition of *public benefit* in *Application Guidelines*, p. 3). When responding to this question, consider the following: matching funds from other sources that will be obtained if CPA funds are awarded; people who will directly benefit from the project once it is completed; and resources that will be protected as a result of this project).

These courts are in very poor shape, they are on the verge of being a major safety issue. With multiple cracks and non working entrance gates, they are an injury waiting to happen. When these courts are completed they will be a major boost to the Woods Hole community. Residents will no long need to travel into town to play Tennis. Having these courts rehabilitated will give the Town of Falmouth and Woods Hole a new resource for safe recreation that has been missing for many years.

3. **Project Goals:**

- What are the goals of the proposed project? How are they consistent with the *CPA Goals* outlined on p.4?
- Second, how is the project consistent with the Local Comprehensive Plan (LCP) and other relevant Town plans [See Pages 4 & 5 – *CPA and Town of Falmouth Goals*].

For Recreation Projects only: Explain how the project is consistent with the Town of Falmouth VueWorks Program Report and Priority List (see the Community Preservation page of the Town's website for the posted *Condition Rating Report 6-3-2015*).

The goals of this project is to create another safe pair of Tennis Courts that residents may play on without the fear of injury.
The completion of these courts will give Falmouth a total of 14 available Tennis Courts for outdoor year round active recreation.
The Bell Tower Tennis Court project fits into the Town Of Falmouth LPC and Open Space and Recreation plan by rehabilitating and old run down Tennis Court and bringing active Recreation back into a small burrough of Falmouth.

4. **Success Factors:** How will the success of this project be measured? Be as specific as possible.

The success of this project will be measured by the volume of use these courts will get by not only Woods Hole residents by by visitors to Falmouth and Woods Hole. Also, by the reduced number of complaints and positive comments recieved about the condition of the courts.

5. **Maintenance:** If ongoing maintenance is required to protect the CPA investment in your project, how will it be funded in the future? (If not applicable to your project, write NA)

A. **Who will be responsible for Project Maintenance?**

DPW Parks will take care of minor maintenance of the courts, Recreation and Parks will work together on all other aspects of maintenance and repairs if/when needed.

B. **How will Project Maintenance be funded & what are the Estimated Costs for Ongoing Operation & Maintenance for the Next 5 Years?**

Funding will be a coordinated effort by both Recreation and Parks. Maintenance in the next 5 years should only be the clearing of leaves off the courts. Every couple of years power washing of the courts might need to be done if parts of the courts are shaded.

6. **Proof of site control - Required for non-municipal projects only:** Attach documentation that you have control over the site, such as a Purchase and Sale Agreement or deed.

7. **Additional Information** (not required, but recommended if applicable)

A. **Project Documentation:** Attach any applicable engineering plans, architectural drawings, site plans, any other renderings, relevant studies or material.

B. **Other Information:** Attach any additional information that might benefit the CPC in consideration of this project.

8. If your project requires coordination with another town department or entity, such as DPW, complete all four parts of the following section for each department you identify:

A. Identify by name each department, committee, board, or commission that will play a role in the implementation of your project (for example, Department of Public Works, or Planning Department).

Recreation, DPW Engineering, DPW Parks

B. Define in detail the role to be played by each specific governmental body.

Recreation has submitted the application, and coordinated Design and Engineering of the ADA walkway to the courts and Paving of the parking lot. DPW Engineering will help with the Bid package and Bid opening, awarding of the bid. Recreation will assist in anyway needed.

C. Identify each participating staff person/board/committee/commission member(s) identified in Letter A above by name and their role(s) in your project.

Recreation-Joe Olenick-Recreation Director/Kevin Rottler, Assistant Recreation Director
DPW Engineering-Jim McLaughlin, DPW Parks Supervisor Jeremiah Pearson.

D. Obtain the signature of the director or department head of the identified department/board/committee/commission to assure acknowledgment of the details of the application and the department's role.

Signature: _____

Date: _____

9. If your project requires parcel identification numbers for parcels of land identified in the application, please provide certification of accuracy of Parcel ID numbers.

Obtain the signature of the Director of Assessing (office located in Town Hall) confirming that all parcel identification numbers and accompanying information included in your *Application Narrative* are consistent with the Falmouth Assessors Maps. If not applicable to your project, please indicate with "NA."

Parcel ID #s:

Signature: _____

Title: _____

Date: _____

NOTE TO ALL MUNICIPAL PROJECT APPLICANTS

Prior to submission of a CP Fund Application for a municipal project, applicants must go before the Select Board at an open meeting to seek approval for submitting an application for CPA funding.

The positive vote of the Select Board must be documented and included in this application.

8. If your project requires coordination with another town department or entity, such as DPW, complete all four parts of the following section for each department you identify:

A. Identify by name each department, committee, board, or commission that will play a role in the implementation of your project (for example, Department of Public Works, or Planning Department).

Recreation, DPW Engineering

B. Define in detail the role to be played by each specific governmental body.

Recreation has submitted the application, and coordinated Design and Engineering of the ADA walkway to the courts and Paving of the parking lot. DPW Engineering will help with the Bid package and Bid opening as well as oversee construction. Recreation will assist in anyway needed.

C. Identify each participating staff person/board/committee/commission member(s) identified in Letter A above by name and their role(s) in your project.

Recreation-Joe Olenick-Recreation Director/Kevin Rottler, Assistant Recreation Director
DPW Engineering-Jim McLaughlin

D. Obtain the signature of the director or department head of the identified department/board/committee/commission to assure acknowledgment of the details of the application and the department's role.

Signature: _____

Date: 3/13/24

9. If your project requires parcel identification numbers for parcels of land identified in the application, please provide certification of accuracy of Parcel ID numbers.

Obtain the signature of the Director of Assessing (office located in Town Hall) confirming that all parcel identification numbers and accompanying information included in your *Application Narrative* are consistent with the Falmouth Assessors Maps. If not applicable to your project, please indicate with "NA."

Parcel ID #s:

Signature: _____

Title: _____

Date: _____

NOTE TO ALL MUNICIPAL PROJECT APPLICANTS

Prior to submission of a CP Fund Application for a municipal project, applicants must go before the Select Board at an open meeting to seek approval for submitting an application for CPA funding.

The positive vote of the Select Board must be documented and included in this application.

ATTACHMENT A PROJECT SCHEDULE

Provide a schedule for project implementation using the Milestones below. If Milestone B or C is not applicable to your project, mark the Milestone "NA."

Note: Implementation Schedules must be realistic and well-conceived. Carefully consider projected Milestone dates. Unrealistic Implementation Schedules may have a negative impact on the project's application review. Milestone F, 100% Project Completion Date, may be incorporated into the Letter of Agreement as a Special Condition. If project implementation is delayed, the CPC may reconsider its recommendation for grant award.

Milestones (Month/Year):

- A. Project Start (Month/Year): Post Bid July, 2024
- B. Procurement Documents Submitted to CPC (Month/Year): Fall 2024
- C. Project Construction/Professional Contract Submitted to CPC (Month/Year): Fall 2024
- D. Project/Construction Start (Month/Year): Fall/Winter 2024-2025
- E. 50% Project Completion (Month/Year): Spring 2025
- F. 100% Project Completion (Month/Year): Fall 2025
- G. Close-Out Complete (Month/Year): Fall 2025

Comments:

ATTACHMENT B PROJECT BUDGET

Budget: What is the total project budget and how will CPA funds be spent? All proposed project costs must be clearly identified including hard and soft costs, Falmouth Community Preservation Fund permanent sign/plaque cost, and contingencies. Applicants must provide accurate and detailed estimates from potential consultant(s), construction companies, and suppliers. At least one estimate on contractor letterhead is required. However, the CPC encourages applicants to seek more than one estimate and reserves the right to require additional estimates. Projects that require deed restrictions or other legal oversight should include these estimated expenses in their proposed budget (Note: CPA funds may not be used for maintenance).

A. Budget Summary

Total Project Cost	CPA Funds Requested	Cost Share – Private Funds	Cost Share - Other Public Funds	Cost Share - Other Investment or Funds
\$82,000	\$82,000	\$	\$	\$

B. Budget Cost Sharing: Identify the amount and source of cost sharing for this project including all private, federal, state or local government, and "other" sources.

Funding Source	Item: Project Component How Funding will be used	Amount	Type (grant, loan, in-kind, etc.)

Attach commitment letters from any organization providing a cost share contribution listed in the table above.

C. In-Kind: Are there any in-kind contributions included in the "Cost Share" information presented in A and/or B, above? If yes, describe how the value of the in-kind contribution was derived (in-kind contributions can be defined as a contribution of services or property, donated equipment, buildings or land, or donated supplies).

D. Budget Categories: (Leave any category blank that does not apply to your project)

Category	CPA Funds	Other Funds (Cost Share)	Total
Personnel			
Materials/Equipment			
Construction	\$39,806.75		
Professional Contractual: Consultant, Legal, Engineering, Appraiser, etc.	\$4,950-Engineering \$36,943.25-Paving		
CPA Funding Sign/Plaque (permanent)	\$300		
Affordable Housing or Conservation Restriction*			
Other (Describe)			
TOTAL	\$82,000		

** Insert a cost allowance to develop and record Deed Restriction. Consult with CP Office on cost estimate.*

Note: Construction means all types of work done on a property or building including erecting, altering or remodeling. Attach at least one recent estimate/quote on company letterhead that was obtained and is dated within the past four months.

Asset ID / Name: TAFT PARK TENNIS

Name: TAFT PARK TENNIS

Overall CI: 2.8890 :1=Excellent, 4=Poor

General Notes: Primary field

Ownership/Caretaking: Town/parks

Category: Capital			Capital: 3	Weight 2
Item	Severity Rating	Weight	Score	Comment
Benches	NR	1		
Bleachers	NR	1		
Borders	NR	1		
Electrical	NR	1		
Equipment	Fair	1	3	
Fences	Fair	1	3	Fencing needs repair or replacement.
Gates	NR	1		
Grounds	NR	1		
Irrigation	NR	1		
Landscaping	NR	1		
Lighting	NR	1		
Markings	NR	1		
Pavement	NR	1		
Parking	NR	1		
Railing	NR	1		
Structures	NR	1		
Surface	Fair	1	3	Surface is in fair condition.
Track	NR	1		
Trailways	NR	1		
Trees	NR	1		

Category: O&M			O&M: 3	Weight 1
Item	Severity Rating	Weight	Score	Comment
Benches	NR	1		
Bleachers	NR	1		
Borders	NR	1		
Electrical	NR	1		
Equipment	Good	1	2	
Fences	Fair	1	3	
Gates	NR	1		
Grounds	NR	1		
Irrigation	NR	1		
Landscaping	NR	1		
Lighting	NR	1		
Markings	NR	1		
Parking	NR	1		
Pavement	NR	1		
Surface	Fair	1	3	
Railing	NR	1		
Structures	NR	1		
Track	NR	1		
Trailways	NR	1		
Trees	NR	1		

E. Describe any other attempts to secure funding for this project (include successful and unsuccessful funding attempts).

F. Please provide any additional relevant budget information that you feel will be beneficial to the CPC in understanding your Project Budget.

OPEN SESSION

BUSINESS

4. Update – Cape Light Compact programs – Matt Patrick **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 4.

ITEM TITLE: Update- Cape Light Compact Programs

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Example- Cape Light Compact Main Streets Small Business Assistance Program Flyer; Small Business Energy Efficiency Program Handout; Cape Light Compact Non-Profit Offerings

PURPOSE:

Mr. Matt Patrick, the Falmouth representative on the Cape Light Compact's Governing Board, will present an update to the Select Board concerning current programs being offered by the Compact.

BACKGROUND/SUMMARY:

- Update on Main Streets initiative to help small businesses reduce energy use and save on upgrades (example flyer attached).
- The Cape Cod Compact is also requesting Town consent to apply the Town logo/seal to the marketing flyer indicating its non-financial support for the program.

DEPARTMENT RECOMMENDATION:

The Town Manager is requesting that the Select Board authorize the use of the Town logo/seal on the marketing flyer of the Cape Light Compact’s Main Streets initiative marketing brochure.

OPTIONS:

- Motion to approve the use of the Town logo/seal on the marketing flyer of the Cape Light Compact’s Main Streets initiative brochure that will be used to market the program to Falmouth businesses.

- Motion to deny approval of the use of the Town logo/seal on the marketing flyer of the Cape Light Compact’s Main Streets initiative brochure that will be used to market the program to Falmouth businesses.

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 requesting that the Select Board authorize the use of the Town logo/seal on the marketing flyer of the Cape Light Compact’s Main Streets initiative marketing brochure that will be used to market the program to Falmouth businesses.

Michael Renshaw

Town Manager

3/18/2024

Date

Cape Light Compact is proud to offer our Main Streets initiative to help small businesses reduce energy use and save on efficiency upgrades.

Our team will be in Hyannis on April 22nd - 26th.

The Compact offers incentives up to 100% of the installed cost of weatherization, refrigeration, lighting, and other eligible electric energy efficiency upgrades. Meet with us for a no-cost energy assessment to learn more and make your energy efficiency plan!



To schedule your assessment
please call **1-800-797-6699** or visit
CapeLightCompact.org/MainStreets

Also check out our programs for renters, landlords, and residential and income-eligible customers.



*Qualifying businesses must use less than 15 million kWh per year and be located on Cape Cod or Martha's Vineyard.

A SPONSOR OF **mass save**

How can we
**HELP YOUR
BUSINESS
SAVE?**

CAPE LIGHT COMPACT JPE
261 WHITES PATH, UNIT 4
S. YARMOUTH, MA 02664

Dollars Saved Through Energy Efficiency Can Directly Impact A Business's Bottom Line.

We Can Help.

Firstname Lastname
1234 Main St.
Falmouth, MA 02536

Dear Falmouth Business,

Cape Light Compact, your local Mass Save® Sponsor, is coming to Falmouth on September 12th – 14th to conduct on-the-spot energy assessments for local businesses, **at no cost to you**. This is part of our Main Streets initiative, a push to bring savings opportunities and energy efficiency to the businesses that make up the backbones of our communities.

An Energy Specialist from Cape Light Compact's contracted vendor RISE Engineering will assess your business' current energy use, provide a customized list of recommendations to save you energy, and help you develop a plan to make your business more efficient overall. If you have walk-in coolers or freezers, the Compact's vendor National Resource Management (NRM), will assess your refrigeration to see how you may be able to save energy while still optimizing performance. We have increased our incentives for this initiative, by offering discounts **up to 100% off** the cost of recommended energy efficiency improvements to your building. The Compact also offers instant savings measures like LED lamps, faucet aerators and more **all at no cost**.

Our goal is to help you make your business more energy efficient, so you can:

- Boost the comfort of your space for your customers and employees
- Lower overhead costs and increase profit margins
- Reduce monthly energy usage
- Reduce environmental impacts

If you wish to schedule an appointment in advance or have questions about the Main Streets initiative, please call **1-800-797-6699** or sign up at CapeLightCompact.org/MainStreets. Otherwise, all you have to do is be available when we stop by, and we will handle the rest! It would be helpful to have a decision maker onsite during those days, to answer questions or address any concerns about the building to the energy specialist.

To learn more about how we are helping small businesses save energy, please visit CapeLightCompact.org/Business

Sincerely,



Margaret Downey
Cape Light Compact
Administrator

261 Whites Path Unit 4
South Yarmouth, MA 02664

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Cape Light Compact – Non-profit Offerings

Good evening and thank you for the opportunity to speak with you about Cape Light Compact. Tonight, I want to share information about Cape Light Compact's enhanced incentives for non-profit buildings that heat with electric, oil or propane. We would appreciate your assistance in spreading the word about these energy efficiency programs.

The Compact recognizes the important role non-profits play in providing critical services to residents of the Cape and Martha's Vineyard. The Compact also recognizes that most non-profits are focusing their funds on supporting their mission and may not be dedicating funding to making energy-efficiency upgrades to their facilities. This is why the Compact offers incentives covering up to 100% of the cost of recommended upgrades for qualified non-profit organizations. This includes enhanced incentives to decarbonize the building such as weatherization and heat pumps.

This year Cape Light Compact has modified the eligibility standards for their non-profit incentive program to be more inclusive. **If organizations were not eligible in the past, they may be eligible now.** To qualify, non-profits must:

- Receive an energy assessment.
- Own the building or have a long-term lease.
- Must be a 501(c)3 or house of worship and have been in operation for at least 5 years on Cape Cod and/or Martha's Vineyard
- Have an annual electric usage for all accounts on the site not exceeding 1.5 million kWh in the prior twelve months, and the active commercial electric account must be in the non-profit's name.

Again, these enhanced incentives are available only for buildings that heat with electric, oil, and propane. Projects for natural gas customers are managed by National Grid.

Non-profits who are interested in the program can download the application from capellightcompact.org/existingbuilding or call the Compact at 800-797-6699. Compact staff will determine if the non-profit is eligible and then reach out with next steps.

OPEN SESSION

BUSINESS

5. Approve application filed by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager of its All Alcohol Innholder License located at 350 Quaker Road, North Falmouth **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 5.

ITEM TITLE: Approve the application by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Alcoholic Beverages Control Commission- Amendment Change of Manager Form; Server Training Certification, Jay Sheldon, State of Vermont 2022;

PURPOSE:

The Select Board is requested to review and approve an application by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth.

BACKGROUND/SUMMARY:

- The applicant, Seacrest Concessionaire, properly completed its Change of Manager amendment form on February 1, 2024 (attached) naming Mr. Jason Sheldon as the proposed new manager.
- According to the application, Mr. Sheldon was a Hotel Manager for Omni Hotels and Resorts from 2013-2015, and hold a 1st Class Server certificate from the State of Vermont dated March 1, 2022.

- The Falmouth Police Department reviewed the application and had no concerns pending the results of a fingerprint background check.
- Falmouth Fire Rescue reviewed the application and have no concerns.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth as presented.

OPTIONS:

- Motion to approve the application by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth as presented.
- Motion to deny approval of the application by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth.
- 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 by Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire for a Change of Manager located at 350 Quaker Road, North Falmouth as presented.

Michael Renshaw

Town Manager

3/19/2024

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Seacrest Concessionaire, LLC d/b/a Seacrest Concessionaire

Address: 350 Quaker Road, North Falmouth

License Type: _____

New or Transfer of License _____

or

Change of License Change of Manager

Police No concerns - pending fingerprint background check

Fire No objections

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES:

The statement from applicant: ***Jason Sheldon confirmed that he is in the process of relocating. He is currently staying on property, and traveling home for 2 days every other week until he can find permanent living arrangements.***

Town Background check completed on 2/22/24 with no prohibitive discoveries.



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

AMENDMENT-Change of Manager **Change of License Manager**

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Seacrest Concessionalre, LLC	Falmouth	05941-HT-0390

2. APPLICATION CONTACT

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

Name	Title	Email	Phone
Andrew	Upton	aupton@ucdlaw.com	617-227-3277

3A. MANAGER INFORMATION

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

Proposed Manager Name: Jason Sheldon Date of Birth: [REDACTED]

Residential Address: 8 Leaward Way, Saratoga Springs, NY 12866

Email: jsheldon@seacrestbeachhotel.com Phone: 817-391-2054

Please indicate how many hours per week you intend to be on the licensed premises: 50 Last-Approved License Manager: Clark Guinn

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be U.S. citizen

If yes, attach one of the following as proof of citizenship: US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
2013	2015	Hotel Manager	Omni Hotels and Resorts	Andrew Casperson
see Attached	Addendum			

3D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature:  Date: 2/1/2024

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

3C. EMPLOYMENT INFORMATION (cont.)

Start Date	End Date	Position	Employer	Supervisor Name
2013	- 5/2015	Hotel Manager	Omni Hotels and Resorts (Fort Worth)	Andrew Casperson
5/2015	- 9/2020	General Manager	Omni Richmond Hotels and Resorts (Omni Richmond Hotel)	Dan Plotrowski
9/2020	- 12/2023	General Manager	Benchmark Pyramid Luxury & Lifestyle (Equinox Golf Resort & Spa)	Geoff Young



CERTIFICATE OF ACHIEVEMENT

AWARDED TO

Jay Sheldon

FOR COMPLETING

**1st Class Server Training Program 2022
(Final Exam)**

COMPLETION DATE

March 1, 2022

SCORE

100%

Phyllis Downey

From: Falmouth Licensing
Subject: FW: Seacrest Concessionaire-Chang of Manager application

From: Amanda Talbot <atalbot@UCDlaw.com>
Sent: Thursday, February 22, 2024 4:01 PM
To: Falmouth Licensing <licensing@falmouthma.gov>
Cc: Elizabeth Pisano <episano@UCDlaw.com>
Subject: RE: Seacrest Concessionaire-Chang of Manager application

Good afternoon Phyllis:

Thank you for hanging on to our application. We have revised the manager page of the application with the corrected name of the current manager of record (Clark Guinn). I will be overnighting the new page to you along with the check to the Town of Falmouth for the remaining \$70 in local fees to you tonight.

We have also received the following statement from our client: *Jason Sheldon confirmed that he is in the process of relocating. He is currently staying on property, and travelling home for 2 days every other week until he can find permanent living arrangements.*

Please don't hesitate to let us know if you need anything additional from us at this time.

Kind regards,

Amanda J. Talbot, Senior Paralegal
Upton Connell & Devlin LLP

MAILING ADDRESS:
171 High Street
Newburyport, MA 01950
Direct Ph: (617) 514-2828
Direct Fax: (617) 514-2825

MAIN OFFICE:
112 Water Street, Ste 201
Boston, MA 02109
Website: www.ucdlaw.com



PLEASE DO NOT SEND SOCIAL SECURITY, BANK ACCOUNT, OR CREDIT CARD NUMBERS, EITHER IN THE BODY OF THE EMAIL OR AS AN ATTACHMENT, WITHOUT APPROPRIATE SECURITY. PLEASE CALL OR FAX US WITH THE ABOVE, IF NECESSARY. This email is intended solely for the use of the individual to whom it is addressed and may contain information that is privileged, confidential or otherwise exempt from disclosure under applicable law. If the reader of this email is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the listed email address. Thank you.

OPEN SESSION

BUSINESS

6. Approve application filed by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager of its Seasonal All Alcohol Common Victualler License located at 28 Water Street, Unit C, Woods Hole **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 6.

ITEM TITLE: Approve the application by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Alcoholic Beverages Control Commission- Amendment Change of Manager Form; Applicant Statement dated September 19, 2023; Entity Vote Form; Responsible Serving of Alcohol Certificate, Amanda Benoit

PURPOSE:

The Select Board is requested to review and approve an application by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole.

BACKGROUND/SUMMARY:

- The applicant, Quicks Hole Taqueria, properly completed its Change of Manager amendment form on February 26, 2024 (attached) naming Ms. Amanda Benoit as the proposed new manager.
- According to the application, Ms. Benoit was an assistant restaurant manager at Mimmo's Restaurant from 2004-2011.

- The Falmouth Police Department reviewed the application and had no objections to the approval of the application.
- Falmouth Fire Rescue reviewed the application and have no issues or concerns.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole as presented.

OPTIONS:

- Motion to approve the application by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole as presented.
- Motion to deny approval of the application by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole.
- 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 by Quicks Hole, LLC d/b/a Quicks Hole Taqueria for a Change of Manager located at 28 Water Street, Unit C, Woods Hole as presented.

Michael Renshaw

Town Manager

3/19/2024

Date



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

AMENDMENT-Change of Manager **Change of License Manager**

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Quicks Hole LLC, dba Quicks Hole Taqueria	Falmouth, MA	00147-RS-0390

2. APPLICATION CONTACT

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

Name	Title	Email	Phone
Amanda Benoit	General Manager	whi.gm@woodsholeco.com	508-444-6702

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business is:

Proposed Manager Name	Amanda Benoit	Date of Birth	[REDACTED]
Residential Address	31 Coleridge Drive, Falmouth, MA 02540		
Email	whi.gm@woodsholeco.com	Phone	[REDACTED]
Please indicate how many hours per week you intend to be on the licensed premises	30-35	Last-Approved License Manager	Elizabeth S. Colt

3B. CITIZENSHIP/BACKGROUND INFORMATION

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

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
2004	2011	Asst. manager / manager	Mimmo's Restaurant	Dominick Speno

3D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature: [Signature] Date: 2/26/24

APPLICANT'S STATEMENT

I, Elizabeth Colt the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of Quizes Hole, LLC
Name of the Entity/Corporation

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

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

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

Signature: EB Colt

Date: 9.19.23

Title: managing member

ENTITY VOTE

The Board of Directors or LLC Managers of Quicks Hole, LLC
Entity Name

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

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 9.19.23
Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other _____

"VOTED: To authorize Amanda Benoit
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 Amanda Benoit
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,

ESG

Corporate Officer /LLC Manager Signature

Elizabeth S. Colt

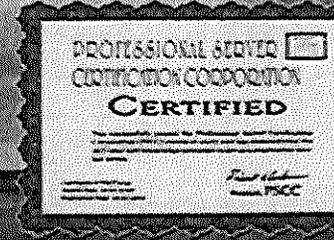
(Print Name)

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

(Print Name)



Responsible Serving of Food and Alcohol

Responsible Serving of Alcohol

This certificate confirms that

Amanda Benoit

has successfully passed the Professional Server Certification Corporation (PSCC) Responsible Serving of Alcohol course of study and has demonstrated the skill level and knowledge necessary to act as a responsible alcohol server.

AUTHENTIC

Certificate #: PSCC10000640404
Award Date: 03-24-2023
Expiration Date: 03-23-2027



To verify this certificate, go to Rservering.com.

Robert Graham, President/CEO

OPEN SESSION

BUSINESS

7. Approve application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024 from 3:30 p.m. to 6:00 p.m. **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 7.

ITEM TITLE: Approve the application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024 from 3:30 PM to 6:00 PM

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form, Emails from Reviewers, One-Day Entertainment License application completed by General Manager Richard Shaughnessy; Site Plan; Town of Falmouth Sunday Entertainment License

PURPOSE:

The Select Board will consider the approval of the application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024 from 3:30 PM to 6:00 PM.

BACKGROUND/SUMMARY:

- Applicant Falmouth Yacht Club, located at 290 Clinton Avenue, properly completed and submitted the required One-Day Entertainment License Application listing the dates of June 23, July 21, and September 1, 2024; each of the proposed events will take place from 3:30 PM to 6:00 PM in the boatyard area in back of the club.

- The application states that acoustic instruments will be played during the events, and stipulates that the volume of music is not to exceed (sic) beyond the club parking lot.
- The Falmouth Police Department reviewed the application and stated while it has no objections to the approval of the application, based upon previous loud music complaints at the event they specifically have requested that if the Falmouth Police Department responds to a complaint and determines that the music volume exceeds the Town by-law the entertainment must cease for the day.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the applications for three Special One-Day Wine and Malt Liquor Licenses- West Falmouth Library located at 575 West Falmouth Highway, West Falmouth- Sunday, March 17; Sunday, June 30, 2024; and Saturday, July 6, 2024; all events from 4:00 PM to 6:00 PM, with the condition that if the Police Department responds to a complaint of loud music and determines that it is a violation of the Town by-law or the volume of music exceeds beyond the parking lot then the music must cease for the remainder of that day.

OPTIONS:

- Motion to approve the application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024, from 3:30 PM to 6:00 PM as presented, with the condition that if the Police Department responds to a complaint of loud music and determines that it is a violation of the Town by-law or the volume of music exceeds beyond the parking lot then the music must cease for the remainder of that day.
- Motion to deny approval of the application filed by Falmouth Yacht Club for three One-Day Entertainment Licenses to be exercised at 290 Clinton Avenue, Falmouth on June 23, July 21, and September 1, 2024, from 3:30 PM to 6:00 PM.
- 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 applications for three Special One-Day Wine and Malt Liquor Licenses- West Falmouth Library located at 575 West Falmouth Highway, West Falmouth- Sunday, March 17; Sunday, June 30, 2024; and Saturday, July 6, 2024; all events from 4:00 PM to 6:00 PM, with the condition that if the Police Department responds to a complaint of loud music and determines that it is a violation of the Town by-law or the volume of music exceeds beyond the parking lot then the music must cease for the remainder of that day.

Michael Renshaw

Town Manager

3/19/2024

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: Falmouth Yacht Club

Address: Clinton Avenue, Falmouth

License Type: All Alcohol Club License

New or Transfer of License Three New Sunday Entertainment Licenses

or

Change of License _____

Police No objections - but would request that if FPD responds to a complaint and determines that the volume exceeds the Town by-law the entertainment cease for the day.

Fire _____

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES:

This application has been advertised in the Falmouth Enterprise as was done in 2023.

The applicant confirms "that there is not seating other than our top deck attached to the building. If members want to watch the musician on they will need to stand as we do not have seating outside".



Town of Falmouth

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



ONE-DAY ENTERTAINMENT LICENSE APPLICATION (per day)

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

NAME OF ESTABLISHMENT **FALMOUTH YACHT CLUB**

ADDRESS **290 CLINTON AVE**

FALMOUTH **MA** **02540**

NAME OF OWNER/MANAGER **RICHARD SHAUGHNESSY - GM**

TELEPHONE #: **508-548-3865** EMAIL: **GM@FALMOUTHYACHTCLUB.COM**

NARRATIVE DESCRIBING ENTERTAINMENT:
VOLUME OF MUSIC NOT TO EXCEED BEYOND THE CLUB PARKING LOT.

LOCATION OF ENTERTAINMENT on premises **BOATYARD IN BACK OF CLUB

****Attach to this form a Floor Plan showing where on the premises entertainment will take place.**

DATE or DATES APPLIED FOR: **6/23/24 - 7/21/24 - 9/1/24**

SUNDAY ENTERTAINMENT? (if YES, also complete State application fee - contact the Select Board Office)

Hours entertainment will be offered **3:30PM - 6:00PM**

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT:

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

Type of Instruments **ACOUSTIC**

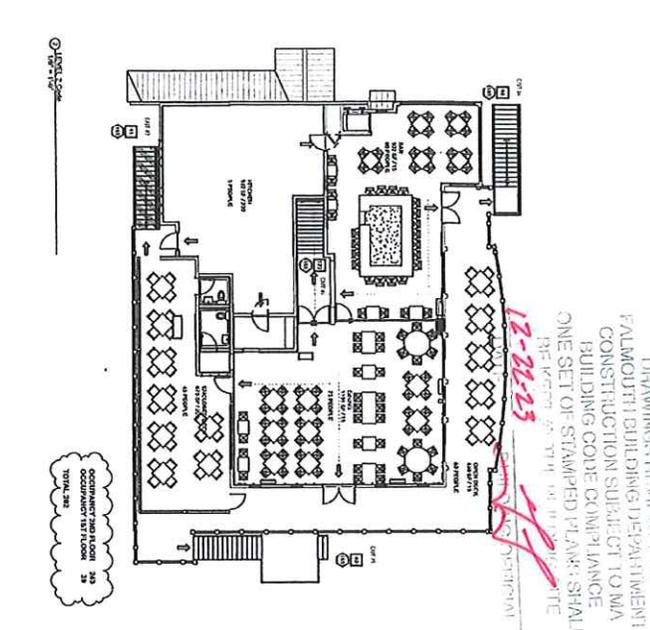
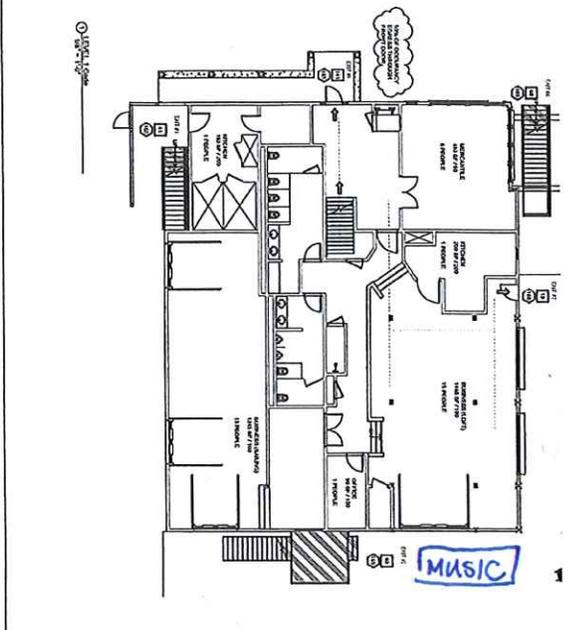
I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted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

DATE **6/23/24 - 7/21/24 - 9/1/24**

X

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

OWNER, MANAGER OR AUTHORIZED AGENT



DRAWINGS REVIEWED BY:
 FALMOUTH BUILDING DEPARTMENT
 CONSTRUCTION SUBJECT TO M/A
 BUILDING CODE COMPLIANCE
 ONE SET OF STAMPED PLANS SHALL
 REMAIN AT THE PERMITTING OFFICE

GENERAL NOTES:
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE MASSACHUSETTS STATE BUILDING CODE (SBC).
 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE BUILDING DEPARTMENT.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
 4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO ANY EXCAVATION WORK.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES.
 8. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE BUILDING DEPARTMENT.
 9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 10. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE BUILDING DEPARTMENT.

NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	CONCRETE FLOOR	SQ. YD.	100	10.00	1000.00
2	CEMENT MORTAR	SQ. YD.	100	5.00	500.00
3	REINFORCING BARS	TON	10	100.00	1000.00
4	FORMWORK	SQ. YD.	100	2.00	200.00
5	LABOR	HOUR	1000	15.00	15000.00
6	EQUIPMENT	HOUR	100	10.00	1000.00
7	PAINT	SQ. YD.	100	1.00	100.00
8	PLASTER	SQ. YD.	100	3.00	300.00
9	BRICKWORK	SQ. YD.	100	15.00	1500.00
10	ROOFING	SQ. YD.	100	20.00	2000.00
11	MECHANICAL	HOUR	100	25.00	2500.00
12	ELECTRICAL	HOUR	100	30.00	3000.00
13	PLUMBING	HOUR	100	35.00	3500.00
14	FINISHES	SQ. YD.	100	4.00	400.00
15	LANDSCAPE	SQ. YD.	100	6.00	600.00
16	CONCRETE CURB	LINEAL FT.	100	1.00	100.00
17	CONCRETE WALKWAY	SQ. YD.	100	2.00	200.00
18	CONCRETE DRIVEWAY	SQ. YD.	100	3.00	300.00
19	CONCRETE SIDEWALK	SQ. YD.	100	4.00	400.00
20	CONCRETE CURB AND GUTTER	LINEAL FT.	100	5.00	500.00
21	CONCRETE DRIVEWAY	SQ. YD.	100	6.00	600.00
22	CONCRETE SIDEWALK	SQ. YD.	100	7.00	700.00
23	CONCRETE CURB AND GUTTER	LINEAL FT.	100	8.00	800.00
24	CONCRETE DRIVEWAY	SQ. YD.	100	9.00	900.00
25	CONCRETE SIDEWALK	SQ. YD.	100	10.00	1000.00

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23	CONCRETE CURB AND GUTTER	LINEAL FT.	100	8.00	800.00
24	CONCRETE DRIVEWAY	SQ. YD.	100	9.00	900.00
25	CONCRETE SIDEWALK	SQ. YD.	100	10.00	1000.00

NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	CONCRETE FLOOR	SQ. YD.	100	10.00	1000.00
2	CEMENT MORTAR	SQ. YD.	100	5.00	500.00
3	REINFORCING BARS	TON	10	100.00	1000.00
4	FORMWORK	SQ. YD.	100	2.00	200.00
5	LABOR	HOUR	1000	15.00	15000.00
6	EQUIPMENT	HOUR	100	10.00	1000.00
7	PAINT	SQ. YD.	100	1.00	100.00
8	PLASTER	SQ. YD.	100	3.00	300.00
9	BRICKWORK	SQ. YD.	100	15.00	1500.00
10	ROOFING	SQ. YD.	100	20.00	2000.00
11	MECHANICAL	HOUR	100	25.00	2500.00
12	ELECTRICAL	HOUR	100	30.00	3000.00
13	PLUMBING	HOUR	100	35.00	3500.00
14	FINISHES	SQ. YD.	100	4.00	400.00
15	LANDSCAPE	SQ. YD.	100	6.00	600.00
16	CONCRETE CURB	LINEAL FT.	100	1.00	100.00
17	CONCRETE WALKWAY	SQ. YD.	100	2.00	200.00
18	CONCRETE DRIVEWAY	SQ. YD.	100	3.00	300.00
19	CONCRETE SIDEWALK	SQ. YD.	100	4.00	400.00
20	CONCRETE CURB AND GUTTER	LINEAL FT.	100	5.00	500.00
21	CONCRETE DRIVEWAY	SQ. YD.	100	6.00	600.00
22	CONCRETE SIDEWALK	SQ. YD.	100	7.00	700.00
23	CONCRETE CURB AND GUTTER	LINEAL FT.	100	8.00	800.00
24	CONCRETE DRIVEWAY	SQ. YD.	100	9.00	900.00
25	CONCRETE SIDEWALK	SQ. YD.	100	10.00	1000.00

NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	CONCRETE FLOOR	SQ. YD.	100	10.00	1000.00
2	CEMENT MORTAR	SQ. YD.	100	5.00	500.00
3	REINFORCING BARS	TON	10	100.00	1000.00
4	FORMWORK	SQ. YD.	100	2.00	200.00
5	LABOR	HOUR	1000	15.00	15000.00
6	EQUIPMENT	HOUR	100	10.00	1000.00
7	PAINT	SQ. YD.	100	1.00	100.00
8	PLASTER	SQ. YD.	100	3.00	300.00
9	BRICKWORK	SQ. YD.	100	15.00	1500.00
10	ROOFING	SQ. YD.	100	20.00	2000.00
11	MECHANICAL	HOUR	100	25.00	2500.00
12	ELECTRICAL	HOUR	100	30.00	3000.00
13	PLUMBING	HOUR	100	35.00	3500.00
14	FINISHES	SQ. YD.	100	4.00	400.00
15	LANDSCAPE	SQ. YD.	100	6.00	600.00
16	CONCRETE CURB	LINEAL FT.	100	1.00	100.00
17	CONCRETE WALKWAY	SQ. YD.	100	2.00	200.00
18	CONCRETE DRIVEWAY	SQ. YD.	100	3.00	300.00
19	CONCRETE SIDEWALK	SQ. YD.	100	4.00	400.00
20	CONCRETE CURB AND GUTTER	LINEAL FT.	100	5.00	500.00
21	CONCRETE DRIVEWAY	SQ. YD.	100	6.00	600.00
22	CONCRETE SIDEWALK	SQ. YD.	100	7.00	700.00
23	CONCRETE CURB AND GUTTER	LINEAL FT.	100	8.00	800.00
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9	BRICKWORK	SQ. YD.	100	15.00	1500.00
10	ROOFING	SQ. YD.	100	20.00	2000.00
11	MECHANICAL	HOUR	100	25.00	2500.00
12	ELECTRICAL	HOUR	100	30.00	3000.00
13	PLUMBING	HOUR	100	35.00	3500.00
14	FINISHES	SQ. YD.	100	4.00	400.00
15	LANDSCAPE	SQ. YD.	100	6.00	600.00
16	CONCRETE CURB	LINEAL FT.	100	1.00	100.00
17	CONCRETE WALKWAY	SQ. YD.	100		

State Fee, \$ 6.00
Municipal Fee, \$ 15.00

THE COMMONWEALTH OF MASSACHUSETTS
Town OF Falmouth



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Falmouth Yach Club in or on the property at No. 290 Clinton Avenue (address)

The Licensee or Authorized representative, _____ in accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion

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

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

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

Do not write in this box

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

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

ip
vn

m, which houses hotel rooms on temperature is below freezing. ip provided 764 (with free meals). more than 1,000. already raised private phase of gn, with some of g in the form of ear. BTEO took ge on the prop- a that mortgage ar," Ms. Torielli

le public cam- O is soliciting ns in any form, or example, the o receive resi- credits. the generosity is a vote of con- ganization and ing to be good use," she said. ors to our most ion."



GENE M. MARCHAND/ENTERPRISE

Falmouth Housing Trust hands over the keys to the Gerald Flynn House on Palmer Avenue to its new owner, the homeless prevention group Belonging To Each Other, Wednesday. Seen here, from left, are BTEO board member Christian Valle from the Valle Group, housing trust president Addie Drolette, BTEO board member Christina Brodie, comprehensive campaign committee chairman Jeff Oppenheim, state Representative Dylan Fernandes, housing trust executive director Laura Moynihan, BTEO executive director Gina Torielli, BTEO treasurer Dan Persechini, BTEO board chairwoman Christina Williams, BTEO director of development and community relations Elyse DeGroot and BTEO program and clinical director Carol Greeley.

Legal Notices

mouth
mission
g Notice

ommission will hold Massachusetts General 1, and Town bylaw n Tuesday, April 2, lect Board Meeting ll.

Appropriateness:

chmann, Ttee, 681 ace columns 52 Davisville Rd - of barn/rebuild an - 503 Sippewissett g house - 314 Quisset Ave arriage house

Historical Commission

March 15, 2024

VATION COMMIS- ring under Section eneral laws of the ussetts Wetlands Town of Falmouth on Wednesday.

40, Chapter 2 of to the 2020 novel March 27, 2024,

Philip Chase, 9 Compass Circle, East Falmouth, MA - For permission to reconstruct an existing dock and install a concrete block retaining wall.

By Order of: Jamie Mathews, Chairman
Falmouth Conservation Commission

March 15, 2024

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

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Falmouth Yacht Club located at 290 Clinton Avenue, Falmouth, MA has applied for three (3) Sunday Entertainment Licenses to be executed on June 23rd, July 21st. and September 1st, 2024.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, March 25, 2024, at 6:45 p.m.

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. Mascall

businesses, or uses can be demonstrated via long-term agreements, leases, and licenses of five (5) years or more and to the satisfaction of the Planning Board or Board of Appeals as the case may be. Shared parking shall not be allowed that is more than three hundred (300) feet from the property line.

(7) Replace the current language in the Standards column of the Multi-family use in the Residence Districts Use Table (Section 240-6.6B) with "no more than three units if at least one unit is affordable."

(8) Delete the "1988" after "National Geodetic Vertical Datum" in the two sentences in Section 240-11.7B(1).

(9) Replace the following values found in the Fresh Ponds Table (Section 240-11.7B(2)) as indicated below:

Crooked Pond Elevation - replace "12" with "32"
Flax Pond - replace "Flax Pond" with "Flax Pond (in Quissett)" and replace "21" with "13"
Insert "Miles Pond in Sippewissett" and insert "10" for the elevation

Remove the right parentheses at the end of "Unnamed Pond in the Coonamessett Valley below Sandwich Road

Rename "Trout Pond (near Chester Street, formerly Flax Pond)" to "Trout Pond (near Chester Street formerly called Flax Pond)"

Rename "Round Pond near Coonamessett Pond" to "Round Pond (near Coonamessett Pond)"

(10) Change the "No" in the Stable Use in the LI-B District Use Table (Section 240-6.3B) to "N".

(11) Change the "Y" to an "N" for a Class IV Restaurant in the B-2 District in the Business District Use Table (Section 240-6.2B).

508-495-7460 - Fax 508-495-7463

**Falmouth Zoning Board of Appeals
Notice of Public Hearing for April 11, 2024**

Notice is hereby given of the following **Public Hearing @ 6:00pm and Open Meeting** in the Select Board's Meeting Room, Town Hall, Falmouth, MA, on **Thursday, April 11, 2024**

Application #018-24 Robert M. and Tracy L. Driscoll: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-10.2A & 240-11.3A(4) of the Zoning Board of Appeals to demolish and rebuild a portion of the existing garage with additional habitable space above, increasing lot coverage by structures. The subject property is 463 Shorewood Drive, East Falmouth, MA.

Application #019-24 Luiz Netto: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-6.3B of the Code of Falmouth to allow a tow truck operation with vehicle storage. The subject property is 614 East Falmouth Highway, East Falmouth, MA.

Application #020-24 Dennis E. and Andrea S. Harrington: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-11.3A(4) of the Code of Falmouth to raze and rebuild the existing dwelling, exceeding 20% lot coverage by structures. The subject property is 23 Cuttysark Road, East Falmouth, MA.

Application #021-24 Michael D. Clements: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-6.1B and 240-11.3A(4) of the Code of Falmouth to construct a detached barn exceeding 900sf in size with lot coverage by structures over 20%.

OPEN SESSION

BUSINESS

8. Consider and vote to extend the Taskforce on Sustainable Living for Falmouth's Workforce Families date of operation in the committee charge **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 8.

ITEM TITLE: Discuss and vote to extend the Taskforce on Sustainable Living for Falmouth's Workforce Families date of operation in the committee charge

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Taskforce Charge, revised

PURPOSE:

To consider changing the name of this Taskforce and extending the date of operation.

BACKGROUND/SUMMARY:

- Town Meeting approved a petition article in June of 2021 to create a taskforce "...to seek solutions to the lack of affordable early education and childcare, the need for affordable workforce housing, sustainable living-wage jobs and other issues related to sustaining viability for working families in Falmouth."
- The Assistant Town Manager convened a group of stakeholders to draft a charge for this taskforce. The resulting charge was adopted by the Select Board on October 25, 2021.
- Three display ads were purchased in the Falmouth Enterprise seeking volunteers and the vacancies were posted on the Committees page of the Town website. A total of 2 applications were received.

- Due to the lack of volunteer interest, the Taskforce was never convened.
- Dr. Sandra Faiman Silva, one of the lead petitioners of the warrant article, has recently requested that the Taskforce be re-advertised, and believes that there is renewed interest to serve on such a taskforce.
- The original charge called for this temporary, single-purpose taskforce to be dissolved by August 1, 2022 (original contemplated duration was approximately 19 months); Dr. Silva requests that the Taskforce be given 5 years to complete its work.
- Dr. Silva is also suggesting a more succinct title: Taskforce on Workforce Sustainability.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Board adopt the revised charge attached. This revision includes the requested name change. The revision calls for the Taskforce to be dissolved after a little over 2 years rather than the 5 years requested. The original charge called for this temporary single purpose taskforce to be dissolved approximately 19 months after the charge was adopted.

The Town Manager notes that citizen advisory committees (AKA taskforces) inevitably require Town resources for meeting space, posting meetings, open meeting law guidance, etc. As such, the Town Manager recommends the Select Board limit the duration of this taskforce.

OPTIONS:

- Motion to approve the Taskforce charge as presented.
- Motion to deny approval of the Taskforce charge 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 recommends that the Select Board adopt the revised charge as presented. This revision includes the requested name change. The revision calls for the Taskforce to be dissolved after approximately two (2)years rather than the five (5) years requested. Note that the original charge called for this temporary single purpose taskforce to be dissolved approximately 19 months after the charge was adopted.

Michael Renshaw

Town Manager

3/20/2024

Date

~~SUSTAINABLE LIVING FOR WORKING FAMILIES~~ TASKFORCE ON WORKFORCE
SUSTAINABILITY

MISSION STATEMENT

ADOPTED: October 25, 2021

REVISED: March 25, 2024

The Sustainable Living for Working Families Taskforce shall be appointed by the Select Board in accordance with relevant provisions of the Falmouth Home Rule Charter. The Committee shall consist of seven (7) to nine (9) members who shall serve until the Taskforce is dissolved. The Board will seek to appoint Taskforce members who:

- Have experience in childcare, business management, and the delivery of services for low-income households and working families;
- Represent one or more employment sectors (e.g. health care, service economy, construction, local government, marine sciences)
- Represent diverse demographic groups – racial, economic, gender, age, LGBTQ+

The mission of the Taskforce is to prepare for Select Board consideration an action plan to promote a better quality of life for working individuals and families in Falmouth. The Taskforce will consider potential actions related to service needs (e.g. childcare, housing support); providing financial resources for low and moderate income individuals and families; and policy change (e.g. zoning, tax policy). To develop this action plan, the Taskforce will gather information on best practices from other municipalities and thought leaders. The Taskforce will solicit community input on proposed action items making a concerted effort to include participation of individuals from diverse backgrounds.

~~The Board respectfully asks the Taskforce to submit an initial proposed action plan by August 1, 2022.~~ The Taskforce shall be a temporary, single-purpose committee to be dissolved ~~May 1, 2023~~ July 1, 2026. The Select Board may vote to extend the term of the Committee to a date certain if additional time is required to achieve the purposes of the Taskforce.

OPEN SESSION

BUSINESS

9. Discuss and vote on a Firearm Disposal Policy **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 9.

ITEM TITLE: Discuss and vote on a Policy for the Disposal of Surplus Firearms

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager and Maura O'Keefe, Town Counsel

ATTACHMENTS: Draft Firearm Disposal Policy document

PURPOSE:

The purpose of this submission is to support the ongoing discussion of the disposal of surplus firearms. The Select Board will be reviewing, discussing, and voting on an amended Policy for the Disposal of Surplus Firearms document.

BACKGROUND/SUMMARY:

- In an effort to balance the desire of members of the public to destroy surplus firearms against the fiduciary duty that the Select Board and Town Manager owe the Town in their administration of municipal funds, the Select Board recently sought information through the Town Counsel's office about how to carry out their obligations.
- Town Counsel opined that if members of the public had the desire to counterbalance the financial loss to the Town caused by the destruction of municipally owned goods, the public could donate funds for this purpose.

- On February 12, 2024 the Select Board heard an initial presentation and had a high-level discussion on the potential to accept public donations for the purpose of counterbalancing, or offsetting, the loss of the fair market value of surplus Police Department firearms and directed the Town Manager to further research the topic and report back with a recommended policy.
- The Finance Department Director and Town Accountant were asked to provide a recommendation as to what account structure would be best suited for the purpose of receiving such public donations and recommended that a donation account be created, and that use of any funds donated would be restricted for the purpose of offsetting any financial loss to the Town incurred because of the destruction of this surplus property.
- It is important to note that:
 - the Select Board may not directly solicit private funds for the purpose of offsetting the loss of municipal funds, and
 - the Select Board is under no obligation to destroy municipal property even if members of the public donate funds for this purpose.
- The attached draft Policy for the Disposal of Surplus Firearms is offered for discussion and a vote of the Select Board; if approved, the red-line proposed revisions would be incorporated into the policy that the Select Board previously adopted in May 2022.

DEPARTMENT RECOMMENDATION:

The Town Manager, in consultation with Town Counsel and the Chief of Police, recommends that the Select Board approve the Policy for the Disposal of Surplus Firearms as presented.

OPTIONS:

- Motion to approve the Policy for the Disposal of Surplus Firearms as presented.
- Motion to approve the Policy for the Disposal of Surplus Firearms with Board specified revisions.
- Motion to deny approval of the Policy for the Disposal of Surplus Firearms as presented.

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, in consultation with Town Counsel and the Chief of Police, recommends that the Select Board approve the Policy for the Disposal of Surplus Firearms as presented.

Michael Renshaw

Town Manager

3/18/2024

Date

TOWN OF FALMOUTH

POLICY FOR THE DISPOSAL OF SURPLUS FIREARMS

Adopted by the Select Board on May 23, 2022

This Policy is enacted to be consistent with the gun control laws of the Commonwealth and in an effort to curb the volume of firearms that are available to the public, whether legally or illegally. This policy is not intended to conflict with the Procurement Act at chapter 30B of the General Laws but, instead, embodies its spirit of ensuring that goods purchased with Town of Falmouth funds are bought and disposed of in a manner that is harmonious with the will of its residents, as represented by the Select Board.

The Select Board herein grants the Town Manager the authority to dispose of surplus firearms as follows:

1. Firearms of any value that can be legally purchased, owned or possessed in Massachusetts by anyone who holds a valid Massachusetts Firearms Identification Card or License to Carry (e.g. semi-automatic pistols) that are deemed surplus by the Chief of Police may be destroyed in a safe and appropriate manner or may otherwise be disposed of in a manner that assures that the surplus firearms will be resold to individuals who are qualified to purchase, own or possess them under Massachusetts laws.

Once declared surplus, and at least thirty days prior to making a determination as to whether firearms in this category will be destroyed or otherwise disposed, the Town Manager will first publish the fair market value of the surplus firearms to the Town's website and report said value to the Select Board.

The Town Manager, in their own discretion, may take into consideration the financial impact that the destruction of municipal goods has on the Town's finances and may choose to offset any financial impact with funds donated to the Town for this specific purpose.

The Town will establish and maintain an account to allow the public to make such donations to offset the cost of destroying surplus firearms, and said account will be subject to all laws, bylaws and regulations pertaining to the donation of gifts to the Town.

2. Firearms of any value that are subject to the so-called "assault weapons ban" or any other similarly restricted firearms under Massachusetts General Laws c. 140, §§ 128, 131(o) and 131M as may be amended that are deemed surplus by the Chief of Police shall be destroyed in a safe and appropriate manner or disposed of in a manner that assures the surplus firearms will only be resold to individuals who are qualified to purchase, own or possess them under Massachusetts laws, with a preference to consideration that the surplus firearms be sold back to active members of the Falmouth Police Department.

OPEN SESSION

BUSINESS

10. Discuss and vote to approve a Resolution in Support of Higher Education for All **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 10.

ITEM TITLE: Discuss and vote to approve a Resolution in Support of Higher Education for All

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Resolution in Support of Higher Education for All

PURPOSE:

The Select Board will discuss and consider the approval of a Resolution in Support of Higher Education for All.

BACKGROUND/SUMMARY:

- Bill S.816 and companion H.1260, referred to as The Cherish Act, would establish a blueprint for a world-class system of public higher education that is urgently needed to meet widely shared goals in the Commonwealth.
- If passed, it would enable people of all backgrounds in every community to build successful and fulfilling lives; address economic, social and racial equity gaps; meet our state's climate change goals; create high-quality workplaces with fair wages and benefits to attract and retain faculty and staff; enable new discoveries and innovation; and invest in a competitive workforce that is the engine of the state's economy.

- Passage of the legislation would allocate millions of dollars for funding for our public higher education system, establish a fair minimum funding level per student to ensure funding keeps pace with enrollments, and freeze tuition and fees for five years to ensure higher education is in reach of all students who want to attend.
- Bill S.816 was referred to the Joint Committee on Higher Education on February 16, 2023.
- On March 2, a representative of the Massachusetts Teachers Association made a formal request that the Select Board consider voting to approve the attached Resolution in Support of Higher Education for All, and to send a copy of the Resolution to our legislative delegation.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the attached Resolution in Support of Higher Education for All, and that a copy of the Resolution be sent to our legislative delegation.

OPTIONS:

- Motion to approve the Resolution in Support of Higher Education for All as presented, and to send a copy of the Resolution to our legislative delegation.
- Motion to approve an amended version of the Resolution in Support of Higher Education for All with specified changes, and to send the amended Resolution to our legislative delegation.
- Motion to deny approval of the Resolution in Support of Higher Education for All.

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 attached Resolution in Support of Higher Education for All as presented, and that a copy of the Resolution be sent to our legislative delegation.

Michael Renshaw

Town Manager

3/19/2024

Date

SENATE No. 816

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act committing to higher education the resources to insure a strong and healthy public higher education system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>1/23/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/24/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/24/2023</i>
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>1/24/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>1/27/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/27/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/27/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/27/2023</i>
<i>Marc R. Pacheco</i>	<i>Third Bristol and Plymouth</i>	<i>1/27/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/29/2023</i>
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	<i>1/30/2023</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>1/30/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/30/2023</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/31/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/31/2023</i>

<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/6/2023</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/6/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/6/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/6/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/7/2023</i>
<i>John C. Velis</i>	<i>Hampden and Hampshire</i>	<i>2/7/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/8/2023</i>
<i>Liz Miranda</i>	<i>Second Suffolk</i>	<i>2/9/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/10/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/23/2023</i>
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>3/3/2023</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>3/8/2023</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/20/2023</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/21/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/29/2023</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>4/24/2023</i>
<i>Pavel M. Payano</i>	<i>First Essex</i>	<i>4/27/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>5/17/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>6/13/2023</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>7/24/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>7/24/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>8/21/2023</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>9/14/2023</i>

SENATE No. 816

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 816) of Joanne M. Comerford, Paul W. Mark, Sal N. DiDomenico, Jack Patrick Lewis and other members of the General Court for legislation to commit to higher education the resources to insure a strong and healthy public higher education system. Higher Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act committing to higher education the resources to insure a strong and healthy public higher education system.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15A of the General Laws is hereby amended by inserting after
2 section 15 the following section:-

3 Section 15A. It is the intention of the general court to assure fair and adequate funding
4 for the commonwealth’s public institutions of higher education. Notwithstanding section 15B or
5 any other general or special law to the contrary, the annual budget request for the public
6 institutions of higher education shall be determined by the board of higher education and the
7 secretary under this section for the University of Massachusetts, the state university system, the
8 community college system, and needs-based financial assistance administered by the council
9 under section 9B; provided, that in order to achieve equity for students and workers, the council
10 shall allocate state appropriations to individual public colleges and universities in a manner
11 which: (i) establishes scholarship funding in accordance with section 1 of this act; (ii)

12 emphasizes full-time over part-time employment and fair wages and benefits for adjunct faculty
13 and staff; (iii) realigns resources toward teaching, research, and student supports; (iv) enhances
14 the ability of colleges to provide support for students by providing an additional \$2,000 per
15 eligible student to fund supports services to improve outcomes for the most vulnerable students,
16 which may include, but shall not be limited to, low-income, first-generation, minority, and
17 disabled students and lesbian, gay, bisexual, transgender, queer and questioning students; (v)
18 supports the full curricular offerings and research endeavors appropriate to each institution; (vi)
19 provides up-to-date technology and other resources for student learning; and (vii) prioritizes
20 public operation of our public campuses over privatization; provided further, that the council
21 shall annually report the details of the funding distribution to the governor and to the house and
22 senate committees on ways and means and the joint committee on higher education; and
23 provided further, that notwithstanding section 7H of chapter 29 of the General Laws or any other
24 general or special law to the contrary, the governor shall submit to the general court annually a
25 request for an appropriation based on the recommendations of the Public Higher Education
26 Wage Equity and Working Conditions Commission, as created in Chapter ___ of the Acts of
27 2023.

28 SECTION 2. Chapter 15A of the General Laws is hereby further amended by inserting,
29 after section 45, the following section:-

30 Section 46. Green and Healthy Public College and University Building Planning
31 Commission

32 (a) There shall be a Green and Healthy Public College and University Building Planning
33 Commission, which shall consist of: the commissioner of higher education, who shall serve as

34 chair, or a designee; the commissioner of public health, who shall serve as vice chair, or a
35 designee; the secretary of energy and environmental affairs, who shall serve as vice chair, or a
36 designee; the speaker of the house of representatives, or a designee; the president of the senate,
37 or a designee; the minority leader of the house of representatives, or a designee; the minority
38 leader of the senate, or a designee; the chairs of the joint committee on ways and means, or their
39 designees; the chairs of the joint committee on higher education, or their designees; the president
40 of the university of Massachusetts, or a designee; the executive director of the Massachusetts
41 Association of Community Colleges, or a designee; the executive officer of the Massachusetts
42 State University Council of Presidents, or a designee; 4 representatives of the Massachusetts
43 Teachers Association, 1 of whom shall be employed by the university of Massachusetts, 1 of
44 whom shall be employed by a state university, and 1 of whom shall be employed by a
45 community college; a representative of the American Federation of Teachers, Massachusetts; a
46 representative of the American Institute of Architects-Massachusetts; a representative of the
47 Massachusetts State Building Trades Council; a representative of the Massachusetts Coalition for
48 Occupational Safety and Health; and a representative of the Massachusetts Department of Higher
49 Education's Student Advisory Council.

50 (b) The commission shall assess and make recommendations for public higher education
51 buildings relative to energy efficiency, spatial adequacy, life safety, accessibility, indoor
52 environmental quality and public health. The commission shall be established not less than every
53 10 years to monitor the implementation of its recommendations, and to conduct a new
54 assessment if determined to be necessary by the commission.

55 (c) The commission shall determine the means of conducting its work, which shall
56 include, but not be limited to:

57 (1) assessing the extent to which public higher education buildings in the commonwealth
58 provide students a healthy environment that is conducive to learning while efficiently using
59 energy and resources and limiting exposure to toxic building materials, referred to in this section
60 as “green and healthy public higher education buildings”. Factors to be considered shall include,
61 but not be limited to: (i) protection against infectious disease, including COVID-19 and
62 influenza; (ii) sufficient ventilation and air circulation, including adequate outdoor air exchange,
63 filtration and circulation; (iii) healthy indoor air quality, including limits on pollutants, exposure
64 to toxic substances, chemical emissions and vapor intrusion; (iv) adequate availability of clean
65 and safe water; (v) appropriate thermal comfort, humidity and temperature controls; (vi)
66 protections against pests with effective use of integrated pest management; (vii) limits on
67 pollutants, dust, mold and allergens; (viii) appropriate artificial lighting and plentiful natural
68 light; (ix) proper acoustic and noise control; (x) proper maintenance of mechanical systems; (xi)
69 design that promotes physical activity and meets accessibility standards; (xii) opportunities to
70 increase energy efficiency and efficient use of resources including low-flow fixtures; (xiii)
71 opportunities to shift to fossil-free fuels; (xiv) proper access to greenspace; and (xv)
72 opportunities for architectural design to enhance occupant safety. The assessment may rely on
73 existing data or be objectively measured. The assessment shall include a public searchable online
74 dashboard with the findings for all public higher education buildings in the commonwealth; and

75 (2) developing standards for green and healthy public higher education buildings.

76 (d) Members of the commission shall not receive compensation for their services but may
77 receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities
78 as members of the commission. The commissioner of higher education shall furnish reasonable
79 staff and other support for the work of the commission.

80 SECTION 3. Section 16 of Chapter 15A is hereby amended by inserting after the
81 eleventh paragraph the following paragraphs:

82 There shall be a debt free college scholarship program that creates a path for debt free
83 college completion for all students, which shall include reasonable contributions from students
84 and families. This program shall support pathways for lifelong learning, shall provide support to
85 students enrolled in Massachusetts institutions of public higher education to earn professional or
86 vocational certifications, associate, or baccalaureate degrees, and shall be administered without
87 bias or undue burden whether students choose to directly enroll to earn four-year degrees or earn
88 stackable certificates and degrees over time.

89 The program shall meet the following criteria:

90 (1) the department shall identify the full cost of attendance, including tuition, fees and
91 living expenses, which include but are not limited to food and housing. Other costs to consider
92 include childcare and transportation costs;

93 (2) the department shall require the student to make a reasonable contribution towards the
94 full cost of attendance. This contribution may include Pell grants, existing institutional financial
95 aid, a reasonable family contribution, and earnings from a reasonable amount of work. The
96 calculation of reasonable family contribution shall address issues associated with the current
97 calculation of Expected Family Contribution and shall examine individual circumstances; and

98 (3) the department shall provide state financial aid to fill the gap between resources
99 available to students, as described in paragraph (2), and the total cost of attendance, which shall
100 include living expenses. State financial aid shall be sufficient to cover the cost of achieving up to
101 a 4-year degree at a Massachusetts public higher education institution for in-state students of any

102 age. Part-time students, those pursuing workforce training or vocational certificate degrees, and
103 adults re-entering higher education also shall be eligible. Undocumented in-state residents shall
104 be eligible to participate in the program, shall be charged in-state tuition, and shall be eligible for
105 all other program benefits. If alternative processes are required to determine the financial needs
106 of these students, the department shall develop such processes. The department shall also provide
107 a path for debt free college for incarcerated students.

108 SECTION 4. Chapter 29 of the General Laws is hereby amended by inserting after
109 section 2QQQQQ the following 3 sections:-

110 Section 2RRRRR. Public College and University Capital Debt Relief Fund

111 (a) There shall be a separate fund, to be administered by the board of higher education,
112 which shall be known as the Public College and University Capital Debt Relief Fund. The fund
113 shall be credited with: (i) appropriations, bond proceeds or other money authorized or transferred
114 by the general court and specifically designated to be credited to the fund; (ii) funds from public
115 and private sources, including, but not limited to gifts, grants and donations; and (iii) any interest
116 earned on such funds. Amounts credited to the fund shall be used, without further appropriation,
117 to provide financial relief for debt service associated with capital construction projects at
118 commonwealth institutions of public higher education, as defined in section 5 of chapter 15A;
119 provided, however, that, students shall not be charged fees for that portion of the debt service
120 paid out of the fund. The board of higher education, in consultation with the trustees of the
121 university of Massachusetts, shall determine the amounts to be allocated to each public higher
122 education institution to cover debt service obligations; and provided further, that funds allocated
123 from this reserve shall only be used to cover said debt service obligations and that public higher

124 education institutions shall invest funds made available by relieving debt service obligations for
125 hiring full-time faculty and staff, providing pay increases or other benefits for adjunct faculty,
126 and in other student success programs including, but not limited to, additional supports for low-
127 income students and students of color, using methods that improve the college experience and
128 graduation rates.

129 Section 2SSSSS. Green and Healthy Public College and University Building Fund

130 (a) There shall be a separate fund, to be administered by the board of higher education,
131 which shall be known as the Green and Healthy Public College and University Building Fund.
132 The fund shall be credited with: (i) appropriations, bond proceeds or other money authorized or
133 transferred by the general court and specifically designated to be credited to the fund; (ii) funds
134 from public and private sources, including, but not limited to gifts, grants and donations; and (iii)
135 any interest earned on such funds. Amounts credited to the fund shall be used, without further
136 appropriation, to fund and implement the recommendations of the Green and Healthy Public
137 College and University Building Planning Commission, established in section 46 of chapter 15A,
138 for the renovation and rehabilitation of existing buildings and new building construction to meet
139 the recommended green and healthy public higher education buildings standards.

140 Section 2TTTTT. Public Higher Education Wage Equity and Working Conditions Fund

141 (a) There shall be a separate fund, to be administered by the board of higher education,
142 which shall be known as the Public Higher Education Wage Equity and Working Conditions
143 Fund. The fund shall be credited with: (i) appropriations, bond proceeds or other money
144 authorized or transferred by the general court and specifically designated to be credited to the
145 fund; (ii) funds from public and private sources, including, but not limited to gifts, grants and

146 donations; and (iii) any interest earned on such funds. Amounts credited to the fund shall be
147 used, without further appropriation, to fund and implement the recommendations of the Public
148 Higher Education Wage Equity and Working Conditions Commission established by this section.

149 SECTION 5. Section 6 of said chapter 29 is hereby amended by adding the following
150 paragraph:-

151 The operating budget in the current and ensuing fiscal years shall include the
152 appropriation necessary to fund all incremental cost items for all years covered by any collective
153 bargaining agreement to which either the board of trustees of the university of Massachusetts or
154 the board of higher education is a party, separate and apart from any appropriation for the
155 general maintenance of the university or public institutions of higher education where the board
156 of higher education is the employer for purposes of collective bargaining under chapter 150E,
157 excluding grant funded and auxiliary enterprises accounts funded positions.

158 SECTION 6. Chapter 32 of the General Laws is hereby amended by adding the following
159 section:-

160 Section 106. For purposes of this chapter and notwithstanding this chapter or any other
161 general or special law, rule or regulation to the contrary, any employee who teaches the
162 equivalent of at least 2 three-credit courses per semester or 4 three-or-more credit courses per
163 calendar year at 1 or more of the public institutions of higher education, including a division of
164 continuing education, regardless of funding source, including but not limited to subsidiary
165 account CC, or any staff working at 1 or more public institutions of higher education whose
166 cumulative weekly hours worked at all campuses, including hours teaching courses if applicable,
167 is half-time or more for two or more semesters per calendar year, shall be considered an

168 employee eligible for membership in the state employees' retirement system and shall earn
169 creditable service for such time and shall be regarded as regular compensation and shall be
170 included in the salary on which deductions are to be paid to the annuity savings fund and the
171 board shall credit as at least one-half year of service, actual service teaching at 1 or more public
172 institutions of higher education the equivalent of at least 4 three-credit courses per calendar year;
173 provided further, however, that said faculty and staff shall be eligible for the optional retirement
174 system established in section 40 of chapter 15A.

175 SECTION 7. (a) There shall be a Public Higher Education Wage Equity and Working
176 Conditions Commission, which shall consist of the following: the secretary of administration and
177 finance, who shall serve as co-chair, or a designee; the commissioner of higher education, who
178 shall serve as co-chair, or a designee; the speaker of the house of representatives, or a designee;
179 the president of the senate, or a designee; the minority leader of the house of representatives, or a
180 designee; the minority leader of the senate, or a designee; the chairs of the joint committee on
181 ways and means, or their designees; the chairs of the joint committee on higher education, or
182 their designees; the president of the university of Massachusetts, or a designee; the executive
183 director of the Massachusetts Association of Community Colleges, or a designee; the executive
184 officer of the Massachusetts State University Council of Presidents, or a designee; 3
185 representatives of the Massachusetts Teachers Association, 1 of whom shall be employed by the
186 university of Massachusetts, 1 of whom shall be employed by a state university, and 1 of whom
187 shall be employed by a community college; a representative of the American Federation of
188 Teachers, Massachusetts; a representative of the Massachusetts AFL-CIO; a representative of
189 AFSCME Council 93; the student member of the board of higher education; a representative of
190 the Massachusetts Association of Teachers of Speakers of Other Languages; a representative of

191 the Graduate Employee Organization; and a representative of the Massachusetts Education
192 Justice Alliance.

193 (b) The commission shall determine the means of conducting its work, which shall
194 include, but not be limited to: (1) assessing the salaries and working conditions of employees of
195 private institutions of higher education in the commonwealth, as well as employees of public
196 higher education institutions nationwide, and making recommendations to ensure that
197 commonwealth public higher education employee salaries and benefits are at least commensurate
198 with those other employees; (2) identifying programs, services and salaries that shall help to
199 recruit and retain high quality faculty and staff at institutions of public higher education with a
200 focus on prioritizing the recruitment and retention of a racially, culturally, ethnically and
201 linguistically diverse workforce; (3) ensuring that there are sufficient full-time faculty and staff
202 to provide reasonable workloads so educators can provide all students with the support they need
203 to thrive; (4) identifying programs and methods to enhance faculty and staff professional
204 development including, but not limited to, creating improved employee tuition waiver benefits
205 for faculty and staff who enroll in institutions of public higher education; (5) performing an
206 analysis looking at equity by race, gender, and other non-dominant identities, in all faculty and
207 staff positions, by examining all wages and benefits and inequities that arise for any other reason;
208 (6) recommend a base salary for faculty that would allow faculty to support themselves and their
209 families without being required to teach additional courses beyond a full course load; (7)
210 recommend a base salary for professional and classified staff salaries to the salaries that would
211 allow them to support themselves and their families; and (8) recommend a base salary for
212 adjunct faculty that would allow faculty to support themselves and their families without being

213 required to teach additional courses beyond a full course load, including the cost of health
214 insurance and retirement security.

215 The Commission shall issue budgetary recommendations and submit legislation to
216 implement their findings not later than December 31, 2023. The commission should be made up
217 of representatives from student groups, campus administrations, unions representing campus
218 faculty and staff, equity focused community groups and designees from the House, Senate, and
219 the executive offices of administration and finance and education.

220 SECTION 8. For the fiscal years 2024 through 2028, inclusive, no tuition or fees shall
221 increase for students enrolled at commonwealth public institution of higher education in any
222 fiscal year where the appropriation for public institutions of higher education is at least the
223 amount requested by the council, as provided in section 15A of chapter 15A of the General
224 Laws.

225 SECTION 9. Notwithstanding section 8 of chapter 32A of the General Laws or any other
226 general or special law to the contrary, the cost of fringe benefits, including, but not limited to, the
227 cost of pensions and health insurance, associated with employees of a public institution of higher
228 education as defined in section 5 of chapter 15A, shall be the obligation of the commonwealth,
229 excluding grant funded and auxiliary enterprises accounts funded positions.

230 SECTION 10. Notwithstanding any general or special law, rule or regulation to the
231 contrary, after January 1, 2023, the costs associated with the construction of an academic,
232 administrative or auxiliary building at a commonwealth institution of public higher education, as
233 defined in section 5 of chapter 15A of the General Laws, shall be paid in full by the
234 commonwealth from state funds or eligible federal funds and shall not be paid for with any

235 public higher education institutional funds or financed through public building authorities or
236 private entities; provided, however, that the costs associated with the assessment, upgrade or
237 repair of any existing academic, administrative or auxiliary building at an institution of public
238 higher education that is under the control and supervision of the department of capital asset
239 management and maintenance shall be paid in full by the commonwealth.

240 SECTION 11. The Green and Healthy Public College and University Building Planning
241 Commission, as established in section 46 of chapter 15A of the General Laws, shall create and
242 recommend a plan for all existing and new public higher education buildings to equitably meet
243 the standards for green and healthy public higher education buildings developed pursuant to
244 paragraph (c) of section 46 of said chapter 15A, by 2035. The commission shall issue
245 recommendations, including an analysis that summarizes the findings of its assessment of public
246 higher education buildings in the commonwealth, for implementing green and healthy public
247 higher education buildings standards for cost-effective renovation and rehabilitation of existing
248 buildings and for new building construction, and a plan for implementing these standards for all
249 public higher education buildings, by 2035. The recommendations shall prioritize addressing
250 buildings with the greatest needs first. The recommendations shall consider the unique
251 environmental conditions of buildings located in urban, industrial, and other areas facing
252 particular site challenges and shall consider the need to address historic patterns of injustice and
253 inequity in public higher education. The recommendations shall estimate the cost of bringing all
254 buildings into compliance with the standards by 2035, including the ongoing cost of maintenance
255 and repair, and recommend a plan to fund these costs, and shall also compare those costs with
256 long-term savings in health and medical costs, energy costs, maintenance, life cycle assessment
257 and other savings, and the growth in economic activity of bringing buildings to the standards,

258 including increased jobs and job training. The first plan of the commission shall be published and
259 submitted to the joint committee on ways and means and the joint committee on higher education
260 not later than December 31, 2024. Prior to completing its assessment and issuing its
261 recommendations, the commission shall conduct public hearings at every commonwealth
262 institution of public higher education and shall consult with employee organizations, as defined
263 in chapter 150E, representing employees at each institution of public higher education.

264 SECTION 12. The department of higher education shall implement the debt free program
265 outlined in Section 3 of this Act for all students at community colleges in fiscal year 2024 and
266 for all students at four-year Massachusetts public higher education institutions in fiscal year
267 2025.

268 SECTION 13. (a) Notwithstanding any general or special law to the contrary, the board
269 of higher education shall establish a 5-year funding schedule, beginning in fiscal year 2024, to
270 provide the level of funding needed to implement all provisions of this Act; to assure fair and
271 adequate funding for the commonwealth public institutions of higher education, which shall
272 include needs-based financial assistance developed under section 15B of chapter 15A of the
273 General Laws; and shall be adjusted to recognize the fixed costs of those institutions.
274 Notwithstanding any general or special law to the contrary, the budget request to the secretary of
275 administration and finance for the system of institutions of public higher education and needs-
276 based financial assistance developed under said section 15B shall be not less than the amount
277 determined by said schedule. The council shall submit its annual budget request to the secretary
278 of administration and finance, the house and senate committees on ways and means and the joint
279 committee on higher education.

280 (b) Notwithstanding section 7H of chapter 29 of the General Laws or any other general or
281 special law to the contrary, effective for fiscal years starting in fiscal year 2024, the governor
282 shall submit to the general court annually a request for an appropriation that complies with the
283 funding requirements of this section and section 15A of chapter 15A of the General Laws. Said
284 appropriation request shall not propose any direct or indirect reductions in any other state
285 appropriation including, but not limited to, collective bargaining agreements under chapter 150E,
286 scholarships and need-based financial assistance authorized by said chapter 15A.

Draft Resolution in Support of Higher Ed for All

Whereas Massachusetts public colleges and universities are among the state's greatest resources;

Whereas our public colleges and universities are anchor institutions that are a significant part of the foundation of our state's regional economies and are essential to drive economic growth and provide essential services in our cities and towns;

Whereas higher education is an important pathway to economic mobility, and public university graduates are much more likely to remain in Massachusetts after graduation, starting families, contributing to the economy, and forming the fabric of our local communities;

Whereas public colleges and universities educate the majority of students of color and first-generation college students, and given the U.S. Supreme Court's destructive decision on affirmative action which threatens to undermine access to students of color, and whereas there remain significant opportunity gaps demonstrated by lower college enrollments and completions, particularly for Latino and Black students;

Whereas tens of thousands of students in Massachusetts graduate from high school each year but do not enroll in college, and 700,000 adults in our Commonwealth have earned some college credits but have not completed their degrees; and

Whereas new revenue from the Fair Share Amendment gives us the opportunity for transformative investments in public higher education that will remediate decades of underinvestment in public higher education, by providing students with the opportunity to graduate from public higher education debt-free, providing the supports for students that are critical to help them graduate, and investing in staff and faculty salaries so that our institutions can recruit and retain highly qualified educators who will be able to afford to live in the community in which they work.

Whereas investing in our public higher education institutions means investing in the students, faculty and staff who are woven into our community and into our local economy.

THEREFORE, be it resolved that the **Falmouth Select Board** urges the Legislature to pass the Cherish Act and support additional funding for public higher education; provided that a copy of this resolution shall forthwith be sent to the state legislative delegation.

OPEN SESSION

BUSINESS

11. Presentation by the Falmouth Municipal Light Board **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 11.

ITEM TITLE: Presentation by the Falmouth Broadband Municipal Light Plant

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: [Click or tap here to enter text.](#)

PURPOSE:

The Select Board will hear a presentation by a representative of the Falmouth Broadband Municipal Light Plant. Although no formal action is being requested of the Select Board at this time, following the presentation there may be general discussion.

BACKGROUND/SUMMARY:

- The request to create the Municipal Light Plant (MLP) was presented to the Town as a petition article at Town Meeting sponsored by FalmouthNet, Inc., which is a corporation established in October, 2020 for the purpose of promoting, planning and guiding the financing, construction, marketing and operation of a locally directed cable network.
- The MLP was created through a petition article submitted to Town Meeting by FalmouthNet; to pass, the petition article required a 2/3 majority vote at two Town Meetings held not more than 13 months apart (Town Meetings of November 2021 and April 2022)

- The MLP is a financially and legally independent entity from the Town that was created by statute for the purpose of conducting a business to provide broadband services to the Town.
- The Town has no supervisory responsibility for the operations of the MLP.
- By statute, the Town may borrow funds on behalf of the MLP, and the MLP would then be required to pay the Town back with revenues from the business of the MLP.
- The inability of the MLP to make payments on any borrowing would be a liability to the Town.
- As presently structured, the Town is prohibited from gifting municipal funds to the MLP.
- The Falmouth MLP has independent authority to negotiate and enter into contracts with anyone to conduct the business of the MLP; alternatively, the MLP may opt to create and operate their own broadband network.

DEPARTMENT RECOMMENDATION:

This report is being provided for informational purposes only; no formal action is requested.

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:

This report is being provided for informational purposes only; no formal action is requested.

Michael Renshaw

Town Manager

3/18/2024

Date

OPEN SESSION

BUSINESS

12. License renewals – 2024 seasonal and Spring annual **(5 minutes)**

SECOND-HAND DEALER LICENSE

Blooming Resale, 557 North Falmouth Highway, Bldg. B

Cape Kids Treasures, 15 Davis Straits

Hannoush Jewelers, 352 Main Street



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 12.

ITEM TITLE: Approve the 2024 Seasonal and Spring Annual License Renewals

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: List of Second-Hand Dealer License Renewals;

PURPOSE:

The Select Board will consider the approval of three Second-Hand Dealer License Seasonal and Spring Renewals.

BACKGROUND/SUMMARY:

- The following Second-Hand Dealer licenses are due for renewal:
 - Blooming Resale, 557 North Falmouth Highway, Bldg. B
 - Cape Kids Treasures, 15 Davis Straits
 - Hannoush Jewelers, 352 Main Street

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the 2024 Seasonal and Spring Second-Hand Dealer License renewals for Blooming Resale, Cape Kids Treasures, and Hannoush Jewelers as presented.

OPTIONS:

- Motion to approve the 2024 Seasonal and Spring Second-Hand Dealer License renewals for Blooming Resale, Cape Kids Treasures, and Hannoush Jewelers as presented.

- Motion to deny approval of the 2024 Seasonal and Spring Second-Hand Dealer License renewals for Blooming Resale, Cape Kids Treasures, and Hannoush Jewelers as presented.

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 2024 Seasonal and Spring Second-Hand Dealer License renewals for Blooming Resale, Cape Kids Treasures, and Hannoush Jewelers as presented.

Michael Renshaw

Town Manager

3/19/2024

Date

March 25, 2024, Seasonal and Spring Licenses Renewing

SECOND-HAND DEALER LICENSE

Blooming Resale, 557 North Falmouth Highway, Bldg. B

Cape Kids Treasures, 15 Davis Straits

Hannoush Jewelers, 352 Main Street

OPEN SESSION

CONSENT AGENDA

1. Licenses

- a. Approve application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Licenses 1.a.

ITEM TITLE: Approve application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form; Common Victualler and Innholder License Application; Business Certificate

PURPOSE:

The Select Board will consider the approval of an application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth.

BACKGROUND/SUMMARY:

- The applicant completed and submitted its Common Victualler & Innholder License Application on February 27, 2024 (see attached).
- The seating capacity of the establishment is listed as 43; the Building Commissioner has reviewed and approved the establishment's floor plan.

- The applicant is also working to complete an application for an All Alcohol Restaurant License.
- The Police Department has reviewed the application and has no objections to its approval.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth.

OPTIONS:

- Motion to approve the application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth.
- Motion to deny approval of the application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, 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 application filed by King Kraken, Inc. d/b/a Romeo's for a new Common Victualler License located at 75 Davis Straits, Falmouth.

Michael Renshaw

Town Manager

3/20/2024

Date

LICENSE APPLICATION REVIEW

Restaurant/Business: King Kraken, Inc. d/b/a Romeo's

Address: 75 Davis Straits, Falmouth

License Type: _____

New or Transfer of License New Common Victualler

or

Change of License _____

Police No objection

Fire _____

Building _____

Health _____

Zoning _____

Planning _____

DPW _____

Assessor _____

Tax Collector _____

Wastewater _____

NOTES:

The Floor Plan has been approved by the Building Commissioner.

The applicant is working on an application for an All Alcohol Restaurant License.



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen
59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320 • licensing@falmouthma.gov

COMMON VICTUALLER & INNHOLDER LICENSE APPLICATION

CHECK THE APPROPRIATE LICENSE

- Common Victualler Annual License
 Innholder Seasonal License

Required fields are outlined in red:

NAME OF APPLICANT:	Thomas Pontolilo	TITLE:	Owner
HOME ADDRESS:	7B Schooner Ln.		
	Town: Mashpee	State: MA	Zip code: 02649
BUSINESS NAME	King Kraken Inc.		
D/B/A if any:	Romeo's		
BUSINESS ADDRESS:	7S Davis Straits		
	Town: Falmouth	State: MA	Zip code: 02540
MAILING ADDRESS (if different):			
	Town:	State:	Zip code:
FEDERAL ID #:		MANAGER OF RECORD:	Thomas Pontolilo
EMAIL - required:			
TELEPHONE - BUSINESS:	(774) 392-7393	ALTERNATE:	
DAYS OF OPERATION:	Monday - Sunday		
HOURS OF OPERATION:	5:00 PM - 10:00 PM		

SEATING CAPACITY :

APPLICATION MUST BE SIGNED BY OWNER, MANAGER of RECORD, OR AUTHORIZED REPRESENTATIVE

**DATE:

Signature: OWNER or MANAGER of RECORD

APPLICATION REQUIREMENTS :

- Food Service Establishment Permit – Health Department
- Filing Fee \$10.00 due with application
- License Fee \$60.00 due upon issue
- Business Structure Documents:
 - a. Copy of Articles of Organization (*if corporation*)
 - b. Copy of LLC Agreement (*if limited liability company*)
 - c. Copy of Partnership Agreement (*if partnership*)
 - d. Copy of Certificate of Doing Business (*if sole proprietorship*)
- Copy of lease or deed
- Copy of special zoning permits, *if any*
- Copy of Floor Plan
- Copy of Menu
- Attend a hearing before the Board of Selectmen at a time and date designated



Town of Falmouth BUSINESS CERTIFICATE (DBA)

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws of the State of Massachusetts, as amended, the undersigned hereby declare(s) that a business under the title of;

Romeo's
(Business Name)

Restaurant
(Type of Business)

Is conducting business at or from the following address in the Town of Falmouth:

75 Davis Straits
(Address of Business)

By the following named person(s):

Owner 1 Thomas Portolillo
(Full Name)

76 Schooner Ln Mashpee, MA
(Address)

[Signature]
(Signature)

Owner 2 _____
(Full Name)

(Address)

(Signature)

(Phone Number)

Commonwealth of Massachusetts
County of Barnstable

On this ____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document in my presence.

(seal)

Notary Public Signature

A certificate issued in accordance with this section of MGL shall be in force and effect for (4) four years from the date received and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless renewed.

Received Date

Jan 12, 2024

Expiration Date

Jan 12, 2028

Michael Palmer
Michael Palmer, Town Clerk

Romeo's Table

Share

Homestyle Potato Bread *roasted garlic butter, b+b pickles* \$8
Tuscan Hummus *woodfire pita* \$12
Kale and Farro salad *red wine vinaigrette, bosc pear, fennel, marscapone crème* \$3
Cape Oysters *cherry pepper mignonette* \$4/ea*
Littleneck clams *green chili sriracha* \$3/ea*
Salmon Poke *ginger-soy dressing, avocado, cucumber, togarashi* \$16*
Jonah crab claw *green chile mayo* \$6/ea
Thai Octopus *tom kah broth, kefir lime, red thai curry, chicken of the woods mushrooms-* \$23
Deviled shoyu eggs *crispy onions, green chili sriracha* \$11
Clams Casino *woodfire roasted, chourico, basil crumb* \$15
Sunday Meatballs *pork + beef, all day sauce, pecorino* \$14
Risotto all Vongole *local clams, spicy crumb, basil butter* \$25
Pappardelle *smoked lamb, all day sauce, fresh herbs* \$27
Potato Gnocchi *basil pesto, maitake mushrooms, whipped ricotta* \$24

Large

Salmon du puy *mustard yogurt, carrot fritters, white wine lentils* \$65
Hoisin Duck- *black plum sauce, pickled bamboo shoots, soft egg, scallions buns-* \$75
Coq au vin *red wine, bacon lardon, marsala mushrooms* \$65
Prime NY Strip (18 oz.) *peppercorn crust, roasted garlic butter, brandy cream* \$75*
2# Maine lobster- *pink vodka, black trumpet mushrooms, spicy crumb* \$95
Thai Braised Short Rib *red thai curry, jalapenos, crispy onions, cilantro* \$85

Sides

Steak Fries *garlic mayo, steak salt* \$12
Mac and Cheese *gruyere, aged gouda, spicy crumb* \$15 Lobster Mac \$35
Sweet and Sour Kale *cider vinaigrette* \$12
Roasted Garlic Mashed Potatoes \$12
Sticky Coconut Rice \$13
Brussels Sprouts *meyer lemon, spicy agliata, pecorino* \$14
Roasted Asparagus *aged balsamic, parm crisp* \$14

**Please be advised that consuming raw or undercooked meat, poultry, seafood, shellfish, or eggs may increase the risk of foodborne illnesses. There are a lot of interesting ingredients in our kitchen, and not all of them may be listed on every dish. Please let us know if someone in your party has any allergies or dietary restrictions before ordering.*

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- a. Approve the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5' (feet) of 1-3" PVC conduit under town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-A southerly to customers private property. This work is necessary to provide electric service to #5 Harrisburg Avenue.



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 for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer's private property. This work is necessary to provide service to #5 Harrisburg Avenue

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Form of Order for Underground Cable and Conduit Locations; Public Hearing Notice, March 8, 2024; Site Plan

PURPOSE:

The Select Board will consider the approval of a petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer's private property.

This work is necessary to provide service to #5 Harrisburg Avenue

BACKGROUND/SUMMARY:

- Eversource Energy submitted the attached petition to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer's private property.

- The work is required to provide service to #5 Harrisburg Avenue.
- A public hearing was conducted on March 20, 2024 at Falmouth Town Hall.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer’s private property, as presented under Work Order # 14489953.

OPTIONS:

- Motion to approve the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer’s private property, as presented under Work Order # 14489953.
- Motion to deny approval of the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer’s private property, as presented under Work Order # 14489953.
- 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 petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5 feet of 1-3 inch PVC conduit under the town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-13-A southerly to customer's private property, as presented under Work Order # 14489953.

Michael Renshaw

Town Manager

3/20/2024

Date



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: March 21, 2024

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install underground conduit on Clinton Ave

A petition was submitted by Eversource to install $\pm 5'$ of 1-3" underground PVC conduit for service to #5 Harrisburg Avenue.

The Engineering recommendation is to approve the request as submitted on Plan No. 14489953, W/O #14489953, dated November 8, 2023.

Eversource Reminder: All Street Openings require a permit obtained from the Engineering Office.

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division



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, March 20, 2024, upon the petition of NSTAR Electric Company d/b/a Eversource Energy for permission to install approximately 5' (feet) of 1-3" PVC conduit under town sidewalk starting at existing handhole 44/HA13-A at base of existing pole 44/13-A southerly to customers private property.

This work is necessary to provide electric service to #5 Harrisburg Avenue.

Per Order of the Falmouth Select Board

*Publication Date: Friday, March 8, 2024, Falmouth Enterprise
Acct. #2056*

**FORM OF ORDER FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS
WO#14489953**

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 the **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY**
be and it is hereby granted a location for and permission to install and maintain underground cables,
conduits and manholes, together with such sustaining and protecting fixtures as said Company may
deem necessary, in, under, along and across the public way or ways hereinafter referred to, as
requested in petition of said Company dated the 15th day of February 2024.

All construction under this order shall be in accordance with the following conditions:

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the
plan marked **Plan No. 14489953** Dated November 8, 2023 filed with said petition. The following are
the public ways or parts of ways under, along and across which the cables above referred to may be
installed under this order.

Clinton Avenue, Falmouth

To install approximately 5' (feet) of 1-3" PVC conduit
under town sidewalk starting at existing handhole
44/HA13-A at base of existing pole 44/13-A
southerly to customers private property.

One (1) 1-3" PVC conduit

This work is necessary to provide electric service to #5 Harrisburg Avenue.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the
Town of Falmouth, Massachusetts held on the 25th day of March
2024.


Clerk of Select Board

_____, Massachusetts _____ 2024.

Received and entered in the records of location orders of the Town of Falmouth Book
_____ Page _____.

Attest:

Town Clerk

We hereby certify that on March 20 2024, 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

for permission to install and maintain the underground cables, conduits, manholes and fixtures 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 Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

**Select Board for the Town of
Falmouth, Massachusetts**

CERTIFICATE

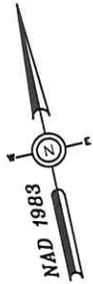
I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Select Board of the Town of Falmouth, Massachusetts, on the _____ day of _____ 2024, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk.

Plan to accompany petition of **EVERSOURCE ENERGY** to **INSTALL** 5'± of 1-3" PVC conduit SCHED 80 from existing HH 44/HA13-A at base of Pole 44/13-A to under sidewalk to 2' inside private property for customer @ #5 Harrisburg Ave.



APPROX. R

47C 03 013B 015
124 CLINTON AVE
N/F
PETRO MICHAEL C

APPROX. R

47C 03 013C 014
136 CLINTON AVE
N/F
BURTON JOHN M

APPROX. R

APPROX. RIGHT OF WAY/BSW

44/14-AA

GRASS

GRASS

EDGE OF PAVEMENT

CLINTON AVE

EDGE OF PAVEMENT

GRASS
APPROX. RIGHT OF WAY/BSW

44/HA13-A ⊕ 44/13-A

APPROX 78 FEET TO
HARRISBURG AVE →

44/14-A ●

APPROX. PT.
OF PICKUP

47C 08 015 003
4 SPINNAKER LN
N/F
HARWOOD BRENT D

APPROX. R

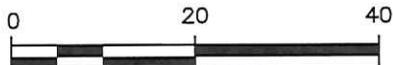
47C 08 016 000A
5 HARRISBURG AVE
N/F
MITCHELL TRUSTEE CHARLES A

EVERSOURCE TO INSTALL
INSTALL 1- 3" PVC PIPE
SCHED 80

5'±

LEGEND

- ⊕ Proposed Hand Hole
- ⊕ Existing Hand Hole
- Proposed Conduit
- Existing Conduit
- Proposed Pole
- Existing Pole
- ⊠ Proposed Manhole
- ⊠ Existing Manhole



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 #	14489953
Ward #	-
Work Order #	14489953
Surveyed by:	N/A
Research by:	JC
Plotted by:	JC
Proposed Structures:	JC
Approved:	K RICE
P#	

NSTAR EVERSOURCE

1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of CLINTON AVE	
FALMOUTH	
Showing PROPOSED CONUIT LOCATION	
Scale	1"=20'
Date	11/8/23
SHEET	1 of 1

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- b. Accept the FY24 Wellness Grant in the amount of \$600.00 from Cape Cod Municipal Health Group to the Human Resources Department grant account



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.b.

ITEM TITLE: Vote to accept the FY24 Wellness Grant in the amount of \$600.00 from Cape Cod Municipal Health Group to the Human Resources Department grant account.

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: FY24 Wellness Grant Application Form

PURPOSE:

The Select Board will consider the acceptance of a \$600.00 grant from the Cape Cod Municipal Health Group to the Human Resources Department to be deposited into the department's grant account.

BACKGROUND/SUMMARY:

- Each year the Town applies for the Wellness Grant as a means to reduce expenses related to the Human Resources Department's Health & Benefits Fair.
- If approved, these grant funds would be used for raffle prizes to encourage increased employee attendance at the Health and Benefits Fair in order to provide education concerning the benefits that are available to them.

DEPARTMENT RECOMMENDATION:

The Human Resources Department recommends that the Select Board approve the acceptance of the \$600 FY24 Wellness Grant as presented.

OPTIONS:

- Motion to accept the \$600 FY24 Wellness Grant as presented.

- Motion to deny acceptance of the FY24 Wellness Grant.

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 acceptance of the \$600 FY24 Wellness Grant as presented.

Michael Renshaw

Town Manager

3/20/2024

Date

CAPE COD MUNICIPAL HEALTH GROUP FY 2024 WELLNESS GRANT APPLICATION

Instructions: Please fill out the information below and e-mail to Maggie Downey at mdowney@capelightcompact.org.

Grants are awarded based upon the number of full-time employees:

- 0-50 Employees \$150
- 51-150 Employees \$250
- 151-300 Employees \$400
- 301-600+ Employees \$600

UNIT NAME: Town of Falmouth

MAILING ADDRESS: 59 Town Hall Square / Falmouth, MA 02540

CONTACT'S NAME & TITLE: Cathy-Lynne Belair, Benefits Coordinator

TELEPHONE: 508-495-7333 EMAIL: cathy-lynn.belair@falmouthma.gov

NUMBER OF EMPLOYEES IN UNIT: Approximately 1200 between Town & School employees

DESCRIPTION OF HOW THE FUNDS WILL BE USED (PLEASE BE SPECIFIC):

The Grant funds are used for raffle prizes for our Health & Benefits Fair attendees. In offering the prizes we hope they entice our employees to attend the fair with hopes of educating them more on all the benefit options available to them. With our Fair we hope to promote wellness for both Town of Falmouth and Falmouth School employees.

OUTLINE PROPOSED BUDGET:

Use funds for different level raffle prizes as well as grand prize for our Health & Benefits Fair on May 1, 2024.

GOALS FOR THE GRANT:

1. Acknowledge efforts to increase individual activity levels
2. Draw attention to and encourage participation in CCMHG Wellness Programs

----- FOR OFFICE USE ONLY -----

Approved By: Margaret Downey Date: 2/1/24
Margaret Downey, Wellness Committee Chair

Amount of Grant: \$ 600.00 Number of Unit's enrollees: 1000+

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- c. Approve request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust fund for its music outreach program for the homeless, Music at the Table



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.c.

ITEM TITLE: Approve request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Email from Chairperson of the Falmouth Cultural Council dated March 13, 2024; Grant Application Cover Letter; 2024 Grant Application

PURPOSE:

The Select Board will consider the approval of a request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table.

BACKGROUND/SUMMARY:

- If approved, the attached grant application would be submitted by the Falmouth Cultural Council to the Henry & Virginia Behrens Trust Fund seeking grant funding in the amount of \$5,000 to assist with funding the Council's music outreach program for the homeless (Music at the Table).
- The deadline for grant submission is April 1, 2024.

- There is no matching fund requirement.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table.

OPTIONS:

- Motion to approve the request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table.
- Motion to deny approval of the request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table.
- Some other Board specified 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 request from the Falmouth Cultural Council to apply to the Henry & Virginia Behrens Trust Fund for its music outreach program for the homeless, Music at the Table.

Michael Renshaw

Town Manager

3/20/2024

Date

Diane Davidson

From: Alice Kociemba [REDACTED]
Sent: Wednesday, March 13, 2024 10:00 AM
To: Falmouth Selectboard; Falmouth Finance Committee; Falmouth Town Manager
Cc: Diane Davidson; Falmouth Cultural Council
Subject: Cultural Council's Application to Behrens Trust
Attachments: Cover Letter.Behrens.Trust.FCC.Music.at.the.Table.docx; behrensfund_grantapplication_2024.docx

Dear Members of the Select Board, Mike Renshaw, Peter Johnson-Staub, and Keith Schwegel,

I have attached a cover letter and grant application to the Henry & Virginia Behrens Trust that is associated with Falmouth's Saint Barnabas Episcopal Church. Rev. Will Mebane encouraged the Cultural Council to apply to this fund for our music outreach program for the homeless, Music at the Table. The deadline for submitting an application is April 1, 2024. There is no requirement for matching funds for this grant.

The Mass Cultural Council has given full approval to the Falmouth Cultural Council for this project and has promoted it to its network of local cultural councils as a cultural program that serves underserved populations.

In the cover letter, I reference a story in the *Falmouth Enterprise* that gives a fuller description of Music at the Table than what is in the grant application. Here is a link to the article: https://www.capenews.net/arts_and_entertainment/cultural-council-funds-music-outreach-for-the-homeless/article_a29399d5-4ffe-5aef-b485-71fc07a067e8.html

Diane, if you need me to drop off a hard copy of the cover letter and application, please let me know, as well as when it is on the Select Board's Monday night agenda. I'll be happy to answer any questions at the Select Board's meeting or at any other time.

Thank you for your help,
Alice

Alice Kociemba

Chairperson, Falmouth Cultural Council

[REDACTED]
falmouthcultural@gmail.com



March 12, 2024

The Henry & Virginia Behrens Fund Ministry
c/o Saint Barnabas Episcopal Church
91 Main Street
Falmouth, MA 02540
Attn: Mr. Paul Gentile, Chairman

Dear Mr. Gentile,

Attached please find an application for your consideration for a grant from the Behrens Trust. As per information published in the *Falmouth Enterprise*, the Falmouth Cultural Council is applying for funds for its music outreach program for the homeless, *Music at the Table*, that “significantly help people that are in need,” a quote ascribed to you, Mr. Gentile.

The purpose of the project is to bring live music to a segment of our community that lacks access to cultural events. The background of the project is described in a *Falmouth Enterprise* article by Joanne Briana-Gartner, published on February 9, 2024.

https://www.capenews.net/arts_and_entertainment/cultural-council-funds-music-outreach-for-the-homeless/article_a29399d5-4ffe-5aef-b485-71fc07a067e8.html

The Cultural Council began its weekly live music project, *Music at the Table*, on December 5, 2023 after consulting with Saint Barnabas staff, Rev. Will Mebane, Becky Vaus, and Deborah Gemma, as well as receiving feedback from volunteers at *A Place at the Table*, the free lunch program at Saint Barnabas. Together with advice from mental health and substance abuse clinicians, housing counselors from Housing Assistance Corp., and Gina Torielli, Executive Director of Belonging to Each Other, the organizers of *Music at the Table* crafted a protocol for featuring local musicians and songwriters who would provide quality, engaging music for guests who have not yet achieved stable housing. The project’s organizers were: Alice Kociemba and Ilene Karnow, Cultural Council members, Deborah Gemma, Director of Music at Saint Barnabas, and Julian Loida, Head of Programming and Innovation at the Cape Symphony’s Falmouth Campus. Mr. Loida had prior experience at Shelter Music, a similar music outreach program in Boston. We also surveyed guests prior to beginning the program to determine the type of music they preferred. All key participants agreed that live, background music— of all types—would be beneficial to the guests and that it should not interfere with the housing counselors’ interviews.

The Cultural Council unanimously voted in its November 14, 2023 meeting to set aside \$1,000 from its Mass Cultural Council FY24 allotment of \$8,400 to fund the musicians' stipends because this program would reach an underserved population. No other program exists of this type in Falmouth, a Mass Cultural Council requirement for a local cultural council to fund its own project. The musicians are paid \$150 for an hour's performance at the Tuesday lunches. In addition, the Council received \$1,550 in donations from community members. These funds enabled the Council to proceed with a weekly, live music program during the winter months (December through March). With some additional donations, *Music at the Table* will continue to provide live music through the end of April. We are applying for Behrens Trust funds to allow this program to continue, at the guests' requests, on a year-round basis. The Cultural Council's student representative will reach out to student music groups who will provide music during their summer break for school credit. They will not need to be paid a stipend.

The reason we are seeking \$5,000 from the Behrens Trust is that *Music at the Table* has become an integral part of Saint Barnabas's comprehensive program for our most vulnerable community members, the unhoused. Saint Barnabas' programs include the twice-weekly free lunch program, weekly visits from the Duffy Health Center and AIDS Action mobile units, and transitional housing on its campus that is run by Belonging to Each Other. As one guest told us on our survey, *Music at the Table* provides "food for the soul." Rather than stopping this outreach, the Cultural Council voted unanimously in its January 16, 2024 meeting to continue *Music at the Table* on an ongoing basis and to develop a fundraising strategy that includes asking local businesses, non-profit organizations, and individuals to contribute to this music outreach program. The total cost of providing weekly music on a year-round basis at Saint Barnabas' *A Place at the Table* is \$7,800.

The budget for the program is \$150 x 52 weeks, or \$7,800 annually. There is no additional administrative or promotion cost. This initiative is featured on the Falmouth Cultural Council's website: www.falmouthculturalcouncil.org and information on how to donate is provided.

If there is further information you need for evaluating this application, please contact me. My email is falmouthcultural@gmail.com and my cell phone is [REDACTED]. The mailing address for the Cultural Council is 59 Town Hall Square, Falmouth, MA 02540.

Thank you for your consideration of this application.

Best regards,

Alice Kociemba

Alice Kociemba, Chairperson, Falmouth Cultural Council
falmouthcultural@gmail.com

[REDACTED]



HENRY & VIRGINIA BEHRENS TRUST

2024 APPLICATION GUIDELINES

The Behrens Fund Ministry annually distributes approximately \$40,000 - \$50,000 through a competitive grant-making process. Awards range from \$1,500 to \$25,000 and must be used within 12 months of receipt. For information about Behrens history, trust guidelines, or other matters please contact office@stbfalmouth.org

Eligibility

We welcome applications from our:

- Community: Falmouth, Cape Cod, or global projects proposed by Saint Barnabas's members.
- Diocese: Special projects or organizations supported by the Diocese of Massachusetts.
- Saint Barnabas's Ministries: Unique projects, new programs, items in support of programs using Saint Barnabas's facilities. The request should not be an annual budget item, nor be eligible for another of the church's endowment funds.

Funding Criteria

- Impact: Behrens funding would make a significant impact in support of an extraordinary opportunity or need.
- Timely / Relevant: Proposals should meet the current needs of the community they serve and consider major trends or events shaping community priorities for example, affordable housing inventory or epidemics.
- Worthy: This proposal is well-aligned with Saint Barnabas's missions to serve those in need, care for the environment, and build peace.
- Considers climate impacts: Climate change and the collapse of the natural world are now true emergencies for the human family and God's creation. Our diocese has declared a climate emergency¹ and encourages all individuals, parishes, communities, and ministries to commit to drawdown² well before 2030. The climate impacts of proposals to the Behrens Fund Ministry will

¹ <https://www.diomass.org/diocesan-convention-2020>,
<https://www.diomass.org/news/pray-learn-act-advocate-ma-bishops-declare-climate-emergency>

²<https://www.diomass.org/diocesan-convention-2021>

"Drawdown"— the point in the future when levels of greenhouse gases in the atmosphere stop climbing and start to steadily decline, thereby

therefore be considered. Applicants may contact Saint Barnabas's Creation Care Ministry via the church office for guidance.

Timeline:

Applications are due **April 1**. Grants are reviewed in April and funds are awarded in June.

stopping catastrophic climate change." Project Drawdown
<https://drawdown.org/>

BEHRENS FUND APPLICATION – Requirements

Thank you for applying for a grant from the Behrens Fund, part of Saint Barnabas's Episcopal Church. Completed applications are due April 1. Send grant applications to: The Behrens Fund, Saint Barnabas's Episcopal Church, P. O. Box 203, Falmouth, MA 02541 OR email to office@stbfalmouth.org

Please include a cover letter for each grant application that includes the following:

- Program name
- Program purpose
- Strategic reason for Behrens funding
- Climate impacts of the proposed plan
- Amount requested
- Project timeline
- Contact name & information
- Board President or Executive Director signature

Each grant application needs to include the following:

- Cover letter (*see above for details in Cover Letter*)
- Grant application
- Brochures or Information about the program
- Budget for the program

Organizations applying for a grant may be requested to send a representative(s) to address the Behrens Fund review committee to elaborate on the application and answer questions. No written documentation may be added at that time.

BEHRENS FUND GRANT APPLICATION

Date of Application : March 12, 2024

Legal name of organization: Falmouth Cultural Council

Non-profit? Yes No (If YES, please include documentation of non-profit status)
The Falmouth Cultural Council members are municipally appointed by the Select Board of the Town of Falmouth. The Council is the Mass Cultural Council's local cultural agency.
Year founded: 1980

Annual operating budget: \$20,000 (\$10,000 from the Town of Falmouth; \$8,400 from the Mass Cultural Council; \$1,600 in contributions from the Falmouth ArtMarket. All of our funds are distributed to local artists and cultural organizations for projects in the arts, humanities and interpretive sciences that provide the greatest public benefit to the Town of Falmouth.

Executive Director: Alice Kociemba, Chairperson

Phone: [REDACTED] Email: falmouthcultural@gmail.com

Contact person: Alice Kociemba, Chairperson

Phone: [REDACTED] Email: [REDACTED]

Address: 59 Town Hall Square, Falmouth, MA 02540

Business mailing address (if different from above): Click or tap here to enter text.

Website: www.falmouthculturalcouncil.org

Project Name: Music at the Table

Project Goals: To further its goal of fostering arts and culture throughout Falmouth, the Falmouth Cultural Council has initiated a new program, Music at the Table, that brings live music to community lunches sponsored by Saint Barnabas's Episcopal Church. The church program, titled A Place at the Table, provides free meals to the community in its Great Hall on Tuesdays and Thursdays between 11:30 AM and 1 PM.

Since December 5 Music at the Table has added locally known singers, songwriters and musicians to the Tuesday lunches. Each musician is paid a stipend of \$150 to perform.

The primary goal of Music at the Table is to bring live music to members of the community who are without access to arts and cultural programs due to poverty and homelessness. Guests have asked for this program to be extended to a year-round program from its pilot phase of the winter months (December through March). They report the project's benefits in

both improved mood and socialization: “The music calms me down.” “It helps me engage in conversation.” “I didn’t think I would smile today, but the music is beautiful.”

The pilot phase was funded with \$1,000 from the Mass Cultural Council allocation of \$8,400. It has also received \$1,550 in community donations which has allowed Music at the Table to be extended through April 9, 2024. The requested amount will allow the Council time to continue to seek donations from local individuals, organizations and businesses.

Total Project Cost: \$7,800.00

Amount Requested: \$5,000.00

Have you received a grant from the Behrens Fund in the past? YES No

If YES, please tell us when and the amounts you received and for what purpose:
Click or tap here to enter text.

Signatures:

Please have President of Board of Directors and the Executive Director sign.

Alice Kociemba

Ilene Karnow

Chairperson, Falmouth Cultural Council

Treasurer, Falmouth Cultural Council

FOR OFFICE USE ONLY

Application received on:	Date: _____	Initials: _____
Funds approved by Committee	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date: _____ Initials: _____
Vestry approved	<input type="checkbox"/> YES <input type="checkbox"/> NO Amount _____	Date: _____ Initials: _____
Check request:	Date: _____	Initials: _____
Check sent:	Date: _____	Initials: _____
Comments:		

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- d. Appoint member to the Board of Registrars of Voters:
Kathleen Mortenson



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.d.

ITEM TITLE: Appoint member to the Board of Registrars of Voters- Kathleen Mortenson

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Nomination Letter from Democratic Town Committee Chair dated March 6, 2024; Letter to Chair of Falmouth Democratic Town Committee dated February 26, 2024; Listing of membership of the Board of Registrars of Voters

PURPOSE:

The Select Board will consider the appointment of Kathleen Mortenson to the Falmouth Board of Registrars of Voters, for a term ending April 1, 2027.

BACKGROUND/SUMMARY:

- The Board of Registrars of all towns is a four-member board of which one member is the Town Clerk; the other three members are appointed in a manner to maintain equal representation of the two leading political parties.
- On March 11, 2024, the Chair of the Falmouth Democratic Town Committee submitted a nomination for Kathleen Mortenson to serve on the Board of Registrars of Voters for a three-year term to commence on April 1, 2024 and expire on April 1, 2027.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board appoint Kathleen Mortenson to a three-year term on the Board of Registrars of Voters with a term expiration of April 1, 2027.

OPTIONS:

- Motion to appoint Kathleen Mortenson to a three-year term on the Board of Registrars of Voters with a term expiration of April 1, 2027.

- Motion to deny the appointment of Kathleen Mortenson to a three-year term on the Board of Registrars of Voters with a term expiration of April 1, 2027.

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 appoint Kathleen Mortenson to a three-year term on the Board of Registrars of Voters with a term expiration of April 1, 2027.

Michael Renshaw

3/20/2024

Town Manager

Date

SELECT BOARD MEETING – MARCH 25, 2024

SELECT BOARD APPOINTMENTS

**BOARD OF REGISTRARS
3-YEAR TERMS**

NAME

TERM EXPIRES

Kathleen Mortenson, Democratic Party 3 Years (Until April 1, 2027)

Attached is the nomination from the Chair of the Falmouth Democratic Town Committee for your reference.



**Falmouth Democratic
Town Committee**

**P.O. Box 312
Falmouth, MA 02541**

March 6, 2024



Mr. Michael Renshaw
Town Manager
59 Town Hall Square
Falmouth, MA 02540

Subject: Nominee for the Falmouth Board of Registrars

Dear Mr. Renshaw:

The Falmouth Democratic Town Committee is pleased to re-nominate to the Falmouth Board of Registrars for the 3 year term expiring in April 2024:

Kathleen Mortenson
116 Pin Oak Way
Falmouth, MA 02540

Please contact me if you need additional information or have questions.

Regards,

Scott J. Simenas, [REDACTED]
Chair, Falmouth Democratic Town Committee
21 Circular Avenue
Falmouth, MA 02540

cc: Michael Palmer
Rosemary Dreger Carey
Kathleen Mortenson





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

Mr. Scott J. Simenas, Chair
Falmouth Democratic Town Committee
21 Circular Avenue
Falmouth, MA 02540

scott_simenas@comcast.net

Dear Mr. Simenas:

As required by M.G.L. c. 51 § 15 Registrars are appointed by the Select Board from a list submitted by the town committees of the two leading political parties. If no list is submitted within 45 days of the party chairman being notified, appointments may be made without reference to the list.

The Board of Registrars in all towns is a four-member board of which one member is the town clerk. The other three members are appointed in a manner to maintain equal representation of the two leading political parties.

Kathleen Mortenson's term on the Board of Registrars will expire in April. Please provide the Falmouth Democratic Town Committee's nominee for appointment (or re-appointment) for a 3-year term expiring April 2027.

If you have any questions about the responsibilities of the Board of Registrars, please do not hesitate to contact Michael Palmer, our Town Clerk.

Sincerely,

Michael Renshaw
Town Manager

Committee Members

Registrar of Voters

Chair	Name	Telephone		
<input type="checkbox"/>	Edward McCormack		email:	
			First appointed:	5/20/2019
			Current expires:	4/1/2025
<input type="checkbox"/>	Kathleen Mortensen		email:	
			First appointed:	9/15/2003
			Current expires:	4/1/2024
<input type="checkbox"/>	Michael Palmer		email:	
			First appointed:	
			Current expires:	
<input type="checkbox"/>	Virginia Apel		email:	
			First appointed:	5/22/2023
			Current expires:	4/1/2026

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- e. Authorize the non-binding Solar Letters of Intent (LOI's) for the Senior Center and Water Treatment Plant

March 25, 2024



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.e.

ITEM TITLE: Vote to authorize the Town Manager to approve the Letters of Intent for 2 solar rooftop installations including the Senior Center (780 Main St) and the Water Treatment Plant (650 Gifford St)

MEETING DATE: 3/25/2024

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

SUBMITTED BY: Stephanie Madsen, Sustainability Coordinator and Peter Johnson-Staub, Assistant Town Manager

ATTACHMENTS: 1. PO Solect PPA LOI - Falmouth Senior Center Roof - 20240315, 2. PO Solect PPA LOI - Falmouth Water treatment Plant Roof – 20240315 3. WTP and Senior Center Letters of Support (for reference)

PURPOSE:

To move forward with solar rooftop installation at the Senior Center and Water Treatment Plant, Solect Energy requires a Letter of Intent to show an intended (but non-binding) support to move forward with the project, solicit material costs, analyze engineering and electrical, lock into the SMART solar block savings, and generate a contract exceeding 3 years.

The goal is to show good faith intentions to move forward with installation preparation.

BACKGROUND/SUMMARY:

- The Senior Center (SC) is already 'solar ready' and has conduits in basement labeled "solar."

- The Council on Aging Board Chair and Senior Center Director signed a solar *letter of support* (attached).
- The SC 25 kw AC solar design will cover 20% of the Center's electricity usage.
- The Water Treatment Plant (WTP) rooftop is already 'solar ready' and has conduits on roof for solar cables.
- The DPW Director signed a solar *letter of support* (attached).
- The WTP is the biggest energy user in the Town and solar will help minimize electricity use since the solar energy will feed directly into the building.
- The WTP 137 kw AC solar design will cover 10% of the electricity usage.
- Signing the Letters of Intent allows the solar vendor to lock into SMART block savings.
- A final decision on whether to go with a Power Purchase Agreement (PPA) or Town ownership has not yet been made.
 - The Letter of Intent does not require a decision on the ownership model.
 - The decision on the ownership model will be made after reviewing the final cost/benefit of both approaches.

➤ **DEPARTMENT RECOMMENDATION:**

The Sustainability Coordinator recommends that the Select Board vote to authorize the Town Manager to approve the Letters of Intent for rooftop solar on the Senior Center (780 Main St) and rooftop solar installation on the Water Treatment Plant (650 Gifford St) so the Solar Vendor can lock into the SMART solar block savings, begin assessing material needs, finalize a design, and generate a contract.

OPTIONS:

- Motion to authorize the Town Manager to approve the Letters of Intent for rooftop solar on the Senior Center (780 Main St) and rooftop solar installation on the Water Treatment Plant (650 Gifford St) so the Solar Vendor can lock into the SMART solar block savings, begin assessing material needs, finalize a design, and generate a contract as presented.

- Motion to deny authorizing the Town Manager to approve the Letters of Intent for rooftop solar on the Senior Center (780 Main St) and rooftop solar installation on the Water Treatment Plant (650 Gifford St) so the Solar Vendor can lock into the SMART solar block savings, begin assessing material needs, finalize a design, and generate a contract.

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:

It is recommended that the Select Board authorize the Town Manager to approve the Letter of Intent for rooftop solar on the Senior Center (780 Main St) and rooftop solar installation on the Water Treatment Plant (650 Gifford St) so the Solar Vendor can lock into the SMART solar block savings, begin assessing material needs, finalize a design, and generate a contract.

Michael Renshaw

Town Manager

3/18/2024

Date



**Letter of Intent for Solar Power Purchase or Purchase & Installation Agreement
Town of Falmouth
Falmouth Senior Center
Solar Roof**

March 18, 2024

To: Michael Renshaw
Town Manager
Town of Falmouth
59 Town Hall Sq.
Falmouth, MA 02540

Solect Energy Development LLC (“Solect” or “Provider”) and Town of Falmouth (“Host”), desire to enter into either a Power Purchase Agreement (PPA) and Lease Agreement or grant of Easement (“Site Control”) or a Purchase & Installation Agreement for electricity to be produced by a solar power electric generating project, potentially including energy storage, to be located at 744 Main Street, Falmouth, MA 02540 (the “Project”), but recognize that the Massachusetts Department of Energy Resources’ SMART Incentive Program awards incentives on a first come first served basis, and therefore, Host’s power purchase rate is subject to the approved incentive for each Project. The PPA rates for each Incentive Award are presented in Attachment 1.

This Letter of Intent (the “Letter”) is intended to formalize both Parties willingness and intent to enter into good faith negotiations to execute a PPA or Purchase & Installation Agreement, and Site Control pursuant to which Solect will develop the Project under the PowerOptions Solar Program.

1. Project Development Activities

Solect seeks to develop, design, construct, finance and operate the Project presented in Attachment 2 and sell to Host the electric energy produced by the Project.

Host owns or is the beneficial leaseholder of the site listed in Attachment 2 and seeks to make a portion of such site available to Provider for constructing, operating and maintaining a solar powered electric generating and energy storage Project. Host will allow Provider reasonable access to the site to perform pre-development and design work as described below, at no cost to Host. Provider shall, during the term of this Letter, maintain the insurance set forth in the Attachment 3 to this Letter. Provider shall enter upon the site only in the company of a representative of Host.

Solect may, at its expense, assess the suitability of Host’s premises for the Project. To do so, Solect may perform engineering, design, site or structural analysis (excluding intrusive or destructive tests or inspections without Host’s prior approval), and may submit applications for SMART incentives, and utility interconnection of the Host’s site to determine feasibility, safety, and to ensure the proper installation, maintenance, and operation of the solar system. If during the performance of such assessment, Solect discovers any conditions that in Solect’s reasonable judgment would prevent the successful completion of the Project, Solect shall promptly advise Host of the same, and if the Parties are unable to reach agreement on how to address such conditions in the PPA to enable successful completion of the Project, Solect may terminate this Letter, and the Parties will have no further obligations hereunder.

2. Agreements

Subject to the conditions in this letter, Host and Solect agree to undertake good faith negotiations to enter into a PPA or a Purchase & Installation Agreement, and Site Control document. Within two hundred seventy (270) days of the issuance of a Preliminary Statement of Qualification from the SMART Program Administrator, Solect shall confirm the PPA rate or a Purchase & Installation price. Agreement that it will offer to the Host for the Project. Initial proposed rates are shown in Attachment 1. The Parties recognize that the pricing for the Project is subject to SMART Program incentives, the execution by Solect and the taxing authority of an agreement for payment in lieu of taxes (“PILOT”), and that the final PPA rates must be agreed to by both Parties and may differ from those shown in Attachment 1. Subject to the Parties’ agreement, Host agrees to execute the PowerOptions program PPA, ESA and Site Control document as soon as reasonably practicable. The parties may extend this Letter upon mutual written agreement.

This Letter is contingent upon successful receipt of the SMART Program qualification, and subject to Solect achieving the PPA rates for each location as presented in Attachment 1, the Parties’ mutual satisfaction with PPA rates and agreement regarding site-specific upgrades (if any).

This Letter expresses the desire of both Parties to enter into negotiations to undertake and complete the Project as outlined above, and to complete all necessary documents, and processes to meet the associated timeline. If the Parties are unable to reach agreement on any adjustments to the PowerOptions PPA and Site Control document, or other agreement to address site-specific upgrades, then this Letter shall terminate. This Letter shall be governed by Massachusetts law.

This Letter shall expire 360 days after the date of Host’s countersignature below, unless the parties agree, in writing, to extend the term.

DRAFT

Sincerely,

Solect Energy Development LLC

By: _____

Name: James Dumas

Title: CFO

ACCEPTED AND AGREED TO AS OF THE DATE SET FORTH BELOW BY AUTHORIZED REPRESENTATIVE OF HOST

Town of Falmouth

By: _____

Name:

Title:

Date: _____

(signature page – Letter of Intent – Town of Falmouth)

ATTACHMENT 1

Proposed System Size; 28 kWDC

SMART Block	SMART Incentive	PPA Rate
8	0.09861	0.2150
9	0.09350	0.2195

Purchase & Installation Price

\$98,486.00

ATTACHMENT 2

Project Site Information



ATTACHMENT 3

Insurance Requirements

Provider will have valid commercial general liability, workers compensation, and business auto insurance as follows:

- Commercial general liability insurance will be in the following amounts: \$1,000,000 for each occurrence and \$2,000,000 aggregate.
- Workers compensation insurance or self-insurance indicating compliance with any applicable labor codes, laws or statutes, state or federal, where Installer performs work.
- Auto coverage not less than 1 million dollars (\$1,000,000) each accident for bodily injury and property damage, and 1 million dollars (\$1,000,000) in the aggregate.



**Letter of Intent for Solar Power Purchase or Purchase & Installation Agreement
Town of Falmouth
Falmouth Water Treatment Plant
Solar Roof**

March 18, 2024

To: Michael Renshaw
Town Manager
Town of Falmouth
59 Town Hall Sq.
Falmouth, MA 02540

Solect Energy Development LLC (“Solect” or “Provider”) and Town of Falmouth (“Host”), desire to enter into either a Power Purchase Agreement (PPA) and Lease Agreement or grant of Easement (“Site Control”) or a Purchase & Installation Agreement for electricity to be produced by a solar power electric generating project, potentially including energy storage, to be located at 650 Gilford Street, Falmouth, MA 02540 (the “Project”), but recognize that the Massachusetts Department of Energy Resources’ SMART Incentive Program awards incentives on a first come first served basis, and therefore, Host’s power purchase rate is subject to the approved incentive for each Project. The PPA rates for each Incentive Award are presented in Attachment 1.

This Letter of Intent (the “Letter”) is intended to formalize both Parties willingness and intent to enter into good faith negotiations to execute a PPA or Purchase & Installation Agreement, and Site Control pursuant to which Solect will develop the Project under the PowerOptions Solar Program.

1. Project Development Activities

Solect seeks to develop, design, construct, finance and operate the Project presented in Attachment 2 and sell to Host the electric energy produced by the Project.

Host owns or is the beneficial leaseholder of the site listed in Attachment 2 and seeks to make a portion of such site available to Provider for constructing, operating and maintaining a solar powered electric generating and energy storage Project. Host will allow Provider reasonable access to the site to perform pre-development and design work as described below, at no cost to Host. Provider shall, during the term of this Letter, maintain the insurance set forth in the Attachment 3 to this Letter. Provider shall enter upon the site only in the company of a representative of Host.

Solect may, at its expense, assess the suitability of Host’s premises for the Project. To do so, Solect may perform engineering, design, site or structural analysis (excluding intrusive or destructive tests or inspections without Host’s prior approval), and may submit applications for SMART incentives, and utility interconnection of the Host’s site to determine feasibility, safety, and to ensure the proper installation, maintenance, and operation of the solar system. If during the performance of such assessment, Solect discovers any conditions that in Solect’s reasonable judgment would prevent the successful completion of the Project, Solect shall promptly advise Host of the same, and if the Parties are unable to reach agreement on how to address such conditions in the PPA to enable successful completion of the Project, Solect may terminate this Letter, and the Parties will have no further obligations hereunder.

508.598.3511 • 89 Hayden Rowe Street • Hopkinton, MA 01748

solect.com

2. Agreements

Subject to the conditions in this letter, Host and Solect agree to undertake good faith negotiations to enter into a PPA or a Purchase & Installation Agreement, and Site Control document. Within two hundred seventy (270) days of the issuance of a Preliminary Statement of Qualification from the SMART Program Administrator, Solect shall confirm the PPA rate or a Purchase & Installation price. Agreement that it will offer to the Host for the Project. Initial proposed rates are shown in Attachment 1. The Parties recognize that the pricing for the Project is subject to SMART Program incentives, the execution by Solect and the taxing authority of an agreement for payment in lieu of taxes (“PILOT”), and that the final PPA rates must be agreed to by both Parties and may differ from those shown in Attachment 1. Subject to the Parties’ agreement, Host agrees to execute the PowerOptions program PPA, ESA and Site Control document as soon as reasonably practicable. The parties may extend this Letter upon mutual written agreement.

This Letter is contingent upon successful receipt of the SMART Program qualification, and subject to Solect achieving the PPA rates for each location as presented in Attachment 1, the Parties’ mutual satisfaction with PPA rates and agreement regarding site-specific upgrades (if any).

This Letter expresses the desire of both Parties to enter into negotiations to undertake and complete the Project as outlined above, and to complete all necessary documents, and processes to meet the associated timeline. If the Parties are unable to reach agreement on any adjustments to the PowerOptions PPA and Site Control document, or other agreement to address site-specific upgrades, then this Letter shall terminate. This Letter shall be governed by Massachusetts law.

This Letter shall expire 360 days after the date of Host’s countersignature below, unless the parties agree, in writing, to extend the term.

DRAFT

Sincerely,

Solect Energy Development LLC

By: _____

Name: James Dumas

Title: CFO

ACCEPTED AND AGREED TO AS OF THE DATE SET FORTH BELOW BY AUTHORIZED REPRESENTATIVE OF HOST

Town of Falmouth

By: _____

Name:

Title:

Date: _____

(signature page – Letter of Intent – Town of Falmouth)

ATTACHMENT 1

Proposed System Size; 157.4 kWDC

SMART Block	SMART Incentive	PPA
8	0.07190	0.1743
9	0.06810	0.1783

Purchase & Installation Price

\$412,836.00

ATTACHMENT 2

Project Site Information



ATTACHMENT 3

Insurance Requirements

Provider will have valid commercial general liability, workers compensation, and business auto insurance as follows:

- Commercial general liability insurance will be in the following amounts: \$1,000,000 for each occurrence and \$2,000,000 aggregate.
- Workers compensation insurance or self-insurance indicating compliance with any applicable labor codes, laws or statutes, state or federal, where Installer performs work.
- Auto coverage not less than 1 million dollars (\$1,000,000) each accident for bodily injury and property damage, and 1 million dollars (\$1,000,000) in the aggregate.

Letter of Support

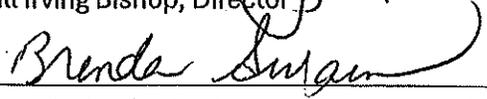
We support a 25kw AC solar installation on the Council on Aging Senior Center roof top at 780 Main St, Falmouth, MA. We understand that this solar installation will help us decrease our greenhouse gas emissions and save us money on our utility bills.

Sincerely,



Jill Irving Bishop, Director

3/12/2024 (date)



Brenda Swain, Senior Center Board Chair

3/12/2024 (date)

Letter of Support

We support a 157kw DC solar installation on the Water Treatment Plant roof top at 650 Gifford St, Falmouth, MA. We understand that this solar installation will help us decrease our greenhouse gas emissions and save us money on our utility bills.

Sincerely,



2/28/24

(date)

Peter McConarty, DPW Director