

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, JULY 15, 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)(6) – to consider the purchase, exchange or value of real property (599 Brick Kiln Rd.)
2. M.G.L. c.30A s.21(a)(3) – to discuss strategy with respect to collective bargaining –Communications Officers, AFSCME Local 1636, Unit C

6:30 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation – 100th Birthday – Muriel Humora
4. Recognition
5. Announcements
6. Public Comment
7. Affirm appointment of the Finance Director

6:45 p.m. PUBLIC HEARINGS

1. Application for an All-Alcoholic Beverages Common Victualler License – Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be exercised at 444A North Falmouth Highway, North Falmouth. Application has also been made for an annual Entertainment License and an annual Sunday Entertainment License.
2. Request to name the Overlook on the Coonamessett River for Betsy Gladfelter
3. Vote to Establish and Adopt Entertainment Regulations

7:30 p.m. BUSINESS

1. Discuss and vote to approve amendments to the Special Events Use Policy (10 minutes)
2. Vote to authorize year-end budget transfers under MA General Law c. 44 § 33B (5 minutes)
3. Report – Conservation Commission (15 minutes)
4. Approve request from the Falmouth Chamber of Commerce to submit an application to the Community Preservation Committee (CPC) to apply for funds to completely preserve the Lawrence Academy building (10 minutes)
5. Approve request from the Falmouth School Department to submit an application to the Community Preservation Committee (CPC) to apply for funds to renovate the Mullen Hall School Playground (5 minutes)
6. Request for variance to sign code §184-32 Off-Premise Signs: for the placement of “Home of the Clippers” flags on the light poles on Main Street (5 minutes)

7. Request for variance to sign code §184-30 Movable, portable or mobile signs, D.(1) (a): for the placement of a sandwich board style sign in the garden in front the Eight Cousins store located at 189 Main Street during business hours (5 minutes)
8. Naming request to consider naming the Green Pond Bridge for Sgt. Joshua Tipton (5 minutes)
9. Vote to support the implementation of the Senior Services Department Enrollment, Caregiver, and Visitor policies (10 minutes)
10. Announce November 2024 Annual Town Meeting schedule (5 minutes)

8:45 p.m. CONSENT AGENDA

1. Administrative Orders
 - a. Appoint Mike Renshaw as Falmouth's representative to the JBCC-Military-Civilian Community Council (MC3)
 - b. Appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran's Council Committee
 - c. Appoint the AMVETS nominee David Branga as representative to the Veteran's Council Committee
 - d. Appoint the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran's Council Committee
 - e. Appoint the Veterans of Foreign Wars (VFW) nominee Ahmed Mustafa as representative to the Veteran's Council Committee
 - f. Approve a Coastal Zone Management grant application for a feasibility and assessment study of the Surf Drive area
 - g. Accept donation in the amount of \$500.00 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the pride event
 - h. Accept donation in the amount of \$600.00 from Falmouth Dog Park, Inc. to the Beach Donation Account for use of a wooden, handicapped-accessible picnic table
 - i. Authorize an expenditure from the Manduano donation account for the materials and construction of up to nine new parking attendant booths

8:50 p.m. MINUTES

1. Review and Vote to Approve Minutes of Meetings
 - a. Public Session – May 6, 2024; June 17, 2024

8:55 p.m. TOWN MANAGER'S SUPPLEMENTAL REPORT

9:00 p.m. SELECT BOARD REPORTS

9:05 p.m. ADJOURN

Nancy Robbins Taylor, Chair
Select Board

OPEN SESSION

3. Proclamation – 100th Birthday – Muriel Humora



PROCLAMATION

WHEREAS, Muriel Humora was born in Boston on July 20, 1924;

WHEREAS, Muriel went through Boston Public Schools and graduated from Roslindale High School in 1942;

WHEREAS, She met Edward in 1941 and they got married in 1943. Edward joined the navy and was sent to the Marshall Islands and was trained as a Master Mechanic;

WHEREAS, To support the war effort Muriel worked on a drill press in a factory until Edward came home from World War II;

WHEREAS, Muriel and Edward raised 4 daughters in West Roxbury. During that time Muriel was a Girl Scout Leader for many years, took care of her parents and helped any neighbor in need;

WHEREAS, In 2004 Muriel and Edward moved to Falmouth to live with their daughter, Jeanne;

WHEREAS, Muriel got involved in the shawl ministry at her church and donated handmade shawls, christening blankets and lap robes. She also volunteered at The Thrift Store for many years until she was unable to drive;

WHEREAS, Sadly in 2016 Edward passed away after 73 years of marriage, but Muriel was incredibly strong and continued her crocheting, cooking delicious soups and reading 2-3 books a week;

WHEREAS, Muriel has 11 grandchildren and 13 great grandchildren;

WHEREAS, Muriel, thankfully, continues to have good health and she is looking forward to celebrating her 100th birthday with 65 guests on July 20th. She is a remarkable and loving woman who treasures her family and is loved by her family.

NOW, THEREFORE, WE the Select Board of the Town of Falmouth, Massachusetts, do hereby proclaim **Saturday, July 20, 2024** as:

MURIAL HUMORA DAY

IN WITNESS WHEREOF, We, Nancy Robbins Taylor, Edwin P. Zylinski II, Douglas C. Brown, Robert P. Mascali and Heather M. H. Goldstone have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 15th day of July, 2024.

Nancy Robbins Taylor, Chair

Robert P. Mascali

Edwin P. Zylinski II, Vice Chair

Heather M. H. Goldstone

Douglas C. Brown

SELECT BOARD

Diane Davidson

From: [REDACTED]
Sent: Monday, May 27, 2024 3:17 PM
To: Falmouth Town Manager
Subject: 100th birthday for Falmouth resident

Dear Phyllis's, thank you so much for reaching out. Here is a short biography about my mother Muriel Humora.

My mother Muriel Humora was born in Boston on July 20, 1924. She went thru Boston Public Schools and graduated from Roslindale High School in 1942. She met my father Edward in 1941 and they got married in 1943. My father joined the navy and was sent to the Marshall Islands and was trained as a Master Mexhanic. To support the war effort my mother worked on a drill press in a factory until he came home from World War ll. They raised 4 daughters in West Roxbury. During that time Muriel was a Girl Scout Leader for many years, took care of her parents and helped any neighbor in need. In 2004 my parents moved to Falmouth to live with my sister Jeanne at [REDACTED]. My mother got involved in the shawl ministry at her church and donated handmade shawls, christening blankets and lap robes . She also volunteered at The Thrift Store for many years until she was unable to drive. Sadly in 2016 my father passed away after 73 years of marriage and my mother continued her crocheting, cooking delicious soups and reading 2-3 books a week. She was incredibly strong. She has 11 grandchildren and 13 great grandchildren. Thankfully she continues to have good health. She is looking forward to celebrating her 100th birthday with 65 guests on July 20th. She is a remarkable and loving woman who treasures her family and we love her. Thank you for reading this. I look forward to hearing from you soon. Sincerely yours, Arlene Kirby, [REDACTED]

[Sent from Yahoo Mail for iPhone](#)

OPEN SESSION

7. Affirm appointment of the Finance Director



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Open Session 7.

ITEM TITLE: Affirm Appointment of Finance Director

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Redacted Resume

PURPOSE:

The Select Board will consider affirming the Town Manager's recommended appointment of Laura Sitrin as the Town's Finance Director and will also consider waiving the Department Head residency requirement.

BACKGROUND/SUMMARY:

- We are very pleased to bring Laura Sitrin forward for affirmation.
- Ms. Sitrin is a highly qualified candidate with 21 years of experience as the Director of Finance and Support Services for the City of Newport, Rhode Island. Most recently, she has served as Newport's Interim City Manager for the past 12 months.
- Ms. Sitrin also has experience as the Director of Finance and Support Services for the City of Fairfax, Virginia and as the Director of Finance for the City of Schenectady, New York.
- Ms. Sitrin is a Certified Public Accountant and has a bachelor's degree in accounting. She is a member of the Governor's Task Force to Evaluate Fiscal Stress on Municipalities and is a past member of the Government Finance Officers Association's (GFOA) Special Review Committee tasked with reviewing Certified Annual Financial Reports.

- We are thrilled to have the opportunity to bring her municipal financial expertise and collaborative leadership approach to our community.
- Ms. Sitrin will be relocating from Rhode Island to accept this position, and since the details of her relocation have not yet been determined, we are requesting that the Board waive the Department Head residency requirement, as stated in Article V, Section 4 of the Town Charter.
- If her appointment is affirmed, Ms. Sitrin plans to start on August 26th.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve and affirm the appointment of Laura Sitrin as the Town of Falmouth Finance Director. The Town Manager also recommends that the Select Board waive the Department Head residency requirement for Ms. Sitrin, as stated in Article V, Section 4 of the Town Charter.

OPTIONS:

First Motion:

- Motion to approve and affirm the appointment of Laura Sitrin as the Town of Falmouth Finance Director.
- Motion to deny the approval and affirmation of the appointment of Laura Sitrin as the Town of Falmouth Finance Director.
- Some other Board stipulated alternative.

Second Motion:

- Motion to waive the Department Head residency requirement for Laura Sitrin.
- Motion to deny the request for a waiver of the Department Head residency requirement for Laura Sitrin.
- Some other Board stipulated 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 and affirm the appointment of Laura Sitrin as the Town of Falmouth Finance Director. The Town Manager also recommends that the Select Board waive the Department Head residency requirement for Ms. Sitrin, as stated in Article V, Section 4 of the Town Charter.

Michael Renshaw

7/9/2024

Town Manager

Date

Laura L. Sitrin, CPA



Profile A talented leader with a passion for excellence and a commitment to integrity whose technical expertise and ability to immediately grasp complex policy, financial and operational implications has garnered universal respect, appreciation and recognition from taxpayers, state policymakers, elected council members, colleagues, media and staff.

Experience Interim City Manager, City of Newport, Rhode Island July 2023 (unofficially)
September 2023 (Official) to present

- Responsible for all administration and operations provided by the City of Newport.
- Formed team to develop comprehensive list of city owned property and develop recommendations as to leases, maintenance and disposition.
- Engaged, along with the Director of Planning, in highly complex negotiations to acquire navy hospital property through the base re-alignment and closure process (BRAC), which included hiring a nationally recognized legal expert to advise and work with the City to advance this process.
- Ensuring Newport maximizes grant funding by developing a comprehensive list and working across functions.
- Formed the Aquidneck Island Broadband Consortium (AIBC) to take advantage of potential \$109 million grant funding in Rhode Island to provide broadband to unserved and underserved populations.
- Partner with Council on strategic planning, capital needs, state required re-write of zoning and planning ordinances, and other Council policy initiatives.
- Managing a complex grant application process for a joint Newport/Middletown community center in the City's north end, which will meaningfully increase services and support for Newport's most underserved constituents.

Director of Finance and Support Services, City of Newport, Rhode Island 2002 to 2023

- Chief Financial Officer for the City of Newport, managing over \$300 million in funds for the City, overseeing Treasury, Finance, Accounting, Payroll, Accounts Payable, Budget, Information Systems, Collections and Assessment.
- Achieved and maintain Standard and Poor's rating of AA+ for the City of Newport.
- Recognized with Government Finance Officers Association's Distinguished Budget Presentation and Excellence in Financial Reporting awards for 19 consecutive years, and Popular Annual Financial Report for 10 consecutive years.
- Developed a team-oriented professional and dedicated staff, with very low turnover, that understands the value of providing service to customers, other departments and organizations.
- Shepherded the City through a significant cyber attack that included a rebuild of the entire system. The possible theft of protected personal identification and health insurance information required the development of hundreds of pages of new policies and complex notifications across state and federal agencies and to local constituents. Development of training and new standards for city-wide staff; achieved current staff compliance on monthly trainings averaging 90%.

- Highly trusted by staff, administration, other departments, elected officials, and taxpayers.
- Proactively protected public safety pension benefits through a combination of negotiating changes in benefits, phasing in conservative actuarial and investment assumptions and increased funding.
- Identified and obtained financing for multi-million dollar capital projects, including water and wastewater treatment plants upgrades and renovations through bonds, public utility commissions, grants, economic development options and revolving loan programs.
- Managed two (2) Electronic Record and Payroll (ERP) system implementations, on-time and within budget, including requirements analysis, request for proposals, proposal review, vendor selection and system implementation (one is in process).

Director of Finance and Support Services, City of Fairfax, Virginia **2000 to 2002**

- Revamped and re-organized public safety pension system.
- Partnered with other departments and developers to achieve economic development goals.

Director of Finance, City of Schenectady, New York **1995 to 1999**

- Worked directly with all City departments to control expenditures and increase revenue opportunities.
- Moved the City from an annual budget deficit to an annual budget surplus.
- Developed annual operating and capital budgets in a charged political environment.

Staff, Senior and Supervisor, Public Accounting **1988 to 1995**

Marvin and Company, CPA's in Latham, New York
Robert Ercolini and Company in Boston, Massachusetts

Affiliations	<p>Certified Public Accountant Member of AICPA Member of Government Finance Officer's Association (GFOA) Member of RIGFOA and New England States GFOA Past member of GFOA Special Review Committee, reviewing Certified Annual Financial Reports Member of Governor's Task Force to Evaluate Fiscal Stress on Municipalities Steward, City of Newport Leadership Development Team working with Public Sector Consortium, Inc. of Cambridge, Massachusetts and Salve Regina University Board member of Innovate Newport (inception to present)</p>
Education	<p>Russell Sage College, Troy, New York, Bachelor of Science, Accounting, Cum Laude Ongoing professional education</p>
References	<p>Available upon Request.</p>

OPEN SESSION

PUBLIC HEARINGS

1. Application for an All-Alcoholic Beverages Common Victualler License – Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be exercised at 444A North Falmouth Highway, North Falmouth. Application has also been made for an annual Entertainment License and an annual Sunday Entertainment License.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearing 1.

ITEM TITLE: Application for an All-Alcoholic Beverages Common Victualler License- Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North Falmouth. Application has also been made for an annual Entertainment License and an annual Sunday Entertainment License

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form and supporting email thread; Notice of Public Hearing for an All Alcoholic Beverages Common Victualler License dated June 28, 2024; Notice of Public Hearing for an Annual Entertainment License and an Annual Sunday Entertainment License dated June 28, 2024; ABCC Application for a New License, Retail Alcoholic Beverages License Application dated June 21, 2024; Common Victualler License Application and Floor Plan dated May 2, 2024; Entertainment License Application dated June 21, 2024; and Sunday Entertainment License Application.

PURPOSE:

The Select Board will conduct a public hearing on an application for an All-Alcoholic Beverages Common Victualler License- Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North Falmouth, as well as an application for an annual Entertainment License and an annual Sunday Entertainment License at the same location.

BACKGROUND/SUMMARY:

- The applicant, Micro Pubs LLC d/b/a The Irish Goodbye Pint House, located at 444A North Falmouth Highway, submitted a Retail Alcoholic Beverages License Application for a new license on June 21, 2024 (attached).
- The applicant also submitted a Common Victualler & Innholder License Application for an annual license on June 21, 2024.
- The Building Commissioner reviewed and approved the Common Victualler application and submitted floor plans (attached) and approved them on May 2, 2024.
- The applicant also submitted an annual Entertainment License and Sunday Entertainment License application on June 21, 2024 (attached), indicating that live amplified and acoustic music will be played seven days per week (Sunday-Saturday).
- The hours of entertainment are listed as 10:00 AM-10 PM Monday through Saturday, and on Sundays from 1:00-9:00 PM.
- The Police and Fire Departments have reviewed the application and have no objections to their approval (the Fire Department will conduct an occupancy inspection with the Building Department prior to opening).
- The Building Department has reviewed and approved the building plans.
- The Health Department has reviewed and provided the following comments, "They are indeed limited to 68 seats based on their septic system capacity. They have yet to apply for a food service permit."

DEPARTMENT RECOMMENDATION:

Conduct the public hearing and consider the information presented when rendering a decision.

OPTIONS:

- **FIRST MOTION:**
 - Motion to approve the Application for an All-Alcoholic Beverages Common Victualler License- Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North Falmouth.

- Motion to deny approval of an All-Alcoholic Beverages Common Victualler License- Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North Falmouth.

➤ **SECOND MOTION:**

- Motion to approve the application for an annual Entertainment License and an annual Sunday Entertainment License for Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North Falmouth.
- Motion to deny the approval of an annual Entertainment License and an annual Sunday Entertainment License for Micro Pubs LLC d/b/a The Irish Goodbye Pint House to be executed at 444A North Falmouth Highway, North 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:

Conduct the public hearing and consider the information presented when rendering a decision.

Michael Renshaw

Town Manager

7/11/2024

Date



TOWN OF FALMOUTH
SELECT BOARD
LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Micro Pubs LLC d/b/a The Irish Goodbye Pint House has applied for an All-Alcoholic Beverages Common Victualler License to be exercised at 444A North Falmouth Highway, North Falmouth, MA.

Application has also been made under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, for an annual Entertainment License and an annual Sunday Entertainment License.

A hearing on the above applications will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, July 15, 2024 at 6:45 p.m.

Per order of the Select Board

LICENSING BOARD
Nancy Robbins Taylor
Edwin P. Zylinski, II
Douglas C. Brown
Robert P. Mascali
Heather M. H. Goldstone

Publication date: Friday, June 28, 2024; Falmouth Enterprise.



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 Micro Pubs LLC d/b/a The Irish Goodbye Pint House has applied for an annual Entertainment License and an annual Sunday Entertainment License to be exercised at 444A North Falmouth Highway, North Falmouth, MA.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, July 15, 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 P. Zylinski, II

Douglas C. Brown

Robert P. Mascali

Heather M. H. Goldstone

Publication date: Friday, June 28, 2024; Falmouth Enterprise.

LICENSE APPLICATION REVIEW FORM

Date: July 15, 2024

Restaurant/Business: Micro Pubs LLC d/b/a The Irish Goodbye Pint House

Address: 444A North Falmouth Highway, North Falmouth

License Type: All-Alcoholic Common Victualler, Entertainment, Sunday Entertainment

New or Transfer of License New license
or
 Change of License _____

Application sent to the departments, indicated below, for comment:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Police | <u>No objections.</u> |
| <input checked="" type="checkbox"/> Fire | <u>No objections. See below.</u> |
| <input checked="" type="checkbox"/> Building | <u>The proposed plans have been reviewed and approved.</u> |
| <input checked="" type="checkbox"/> Health | <u>Limited to 68 seats based on septic system capacity.
They have yet to apply for a food service permit.</u> |
| <input type="checkbox"/> Zoning | _____ |
| <input type="checkbox"/> Planning | _____ |
| <input type="checkbox"/> DPW | _____ |
| <input type="checkbox"/> Recreation | _____ |
| <input type="checkbox"/> M.E.S. | _____ |
| <input type="checkbox"/> Communications | _____ |
| <input type="checkbox"/> Beach | _____ |

NOTES:

Fire: Fire will conduct an occupancy inspection with the Building Dept. prior to opening.

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, June 26, 2024 11:17 AM
To: Diane Davidson; Brian Reid; Gary Street; Ryan Hergt; Jeff Lourie; Craig O'Malley; Falmouth Health Department; Jed Cornock; Noreen Stockman
Cc: Falmouth Licensing
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

Fire Rescue has no objections. We will conduct a occupancy inspection with the Building Dept, prior to opening

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
774-836-2436 - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 26, 2024 10:56
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Ryan Hergt <ryan.hergt@falmouthpolicema.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Falmouth Health Department <health@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Cc: Falmouth Licensing <licensing@falmouthma.gov>
Subject: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

To all,

Attached please find an application for a new All Alcoholic Common Victualler License, an Entertainment License, and a Sunday Entertainment License. The licensee name is Micro Pubs LLC d/b/a The Irish Goodbye Pint House, located at 444A North Falmouth Highway. They are applying for a restaurant with 53 seats indoors and an outdoor patio with 15 seats for a total of 68 seats.

Attached are:

1. Application for all alcohol license
2. Application for Common Victualler License
3. Applications for Entertainment and Sunday Entertainment Licenses
4. Site Plan and Floor Plan

Diane Davidson

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Wednesday, June 26, 2024 11:03 AM
To: Diane Davidson; Boyd Demello; Gary Street; Ryan Hergt; Jeff Lourie; Craig O'Malley; Falmouth Health Department; Jed Cornock; Noreen Stockman
Cc: Falmouth Licensing
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

No objection from Police.

Respectfully,

Brian L. Reid
Captain of Specialized Services
Falmouth Police Department
774-255-4527, Ext. 4502



From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 26, 2024 10:56 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Ryan Hergt <ryan.hergt@falmouthpolicema.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Falmouth Health Department <health@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Cc: Falmouth Licensing <licensing@falmouthma.gov>
Subject: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

To all,

Attached please find an application for a new All Alcoholic Common Victualler License, an Entertainment License, and a Sunday Entertainment License. The licensee name is Micro Pubs LLC d/b/a The Irish Goodbye Pint House, located at 444A North Falmouth Highway. They are applying for a restaurant with 53 seats indoors and an outdoor patio with 15 seats for a total of 68 seats.

Attached are:

1. Application for all alcohol license
2. Application for Common Victualler License
3. Applications for Entertainment and Sunday Entertainment Licenses
4. Site Plan and Floor Plan

Please forward your recommendations/comments to me by Monday, July 8, 2024. The hearing is being scheduled for Monday, July 15.

Diane Davidson

From: Gary Street
Sent: Wednesday, June 26, 2024 12:56 PM
To: Diane Davidson
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

Diane,

Yes, the proposed seating and restrooms are shown on the plan.

Respectfully,

Gary Street

Gary Street CBO
Building Commissioner and Zoning Enforcement Officer
Town of Falmouth
Gary.Street@Falmouthma.gov
(508)495-7470

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 26, 2024 12:40 PM
To: Gary Street <gary.street@falmouthma.gov>
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

Hi Gary,

Thank you for providing this update. Do the approved plans in the application show the increased number of restrooms that are required for the 15 outdoor seats?

Diane

From: Gary Street <gary.street@falmouthma.gov>
Sent: Wednesday, June 26, 2024 12:36 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

Diane,

We are currently working with Nick Yabba as to the details of the outdoor seating and the requirement of adding seating. The additional seating triggered an increase in the number of restrooms required. The proposed plans have been reviewed and approved.

Respectfully,

Gary Street

Diane Davidson

From: Scott McGann
Sent: Thursday, July 11, 2024 12:27 PM
To: Diane Davidson; Falmouth Health Department
Subject: RE: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

They are indeed limited to 68 seats based on their septic system capacity. They have yet to apply for a food service permit.

Scott McGann R.S.
Health Agent
Falmouth Health Department
59 Town Hall Square
Falmouth, MA 02540
508-495-7485
scott.mcgann@falmouthma.gov

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Thursday, July 11, 2024 12:21 PM
To: Falmouth Health Department <health@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>
Subject: FW: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

Hi Scott,

Please let me know if you have any comments on this application. This is scheduled on the Monday, July 15 Select Board agenda.

Thank you,

diane

From: Diane Davidson
Sent: Wednesday, June 26, 2024 10:56 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Ryan Hergt <ryan.hergt@falmouthpolicema.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Falmouth Health Department <health@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>
Cc: Falmouth Licensing <licensing@falmouthma.gov>
Subject: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.

To all,

Attached please find an application for a new All Alcoholic Common Victualler License, an Entertainment License, and a Sunday Entertainment License. The licensee name is Micro Pubs LLC d/b/a The Irish Goodbye Pint House, located at 444A North Falmouth Highway. They are applying for a restaurant with 53 seats indoors and an outdoor patio with 15 seats for a total of 68 seats.

Diane Davidson

From: Diane Davidson
Sent: Wednesday, June 26, 2024 10:56 AM
To: Brian Reid; Boyd Demello; Gary Street; Ryan Hergt; Jeff Lourie; Craig O'Malley; Falmouth Health Department; Jed Cornock; Noreen Stockman
Cc: Falmouth Licensing
Subject: New All Alcoholic Common Victualler License - The Irish Goodbye Pint House - 444A North Falmouth Hwy.
Attachments: All Alcohol Application.pdf; Common Victualler Application.pdf; Entertainment and Sunday Entertainment Applications.pdf; Floor Plan and Site Plan.pdf

To all,

Attached please find an application for a new All Alcoholic Common Victualler License, an Entertainment License, and a Sunday Entertainment License. The licensee name is Micro Pubs LLC d/b/a The Irish Goodbye Pint House, located at 444A North Falmouth Highway. They are applying for a restaurant with 53 seats indoors and an outdoor patio with 15 seats for a total of 68 seats.

Attached are:

1. Application for all alcohol license
2. Application for Common Victualler License
3. Applications for Entertainment and Sunday Entertainment Licenses
4. Site Plan and Floor Plan

Please forward your recommendations/comments to me by Monday, July 8, 2024. The hearing is being scheduled for Monday, July 15.

Please let me know if you have any questions or need further information.

Thank you.

Diane S. Davidson

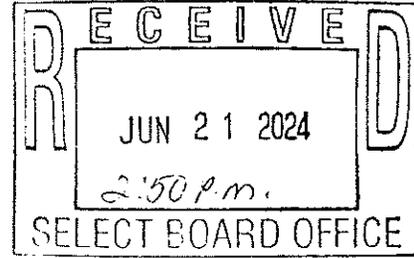
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321
diane.davidson@falmouthma.gov



Please note that the Massachusetts Secretary of State has determined that most email correspondence is public record and therefore cannot be kept confidential.



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



RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

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

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL:

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



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

APPLICATION FOR A NEW LICENSE

Municipality

Town of Falmouth

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Restaurant	All Alcoholic Beverages	Annual

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

Micro Pubs LLC d/b/a The Irish Goodbye Pint House is new restaurant applying for a new all-alcoholic beverages retail (Sec. 12 - Restaurant) license for on-premises consumption. The restaurant will be a pub-themed restaurant/bar with approximately 2,500 square feet in total area, with approximately 500 square foot of outdoor patio dining area offering liquor service, in addition to approximately 2,000 square feet of interior space.

Is this license application pursuant to special legislation? Yes No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name FEIN

DBA Manager of Record

Street Address

Phone Email

Alternative Phone Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

444A North Falmouth Highway is a one-story building containing approx. 2,000 SF of interior floor area, consisting of a bar area and interior seating, as well as approx. 500 SF of outdoor patio seating. Total seating capacity at the premises is 68 seats, with the interior space having 53 seats and the outdoor patio area having 15 seats. See Site Plan and Floor Plan attached hereto.

Total Square Footage:	<input type="text" value="2,506 SF"/>	Number of Entrances:	<input type="text" value="1"/>	Seating Capacity:	<input type="text" value="68"/>
Number of Floors	<input type="text" value="1"/>	Number of Exits:	<input type="text" value="3"/>	Occupancy Number:	<input type="text" value="68"/>

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name: Phone:

Title: Email:

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	<input type="text" value="LLC"/>	Date of Incorporation	<input type="text" value="01/04/2024"/>
State of Incorporation	<input type="text" value="Massachusetts"/>	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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

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

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Karen Colangelo"/>	<input type="text" value="14 Gracewood Road, Stoneham, MA 02180"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="LLC Manager / Owner"/>	<input type="text" value="75%"/>	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text" value="Harold Gill"/>	<input type="text" value="115 Westhampton Place, Nashville, TN 37025"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="LLC Member / Owner"/>	<input type="text" value="25%"/>	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? Yes No

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

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality
Karen Colangelo	All-Alcohol	SCKC, LLC	Stoneham, MA
Karen Colangelo	All-Alcohol	To the Dogs Restaurant Management	North Reading, MA
Harold Gill	All-Alcohol	SCKC, LLC	Stoneham, MA

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality
Karen Colangelo	All-Alcohol	SCKC, Inc.	Boston, MA
Karen Colangelo	All-Alcohol	Broadway Lights, LLC	Lynnfield, MA
Karen Colangelo, Harold Gill	All-Alcohol	136 Haven Street, LLC	Reading, MA

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

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

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation
2004	Canine Entertainment Corp.	Lynnfield	Revocation for undisclosed financial interest

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

Section 6B: Continuation Sheet - Previously Held Interest In An Alcoholic Beverages License:

NAME	LICENSE TYPE	LICENSE NAME	MUNICIPALITY
Karen Colangelo	All-Alcohol On-Premises	The Canine Entertainment Corporation	Lynnfield, MA
Karen Colangelo	All-Alcohol On-Premises	From The Ashes, LLC	Lynnfield, MA
Karen Colangelo	All-Alcohol On-Premises	Broadway Lights, LLC	Lynnfield, MA
Karen Colangelo	All-Alcohol On-Premises	SCKC, Inc.	Boston, MA
Karen Colangelo	All-Alcohol On-Premises	Route 95 Lights, LLC	Randolph, MA

Sections 6C : Disclosure of License Disciplinary Action / Prior Disciplinary Action regarding Proposed Manager:

In or around 2004, The Canine Entertainment Corporation d/b/a The Big Dog Sports Grille ("Canine"), operated a restaurant/bar in Lynnfield, MA, and the Manager of record regarding the liquor license was Karen Colangelo. Canine entered into an informal financial arrangement with Arthur Gianelli of 420 Main Street, Lynnfield, MA. Mr. Gianelli invested funds into Canine but insisted that his name not be placed on any documentation whatsoever. Mr. Gianelli then attempted to intimidate the owners of Canine and extort money from this business and its owners. Mr. Gianelli's criminal conduct was reported to the police and the ABCC, and resulted in the permanent revocation of Canine's liquor license due to the undisclosed financial interest of Mr. Gianelli. After Mr. Gianelli's interest was terminated/removed from the business, Canine applied for (and was granted) a new liquor license.

10. MANAGER APPLICATION

A. MANAGER INFORMATION

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

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please Indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

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

C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
09/16/2018	Present	General Manager	Gainsborough Hospitality Inc.	Charles Hitchcock

D. 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

APPLICANT'S STATEMENT

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

of Micro Pubs 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: *Karen Colangelo*

Date: 06/21/2024

Title: LLC Manager

The Commonwealth of Massachusetts, William Francis Galvin Corporations Division

One Ashburton Place - Floor 17, Boston MA 02108-1512 | Phone: 617-727-9640

Certificate of Organization

(General Laws, Chapter 156C, Section 12)

Filing Fee: \$500.00

Identification Number:	001740754	(number will be assigned)
1. The exact name of the limited liability company is: MICRO PUBS LLC		
2. The address in the Commonwealth where the records will be maintained: Number and street: 444 NORTH FALMOUTH HIGHWAY Address 2: City or town: NORTH FALMOUTH State: MA Zip code: 02556 Country: UNITED STATES		
3. The general character of business (if the limited liability company is organized to render professional service, this form must be filed by fax, mail or in person): RESTAURANT MANAGEMENT, OWNERSHIP AND OPERATION WITH OR WITHOUT A LIQUOR LICENSE; PURCHASE, SALE, RENTAL, LEASE AND/OR OWNERSHIP OF RELATED REAL ESTATE; TO ACT AS A COMMON VICTUALLER AND/OR ENTERTAINMENT THEATRE WHEN DULY LICENSED TO DO SO; TO MARKET AND SELL PROMOTIONAL ITEMS INCLUDING CLOTHING		
4. The latest date of dissolution, if specified: (mm/dd/yyyy)		
5. The name and address of the Resident Agent: Agent name: KAREN COLANGELO Number and street: 444 NORTH FALMOUTH HIGHWAY Address 2: City or town: NORTH FALMOUTH State: MA Zip code: 02556		
I KAREN COLANGELO, resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.		
6. The name and business address of each manager, if any:		
Title	Name	Address

MANAGER	KAREN COLANGELO	444 NORTH FALMOUTH HIGHWAY NORTH FALMOUTH, MA 02556 USA
---------	-----------------	--

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Name	Address

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Name	Address
REAL PROPERTY	KAREN COLANGELO	444 NORTH FALMOUTH HIGHWAY NORTH FALMOUTH, MA 02556 USA

9. Additional matters:

10. This certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than ninety (90) days from the date of filing is specified:

Later Effective Date (mm/dd/yyyy): Time (HH:MM)

SIGNED UNDER THE PENALTIES OF PERJURY, this 4 Day of January, 2024,

KAREN COLANGELO

, Signature of Authorized Signatory.

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

January 04, 2024 11:47 AM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



Complete prior to applying for:
Common Victualler License
Lodging House License
Innholder License

APPLICANT: Micro Pubs LLC d/b/a The Irish Goodbye Pint House

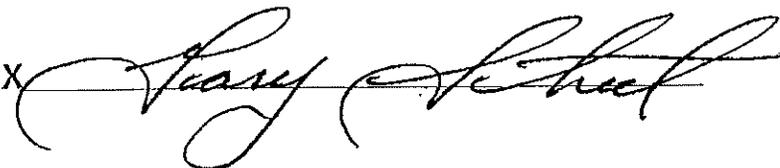
ADDRESS: 444 North Falmouth Highway, North Falmouth, MA 02556

LICENSE APPLIED FOR: Common Victualler

The attached plan or plans described below have been approved by the Building Commissioner's Office as appropriate for this application:

- a. For Common Victualler Licenses submit a Floor Plan completed by a Design Professional showing exits/entrances, distances, and all seats.
- b. For Lodging House Licenses submit a Floor Plan completed by a Design Professional showing exits/entrances, distances, and the occupancy load of each room.
- c. For Innholder Licenses submit a Floor Plan completed by a Design Professional showing exits/entrances, distances, each seat in the dining areas, and the occupancy load of each room.

NOTES: See attached for Site Plan and Floor Plan

Building Commissioner: X 

DATE: 5-2-24



Complete prior to applying for:
New Liquor License
Transfer of Liquor License
Alteration of Premises
Annual Entertainment/Sunday Entertainment License

APPLICANT: Micro Pubs LLC d/b/a The Irish Goodbye Pint House

ADDRESS: 444 North Falmouth Highway, North Falmouth, MA 02556
(i) All-alcoholic beverages on-premises (Sec. 12) license;
(ii) Annual Entertainment License; and
LICENSE APPLIED FOR: (iii) Annual Sunday Entertainment License.

The attached plan or plans described below have been approved by the Building Commissioner's Office as appropriate for this application:

- a. A Floor Plan completed and stamped by an *Engineer or Architect* to the Building Commissioner's office. The Plan must include all seating, parking, and the occupancy load calculation.
- b. For outdoor seating, submit a plot plan or site plan completed by a *Certified Land Surveyor*.

NOTES: See attached Site Plan and Floor Plan

Building Commissioner: X

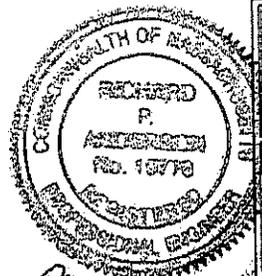
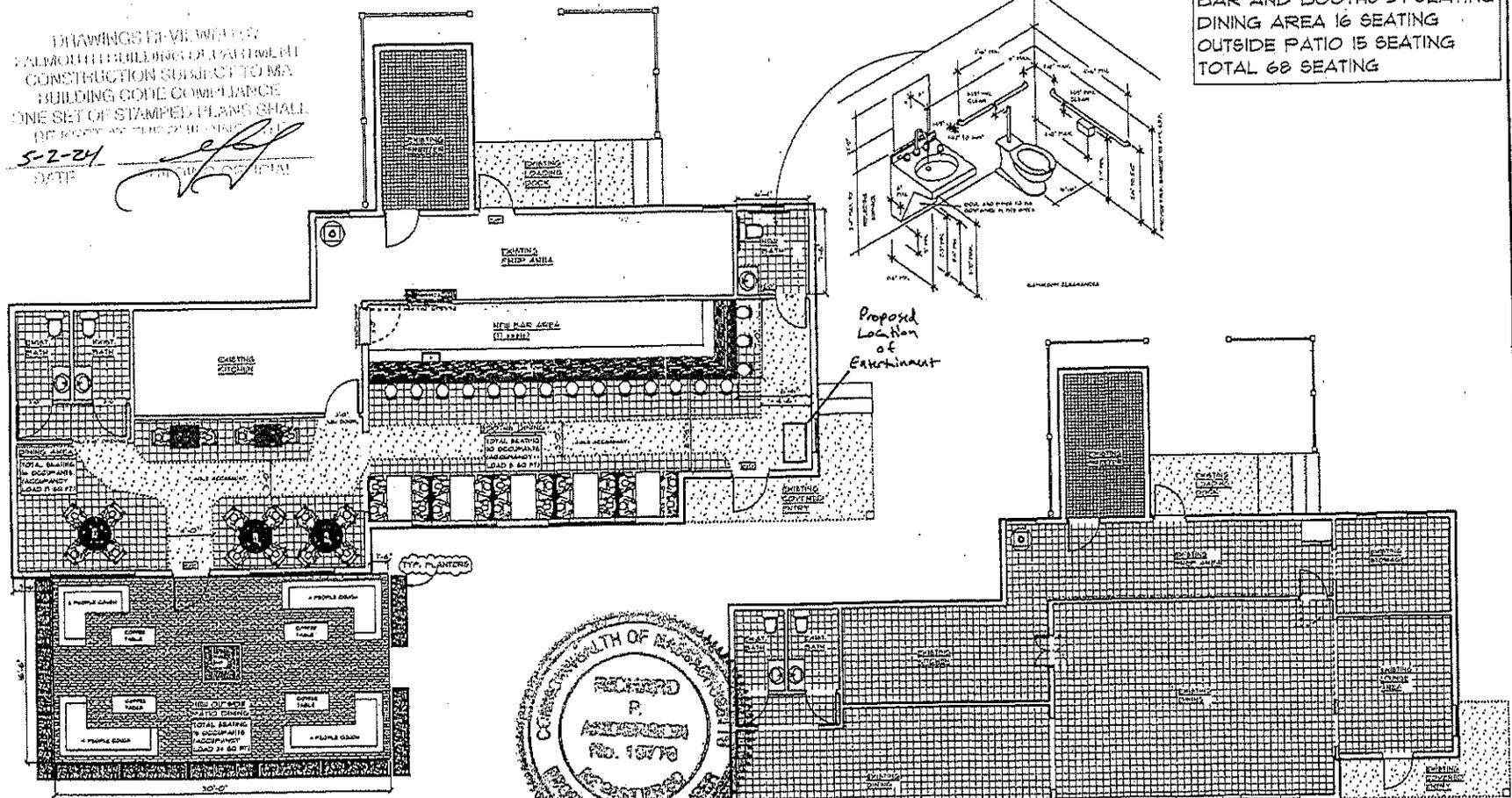
DATE: 5-2-24

DRAWINGS HAVE BEEN REVIEWED BY THE BUILDING DEPARTMENT FOR CONSTRUCTION SUBJECT TO MA BUILDING CODE COMPLIANCE. ONE SET OF STAMPED PLANS SHALL BE KEPT ON FILE BY THE DEPARTMENT.

5-2-24
DATE

[Signature]
OFFICIAL

BAR AND BOOTHS 37 SEATING
DINING AREA 16 SEATING
OUTSIDE PATIO 15 SEATING
TOTAL 68 SEATING



[Signature]
4/29/2024

PROPOSED FLOOR PLAN
(TO SCALE)

EXISTING FLOOR PLAN
(NOT TO SCALE)

<p>MICRO PUBS LLC 444 NORTH FAL. HWY. NORTH FALMOUTH, MA.</p>	<p>DESIGN NEW RESTAURANT LAYOUT FLOOR PLAN.</p>	<p>WWW.JBHOMEDESIGNS.COM</p>	<p>DATE 4-21-24</p>	<p>REVISION 9</p>	<p>DESIGN BY JB</p>	<p>SCALE 1/4"=1'-0"</p>	<p>JB Designs</p>
---	---	------------------------------	-------------------------	-----------------------	-------------------------	-----------------------------	-------------------



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: **Karen Colangelo** TITLE: **LLC Manager / Owner**

HOME ADDRESS: **14 Gracewood Road**
Town: **Stoneham** State: **MA** Zip code: **02180**

BUSINESS NAME **Micro Pubs LLC**

D/B/A if any: **The Irish Goodbye Pint House**

BUSINESS ADDRESS: **444A North Falmouth Highway**
Town: **North Falmouth** State: **MA** Zip code: **02556**

MAILING ADDRESS (if different):
Town: State: Zip code:

FEDERAL ID #: MANAGER OF RECORD: **Robert Bell**

EMAIL - *required*: _____

TELEPHONE - BUSINESS: **TBD** ALTERNATE: _____

DAYS OF OPERATION: **Sunday - Saturday**

HOURS OF OPERATION: **Mon. - Sat.: 7:00 AM - 1:00 AM; Sun: 7:00 AM - Midnight**

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;

Micro Pubs LLC d/b/a The Irish Goodbye Pint House Bar/Restaurant
(Business Name) (Type of Business)

Is conducting business at or from the following address in the Town of Falmouth:

444 North Falmouth Highway, North Falmouth, MA 02556
(Address of Business) (Phone Number)

By the following named person(s):

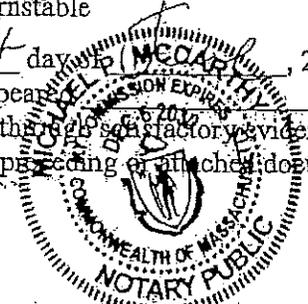
Owner 1 Karen Colangelo 14 Gracewood Road, Stoneham, MA 02180
(Full Name) (Address)
Karen Colangelo (Signature) (Phone Number)

Owner 2
(Full Name) (Address)
(Signature) (Phone Number)

Commonwealth of Massachusetts
County of Barnstable

On this 11th day of April, 2024, before me, the undersigned notary public, personally appeared Kara Colangelo, proved to me the satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document in my presence.

(seal)



Michael Palmer
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 April 24, 2024
Expiration Date April 24, 2028

Michael Palmer, Town Clerk



Town of Falmouth

Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, MA 02540
508-495-7320 • licensing@falmouthma.gov

ENTERTAINMENT LICENSE APPLICATION

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

Required fields are outlined in red.

NAME OF BUSINESS: Micro Pubs LLC D/B/A The Irish Goodbye Pint House
ADDRESS: 444A North Falmouth Highway
TOWN: North Falmouth STATE: MA ZIP CODE: 02556
NAME OF OWNER/MANAGER: Karen Colangelo
TELEPHONE #: EMAIL:
MAILING ADDRESS: 444A North Falmouth Highway, N. Falmouth, MA 02556
LOCATION OF ENTERTAINMENT ON PREMISES: Interior (See attached Floor Plan)

DAYS OF ENTERTAINMENT: Sunday - Saturday (7 days/week)
HOURS OF ENTERTAINMENT: Mon - Sat: 10AM - 10PM; Sun: 1PM-9PM

Provide a detailed description of proposed entertainment in the field below, and attach a FLOOR PLAN including the proposed locaton of the entertainment:

Entertainment consisting of a solo guitarist or small (2-4 piece) ensemble mainly playing acoustic instruments with occasional light amplification will be located inside the Premises, as depicted on the attached Floor Plan submitted herewith.

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT REQUESTED:

SUNDAY ENTERTAINMENT: NO YES (If YES, complete a separate Sunday Entertainment application - contact Select Board office)
1. DANCING By Patrons No Dancing
2. MUSIC Recorded Live Amplified Acoustic Other

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 6/21/2024 x Karen Colangelo Signature - OWNER or MANAGER

Total Town Fees: \$110
Filing Fee: \$10
License Fee: \$100

Fees payable to Town of Falmouth

THE COMMONWEALTH OF MASSACHUSETTS

Town OF Falmouth



State Fee, \$ _____
Municipal Fee, \$ _____

LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Micro Pubs LLC d/b/a The Irish Goodbye Pint House in or on the property at No. 444A North Falmouth Highway, North Falmouth, MA 02556 (address)

The Licensee or Authorized representative, Karen Colangelo *[Signature]* 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
Sundays	1PM - 9PM	Solo musician or small (2-4 piece) ensemble playing acoustic instruments with light amplification on occasion. See attached floor plan for location of entertainment.

Hon. Nancy Robbins Taylor Mayor/ Chairman of Board of Selectman, Town of 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

Richard & Lori Robinson

464 North Falmouth Hwy, #3
North Falmouth MA 02556

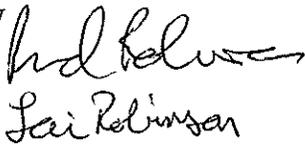
July 11, 2024

Mike Renshaw
Town Manager
Falmouth MA 02540

Please allow our concerns to be heard in the Monday evening meeting regarding the proposed Irish Goodbye Pinthouse/PUB to be located next door at 448 N Falmouth Hwy , North Falmouth

1. Hours of Operation- we are concerned with the hours of the PUB. Being next to a residential area, with our homes to the right and other homes in the front and rear.
2. Music – will music be inside only we hope. Outside on the patio would be too loud and too close to our location
3. Traffic – again the hours of operation speak to the cars coming and going too late for a residential area.. Also the number of parking spots. There does not seem to be enough parking and the parking that they have is right next to our buildings. Again too much noise
4. Occupancy – not sure if the patio has been approved but concerned again with number of seats outside and hours of operation.

Sincerely



Richard and Lori Robinson

OPEN SESSION

PUBLIC HEARINGS

2. Request to name the Overlook on the Coonamessett River for Betsy Gladfelter

July 15, 2024



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearing 2.

ITEM TITLE: Request to name the Overlook on the Coonamesett River for Betsy Gladfelter

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Notice of Public Hearing dated June 28, 2024; Naming Policy for Public Facilities and Places; Copy of May 20, 2024 Select Board meeting agenda item summary- Designate member of the Select Board to seek input on the request to name the Overlook on the Coonamesett River for Betsy Gladfelter; Copy of April 24, 2023 Select Board meeting agenda item- nomination to name Overlook for Betsy Gladfelter submitted by Joe Netto and The 300 Committee

PURPOSE:

The Select Board will conduct a public hearing for the purpose of taking public comments associated with the proposed naming of the overlook on the Coonamesett River for Betsy Gladfelter and in accordance with the Naming Policy for Public Facilities and Places adopted on February 13, 2023.

BACKGROUND/SUMMARY:

- On April 24, 2023 the Select Board considered the original nomination request to name the Overlook on the Coonamessett River for Betsy Gladfelter; the 300 Committee Land Trust joined resident Joe Netto in that nomination.

- In their nomination, both the 300 Committee Land Trust and Mr. Netto commented on how Betsy Gladfelter’s amazing work ethic, vision, and commitment for the river restoration project and public access improvements were an inspiration for all in the community.

- Following the required one-year wait period after the submission of the original application request, on May 20, 2024 the Select Board voted to designate Board member Bob Mascali to seek input on the request to name the Overlook for Betsy Gladfelter; on June 21, 2024 Board member Mascali reported that he had concluded his review and was prepared to move forward with this required public hearing process.

DEPARTMENT RECOMMENDATION:

Following the public hearing and collection of public input, the Town Manager recommends that the Select Board vote to approve the naming of the Overlook on the Coonamessett River for Betsy Gladfelter.

OPTIONS:

- Motion to name the Overlook on the Coonamessett River for Betsy Gladfelter.

- Motion to deny naming the Overlook on the Coonamessett River for Betsy Gladfelter.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

Following the public hearing and collection of public input, the Town Manager recommends that the Select Board vote to approve the naming of the Overlook on the Coonamessett River for Betsy Gladfelter.

Michael Renshaw

Town Manager

7/9/2024

Date

NOTICE OF PUBLIC HEARING

The Select Board of the Town of Falmouth will hold a public hearing as required by the Select Board Naming Policy for Public Facilities and Places to solicit comments from the public on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter. Comments may be sent via email to selectboard@falmouthma.gov.

The public hearing will be held on Monday, July 15, 2024 at 6:45 p.m. in the Select Board meeting room, Town Hall, Falmouth, MA 02540.

Nancy Robbins Taylor, Chair
Select Board

Publication date: Friday, June 28, 2024; Falmouth Enterprise.

Town of Falmouth
Select Board
NAMING POLICY FOR PUBLIC FACILITIES AND PLACES
Adopted February 13, 2023

Policy:

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

Guidelines:

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

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

The Board shall consider naming based upon:

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

Procedure:

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

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

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

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

Eligibility:

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

Exceptions:

Exceptions to this policy shall be made for:

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

OPEN SESSION

BUSINESS

11. Designate a member of the Select Board to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter **(5 minutes)** *- Robert Mascali*

May 20, 2024



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 11.

ITEM TITLE: Designate member of the Select Board to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter

MEETING DATE: 5/20/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Naming Policy for Public Facilities and Places dated February 13, 2023;
Support Emails

PURPOSE:

The Select Board will consider the designation of a Board member to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter.

The original nomination was made before the Select Board on April 24, 2023.

BACKGROUND/SUMMARY:

- On March 28, 2023, a request was made to the Select Board for their consideration to name the Overlook structure on the Coonamessett River in the name of Betsy Gladfelter.
- At its April 24, 2023 Board meeting, the Select Board voted to initiate the renaming process as outlined in the Naming Policy for Public Facilities and Places; the one year waiting period has now passed.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to designate a member to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter.

OPTIONS:

- Motion to designate ____ to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter.

- Motion to deny designating a member to seek input from the Beach Committee on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter.

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 designate a member to seek input on the request to name the Overlook on the Coonamessett River for Betsy Gladfelter.

Michael Renshaw

Town Manager

5/16/2024

Date

OPEN SESSION

BUSINESS

4. Nomination to name Overlook on the Coonamessett River for Betsy Gladfelter **(5 minutes)**

April 24, 2023 Falmouth Select Board meeting:

Nomination to name Overlook at Coonamessett River Greenway for Betsy Gladfelter



November 2019, Betsy Gladfelter with Stimson Associates representative with 3D model of Coonamessett Greenway Heritage Trail overlook after presentation to Select Board



Coonamessett Greenway Heritage Trail overlook off of John Parker Road

The 300 Committee Land Trust is joining Joe Netto in requesting that the Select Board consider naming the Overlook at the Coonamessett Greenway Gateway Park in honor of Betsy Gladfelter.

The public access components of the Greenway project were supported in part by The 300 Committee Land Trust and Community Preservation Act funds approved by Town Meeting. It was inspiring to witness Betsy's work ethic, vision, and commitment for the river restoration and public access improvements. We request that the Select Board support this naming initiative in honor of Betsy for her extraordinary dedication and effort to see this project through.

Diane Davidson

From: Peter Johnson-Staub
Sent: Tuesday, March 28, 2023 11:54 AM
To: Diane Davidson
Subject: FW: [EXTERNAL] - Public property dedication

Please add this to the April 24 agenda: Nomination to Name Overlook on the Coonamessett River for Betsy Gladfelder.

Peter Johnson-Staub
Interim Town Manager
Town of Falmouth, MA
O: 508-495-7320

www.falmouthma.gov

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Joe Netto [REDACTED]
Sent: Tuesday, March 28, 2023 11:23 AM
To: Nancy Turkington Taylor [REDACTED]
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Jessica Whritenour <jwhritenour@300committee.org>
Subject: [EXTERNAL] - Public property dedication

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chairperson Taylor;
Jessica Whritenour and I would like to request an agenda item at your April 24, 2023 BOS meeting. The purpose of this item is to nominate the Overlook on the Coonamessett River for Betsey Gladfelder and start the 1 year process of accomplishing this dedication to Betsey.

From the land of the retired
Joe Netto

Diane Davidson

From: Diane Davidson
Sent: Monday, May 13, 2024 2:51 PM
To: joenetto [REDACTED] jwhritenour 300committee.org
Subject: FW: Public property dedication

Hi Joe, and Jessica,

It has now been one year since your request to name the Overlook on the Coonamessett River for Betsy Gladfelter was presented to the Select Board. We can now move to the next step which is for the Select Board to "designate a member of the Select Board to seek input on the request to name the Overlook on the Coonamessett River for Besty Gladfelter".

I will send a follow-up email to you with the agenda date and time for this vote.

Please let me know if you have any questions.

Thank you.

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321
diane.davidson@falmouthma.gov

Please note that the Massachusetts Secretary of State has determined that most email correspondence is public record and therefore cannot be kept confidential.

From: Nancy Taylor <nancy.taylor@falmouthma.gov>
Sent: Wednesday, March 29, 2023 10:00 AM
To: Joe Netto [REDACTED]
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Jessica Whritenour <jwhritenour@300committee.org>; Diane Davidson <diane.davidson@falmouthma.gov>; Onjalé Scott Price <onjale.scottprice@falmouthma.gov>
Subject: Re: Public property dedication

Hello Mr. Netto,

We will add this item to our 4/24/2023 Consent Agenda.

Best regards,
Nancy

Sent from my iPhone

On Mar 28, 2023, at 11:22 AM, Joe Netto [REDACTED] wrote:

Dear Chairperson Taylor;
Jessica Whritenour and I would like to request an agenda item at your April 24,2023 BOS meeting. The purpose of this item is to nominate the Overlook on the Coonamesett River for Betsey Gladfelter and start the 1 year process of accomplishing this dedication to Betsey.

From the land of the retired
Joe Netto

OPEN SESSION

PUBLIC HEARINGS

3. Vote to Establish and Adopt Entertainment Regulations



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearing 3.

ITEM TITLE: Vote to Establish and Adopt Entertainment Regulations

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Entertainment Regulations

PURPOSE:

The Select Board will discuss and consider the approval of new Entertainment Regulations as drafted by Town Counsel.

BACKGROUND/SUMMARY:

- Due to an increasing number of complaints being filed with the Town Manager's office concerning unreasonable noise emanating from businesses licensed to conduct outdoor entertainment, the Town Manager's office worked with Town Counsel to develop new Entertainment Regulations.
- The Regulations offer additional specificity with regards to restrictions placed upon businesses that engage in entertainment activities, including outdoor music (amplified and non-amplified), and enhanced enforceability of the license when complaints are made.
- Town Counsel has reviewed the attached draft Entertainment Regulation.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the attached Entertainment Regulations as presented.

OPTIONS:

- Motion to approve the Entertainment Regulation as presented.
- Motion to deny approval of the Entertainment Regulation.
- 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 attached Entertainment Regulation and amendments to the Special Events Use Policy as presented.

Michael Renshaw

Town Manager

7/9/2024

Date

TOWN OF FALMOUTH

NOTICE OF PUBLIC HEARING

Entertainment Regulations

The Falmouth Select Board, under the authority of the Falmouth Home Rule Charter § C3-7(B) and M.G.L. c. 140 § 183A, will hold a public hearing to establish and adopt Rules and Regulations for Entertainment licensing. The hearing will be held on Monday, July 15, 2024 at 6:45 p.m. in the Select Board Meeting Room, Town Hall, 59 Town Hall Square, Falmouth, MA.

Interested parties may review the draft Entertainment Regulations at the office of the Town Manager and Select Board or online at <https://www.falmouthma.gov/393/Select-Board>.

Per Order of the Falmouth Select Board

Publication date: Friday, June 7, 2024; Falmouth Enterprise.

Proposed Draft Entertainment Regulation

1. Any holder of a common victualler license or license to sell alcohol is prohibited from providing entertainment without a license in accordance with M.G.L. c. 140 §§ 181 and 183A and c. 136 § 4.
2. For purposes of this section, entertainment shall mean any theatrical exhibition, public show, public amusement or exhibition of any kind including, but not limited to, the following:
 - Concert
 - Cabaret
 - Dancing by patrons
 - Dancing by performers
 - Recorded or live music
 - Use of an amplification system for any purpose
 - Theater production or play
 - Movie
 - Floor show
 - Light show
3. The Select Board may impose reasonable limitations and conditions on the license to ensure public safety and welfare, including restricted hours for use of the license, noise abatement measures, additional security requirements, and occupancy limitations, among others, in order to further the following goals:
 - Protect employees, patrons and members of the public from disruptive conduct, criminal activity, and from health, safety or fire hazards
 - Prevent an unreasonable increase in pedestrian or vehicular traffic in the area of the licensed premises attributable to the entertainment
4. All licenses issued under these regulations are subject to the occupancy limits established by the building commissioner, unless the Select Board places further, more restrictive occupancy limitations as a condition upon the license.
5. Noise shall be confined to the building unless the Select Board makes specific findings and creates conditions to allow for outdoor entertainment. Unless the Select Board allows such outdoor entertainment, any noise originating from inside the building that is audible outside of the building will be considered a violation of these regulations.
6. No entertainment license is required for televisions, radios, satellite or internet music and other background, ambient entertainment, except when the Select Board allows such entertainment outdoors. In the event that the Select Board allows televisions, radios, satellite or internet music and other background, ambient entertainment outdoors, the Select Board shall make specific findings and create conditions upon such outdoor entertainment.

7. Any license for entertainment to take place outdoors, including any area of the licensed premises or building that is exposed to the open air, as in an alcove or under an overhang, for example, may be allowed under these regulations, subject to the following restrictions, unless explicitly permitted otherwise by the Select Board:
 - a. Any speakers or amplification systems must be directed towards the interior of the property.
 - b. There shall be no outdoor entertainment of any kind, including televisions, radios, satellite or internet music and other background, ambient entertainment, after 10pm.
 - c. Noise shall not be audible to a reasonable person beyond the property line of the licensed premises.
8. If the noise from outdoor entertainment cannot be contained within the property lines of the licensed premises, the Select Board shall not issue a license.
9. Within 45 days of receipt of a complete application as determined by the licensing administration, the Select Board will either grant the entertainment license, with any conditions, or order that a hearing on the application take place. The applicant will be given at least 10 days notice prior to the date of the hearing if one is required. The applicant, at their expense, shall be required to publish notice of the hearing in a local paper and provide notification of the hearing to abutters via first class mail. The applicant shall provide proof of publication and notice to the Select Board in advance of the hearing.
10. Determination of whether a public hearing is required shall be made by the Town Manager's office pursuant to the criteria set forth in the Select Board Special Events Use and Entertainment License Policy.
11. Entertainment licenses are not transferable.
12. No gambling or games played for money, other prizes or alcoholic drinks are permitted, except that raffles or casino nights may be conducted by non-profit organizations if otherwise properly licensed.
13. Violations of the terms and conditions of the license may result in modification, suspension or revocation of the license after reasonable notice and a hearing before the Select Board. The licensee will be provided an opportunity to be heard.

Diane Davidson

From: [REDACTED]
Sent: Sunday, June 30, 2024 12:30 PM
To: Falmouth Selectboard
Subject: Entertainment Regulation

Importance: High

Dear Select Board Members,
Thank you for your service to the Town of Falmouth. It is difficult to get people to give back to their communities through their service, and I appreciate that you have taken on this responsibility.

I am a homeowner of Falmouth and enjoy the peaceful environment that Falmouth offers. We all have learned to "put up" with the summer influx of people, but also realize that these visitors are helpful to our local businesses.

I support your proposed Entertainment Regulation and specifically felt that the portion presented below is critical and must remain in effect. We cannot allow the entertainment of the few to ruin the summer experience of the many.

Thank you,
Jim Reulbach
34 Mayflower Street
Teaticket 02536

7. Any license for entertainment to take place outdoors, including any area of the licensed premises or building that is exposed to the open air, as in an alcove or under an overhang, for example, may be allowed under these regulations, subject to the following restrictions, unless explicitly permitted otherwise by the Select Board:
- a. Any speakers or amplification systems must be directed towards the interior of the property.
 - b. There shall be no outdoor entertainment of any kind, including televisions, radios, satellite or internet music and other background, ambient entertainment, after 10pm.
 - c. Noise shall not be audible to a reasonable person beyond the property line of the licensed premises.

Diane Davidson

From: John Hackett [REDACTED]
Sent: Wednesday, July 10, 2024 11:20 AM
To: Falmouth Selectboard
Subject: Entertainment license amendments

As a resident of Falmouth Heights and proximate neighbor of two restaurant/ entertainment venues I support the proposed entertainment regulation amendments, both with respect to outdoor entertainment and to entertainment provided within these businesses. I think it is appropriate for the town to impose reasonable restrictions,, including without limitation sound mitigation measures and restrictions on the hours of operation of any business seeking to profit from the grant of a license for amplified or non-amplified entertainment, particularly with respect to businesses located in primarily residential neighborhoods

Provided the regulations are enforced as written and there is a defined procedure for public complaints, the amended regulations should help ensure neighboring residents the right to quiet enjoyment of their properties while not unduly restricting the licensed businesses.

John Hackett
8 Forest Ave

OPEN SESSION

BUSINESS

1. Discuss and vote to approve amendments to the Special Events Use Policy **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 1.

ITEM TITLE: Discuss and vote to approve amendments to the Special Events Use and Entertainment License Policy

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Special Events Use and Entertainment License Policy

PURPOSE:

The Select Board will discuss and consider the approval of a new Entertainment Regulation and amendments to the Special Events Use Policy.

BACKGROUND/SUMMARY:

- The attached proposed amendments to the existing Special Events Use and Entertainment License Policy outlines an administrative review process for entertainment licenses as part of the existing special event working group; this establishes certain criteria that, when present, will require the applicant to appear before the Board for a hearing for an entertainment license.
- Town Counsel has drafted the attached draft amendments to the Special Events Use and Entertainment License Policy in consultation with the Town Manager's office.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the amendments to the Special Events Use and Entertainment License Policy as drafted by Town Counsel.

OPTIONS:

- Motion to approve the amendments to the Special Events Use and Entertainment License Policy as presented.
- Motion to deny approval of the amendments to the Special Events Use and Entertainment License Policy.
- 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 amendments to the Special Events Use and Entertainment License Policy as drafted by Town Counsel.

Michael Renshaw

Town Manager

7/9/2024

Date



FALMOUTH SELECT BOARD
SPECIAL EVENTS USE AND
ENTERTAINMENT LICENSE POLICY
February 28, 2022

1. Purpose

The purpose of this policy is to regulate events that take place on Town property in a manner that balances public enjoyment of Town property and support for local businesses while protecting public health and safety, managing negative impacts to surrounding neighborhoods such as noise and traffic, and preventing an undue burden on Town departments. This policy also outlines the administrative review of entertainment licenses.

2. Special Events Policy

The Town of Falmouth hereby establishes the following policy to govern Special Events. This policy shall apply to applications for use of public roads, municipal parks, grounds and beaches.

Additional policies and procedures may apply depending on the scope of the Special Event Proposed. The Recreation Department (Gus Cauty Recreational Building, Grounds and Facilities and Fields), Library Trustees (all public libraries and library grounds), Parks Department (Goodwill Park), Beach Department and School Department, have standing policies and fees related to use of related facilities. Any board, committee or commission so enabled to approve events will issue permission in conformance with the minimum conditions of this policy.

SPECIAL CONSIDERATION:

- a. During the Months of July, August and September, approval of Special Events will be made only after careful consideration of the effect that the event will have on parking and traffic congestion in the proposed area. For example, special events on the main streets of the villages of Falmouth will be given careful consideration and will be avoided if at all possible during July and August.*

An individual or group seeking to sponsor an event must submit a 'Special Event Application' form to the Town Manager's Office **at least 60 days in advance of the event date**. Exceptions may be made for small events at the discretion of the Town Manager (e.g. a small wedding, etc.). All applications will be reviewed by the 'Special Events Internal Staff Working Group' appointed by the Town Manager. The Internal Staff Working Group review will include at a minimum a posted public meeting at which the public is invited to comment on the application. The Internal Staff Working Group shall provide its recommendation to the Town Manager who may deny or approve the application with any conditions deemed necessary to meet the purposes of the Policy. See 'Internal Staff Working Group Charge' for further details regarding the composition and review procedure. No Special Event shall be held without the approval of the Town Manager and any other Town

department that has jurisdiction over the facility at which the event takes place. An applicant may appeal the Town Manager's decision to the Select Board.

For Special Events on Town beaches, please also see the Beach Use Policy.

The Town Manager's Office will maintain a calendar of Special Events on the Special Events page of the Town website and submit a list of events approved and denied to the Select Board for informational purposes.

All applicants agree to restore the site to its original condition, removing all trash, handling recyclables according to town recycling policy, removing equipment, etc., immediately following the event, regardless of the source. The permitted group will compensate the Town for any clean-up or repairs required as a result of the approved activity.

The Event Sponsor / Applicant shall acknowledge this policy by returning a signed copy with the Special Event Request Form.

3. Administrative Review of Entertainment Licenses

During the review of applications, the Town Manager's office will identify Special Event applications that require an entertainment license to be issued by the Select Board. Any applications that have the following criteria will be referred to the Select Board for a hearing prior to the issuance of an entertainment license. Applicants will be required to appear before the Select Board for the hearing if the application meets the following criteria:

- Alcohol is served
- Live music is performed
- Entry fee is required
- Close proximity to a residential area
- Traffic is likely to be impacted
- Any additional or individual criteria that, in the sole discretion of the Town Manager, necessitates a public hearing by the Select Board due to its potential impact on the safety and welfare of the residents of the Town

Applications that do not meet these criteria, but still require an entertainment license will be referred to the Select Board for an administratively issued license without a hearing. The applicant will not be required to appear for any license that is issued administratively.

3. Minimum Conditions

The following are minimum conditions:

- a. Special Events Fees (see attached Fee Schedule) shall be submitted upon approval of the event.
- b. In addition to the Special Events Fee, a \$300 minimum deposit check, made payable to the Town of Falmouth, is required of all special events. The deposit check shall be submitted upon approval of the event and will be held in the Select Board's office and returned to the organizer(s) at the conclusion of the special event, provided no damage or litter has occurred.
- c. Payment of a \$10.00 filing fee shall be submitted with an application.
- d. Signs: Approval for one (1) on-premise special event/promotional sign may be approved by the Building Commissioner. Off-premise signs that are within the Town's Sign Code requirements must be approved by the Select Board. Off-premise signs that are not in compliance with the Town's Sign Code requirements must be submitted to the Building

Department in writing with a design or photograph of the proposed sign(s). Off-premise signs requested on private property must receive approval from the property owner in advance of approval by the Select Board. Requests for off-premises signage must be received by the Select Board at least one month in advance of the special event.

- e.* Raffles must be performed by licensed non-profit organizations only.
- f.* Parking is available in designated public parking lots and as allowed on the street. There are no special exceptions to posted parking regulations or fees.
- g.* Portable toilets are allowed upon request.
- h.* The Police Department will recommend the number, location, and duration of police details required.
- i.* The Fire Department and Marine and Environmental Services Department may recommend details as may be required to ensure the safety of an event.
- j.* Events proposing the sale of liquor must apply separately for a one-day liquor license. The one-day liquor license is issued by the Select Board
- k.* Events will be permitted on a first-come, first-serve basis. Recurring events such as road races, village association events, festivals, etc., will notify the Town as soon as annual dates are set to reserve the time needed.
- l.* The Applicant agrees to Hold Harmless the Town of Falmouth and will sign and return the Hold Harmless agreement provided in the Application Packet.

- m. The Applicant will obtain all necessary permits for the event proposed, including, but not limited to:
 - Building Permits for tents and structures;
 - Health Inspections for food service;
 - Select Board for off-premises sign approval.
- n. Special Event coverage—a certificate of Insurance in the amount of \$1,000,000 is required.
- o. Additional Insurances, including Auto Liability in the amount of \$1,000,000 and Workers Compensation insurance will be required for events with auto and employee liability exposure.
 - Events proposing the consumption or sale of alcohol shall provide Liquor Liability Insurance in the amount of \$2,000,000 in the aggregate and \$1,000,000 per occurrence.

A copy of all approved requests with special conditions shall be filed with the referring departments.

Per Order of the Select Board
February 28, 2022

I, _____, have read and agree to all of the conditions of this policy and to any other conditions that may be required by the permitting authority.

OPEN SESSION

BUSINESS

2. Vote to authorize year-end budget transfers under MA General Law c. 44 § 33B **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 2.

ITEM TITLE: Fiscal Year End Transfers

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Vicky Rose, Town Accountant
Ed Senteio, Finance Director

ATTACHMENTS: Expense Budget Transfer Form

PURPOSE:

The Select Board will review and consider the approval of fiscal year end transfers in order to eliminate operating budget deficits.

BACKGROUND/SUMMARY:

- Each year there will be a small number and amount of transfers to correct budget situations not anticipated approximately 18 months earlier when the budget is set.
- In addition, without almost 100% visibility into what will happen at the end of the fiscal year there is often not enough information to make all corrections accurately at the November or April Town Meetings.
- A failure to eliminate operating budget deficits would result in a violation of Department of Revenue requirements.

DEPARTMENT RECOMMENDATION:

The Finance Director and Town Accountant recommends that the Select Board approve the requested fiscal year end transfer to eliminate operating budget deficits.

Recommended Motion: Move to have the Selectboard Chair sign the budget transfer form.

OPTIONS:

- Motion to approve the budget transfer requests and authorize the Chair to sign the budget transfer form as presented.
- Motion to deny approval of the budget transfer request and be in violation of the Department of Revenue requirements (only a Snow and Ice deficit can be raised on the tax rate for the next fiscal year).

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

The Finance Director recommends that the Select Board approve the requested fiscal year end transfer to eliminate operating budget deficits.

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the requested fiscal year end transfer in order to eliminate operating budget deficits, and to authorize the Chair to sign the budget transfer form.

Michael Renshaw

Town Manager

7/9/2024

Date

FISCAL YEAR-END 2024 TRANSFERS

FROM DEPARTMENT	TRANSFER FROM	ACCOUNT NUMBER	AMOUNT	TO DEPARTMENT	TRANSFER TO	ACCOUNT NUMBER
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5177	45,000.00	LEGAL	SPECIAL COUNSEL*	01-151-5300
HUMAN RESOURCES	SALARY & WAGES	01-152-5110	10,000.00	HUMAN RESOURCES	PROF/TECH CONTR	01-152-5317
IT	SALARY & WAGES	01-155-5110	23,000.00	IT	PROF/TECH CONTR*	01-155-5313
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5177	3,000.00	ELECTIONS	SALARY & WAGES	01-162-5120
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5177	149,000.00	FIRE	OVERTIME	01-220-5130
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5177	7,770.00	FIRE	EDUCATION INCENTIVE*	01-220-5143
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5177	30,000.00	COMMUNICATIONS	OVERTIME	01-230-5130
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	87,500.00	SNOW & ICE	SUPPLIES	01-423-5541
SOLID WASTE	TOWN OF BOURNE	01-433-5393	150,000.00	SOLID WASTE	RECYCLING*	01-433-5379
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	50,000.00	WASTEWATER	ELECTRICITY	01-440-5212
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	75,000.00	WASTEWATER	CHEMICALS	01-440-5535
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	51,000.00	BEACHES	SALARY & WAGES	01-632-5120
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	20,000.00	BEACHES	OTHER EXPENSES	01-632-5583
FRINGE BEN-N/CNTRB PENSIN*	RETIREMENT	01-911-5182	9,000.00	RETIREMENT	FRINGE BEN-RETRMNT PY RL*	01-911-5171
HEALTH INSURANCE	HEALTH INSURANCE	01-914-5178	17,068.00	POLICE	POLICE DETAIL	890-2561-9210

TOTAL BUDGET 153,765,348.00

Adjusted Excluding Asterisks Only

TOTAL TRANSFERS 727,338.00

*Asterisk Only Transfers

189,770.00

537,568.00

% YEAR END TRANSFERS TO BUDGET

0.473%

0.350%

Select Board Chair Signature _____

Date July, 15 2024 _____

Finance Committee Signatures

Date: July, 11 2024 _____

OPEN SESSION

BUSINESS

3. Report – Conservation Commission **(15 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 3.

ITEM TITLE: Report- Conservation Commission

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: PowerPoint presentation

PURPOSE:

The Select Board will hear and discuss a report from the Conservation Commission.

BACKGROUND/SUMMARY:

- The mission of the Falmouth Conservation Commission is to implement the goals of the Massachusetts Wetlands Protection Act (CMR 10.00) and the Falmouth Wetlands Regulations (Code of Falmouth chapter 235).
- The Commission serves to protect and conserve the plants, animals, and natural communities that are dependent upon the wetlands resources of the Town of Falmouth.
- This is accomplished by regulating activities deemed by the Conservation Commission as likely to have a significant or cumulative effect upon the values of these resource areas, namely, but not limited to, public or private water supply protection; groundwater protection; flood control; erosion and sedimentation control; storm damage prevention;

water pollution control; fisheries; shellfish; wildlife and plant species and habitat protection; agriculture; aesthetics; recreation; and aquaculture.

- Additionally, the Falmouth Conservation Commission manages all Town conservation lands in order to protect and sustain these natural ecosystems for current and future generations to use and enjoy.

DEPARTMENT RECOMMENDATION:

This report is for informational purposes only; no formal Board 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:

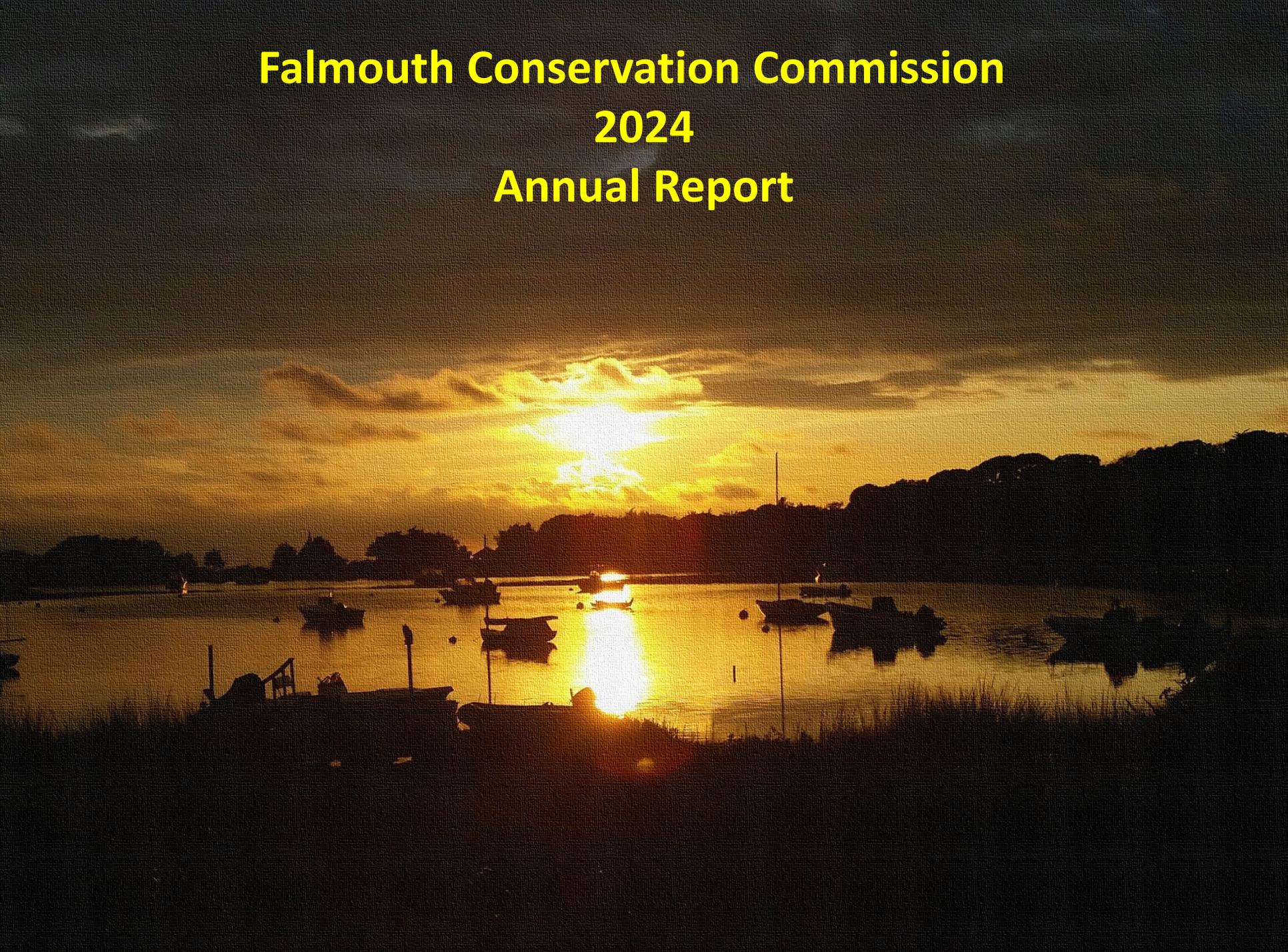
This report is being provided for informational purposes only; no formal action is requested.

Michael Renshaw

Town Manager

7/9/2024
Date

Falmouth Conservation Commission 2024 Annual Report



Falmouth Conservation Commission

REGULATE

**Lands Under jurisdiction
through MA Wetland Protection Act
and the Falmouth Wetlands ByLaw**

STEWARDSHIP

Conservation Lands

Conservation Department

Jennifer Lincoln, Conservation Administrator

Mark Kasprzyk, Land Manager/Conservation Technician

Alissa Bergeron, Conservation Agent

Fallon Queeney, Conservation Agent

Laurie Brown, Principal Office Assistant

Kristin Patenaude, Recording Secretary

Conservation Commission

Members FY2024

Jamie Mathews, Chair
Courtney Bird, Vice-Chair
Maurie Harlow-Hawkes
Betsy Gladfelter
Steve Patton
Kevin O'Brien
Ron Driscoll

•Commissioners' Experience

- Agriculture**

- Construction buildings**

- Construction Septic Installer**

- Education (teaching, administration)**

- Engineer**

- Landscape**

- Policy**

- Science**

- Law**

Experience on regulatory boards

Long time residents/business owners

Experience in other jurisdictions

Experience on other Town Boards/Committees

(Almost every) Wednesday 7pm (zoom!)

Meetings 37 (FY24) (ave. 2.5 hrs)

Attendance = >90%

Always had a quorum for every meeting

Regulatory Actions

FY 24

FY 23

NOI	121	91
RDA	187	154
AOC	14	16
Enforcements	8	4

AR	132	116
COC	76	62

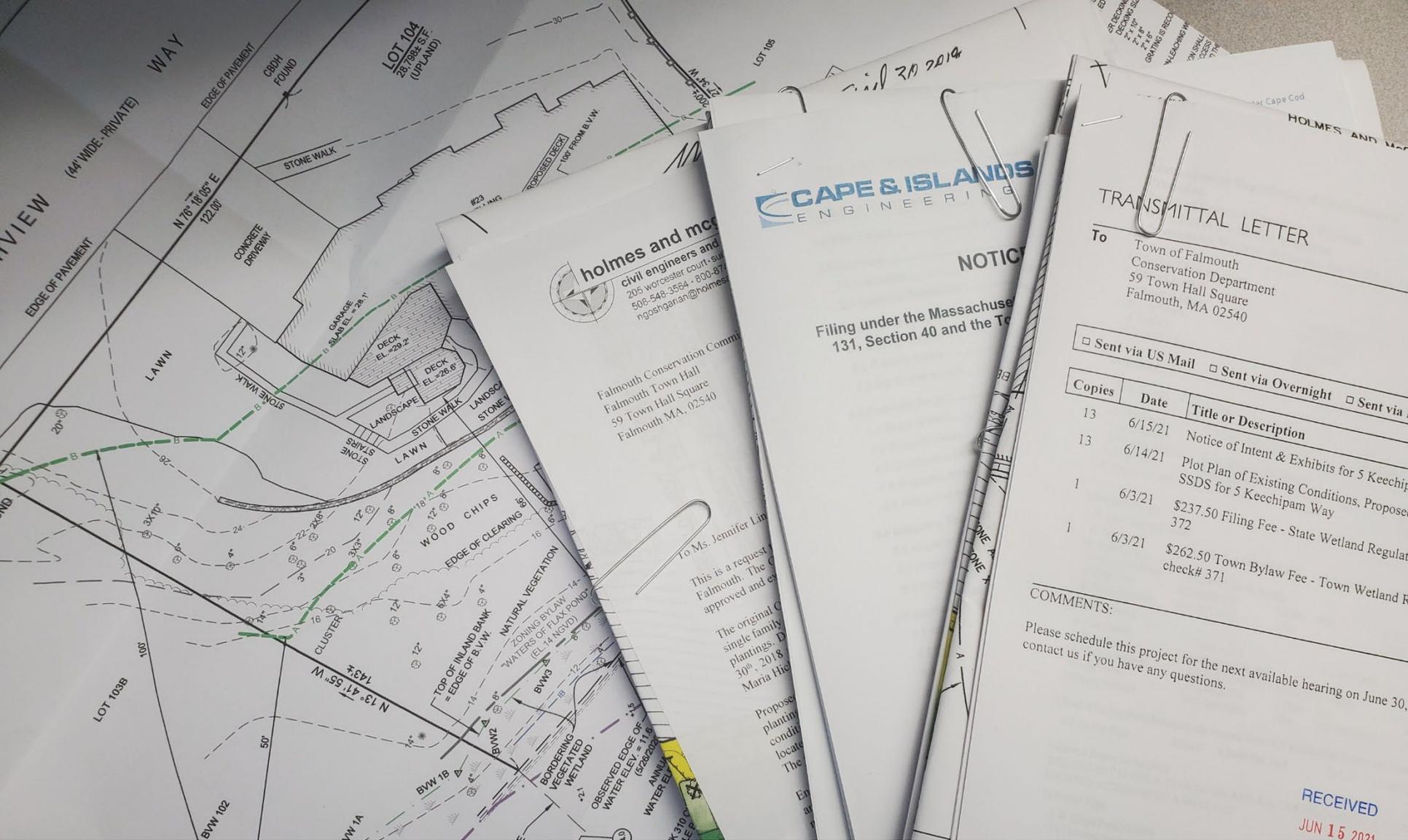
NOI - Notice of Intent

RDA - Request for Determination of Applicability

AOC – Amended Order of Conditions

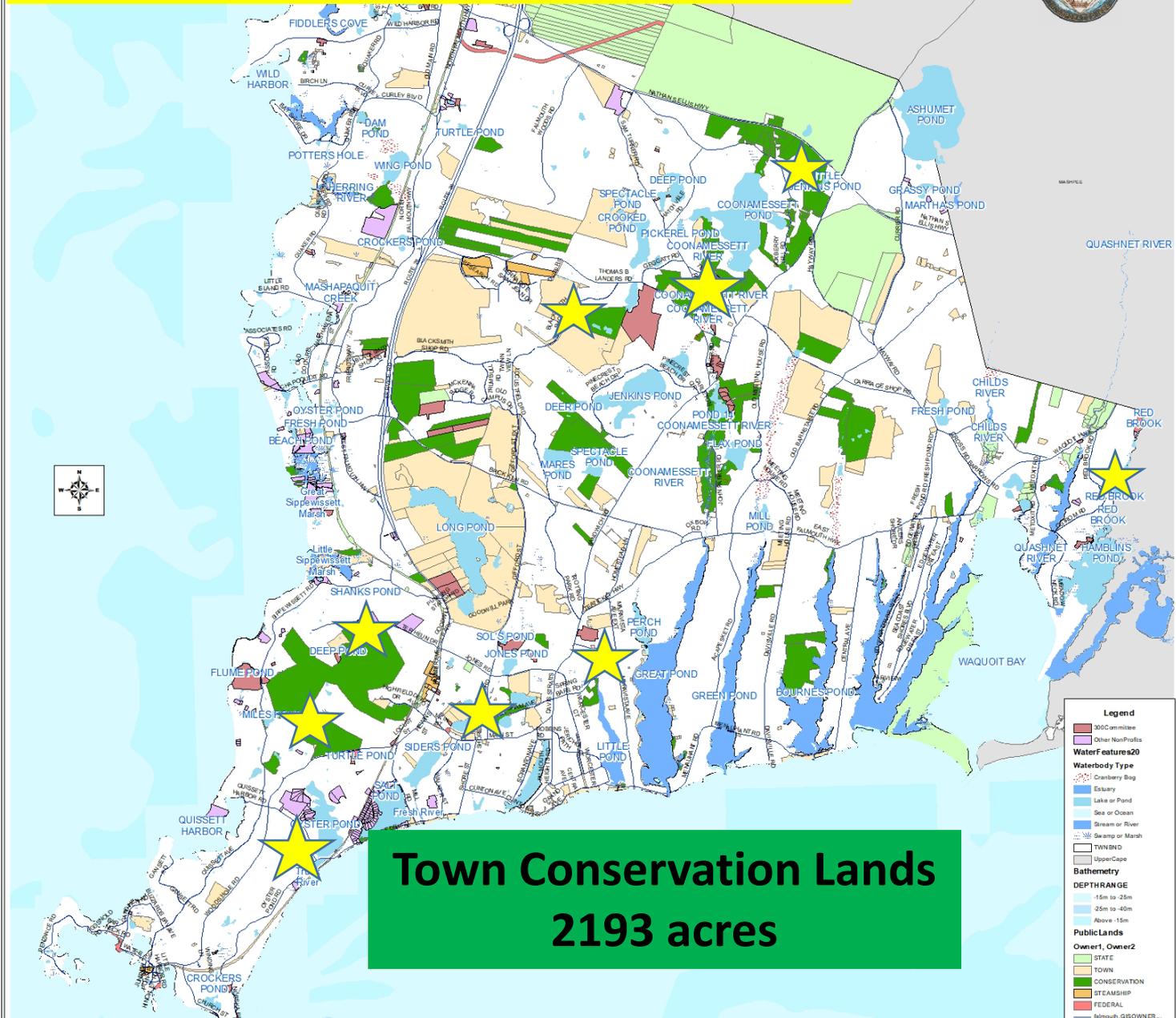
AR – Administrative Reviews

COC – Certificate of Compliance



Each commissioner spends an average of 4 hours/week preparing including reviewing new and continued NOIs (plans, narrative) and conducting site visits. Weekly (ca. 40) Meetings average 2.5 hrs

CONSERVATION LAND MANAGEMENT



**Town Conservation Lands
2193 acres**

Legend

	3000 Committee
	Other Non-Profits
Water Features	
Waterbody Type	
	Estuary
	Lake or Pond
	Sea or Ocean
	Stream or River
	Swamp or Marsh
	TWNBD
	UpperCape
Bathymetry	
DEPTHRANGE	
	-15m to -25m
	-25m to -40m
	Above -15m
Public Lands	
Owner1, Owner2	
	STATE
	TOWN
	CONSERVATION
	STEAMSHIP
	FEDERAL
	farmouth.GSOWNER...

**Restoration projects and other projects
to improve public access
are being accomplished by collaboration with
other departments, other government agencies,
not for profits and individual volunteers**

SPECIAL THANKS to the following:

Town of Falmouth

Dept. Public Works

(Engineering, Roads, Parks, Water)

Dept. Marine & Environmental Services

GIS

IT

Town Counsel

Building/Zoning/Health

Accounting

Administration

Community Preservation

Additional thanks to

The 300 Committee and Coonamessett River Trust

Americorps and Eagle Scouts



OPEN SESSION

BUSINESS

4. Approve request from the Falmouth Chamber of Commerce to submit an application to the Community Preservation Committee (CPC) to apply for funds to completely preserve the Lawrence Academy building **(10 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 4.

ITEM TITLE: Approve request from the Falmouth Chamber of Commerce to submit an application to the Community Preservation Committee (CPC) to apply for funds to preserve the Lawrence Academy building

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Michael Kasparian, Chamber President and CEO

ATTACHMENTS: Click or tap here to enter text.

PURPOSE:

The Select Board will consider a request from the Chamber of Commerce to apply to the Community Preservation Committee (CPC) for funds to preserve the Lawrence Academy building.

BACKGROUND/SUMMARY:

- The Lawrence Academy building, which currently houses the Falmouth Chamber of Commerce was built in 1834 and has been used not only as a school, but also as the Falmouth Headquarters for the USO, The Falmouth Service Center, and other offices.
- The building was added to the National Register of Historic Places in 1998.

- The historic building was last completely restored by the Falmouth Chamber of Commerce in 2005.
- Additional preservation work was completed to the cupola and parts of the portico in 2010.
- There is a current Preservation Restriction attached to the property which will ensure that all work completed is done to the specifications adopted by the Falmouth Historical Commission.
- Further restoration is again necessary to ensure that the building is preserved for future generations of our community.
- Complete restoration of the cupola, including the addition of an electrical striking mechanism for the bell is included.
- The columns which support the portico are rotted and are threatening the structural integrity of the building.
- The roof needs to be replaced.
- The clapboard siding which was added in 2005 needs to be completely sanded bare and repainted.
- Several door and window trims are rotted and need to be replaced.
- Both handicapped accessible ramp and side/rear staircase need to be replaced.
- HVAC needs to be replaced which will include the installation of high efficiency electric split systems to replace old oil-fired boiler which will be dismantled and removed.
- Solar panels will be added to the southwest side of the gable roof in accordance with historic commission requirements and will support battery back up system for entire HVAC system.
- An electric car charging station to be added to the side of the building.

- We are in the process of securing two, separate cost assessments for the entire scope of the project. These are being provided by two local builders who have a wealth of experience in historic restoration and preservation.
- Our expectation is that the total cost for all aspects of this restoration will be under \$750,000.00

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request from the Falmouth Chamber of Commerce to submit an application to the Community Preservation Committee (CPC) to apply for funds to preserve the Lawrence Academy building.

OPTIONS:

- Motion to approve the request from the Falmouth Chamber of Commerce to apply to the Community Preservation Committee (CPC) for funds to preserve the Lawrence Academy building.
- Motion to deny approval of the request from the Falmouth Chamber of Commerce to apply to the Community Preservation Committee (CPC) for funds to preserve the Lawrence Academy building.

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 Chamber of Commerce to apply to the Community Preservation Committee (CPC) for funds to preserve the Lawrence Academy building.

Michael Renshaw

Town Manager

7/10/2024

Date

OPEN SESSION

BUSINESS

5. Approve request from the Falmouth School Department to submit an application to the Community Preservation Committee (CPC) to apply for funds to renovate the Mullen Hall School Playground
(5 minutes)



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 5.

ITEM TITLE: Approve a request from the Falmouth School Department to apply to the Community Preservation Committee (CPC) for a grant to renovate the Mullen Hall School Playground

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Lori Duerr, School Superintendent and Mike Renshaw, Town Manager

ATTACHMENTS: CPC Application; Playground Assessment Report

PURPOSE: The Falmouth Public Schools is requesting approval to submit a grant to the Community Preservation Committee (CPC) for funds to renovate the Mullen Hall School Playground.

BACKGROUND/SUMMARY:

- The Mullen Hall Playground is 17 years old. Due to heavy usage by school children and the greater community it needs repair primarily for safety reasons. Additionally, this renovation will bring the structure into ADA compliance.
- An assessment report (see attached) was completed by "Playgrounds by Leathers." It was determined that the playground could be renovated instead of a complete replacement.

- As reflected in the attached Community Preservation Committee grant application, the project budget is \$250,000.

DEPARTMENT RECOMMENDATION:

The School Department recommends that the Select Board approve the request to apply to the Community Preservation Committee (CPC) for a grant to renovate the Mullen Hall School Playground.

OPTIONS:

- Motion to approve the request from the Falmouth School Department to apply to the Community Preservation Committee (CPC) for a grant in the amount of \$250,000 to renovate the Mullen Hall School Playground.
- Motion to deny approval of the request from the Falmouth School Department to apply to the Community Preservation Committee (CPC) for a grant to renovate the Mullen Hall School Playground.
- 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 request to apply to the Community Preservation Committee (CPC) for a grant to renovate the Mullen Hall School Playground.

Michael Renshaw

Town Manager

7/9/2024

Date

COMMUNITY HOUSING, OPEN SPACE, AND RECREATION PROJECTS

APPLICATION DEADLINE FOR APRIL 2025 TOWN MEETING: August 7, 2024 @ 3:00 P.M.



FALMOUTH COMMUNITY PRESERVATION FUND

APRIL 2025 FUNDING APPLICATION

COMMUNITY PRESERVATION COMMITTEE

Falmouth Town Hall
59 Town Hall Square
Falmouth, MA 02540
Telephone: 508-495-7436
Email : cpfund@falmouthma.gov

TABLE OF CONTENTS

APPLICATION GUIDELINES3

COMMUNITY PRESERVATION ACT AND TOWN OF FALMOUTH GOALS.....4

APPLICATION COVER PAGE7

APPLICATION NARRATIVE.....8

APPLICATION SUBMISSION CHECKLIST 11

ATTACHMENT A - PROJECT SCHEDULE..... 12

ATTACHMENT B - PROJECT BUDGET 13

ATTACHMENT C - PROCESS FOR REQUESTING REIMBURSEMENT FOR CP FUND PROJECTS.....15

APPLICATION GUIDELINES

1. Applicants must use this Falmouth Community Preservation Fund (CP Fund) Application. Each applicant must (1) use the Application Cover Sheet on page 7 as the first page of the application; (2) answer Application Narrative - Questions #1 through #9; and (3) include Attachments A and B. The use of maps, visual aids, and supplemental information is encouraged. Applicants should familiarize themselves with the Payment Policy - *Process for Reimbursement for CP Fund Projects* presented in Attachment C.

Submit one (1) unbound original and one (1) unbound copy. Include an electronic copy.

2. Applicants must provide an accurate and detailed estimate of project costs. Applicants are strongly encouraged to obtain more than one estimate in order to present a realistic project budget. If possible, applicants must provide at least one quote/estimate from potential suppliers.
3. If the request is part of a multi-year project, applications should include the total project cost, timeline, and allocations reflecting all project years. The Community Preservation Committee (CPC) can recommend multi-year projects only if the total cost can be included in the current year's Community Preservation Act (CPA) revenues. The CPC cannot commit anticipated revenues.
4. CPA proposals shall not include:
 - a. The request of funds for maintenance or upkeep of land or buildings. Maintenance is defined as incidental repair which neither adds to the value of the property nor appreciably prolongs the property's life but keeps it in a condition of fitness, efficiency, or readiness and is required more often than every ten years (CPC).
 - b. The request of funds for wastewater treatment initiatives¹
 - c. The request of funds from private property owners for any projects in any of the four CPA categories.
5. Proposed CPA projects must demonstrate public benefit. Public benefit is defined as a project or purchase that enhances an area or structure for a significant group of citizens and promotes balance between cost and public good.
6. Proposals must specify non-CPA funding sources. It is preferable that Community Preservation Funds leverage other funding sources. Please attach documentation of non-CPA funding source commitments.
7. For applicants who are submitting multiple project requests, projects must be prioritized.
8. Proposals must be received by the advertised deadline to be considered for funding at the next Town Meeting. CP Fund proposals must be submitted to the Community Preservation Office in Town Hall.
9. The CPC will determine project eligibility before conducting proposal interviews. All eligible proposal applicants must attend a CPC meeting for a proposal interview. Applicants will be contacted to schedule an interview.

Communication between applicants and the CPC shall be in accordance with "Communications between Funding Applicants, Project Managers/Signatories, and CPC Members" outlined in the Community Preservation Committee Operating Procedures available on the CP Fund website, www.cpfundfalmouth.org and the Community Preservation page of the Town of Falmouth website, www.falmouthma.gov.

NOTE: There are legal limitations on the use of CPA funds. If you are in doubt about your project's eligibility, you are encouraged to contact the Community Preservation staff at (508) 495-7436 or submit a letter of inquiry so that the Community Preservation Committee can determine eligibility.

¹ The CPC's position on CPA funding towards wastewater initiatives is that any such initiative shall be considered only after it has been approved by the appropriate authorities as a treatment for Falmouth wastewater.

COMMUNITY PRESERVATION ACT GOALS AND TOWN OF FALMOUTH GOALS

COMMUNITY PRESERVATION ACT (CPA) GOALS

The Community Preservation Act (CPA) provides a special funding source that is dedicated to community preservation needs related to community housing, historic resources, open space, and recreation. In general, the goals of the CPA are:

- Community Housing - Acquire, Create, Preserve, and Support (*plus* Rehabilitate and Restore *if* the Community Housing was acquired with CPA funds)
- Open Space - Acquire, Create, and Preserve (*plus* Rehabilitate and Restore Open Space *if* the Open Space was acquired with CPA funds)
- Recreational - Acquire, Create, and Preserve, Rehabilitate, or Restore Land
- Historic Resources - Acquire, Preserve, Rehabilitate, and Restore
 - Preservation of Historic Resources includes retention of the greatest amount of historic fabric along with the building's historic form, features, and detailing as they have evolved over time
 - Restoration of Historic Resources includes allowance for a depiction of a building at a particular time in its history by preserving materials from the period of significance and removing material from other periods
 - Rehabilitation of Historic Resources includes an acknowledgment of the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historical character

For more detailed information on the CPA, please review the Town of Falmouth's Community Preservation Plan, which is available in the Community Preservation Office and online on the [Community Preservation page](#) of the Town's website, <https://www.falmouthma.gov>, listed under Boards & Committees. For information about Falmouth CP Fund revenues, budget, distribution of funds and projects funded since 2005, see the CP Fund website at www.cpfundfalmouth.org.

TOWN OF FALMOUTH GOALS

The CPC will evaluate all eligible CP Fund proposals keeping in mind the relevant goals stated in the Local Comprehensive Plan as well as other relevant town-wide plans. CP Fund applicants should consult the Local Comprehensive Plan available in the Planning Office and online on the Planning Department webpage at <https://www.falmouthma.gov>.

Additional resources related to specific CPA categories are listed below:

- Community Housing
 - Local Comprehensive Plan
 - Housing Production Plan
- Open Space/Recreation
 - Local Comprehensive Plan
 - Town of Falmouth Open Space and Recreation Plan

➤ Historic Resources

- Local Comprehensive Plan
- Falmouth Historic Districts Guidelines
- Town of Falmouth Historic Preservation Plan
- Secretary of Interior's Standards for the Treatment of Historic Properties

➤ The Select Board's Five-Year Strategic Plan

➤ Additional Town-Wide Plans

**FUNDING APPLICATION
FOR
COMMUNITY PRESERVATION FUNDING**

BEGINS ON THE FOLLOWING PAGE

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. **Applications are due August 7, 2024 at 3:00 p.m.**

Date:	July 15, 2024
Name of Applicant/Sponsoring Organization:	Falmouth Public Schools
Mailing Address:	340 Teaticket Highway, East Falmouth, MA 02536
Name of Proposal/Project:	Renovation of Mullen Hall School Playground
Project Location/Street Address (if applicable):	130 Katherine Lee Bates Road, Falmouth, MA 02540

Project Representative/Manager Name and Title:	Paul Dart, Director of Finance and Facilities Rose Moran, Principal Mullen Hall School Lori Duerr, Superintendent
Mailing Address:	
Daytime Phone:	508 548 0151 x137
Evening Phone:	
Email:	pdart@falmouth.k12.ma.us rmoran@falmouth.k12.ma.us , lduerr@falmouth.k12.ma.us

Cost of Project - this app.	CPA Funds	Cost Share - Private	Cost Share - Other Public
\$ 250,000 estimated	\$250,000*	\$	\$

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

- Open Space
 Recreation
 Historic Preservation
 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: _____ Lori Duerr, Superintendent _____

Signature:  _____ Date: 7.8.24

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.

The playground has been well used by the school students and the greater community over the years and is showing signs of wear and tear and some safety issues. Most of the main support posts are in good condition. The framing is also in reasonable condition for its age. Some of the equipment has some form of maintenance or safety non-compliance concerns.

After a complete inspection a renovation is possible and has been recommended by "Playgrounds by Leather." Primarily due to the support poles and framing being adequate condition for their age, as well as the composite plastics during construction, renovation opposed to replacement is recommended.

The renovation should extend the life of the playground by approximately 14 or more years.

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

The community build model was implemented 17 years ago involving public participation, from organization through construction. The construction utilized a local volunteer workforce of some kind.

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).

The playground is currently 17 years old. The original materials used in the playground were Pressure Treated wood posts and Pressure Treated wood framing with Composite decking. Some of the equipment has some form of maintenance or safety non-compliance concerns.

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*.)

CPC: Recreational Goal

TOF: Open Space/Recreation

A school/community playground is a vital resource that promotes physical health, social interaction, and overall well-being for children and the broader community. It serves as a safe and engaging space where children can develop essential motor skills, foster creativity, and learn valuable social lessons through play. For the community, it provides a gathering place that encourages intergenerational interaction and a sense of belonging. Additionally, such playgrounds contribute to mental health by offering a recreational outlet and reducing stress for both children and adults. Overall, a well-designed playground enriches the educational environment and strengthens community bonds, making it an indispensable asset.

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

The Mullen Hall playground is one of the most actively used recreation areas in Falmouth. The playground’s use can easily be assessed by visual confirmation of happy children using it on any given day. The renovation will bring the playground into compliance with ADA regulations.

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?

School custodians and DPW. Components that need to be repaired will be replaced by DPW, School Custodians and volunteers.

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

School Budget and PTO Playground Fund.

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. See attached report from Playgrounds by Leather

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, 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).

Jerimiah Pearson, Parks Superintendent/Tree Warden

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

Jerimiah has been an active participant in the assessment and the maintenance of the Mullen Hall School Playground.

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.

Paul Dart, Director of Finance and Operations
Rose Moran, Principal of Mullen Hall School
CC Costa, Head Custodian of Mullen Hall School
Jerimiah Pearson, Parks Superintendent/Tree Wardengrafic

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: ✓ Paul J. Dart, DIRECTOR OF FINANCE & OPERATIONS
Date: 7/8/24

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: 38A 09 005A 000

Signature: ↓ 

Title: Superintendent

Date: 7.8.24

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.

APPLICATION SUBMISSION CHECKLIST

- Have you signed the *Application Cover Page* and included it as Page 1 of this application?
- Have you addressed each of the 9 items listed in the *Narrative* section of this application?
- Have you provided one unbound original and one unbound copy of the completed application?
- Have you submitted one electronic version of the completed application to Community Preservation Office (cpfund@falmouthma.gov)?
- Have you included at least one quote/estimate for the proposed project?
- Have you completed and included *Attachment A: Project Schedule*?
- Have you completed and included *Attachment B: Project Budget*?
- If you represent a non-profit entity, have you read and do you understand the payment policy - *Attachment C: Process for Requesting Reimbursement for CP Fund Projects*?

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): July 1, 2025
- B. Procurement Documents Submitted to CPC (Month/Year): 8/1/2024
- C. Project Construction/Professional Contract Submitted to CPC (Month/Year): TBD
- D. Project/Construction Start (Month/Year): July 1, 2025
- E. 50% Project Completion (Month/Year):
- F. 100% Project Completion (Month/Year):
- G. Close-Out Complete (Month/Year): July 22, 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/Funds
\$ 250,000 estimated	\$ 250,000	\$	\$	\$

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	\$144,000		
Materials/Equipment	\$106,000		
Construction			
Professional Contractual: Consultant, Legal, Engineering, Appraiser, etc.			
CPA Funding Sign/Plaque (permanent)			
Affordable Housing or Conservation Restriction*			
Other (Describe)			
TOTAL	\$250,000		

** Insert a cost allowance to develop and record Deed Restrictions. 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.

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 will be beneficial to the CPC in understanding your Project Budget.

ATTACHMENT C

PROCESS FOR REQUESTING REIMBURSEMENT FOR CP FUND PROJECTS

All projects of non-profit entities that have received a CP Fund appropriation are paid for through a reimbursement process. The Town does not pay vendor(s) for non-profit projects directly. All non-profit entities manage their own projects, hold their own contracts with their vendors, and pay their own vendors. When that work is completed, the project manager may request reimbursement from the CP Fund. Requests for partial reimbursement are also allowable as projects move through stages of completion.

Entities that operate under a special license or Memorandum of Understanding (MOU) with the town are dealt with on a case-by-case basis.

A Payment Request Cover Sheet must accompany each request for reimbursement (see p. 16).

Backup documentation (referred to on the cover sheet) includes the following:

- **Copy of a dated, detailed invoice from the vendor** indicating materials purchased, professional services provided, and/or construction services provided (quotes/estimates from a vendor do not meet this requirement).
- **Copy of cancelled check** proving that the payment from the non-profit has cleared the bank (a photocopy of a check or a voucher written to a vendor does not meet this requirement).
- Absent a cancelled check, an original signed letter from the vendor on official letterhead certifying that the invoice has been paid. The invoice number, name of payor and payee, check number, and dollar amount must be included in the text of the letter.
- For labor costs, **copies of time sheets** indicating the details of the work done, dates of service, hours worked, and the rate charged.
- For completed construction projects, **evidence that the Building Dept. has conducted an inspection** and that the permit for the work is closed.

The project representative identified in Attachment B of the *Letter of Agreement* (LOA) for each project submits all requests for reimbursement. If another party will be submitting the requests for reimbursement, the project representative must provide a document to the CP office authorizing that person to submit the requests.

When the request for reimbursement comes to the CP office, staff will review the request and verify it, assuring it is in accordance with information presented in the project application and LOA. Once the review is complete, office staff processes the request for reimbursement and presents it to the authorized CPC member for committee approval before forwarding it to the Town Manager's office. Following the Town Manager's approval, the invoice is submitted to the Accounting Department for final review and payment.

Falmouth CP Fund Payment Request Cover Sheet

Grantee & Project Name: _____
Project Rep. Submitting Payment Request (Please print): _____
Contact # and Email: _____
Date: _____ Payment Request # _____

Total CP Fund Project Allocation	\$
Total Amount Previously Requested	\$
Amount Remaining in Project Fund	\$
Amount Currently Requested	\$
Project Fund Balance to Remain	\$

List the costs that were incurred in accordance with the Letter of Agreement dated: _____

Provide scope of work cost breakdowns by task wherever possible (use an additional sheet as necessary)

ITEM	AMOUNT REQUESTED
TOTAL	

Attach all back-up documentation, including the following:

- For all projects – Vendor Invoice – With CP Fund-related costs specifically identified
- For municipal projects:
 1. State contract number if project materials were purchased from the state bid list
 2. Copy of bid information and signed contract between the Town and Vendor, if not previously provided
- For non-profit projects – Copy of bid information and signed contract with vendor, if not previously provided

Required Narrative (use separate sheet): Give a brief review of program activities/accomplishments for the period covered by this Payment Request. Please identify any problems or reasons for being ahead/behind schedule, etc. (if this is a final request for a construction project, please provide evidence of inspection by the Building Dept. and a closed permit).

I certify that this Payment Request relates solely to the costs included in the Project named above, as detailed in the project Community Preservation Funding Application and Letter of Agreement.

Printed Name	Signature	Date
--------------	-----------	------

Unofficial Property Record Card - Falmouth, MA

Le .

General Property Data

Parcel ID **38A 09 005A 000**
Prior Parcel ID **--**
Property Owner **FALMOUTH TOWN OF**

Account Number **Falmouth**

Mailing Address **59 TOWN HALL SQ**

Property Location **130 KATHARINE LEE BATES**

Property Use **IMP ED**

Most Recent Sale Date **1/11/1900**

Legal Reference **N/A**

City **FALMOUTH**

Grantor

Mailing State **MA** Zip **02540-2761**

Sale Price **0**

Parcel Zoning **PU**

Land Area **6.596 acres**

Current Property Assessment

Card 1 Value Building Value **33,133,800**

Xtra Features Value **28,300**

Land Value **1,035,500**

Total Value **34,197,600**

Building Description

Building Style **PublicSchool**
of Living Units **0**
Year Built **1931**
Building Grade **8 1.85**
Building Condition **Average**
Finished Area (SF) **83081**
Number Rooms **0**
of 3/4 Baths **0**

Foundation Type
Frame Type **Masonry**
Roof Structure **Gable/Hip**
Roof Cover **Slate**
Siding **Brick on Mas**
Interior Walls **Plaster**
of Bedrooms **0**
of 1/2 Baths **0**

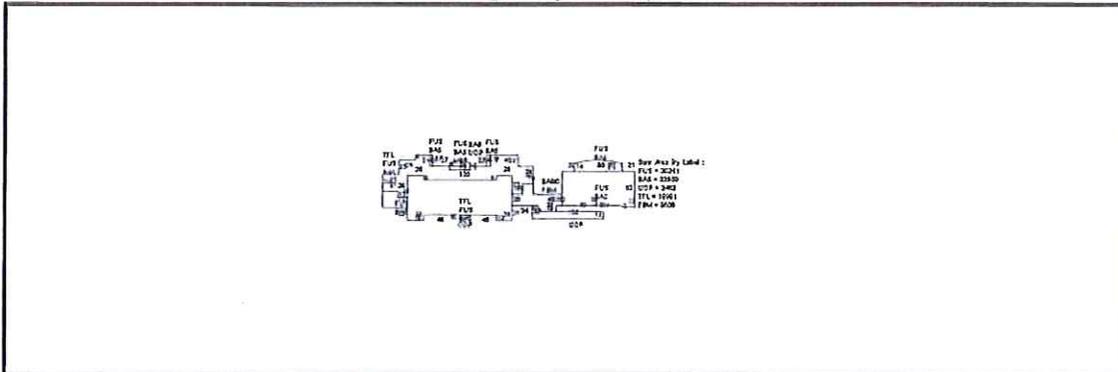
Flooring Type **Hardwood**
Basement Floor **N/A**
Heating Type **Steam**
Heating Fuel **Gas**
Air Conditioning **0%**
of Bsmt Garages **0**
of Full Baths **5**
of Other Fixtures **0**

Legal Description

Narrative Description of Property

This property contains 6.596 acres of land mainly classified as IMP ED with a(n) PublicSchool style building, built about 1931, having Brick on Mas exterior and Slate roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 5 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



Assessment Report for: The Village Science Playground

Inspection Date: Wednesday, Feb 7, 2024	Playground Name: Falmouth MA #7805	Report Date: 03/02/24
Inspector: Bill Meyers	Date playground was built: 2007	Report submitted by: Marc Leathers



Contents

OVERVIEW.....	4
GRADING.....	4
OVERVIEW PHOTOS.....	5
MAIN SUPPORT POSTS.....	6
FRAMING.....	7
DECKING.....	8
HANDRAILS.....	9
HANDRAIL POSTS.....	10
BALUSTERS.....	11
MAZE CUBES.....	12
ACCESSIBLE RAMPS.....	13
FENCE.....	15
LOW PERIMETER.....	17
SAFETY SURFACING.....	18
ROOFS & TOWERS.....	19
SLIDES.....	21
Spiral tube.....	21
Right turn tube.....	22
Alpine thunder.....	23
Wide tot.....	24
SWINGS.....	25
5-12 Area Swings.....	25
2-5 Area Swings.....	27
OVERHEAD EQUIPMENT.....	29
Horizontal Ladder.....	29
Low Accessible Ladder.....	30
Rings / Ring Bridge.....	31
Chin Up Pipe 1.....	32
CHAIN & HOSE & TIRE EQUIPMENT.....	33
Chain Bridge.....	33
Chain Ladder.....	34
Fulcrum Beam.....	35

Vertical Chain Tunnel	36
Bouncer on Tires	37
CLIMBERS	38
Rock Wall.....	38
SEATING & BENCHES.....	39
MISCELLANEOUS EQUIPMENT	41
Fire Pole	41
Vertical Ladder	42
Balance Beam on Chains 5-12.....	44
Sandboxes	45
BRIDGES & TUNNELS.....	46
Suspension bridge.....	46
Rubber bridge 2-5 area	47
Rubber bridge 5-12 area	48
Crawl Tunnel 1	49
Crawl Tunnel 2	50
ACTIVITY PANELS & SOUND	51
Sound wall.....	51
Phones.....	52
Play panels	54
CUSTOM EQUIPMENT.....	55
Train	55
Town	56
Boat.....	57
Dino Bones	58
Boat.....	59
Small boats.....	60
Lighthouse.....	61
RENOVATION / CONSTRUCTION OPTIONS	62
GENERAL ACCESSIBILITY	62
CONCLUSION.....	62
ASSOCIATED COSTS.....	63
NEXT STEPS	63

OVERVIEW

This is not a full playground audit but a subjective assessment of your playgrounds condition and our professional recommendations. This assessment is based on an on-site visit. The playground should be expected to last around 20 years with proper maintenance. The playground is currently 17 years old. The original materials used in the playground were Pressure Treated wood posts and Pressure Treated wood framing with Composite decking. The original wood was treated with ACQ. It is apparent from its condition that this playground is a well-used attraction in the area. There is a strong emotional connection with the community and the playground.

GRADING

Grade A - The component is in excellent condition, with only minor defects which do not require replacement or repairs. There are no missing, broken, or damaged parts and no visible damage. The component's framing/structure has not been damaged or altered. The component is fundamentally sound, and all accessories are operable.

Grade B - The component is better than average with only minor defects which may require minor work or repair. The component may have some minor missing or worn hardware/parts that will require replacement/repairs. The component's framing/structure has not been damaged or altered. The component is fundamentally sound, and most accessories are operable and intact. Surfacing may require service.

Grade C - The component has normal wear and tear (for example, sun fading, small cracks and checking, and/or minor broken parts). It may require minor work or replacement of parts. The component may have sustained light damage or wear, but its framing/structure has not been damaged or altered. The component is fundamentally sound but may require maintenance or minor repair. The Surfacing may be low or require replacement material.

Grade D - The component shows signs of excessive wear and tear. The component may show rot, splintering, cracking and hardware may require replacement. Parts may be broken and missing. The component may have multiple prior repairs performed at substandard levels or unrepaired damage. The framing/structure may be damaged, repaired or altered. The component may have mechanical defects that prohibit it from operating properly. Repairs can be made, but overall, the component is in poor condition. The Surfacing may be low or require replacement material.

Grade F - The component is inoperative. Boards and hardware may be detached, damaged or missing. The framing/structure is damaged. The condition renders it suitable for dismantling or removal. Replacement is required.

OVERVIEW PHOTOS



MAIN SUPPORT POSTS

Support post materials

Pressure Treated wood

Support post size

6x6

Support post treatment

ACQ

Support post condition

Grade C - The component has normal wear and tear.

Support post cap condition

Grade B - The component is better than average.

Support post ranking

2: Needs corrective action.

Support post comments

Some checking and cracking, but no rot along base. Some splintered knots visible.

Support post minor renovation:

Sand and seal knots and replace missing post caps.

Support post major renovation:

Sand and seal knots and replace missing post caps.

Support post picture #1



Support post picture #2



FRAMING

Framing materials

Pressure Treated wood

Framing size

2x6

Framing treatment

ACQ

Framing condition

Grade B - The component is better than average.

Framing ranking

2: Needs corrective action.

Framing Comments

Some rot was visible on blocking boards. Framing on decks appear solid.

Framing minor renovation:

Repair / Replace damaged framing with similar materials.

Framing major renovation:

Repair / Replace damaged framing with similar materials.

Framing picture #1



Framing picture #2



DECKING

Decking materials

Composite

Decking size

2x6

Decking treatment

N/A

Decking condition

Grade B - The component is better than average.

Decking ranking

3: No corrective actions required at this time.

Decking comments

Worn, but not excessive.

Decking minor renovation:

Leave as is.

Decking major renovation:

Leave as is.

Decking picture #1



Decking picture #2



HANDRAILS

Handrail materials

Composite

Handrail height for 2-5 Area

30"

Handrail height for 5-12 Area

38"

Handrail size

2x6

Handrail treatment

N/A

Handrail condition

Grade B - The component is better than average.

Handrail ranking

3: No corrective actions required at this time.

Handrail comments

Solid and secure.

Handrail minor renovation:

Leave as is.

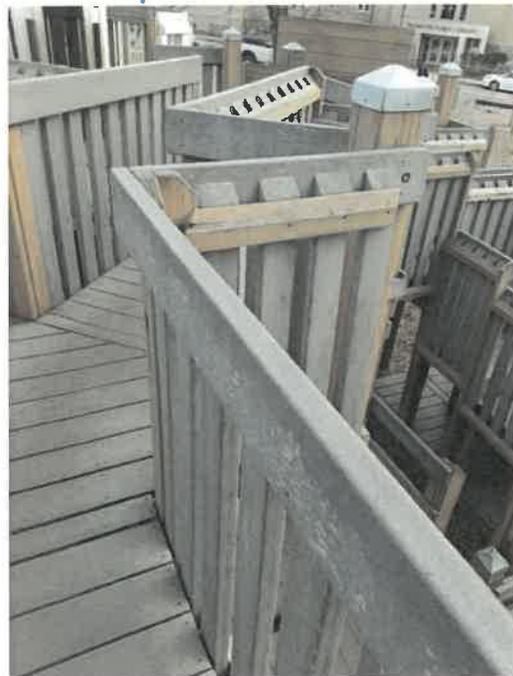
Handrail major renovation:

Leave as is.

Handrail picture #1



Handrail picture #2



HANDRAIL POSTS

Handrail posts materials

Pressure treated wood

Handrail posts size

2x4

Handrail post treatment

ACQ

Handrail post condition

Grade C - The component has normal wear and tear.

Handrail post ranking

2: Needs corrective action.

Handrail post comments

Some dry rot visible on top of posts. Some cracking and splintering.

Handrail post minor renovation:

Sand and seal damaged handrail post., Repair / Replace damaged handrail post with similar materials.

Handrail post major renovation:

Replace with new plastic materials.

Handrail post picture #1



Handrail post picture #2



BALUSTERS

Baluster materials and size

Powder coated pipe, Composite 2x4's

Baluster condition

Grade B - The component is better than average.

Baluster ranking

2: Needs corrective action.

Baluster comments

1 missing pipe baluster. Trim cap is weathered and cracked.

Baluster minor renovation:

Repair / Replace damaged balusters with similar materials., Repair / Replace damaged trim cap with similar materials.

Baluster major renovation:

Replace missing baluster, replace all trim cap with new plastic materials.

Baluster picture #1



Baluster picture #2



MAZE CUBES

Maze cube materials

Pressure treated wood framing and composite decking.

Maze cube size

29.5" outside length

Maze cube condition

Grade B - The component is better than average.

Maze cube ranking

3: No corrective actions required at this time.

Maze cube comments

Solid and stable.

Maze cube minor renovation:

Leave as is.

Maze cube major renovation:

Leave as is.

Maze cube Picture #1



Maze cube picture #2



ACCESSIBLE RAMPS

Accessible ramps condition

Grade B - The component is better than average.

Accessible ramps ranking

2: Needs corrective action.

Accessible ramps comments

Some fasteners along handrails are loose.

Accessible ramps minor renovation:

Add additional fasteners along handrails.

Accessible ramps major renovation:

Replace rails with new ADA rails.

Accessible picture #1



Accessible picture #3

Accessible picture #2



Accessible picture #4



FENCE

Fence posts

Pressure treated wood 4x4's

Fence framing

Pressure treated wood, 2x6

Fence pickets

Other

Fence picket names

No

Fence condition

Grade C - The component has normal wear and tear.

Fence ranking

2: Needs corrective action.

Fence comments

PT 2x3 pickets. Several failed 4x4's along straight runs. Some rot visible along tops of posts. One missing picket. Some repairs have been made.

Fence minor renovation:

Replace missing / poor condition pickets., Repair / replace damage 4x4's with similar materials.

Fence major renovation:

Replace missing / poor condition pickets., Repair / replace damage 4x4's with similar materials.

Fence picture #1



Fence picture #2



Fence picture #3



Fence picture #4



LOW PERIMETER

Low perimeter materials

Other

Is the perimeter secure and firmly fastened?

yes

Are there any trip hazards?

no

Is perimeter outside of necessary use zones?

yes

Low perimeter condition

Grade C - The component has normal wear and tear.

Low perimeter ranking

2: Needs corrective action.

Low perimeter comments

Small traditional perimeter at entrance. Drain pipe perimeter along remaining areas. One section appears to have deterioration.

Low Perimeter minor renovation:

Repair / Replace damaged perimeter with similar materials.

Low Perimeter major renovation:

Repair / Replace damaged perimeter with similar materials.

Low perimeter picture #1



Low perimeter picture #2



SAFETY SURFACING

Safety surfacing type

Appears to be Engineered wood fiber. Verify with owner.

Safety surfacing condition

Grade D - The component shows signs of excessive wear and tear.

Safety surfacing ranking

2: Needs corrective action.

Loose fill deficiency.

8" to 10" Deficient throughout

Safety surfacing comments

Very low areas are visible down to drain fabric. Some root intrusion.

Are there marks to show proper safety surfacing depth?

no

Safety surfacing minor renovation:

Remove roots, Add additional engineered wood fiber to a total depth of 12" throughout.

Safety surfacing major renovation:

Remove roots, Add additional engineered wood fiber to a total depth of 12" throughout.

Safety surfacing picture #1



Safety surfacing picture #2



ROOFS & TOWERS

Roofing Materials

2x6 Pressure Treated wood

Roofs & Towers condition

Grade C - The component has normal wear and tear.

Roofs & Towers ranking

2: Needs corrective action.

Roofs & Towers comments

Loose fasteners, damaged and missing boards

Roofs & Towers minor renovation:

Properly fasten existing sheathing., Repair / Replace damage sheathing with similar materials.

Roofs & Towers major renovation:

Properly fasten existing sheathing., Replace sheathing with plastic materials.

Roofs & Towers pictures #1



Roofs & Towers pictures #2



Roofs & Towers pictures #3



Roofs & Towers pictures #4



Roofs & Towers pictures #5



Roofs & Towers pictures #6



SLIDES

Spiral tube

Slide 1 condition

Grade C - The component has normal wear and tear.

Slide 1 ranking

2: Needs corrective action.

What is the height of the deck from the proper safety surfacing?

82"

Does the slide have any gaps, cracks, or entanglements?

no

What is the height of the exit region to proper safety surfacing?

14"

Does the slide have proper use zones?

Yes

Comments:

Some missing and improper saddle bolts.

Slide 1 minor renovation:

Replace missing bolts.

Slide 1 major renovation:

Replace missing bolts.

Slide 1 picture #1



Slide 1 picture #2



Right turn tube

Slide 2 condition

Grade B - The component is better than average.

Slide 2 ranking

2: Needs corrective action.

What is the height of the deck from the proper safety surfacing?

72"

Does the slide have any gaps, cracks, or entanglements?

no

What is the height of the exit region to proper safety surfacing?

15"

Does the slide have proper use zones?

Yes

Comments:

Some missing saddle bolts.

Slide 2 minor renovation:

Replace missing bolts.

Slide 2 major renovation:

Replace missing bolts.

Slide 2 picture #1



Slide 2 picture #2



Alpine thunder

Slide 3 condition

Grade B - The component is better than average.

Slide 3 ranking

3: No corrective actions required at this time.

What is the height of the deck from the proper safety surfacing?

80"

Does the slide have any gaps, cracks, or entanglements?

no

What is the height of the exit region to proper safety surfacing?

16"

Does the slide have proper use zones?

Yes

Comments:

Functional and sturdy

Slide 3 minor renovation:

Leave as is.

Slide 3 major renovation:

Leave as is.

Slide 3 picture #1



Slide 3 picture #2



Wide tot

Slide 4 condition

Grade C - The component has normal wear and tear.

Slide 4 ranking

2: Needs corrective action.

What is the height of the deck from the safety surfacing?

46"

Does the slide have any gaps, cracks or entanglements?

yes

What is the height of the exit region from bottom of safety surfacing?

11"

Does the slide have proper use zones?

Yes

Comments:

Gap at top edge.

Slide 4 minor renovation:

Adjust mounting along top of slide.

Slide 4 major renovation:

Adjust mounting along top of slide.

Slide 4 picture #1



Slide 4 picture #2



SWINGS

5-12 Area Swings

Do they have proper use zones?

yes

Maximum 2 seats per bay?

yes

Condition of the hardware?

Good condition, some chain has been replaced with non-compliant chain.

Condition of seats?

Good

Condition of the support frame?

Sturdy

5-12 area swings condition

Grade B - The component is better than average.

5-12 area swings ranking

3: No corrective actions required at this time.

Comments

2 chains are rusted, and are wrong size.

Swings 5-12 minor renovation:

Replace improper chain.

Swings 5-12 major renovation:

Replace improper chain.

Swings 5-12 picture #1



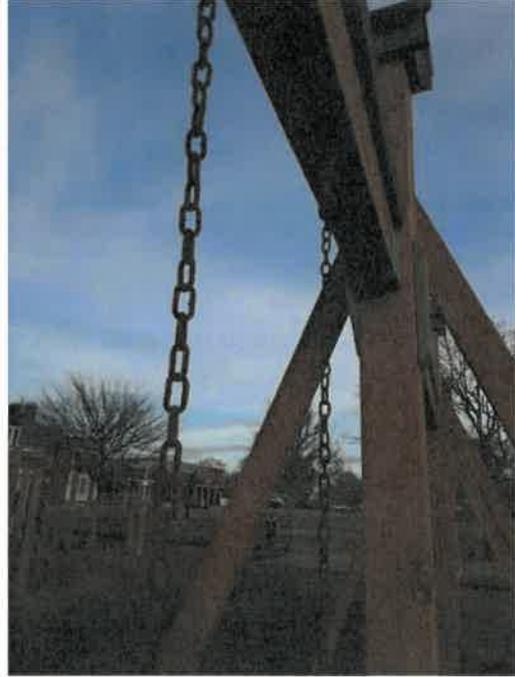
Swings 5-12 picture #2



Swings 5-12 picture #3



Swings 5-12 picture #4



2-5 Area Swings

Do they have proper use zones?

yes

Maximum 2 seats per bay?

yes

Condition of the hardware?

Poor, chain is almost worn through on adaptive seat.

Condition of seats?

good

Condition of the support frame?

good

2-5 area swings condition

Grade C - The component has normal wear and tear.

2-5 area swings ranking

2: Needs corrective action.

Comments

Seats have been replaced with a variety.

Swings 2-5 minor renovation:

Make any necessary repairs. Remove worn link on adaptive seat.

Swings 2-5 major renovation:

Replace bucket seats, chain and hardware.

Swings 2-5 picture #1



Swings 2-5 picture #2



Swings 2-5 picture #3



Swings 2-5 picture #4



OVERHEAD EQUIPMENT

Horizontal Ladder

Maximum of 15" center to center of rungs?

yes

Maximum height of hand grip is 74"?

yes

Horizontal Ladder condition

Grade C - The component has normal wear and tear.

Horizontal Ladder ranking

3: No corrective actions required at this time.

Comments

Functional

Horizontal Ladder minor renovation:

Leave as is.

Horizontal Ladder major renovation:

Leave as is.

Horizontal Ladder picture #1



Horizontal Ladder picture #2



Low Accessible Ladder

Hand gripping device is a maximum 54" to the surfacing.

Yes

Low Accessible Ladder condition

Grade C - The component has normal wear and tear.

Low Accessible Ladder ranking

2: Needs corrective action.

Low Accessible Ladder Comments

Support beam has significant rot.

Low Accessible Ladder minor renovation:

Replace support beam with similar materials.

Low Accessible Ladder major renovation:

Rebuild with plastic materials.

Low Accessible Ladder picture #1



Low Accessible Ladder picture #2



Rings / Ring Bridge

Maximum of 15" from pivot point and bottom of handgrip

yes

Maximum height of hand grip is 84"?

yes

Rings / Ring Bridge condition

Grade C - The component has normal wear and tear.

Rings / Ring Bridge ranking

2: Needs corrective action.

Comments

One replaced ring with excessive wear on chain.

Rings / Ring Bridge minor renovation:

Replace odd ring and hardware.

Rings / Ring Bridge major renovation:

Replace rings and hardware.

Rings / Ring Bridge picture #1



Rings / Ring Bridge picture #2



Chin Up Pipe 1

Is the pipe properly pinned?

no

Is there 80" clear from pipe to adequate safety surfacing?

no

Actual distance clear?

Missing

Chin Up Pipe 1 condition

Grade F - The component is inoperative.

Chin Up Pipe 1 ranking

2: Needs corrective action.

Comments

Missing

Chin Up Pipe 1 minor renovation:

Repair / Replace damage with similar materials.

Chin Up Pipe 1 major renovation:

Replace missing pipe.

Chin Up Pipe 1 picture #1



Chin Up Pipe 1 picture #2



CHAIN & HOSE & TIRE EQUIPMENT

Chain Bridge

Proper openings?

Yes

Chain Bridge condition

Grade D - The component shows signs of excessive wear and tear.

Chain Bridge ranking

2: Needs corrective action.

Comments

Chains are very loose, hose is worn.

Chain Bridge minor renovation:

Replace damaged hose., Replace damaged / worn hardware.

Chain Bridge major renovation:

Replace with new cable version.

Chain bridge picture #1



Chain bridge picture #2



Chain Ladder

Proper openings?

Yes

Chain Ladder condition

Grade D - The component shows signs of excessive wear and tear.

Chain Ladder ranking

2: Needs corrective action.

Comments

Chains are very loose, hose is worn.

Chain Ladder minor renovation:

Replace damaged hose., Replace damaged / worn hardware.

Chain Ladder major renovation:

Replace with new cable version.

Chain Ladder picture #1



Chain Ladder picture #2



Fulcrum Beam

Proper openings?

Yes

Fulcrum Beam condition

Grade B - The component is better than average.

Fulcrum Beam ranking

3: No corrective actions required at this time.

Comments

Fulcrum Beam

Fulcrum Beam minor renovation:

Leave as is.

Fulcrum Beam major renovation:

Leave as is.

Fulcrum Beam picture #1



Fulcrum Beam picture #2



Vertical Chain Tunnel

Vertical Chain Tunnel condition

Grade C - The component has normal wear and tear.

Vertical Chain Tunnel ranking

3: No corrective actions required at this time.

Comments

Functional but well worn.

Vertical Chain Tunnel minor renovation:

Leave as is.

Vertical Chain Tunnel major renovation:

Replace with new custom cable version.

Vertical Chain Tunnel picture #1



Vertical Chain Tunnel picture #2



Bouncer on Tires

Bouncer on Tires condition

Grade D - The component shows signs of excessive wear and tear.

Bouncer on Tires ranking

2: Needs corrective action.

Comments

Tires are no longer supportive. Some missing details on structure.

Bouncer on Tires minor renovation:

Repair / Replace damage with similar materials.

Bouncer on Tires major renovation:

Replace with new equipment.

Bouncer on Tires picture #1



Bouncer on Tires picture #2



CLIMBERS

Rock Wall

Rock Wall condition

Grade C - The component has normal wear and tear.

Rock Wall ranking

3: No corrective actions required at this time.

Comments

Well worn, but no broken holes or missing boards. Mural is worn.

Rock Wall minor renovation:

Leave as is.

Rock Wall major renovation:

Recruit local artists to restore mural. Replace holds.

Rock Wall picture #1



Rock Wall picture #2



SEATING & BENCHES

Seating area condition

Grade C - The component has normal wear and tear.

Seating area ranking

1: Needs immediate corrective action.

Seating area comments

One bench has pulled away from fence leaving exposed screws. A few other benches have settled and are sloping down.

Seating area minor renovation:

Remove exposed screws. Secure sagging benches.

Seating area major renovation:

Remove exposed screws. Secure sagging benches.

Seating area pictures #1



Seating area pictures #2



Seating area pictures #3



Seating area pictures #4



MISCELLANEOUS EQUIPMENT

Fire Pole

Is opening compliant?

yes

Distance between pole and platform compliant?

yes

Vertical distance above platform to bend compliant?

yes

Accessible from more than one level?

no

Fire Pole condition

Grade C - The component has normal wear and tear.

Fire Pole ranking

3: No corrective actions required at this time.

Comments Fire pole

Pole has slight bend in lower section, doesn't effect functionality.

Fire Pole minor renovation:

Leave as is.

Fire Pole major renovation:

Replace pole.

Fire pole picture #1



Fire pole picture #2



Vertical Ladder

Is opening compliant?

yes

Are the pipes properly pinned?

yes

Proper backing behind rungs?

yes

Vertical Ladder condition

Grade C - The component has normal wear and tear.

Vertical Ladder ranking

3: No corrective actions required at this time.

Vertical Ladder comments

Functional

Vertical Ladder minor renovation:

Leave as is.

Vertical Ladder major renovation:

Leave as is.

Vertical Ladder picture #1



Vertical Ladder picture #2



Vertical Ladder picture #3



Vertical Ladder picture #4



Balance Beam on Chains 5-12

Top of balance beam is a maximum of 16" above the surfacing
yes

Balance Beam on Chains 5-12 condition

Grade C - The component has normal wear and tear.

Balance Beam on Chains 5-12 ranking

2: Needs corrective action.

Balance Beam on Chains 5-12 Comments

Missing hose. Very low, at ground level.

Balance Beam on Chains 5-12 minor renovation:

Cover chain with hose and raise beam when proper surfacing is installed.

Balance Beam on Chains 5-12 major renovation:

Cover chain with hose and raise beam when proper surfacing is installed.

Balance Beam on Chains 5-12 picture #1



Balance Beam on Chains 5-12 picture #2



Sandboxes

Is sand at the proper level?

no

Sandboxes condition

Grade C - The component has normal wear and tear.

Sandboxes ranking

3: No corrective actions required at this time.

Sandboxes Comments

Box is weathered.

Sandbox minor renovation:

Leave as is.

Sandbox major renovation:

Leave as is.

Sandboxes picture #1



Sandboxes picture #2



BRIDGES & TUNNELS

Suspension bridge

Are there any non-compliant gaps greater than 1/2"?

yes

Is the safety bridge in good condition?

yes

Suspension bridge condition

Grade D - The component shows signs of excessive wear and tear.

Suspension bridge ranking

2: Needs corrective action.

Comments

Excessive gaps along edges and ends. Bridge has stretched to settle into bottom.

Suspension bridge minor renovation:

Remove suspension bridge and replace with fixed bridge.

Suspension bridge major renovation:

Remove suspension bridge and replace with fixed bridge.

Suspension bridge picture #1



Suspension bridge picture #2



Rubber bridge 2-5 area

Rubber bridge 2-5 area condition

Grade C - The component has normal wear and tear.

Rubber bridge 2-5 area ranking

3: No corrective actions required at this time.

Rubber bridge 2-5 area Comments

Rubber is worn but not ripped.

Rubber bridge 2-5 area minor renovation:

Leave as is.

Rubber bridge 2-5 area major renovation:

Replace rubber.

Rubber bridge 2-5 area picture #1



Rubber bridge 2-5 area picture #2



Rubber bridge 5-12 area

Rubber bridge 5-12 area condition

Grade F - The component is inoperative.

Rubber bridge 5-12 area ranking

2: Needs corrective action.

Rubber bridge 5-12 area Comments

Rubber is missing.

Rubber bridge 5-12 area minor renovation:

Replace rubber conveyer belt.

Rubber bridge 5-12 area major renovation:

Replace rubber conveyer belt.

Rubber bridge 5-12 area picture #1



Rubber bridge 5-12 area picture #2



Crawl Tunnel 1

Crawl Tunnel 1 condition

Grade C - The component has normal wear and tear.

Crawl Tunnel 1 ranking

2: Needs corrective action.

Crawl Tunnel 1 Comments

Missing top board.

Crawl Tunnel 1 minor renovation:

Repair / Replace damage with similar materials.

Crawl Tunnel 1 major renovation:

Repair / Replace damage with similar materials.

Crawl Tunnel 1 picture #1



Crawl Tunnel 1 picture #2



Crawl Tunnel 2

Crawl Tunnel 2 condition

Grade C - The component has normal wear and tear.

Crawl Tunnel 2 ranking

2: Needs corrective action.

Crawl Tunnel 2 Comments

Broken handrail.

Crawl Tunnel 2 minor renovation:

Repair / Replace damage with similar materials.

Crawl Tunnel 2 major renovation:

Repair / Replace damage with similar materials.

Crawl Tunnel 2 picture #1



Crawl Tunnel 2 picture #2



ACTIVITY PANELS & SOUND

Sound wall

Sound wall condition

Grade B - The component is better than average.

Sound wall ranking

3: No corrective actions required at this time.

Sound wall Comments

Functional

Sound wall minor renovation:

Leave as is.

Sound wall major renovation:

Leave as is.

Sound wall picture #1



Sound wall picture #2



Phones

Phones condition

Grade B - The component is better than average.

Phones ranking

3: No corrective actions required at this time.

Phone Comments

Appears functional.

Phone minor renovation:

Leave as is.

Phone major renovation:

Leave as is.

Phone picture #1



Phone picture #2



Phone picture 3



Phone picture 4



Play panels

Play panels condition.

Grade F - The component is inoperative.

Play panels ranking

2: Needs corrective action.

Play panels Comments

Missing

Play panels minor renovation:

Add new play panels.

Play panels major renovation:

Add new play panels.

CUSTOM EQUIPMENT

Pickup Truck

Condition

Grade C - The component has normal wear and tear.

Ranking

2: Needs corrective action.

Comments

Weathered and worn, missing some small details.

Minor renovation

Replace details.

Major renovation

Replace details.

Picture #1



Picture #2



Historic Town

Condition

Grade C - The component has normal wear and tear.

Ranking

2: Needs corrective action.

Comments

Weathered and worn, missing some minor details.

Minor renovation

Replace missing details.

Major renovation

Replace missing details.

Picture #1



Picture #2



Ferry Boat

Condition

Grade B - The component is better than average.

Ranking

3: No corrective actions required at this time.

Comments

Solid and supportive.

Minor renovation

Leave as is.

Major renovation

Leave as is.

Picture #1



Picture #2



Whale Bones

Condition

Grade C - The component has normal wear and tear.

Ranking

3: No corrective actions required at this time.

Comments

Weathered and worn.

Minor renovation

Leave as is.

Major renovation

Leave as is.

Picture #1



Picture #2



Clipper Ship

Condition

Grade C - The component has normal wear and tear.

Ranking

2: Needs corrective action.

Comments

Missing some small details.

Minor renovation

Replace missing details.

Major renovation

Replace missing details.

Picture #1



Picture #2



Dingy boats

Condition

Grade C - The component has normal wear and tear.

Ranking

2: Needs corrective action.

Comments

Splintered and missing boards.

Minor renovation

Repair damage and replace missing boards.

Major renovation

Repair damage and replace missing boards.

Picture #1



Picture #2



Lighthouse

Condition

Grade C - The component has normal wear and tear.

Ranking

2: Needs corrective action.

Comments

Weathered and worn. Some loose and missing boards.

Minor renovation

Repair and replace damage with similar materials.

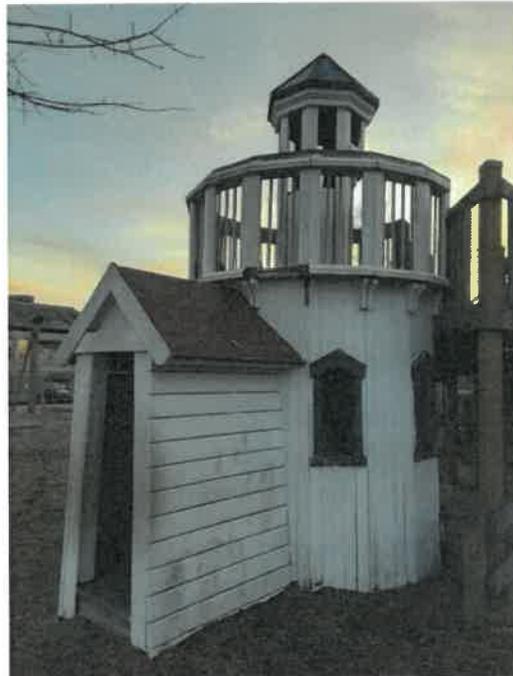
Major renovation

Repair and replace damage with similar materials.

Picture #1



Picture #2



RENOVATION / CONSTRUCTION OPTIONS

Most of our projects are constructed through the community-build model. The community build model involves public participation. From organization through construction. The construction utilizes a local volunteer workforce of some kind. This process is L&A's heart and soul. The community-built method not only saves money but empowers communities with limitless potential and benefits. At the same time, we understand that the community-built model is not always an option or the best choice in some situations. In those circumstances, we also can work with contractors, city workers, volunteers, and a variety of combinations. Our goal is to work with you to find the right solution for your community and situation.

GENERAL ACCESSIBILITY

Accessibility statement

Playground equipment and facilities constructed or altered on or after March 15, 2012, must comply with the 2010 ADA Standards for Accessible Design. Playgrounds built prior to March 15, 2012, require the removal of barriers to accessibility.

Accessibility conclusion

The current playground was designed prior the accessibility requirements, but the playground was designed with the foresight of the ADA Standards. The requirements are a minimum standard.

CONCLUSION

This report is based on the current versions of ADA, ASTM F1487 and CPSC Pub.325.

The playground has been well used for over the years and is showing its age. Most of the main support posts are in good condition. The framing is also in reasonable condition for its age. Some of the equipment has some form of maintenance or safety non-compliance concerns:

It is our professional recommendation that the playground could be renovated. This is mainly due to the support poles and framing being in adequate condition for their age, as well as the composite plastics used during its construction.

At this time, opting for a minor renovation as described should aim to extend the life of the playground by approximately 10+ years. Performing a major renovation as described could extend the useful life for 14+ years. The time frames are just estimates based on our experiences and client feedback. Future maintenance, weather, and use are all contributing factors. The playground is 17 years old so weighing the cost of renovations vs replacement should always be considered.

ASSOCIATED COSTS

A minor renovation as described above including L&A fees (design, project management and construction consultation) and all materials is estimated at around \$62,000. It's anticipated that the work can be completed in five days using the community build model.

A major renovation as described above including L&A fees (design, project management and construction consultation) and all materials is estimated to cost around \$106,000. It's anticipated that the work can be completed in five days using the community build model.

*As a reminder these are just estimates until we define the final scope of work with you and get actual quotes for the required materials.

As a reference, we have provided an estimated cost of a new playground of similar size with a new design utilizing all of today's latest materials (no wood). Today's playgrounds are expected to last for at least 30 years with minimal maintenance needs. A custom designed community-build replacement estimate is around \$375,000 for a playground with similar square footage as your existing playground, approximately 11,830 sf. This cost estimate is based on utilizing our community-build model. It's anticipated that the work can be completed in six days. Estimated costs can vary depending on several factors. The level of complexity, accessibility desired, play elements chosen, and surfacing are all considerations.

Please consider that Leathers & Associates can also design a playground around your specific budget and needs, large or small, utilizing any variety of construction options.

NEXT STEPS

Each of our playgrounds are unique creations for the extraordinary communities they serve. Because of this, we understand that the goals of the communities are just as unique. Work with L&A to develop a final scope of work based on your budget and our recommendation. We can schedule a teleconference to review this assessment with you at your convenience. We consider this assessment a starting point and conversation starter, so that we can develop a plan that will meet your goals. Please contact us if you have any questions. We truly appreciate the opportunity to work with your community again.

OPEN SESSION

BUSINESS

6. Request for variance to sign code §184-7 Placement and §184-32 Off-Premise Signs: for the placement of “Home of the Clippers” flags on the light poles on Main Street **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 6.

ITEM TITLE: Approve a request for variance to sign code Section 184-7 for the placement of "Home of the Clippers" flags on the light poles along Main Street

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Lori Duerr, School Superintendent

ATTACHMENTS: Image of Banner

PURPOSE:

The Select Board will review and consider the approval of a request by the Falmouth Public Schools for a variance to the sign code Section 184-7 to allow for the placement of twenty-two (22) "Home of the Clipper" banners on light poles along Main Street.

BACKGROUND/SUMMARY:

- The Banners measure 36" x 24".
- A sign permit has also been applied for and Ellie McKay has been assigned to review.

- The School Department requests that the Banners be displayed on Main Street light poles during the following time periods:
 - August 15-September 14
 - January 27- January 31st
 - April 28- May 1st

- The School Department will work with DPW so as not to interfere with the other annual banner displays.

- The Banners were purchased by a grant through the Falmouth Road Race.

- Falmouth Public Schools will be responsible for hanging banners in coordination with the Department of Public Works.

DEPARTMENT RECOMMENDATION:

The School Department requests that the Select Board approve a variance to the sign code Section 184-7 for the placement of "Home of the Clippers" flags on the light poles along Main Street.

OPTIONS:

- Motion to approve the request for a variance to sign code Section 184-7 for the placement of "Home of the Clippers" flags on the light poles along Main Street.

- Motion to deny approval of the request for a variance to sign code Section 184-7 for the placement of "Home of the Clippers" flags on the light poles along Main Street.

- 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 a variance to the sign code Section 184-7 for the placement of "Home of the Clippers" flags on the light poles along Main Street as presented.

Michael Renshaw

Town Manager

7/9/2024

Date



**HOME OF THE
CLIPPERS**

OPEN SESSION

BUSINESS

7. Request for variance to sign code §184-30 Movable, portable or mobile signs, D.(1) (a): for the placement of a sandwich board style sign in the garden in front the Eight Cousins store located at 189 Main Street during business hours **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 7.

ITEM TITLE: Request for a variance to sign code 184-30 Movable, portable or mobile signs, D (1) (a): for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Email from applicant Eileen Miskell; email from Building Department; Copy of Sign Code Section 184-30; Letter from Falmouth Historical Commission dated June 11, 2024; Photo of sandwich board style sign displaying store hours

PURPOSE:

The Select Board will consider the approval of a request for a variance to sign code 184-30 Movable, portable or mobile signs, D (1) (a) for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours.

BACKGROUND/SUMMARY:

- Applicant representative Eileen Miskell submitted a request for a variance to sign code Section 184-30 (D) (1) (a), Movable, portable or mobile signs to allow for the placement of a sandwich-board style sign in front of the business Eight Cousins in order to advertise summer hours of operation.

- The current code allows for sandwich-board style signs under two very specific conditions:
 - To advertise perishable goods for sale only, such as food goods or a menu, or
 - For any business in its first year of operation, the sign may be used in the absence of a multi-tenant or freestanding sign (only for a four-month period).
- The Building Department reviewed the request and recommended denial, stating in an email to the Town Manager's Office:

All businesses in Town are allowed a sign on the face of their establishment and some are also allowed a permanent freestanding sign as well. Sandwich Board Signs are very popular, and we have requested many businesses to remove their signs when placed in violation. Our Sign By-law currently limits sandwich board signs to advertise perishable goods for sale only, such as food goods or a menu (Liquor is not considered food).

Our by-law also allows these signs if a business is in its first year of operation. We anticipate that if this variance request is approved, many businesses in Town will request the very same relief from the by-law. The sidewalks in town would look vastly different if every business, retail establishment, gallery, liquor store, gas station, spa, etc. was allowed a sandwich board sign.

DEPARTMENT RECOMMENDATION:

Based upon the concerns expressed by the Building Department, the Town Manager is recommending that the Select Board deny approval of the variance to sign code 184-30 Movable, portable or mobile signs, D (1) (a): for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours.

OPTIONS:

- Motion to approve the variance request to sign code 184-30 Movable, portable or mobile signs, D (1) (a) for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours.
- Motion to deny approval of the variance request to sign code 184-30 Movable, portable or mobile signs, D (1) (a) for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours.

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:

Based upon the concerns expressed by the Building Department, the Town Manager is recommending that the Select Board deny approval of the variance to sign code 184-30 Movable, portable or mobile signs, D (1) (a): for the placement of a sandwich board style sign in the garden in front of the Eight Cousins store located at 189 Main Street during business hours.

Michael Renshaw

Town Manager

7/11/2024

Date

Diane Davidson

From: Eileen Miskell [REDACTED]
Sent: Thursday, June 13, 2024 6:58 PM
To: Diane Davidson; Sara Hines; Janet Totten; Eileen Miskell
Subject: Eight Cousins 189 Main St Sign Variance
Attachments: 24.245129 - 189 Main St - temporary chalkboard sign Historic Approval.pdf

Diane,

Thank you for your help today in navigating the sign variance process.

We would like to request to be placed on the Select Board agenda for July 15, 2024 for review of our request for a sign variance. Attached is approval from the historic commission and a picture of the sign we would like to place in the garden in front of our store during business hours.

Our application has been submitted online.

Please let us know if you have any need anything else.

Thanks,

Eileen Miskell

--
Eileen Miskell
Eight Cousins
189 Main Street
Falmouth, MA 02540
[REDACTED]

Diane Davidson

From: Eleanor MacKay
Sent: Wednesday, July 10, 2024 10:42 AM
To: Diane Davidson
Subject: RE: Sign Application Eight Cousins
Attachments: 20240710104157712.pdf

Hi Diane,

Sandwich board sign are allowed only to advertise perishable foods or for new businesses in their first year of operation. They are neither.

Please see attached by-law section 184-30 Movable, portable or mobile signs, D.(1) (a).

Please let me know if you need more information.

Best,

Eleanor

- A. Letters or symbols shall not project more than twelve (12) inches from the building surface.
- B. Letters or symbols shall have an aggregate area (per § 184-18) not exceeding one and five-tenths (1.5) square feet for each horizontal foot of building face parallel to a street line or ten percent (10%) of the wall area to which they are affixed, whichever is less. When a lot fronts on more than one (1) street, the aggregate sign area facing each street frontage shall be calculated separately. See § 184-37D.
- C. See also § 184-37, Wall and roof signs.

§ 184-28. Landmark signs.

Landmark sign: an older sign of artistic or historic merit, uniqueness or extraordinary significance to the Town as identified by the Falmouth Historical District Commission. The character of such signs warrants their preservation in original condition or their restoration.

§ 184-29. Marquee signs.

Marquee sign: a sign painted on, attached to or consisting of interchangeable copy on a permanent overhanging shelter which projects from the face of a building.

- A. Such signs may be painted on or attached flat against the surface of but not extended beyond or be attached to the underside of the overhang.
- B. Letters or symbols shall not exceed twelve (12) inches high.
- C. A minimum clearance of ten (10) feet above the sidewalk level must be allowed for pedestrian clearance.

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

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

- A. Flags.
- (1) Except during national holidays, a maximum of two (2) governmental flags are permitted, and one (1) additional nongovernmental flag with a maximum size of fifteen (15) square feet [i.e., three by five (3 x 5) feet] is permitted for each business. Any flag with words advertising a business shall be considered a sign.
[Amended AFTM 11-15-2010, Art. 47, approved 12-13-2010]
 - (2) Nautical signal flags attached to a yard arm from a single flagpole are exempt.
- B. Pennants. Exception is granted for pennants and similar devices intended for charitable or civic event purposes only.
- C. Special events.
[Amended AFTM 11-8-2004, Art. 19, approved 12-30-2004]
- (1) Special events or promotions for thirty (30) days. A business or community service may have one (1) movable, portable or mobile banner or sign on its premises, not to exceed sixteen (16) square feet, not more than two (2) times nor more than a total of thirty (30) days per calendar year, in addition to other permitted signs. Such signs shall be required to have permits, but permit fees shall be waived.
 - (2) Special events or promotions for seven (7) days. A business or community service may have one (1) moveable, portable or mobile banner or sign on its premises not to exceed thirty-two (32)

square feet for a period not to exceed seven (7) days, not more than two (2) times per calendar year, in addition to other permitted signs. Bunting, pennants and flags will be permitted during this time period. Balloons and other air-filled devices shall not exceed twelve (12) inches in diameter. A total of three (3) off-premises signs not exceeding six (6) square feet each are permitted. Such signs shall be required to have permits, but permit fees shall be waived.
[Added AFTM 11-8-2004, Art. 19, approved 12-30-2004]

- D. Sandwich board signs. A business or community service may have one (1) sandwich board sign not to exceed eight (8) square feet in area on each side.
[Added ASTM 4-7-1997, Art. 38, approved 6-27-1997]

- (1) Use of signs.
[Amended AFTM 11-15-2010, Art. 48, approved 12-13-2010] LIQUOR IS NOT FOOD.
 - (a) The sign shall advertise perishable goods for sale only, such as food goods or a menu.
 - (b) For any business in its first year of operation, the sign may be used in the absence of a multi-tenant or freestanding sign. Such signs may be used for a maximum continuous four-month period.
- (2) It shall be placed only within fifteen (15) feet of the main building entrance to the business. The sign must be of a shape to conform with the space it will occupy outside of the business and it may not block pedestrian traffic on any sidewalk. The sign must be brought in at the close of business each day.
[Amended AFTM 11-17-1998, Art. 64, approved 2-25-1999]

§ 184-31. Multiple and ladder signs:

A multiple or ladder sign may be erected to advertise several occupants of the same building or building complex.

- A. The display board shall be of an integrated and uniform design and colors.
- B. The maximum allowable dimensions permitted for a sign that is located within the minimum building setbacks allowed under Chapter 240, Zoning, shall be in accordance with the table in § 184-25A. The sign with the name of the building or office park and all horizontal crosspiece signs shall be included within the maximum allowable sign dimensions.
- C. One (1) sign, allowable under Subsection B, is permitted for each street frontage in lieu of the freestanding sign allowed under § 184-25.
- D. Signs located beyond the minimum building setbacks are permitted in addition to the signs permitted above in Subsections A and B for properties containing nine (9) or more businesses; however, the maximum sign area permitted is eight (8) square feet for the sign bearing the name of the building or office park and two (2) square feet for the name of each business or office located there. There shall be no limit on the number of such signs erected since they are primarily for informational and directional purposes.

§ 184-32. Off-premises signs.

- A. Informational and directional signs containing no advertising are permitted to direct traffic flow, indicate parking space, identify points of interest or provide other essential information to guide vehicular or pedestrian traffic flow and may be erected by the Town of Falmouth Department of Public Works as a matter of right or by others with a license from the Board of Selectmen.
- B. Off-premises signs as permitted above in Subsection A shall not be larger than two (2) square feet in area and must be freestanding.



Falmouth Historical Commission

59 Town Hall Square, Falmouth, MA 02540

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

RECEIVED
JUN 11, 2024 AM 11:07

TOWN CLERK

June 11, 2024

Mr. Michael Palmer
Town Clerk
59 Town Hall Square
Falmouth, Massachusetts 02540

Re: Determination of Non-Applicability
189 Main Street – Application Number 24.245129

Dear Michael:

The chairman of the Historical Commission has determined that a Certificate of Appropriateness is not required for a sign at 189 Main Street under the Falmouth Historic District Bylaw (established under M.G.L Chapter 40C):

Findings:

1. A small chalkboard sign with a wood frame will be placed in front of Eight Cousins Book Store.
2. The sign will depict the store hours.
3. The sign will be temporary, as it will be brought inside each night.

All drawings and plans, including the application with material listing, are on file in the Falmouth Planning Office. Any new work (work not granted a Certificate of Appropriateness or Determination of Non-Applicability) to be performed at the above referenced property within the Falmouth Village Historic District boundaries, i.e. changes to architectural detail, trim etc., shall be presented by the applicant to the Historical Commission for review and approval. Adherence to this Determination of Non-Applicability is enforceable by the Building Commissioner.

Sincerely,

A handwritten signature in cursive script that reads "Melinda Tondra".

for Edward J Haddad
Chairman, Falmouth Historical Commission

cc: Applicant
Building Commissioner



SPRING

HOURS

MON-SAT: 10 am - 5 pm

SUN: 11 am - 4 pm

OPEN SESSION

BUSINESS

8. Naming request to consider naming the Green Pond Bridge for Sgt. Joshua Tipton **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 8.

ITEM TITLE: Naming request to consider naming the Green Pond Bridge for Sgt. Joshua Tipton

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Naming Policy for Public Facilities and Places, adopted February 13, 2023; Letter from Amanda Braga-Tipton requesting the Select Board to consider naming the Green Pond Bridge for Sgt. Joshua Tipton; Letters of Support

PURPOSE:

In accordance with its Naming Policy for Public Facilities and Places, the Select Board is being requested to initiate a one-year wait period before the matter of naming the Green Pond Bridge for Sgt. Joshua Tipton can be acted upon.

BACKGROUND/SUMMARY:

- On June 5, 2024 Ms. Amanda Braga-Tipton, sister of late Sgt. Joshua Tipton (U.S. Army), submitted a written application to the Select Board Office (see attached) requesting that the Select Board consider naming the Green Pond Bridge for Sgt. Joshua Tipton.

- Sgt. Tipton served in the U.S. Army for six years, including serving with the Combat Arms Readiness Brigade where he served as a Tanker.
- Tragically, Sgt. Joshua Tipton died by suicide.
- In accordance with Select Board policy, no action will be taken on this matter this evening; rather, a one-year wait period will commence, after the completion of which the matter will again come before the Select Board in order for a member of the Board to be designated to seek the input and advice of whichever department, board, committee, or commission oversees the public facility or place to be named and then report back to the full Board.
- After the designated Select Board member reports back to the full Board their findings, the Board will then advertise and conduct a public hearing to seek input from the community.

DEPARTMENT RECOMMENDATION:

In accordance with the Naming Policy for Public Facilities and Places, the Town Manager recommends that the Select Board initiate the one-year waiting period in response to the request to name the Green Pond Bridge for Sgt. Joshua Tipton.

OPTIONS:

- Motion to initiate the one-year waiting period in response to the request to name the Green Pond Bridge for Sgt. Joshua Tipton in accordance with the Naming Policy for Public Facilities and Places.
- Motion to deny the initiation of the one-year waiting period in response to the request to name the Green Pond Bridge for Sgt. Joshua Tipton in accordance with the Naming Policy for Public Facilities and Places.
- 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:

In accordance with the Naming Policy for Public Facilities and Places, the Town Manager recommends that the Select Board initiate the one-year waiting period in response to the request to name the Green Pond Bridge for Sgt. Joshua Tipton.

Michael Renshaw

Town Manager

7/10/2024

Date

Town of Falmouth
Select Board
NAMING POLICY FOR PUBLIC FACILITIES AND PLACES
Adopted February 13, 2023

Policy:

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

Guidelines:

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

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

The Board shall consider naming based upon:

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

Procedure:

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

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

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

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

Eligibility:

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

Exceptions:

Exceptions to this policy shall be made for: .

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

JUNE 5TH, 2024

Town of Falmouth Select Board

59 Town Hall Square

Falmouth, MA 02540



RE: Renaming of Green Pond Bridge

Dear Members of the Select Board,

My name is Amanda Braga-Tipton, I was born in this town and am still a resident. I come from three generations of those who have served in the Armed Forces of the United States Military. My brother and I included, and that is the person I'd like to highlight. My kid brother, Sgt. Joshua Tipton. Josh grew up in Falmouth until completing high school at Falmouth High, he shortly after graduation shipped off to complete Basic Training for the U.S. Army where he served in a Combat Arms Readiness Brigade. He was a proud Tanker and did his job with excellency. He served 6 years Active Duty and upon exiting continued in the U.S. Army Reserves. Included with this petition from myself are many letters from military superiors, civilian colleagues and bosses, and residents from the Town of Falmouth. I'm clearly going to be very partial here because my brother was my best friend, he was loyal to anything he committed to and he ALWAYS was present for someone in need.

On July 5th the unthinkable happened, my beautiful brother died by suicide. We still do not understand and might never. The stats are horrific, 22 Veterans a day are dying by suicide. That is not what I want to highlight though...his death, but rather an incredible life lived. Many a time he laid down his life for his fellow brothers, and again, in the civilian sector was one who could be counted on and protected others.

In his death he has already helped save other Veterans who have heard of his story and reached out for help. Josh is a hero.

As a kid he would go fish from the bridge, not sure he ever caught anything, but he tried. He also at a very young and tender age would throw flowers off of the bridge in remembrance of Pearl Harbor Day and D Day.

Please consider this request of which would honor a local hero and bring awareness that there are those who have a war they are telling no one about. We hope they win that war.

Sincerely, and with Gratitude,

Amanda Braga-Tipton

Amanda Braga-Tipton
Josh's sister



DEPARTMENT OF THE ARMY
U.S. ARMY INSPECTOR GENERAL AGENCY
1700 ARMY PENTAGON
WASHINGTON DC 20310-1700

May 29, 2024

To Whom It May Concern,

I am writing to provide a character reference for Joshua Tipton, someone who has been an integral part of my life and has greatly influenced me with his exemplary character.

I served with Joshua between the years of 2012 through 2017 at previously known as Fort Hood Texas, now Fort Cavazos. As a new Soldier to the Army, Joshua initially served as my driver on an M1A2 AIMS Main Battle Tank. But after quickly establishing his potential, I selected him to serve as my gunner. A position that is typically reserved for a Soldier that has had more than two years of experience. He quickly stood out amongst his peers as he continuously proved that he was more than capable of serving in a position that was well above his pay grade.

During our time together it was obvious that Joshua was a person of remarkable integrity, kindness, and dedication. Over the 13 years that I have known Josh he proved to be an individual who consistently exhibited a strong moral compass and a genuine care for those around him. His honesty and ethical nature were evident in every aspect of his life.

Joshua's most admirable quality was his love for tanks and his loyalty as a Soldier. Throughout our tenure, he was a constant source of encouragement and strength for his subordinates. Joshua had always been there to offer a listening ear and thoughtful advice to his subordinates. His ability to empathize and provide comfort made a profound impact on countless Soldiers and others who have had the privilege of knowing him.

Joshua's character was further demonstrated during his deployments to Korea and Germany. These experiences demanded resilience, adaptability, and a strong sense of duty. Joshua not only met these demands but exceeded them, forming bonds and displaying leadership qualities that were appreciated by both his peers and superiors. His time overseas exemplified his ability to thrive under pressure and maintain a positive attitude, no matter the circumstances.

In conclusion, Joshua Tipton was a person of outstanding character who has meant a great deal to me. His kindness, integrity, and unwavering support have had a lasting impact on my life. I have no doubt that the name Joshua Tipton will continue to be a positive force in the lives of many others. It is with the highest regard that I recommend the name Joshua Tipton, confident that it will be a valuable and trusted asset in any capacity.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Ivory".

SFC Eric Ivory
Action Officer, Inspector General
U.S. Army



M. DUFFANY BUILDERS

EST. CAPE COD 1983

Dear Falmouth Board of Selectmen

I am writing to propose a meaningful tribute that I believe would honor the memory of a deserving individual and also serve as a reminder of the challenges faced by our veterans. I would like to suggest that the Green Pond Bridge in East Falmouth be named in memory of a combat veteran who struggled with mental illness and PTSD, Joshua Owen Tipton.

Joshua's story is one of bravery and resilience, but also one of the silent battles that many veterans face when they return home. By naming the Green Pond Bridge after Joshua, we can not only honor his memory but also raise awareness about the importance of supporting our struggling veterans and providing them with the help they need.

Joshua's connection to the Green Pond Bridge runs deep, as he spent time fishing off the bridge as a child. This bridge holds a special place in his heart, and by naming it in his memory, we can ensure that his legacy lives on in a place that was meaningful to him.

Furthermore, I believe that this tribute would also resonate with the community due to the history of Augusta Landing, named after my Grandfather John Roger Augusta Jr. This connection between Joshua, the Green Pond Bridge, and Augusta Landing creates a powerful narrative that highlights the importance of honoring our past while also looking towards a brighter future for our veterans.

I am committed to working with the community and the Selectmen's Board to make this proposal a reality. I believe that naming the Green Pond Bridge in memory of Joshua Owen Tipton would be a fitting tribute that not only honors his legacy but also serves as a reminder of the importance of supporting our veterans.

Thank you for considering this proposal.

Sincerely,

John D Augusta

M. Duffany Builders

BragaTipton, Amanda (HOU)

From: Hunt, Carter <hchunt@CapeCodHealth.org>
Sent: Friday, May 31, 2024 9:48 AM
To: BragaTipton, Amanda (HOU)
Subject: FW: Letter of Support

Amanda,

I apologize for the delay but below is a letter of support for your proposal. Please let me know if another format would be beneficial.

Thank you,
Carter

To whom it may concern,

I am writing to support the proposed the renaming of the Green Pond Bridge in honor of Joshua Tipton, a distinguished veteran and dedicated security officer at Falmouth Hospital. This renaming would not only commemorate Joshua's service to our country but also recognize his significant contributions to our community.

Joshua Tipton served our nation with honor as a member of the armed forces. After his military service, he continued to demonstrate his commitment to public service by taking on the role of a security officer at Falmouth Hospital. In this position, Joshua was much more than a security officer; his warm demeanor and steadfast dedication helped foster a safe and welcoming environment for both colleagues and patients.

Joshua's impact on the Falmouth Hospital community cannot be overstated. He developed strong, meaningful relationships with those around him, always willing to lend a helping hand or provide a listening ear. His presence was a source of comfort and reassurance, and his legacy of service and humanity is deeply felt by all who had the privilege of knowing him.

Renaming the bridge in his honor would be a fitting tribute to Joshua Tipton's life and legacy. It would serve as a permanent reminder of his contributions to our community and his unwavering dedication to protecting and supporting others. This gesture would not only honor his memory but also inspire future generations to emulate his exemplary service and compassion.

I kindly request you to consider this proposal. I am confident that this act of recognition would be widely supported by the residents of Falmouth and those who knew Joshua personally.

Thank you for considering this request.

Sincerely,

Carter

Carter Hunt | COO
Falmouth Hospital | 100 Ter Heun Drive | Falmouth, MA 02540
Phone: 508-457-3520 | Fax: 508-457-3675
hchunt@capecodhealth.org | www.capecodhealth.org



CAPE COD
HEALTHCARE

Caring.
Commitment.
Community.

This email and any files transmitted with it are confidential, and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error contact the Help Desk for Cape Cod Healthcare. Helpdesk@CapeCodHealth.org

BragaTipton, Amanda (HOU)

From: Beardsley, Brian <bbeardsley@CapeCodHealth.org>
Sent: Wednesday, May 29, 2024 1:14 PM
To: BragaTipton, Amanda (HOU)
Subject: Fwd: Josh Tipton

You don't often get email from bbeardsley@capecodhealth.org. [Learn why this is important](#)

Brian Beardsley
Safety and Security Officer
Falmouth Hospital
Sent from iPhone

Begin forwarded message:

From: "Bodwell, Melissa" <Melissa.Bodwell@capecodhealth.org>
Date: May 29, 2024 at 12:43:20 EDT
To: "Beardsley, Brian" <bbeardsley@capecodhealth.org>
Subject: Josh Tipton

Dear Massachusetts State House,

I am writing this letter in support of Joshua Tipton, his memory deserves to be honored on a daily basis.

I was lucky enough to work alongside Josh, but was also blessed to be able to call him a friend. Josh was a loving, supportive and insightful person. He would always be first in line to help out anyone in need and always went the extra mile, he was loved by all who knew him. I can't even count the numerous times he would go out of his way to assist patients and staff at the hospital, he helped others humbly and never expected anything in return. Whenever I was having a tough day Josh was always able to tell a funny story or just simply be present to offer support.

Josh was a loving son, father, friend and coworker, and everyone who knew him was better for it. Josh served his country in the military and I hope we can continue to honor.

Sincerely

Melissa Bodwell

This email and any files transmitted with it are confidential, and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error contact the Help Desk for Cape Cod Healthcare. Helpdesk@CapeCodHealth.org

BragaTipton, Amanda (HOU)

From: Kuenzel, Christopher <cfkuenzel@CapeCodHealth.org>
Sent: Wednesday, May 29, 2024 10:59 AM
To: BragaTipton, Amanda (HOU)
Subject: RE: Letters

In honor of Joshau Tipton, I would greatly appreciate your consideration in the renaming of a local bridge.

Joshua Owen Tipton came to Falmouth Hospital in 2017, he applied for a Security Officer role. He was fresh out of the military, an amazing young man that brought a certain flawless style. He was charismatic, professional and a pleasure to work with. From day one it was like he worked with all of us for years. He was not only an exemplary employee, but he also quickly became a friend. When I say he would go above and beyond he truly would! His professional attitude was unmatched, his ability to calm the imparted was truly amazing and, honorable mention, his detailed reports were the best I've ever seen. He would use his contagious smile to bring one to someone who needed it, from coworkers to scared children in the emergency room or elderly patient who lost their car.

Joshua Tipton was truly one of a kind. His generosity was also expressed outside of work, he was always there for everyone who needed him, from moving furniture to painting a room. He was simply put, One Of The BEST. His memory lives on at Falmouth Hospital, we all miss him daily. What an Honor it would be to have his name up for all to see. I true legend and hero in this community!!

Thank you for your consideration.

Sincerely

Christopher Kuenzel
Manager Security Operations
FHA Security
508-457-3855
www.capecodhealth.org



**CAPE COD
HEALTHCARE**

Caring.
Commitment.
Community.

From: BragaTipton, Amanda (HOU) <Amanda.BragaTipton@mahouse.gov>
Sent: Wednesday, May 29, 2024 9:17 AM
To: Kuenzel, Christopher <cfkuenzel@CapeCodHealth.org>
Subject: [EXT] RE: Letters

EXTERNAL Warning: This message originated from **outside** Cape Cod Healthcare.

Ok!

If I have to push off submitting till Monday that's fine, I could pick up on Friday if that's more feasible being your first day back.

v/r

Amanda Braga-Tipton

Legislative Aide to
State Representative David T. Vieira
Third Barnstable District
State House, Room 167
Boston, MA 02133
617-722-2230
508-548-VOTE (8683)

From: Kuenzel, Christopher <cfkuenzel@CapeCodHealth.org>
Sent: Wednesday, May 29, 2024 9:13 AM
To: BragaTipton, Amanda (HOU) <Amanda.BragaTipton@mahouse.gov>
Subject: RE: Letters

Hi Amanda,
I've been off since last Wednesday, just getting back. Let me see what I can do.

Christopher Kuenzel
Manager Security Operations
FHA Security
508-457-3855
www.capecodhealth.org



CAPE COD
HEALTHCARE

Caring.
Commitment.
Community.

From: BragaTipton, Amanda (HOU) <Amanda.BragaTipton@mahouse.gov>
Sent: Wednesday, May 29, 2024 9:09 AM
To: Kuenzel, Christopher <cfkuenzel@CapeCodHealth.org>
Subject: [EXT] Letters

EXTERNAL WARNING: This message originated from **outside** Cape Cod Healthcare.

Morning Chris,

Circling back around to see if those letters are going to be ready later today?

V/R

May 29, 2024

To: Falmouth Board of Selectmen

Nancy Taylor

Scott Zylinski

Douglas Brown

Onjale Scott Price

Robert Mascali

59 Town Hall Square

Falmouth MA 02540

Harry W. Turner

5 Quimby Lane

East Falmouth MA 02536

Dear Board of Selectmen

I am writing this letter to express that I agree with the Green Pond Bridge being renamed in honor of Sgt. Joshua O Tipton.

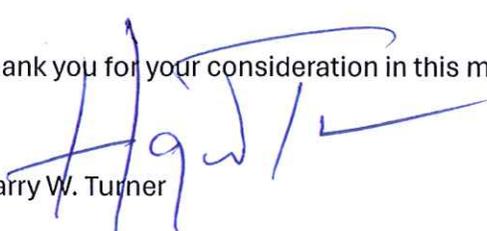
Sgt. Joshua Tipton was a native of East Falmouth, he is third generation. Joshua entered the United States Army after high school. Joshua was passionate about serving his country during his time of service.

In the year 2000, I purchased the Green Pond Marina and in 2007 opened the Green Pond Yacht Club. My Office overlooked the Green Pond Bridge, and I enjoyed watching the family's fish, boat and making memories with their loved ones. As a child and teenager Joshua fished with his friends and family off the bridge.

I would like to see the Green Pond Bridge be named after someone local who encompassed the meaning of patriotism and honor so that his legacy will live on for generations to come.

Thank you for your consideration in this matter.

Harry W. Turner



**Letter in Memory
of
SERGEANT
Joshua Tipton**

It is an honor and privilege to be writing about one of my most memorable Soldiers. I hope this letter serves as a testament to someone so special and who inspired so many members of our company not that many years ago. Sergeant Joshua Tipton served under me in the Delta Company of the 1/304 Regiment in Newport, RI. as a Drill Sergeant candidate. Although I knew him in the few years of 2017 & 2018, I always had high hopes for his future and saw the vast potential and talents he held. Unfortunately, we separated at the end of my tenure before he was able to start the academy and my time in his professional development had come to an end. It was tragic when I learned of his passing and knowing the fire he had was forever extinguished.

SGT Joshua Tipton was great. He set and maintained a high standard of honor and trustworthiness. As a hard worker with a high level of motivation, he seemed to invigorate all around him. He contributed directly to the success of the unit by participating in multiple additional training activities from working with pre-basic trainees to helping the recruiters and the National Guard. His dedication and professionalism was always at the forefront and was always visible by all the leaders.

As a Combat Soldier, he displayed tactical and technical knowledge in Infantry skills especially during the Land Navigation Course at Ft. Devens -performing well beyond his grade level. He was extremely knowledgeable in all weapons systems and excelled in those qualifications. Our company won the assembly & disassembly competition of our battalion in large part thanks to him. He will always be recognized by his exceptional knowledge, instructional skills, and tremendous personal initiative.

As a Drill Sgt Candidate, he was dedicated to self-development, in the gaining of new knowledge, and applying it to improve the company. He strove to reach a level above his current position by broadening military and civilian knowledge. That naturally helped support the National Guard by motivating their recruits, teaching Drill & Ceremony, and a few other classes while they awaited their ship date for Basic Training. He hit the ground running hard and continuously made them perform to their highest level.

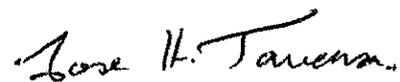
As a member of Delta Company, he was always a positive team player who never hesitated to assist those around him. He rose to the challenges and demands he encountered and expected the same from the other Soldiers. A natural team instructor,

he gave an excellent class on Army Counseling, Physical Fitness, and Military Decision Making during the company NCO Development Program sessions that we had -providing several great examples and kept the group engaged with discussion. He even became a certified Combat Lifesaver; was very interactive, well engaged, and immensely benefitted the class during the entire course.

This Soldier showed great potential and was a motivational leader that enjoyed training Soldiers. Without question, he was in my top 10% of qualified, motivated, dedicated, and competent Drill Sergeant Candidates. He had the possibility to benefit both from troop leading in the field as well as to serve in staff positions based off of his Military Leadership classes. I am very proud of the talent and leadership that he provided to the future Army from one of my best Soldiers. His abilities were beyond those of his rank at the time.

Personally, he was a pleasure to be around. Everyone enjoyed his comical nature, his charm, his humble personality, and his exceptional positive attitude. Every unit is like a family with squabbles and arguments, but Josh was one of those anchors that kept the group on an even keel and held us all together. Whether it was playing frisbee football, his striking smile, or his adolescent, morale boosting antics, he was a delight and could be counted on for a fun time. Looking back, I miss those days and I especially miss someone like Sgt Tipton who I am proud to have known and to have served with. God Bless him. He will never be forgotten.

Sincerely,



Jose H. Taveira
First Sergeant

HHC/ 479th CBRN Bn
United States Army



THOMAS H. SOUZA
ATTORNEY AT LAW

1 CHILDS RIVER ROAD
EAST FALMOUTH, MA 02536

PHONE 508.280.5508
FAX 508.858.5502
ths.law@comcast.net

May 30, 2024

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

Re: Renaming the Green Pond Bridge

Dear Members of the Select Board,

I am writing this letter to express my support for the proposal to rename the Green Pond Bridge in honor of Sgt. Joshua O. Tipton.

As a lifelong East Falmouth resident and veteran of the United States Air Force, I believe that renaming the bridge will honor the memory of Sgt. Tipton's duty and sacrifice to our country and serve as a reminder of the same to future generations of Falmouth Residents.

Thank you for your consideration.

Sincerely,



Thomas H. Souza

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

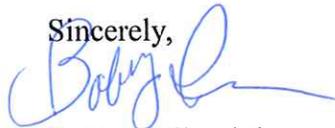
Dear Select Board:

I am writing in support of the Green Pond bridge being named after Sgt. Joshua Tipton. My wife and I have lived in Falmouth since 2009 and have a boat slip on Green Pond since 2010. We have enjoyed many days and nights at the marina with family and friends. We have wonderful memories of fishing, going to the beach and watching the ospreys return to their nest each year.

I know Joshua through his aunt, Darlene Braga, and she has become part of our extended family. She started nannying for our son, Nico, when he was only six months old. Later, she introduced Nico to her nieces, Ava and Giada, and they all became fast friends. Fast forward ten plus years later and we are all still close. Darlene's love is immeasurable as she is always the first person to help someone in need. Joshua, like my son, was born and raised in Falmouth. It is evident that his love of family and service to his Country all began with his family.

Joshua exemplified the meaning of family, love and being a kind and thoughtful person. I know it would bring a smile to my face to see his name on the bridge and carry on his legacy for years to come.

Sincerely,



Bobby Pellegrini

From: Sexton, Elijah D MSG USARMY ARMOR SCHL (USA)
elijah.d.sexton.mil@army.mil
Subject: Josh's Letter
Date: May 29, 2024 at 16:49:40
To: abragatipton@gmail.com

Amanda,

Here you go. I hope this helps your cause and wishing you all the best.

Pencil in 16-18 September for Ft Moore... possibly

Respectfully,



Elijah D. Sexton
1SG, USA
A-TRP, 1st SQDN, 16th CAV
BLDG 5115
10199 316th Cavalry Road
Fort Moore, GA 31905
Office: 706-626-6213
Cell: 706-325-0444
elijah.d.sexton.mil@army.mil



"Never get so caught up in chopping wood that you forget to sharpen your ax."

1SG Elijah Douglas Sexton
8290 Magrath Street
Fort Moore, GA 31905
615.734.9337
elijah.d.sexton.mil@army.com

MAY 29, 2024

Good afternoon,

I am writing today to convey my personal experiences and speak on the character and impact Sergeant Joshua Tipton had on others as a Soldier and friend.

I first met Joshua Tipton when he arrived at my tank platoon in Korea in 2012. I was one of the tank commanders and had an integral role in welcoming new soldiers like Josh into the unit and helping them get situated and prepared for

our mission of deterrence on the Korean Peninsula. From my first interaction with Josh, he was nothing but respectful and eager to both learn more about his job, and perform the tasks given to him quickly and without mistake. Joshua was always one of the troopers in my platoon I could always count on.

His drive and initiative led us to recommend and assign him to serve on the Company Commander's tank, one of the most demanding positions and highest honors for a soldier during his first year in the Army. He soaked up information and training like a sponge and shared his knowledge and training freely and willingly with new soldiers as they arrived. He was always optimistic and kept others around him in high spirits with his quick wit and sometimes prankster demeanor.

In the years following our time together in Korea, Joshua and I went on and served in different units across the Army but always kept in touch. He continued to seek out my mentorship and always had great tales and experiences to share whenever we talked. As I moved from assignment to assignment and ran into others that had the privilege to serve in units with Josh, they were always quick to vouch for his performance not just as a soldier, but how good a friend and brother in arms he truly was.

In the twelve years I've known Joshua and his family, across continents, states, and from one end of the Army to the other, in a world and a career where a man's honor and proficiency in his craft can be the difference between life and death, I never once met someone who had something bad to say about him. In these years since, as an Instructor; a Platoon Sergeant, and now as a First Sergeant, responsible for over 80 Troopers, not a day goes by that I don't miss Joshua as a friend and brother, but also wish that I could have him, or three of him, working with me so that I knew the job would get done right. I can say without reservation that Joshua and his legacy are in the highest of regard and worthy of memorialization for us to never forget.

Respectfully,

SEXTON.ELIJAH.D
OUGLAS.12908509
58

Digitally signed by
SEXTON ELIJAH DOUGLAS.129
0662059
Date: 2024.05.29 16:47:56 -0400

Elijah Douglas Sexton

1SG, UNITED STATES ARMY

OPEN SESSION

BUSINESS

9. Vote to support the implementation of the Senior Services Department Enrollment, Caregiver, and Visitor policies **(10 minutes)**



ITEM NUMBER: Business 9.

ITEM TITLE: Discuss and vote to support and adopt the implementation of the Senior Center Department Enrollment, Caregiver, and Visitor policies

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Jill Irving Bishop, Senior Services Director and Council on Aging Board

ATTACHMENTS: COA Letter to Select Board, Town Counsel Memorandum, Enrollment Policy, Visitor Policy, and Caregiver Policy

PURPOSE:

The Council on Aging Board is requesting Select Board support for and the adoption of the Senior Center Enrollment, Visitor, and Caregiver policies.

BACKGROUND/SUMMARY:

- The Council on Aging Board has been discussing the concern of the number of participants and the significant volume of service units provided to participants [residents and non-residents] at the Senior Center going back to March 2022.
- The Senior Center currently has 7,450 Falmouth residents/residential taxpayers currently enrolled with residents enrolling daily.
- The driving factors supporting the implementation of these policies are the continued daily enrollment of new participants; the Senior Services Department is coordinating a major outreach initiative to Falmouth residents who have not yet enrolled; there is a new senior

living facility across the street from the Senior Center; and the Community Campus parking lot is already near maximum capacity.

- The primary focus of the Senior Center is to serve Falmouth residents/residential taxpayers; it is important to note that each town does have their own Senior Center to provide programs and services to their residents.
- Town Counsel has reviewed the Enrollment Policy which limits enrollment to only Falmouth residents/residential taxpayers and has no legal concerns or objections.

DEPARTMENT RECOMMENDATION:

The Senior Services Director and Council on Aging Board recommend supporting the implementation and adoption of the Enrollment, Caregiver, and Visitor policies as presented.

OPTIONS:

- Motion to support the adoption and implementation of the Senior Center Enrollment, Caregiver, and Visitor policies as presented.
- Motion to deny support for the adoption and implementation of the Senior Center Enrollment, Caregiver, and Visitor policies.
- 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 support the adoption and implementation of the Senior Center Enrollment, Caregiver, and Visitor policies as presented.

Michael Renshaw

Town Manager

7/9/2024

Date

To: Falmouth Select Board
From: Council on Aging Board
Date: May 28, 2024
Subject: Senior Center Policy

The Council on Aging Board and Senior Services Director request consideration and support of the Select Board regarding the following Senior Center policies: Enrollment, Visitor, and Caregiver.

- Enrollment Policy: Limit registration to Falmouth residents or residential taxpayers. The new procedure will require a participant to submit an enrollment form and proof of residency.
- Visitor Policy: Participants will no longer be allowed to have guests. Visitors would be required to check in at the front reception desk, where assistance would be provided.
- Caregiver Policy: Caregivers will be required to check in as visitors and are linked to the registered user. A Caregiver's role is to assist the participant they are supporting.

The new Senior Center opened its doors on July 1, 2021. To say "If you build it, they will come" is an understatement. Limiting enrollment to the new center was not a topic of discussion when we first opened but became a concern for the COA Board to consider within 9 months of operations. Policies regarding residents, non-residents, visitors, and guests have been discussed by the board during several meetings dating back to March 2022.

It was noted during COA board meetings that the building was funded with Falmouth taxpayer's dollars. It was also noted that each town has their own Senior Center to offer a program of services to their residents. Enrollment that involved grandfathering non-residents who had already enrolled was considered but it was decided to limit the center to Falmouth residents and residential taxpayers only.

We have been very cautious in the decision to limit our enrollment. Factors that are driving our need to implement these policies: The 2020 Census stated Falmouth has 14,025 residents age 60+ and this number does not take into consideration the additional 2nd home residents age 60+; the Senior Center currently has 7,400+ Falmouth residents age 60+ enrolled which continues to grow daily; we have a major informative outreach initiative going out to residents who have not yet enrolled; there is a new senior living facility across the street from our campus that will be open this summer; and the community campus parking lot is already maxed out.

To demonstrate the Senior Center volume of usage, Fiscal Year 2023 Units of Service statistics was gathered from two other Senior Centers. The number of residents noted per town is based on the 2020 Census:

Plymouth Senior Center: 19,305 Residents age 60+ [39,869 Units of Service]

Barnstable Senior Center: 17,316 Residents age 60+ [14,483 Units of Service]

Falmouth Senior Center: 14,025 Residents age 60+ [64,686 Units of Service]

[Note: A unit of service is the participant activity counted for every program and service interaction.]

The COA Board voted to support all three policies unanimously. Your consideration and support are greatly appreciated.

Sincerely,

Joe Clancy, COA Board Chairman

Encl: Enrollment Policy, Visitor Policy, Caregiver Policy

**TOWN OF FALMOUTH
OFFICE OF TOWN COUNSEL
MEMORANDUM**

TO: JILL BISHOP
FROM: MAURA O'KEEFE, TOWN COUNSEL *MO*
SUBJECT: LIMITING PROGRAMS TO RESIDENTS
DATE: MAY 21, 2024

This office has been asked to provide an opinion about the ability of the Town to limit the provision of programs and services to residents, only.

Background

The Senior Center is a vibrant community hub of activity that provides a wide range of programs and services to members of the community over the age of 60. Since its opening, the popularity of the Senior Centers has grown exponentially. Now, waitlists for programs are common and not all members are able to participate freely due to the high volume of participants. The popularity of the Senior Center now means that, at times, senior residents of the Town are displaced from being able to take advantage of this valuable amenity.

It is against this backdrop that the administration of Senior Center is considering making the tough decision to limit membership to the Center and participation in programming to Falmouth residents or Falmouth residential taxpayers. The purpose of this limitation is to ensure that people who provide the tax revenue that supports the Senior Center are also the ones who benefit from it.

Equal Protection under the Law

Both the U.S. Constitution and the Constitution of the Commonwealth of Massachusetts provide that people are entitled to equal protection under the law. Doe v. Board of Sec'y of Educ., 479 Mass. 375, 391 (2018). Unless a fundamental constitutional right is at issue, the government needs only to show that there is a rational basis between

the law or policy and the legitimate interest being served. Gillespie v. City of Northampton, 460 Mass. 148, 158 (2011). Residency restrictions do not invoke any fundamental constitutional right, and require application of the rational basis test. Barlow v. Town of Wareham, 401 Mass. 408 (1988).

Here, the Senior Center provides desirable programs and services to the community with a limited municipal budget. Due to the sheer popularity of the programming, along with these financial constraints, the Senior Center is faced with placing restrictions on its membership. Enacting a policy to restrict membership to those residents who have some corollary to the funding source of the programs is a legitimate method of addressing the issues facing the Senior Center. These restrictions have a rational basis to serve the interest of providing quality programs and services on a limited budget.

Conclusion

For the reasons above, the Senior Center may enact a policy to limit membership and participation in its programming without running afoul of the law.

Policy:	ENROLLMENT POLICY		
Number:	Section:	Page: 1 of 1	
Effective Date:	Revision Date:		
Approved By: Support By:			
Policy Statement	Entry to the Senior Center and participation in any Senior Center program requires enrollment. Enrollment with the Falmouth Senior Center is open only to Falmouth Residents and Residential Taxpayers at least 60 years of age. Proof of Falmouth residency and age is required.		
Who Should Know about This Policy	Staff, Volunteers, Community, Participants		
Exclusions	Falmouth Residents or Falmouth Residential Taxpayers who cannot provide adequate proof of residency in the forms required below may be given an opportunity to provide alternate forms of proof, at the discretion of the Town.		
Special Situations			
Rates			
Related Information			
Procedures	<ul style="list-style-type: none"> ▪ Complete a Falmouth Senior Center Enrollment Form. ▪ Provide proof of being a Falmouth Resident or Residential Taxpayer. <ul style="list-style-type: none"> ○ Driver's license or other state issued identification card ○ Proof of voter registration ○ Falmouth Real Estate Tax bill ○ Falmouth excise Tax bill ○ Utility bill ○ Bank or credit card statement ○ Lease or Rental Agreement with a minimum term of six (6) months, along with proof of rental payments for the 6 months prior to submission of the application for enrollment. The lease or rental agreement must be signed by the landlord. ○ Cell phone bill ○ Health Insurance bill ▪ Participants will receive and sign the Code of Conduct Policy. 		
Forms/Instructions (In support of this policy the following forms are included.)	<ul style="list-style-type: none"> ▪ Enrollment Form. ▪ Code of Conduct 		

Policy:	VISITOR POLICY		
Number:	Section:	Page: 1 of 1	
Effective Date:		Revision Date:	
Approved By: Support By:			
Policy Statement	A Visitor is defined as anyone who is not properly enrolled as a participant with the Senior Center. Visitors are not permitted to participate in any programs or utilize services of the Senior Center.		
Who Should Know about This Policy	Staff, Volunteers, Community, Participants		
Exclusions	<p>Caregivers are permitted to visit the Senior Center with a participant for whom they are providing assistance, subject to the limitations of the Caregiver policy.</p> <p>See Caregiver policy.</p>		
Special Situations	<ul style="list-style-type: none"> ▪ Visitors who are providing a service or educational purpose may be allowed under the approval of the Director (or designee). ▪ Visitors who are inquiring about programs or services for a Falmouth resident or residential taxpayer age 60+ can meet with a staff member. 		
Rates			
Related Information			
Procedures	All visitors are required to check in and out with the Reception Desk.		
Forms/Instructions (In support of this policy the following forms are included.)	<ul style="list-style-type: none"> ▪ Caregiver Policy ▪ Visitor Log 		

Policy:	CAREGIVER POLICY		
Number:	Section:	Page: 1 of 1	
Effective Date:	Revision Date:		
Approved By: Support By:			
Policy Statement	<p>Any Senior Center participant who is unable to remain independent while at the Senior Center must be accompanied by a Caregiver. Caregivers are only permitted to visit the Senior Center with the participant for whom they are providing services. A Caregiver is anyone, 18 years or older, who is responsible for the personal or medical care and safety of a participant. The Caregiver is required to act as the participant's responsible party while at the Senior Center and remain in the company of the participant while present at the Senior Center.</p> <p>Caregivers may not participate in any programs or services of the Senior Center unless required to do so to assist with the caretaking of the participant. Caregivers may use the café to assist with their caretaking responsibilities.</p>		
Who Should Know about This Policy	Staff, Volunteers, Community, Participants		
Exclusions			
Special Situations			
Rates			
Related Information			
Procedures	<p>Caregivers will check in with the Front Desk and state which participant they are accompanying. Reception will note the Caregiver's name in participant's file. Participant will select the program of service they are utilizing as well as select the Caregiver event on the MySeniorCenter monitor.</p>		
Forms/Instructions (In support of this policy the following forms are included.)	<ul style="list-style-type: none"> ▪ Code of Conduct 		

OPEN SESSION

BUSINESS

10. Announce November 2024 Annual Town Meeting schedule
(5 minutes)



ITEM NUMBER: Business 10.

ITEM TITLE: April 2024 Annual Town Meeting Schedule

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: April 2024 Town Meeting Schedule - Proposed

PURPOSE:

The Board is asked to adopt and announce the schedule for the April 2024 Annual Town Meeting.

BACKGROUND/SUMMARY:

- The proposed schedule included in the meeting packet lines up with the November 18, 2024 Annual Town Meeting date announced by Chair Nancy Robbins Taylor at the April Annual Town Meeting.
- The proposed schedule is similar to the one adopted for the November 2023 Town Meeting.
- The dates for Select Board actions align with the Select Board meeting schedule adopted for 2024.
- One minor edit has been made from prior years in an effort to more clearly establish a timeline for all boards and committees that vote recommendations published in the Town Meeting booklets, i.e. Finance Committee, Planning Board, Community Preservation Committee and Select Board.

DEPARTMENT RECOMMENDATION:

It is recommended that the Select Board vote to adopt the April 2024 Annual Town Meeting schedule as submitted.

OPTIONS:

- Motion to adopt April 2024 Town Meeting schedule as submitted.

- Motion to adopt April 2024 Town Meeting schedule with specified 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 vote to adopt the November 2024 Town Meeting schedule as presented.

Michael Renshaw

Town Manager

7/10/2024

Date

DRAFT



TOWN OF FALMOUTH

NOVEMBER 2024 ANNUAL TOWN MEETING

- Select Board Announce Annual Town Meeting..... Monday, July 15, 2024
- Close Warrant Friday, August 30, 2024
- Select Board Vote Articles & Execute Warrant..... Monday, September 9, 2024
- Publish Articles OnlyFriday, September 13, 2024
- Petition Article Presentations..... Monday, September 23, 2024
- Vote Article Recommendations (All boards) October 10, 2024
- Send Warrant with Recommendations to Printer/Newspaper..... Wednesday, October 16, 2024
- Publish Warrant with Recommendations and Mail Warrant Booklets Friday, October 25, 2024
- Town Meeting..... Monday, November 18, 2024

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- a. Appoint Mike Renshaw as Falmouth's representative to the JBCC-Military-Civilian Community Council (MC3)



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.a.

ITEM TITLE: Appoint Mike Renshaw as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3)

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Email thread between staff and JBCC personnel; JBCC Military-Civilian Community Council Charter dated May 12, 2021

PURPOSE:

The Select Board will consider the appointment of Town Manager Mike Renshaw to serve as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3).

BACKGROUND/SUMMARY:

- The mission of the Joint Base Cape Cod Military-Civilian Community Council (MC3) is to provide a forum for on-base military commands and civilian tenants, and off-base neighboring communities and organizations, to present, discuss, and comment upon activities and proposed projects within the JBCC Containment Area and/or surrounding communities that could potentially have an impact on base operations and/or quality of life in the neighboring communities.

- The purpose of MC3 is to be an advisory board to promote goodwill and unity between the military and civilian tenants of JBCC and the local and regional communities and organizations.
- Mr. Ray Jack was the last Select Board appointee to serve on the MC3, and he was appointed on May 24, 2021.

DEPARTMENT RECOMMENDATION:

It is recommended that the Select Borad appoint Town Manager Mike Renshaw as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3).

OPTIONS:

- Motion to appoint Town Manager Mike Renshaw as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3).
- Motion to deny the appointment of Town Manager Mike Renshaw as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3) and to appoint some alternative individual to serve on the MC3.

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 Borad appoint Town Manager Mike Renshaw as Falmouth’s representative to the JBCC-Military-Civilian Community Council (MC3).

Michael Renshaw

7/10/2024

Town Manager

Date

Diane Davidson

From: Mike Renshaw
Sent: Wednesday, June 26, 2024 10:05 AM
To: Diane Davidson
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Thanks Diane...let's plan that for July 15 agenda. I don't think it's time sensitive, and I honestly forgot to mention this one to Nancy and Scott. I'm sure they won't have an issue with it.

Mike Renshaw, ICMA-CM, MPA
Town Manager
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
O: (508) 495-7324
C: (774) 392-1365



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

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 26, 2024 8:59 AM
To: Mike Renshaw <mike.renshaw@falmouthma.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Hi Mike,

One representative from Falmouth appointed by the Select Board.

Diane

From: Mike Renshaw <mike.renshaw@falmouthma.gov>
Sent: Wednesday, June 26, 2024 7:42 AM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Thanks Diane...how many vacancies do we need to fill on the MC3? I can speak to the Chair and Vice Chair this morning. I know Bud Dunham is the Sandwich Town Manager. If the Chair is OK with it, I'll fill the slot (I assume the full Board would have to vote to appoint me, correct?).

Mike Renshaw, ICMA-CM, MPA
Town Manager
Town of Falmouth

59 Town Hall Square
Falmouth, MA 02540
O: (508) 495-7324
C: (774) 392-1365



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

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Tuesday, June 25, 2024 5:36 PM
To: Mike Renshaw <mike.renshaw@falmouthma.gov>
Subject: FW: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Hi Mike,

As a follow-up to the email I sent earlier, Paul Rendon sent the below to let us know that for the MC3 (Military-Civilian Community Council) most members are town select board members.

Diane

From: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Sent: Tuesday, June 25, 2024 3:37 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Cc: Faux, Christopher M NFG (USA) <christopher.m.faux.nfg@army.mil>; Dunham, George <gdunham@sandwichmass.org>; Pinaud, Leonard (DEP) <leonard.pinaud@mass.gov>; Ciaranca, Michael A NFG NG MAARNG (USA) <michael.a.ciaranca.nfg@army.mil>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Diane,

Thank you for your efforts in trying to get these vacancies filled. Most of the MC3 Town members are on the Selectboard (Bud Dunham, Melissa Ferretti, John Cotton), so having your Town Manager or his Asst would be appropriate, but ultimately, that is up to your Select Board to decide.

v/r,

Paul E. Rendon, LEED-AP, PMP
Commonwealth of Massachusetts, Military Division
Joint Base Cape Cod (JBCC)
JBCC Executive Officer
Building 3468, Beaman Street
Camp Edwards, MA 02542
c: 774.327.0643

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Tuesday, June 25, 2024 11:45 AM

To: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Hi Paul,

I have advertised the vacancies on these two Councils on our town website and in the newspaper and have received no applications. I will check with the Town Manager to find out if we should extend this invitation to serve to Town staff or Select Board and will follow up with you.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321
diane.davidson@falmouthma.gov

From: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Sent: Monday, June 24, 2024 9:43 AM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Diane,
Good morning. Any progress on having a Falmouth Primary and Alternate assigned to the MC3? Thank you.

v/r,

Paul E. Rendon, LEED-AP, PMP
Commonwealth of Massachusetts, Military Division
Joint Base Cape Cod (JBCC)
JBCC Executive Officer
Building 3468, Beaman Street
Camp Edwards, MA 02542
c: 774.327.0643

From: Rendon, Paul E NFG NG MAARNG (USA)
Sent: Thursday, June 6, 2024 2:07 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Diane,
Good afternoon. Any progress on having a Falmouth Primary and Alternate assigned to the MC3? Thank you.

v/r,

Paul E. Rendon, LEED-AP, PMP
Commonwealth of Massachusetts, Military Division
Joint Base Cape Cod (JBCC)

JBCC Executive Officer
Building 3468, Beaman Street
Camp Edwards, MA 02542
c: 774.327.0643

From: Rendon, Paul E NFG NG MAARNG (USA)
Sent: Thursday, February 29, 2024 10:58 AM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Cc: Ciaranca, Michael A NFG NG MAARNG (USA) <michael.a.ciaranca.nfg@army.mil>; Pinaud, Leonard (DEP) <leonard.pinaud@mass.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Roger...Thank you.

v/r,

Paul E. Rendon, LEED-AP, PMP
Commonwealth of Massachusetts, Military Division
Joint Base Cape Cod (JBCC)
JBCC Executive Officer
Building 3468, Beaman Street
Camp Edwards, MA 02542
c: 774.327.0643

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Thursday, February 29, 2024 10:57 AM
To: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Cc: Ciaranca, Michael A NFG NG MAARNG (USA) <michael.a.ciaranca.nfg@army.mil>; Pinaud, Leonard (DEP) <leonard.pinaud@mass.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Hi Paul,
Thank you very much for sending the Charter for the MC3. I will send a letter to you after the appointments are made.

Sincerely,
Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321
diane.davidson@falmouthma.gov



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

From: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Sent: Thursday, February 29, 2024 10:40 AM
To: Diane Davidson <diane.davidson@falmouthma.gov>
Cc: Ciaranca, Michael A NFG NG MAARNG (USA) <michael.a.ciaranca.nfg@army.mil>; Pinaud, Leonard (DEP) <leonard.pinaud@mass.gov>
Subject: RE: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Diane,

Good afternoon and thank you for reaching out to me about this. Attached is the Charter for the MC3 that states on Page 3, Para 4.c. and Page 5, Para 4.p., that each of the surrounding Towns can select their Representative and Alternate to be a member of the MC3. Simply send me a Letter stating who your primary and alternate representatives will be and I'll include them in all MC3 correspondence and meeting invites.

Regarding the CAC, I'm copying Len Pinaud, the EMC Environmental Officer, who can assist you with assigning a Falmouth member to the CAC.

Thank you and let me know if you have any questions.

v/r,

Paul E. Rendon, LEED-AP, PMP
Commonwealth of Massachusetts, Military Division
Joint Base Cape Cod (JBCC)
JBCC Executive Officer
Building 3468, Beaman Street
Camp Edwards, MA 02542
c: 774.327.0643

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, February 28, 2024 11:29 AM
To: Rendon, Paul E NFG NG MAARNG (USA) <paul.e.rendon2.nfg@army.mil>
Subject: Military-Civilian Community Council (MC3) and Community Advisory Council (CAC)

Dear Paul,

The Town of Falmouth representative position (formerly held by Ray Jack) is vacant on the Military-Civilian Community Council and on the Community Advisory Council. Would you have a charge or mission statement and any qualifications required of prospective members that you can email to me for each of these committees?

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321
diane.davidson@falmouthma.gov



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



THE COMMONWEALTH OF MASSACHUSETTS
JOINT BASE CAPE COD
OFFICE OF THE EXECUTIVE DIRECTOR
BUILDING 1204, WEST INNER ROAD
CAMP EDWARDS, MA 02542

JBCC MILITARY-CIVILIAN COMMUNITY COUNCIL CHARTER 12 May 2021

1. Official Designation: Joint Base Cape Cod Military-Civilian Community Council (JBCC MCCC).
2. Mission, Purpose, and Objectives:
 - a. The mission of the Joint Base Cape Cod (JBCC) Military-Civilian Community Council (MCCC) is to provide a forum for on-base military commands and civilian tenants, and off-base neighboring communities and organizations, to present, discuss and comment upon activities and proposed projects within the JBCC Cantonment Area, Exhibit A, and/or surrounding communities that could potentially have an impact on base operations and/or quality of life in the neighboring communities. The JBCC MCCC promotes a broad understanding of potential effects of these activities and projects in the Cantonment Area and surrounding communities with the goal of enhancing the interactions and interrelationships between the military and civilian tenants, and the surrounding communities, and providing a greater understanding of the conditions necessary to sustain the various operational, environmental and training requirements of the entire JBCC.
 - b. The purpose of the JBCC MCCC is to be an advisory board to promote goodwill and unity between the military and civilian tenants of Joint Base Cape Cod and the local and regional communities and organizations with the following objectives:
 - (i) Establish a mutually beneficial process that will ensure timely and consistent notification between the military commands and civilian tenants of JBCC, and the adjoining towns and community organizations, on activities, projects, policies, and changes of mutual interest.
 - (ii) Foster cooperative discussions of local plans, programs, operations and projects of mutual interest.
 - (1) When discussing plans, projects and activities of mutual interest, the JBCC MCCC

will offer advice, opinions or recommendations through the collection of information and viewpoints from members representing key stakeholder groups from JBCC and the surrounding community as individuals rather than from the Council acting as a group in a collective mode. The JBCC MCCC is not an advisory committee, as that term is used in the Federal Advisory Committee Act. Advice will be received with respect, but shall not be construed as mandates.

(2) There may be times when the group will want to operate in a consensus mode when addressing issues or projects involving a community/military partnership, i.e., approving recommendations from a Joint Land Use Study or when exploring the possibility of shared services agreements. The JBCC MCCC may decide to work toward consensus in order to have the ability to move forward as a group in supporting possible implementation of such plans, projects, or activities or when deciding as a group that a plan, project or activity is not feasible and/or not worthy of further consideration.

3. Authority: The basis for the creation of the JBCC MCCC is found in the:
 - a. Executive Office of Environmental Affairs Secretary's Certificate on the Final Area-Wide Environmental Impact Report (EIR) for the Massachusetts Military Reservation (MMR) Master Plan dated 16 July 2001;
 - b. Section 61 Findings for the Final Area-Wide EIR for the MMR Master Plan, the Massachusetts National Guard *Informational Supplement*, dated August 15, 2001; and
 - c. The outstanding work of the Community Working Group leading up to the issuance of the Secretary's Certificate.
 - d. All of these actions or activities recognized the need for an exchange of information and viewpoints concerning proposed civilian and military uses located in or near the JBCC Cantonment Area. This need for communication between the military and the community concerning the JBCC Cantonment Area was specifically identified in the above-cited Informational Supplement and given the name "Cantonment Area Project Advisory Board." That board provided a public review and consultation process to assist the Massachusetts National Guard in its own review and decision-making on proposed civilian projects in the JBCC Cantonment Area. The function of the "Cantonment Area Project Advisory Board"

has since been replaced by the JBCC MCCC.

4. JBCC MCCC Composition:

- a. Commanders and Commanding Officers of major Joint Base Cape Cod military commands.
- b. Directors or Chief Executive Officers of civilian base tenants who have control over operations or management of activities at Joint Base Cape Cod.
- c. Representative appointed by the Board of Selectmen of each of the neighboring communities (one from each town: Barnstable, Bourne, Falmouth, Mashpee, and Sandwich).
- d. Representative of the Mashpee Wampanoag Tribe.
- e. Other community representatives as determined by the JBCC MCCC in accordance with the Community Member Selection Process herein.
- f. The JBCC MCCC shall consist of between 20 and 25 members, including a JBCC Military Co-chair and Community Co-chair.
- g. The responsibility for presiding over each JBCC MCCC meeting will alternate between the two Co-chairs.
- h. The JBCC Military Co-chair will be the Executive Director, Joint Base Cape Cod. Duties of the JBCC Military Co-chair include, but are not limited to, the same duties as the Community Co-chair, as well as ensuring adequate administrative support to the JBCC MCCC; developing and maintaining attendance records; ensuring adequate creation, distribution to JBCC MCCC members, and retention of all pertinent documents; ensuring that the JBCC military commanders consider and respond to comments made at JBCC MCCC meetings; referring questions and concerns regarding issues that are not part of the JBCC MCCC Charter to the appropriate officials; publicizing all JBCC MCCC meetings to the community; and maintaining the information repositories, as required. Should for any reason the Executive Director be unable to serve, or there be a vacancy, the Joint Oversight Group (JOG) shall select an acting Co-chair.
- i. The Community Co-chair will be elected by the Community Members either by acclamation or by a majority vote of the community members. Duties of the Community Co-chair include, but are not limited to, ensuring membership participation in an open and constructive manner; ensuring that community issues and concerns related to proposed military and civilian projects within the JBCC Cantonment area, as well as civilian projects in the

surrounding communities, are brought to the table; coordinating, preparing and distributing the meeting agenda with the JBCC Military Co-chair; assisting in the dissemination of information; and alternating chairing the meeting with the JBCC Military Co-chair. The term of office for the Community Co-chair shall be two years after assuming office with a one-term limit, but may serve consecutive terms if there are no other interested civilian members. If the Community Co-Chair is unable to fulfill his/her duties, for whatever reason, a new Community Co-Chair may be elected by a simple majority vote of the community members present at the meeting.

- j. **Community Members.** Community members should be diverse and balanced and reflect a wide variety of concerns and interests in the community. It is envisioned that the JBCC MCCC will be comprised of 20 to 25 members total, with diverse representation of individuals from the local community. Members should reside in, own property, or serve the interests of the communities of Barnstable, Bourne, Falmouth, Mashpee, or Sandwich. Community members may include residents; various local government agencies; businesses; school districts; local environmental groups; civic/public interest organizations; religious groups; local regulatory agencies; homeowners associations; the medical community; the economically disadvantaged; minority groups; other State and Federal governments; trustees; and local and tribal governments.
- k. As of the revision date of this Charter, organizations/representatives identified in Exhibit B have been invited to be MCCC Military and Community members.
- l. **Attendance.** All JBCC MCCC members will strive to attend all meetings. Members who miss three consecutive meetings without compelling reason may be removed for cause. Reason for absence may be directed to either Co-chair.
- m. **Expectations.** In order to facilitate two-way communication between the base and its neighbors, JBCC MCCC members can expect to gain knowledge and build relationships giving them the ability to better communicate to their stakeholders information about planning actions on the base and in the surrounding communities, as well as gather input from the community and JBCC tenants to share with the JBCC MCCC. JBCC MCCC members are responsible to their respective sponsors to provide updated information at a frequency and to the level of detail identified by their sponsor. Finally, JBCC MCCC

members shall conduct themselves professionally at all times, and will afford fellow members respect and consideration.

- n. Compensation. JBCC MCCC members will serve without compensation. All expenses incident to travel and to review inputs shall be borne by the respective member or their host organization.
- o. Conflict of Interest. All incoming and present JBCC MCCC members shall disclose all actual, potential, and perceived conflicts of interest. Community applicants will be asked to disclose such information as part of the application process, and the JBCC MCCC will consider these disclosures in its selection process. The existence of actual, perceived, or potential conflicts of interests shall not automatically disqualify an individual from membership. Anyone who derives income, other than direct salary, pension and/or benefits, from employment or contracts associated with JBCC shall be disqualified from serving on the JBCC MCCC. Anyone with a direct financial interest in any matter under discussion shall formally recuse himself/herself from discussion.
- p. Alternates. All JBCC MCCC members shall select an alternate to represent the member at meetings when the JBCC MCCC member is not able to attend. When a vote or consensus is required, alternates can act on behalf of the member represented. Alternates may and are encouraged to attend all meetings of the JBCC MCCC as observers.
- q. Terms of Office. Community Members shall serve a term of two-years. At the conclusion of that term, the Community Members will select a Community Member from the pending applications; Community Members may serve more than one-term, but serious consideration should be given to allowing new members of the community to participate in the JBCC MCCC after an individual community member has served two consecutive terms. Self-policing of term limits is encouraged to facilitate new opinions and avoid homesteading. Community member terms will begin 1 January and end 31 December of the second year, unless the Community Member is acting as a mid-term replacement. If so, they will assume the remainder of the term of the individual they are replacing and then be required to seek re-appointment for the next regular term of that Community Member position. All other JBCC MCCC members shall serve until they resign, are removed for cause, their term expires, or are replaced by their sponsoring organization.

- r. Community Member Selection Process. Any organization or individual which can establish a common interest in the objectives listed in Paragraph 2.b. above may become a member of the Council if nominated by a current member of the Council, and upon approval by a simple majority rule vote of the current members present.
5. The military and civilian tenants of JBCC which are members of the JBCC MCCC will:
- a. Provide information to the local and regional communities and organizations on plans, programs, operations, projects of mutual interest, which may affect the local and regional communities and organizations. These may include, but are not limited to, the following:
 - (i) Base Comprehensive Plans;
 - (ii) Air Installation Compatibility Use Zone (AICUZ) studies;
 - (iii) Substantial changes in existing installation use;
 - (iv) Appropriate data for local plans, programs, and projects;
 - (v) Development proposals;
 - (vi) Transportation improvements and plans;
 - (vii) Sanitary waste facilities;
 - (viii) Open space and recreation;
 - (ix) Public works projects;
 - (x) Solid waste management proposals;
 - (xi) Land use plans and ordinances; and
 - (xii) Renewable Energy Initiatives.
6. Local and regional communities and organizations which are members of the JBCC MCCC will:
- a. Provide information to the military and civilian tenants of Joint Base Cape Cod on plans, programs, and projects of mutual interest that may affect JBCC. This may include, but is not limited to, the following:
 - (i) Development proposals;
 - (ii) Transportation improvements and plans;
 - (iii) Waste Water facilities;
 - (iv) Open space and recreation;
 - (v) Public works projects;

- (vi) Solid waste management proposals;
 - (vii) Land use plans and ordinances;
 - (viii) Rezoning and variances;
 - (ix) Subdivisions;
 - (x) Utility plans, public and private; and
 - (xi) Renewable Energy Initiatives.
- b. Provide plans, programs and projects of mutual interest within the vicinity of JBCC to the military and civilian tenants of JBCC for review and comment.
- c. Include the military and civilian tenants of JBCC in the distribution of meeting agendas for governance matters including, but not limited to, the following:
- (i) Land Use Planning (Zoning, Conservation, etc.)
 - (ii) Economic Development
 - (iii) Renewable Energy Initiatives
7. Number and Frequency of JBCC MCCC Meetings: The JBCC MCCC will meet not less than four times per year at JBCC and/or the surrounding towns. Meeting logistics and protocol will follow the guidelines provided in Exhibit C.
8. Effective Date and Modification: This Charter is effective upon signature by both Co-chairs and a majority vote of the JBCC MCCC community members present. This Charter may be amended by simple majority vote of the members present at a meeting, and further by agreement of the JBCC Military Co-chair. The Charter shall be published and distributed within 30 days of amendment.

IT IS SO AGREED:


CHRISTOPHER M. FAUX, Brigadier General (ret)
Military Co-Chair


GEORGE DUNHAM
Community Co-Chair

Exhibit A

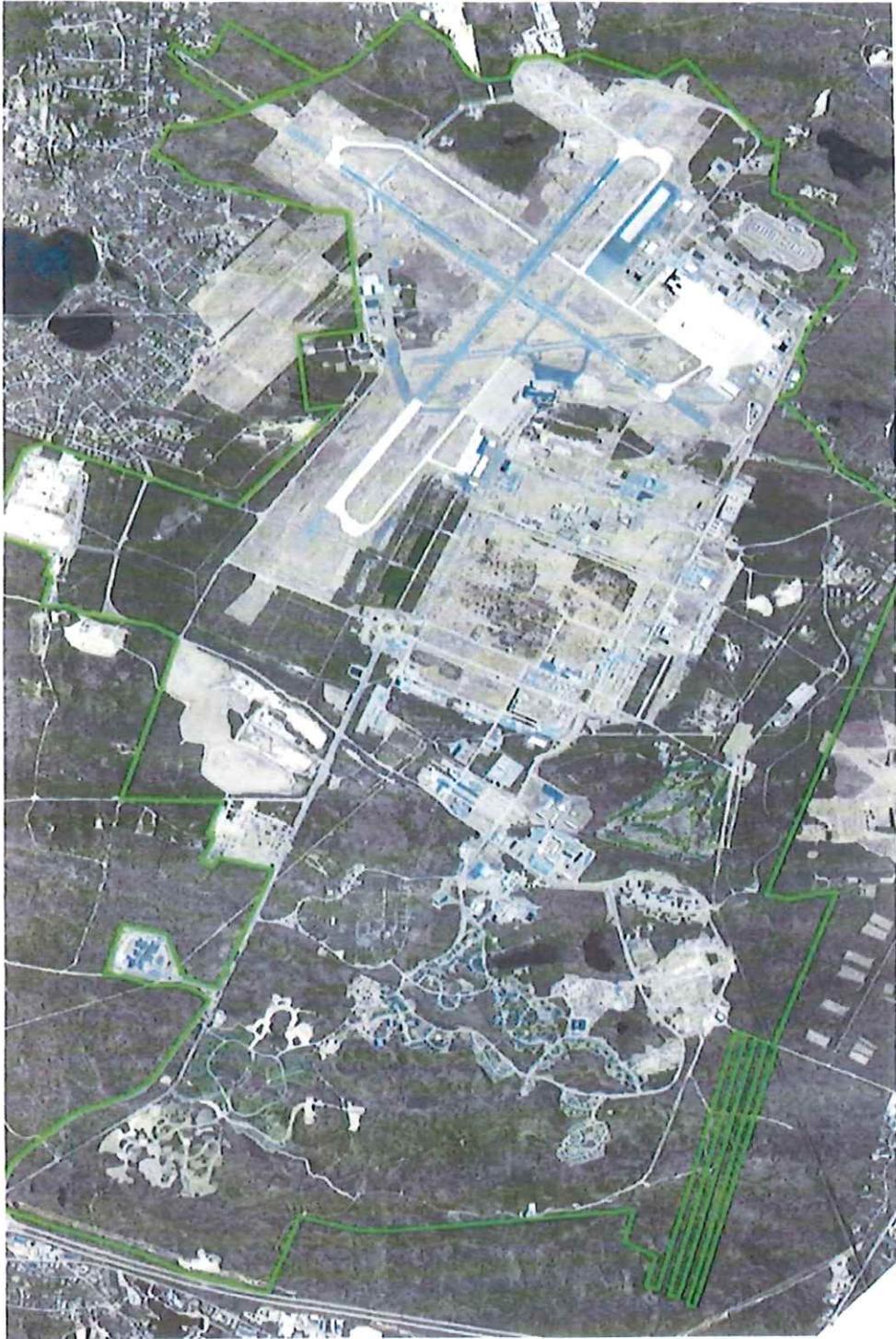


Exhibit B

(Military Co-Chair) BG Christopher Faux
Executive Director, Joint Base Cape Cod

COL Matthew Porter
Commander, Camp Edwards

Col Sean Riley
Commander, 102nd Intelligence Wing

Lt Col Timothy Sheehan
Commander, 6th Space Warning Squadron

CAPT Scott Langum
Commanding Officer, Air Station Cape Cod

CAPT Sean Hannigan
Commanding Officer, Base Cape Cod

Fire Chief Thomas Rullo
(Alternate: John Cotton)
Barnstable County Fire Chiefs Association

George Slade (Alternate: Tony Schiavi)
Bourne Selectman

Sheriff James Cummings
(Alternate: Joe Gordon)
Barnstable County Sheriff

Julian Suso
Falmouth Town Manager

Joseph Reid (Alternate: Mark McNally)
Federal Aviation Administration

Andrew Gottlieb (Alternate: Don Keeran)
The Association to Preserve Cape Cod

Mark Forest (Alternate: N/A)
Barnstable County Commissioners

(Community Co-Chair) George Dunham
Sandwich Town Manager

Mimi McConnell
At-Large Member

Kristy Senatori (Alternate: Erin Perry)
Cape Cod Commission

John Cotton (Alternate: Thomas Rullo)
Mashpee Selectman

Christopher Adams (Alternate: N/A)
Cape Cod Chamber of Commerce

Mark Harding
Mashpee Wampanoag

Meg Delorier (Alternate: John Beatty)
MassDevelopment

Dr. John Cox (Alternate: Christopher Clark)
Cape Cod Community College

Scott Pfister (Alternate: Scott Myers)
United States Department of Agriculture

TBD
Town of Barnstable

Exhibit C

JBCC Military - Civilian Community Council (MCCC) meeting logistics and protocol

1. One month prior, identify meeting date and time:
 - a. JBCC Executive Director and JBCC JOG will identify date and time.
 - b. JBCC Executive Officer will notify MCCC member representatives via email.
 - c. JBCC Executive Officer will reserve meeting location.

2. Draft Agenda (two weeks prior):
 - a. JBCC Executive Officer will send out a draft agenda for review to MCCC members.

3. One week prior to meeting, JBCC Executive Officer will send reminder e-mail with final agenda, read-ahead material(s), links, directions etc.

4. Base access:
 - a. JBCC Executive Officer will arrange base access for MCCC community members.

5. Meeting room set up etc.:
 - a. Tables, table tents, audio visual (Environmental and Readiness Center outreach staff).
 - b. Presentations, hand-out materials (Environmental and Readiness Center outreach staff).

VETERANS COUNCIL COMMITTEE

Affirm appointments:

Organization	Name	One-Year Term Until
Disabled American Veterans (DAV) Chapter 81	Dr. Ronald Nasif	6/30/25
AMVETS Post 70	David Branga	6/30/25
Falmouth Lodge No. 2380 B.P.O. Elks	Lt. Col. Elizabeth S. Sweeney	6/30/25
Veterans of Foreign Wars (VFW) Post 2569	Ahmed Mustafa	6/30/25

Falmouth Select Board
Veterans Council Policy

The Veterans Council is established pursuant to G.L. c. 115, s. 12 and consists of five (5) to fifteen (15) members at the discretion of the Select Board. The Select Board is the appointing authority for the Council. The statute provides no procedure for appointments.

Over the years, the Select Board has deferred to various veterans organizations to nominate members of the Council. These organizations are the Veterans of Foreign Wars (VFW), Joe Q Veteran Coffee Break, Inc., AMVETS, Disabled American Veterans (DAV), the Elks Lodge and the Cape and Islands Veteran Outreach Center (CIVOC). The statute does not require that a member of the Council be a veteran. It has been the practice of the Select Board to appoint members of the Council nominated by these organizations and not to solicit applications for membership from the community-at-large.

The Falmouth Home Rule Charter contains sections C7 – 1A and C7 - 1B. These sections apply to Committees established or continued by the Charter. As a statutory committee, the Veterans Council is not specifically governed by the Charter. Section C7 – 1A requires the Select Board to publicize vacancies on committees to solicit application and promote diversity on appointed committees. Section C7 – 1B authorizes the Select Board to consult with committees to obtain the names of persons willing to serve.

In an effort to reconcile past practices with the spirit and intent of the Falmouth Home Rule Charter, the Select Board adopts this policy. The Veterans Council shall have nine (9) members at the discretion of the Select Board appointed to one-year terms. Whenever there is a vacancy on the Veterans Council, the Select Board will (a) publish the vacancy in accordance with section C7 – 1A of the Charter and (b) solicit nominations from the veterans' organizations. Each of the above mentioned veterans' organizations may nominate one member of the council to serve at any time. Candidates nominated by a veteran's organization will be appointed unless the Select Board specifically disapproves of a nominee for good cause, under which conditions the nominating organization will be approached for another

nomination. Thereafter, the Select Board will appoint the remaining 3 members of the Council in the same manner it appoints members of other committees.

Preference shall be given to those with a personal interest in the affairs of veterans, such as a Gold Star Parent.

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- b. Appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran's Council Committee



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.b.

ITEM TITLE: Appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran’s Council Committee

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Email from Ron Dyer, Commander DAV Chapter 81 nominating Ronald Nasif

PURPOSE:

The Select Board will consider the appointment of Ronald Nasif as the Disabled American Veterans (DAV) nominee to serve as a representative on the Veteran’s Council Committee.

BACKGROUND/SUMMARY:

- On July 2, 2024 Ronald Dyer, Commander of DAV Chapter 81, submitted an email nominating Ronald Nasif as the DAV organizational representative on the Veteran’s Council Committee.
- If appointed, Mr. Nasif would serve a one-year term to expire on June 30, 2025.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran’s Council Committee.

OPTIONS:

- Motion to appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran’s Council Committee to serve a one-year term which expires on June 30, 2025.

- Motion to deny approval of the appointment of the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran’s Council Committee to serve a one-year term which 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 appoint the Disabled American Veterans (DAV) nominee Ronald Nasif as representative to the Veteran’s Council Committee.

Michael Renshaw

Town Manager

7/10/2024

Date

Diane Davidson

From: Julie Cadogan
Sent: Tuesday, July 2, 2024 4:03 PM
To: Peter Johnson-Staub; Mike Renshaw
Cc: Diane Davidson; Don Lincoln; Ronald Nasif [REDACTED]; Carissa April
Subject: FW: Assigning of Representative to Falmouth Veterans Council

As requested, please see the below email from Ron Dyer from the DAV regarding the continued representation by Ron Nasif as the DAV representative on the Veterans' Council. Thanks and have a good day.

Julie

From: Ronald Dyer [REDACTED]
Sent: Tuesday, July 2, 2024 3:55 PM
To: Julie Cadogan <julie.cadogan@falmouthma.gov>; Ronald Dyer [REDACTED]
Subject: Assigning of Representative to Falmouth Veterans Council

Ms. Julie Cadogan
Falmouth Veterans Service Office

Ronald Nasif will continue as the Disabled American Veterans (DAV Chapter 81) representative to the Falmouth Veterans Council for the 2025 fiscal year (July 2024 through June 2025).

Ronald C Dyer
Commander
DAV Chapter 81
P.O. Box 2319
Falmouth, MA 02536

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- c. Appoint the AMVETS nominee David Branga as representative to the Veteran's Council Committee



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.c.

ITEM TITLE: Appoint the AMVETS nominee David Branga as representative to the Veteran's Council Committee

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Letter from 1st Vice Commander AMVETS Post 70 Roy Rose nominating David Branga as representative to the Veteran's Council Committee, dated April 16, 2024

PURPOSE:

The Select Board will consider the appointment of David Branga as the AMVETS nominee to serve as a representative on the Veteran's Council Committee.

BACKGROUND/SUMMARY:

- On April 16, 2024 Roy Rose, 1st Vice Commander AMVETS Post 70, submitted a letter nominating David Branga as the AMVETS organizational representative on the Veteran's Council Committee.
- If appointed, Mr. Branga would serve a one-year term to expire on June 30, 2025.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board appoint the AMVETS nominee David Branga as representative to the Veteran’s Council Committee.

OPTIONS:

- Motion to appoint the AMVETS nominee David Branga as representative to the Veteran’s Council Committee to serve a one-year term which expires on June 30, 2025.
- Motion to deny approval of the appointment of the AMVETS nominee David Branga as representative to the Veteran’s Council Committee to serve a one-year term which 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 appoint the AMVETS nominee David Branga as representative to the Veteran’s Council Committee.

Michael Renshaw

Town Manager

7/10/2024

Date



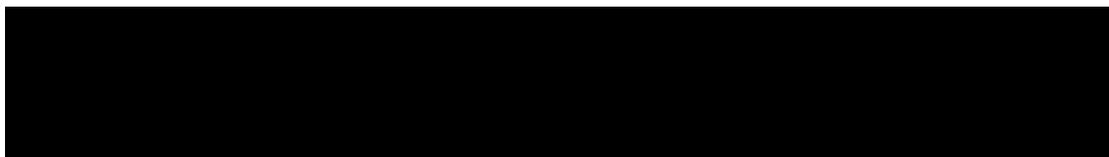
AMVETS Post 70
336 Palmer Ave
Falmouth, MA 02540

508-548-8288



AMVETS is submitting David Branga, Post Adjutant, to be the next representative on the Veterans Council. David is a retired Postmaster and is a full time Falmouth resident. He serves as our adjutant and is active in veterans affairs as well as being the secretary of the Falmouth Elks and Editor of the Falmouth Newcomers. We feel he will be an asset to the council.

Roy Rose
1st Vice Commander
AMVETS Post #70
Falmouth MA



OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- d. Appoint the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran's Council Committee



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.d.

ITEM TITLE: Appoint the Falmouth Elk's Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran's Council Committee

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Letter from Denise Soweine, Exalted Ruler Falmouth Elks Lodge #2380, nominating Lt. Col. Elizabeth S. Sweeney as representative to the Veteran's Council Committee, dated May 1, 2024

PURPOSE:

The Select Board will consider the appointment of Lt. Col Elizabeth S. Sweeney, USAF (Ret) as the Falmouth Elks Lodge nominee to serve as a representative on the Veteran's Council Committee.

BACKGROUND/SUMMARY:

- On May 1, 2024 Denise Soweine, Exalted Ruler Falmouth Elks Lodge #2380, submitted a letter nominating Lt. Col. Elizabeth S. Sweeney as the Falmouth Elks Lodge organizational representative on the Veteran's Council Committee.
- If appointed, Lt. Col. Elizabeth S. Sweeney would serve a one-year term to expire on June 30, 2025.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board appoint the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran’s Council Committee.

OPTIONS:

- Motion to appoint the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran’s Council Committee to serve a one-year term which expires on June 30, 2025.

- Motion to deny approval of the appointment of the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran’s Council Committee to serve a one-year term which 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 appoint the Falmouth Elks Lodge nominee Lt. Col. Elizabeth S. Sweeney as representative to the Veteran’s Council Committee.

Michael Renshaw

Town Manager

7/10/2024

Date



FALMOUTH LODGE NO. 2380
B. P. O. ELKS



140 PALMER AVENUE • FALMOUTH, MASSACHUSETTS 02540 • PHONE 548-2380

May 1, 2024

Falmouth Veterans Council
59 Town Hall Square
Falmouth, MA 02540

To Whom It May Concern:

The Falmouth Lodge # 2380 of the Benevolent and Protective Order of Elks would like to nominate Lieutenant Colonel Elizabeth S. Sweeney, USAF, RET, as our representative to the Falmouth Veterans Council.

In addition to membership in the Falmouth Elks, Elizabeth is also a member of the Otis Civilian Advisory Council (OCAC) serving military families in conjunction with the Massachusetts Military Support Foundation (MMSF).

She is also our contact person for the Veterans Coffee which is held at the Elks on the 2nd Saturday of every month.

Elizabeth has very close ties to the military, understanding military entitlements, veteran's benefits, official burial honors and protocols. She is the "go-to" person for many veterans.

She will continue the Elks dedication to the Wounded Warrior Soldier Ride, Memorial Day and Veteran's Day luncheons and all other Veteran's Programs.

Thank you for your consideration.

Fraternally,


Denise Soweine
Exalted Ruler
Falmouth Elks Lodge # 2380

CC: Don Lincoln, Director, Veterans Services

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- e. Appoint the Veterans of Foreign Wars (VFW) nominee
Ahmed Mustafa as representative to the Veteran's Council
Committee



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.e.

ITEM TITLE: Appoint the VFW nominee Ahmed A. Mustafa as representative to the Veteran’s Council Committee

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Letter from Ahmed A. Mustafa, nominating himself following a May vote of the VFW to serve as representative to the Veteran’s Council Committee, dated June 5, 2024

PURPOSE:

The Select Board will consider the appointment of Ahmed A. Mustafa as the VFW nominee to serve as a representative on the Veteran’s Council Committee.

BACKGROUND/SUMMARY:

- On June 5, 2024 Ahmed A. Mustafa submitted a letter nominating himself, following a May vote of the VFW, to serve as representative to the Veteran’s Council Committee.
- If appointed, Mr. Musfafa would serve a one-year term to expire on June 30, 2025.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board appoint the VFW nominee Ahmed A. Mustafa as representative to the Veteran’s Council Committee.

OPTIONS:

- Motion to appoint the VFW nominee Ahmed A. Mustafa as representative to the Veteran’s Council Committee to serve a one-year term which expires on June 30, 2025.

- Motion to deny approval of the appointment of the VFW nominee Ahmed A. Mustafa as representative to the Veteran’s Council Committee to serve a one-year term which 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 appoint the VFW nominee Ahmed A. Mustafa as representative to the Veteran’s Council Committee.

Michael Renshaw

Town Manager

7/10/2024

Date



Falmouth
VETERANS OF FOREIGN WARS
E.H. Gardiner Post 2569
PO Box 02396
Teaticket, MA 02536-2396
Ahmed A. Mustafa, Commander
VFW Post #2569



6/4/2024

TO: Dianne Davidson

The VFW member of the Veterans Council that we would like to represent us is Ahmed A. Mustafa. We hope the Selectboard will confirm his appointment. Thank you in advance for your consideration. On behalf of a vote from our last meeting in May.

Respectfully submitted,

Ahmed A Mustafa



OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- f. Approve a Coastal Zone Management grant application for a feasibility and assessment study of the Surf Drive area



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.f.

ITEM TITLE: Approve a Coastal Zone Management grant application and letter of support for a feasibility and assessment study of the Surf Drive area

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: COASTAL RESILIENCE GRANT PROGRAM FY25 SUMMARY; Draft Support Letter

PURPOSE:

The Select Board will review and consider the approval of a Coastal Zone Management grant application for a study to evaluate the feasibility and performance of beach and dune nourishment for vulnerable sections of Surf Drive.

The anticipated budget for the study is \$170,000, and there is a required 10% local match which may be met through either an in-kind contribution or in cash.

BACKGROUND/SUMMARY:

- The study entitled *Coastal Resiliency Planning for the Surf Drive Area* completed in 2020 by the Woods Hole Group for the Town of Falmouth recommended beach and dune nourishment as a near-term solution for protecting vulnerable infrastructure along Surf

Drive. Roadway damage and flooding during the 2023-2024 winter highlighted the importance of this recommendation.

- The Beach Committee has solicited help from the Woods Hole Group to submit a grant application to the Coastal Zone Management FY25 Coastal Resiliency Grant Program to evaluate beach and dune nourishment designs for areas of Surf Drive between Trunk River and Shore Street.
- The scope of services for the grant application will include the following tasks:
 - Meetings and Project Management
 - Community Engagement and Outreach (project landing page, 2 public meetings)
 - Survey of Existing Conditions (wetlands, eelgrass, topography)
 - Evaluation of Alternatives (cross-shore and longshore sediment transport, road and utility damage calculations, performance modeling, analysis of inlet closure, renourishment requirements, and construction cost estimates)
 - Regulatory Agency Pre-Application Meetings
 - Reporting
- Upon completion of the study, the Town of Falmouth will have a better understanding of the costs and levels of protection offered by beach and dune nourishment along Surf Drive.
- All data necessary to advance the project to the next phase of work for environmental permitting will be generated.
- If awarded the grant, work is expected to begin in October 2024 and be completed by June 30, 2025.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the Coastal Zone Management grant application and letter of support for a feasibility and assessment study of the Surf Drive area as presented.

OPTIONS:

- Motion to approve the Coastal Zone Management grant application and letter of support for a feasibility and assessment study of the Surf Drive area as presented.

- Motion to deny approval of the Coastal Zone Management grant application and letter of support for a feasibility and assessment study of the Surf Drive area.
- 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 Coastal Zone Management grant application and letter of support for a feasibility and assessment study of the Surf Drive area as presented.

Michael Renshaw

Town Manager

7/9/2024

Date

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
Rebecca L. Tepper, Secretary
Grant Announcement

OFFICE OF COASTAL ZONE MANAGEMENT

CommBuys Bid # BD-25-1042-CZM-ENV40-104026
Alternative ID: RFR ENV 25 CZM 02
Dated: June 7, 2024

COASTAL RESILIENCE GRANT PROGRAM FY25

1. Grant Opportunity Summary

- A. **PROPOSALS SOUGHT FOR:** Financial and technical assistance to eligible municipalities, federally recognized tribes and certified 501(c)(3) non-profit organizations (including qualifying tribal entities) to advance a broad range of coastal resilience and climate adaptation efforts to address the impacts of coastal flooding and erosion.
- B. **OVERVIEW AND GOALS:** The Executive Office of Energy and Environmental Affairs (EEA), through its Office of Coastal Zone Management (CZM), requests responses for the FY25 Coastal Resilience Grant Program. In support of Executive Order 569, "Establishing an Integrated Climate Change Strategy," the Coastal Resilience Grant Program provides financial and technical assistance to identify and map vulnerabilities, build community support for adaptation, conduct adaptation planning, retrofit and relocate vulnerable community facilities and infrastructure, and implement shoreline restoration projects to increase natural storm damage protection, flood and erosion control, and community resilience.
- C. **ELIGIBLE PROJECTS:** Projects must advance one (or more) of the following coastal adaptation actions: (1) detailed vulnerability and risk assessments; (2) public outreach; (3) proactive planning; (4) retrofit and relocation; or (5) shoreline restoration. (See further detail on eligible projects in **Section 2B.**)
- D. **ELIGIBLE APPLICANTS:** The Coastal Resilience Grant Program is open to the following three categories of applicants: (1) 78 cities and towns located within the Massachusetts coastal zone, (2) certified 501(c)(3) non-profit organizations, and (3) federally recognized tribes. (See further detail on eligible applicants in **Section 2C** and **Attachment A.**)

- E. **APPLICATION DEADLINE:** Applications are due by **4:00 p.m. on Friday, July 19, 2024**. (See further detail on deadlines and the grant program calendar in **Section 4**.)
- F. **FUNDING AVAILABILITY:** Applicants may request up to **\$2,000,000** in funding for a project. Exceptions may be made at the Secretary's discretion. (See further detail on funding availability and requirements in **Section 2D**.)
- G. **MATCH:** Demonstration of commitment to the project through the provision of match is required at 10% of the total project cost. Match may be cash or in-kind contributions or a combination of the two. (See further detail on match in **Section 2E**.)
- H. **TOTAL ANTICIPATED DURATION OF CONTRACT(S):** The contract period will begin on the date that EEA signs the contract. Contracts issued pursuant to this RFR must expend 100% of costs associated with the approved project, including awarded grant funds and any match contributions, on or before the standard FY25 contract end date of **June 30, 2025**, to be eligible for the total grant reimbursement amount. Applicants may also propose projects for an extended contract end date up to **June 30, 2026 (FY26)**. All proposals must include a clear breakdown of tasks, deliverables, and grant and match contributions by fiscal year (i.e., tasks to be accomplished by **June 30, 2025 [FY25]** and, for extended projects, up to **June 30, 2026 [FY26]**). Applicants must establish realistic project timelines that can meet the June 2025 or up to June 2026 milestones, as applicable.
- I. **REGULATIONS, STATUTES, OR AUTHORIZATION GOVERNING THIS GRANT PROGRAM:** This RFR is issued according to bond authorization language in Chapter 286 Section 2A, line item 2000-7026 of the acts of 2014 and Chapter 312 Section 2G, line item 2000-7018 of the acts of 2008, and Chapter 102 Section 2A of the Acts of 2021, line item 1599-2031.
- J. **CONTACT INFORMATION:**

India Mackinson, Coastal Resilience Grant Specialist
Executive Office of Energy & Environmental Affairs
Massachusetts Office of Coastal Zone Management
100 Cambridge Street, Suite 900, Boston, MA 02114
india.j.mackinson@mass.gov
coastal.resilience@mass.gov (for submissions)

2. Performance and Contract Specifications

- A. OVERVIEW:** Each year, Massachusetts coastal communities experience erosion, flooding, and coastal storm impacts to property, infrastructure, and natural resources. These impacts are getting worse as the climate changes. To help address these issues, the Coastal Resilience Grant Program provides financial and technical assistance to advance proactive, innovative and transferable local and regional (multi-community) efforts to identify and map vulnerable community facilities and infrastructure, build support for adaptation, develop adaptation plans, retrofit and relocate infrastructure, and implement shoreline restoration projects that support coastal resilience (i.e., reduction of impacts associated with coastal storms and the effects of erosion, flooding, and sea level rise and the ability to respond, recover, and adapt to consequences). Grants are available for a range of coastal resilience approaches—from planning, public outreach, and feasibility assessments to design, permitting, construction, and monitoring.
- B. ELIGIBLE PROJECTS:** Projects must implement one (or more) of the five climate adaptation actions below. A proposal should articulate how the project approach addresses known coastal storm and climate vulnerabilities on a site and at a local or regional scale, if possible. All applicants are required to provide opportunities for community engagement in project tasks, develop transferable deliverables, and communicate lessons learned at the completion of the project (see **Attachment B** for case study template). Engagement with relevant community stakeholders may include, but is not limited to, residents, businesses, government agencies, non-profit organizations, Environmental Justice neighborhoods and tribes. Community engagement and communication products should be accessible to all residents (e.g., interpretation during meetings and translation of products).
1. *Detailed Vulnerability and Risk Assessments* – Projects that evaluate vulnerable public facilities and infrastructure using best available techniques, data, and climate projections (e.g., sea level rise and precipitation). Vulnerability assessments should build on Municipal Vulnerability Preparedness (MVP) and other assessments and set the stage for implementation of actions. Assessments that include natural resources and socioeconomic impacts are encouraged.
 2. *Public Outreach* – Projects that increase community understanding of coastal storm and sea level rise impacts and build effective partnerships to develop support for implementation of proactive actions. Projects that develop creative outreach and communication strategies, tools and transferable products that are accessible to all residents are encouraged.

3. *Proactive Planning* – Projects to develop, amend, and implement community resilience plans, local ordinances, bylaws, standards, zoning, and other planning tools to reduce exposure of existing and future development and infrastructure to coastal storm damages and climate impacts. Projects that facilitate relocation of vulnerable development and infrastructure and reduce future development in coastal high-hazard areas are highly encouraged. Projects that involve robust public outreach with community members, businesses, and other stakeholders, and result in formal local adoption are most competitive.
4. *Retrofit and Relocation* – Engineering and construction projects that adapt vulnerable public facilities and infrastructure to reduce long-term coastal flooding and erosion impacts due to higher tides, greater storm surges, and more intense precipitation. Eligible public facilities and infrastructure include, but are not limited to, seawalls, port and harbor infrastructure, wastewater treatment plants, pump stations, and critical roadways/evacuation routes and associated infrastructure (e.g., culverts). Projects that relocate public facilities and infrastructure outside of hazardous areas and restore coastal resources at the site are strongly encouraged.
5. *Shoreline Restoration* – Projects that evaluate suitability, design, permit, construct, and monitor non-structural approaches (listed below) that restore or enhance natural systems to provide increased shoreline stabilization and flood control. Proposed projects must be on publicly accessible property and address current erosion and flooding impacts of public facilities and infrastructure and be able to adapt as sea level rises (e.g., build up or shift landward).
 - a. *Beach, berm, and dune building* – Beaches, berms, and dunes that buffer higher tides, storm surge, and wave impacts. Projects that add compatible sediment (e.g., sand, gravel, and cobble) from an appropriate offsite source can improve the ability of these natural buffers to provide coastal storm damage protection and flood control to neighboring properties, buildings, and infrastructure. Sediment can be placed over existing coastal structures (e.g., revetments) to restore function of the beach system and decrease scour at the toe of the structure that typically results from breaking waves.
 - b. *Coastal bank stabilization* – Stabilization of coastal banks using native salt-tolerant vegetation that stabilize sediment providing increased protection against storms and erosion. Using natural fiber blankets and coir rolls in combination with vegetation can provide temporary protection while root systems get established.

- c. *Fringing salt marsh restoration* – Restoration and/or enhancement of fringing salt marshes (including remnant marsh patches and areas of colonizing marsh grasses) to dissipate wave energy and buffer erosion and flooding while preserving natural sediment exchange. Potential for the salt marsh to maintain elevation or, if conditions are suitable, migrate landward as sea level rises is critical to the long-term success of the project. Fringing salt marsh projects should consider human impacts and environmental conditions (e.g., tidal elevations, existing plant species, recreational uses and impacts, and water quality) in siting and design. Salt marsh projects can benefit from oversight by a Certified Ecological Restoration Practitioner (CERP) or other expert with demonstrated experience using natural and biodegradable materials with these projects. The Society for Ecological Restoration maintains a directory of approved CERPs available at www.ser.org/page/Certification/Certified-Ecological-Restoration-Practitioner-Program.htm.
- d. *Living breakwater or sill construction* – Shellfish (e.g., oyster) reefs or mounds placed nearshore or closer to the shoreline that serve as natural buffers (without structural elements like gabion baskets) to help reduce wave energy and erosion. Proposals to design, permit and construct living breakwaters or sills should focus on sites with low to moderate tidal ranges and wave energy, and demonstrate suitable environmental conditions exist to support native shellfish growth (e.g., water quality, water temperature, and existing or former oyster population). The proposed project must reduce wave energy and protect vulnerable public facilities and infrastructure while allowing tidal and sediment exchange.

Please note: Green infrastructure projects, such as stormwater wetlands (i.e., constructed wetlands for pollutant removal) and bio-retention systems, and other Low Impact Development techniques are not eligible under the Coastal Resilience Grant Program. These project types may be eligible for CZM’s Coastal Habitat and Water Quality Grants. See www.mass.gov/service-details/coastal-habitat-and-water-quality-grants for more information. Wetland and aquatic ecological restoration projects are also not eligible unless they are specifically designed to reduce documented coastal storm damages to public facilities and infrastructure by attenuating waves, retaining floodwaters, or buffering erosion.

For infrastructure retrofits and shoreline restoration projects, proposals typically include the phases below. Applicants must focus proposals on phases of work that can be completed within the contract period. Most retrofit and restoration projects require two or

more years to be completed from planning to construction. Applicants are encouraged to apply again for grant funding to complete subsequent phases of a project. Applicants should consider any long-term maintenance needs early in the process and identify local departments or partner organizations who can assist with monitoring and maintenance. Applicants that propose a project in the planning or conceptual design phase are required to complete the Climate Resilience Design Standards Tool and submit a copy of the output report with their application (see **Appendix H** for more information).

- *Planning, feasibility assessment, and siting* – Work to identify and assess feasible alternatives and determine the most suitable and permissible strategy for a particular coastal area or site. This phase includes delineation of wetland resource areas for permitting (e.g., salt marsh, coastal bank, dune, and beach), evaluation of erosion rates and trends, coastal flooding impacts, sea level rise, and other efforts to analyze and assess site conditions such as elevations, coastal storm exposure, wave and current regimes, sediment types and transport, and vulnerable development.
- *Design* – Work to design the project, including plans for site preparation and installation as well as monitoring of the project for effectiveness. Design work should build on completed planning, feasibility assessment, and siting analysis, and include acquisition of public easements if applicable.
- *Permitting* – Work to prepare and file federal, state, and local permit applications for proposed activities. Plans to monitor shoreline restoration project performance should be included with permit applications under the Wetlands Protection Act. Monitoring data should inform ongoing maintenance and improve success of the project. Demonstrated commitment to monitoring and maintenance over the life of the project is required.
- *Construction and monitoring* – Work to prepare the project site, construct and install eligible technique(s), and develop monitoring protocol and maintenance plan (*if not completed during the design and permitting phases*). Competitive construction proposals demonstrate that planning, feasibility assessment, siting analysis, design, and permitting phases are complete. Please provide copies of all applicable local, state, and federal signed final permits and permit modifications, including all associated plans and/or drawings, or describe timeframe for securing outstanding permits. These permits may include, but are not limited to, Order of Conditions, 401 Water Quality Certificate, Chapter 91 license/permit, final MEPA certificate, federal consistency review determination, and U.S. Army Corps of Engineers permit.

Prior to the release of any grant funds for retrofit construction and installation of restoration projects, grantees must provide final engineering plans, developed and stamped by a Professional Engineer licensed to perform such work in the Commonwealth. Upon project completion, a construction certification and a set of plans, which reflect the “as-built” conditions, developed and stamped by a Professional Engineer, must be submitted. All changes to the design plans should be evident in red mark on as-built plans. Changes include, but are not limited to, any project components removed, corrections in elevations, and minor modifications to materials and spacing. Electronic documents are preferred.

- C. **ELIGIBLE APPLICANTS:** This solicitation and eligible projects (categories 1-5 above) are open to (1) all 78 cities and towns located within the Massachusetts coastal zone, (2) certified 501(c)(3) non-profit organizations (including qualifying tribal entities), and (3) federally recognized tribes. See **Attachment A** for a list of the 78 eligible coastal communities by region (www.mass.gov/service-details/overview-and-index-czm-regional-program). See CZM’s Coast Guide Online at www.mass.gov/service-details/coast-guide-online for many non-profit properties that are open to the public. A response from an eligible 501(c)(3) non-profit organization must include documentation of tax exemption. Eligible 501 (c)(3) non-profit organizations must also submit a letter of support from each municipality within the project area.

For a regional (multi-community) proposal, one coastal community, certified 501(c)(3) non-profit organizations (including a qualifying tribal entity), or federally recognized tribe must be the primary applicant. All applicants must document commitment from partnering entities through letters of support. Applicants may submit multiple proposals. Other organizations and regional planning agencies are encouraged to partner with eligible applicants.

Private property owners and businesses are not eligible to apply for Coastal Resilience Grants. Also, eligible applicants may not propose a project on private property unless the applicant obtains public easements and there is a strong public benefit. Letters of support from homeowners or businesses in the project area are required.

- D. **AVAILABLE FUNDING:** Applicants may request **up to \$2,000,000** in funding. Exceptions may be made at the Secretary’s discretion. Costs eligible for reimbursement include all approved project costs incurred on or after a selected applicant’s contract execution date and on or before June 30, 2025, or, if selected for an extended contract period, up to June 30, 2026. If selected for an extended contract period (two fiscal years), costs allocated for the first fiscal

year must be expended by June 30, 2025. Any unused grant funding from the first fiscal year does not automatically roll into the next fiscal year.

Grant awards are estimated to range from approximately \$100,000 to \$250,000 for vulnerability and risk assessments; \$50,000 to \$150,000 for public outreach; \$50,000 to \$250,000 for proactive planning; \$200,000 to \$2,000,000 for redesigns and retrofits; and \$200,000 to \$2,000,000 for shoreline restoration projects. These ranges serve as a general guide. A funding request that exceeds the typical range of grant awards for a certain type of project does not decrease competitiveness if the costs are justified and reasonable for the proposed tasks. Partial funding for discreet tasks and deliverables may be awarded depending on the competitiveness of the proposal and funding availability. Please see CZM's Grant Viewer for a map of previously funded projects and award amounts (<https://experience.arcgis.com/experience/68dc9fd4438544b1a39b48868c6f8f0c>).

All contracts are subject to available funding, whether through the appropriation and authorization of sufficient funds. If available funding ceases for any reason, a contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension if available funding is received. In the absence of foreseeable available funding, EEA may terminate the contract.

- E. **MATCH:** Applicants are required to provide at least **10% of the total project cost**. Match may be cash or in-kind contributions or a combination of the two provided by the applicant and direct project partners. Investment of finances, time, and other resources by the applicant and project partners that is not state capital funding or currently being used to match other government programs can be included as match. The source(s) of match must be clearly identified and documented in the project budget. All match must be directly related to the proposed project and the description of tasks and budget must substantiate this. Costs incurred prior to the contract start date including application preparation costs will not be considered as part of the match. Cash match spending details and documentation must be provided. Cash contributions are those funds that will be used to purchase goods or services associated with the project including staff time. In-kind contributions represent the value of non-cash contributions provided by the applicant and project partners. In-kind contributions may be in the form of charges for real property and non-expendable personal property and the value of goods and services directly benefiting and specifically identifiable to the project. It is recommended that the costs to prepare and submit the mandatory brief monthly progress updates and final case study report are provided by the applicant through matching funds and/or in-kind services.

Applicants must include a signed letter from the authorized signatory of the municipality, certified 501(c)(3) non-profit organization (including qualifying tribal entities), or federally recognized tribe acknowledging and accepting the statements below.

- Applicants may use cash or in-kind contributions (or a combination of the two) and any matching funds provided by the applicant or direct project partners have been approved and/or appropriated (or are in the process of being approved).
 - Grant funding is provided on a reimbursement basis and only after individual tasks are 100% complete.
- F. PROJECT TERMS:** A final contract is subject to successful negotiation of a final scope of services. Please note that EEA does not guarantee that any contracts may result from this RFR or that any particular funding level will be awarded. It is anticipated that projects could commence immediately upon EEA's decision. The awarded contracts will be reviewed during their course and, upon request by the Contractor, may be extended or otherwise amended at the sole discretion of EEA for a period appropriate to the circumstances. Requests for extension are strongly discouraged and will be considered only under extraordinary circumstances. Any extensions granted will not necessarily change, or increase, the monetary value of the contract.
- G. ANTICIPATED DURATION OF CONTRACTS:** Contracts will end on **June 30, 2025 [FY25]** or, if selected for an extended contract period, up to **June 30, 2026 [FY26]**, depending on the proposal and EEA's funding decisions. Extension of the contract is at the sole discretion of EEA.
- H. REPORTING:** If selected for an award, the applicant's project manager is required to submit brief monthly progress updates and a final case study report at the conclusion of the project. Templates will be provided at the start of the project. Other deliverables are project specific and will be confirmed at the time of contract award and project scoping.
- I. DELIVERABLES, OWNERSHIP AND CREDIT DUE:** Resulting products of projects shall be public property. All materials, data, software, maps, reports, and other products produced through the grant program shall be considered in the public domain and thus available at the cost of production. Public engagement and outreach products (e.g., PowerPoint presentations, press releases, fact sheets, brochures, reports, web content and signs) must be reviewed by CZM prior to public distribution and acknowledge funding and technical assistance from CZM.
- J. INVOICING:** The payment procedure for projects is reimbursement for costs incurred for the project during the contractual period. Deliverables must be reviewed and approved by CZM

before submitting reimbursement requests. Only those tasks/deliverables completed after contract execution and identified in the scope of work are eligible for reimbursement. Work completed in FY25 (through June 30, 2025) must be billed by July 31, 2025. Work completed in FY26 (through June 30, 2026) must be billed by July 31, 2026. Any grant funding for work in the first fiscal year that is not used does not automatically roll into the next fiscal year. Reimbursement is generally made within 42 days after the receipt of a correctly executed invoice with appropriate backup and completed match certification. No payments shall be made for Massachusetts sales tax.

3. Instructions for Application Submission

A. EVALUATION CRITERIA: CZM will evaluate all proposals on a competitive basis and select projects across CZM's regions (i.e., North Shore, Boston Harbor, South Shore, Cape Cod and Islands, and South Coastal), provided successfully completed applications that meet the criteria are submitted. CZM reserves the right to request additional, clarifying information from the applicant during the evaluation period, and to reject any or all proposals that do not meet the goals and terms of this RFR. Each proposal will be reviewed based on the criteria and point values below (**total of 100**). Please refer to the resources listed in **Attachment C** when developing your proposal.

1. *Climate Adaptation* - Description of present and long-term climate impact(s) and efforts to address these impacts. Include an explanation of current and likely future vulnerability and risk to public safety, coastal infrastructure, and natural resources from sea level rise, storm surge, and precipitation, as well as the primary drivers (e.g., economic, environmental, political, or other) for engaging in climate adaptation activities. For planning and conceptual design projects, please complete and refer to the Climate Resilience Design Standards Tool report and attach a copy of the report with your application. Briefly describe your management approach to these hazards, including any previous CZM or EEA supported projects. If your community, organization, or tribe has completed a climate vulnerability assessment, please incorporate the results into your project proposal. Preference will be given to proposed projects that are informed by or build on previous coastal resilience projects or address priority actions identified through the MVP Community Resilience Building (or similar) process. **(10 points)**
2. *Need for Assistance* - Description of current financial and technical capacity to advance coastal resilience efforts and need for assistance. Five points are reserved for proposed projects that increase coastal resilience of Environmental Justice neighborhoods or tribal resources and are led by or engage with Environmental

Justice community or tribal representatives. MassGIS provides an online Environmental Justice Viewer at www.mass.gov/info-details/massgis-data-2020-environmental-justice-populations to help identify environmental justice neighborhoods. (10 points)

3. *Project Description* - Detailed description of the proposed coastal resilience project that addresses climate impacts. Project tasks must align with the adaptation action(s) listed in **Section 2.B**, as well as selected sea level rise scenario(s). Each proposed task must describe work that will be completed, including details on methodology, deliverables, and project team members assigned to complete the task. Please include a map of the proposed project footprint including property ownership. The project narrative should provide sufficient details to describe the level of effort to justify the proposed budget and grant funding request. If the project advances or utilizes products from a previous coastal resilience project or applies innovative techniques to address climate impact(s), please describe. (15 points)
4. *Public Benefit and Interests* - Description of the project site, facility, infrastructure, or natural resource and how the project will improve coastal resilience at, adjacent to, and beyond the project site; and how the outcomes will result in public benefits. Proposals for projects on properties that are publicly accessible by pedestrian or public transportation and charge minimal or no admission, parking or membership fees are preferred. Projects that involve state-owned properties or other assets must demonstrate how the project goals align with the agency's mission and priorities and describe how the project has engaged with and directly involves state agency staff. Preference will be given to regional projects that span two or more communities to address large-scale climate impacts. (10 points)
5. *Transferability* - Description of how the project approach, techniques, and products can be used by or serve as models for other coastal communities, organizations, and tribes facing similar issues; or how the project builds on innovative coastal resilience techniques. Describe details of education and outreach efforts to communicate project approach, results and lessons learned. Proposed projects that create or update an existing project webpage (on an applicant's website or other web platform) to communicate project updates, public meeting notices, and host final deliverables are strongly encouraged. Links to funded coastal resilience project information and products can be found using CZM's Grant Viewer (<https://experience.arcgis.com/experience/68dc9fd4438544b1a39b48868c6f8f0c/>). (10 points)

6. *Timeline* - Detailed timeline with realistic milestones and completion dates for project tasks. If applying for an extended contract period, the timeline must show the tasks that will be completed by June 30, 2025 and, then, by June 30, 2026, as well as all other anticipated deliverable due dates in the interim. Please incorporate reasonable time to execute contracts with sub-consultants, obtain permits, and receive draft deliverable feedback from CZM and other partners. Projects officially start after a contract with EEA has been executed (typically in September) and draft deliverables should be provided to CZM for review at least two weeks prior to the final deliverable due date. **(10 points)**

7. *Budget* - Detailed and cost-effective budget, broken down by grant funds and match contributions, for each project task including an explanation of how the funding and other support provided by project partners will ensure success of the project. Proposed tasks must substantiate the grant funding request. The budget must show the total grant and match costs anticipated for each fiscal year. Include sufficient details (e.g., hourly rates and hours worked per task, and other direct costs) to justify deliverable costs and substantiate the grant request. Any in-kind and/or cash match being provided by the applicant or project partners that has not been used for other projects must be documented; and the source(s) of match provided must also be identified (please complete and include **Attachment D**). As a deliverable-based grant program, all project costs must be directly tied to project deliverables to be eligible for reimbursement. General project management costs and other charges to administer the grant (e.g., overhead fees) should not be separate budget line items. These costs should be built into the budget toward specific project deliverables. Costs to prepare and submit brief monthly progress updates and a final case study report should be provided by the applicant as in-kind and/or cash match unless match is waived. **(10 points)**

8. *Project Management and Partners* - The name of a qualified individual with proven capacity to serve as the project manager and point of contact, along with resumes for the project manager and other staff and pre-qualified or selected consultants who will work on the project. Quality of previous work and ability to meet deadlines and budgets will be strongly considered. Include signed support letters from all relevant local boards, departments, commissions, neighborhood groups, Environmental Justice organizations, and other partners with a commitment to participate, as necessary, in the project. Projects demonstrating involvement of strong partnerships are most competitive. Projects that involve state-owned properties or other assets must include a signed letter of support from the state agency's authorized signatory (e.g., Commissioner). Certified 501(c)(3) non-profit organizations must submit a letter of

support from each municipality within the project area. All applicants are expected to include CZM and other relevant state agency staff in their project management teams. Please review **Attachment G** for additional project management guidelines. (15 points)

9. *Overall Project Quality* - The overall quality of the grant application and public benefit of the coastal resilience project. (10 points)

B. APPLICATION SUBMISSION INSTRUCTIONS: Please review the Application Checklist (see **Attachment F**) to ensure completeness of the application package to be submitted. Submit an electronic file (PDF preferred) of the main body of the proposal (no more than 12 pages) plus a cover sheet, maps, photos, resumes, and letters of support (which are not counted in the 12-page limit) to coastal.resilience@mass.gov. There are no specific formatting requirements for the main body of the proposal, but an easily readable font (e.g., Times New Roman, Arial, or Calibri), standard font size of 11 or 12-point, and one-inch margins are preferred. Any line spacing is allowed. There are no specific formatting instructions for charts or tables other than making sure graphics, text, and labels are clear and legible. Also, complete the Scope and Budget (**Attachment D**) in Excel format and submit with the digital proposal.

The response must clearly identify the RFR number (ENV 25 CZM 02) on the cover page (see **Attachment E**) and on the email to deliver the electronic application.

Please note that all responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and to c. 4, § 7, cl. 26. Any statements in submitted responses that are inconsistent with these statutes, including marking of information as confidential, shall be disregarded. Please do not submit any information that the applicant may not wish to disclose publicly, such as home addresses or personal telephone numbers, social security numbers, or other similar information.

Please note that the Coastal Resilience Grant Program will take compliance with [Section 3A of MGL c. 40A](#) into account when making grant award recommendations.

C. CONTACT INFORMATION:

India Mackinson, Coastal Resilience Grant Specialist
Massachusetts Office of Coastal Zone Management
100 Cambridge Street, Suite 900
Boston, MA 02114
india.j.mackinson@mass.gov
coastal.resilience@mass.gov (for submissions)

D. ADDITIONAL REQUIRED DOCUMENTATION: If selected for an award and not already on file, the applicant may be required to submit the following forms to complete a contract:

- Commonwealth W-9 tax information form filled out and signed by the applicant with DUNS number and Federal Tax ID
- Prompt Payment Discount Form
- Electronic Funds Transfer (EFT) set-up form

Applicants are encouraged to review these forms prior to submission of a Response.

4. Deadlines and Procurement Calendar

A. RELEASE OF RFR: June 7, 2024

B. QUESTION AND ANSWER PERIOD: Questions may be directed in writing to coastal.resilience@mass.gov by 4:00 p.m. on Friday, June 21, 2024. See additional Contact Information in Section 3C above.

C. APPLICATION DEADLINE: Applications are due by 4:00 p.m. on Friday, July 19, 2024.

D. ESTIMATED AWARD DATE: Awards are estimated to be announced in August 2024 with contract negotiations to begin immediately thereafter.

E. ESTIMATED CONTRACT START DATE: September 2024. Notwithstanding any verbal representations by the parties, or an earlier start date listed in the Standard Contract Form, and only after an award is issued and a final scope of services has been negotiated, the effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.

5. Miscellaneous

A. TYPE OF PROCUREMENT: Grant

B. USE OF THIS PROCUREMENT BY SINGLE OR MULTIPLE DEPARTMENTS: This RFR is a single department procurement. All contracts awarded under this RFR will be utilized solely by EEA.

- C. **REQUEST FOR SINGLE OR MULTIPLE CONTRACTORS:** Multiple contracts may be awarded under this RFR.

- D. **RFR DISTRIBUTION METHOD:** This RFR/bid has been distributed electronically using the COMMBUYS system. It is the responsibility of every applicant to check COMMBUYS for any addenda or modifications to an RFR/bid to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to applicants who fail to check for amended RFR/bid and submit inadequate or incorrect responses. Any amendments or updates will be posted to CommBuys. It is recommended that applicants register with the CommBuys system to be alerted about updates to bids.

- E. **LIST OF ATTACHMENTS:**
 - A. Eligible Massachusetts Coastal Municipalities
 - B. Case Study Template
 - C. Resources
 - D. Scope and Budget Templates
 - E. Cover Sheet Requirements
 - F. Application Checklist
 - G. Project Management Guidelines
 - H. Climate Resilience Design Standards Tool

Attachment A: Eligible Massachusetts Coastal Municipalities

The 78 cities and towns that are located within the Massachusetts Coastal Zone are eligible for Coastal Resilience Grant funding. This includes the following municipalities:

North Shore: Amesbury, Beverly, Danvers, Essex, Gloucester, Ipswich, Lynn, Manchester, Marblehead, Nahant, Newbury, Newburyport, Peabody, Revere, Rockport, Rowley, Salem, Salisbury, Saugus, and Swampscott

Boston Harbor: Boston, Braintree, Chelsea, Everett, Milton, Quincy, Weymouth, and Winthrop

South Shore: Cohasset, Duxbury, Hanover, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, and Scituate

Cape Cod and Islands: Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Gosnold, Harwich, Mashpee, Nantucket, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, and Yarmouth

South Coastal: Acushnet, Berkley, Dartmouth, Dighton, Fairhaven, Fall River, Freetown, Marion, Mattapoisett, New Bedford, Rehoboth, Seekonk, Somerset, Swansea, Wareham, and Westport

Attachment B: Case Study Template

Grantee:

Project Title:

Grant Award: \$

Match: \$

Community/organization/tribe overview: *Provide a brief description of the community, organization, or tribe as an introduction to the project.*

Description of climate impact(s): *Address the current and future vulnerability to climate impacts. What are the specific threats to the project area/site and reasons for applying to the grant program?*

Climate change projection(s): *Identify the sea level rise and precipitation projections used in project planning, design, and/or implementation.*

Project goals: *What were the specific goals of the project?*

Approach and result: *How did the project team implement the project? Describe the methodology or approach to achieve the project goals. Describe, and quantify, where possible, project results (e.g., members of the public engaged, and acreage of coastal beach or dune restored). Provide web links to your project deliverables.*

Permits: *If relevant, what local, state, and federal permits were required?*

Lessons learned: *What lessons were learned through the project? Both technical aspects of the project and process-oriented lessons learned should be included.*

Partners and other support: *Include a list of all project partners and briefly describe their role in supporting the project.*

Project photos: *In your electronic submission of this case study, please attach (in JPG file format) a few representative photos of the project. Photos cannot show persons who can be easily identified unless consent was provided. Also, avoid inclusion of any copyrighted, trademarked, or branded logos in the images.*

Next steps: *Please describe the next steps anticipated for the project.*

Attachment C: Resources

CZM encourages applicants to review and incorporate relevant information from the resources below when developing a proposal.

Grant Projects and Program Information:

- *CZM Grant Viewer* (<https://experience.arcgis.com/experience/68dc9fd4438544b1a39b48868c6f8f0c/>) - This mapping tool allows you to explore grants awarded by CZM including Coastal Resilience projects funded since 2014.
- *Municipal Vulnerability Preparedness Program* (www.mass.gov/municipal-vulnerability-preparedness-mvp-program) - This website provides information about EEA's MVP Program, which provides funding for municipalities to plan for and address priority climate hazards.
- *EEA Beta Climate Grant Viewer* (<https://arcg.is/15iST1>) - This viewer shows MVP Planning and Action grants as well as other grant programs offered through EEA that work to build community resilience.

Environmental Justice Resources:

- *MassGIS Environmental Justice Viewer* (<https://mass-eoeea.maps.arcgis.com/apps/webappviewer/index.html?id=1d6f63e7762a48e5930de84ed4849212>) - This interactive map identifies Environmental Justice populations (i.e., low income, minority, and English isolation) throughout Massachusetts.
- *National Association of Climate Resilience Planners: Community Driven Climate Resilience Planning: A Framework* (<https://movementstrategy.org/wp-content/uploads/2021/10/Community-Driven-Climate-Resilience-Planning-A-Framework.pdf>) - This document identifies seven essential components of community-driven climate resilience planning and details actionable steps for incorporating into projects. The framework provides a case study, example activities, and additional resources for each planning component.
- *The Urban Sustainability Directors Network: Guide to Equitable, Community-Driven Climate Preparedness Planning* (www.usdn.org/uploads/cms/documents/usdn_guide_to_equitable_community-driven_climate_preparedness_high_res.pdf) - This document provides a primer on

social inequities and a framework for advancing equitable, community-driven planning and outreach. The document also provides equitable guiding principles and example approaches for a variety of climate hazards, including urban and coastal flooding.

- *Climigration Network: Lead with Listening: A Guidebook for Community Conversations on Climate Migration* (https://static1.squarespace.com/static/580df9afe4fcb5fdf27a053a/t/61e8a4769f74fa362c509168/1642636411977/LeadwithListening_ClimigrationNetwork_ENG-ESP_20210715.pdf) - This document details how to start conversations with community members about the impacts of climate hazards and adaptation measures like managed retreat.
- *The Create Initiative: Sharing in the Benefits of a Greening City* (https://create.umn.edu/wp-content/uploads/2020/02/sharing_in_the_benefits_of_a_greening_city_-_final_web.pdf) - This document provides insight into concepts related to green gentrification, or when investments in green infrastructure may amplify displacement pressures. The document also provides resources to assess how projects are prepared to support anti-displacement measures.

Public Access:

- *CZM Coast Guide Online* (www.mass.gov/service-details/coast-guide-online) - This online map includes public access sites that are owned by government agencies and non-profit organizations along the coast.

Coastal Storm and Climate Change Resources:

- *MyCoast Reports* (<https://mycoast.org/ma>) - This online database collects information on coastal flooding and other impacts to the built and natural environment from coastal storms and King Tides. MyCoast also hosts a Coastal Resilience monitoring tool to help communities track physical and biological conditions and structural integrity of shoreline restoration projects over time. Reports and photos of coastal impacts including King Tides should be referenced in project proposals to help document current vulnerabilities and support project approaches.
- *Massachusetts Climate Change Clearinghouse* (<https://resilient.mass.gov/home.html>) - This website provides access to climate resources such as sea level rise projections, flood risk maps, the Climate Resilience Design Standards Tool, and the Massachusetts

Climate Change Assessment. Applicants should review sea level rise projections and flood risk maps and specify which scenario(s) are being utilized in proposed projects.

- *Massachusetts Sea Level Rise and Coastal Flooding Viewer* (www.mass.gov/service-details/massachusetts-sea-level-rise-and-coastal-flooding-viewer) - This interactive viewer displays community facilities and infrastructure (e.g., electrical generation facilities, fire stations, hospitals, police stations, town/city halls, and wastewater treatment plants) along the Massachusetts coast that are vulnerable to coastal flooding from sea level rise and storm surge. Applicants are encouraged to utilize the viewer to support the assessment of future vulnerability of a particular area and development of proposed projects. Please note that the *Public Facilities and Infrastructure* layer is current to March 2017 and contains assets that were available in GIS format at the time.

Climate Adaptation Guidance and Strategies:

- *ResilientMass Plan* (<https://www.mass.gov/info-details/2023-resilientmass-plan#:~:text=The%20ResilientMass%20Plan%20is%20Massachusetts,and%20mitigate%20natural%20hazard%20events>) - This 2023 plan comprehensively integrates climate change impacts and adaptation strategies with hazard mitigation planning by assessing risk and vulnerability within state agencies, communities, and across the Commonwealth.
- *Massachusetts Climate Change Adaptation Report* (www.mass.gov/doc/full-report-1/download) - This 2011 report provides a broad overview of climate change impacts and includes a coastal chapter with a range of potential strategies to address sea level rise and coastal storms.
- *StormSmart Coasts Program Website* (www.mass.gov/stormsmart-coasts-program) - This website includes information on assessing the vulnerability of coastal properties to erosion and flooding, tools for local officials to improve coastal floodplain management, and more. Applicants are encouraged to familiarize themselves with available tools, resources, and other guidance. Please note shoreline positions (through 2018) and shoreline change rates for Massachusetts are available through the U.S. Geological Survey's Coastal Change Hazards Portal (<https://marine.usgs.gov/coastalchangehazardsportal/ui/item/EuTvXS6c>).
- *StormSmart Properties Fact Sheets* (www.mass.gov/service-details/stormsmart-properties) - These fact sheets provide information on a range of measures that can effectively reduce erosion and storm damage while minimizing impacts to shoreline

systems. The seven techniques currently covered are: artificial dunes and dune nourishment, controlling overland runoff to reduce coastal erosion, planting vegetation to reduce erosion and storm damage, bioengineering – coir rolls on coastal banks, bioengineering – natural fiber blankets on coastal banks, sand fencing, and repair and reconstruction of seawalls and revetments.

- *Beach Nourishment: MassDEP's Guide to Best Management Practices for Projects in Massachusetts* (www.mass.gov/doc/beach-nourishment-massdeps-guide-to-best-management-practices-for-projects-in-ma/download) - This 2007 guidance document provides best management practices for minimizing erosion, maximizing longevity, and minimizing adverse impacts of beach nourishment projects.
- *Living Shorelines in New England: State of the Practice* (www.northeastoceancouncil.org/wp-content/uploads/2018/12/Final_StateofthePractice_7.2017.pdf) - This 2017 report highlights considerations for property managers who are interested in advancing living shoreline (nature-based) restoration approaches. Profile pages provide an overview of techniques, conceptual designs, case studies, siting characteristics and design considerations as well as regulatory agencies that oversee designs.

Attachment D: Scope and Budget Templates

Please complete the "SCOPE" and "BUDGET" worksheets in the Excel file labeled FY25_Budget_Template.xlsx and include with your electronic response. The file has been posted on COMMBUYS under the Attachments tab. The scope of work and budget spreadsheet can be modified to show additional or fewer tasks as necessary. All tasks described in the project narrative should be included in the scope of work and budget worksheets. Brief descriptions of tasks and subtasks should be included in column A of the scope worksheet.

Attachment E: Cover Sheet Requirements

COASTAL RESILIENCE GRANT PROGRAM FY25 RFR ENV 25 CZM 02

Applicant:

Applicant address:

Project manager:

Name:

Department:

Email:

Phone:

Project title:

Primary type of coastal resilience project:

- Detailed Risk and Vulnerability Assessment
- Public Outreach
- Proactive Planning
- Retrofit and Relocation
- Shoreline Restoration

Is this a regional or multi-jurisdictional project? Yes No

If yes, please list all participating municipalities: _____

Project Site Address (if applicable):

Budget:

	Grant funds requested	Match	Total project costs (Grant + Match columns)
FY25			
FY26			
Total			

Project summary (brief description of the proposed project in one or two short paragraphs):

Past CZM Coastal Resilience Grants:

Attachment F: Application Checklist

Eligibility:

- Coastal city or town,
- Certified 501(c)(3) non-profit organization (including qualifying tribal entity), or
- Eligible federally recognized tribe

Application:

- Cover Sheet (**Attachment E**)
 - 12-page project narrative addressing the following evaluation criteria (section 3A):
 - Climate Adaptation
 - Need for Assistance
 - Project Description
 - Public Benefit and Interests
 - Transferability
 - Timeline
 - Budget
 - Completed Scope and Budget Template (**Attachment D**)
 - Signed statement from authorized signatory of the municipality, certified 501(c)(3) non-profit organization (including qualifying tribal entity), or federally recognized tribe acknowledging match commitment, and that cash funds, if any, have been approved and/or appropriated (or are in process of being approved)
 - Project Management and Partners
 - Resumes of project manager and other staff and consultants
 - Signed support letters from relevant project partners
- Note: Cover sheet, maps, photos, scope/budget template, match statement, resumes, and letters of support are not counted toward the 12-page limit.*

Response Package:

- Clearly identify the RFR number on the email and cover sheet
 - Electronic submission (Application emailed as a PDF or Word document; with the Scope and Budget template in Excel, to coastal.resilience@mass.gov)
- Climate Resilience Design Standards Tool report (for projects in the planning or conceptual design phases)

Attachment G: Project Management Guidelines

Please consider the following information when developing a project application:

- Develop a realistic timeline and budget.
 - Anticipate local contracting timeframe (can be up to three months).
 - Allocate two weeks for the project management team, which includes CZM, to review all draft deliverables and materials and incorporate recommended changes. Email CZM once draft deliverables are uploaded to document management platform (SharePoint).
 - Include a check-in meeting with the project management team prior to public meetings to review presentations. CZM should be informed in advance of the date and time for all public meetings.
- Include monthly project management team meetings in the project schedule. CZM, including the Regional Coordinator and a member from the CZM StormSmart team, and other relevant agencies are expected to be part of the project management team.
- CZM conducts initial scoping meetings (virtually) with grantees to review and finalize the project scope and budget. Consultants may participate in the scoping meeting, however, any costs for consultants' time to attend the meeting are not eligible for reimbursement or match, as this meeting occurs prior to contract execution. Applicants should include a separate kick-off meeting once state and local contracts are executed for formal project initiation with the whole project management team.
- CZM requires monthly progress reporting. The project manager is responsible for completing a brief form that includes project updates (progress and outcomes) over the past month, and any anticipated changes to the project scope, timeline or budget. This task should take less than an hour of the project manager's time.
- Applicants that propose an extended contract timeline (up to two fiscal years) must acknowledge that the funding for each fiscal year is directly tied to tasks that are proposed to be completed within that fiscal year. **Any grant funding for work in the first fiscal year that is not used does not automatically roll into the next fiscal year.** Requests to shift funding from one year to the next require CZM approval and are not guaranteed. All projects are expected to submit final deliverables for FY25 work no later than June 30, 2025. Two-year projects will then submit final deliverables for FY26 work no later than June 30, 2026.
- Applicants are expected to develop cost-effective budgets and propose reasonable costs for all tasks. Grant funds should focus on the development of major task deliverables, and costs for project management and coordination are encouraged to be provided

through match. General project management includes responding to a brief monthly progress survey and preparing reimbursement requests.

Attachment H: Climate Resilience Design Standards Tool

Purpose:

The Coastal Resilience Grant Program is utilizing the Commonwealth's Climate Resilience Design Standards Tool when reviewing proposed projects focused on a specific site with physical asset/s (e.g., building, infrastructure, or natural resources) in the planning or conceptual design project phase. When you use this tool to assess or design a physical asset, not only will your application benefit from recommendations on how to utilize the most up-to-date climate data to inform the design, but the data gathered from this process will help EEA fine-tune the tool for future use. **Use of the tool is required in the FY25 Coastal Resilience Grant round if applicable to your project. Use of the tool is incorporated into the scoring of the Climate Adaptation section of the evaluation criteria.**

Applicants can use the Climate Resilience Design Standards Tool as a starting point to include site specific climate data in their Coastal Resilience Grant Project. If the proposal is focused on a specific site and includes a physical asset/s (e.g., building, infrastructure, or natural resources) in the planning/feasibility phase to conceptual design phase, this tool will guide you to input basic information about the asset and provide an output report to use in your assessment and/or design. The output report includes preliminary climate exposure and risk ratings, recommended planning horizon, recommended return period/confidence interval, recommended design criteria, and a recommended tiered methodology to utilize the Commonwealth's best available climate science to identify these design criteria. **The tool is available on resilient.mass.gov. Follow the link below to access the tool and learn more:**

[Click here to access the online tool and user's guide](#)

Tool Instructions:

Be sure to click "Submit Project" when you are finished creating your project. Once you click "Submit Project," project information will be saved, and the "Download Report" icon will appear allowing you to download the latest report version. Please note you are not able to edit your project information after submitting the project. Include a PDF of the report with your electronic application to coastal.resilience@mass.gov. Technical questions on the tool can be sent to rmat@mass.gov. Please note that new users will need to create an account to access the tool.



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone: (508) 495-7320

townmanager@falmouthma.gov

July 15, 2024

India Mackinson, Coastal Resilience Grant Specialist
Executive Office of Energy & Environmental Affairs
Massachusetts Office of Coastal Zone Management
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: RFR ENV 25 CZM 02 – Town of Falmouth Surf Drive Beach and Dune Nourishment Feasibility Assessment

Dear Ms. Mackinson,

Please accept this letter of strong support for the above referenced grant application. This project addresses recommendations made in the MVP funded *Coastal Resiliency Planning for the Surf Drive Area* study completed in 2020 by evaluating the feasibility and performance of beach and dune nourishment designs for vulnerable sections of Surf Drive.

The Town acknowledges the following:

1. The Town commits to providing a 10% match to the grant funds made up of in-kind and cash contributions, and that all funding for the cash match has been appropriated.
2. The project will be completed by June 30, 2025.
3. The Town understands that funding will be provided by CZM on a reimbursement basis.

We appreciate the opportunity to submit this grant application and hope that CZM considers awarding the Town of Falmouth a grant for this important project.

Respectfully,

Nancy Robbins Taylor
Chair, Falmouth Select Board

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- g. Accept donation in the amount of \$500.00 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the pride event



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 1.g.

ITEM TITLE: Accept donation in the amount of \$500 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the Pride event

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Copy of Schedule of Departmental Payments to the Treasurer

PURPOSE:

The Select Board will consider the acceptance of a donation in the amount of \$500 from PFLAG (formerly known as Parent, Families and Friends of Lesbians and Gays) Brewster/Cape Cod to the Human Services donation account for the food at the Pride event.

BACKGROUND/SUMMARY:

N/A

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to accept the donation in the amount of \$500 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the Pride event.

OPTIONS:

- Motion to accept the donation in the amount of \$500 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the Pride event.

- Motion to deny the acceptance of the donation in the amount of \$500 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the Pride event.

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 accept the donation in the amount of \$500 from PFLAG Brewster/Cape Cod to the Human Services donation account for the food at the Pride event.

Michael Renshaw

Town Manager

7/10/2024

Date

TOWN OF FALMOUTH SCHEDULE OF DEPARTMENTAL PAYMENTS TO THE TREASURER

Dept: Human Services Dept

Date: 06-20-24

FROM	ACCOUNT NUMBER	TOTAL
PFLAG Brewster/Cape Cod 406 Old Mill Road Osterville, MA 02655 ck#156 PRIDE Event Donation/Food	28-599-5591-4830 Human Services Donations Account	500.00

Total 500.00

To the Accounting Officer:

The above is a detailed list of monies collected by me, amounting in **FIVE HUNDRED DOLLARS** for the period ending 6/20/2024, which I have paid to the Treasurer whose receipt I hold thereof.



submitted by
Suzie Hauptmann
Director

To the Department Officer making the payment:

Received from the Human Services department, the sum of **FIVE HUNDRED DOLLARS** for the period ending 06/20/2024 for collections as per schedule of this date, filed in my office.
PRIDE Event donation for food



Treasurer

PFLAG BREWSTER/CAPE COD
406 OLD MILL RD
OSTERVILLE, MA 02655

156

53-7054/2113
177

6/20/24

Date

Pay to the
Order of

Town of Falmouth Human Services
Five hundred and 00/100

\$ 500 -

Dollars



Photo
Safe
Deposit
Details on back



Bank

America's Most Convenient Bank®

For

Pride Event

Christopher Messner



Donation from PFLAG
Cape Cod for your pride event.
\$500 - check is enclosed.

Chris Libbe
Treasurer

PFLAG Cape Cod is an all-volunteer 501(c)(3) tax-exempt nonprofit organization and your dues and/or donation may qualify as a charitable deduction for Federal income tax purposes. Tax ID# 04-3250577

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- h. Accept donation in the amount of \$600.00 from Falmouth Dog Park, Inc. to the Beach Donation Account for use of a wooden, handicapped-accessible picnic table



ITEM NUMBER: Consent Agenda – Administrative Orders 1.h.

ITEM TITLE: Accept donation in the amount of \$600.00 from Falmouth Dog Park, Inc. to the Beach Donation Account for use of a wooden, handicapped-accessible picnic table

MEETING DATE: 7/1/2024

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

SUBMITTED BY: Maggie Clayton, Beach Superintendent

ATTACHMENTS: Click or tap here to enter text.

PURPOSE:

This is a written request to the Select Board for permission to accept a donation of \$600.00 to the Beach Donations Account (28-632-5655-4830) from Falmouth Dog Park Inc. for use of a wooden, handicapped-accessible picnic table in the Beach Dept. shed that was not being deployed at the Beaches due to newer investments from DPW.

BACKGROUND/SUMMARY:

- The picnic table in question was purchased for \$900 in May 2022.
- It was not put out in June 2024 because a table that was made of composite was installed in its place, bolted to a concrete pad.
- The table at the Dog Park had lost 2 bench seats due to rot and they were without a handicapped-accessible picnic table until this solution.

DEPARTMENT RECOMMENDATION:

That the Town of Falmouth accepts this donation as payment for equipment/infrastructure that was not going to be used by the Dept. moving forward rather than having it sit in inventory.

OPTIONS:

- 1) approval of the recommended request;
- 2) denial of the recommended request;
- 3) Select Board-defined alternative

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
DONATIO NS	Beach	28-632- 5655-4830		\$8,071.92	+\$600.00	\$8,671.92

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to accept the donation in the amount of \$600.00 from Falmouth Dog Park, Inc. to the Beach Donation Account as presented.

Michael Renshaw

Town Manager

7/11/2024

Date

June 2024
www.falmouthdogpark.com
F Falmouth Dog Park



Board of Trustees

- Barbara Schneider
President
- Brooke Raymond
Vice President
- Barbara Thomas
Treasurer
- Sallie Riggs
Assitant Treasurer
- Deb Hogan
Clerk
- Frank Alfano, DVM
Kathleen Burke
- Patty Campanini
- Scott McGann
- Pamela Movsessian
- Stan Terrell
- Connie Tulloch
- Ex-Officio
- Eric Garrison, FPD
- Molly Mason ACO

257 Brick Kiln Rd.
P.O. Box 93
East Falmouth, MA
02536
(508)331-2929

Falmouth Dog Parks Inc. is a 501(c)3 non-profit organization; our tax ID is 90-0630789. No goods or services were provided in exchange or consideration for this donation and your contribution is tax deductible to the extent provided by law.



Scan QR Code



The Falmouth Dog Park had the misfortune of losing its one wheelchair accessible picnic table due to rot after a decade of use. The Beach Dept. had the same picnic table made by the same builder but after a summer of use, that table was deemed not suitable for its location at the Surf Drive Beach without it being extremely difficult for those to access the wheelchair area via sidewalk due to leg placement. For that reason, the picnic table was put into storage at the DPW and a composite one that could be bolted to the concrete replaced it. After more than a year in storage, The Dog Park offered to buy the stored one as it would match exactly what it had had and an agreed upon price of \$600 was reached to go into the Beach Donation account. The check was presented to Asst. Superintendent Brooke McMillan at the June Beach Committee meeting for deposit into the account. This appears to be a win win for all concerned and we very much appreciate the opportunity to use the table rather than have to contract to have another one built.

Barbara Schneider

President, Falmouth Dog Parks, Inc.
508-331-2929

OPEN SESSION

CONSENT AGENDA

1. Administrative Orders

- i. Authorize an expenditure from the Manduano donation account for the materials and construction of up to nine new parking attendant booths



ITEM NUMBER: Consent Agenda – Administrative Orders 1.i.

ITEM TITLE: Authorize expenditure from Manduano donation account

MEETING DATE: 7/15/2024

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

SUBMITTED BY: Maggie Clayton, Beach Superintendent

ATTACHMENTS: Click or tap here to enter text.

PURPOSE:

This is a request for authorization to expend up to the full balance of the Manduano Gift account to fund the materials and construction cost to purchase up to 9 new parking attendant booths.

BACKGROUND/SUMMARY:

- The existing attendant booths are no longer sturdy (plywood flooring, etc.) and do not provide adequate sun protection for staff.
- The booths are needed to provide our staff with a space for them to complete their public-facing jobs.
- These booths will also present a more professional and welcoming appearance to visitors.
- The booths will be purchased by the Beach Department from a vendor that will deliver fully constructed structures to the beaches.

- 4 Booths were replaced last year. There are 9 remaining booths that need to be replaced. It is estimated that the balance remaining in this account will cover the cost of 8 or 9 booths.
- This request is consistent with the purposes for which the Manduano Gift account was established, namely, for the beautification and conservation of the beaches.
- The Finance Director recommends that all departments exhaust existing revenues for capital projects before submitting a capital request for funding from Free Cash.

DEPARTMENT RECOMMENDATION:

The Beach Superintendent recommends approval of this request so that booths can be ordered without delay. The installation of these units makes a statement to all residents, taxpayers, visitors, and employees that this coastal community takes pride in the natural resource of its beaches, and we want everyone to stop by and enjoy.

OPTIONS:

- approval of the recommended request;
- denial of the recommended request;
- Select Board-defined alternative

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
Manduano Gift	Beach	280-3570-5657		\$78,977.04	Up to \$78,977.04	Under \$5,000

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the expenditure from Manduano donation account in the amount up to \$78,977.40 for the purpose of purchasing replacement beach parking attendant booths as presented.

Michael Renshaw

Town Manager

7/9/2024

Date

OPEN SESSION

MINUTES

1. Review and vote to approve minutes of meetings
 - a. Public Sessions – May 6, 2024; June 17, 2024

TOWN OF FALMOUTH
SELECT BOARD
Meeting Minutes
MONDAY, MAY 6, 2024 – 6:30 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

Select Board Present: Edwin (Scott) P. Zylinski, II, Chair; Onjalé Scott Price; Douglas C. Brown; Robert P. Mascali.

Absent: Nancy Robbins Taylor.

Staff Present: Michael Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager.

1. Call to Order at 6:30pm by Chair Zylinski.
2. Pledge of Allegiance
3. Proclamations:
 - a. Grace Catrambone – 100th Birthday
Mr. Mascali read the proclamation as a motion. Ms. Scott Price seconded the motion.
Vote: Yes-4. No-0. Absent-1
 - b. Falmouth Chamber of Commerce 2024 Citizen of the Year
Mr. Mascali read the proclamation as a motion. Ms. Scott Price seconded the motion.
Vote: Yes-4. No-0. Absent-1.

Troy B. Clarkson
 - c. May 2024 National Cities, Towns, and Villages Month
Mr. Mascali read the proclamation as a motion. Ms. Scott Price seconded the motion.
Vote: Yes-4. No-0. Absent-1
4. Recognition
Mr. Mascali recognized the Falmouth School District for receiving the green ribbon award for environmentally sustainable practices.
5. Announcements
Mr. Brown announced a 3pm Zoom meeting tomorrow to be held on the Steamship Authority schedule.

Mr. Mascali announced a Military Civilian Council Public Meeting Wed May 8, 5:30pm, Military Civilian Counsel meeting, public meeting.

There is an Affordable Housing event on Thursday, 5/9 at 8:30 pm in the Select Board Meeting Room.
6. Public Comment

6:45 p.m. PUBLIC HEARINGS

1. Wetland/Dock Hearing – Andrew and Lara Dearman – application to rebuild existing licensed ramp and float into an entirely fixed pier in Eel Pond, located at 41 Madeline Road, East Falmouth

Ms. Scott Price reading the hearing notice.

Michael Borselli, Falmouth Engineering, was present representing the applicant. An aerial photo of the location was shared via computer. Chapter 91 License exists for the current dock, which is in disrepair. The plan is to remove the existing structure and make it entirely fixed with no floats. The elevated walkway will provide for public access beneath. The Conservation Commission issued an Order of

Conditions. The new structure represents an improvement over what is in place now, there will be no impacts to navigation, the new structure will not project over the water body more than 25%.

Mr. Mascali asked about enhanced public access, what is that referring to? Mr. Borselli explained that the beach area from mean high water forward is State owned, so structures must be built in a way to not to impair public access along the shoreline. This dock will no longer be prohibited and will allow for public access under it.

Public Comment:

Kristen Dardano, 84 Squibnocket, commented that she was struck that it was a fixed pier and made her worry more about parties on the dock. This is a rental property and very busy late at night. They cannot attach a boat there. Why would they not float it?

Mr. Borselli explained that a fixed structure is preferred, a boat can be tied on it, there is no inability to tie. No moving parts, no need to store floats on the upland, and the float will not ground out at low tide. This is a preferred method to rebuild the dock.

Mr. Brown said that if there is concern about noise, it would be treated as any other noise issue.

According to Mr. Borselli, there is a similar dock design next door that this application is modeled after. Potential environmental effects of a float that is decked is shading the bottom and it could bottom out at low tide. Benefit of a fixed structure include that it does not need to be hauled or stored yearly, nor will it bottom out at low tide. The Conservation Commission prefers fixed structures because of sunlight penetration and bottoming out at low tide.

Mr. Mascali made a motion to close the hearing. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

Mr. Mascali made a motion to approve. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

Mr. Mascali made a motion to reopen the hearing. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

Ms. Dardano, 84 Squibnocket, said the dock will be high and she is concerned about little kids falling off it. She noted it is four feet up and asked if it now requires a railing.

Mr. Borselli stated the deck is 30-36 inches above the water line with one elevated structure higher with a railing, and then back down. The boat that docks here is low.

Mr. Mascali made a motion to close the hearing. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

Mr. Brown made a motion to approve the application of property owners Andrew and Lara Dearman to rebuild the existing licensed ramp and float into an entirely fixed pier in Eel Pond, located at 41 Madeline Road, East Falmouth as presented. Ms. Scott Price seconded the motion. Vote: Yes-4. No-0. Absent-1.

BUSINESS

1. Adopt Falmouth Affordable Housing Fund (FAHF) Board of Trustees' Funding Priorities and Board of Trustees' Funding Allocation Guidelines

Kim Fish, Housing Coordinator, requested adopting the guidelines as presented. She described the documents, revisions, and amount per unit increased \$25,000 each, if the project needs it; it is a project by project basis. Local preference was removed, they request that anyway. Many have moved from Falmouth and would love to return. The lack of qualified applicants has limited locals. It is still an option, it is

requested. The Affordable Housing Committee and Falmouth Affordable Housing working group have reviewed.

Mr. Mascali noted inclusive of land acquisition was included because it is important to have the land acquisition as well.

Mr. Johnson-Staub noted they want to know the full cost of the project, they do not typically fund acquisition, it is not routine, so the clarification in the guidelines, when acquisition and construction, if separated, they want to apply the total subsidy for the entire process.

Ms. Scott Price made a motion to approve as presented. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

2. Request from Cape Cod Guang Ping Tai Ji Quan Club for a waiver of the special event permit fee for the Tai Ji Practice at Marina Park on Saturday mornings from April – December 2024

Requesting full waiver of permit fees, it would be 750 total. Mr. Renshaw recommends waiving the fee.

Diane Marshall, President of the Club, reported the club has a membership fee of \$100 per year. You can attend this practice free for a month. Rainy days they are at the Gus Canty, they are also at 241 Fitness space Mon-Fri, and the Falmouth Senior Center one day per week.

Ms. Scott Price motion to approve waiver of the fee. Mr. Brown seconded the motion. Vote: Yes-4. No-1. Absent-1.

3. Request from Falmouth Art Market and Falmouth Cultural Council for a waiver/reduction of the special event permit fee for the Art Market at Marina Park on Tuesdays from 6/25/24 – 8/27/24 (5 minutes)

Mr. Renshaw stated that in accordance with the standard Select Board practice, it would be \$2000.00 fee. In the past there was a reduction of the permit fee. Mr. Renshaw recommends approving the request.

Mr. Brown made a motion to approve. Ms. Scott Price seconded the motion. Vote: Yes-4. No-0. Absent-1.

4. Request from John Wesley United Methodist Church for a waiver/reduction of the special event permit fee for Sunday Worship Services at Surf Drive Beach from 7/7/24 – 9/1/24

Mr. Renshaw recommended a reduced permit fee of \$262.50 because a staff person must open and close the gate at this public facility.

Mr. Brown made a motion to approve. Ms. Scott Price seconded the motion. Vote: Yes-4. No-0. Absent-1.

5. Request from the Waquoit Congregational Church for a waiver of the special event permit fee for the annual Summer Bazaar one-way on Parsons Lane – Friday, 7/12/24 and Saturday, 7/13/24 (5 minutes)

Ms. Scott Price made a motion to approve. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

6. Request from ArtsFalmouth, Inc. for a waiver/reduction of the special event permit fee for the Arts Alive Festival on the Library Lawn, Peg Noonan Park and Shore Street Extension on Friday, 6/14, Saturday, 6/15 and Sunday, 6/16/24

Ms. Scott Price made a motion to approve. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

7. License Renewals – 2024 Seasonal and Spring Annual

POOL TABLE LICENSE

King Cormac, Inc. d/b/a Grumpy's Pub, 29 Locust Street

Ms. Scott Price made a motion to approve. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

CONSENT AGENDA

1. Licenses

- a. Approve application for a Special One-Day Wine & Malt Liquor License – Rise & Shine Productions LLC – Coast Fest – Band Shell, Marina Park – Saturday, 8/3/24 from 3:00 – 10:00 p.m.
- b. Approve application for a Special One-Day Wine & Malt Liquor License – Michael Clark – Livin' the Dream Bago/Bean Bag Tournament – The Conference Table, 205 Worcester Court – Saturday, 5/11/24 from 11:00 a.m. – 7:00 p.m.
- c. Approve the application filed by Vineyard Caribbean Cuisine, Inc. for a Common Victualler License – 279 Main Street, Falmouth
- d. Approve the application filed by Sun Retreats Cape Cod for an Automatic Amusement Device License – 130 Thomas B. Landers Road, East Falmouth
- e. Approve the application filed by Inn on the Square, 40 North Main Street, Falmouth, for a Change of Manager of its Lodging House License

2. Administrative Orders

- a. Approve warrant for the annual town election on May 21, 2024
- b. Accept donation from Inman Tree Specialist in the amount of \$550.00 to the Falmouth Cultural Council donation account for the Music at the Table program
- c. Appoint Inspectors of Animals – Christopher Anglin, Molly Masson, Chloe Eressy
- d. Approve water main easement for 763 Main Street
- e. Approve a letter of support for Solar Array Project at Cape Cod Country Club

Held.

Kevin Lahey, 308 Menhaunt Road, Cape Cod Country Club, hoping approval letter is not issued. This was written, but not supported due to the impact including the community. The letter is significant, there are a number of issues associated with this project that are not positive for the community. There are a large amount of people who play golf and are all impacted; this is a blue collar, fixed income area people can go play golf. The solar project and 500 home to be built needs to be investigated more prior to issuing a letter of support. He is requesting more review, including EPA issues. This is private land, can be run in a profitable manner, there are many who work at the club for free. The plan is not in the interest of anyone in the long term. He feels this is a quality of life issue for many in the community.

Saxon has permission to build a housing project in the same area. Mr. Brown said that this is the plan that the solar array avoids.

Mr. Johnson-Staub said the proposal being brought forward by PureSky does not include any housing. It does include eliminating the club. This is privately owned land, owner decided not to operate a golf course, owner is not looking at a housing development, but a solar array project, which will have less environmental issues.

Mr. Renshaw attended the Advisory Committee meeting this morning, it was not until recently that the Falmouth Country Club started to turn a profit. Golf clubs are very expensive. He cannot

recommend supporting it as a public golf club. There is capital outlay, maintenance, and significant needs involved in running a public.

Mr. Brown reported receiving a letter from Bob Young, the current developer is not the same developer and he would like to know if the approval is in order as it should be.

Mr. Johnson-Staub said there is an LLC specific to this project, they applied to the Cape Cod Commission (CCC), withdrew, and are now reapplying with all the particulars on the table today. The fact the corporate name changed is not material; what is material is the proposal. The Town's interests include environmental, revenue potential, and benefits over the alternative housing development. This is a letter of support to the CCC, will undergo a review by the CCC, then the owner comes back to Town to negotiate the land transfer, which needs to go to Town Meeting, then a lease negotiation. This is a long road for this complicated project.

Mr. Brown noted they lost the piece of land that was going to be donated.

Mr. Mascali appreciated the information provided by the Town staff in a timely manner.

Mr. Renshaw recommend SB approve letter of support as drafted and presented tonight.

Mr. Brown asked if they gave letter of support to Amp Energy; Mr. Johnson-Staub did not recall, but thought it was a memorandum of understanding. In this letter they should note that the letter includes the Town's interest in land.

Mr. Brown motion to amend the letter.

Mr. Johnson-Staub stated this is time sensitive, the applicant hoped to get it a couple weeks ago. Land Use staff group met with the applicant, the applicant said the owner was choosing to retain the property originally planned to donate it. It is there land and they can decide what they sell or don't sell.

Ms. Scott Price noted the letter says it was considered it in this letter.

Mr. Johnson-Staub said there is land included in the parcel to be transferred to the Town as now supposed; with no conservation restriction and would be available for affordable housing. The Town is not paying anything to purchase this land. The highest investment use is housing, from an appraised value. This is a good time for golf, there have been ups and downs in golf interest. Golf courses across the country and in this region have gone out of business, but it is a good thing for the profitability of the other courses.

The property is being sold as land, not as a golf course.

Mr. Brown motion that include they consider including the land as previously agreed.

To support the letter with amendment that the town expresses a strong preference to include the parcel that was previously included, but removed, re: the land previously granted to the town.

Mr. Brown motion that include they consider including the land as previously agreed. Ms. Scott Price seconded the motion. Vote: Yes-3. No-1 (Mr. Zylinski). Absent-1.

The date will be updated to reflect 2024.

Ms. Scott Price made a motion to approve the consent agenda without item 2e. Mr. Brown seconded the motion. Vote: Yes-4. No-0. Absent-1.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Falmouth Municipal Light Plant, Mr. Renshaw sought information regarding the Town processes that would be required. He met with staff, put the information together, sent it on 4/25/24, and has received no reply.

Copy of flyer was provided to the Select Board. Town Planning Department launched two planning projects and are seeking community feedback; parking and wayfinding. Hosting an open house on Thursday, 5/16 10am-12pm and 5-7pm at the Hermann Room in the library.

SELECT BOARD REPORTS

Mr. Mascali

Attended Arbor Day Celebration.

Council on Aging meeting, they are revising some policies and procedures and will forward to Mr. Renshaw.

Appreciates the update of all departments and what they are doing from Mr. Renshaw.

Mr. Brown:

Beach Committee presentation on Surf Drive.

Zoom conference with company on short term rentals.

Ms. Scott Price:

Fire Fighter Appreciation, there was a nice community turn out.

Mr. Mascali made a motion to adjourn at approximately 8 p.m. Ms. Scott Price seconded the motion. Vote: Yes-4. No-0. Absent-1.

Respectfully Submitted,

Jennifer Chaves

Recording Secretary

OPEN SESSION

MINUTES

June 17, 2024

The liaison assignments have been corrected on page 10.

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes - DRAFT
MONDAY, JUNE 17, 2024 – 5:30 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

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

Select Board:

Present: Nancy Robbins Taylor, Chair; Edwin (Scott) Zylinski II, Vice-Chair; Douglas C. Brown; Robert P. Mascali; Heather M. H. Goldstone

Absent: None

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Maura O'Keefe, Town Counsel

5:30 p.m. OPEN SESSION

Call to Order: By Chair Nancy Taylor

Chair Taylor called for a motion to go into Executive Session to discuss strategy with respect to collective bargaining – Public Works; discuss strategy with respect to collective bargaining – Police Patrol Federation; discuss strategy with respect to collective bargaining – Police Lieutenants

Motion by Mr. Zylinski: So moved **Second:** Mr. Brown

Roll call vote:

Zalinski: Aye

Mascali: Aye

Goldstone: Aye

Brown: Aye

Taylor: Aye

Chair Taylor said the Board would return to Open Session at 6:30.

5:30 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – Discuss strategy with respect to collective bargaining – Public Works
2. M.G.L. c.30A s.21(a)(3) – Discuss strategy with respect to collective bargaining – Police Patrol Federation
3. M.G.L. c.30A s.21(a)(3) – Discuss strategy with respect to collective bargaining – Police Lieutenants

6:30 p.m. OPEN SESSION

Call to Order: Chair Taylor called to order the open session of the meeting saying that in Executive Session the Board had reached agreements with respect to collective bargaining with Public Works, with respect to collective bargaining with Police Patrol Federation, and with respect to collective bargaining with Police Lieutenants.

Pledge of Allegiance – Led by Select Board

Proclamation – Honoring the service of Rabbi Elias Lieberman

Chair Taylor read out the proclamation honoring Rabbi Elias Lieberman included in the Select Board packet. Rabbi Lieberman offered gracious remarks of thanks to the Falmouth community.

Recognition:

Mr. Mascali recognized Mr. Brown for his being elected president of the Cape and Islands Municipal Leaders Assn. for a one-year term.

Announcements:

Mr. Brown said there are slots available for anyone who has anything to share with local veterans at the Veterans' Center.

Mr. Mascali announced a Juneteenth celebration on June 19th at St. Barnabas Church from 1:00 to 3:00. He also announced a Pride celebration event at Gus Canty Thursday from 5:00 to 7:00.

Ms. Goldstone announced Juneteenth celebrations at Highfield Hall and Gardens at 10:00.

Public Comment:

Joe Netto, Precinct 9 – spoke of the new bridge at Menauhant Beach and the need for the bid specs to include specific plans for traffic mitigation in East Falmouth – said the shore road would be blocked requiring traffic to use Acapesket and Davisville Roads and that mitigation would be needed especially in the mornings and afternoons to alleviate the congestion at the intersections with Rt. 28.

Dan Shearer, Prec. 6 – thanked the performance of the fire station in West Falmouth – said “we need help in West Falmouth” with traffic concerns and noise, especially from motorcycles.

COMMITTEE INTERVIEWS - Interview, vote and appoint committee members

Regulatory boards

Historical Commission – Annie Dean

Motion by Mr. Brown: To reappoint Second: Mr. Zylinski Vote: Yes – 5 No - 0

Zoning Board of Appeals – D. Scott Peterson

Mr. Zylinski said that Mr. Peterson was unable to attend the meeting but is willing and able to serve. Chair Taylor said the interview would be re-scheduled to July 1 because this is a regulatory board.

Non-regulatory boards

Bicycle and Pedestrian Committee – Michael Taylor, Mitchell Flaherty, Stephen Morris

1. Michael Taylor said that he is well suited to bring the needs of the Falmouth running community to the committee.
2. Mitchell Flaherty provided information about the school projects he worked on in Boulder, Colorado. He said he began attending meetings of the committee in February.
3. Stephen Morris – not present.

Chair Taylor said the Board would interview Mr. Morris on July 1 and make a decision at that time.

Council on Aging – Karen Dusini, James Vieira

Ms. Dusini said she has volunteered over 700 hours to date.

Motion by Mr. Mascali: To appoint Second: Mr. Zylinski Vote: Yes – 5 No – 0

**James Vieira – Motion by Mr. Brown: To appoint to a term ending June 30, 2027 Second: Mr. Mascali
Vote: Yes – 4 No – 1 (Chair Taylor)**

Freshwater Ponds Advisory Committee – Angela Tanner

Ms. Tanner said that she is willing to serve as a full member if the situation arose.

**Motion by Ms. Goldstone: To appoint Angela Tanner as an alternate member for the term ending 6/30/2025
Second: Mr. Zylinski Vote: Yes – 5 No - 0**

Water Quality Management Committee – Jonathan Kaufman

Mr. Kaufman said he has been attending the WQMC meetings for about a year and has a good understanding of the issues the committee faces.

**Motion by Mr. Zylinski: To appoint Mr. Kaufman to a term ending June 30, 2027 Second: Mr. Brown
Vote: Yes – 5 No - 0**

Taskforce on Workforce Sustainability – Paul Speer, Paula Stone, Sandra Fairman-Silva, Hannah Vanderscheuren, Nelia Luviano Aparicio, Miranda Vogt, Benjamin Weiss, Max Jans

Mr. Renshaw orally reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: Public Hearings 1 - *Hearing to determine if there are violations of the Lodging House License issued to Frederick William House located at 594 Palmer Avenue, Falmouth, MA* in the Select Board packet. He also said Town Counsel had prepared a memo that the Board had at their chairs that goes over some of the standards of review, determinations, and outcomes.

Attorney Patrick Cook, representing the owner/operator Jeanette Robinson, was present. He said he was there to listen to what the concerns are, to assure there is a common understanding of what the allegations or concerns are, and to comply. He outlined the situation at the inn and said the word "cottage" could be causing some misunderstanding. It is not the former bicycle shack; the cottage is part of the main house dwelling. He said the owner sought a modification to the comprehensive permit in the past but withdrew it. He said there are more than 5 rooms in the inn, but she has never rented more than 5 rooms or exceeded the capacity of 18 people at a time. He said after receiving the letter from the Town on April 23, she put a note on the website page on May 1 that only 5 rooms are available at one time. She then removed excess rooms from the website to show only 5. To answer a question from Chair Taylor, he explained why the website could show 6 rooms available when the license is for 5, saying that the rooms show available options and features, but that only 5 of them are rented at one time depending upon what people want. Chair Taylor said that was confusing advertising. Atty. Cook said he is present tonight to listen to all concerns and comply.

Mr. Zylinski asked how long the issue has been going on. What followed was a detailed explanation from Atty. Cook of what constitutes a rental (unit vs. room, for example) and if the number of beds is relevant. He again said that the owner never rents more than 5 rooms at a time despite more rooms being advertised on the website. Mr. Zylinski then said that advertising more than the permit allows puts the owner in violation. Atty. Cook said that the owner now understands this and has changed the website to show only 5 rooms. Mr. Zylinski next asked when he first received a complaint from the Town about this issue. Atty. Cook said he first became aware of this issue in 2023 with the attempt to modify the special permit, which, he said, was not well received by the Town and was later withdrawn. He then mentioned that there is on-going litigation with abutters regarding property line disputes, which are not part of this hearing.

Mr. Mascali asked if the word "cottage" is part of the main house. After a lengthy explanation, Atty. Cook said it was physically connected to the main house. Mr. Brown asked where the residents of the property live. Atty. Cook said the residents live in the main house and depending upon space needs, they move where the guests aren't.

At this point, Town Counsel showed an aerial photo of the property. She reviewed the history of the structure(s) on the parcel of land. She said in 2016, the main house and the cottage were two separate buildings. She said the Board of Selectmen at the time did not license the 2 rooms in the cottage but allowed the 5 rooms in the main house. She said the license is only for the 5 rooms in the main house. She said it is not allowable to put guests in a room in the cottage. She said that is a violation of the license.

Mr. Zylinski sought and received clarification from Town Counsel that the two structures, the main house and cottage, are connected with a closed-in breezeway. Mr. Mascali asked when that connection was made; Town Counsel said she was not sure, but some time after 2004. She showed an aerial view of the main house construction around 2005. Atty. Cook then mentioned a site plan review from 2004 that refers to the "main structure and addition" as one building and counts the number of bedrooms and bathrooms in both structures as one.

There followed brief discussion about number of bedrooms available, where they are, how many bedrooms are required for the residents of the dwelling, and what the special permit says. Chair Taylor then said the license that was issued on April 22, 2024, was very clear for a maximum of 5 rooms only in the main house with a maximum of 18 lodgers – maximum 2 adults, 2 children under the age of 12 per room.

Ms. Goldstone asked about the history of the license. Town Counsel provided the minutes of the 2016 Board of Selectmen meeting when the license was approved. The minutes referred to the main house with 5 rooms and the cottage with 2 rooms, although the Board at that time noted that "no other documents talked about the cottage," so the cottage was not included in the application. The Board at the time said no [to the cottage], Town Counsel said, and it's been that way ever since.

Mr. Mascali asked what the owner was seeking in the application that she made and withdrew. Atty. Cook said she was seeking to add the small room in the back as a guest unit, but survey errors from years ago impacted both abutters and the application was withdrawn.

At this point, Mr. Renshaw said he asked the building commissioner how the 5-room determination was arrived at. He said it is defined by the size of the square footage of the parcel itself. Mr. Cook provided additional information about square footage and how many commercial accommodations are allowed at different sizes. He said now, due to different issues with it, the parcel is believed to be between 23,000+ and 24,000+ sq. ft.

Ms. Goldstone asked about the revoked application. There was confusion about how many rooms were being proposed in that application, but in the end, Atty. Cook said that one room was being proposed in that application.

Mr. Zylinski, addressing Town Counsel, returned to the 2016 Board of Selectmen meeting minutes and reiterated what she had read before, especially the words “the house will have 5 rooms, the cottage 2, but the Board of Selectmen noted no other documents talked about the cottage, so the cottage was not included in the application. They will be serving pre-packaged continental breakfast at this time.” He asked if this substantiates what she had explained previously. Town Counsel said yes.

Mr. Mascali asked if a future application for 5 rooms could include room in the cottage, or if that would be a violation of the zoning code. Town Counsel said that would require a modification of the special permit, which has been stymied due to on-going boundary dispute litigation between the owner and abutters on both sides. Mr. Mascali again asked if a license limiting the units to 5 would bar any units from being in the cottage. She said that at some point that could be accomplished but would require amendments of the existing license and special permit. Atty. Cook said they are working on getting an application for a modification submitted, but the boundary issues pose complications for moving forward. He went on to speak about the owner’s willingness to cooperate and comply with all requirements. Mr. Mascali clarified that compliance means that no rooms in the cottage are available for rent until some other action is taken. Atty. Cook said his client understands this. Chair Taylor said the current license for 5 rooms only in the main house (the building closest to the street) runs until April 30, 2025.

Public comment:

Jonathan Stronach (passed out printed materials to the Board), 600 Palmer Ave. – direct abutter – concerned about the lengthy history of this compliance issue – referred to a 2007 enforcement letter from the building commissioner making the owner aware of issues related to renting the cottage – said the response to the letter shows the owner is aware of non-compliance – referred to a 2014 email from the zoning administrator making the owner aware of issues regarding rooms for rent and for living – said despite these issues, the 2016 application includes 5 rooms in the main house and 2 in the cottage – referred to the 2016 license for 5 rooms in the main house only – referred to permission to sell pre-packaged ice cream – referred to a 2023 ZBZ hearing to convert the gift shop into an additional accommodation, making an 8th bedroom – said the applicant was asked to address the concerns raised regarding performance standards and compliance – said there was a cease and desist letter in August 2023, and action that was appealed and withdrawn – said there was a notice of violation regarding the site plan, an issue that remains unresolved – said advertising and renting of the rooms continued – said there is a difference between the mobile version and on-line version of rental process – said this has been very frustrating for him and his wife for the past two years – said he is looking for assurance that meaningful change will result from this action.

Gerald Boissonnault, 582 Palmer Ave. – still in litigation over the property lines – said they are trying to grab some of my land by adverse possession – said he is sick of picking trash up over there

Fiona Marques, Jeanette Robinson’s (owner’s) daughter – said suspending the license for 30 days, especially in the beginning of the summer season, is suspending the way the family, including her mother and 14-year-old brother, survives – said she has seen how the whole process including the litigation has affected her mother - said she hopes the Board will think about how their decision affects them – said the decision is extremely important.

Chair Taylor called for a motion to close the hearing.

Motion by Mr. Zylinski: So. Moved Second: Mr. Mascali Vote: Yes – 5 No – 0

Mr. Brown asked if the Board could add language that the main house means the front building to the street side of the breezeway. Town Counsel said yes but that would mean modifying the license and would require a hearing. Chair Taylor said the Board needed to think about whether the license holder violated the terms of the license by renting rooms outside the main house, and if there is credible evidence to support this. Mr. Zylinski acknowledged that this is a sensitive issue, but there is a track record of this happening and that it has happened repetitively. He said many businesses in town abide by the rules of the license. He said there have been abutters’ concerns prior to

this and it still continues. He said yes, he believes there is credible evidence of violation of the license. He said he feels for the applicant and the family but supports the Town Manager's recommendation. Mr. Zylinski recognized that there are still outstanding issues regarding the boundary dispute litigation. Mr. Mascali said he agreed that there is credible evidence starting in October of 2023 that the owner violated the terms of the license.

Ms. Goldstone asked about the distinction between offering a number of rooms and renting a certain number of rooms, and which one the license allows. Town Counsel said the license allows for 5 rooms to be rented at any one time with a maximum occupancy, and also a limitation on where those rooms are. She said this last point is the biggest bone of contention. She said the licensed premises is clearly defined, and anything being rented that is not defined is not subject to the license and is not allowed to be rented. Mr. Mascali said the Board does not have credible evidence that at any one time the owner rented more than 5 rooms. He said the issue is more where those rooms are located, and there is credible evidence to support that. Mr. Brown made the point that despite the documents indicating a history, this is the first time the issue has come before the Select Board. Town Counsel said that is because a resolution was attempted through zoning, the first line of attack. Coming before the Select Board is a last resort, she said. Chair Taylor added that the Town, then, has tried everything else, and the Select Board is the last governmental body of the Town to do something.

Ms. Goldstone asked if there had been a point in the timeline where it was made explicitly clear to the owner that the main house means the section forward of the breezeway. Town Counsel said, "Repeatedly, " and that she didn't find it credible that that was not clear.

The Board then discussed if there was consensus among them that there was credible evidence of violation of the license. After some brief discussion, Chair Taylor returned to the wording of the license, which she said is clear. The license does not allow rooms in the cottage to be rented. It says 5 rooms only in the main house. She said she agrees with Atty. O'Keefe that it's been made clear what the main house is. Mr. Mascali said the word "only" is emphatic. Other Board members offered support for the clarity of the license language.

Motion by Mr. Mascali: That the Board finds that the owners of 594 Palmer Ave. have violated the terms of the license effective May 1, 2024 **Second: Mr. Zylinski** **Vote: Yes – 5 No - 0**

Mr. Mascali asked Town Counsel if there were other options besides what was listed in the Select Board packet under the Town Manager's Recommendation and Options. Atty. O'Keefe said there was the option of a fine of \$500.00 under Chapter 140. She went on to outline the details of the various actions, such as revoking the license, suspending the license, or issuing a conditional warning. Mr. Zylinski said his first inclination is to support the Town Manager's recommendation. (The Town Manager's recommendation as presented in the packet materials is to suspend the license for 30 days.)

Mr. Mascali said he would like the Board to consider a monetary fine and a suspension of less than 30 days. Mr. Zylinski said he thinks that approach would send a bad message to other licensed businesses. Chair Taylor said she was troubled by the history of trying to get compliance at a lower level and that the issue made its way to the Select Board, the last resort. Mr. Mascali asked if the Board believed that the owner hasn't heard how seriously the Board is taking this issue and would take further action if there was unlicensed renting going forward. Chair Taylor said that is exactly her concern and that the history of the issue suggests otherwise. She said she would hope so but it hasn't come across with other boards. Ms. Goldstone asked if any of the previous infractions with other boards involved punitive measures. Town Counsel said the zoning enforcement was curtailed due to extensive litigation. She said the goal is always compliance, but that hasn't been forthcoming, she said. She then outlined various actions available to the Board, including court action and injunctive relief.

Mr. Brown said this is the first lodging house violation he is aware of. He said when there is a liquor license violation, the Board has issued a warning. The Board then engaged in discussing the details of the license violations and what penalty would be appropriate and sufficient to send the right message to the licensee and the community. Mr. Mascali advocated for a monetary fine and a 2-week suspension. Chair Taylor said she did not think 2 weeks was enough.

Motion by Mr. Mascali: Based upon the Board's finding of a violation, the decision of the Select Board is to impose a suspension of 14 days of the current license and a monetary fine of \$500 with a statement that any violation of the terms of the license going forward would empower Town Counsel to seek immediate injunctive relief **Second: Mr. Brown**

Mr. Mascali noted that the change involves doing away with a committee and forming a working group. He asked if changing the make-up of the subcommittee from 3 to 2 staff members, which would avoid the quorum issue, was considered. He said he supports keeping the committee and changing its composition.

Town Counsel apologized for having missed the Open Meeting Law component of the guidelines in her earlier review. She said the problem is first to fix the Open Meeting Law problem, and second, to address the situation of the Select Board appointing staff to be on a working group. She said the powers of the Select Board and town manager are separate, and for the Select Board to appoint members of a working group is “a bleeding between the two powers” of policy and administration. She said this amendment as proposed does what the original form was intended to do. She said the working group would be as transparent and open without the constraints of the Open Meeting Law.

Mr. Brown asked how employee participation could violate the Open Meeting Law. Atty. O’Keefe explained how 3 staff members on a subcommittee could never talk about housing without its being considered a meeting requiring a posted notice. Mr. Mascali asked about the composition of the committee when it was originally set up. Ms. Fish said back in 2007, it was the same composition except there was a second Select Board member as part of the committee. There were no Open Meeting Law issues at that time.

Mr. Johnson-Staub then said that the issue isn’t so much about the composition of the group as who appoints it and to whom that group submits a recommendation. A group appointed by the Select Board is subject to the Open Meeting Law; a group appointed by the Town Manager is not.

Mr. Brown said that the group would have to be nimble, and not to have to be held to the Open Meeting Law would be advantageous. Ms. Goldstone said she was concerned over the possibility that “staff review” could mean the Town Manager *only* who would be making a recommendation to the Select Board. Atty. O’Keefe said that if you specify the Town Manager and a group, that’s a subcommittee. She said you have to designate it to one person and then independently let the Town Manager form the group.

Mr. Brown asked about why the Town Manager couldn’t make a recommendation to the Select Board without deliberation with any group. Mr. Mascali said because there are other interested parties in Town, such as the affordable housing committee, to include. He said he understands the situation as explained by Town Counsel but disagrees with how to address it. He said he supports reducing staff to two members but keep the committee.

Ms. Goldstone clarified that the pre-application is reviewed by the Town Manager; the formal application phase is also reviewed by the affordable housing committee.

Motion by Mr. Brown: To approve as is Second: Mr. Zylinski
Vote: Yes – 4 No – 1 (Mr. Mascali)

Update on Hatchville Fire Station construction and Fire Rescue Department staffing

Mr. Renshaw said that Chief Timothy Smith would be narrating an informational 10-11 screen presentation to the Board, which was included in the Select Board packet. Opportunities for questions would follow. Chief Smith said that there have been some delays and still work to be done, but a September-October completion is the goal. Mr. Renshaw added that it currently appears that the project will be delivered under budget.

Peggy Nickerson and George Rogers, members of the building committee, also added comments during the presentation. Their comments included praise for Town staff during the whole construction process. When the presentation focused on personnel/staffing issues, Mr. Renshaw commented that they are looking for creative ways to deal with needed leaves for medical injuries and how to improve the injured-on-duty situation.

Chair Taylor asked the Town Manager a question related to the 6th bullet on the last slide, focusing on the word *may* in this phrase: “...*may* be able to staff 6 stations...” She asked, “If you are not able to staff 6 stations fully by the end of the calendar year 2024, what is the plan?” Mr. Renshaw said he has no intention at this stage to open the Hatchville station “until we’re able to man and completely reach that 80 threshold.” He said he has no desire or intention to open the station until we can operate all 6 without any negative impact on any other one.

Chair Taylor noted that the station construction is under budget and that they have exceeded the timeline for hiring, two pieces of good news. Mr. Brown thanked the chief for moving the hiring along. Mr. Renshaw said again that manning all the stations is a continuous challenge and that they are addressing that, as he earlier explained. Chair Taylor noted the improvements in that area. Mr. Brown suggested the possibility of breaking the station in slowly using overtime, which Mr. Renshaw said had been considered. He went on to say he favors having the required staffing in place for all 6 stations before opening Hatchville. Mr. Mascali asked Mr. Renshaw to keep the Board apprised of the staffing situation, and thanked Chief Smith for his transparency in providing accurate information.

Approve application for a Change of Hours of an All-Alcoholic Beverages Innholder License – Wagner Hospitality & Management, LLC d/b/a Holiday Inn Falmouth located at 291 Jones Road, Falmouth

Mr. Renshaw introduced the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 6 - Approve application for a Change of Hours of an All-Alcoholic Beverages Innholder License – Wagner Hospitality & Management, LLC d/b/a Holiday Inn Falmouth located at 291 Jones Road, Falmouth* in the Select Board packet.

Motion by Mr. Brown: To approve the application for a Change of Hours Second: Mr. Mascali
Vote: Yes – 5 No - 0

Request for variance to Sign Code §184-18, C. Measurement of Sign Area, and §184-25, B.3. Freestanding Signs: Aldi, 39 Davis Straits, Falmouth

Mr. Renshaw introduced the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 7 - Request for variance to Sign Code §184-18, C. Measurement of Sign Area, and §184-25, B.3. Freestanding Signs: Aldi, 39 Davis Straits, Falmouth* in the Select Board packet.

Russ Hassmann presented the Board with the modifications he made to the signs based upon the Select Board's input from the June 3 meeting. He provided information about the illumination of the signs, how much light they emit per color, and that the illumination can be dimmed if necessary. He described the modifications to the signs that sit atop posts in terms of size, the size of the base, and where they are located related to the road and driveway. Internal illumination can be dimmed on these also. There was brief comment about sight lines regarding the placement of these signs and size of the letters necessary for visibility.

Mr. Mascali asked if the building department has reviewed the submitted modifications. Mr. Renshaw said that he did not ask the building department to review the new information. He said the department's recommendation from June 3 stands on Signs 1 and 2. He said the building department prefers compliance with existing regulations and expressed concerns about possible precedent that this sets.

Mr. Brown said he appreciated the understated size of the wall on the building façade so the Board had given them a little extra in the size of the sign. Mr. Zylinski said his thoughts are still the same about the size of the base of the sign. He said it is a solid piece and presents issues for vehicular and pedestrian traffic right there. He said even though it's shorter, you still have to see over 4 feet. At this point, Richard Derbes said that MADOT is requiring that the curb cut be narrowed at this location, so the distance from the sign to the curb is supposed to increase. Mr. Hassmann said that line-of-sight is important, and he did not feel that the placement of the signs here would create an issue.

Motion by Mr. Brown: To approve with the caveat that if we get complaints we can revisit and request potential dimming of the lights Second: Mr. Zylinski Vote: Yes – 5 No - 0

Discuss and vote to sign a Home Rule Petition regarding a Real Estate Transfer Fee

Mr. Renshaw introduced the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 8 - Discuss and vote to sign a Home Rule Petition regarding a Real Estate Transfer Fee* in the Select Board packet.

Chair Taylor allowed Mr. Garrison to speak. He said he had reviewed the draft and cited 5 items that had been present in other petitions that are not in this one. He then read them aloud from his notes:

1. Distribution by trustees of a trust to beneficiaries of such a trust
2. Transfers to the trustees of a trust in exchange for beneficial interest received by the seller of such a trust

3. Transfers made in partition of land and improvements thereto pursuant to Chapter 241
4. Transfers to a mortgage and foreclosure... (long paragraph, he said.)
5. Transfers consisting of the division of marital assets under the provision of Section 34 of Chapter 208 and other provisions of law

Mr. Garrison said the most important of these exclusions is No. 5 regarding the division of marital assets. He also pointed out a typo in Sec. 5, letter e.

Town Counsel said she had received a copy of these edits. She said she had already consolidated some into one of the exceptions on the proposed draft. She said the phrase "pursuant to a court order" encompasses division of assets in a divorce settlement. She also said she purposely deleted the exception for conveyances among trustees because that exception is a clear loophole to paying the fee. She said she simplified the language, and then said that if the petition draft is accepted, additions can be made later, but none can be deleted. Mr. Mascali agreed that with respect to trusts, there can be loopholes to the transfer fees.

Ms. Goldstone asked how transfers between/among family members differ from transfers to trusts. Town Counsel said that it is one of the accepted exemptions found across communities and was in every example of the many petitions submitted.

Motion by Mr. Mascali: To authorize Town Counsel to take the appropriate action to submit the Home Rule Petition as drafted Second: Chair Taylor Vote: Yes – 5 No - 0

Review of Select Board liaison assignments

Mr. Brown said he had asked Ms. Goldstone if she would be interested in taking the Beach Committee. Mr. Brown has enjoyed working with the Beach Committee, but the Beach Committee voted to change their meeting date, and Doug has committed to another committee. Ms. Goldstone said that she would in turn take the Agricultural Commission. Mr. Mascali has expressed an interest in the Golf Advisory Committee, and in turn, Ms. Goldstone said she would take on Conservation Commission.

Chair Taylor asked that the Town Manager get a draft out to the Board with the recorded changes.

CONSENT AGENDA

1. Licenses
 - a. Approve application for two Special One-Day All Alcoholic Beverages License – Silver Beach Improvement Association to be executed at the tennis courts located at 6 West Avenue, North Falmouth
2. Administrative Orders
 - a. Approve Grant of License to Bank of America for the installation of two freestanding signs on town property at 871 Main Street, Falmouth
 - b. Accept donation from Cape Cod Baptist Church in the amount of \$500.00 to the Police Department donation account
 - c. Approve water main easement that will service the Municipal Police Training facility at 71 Tech Park Drive

Motion by Mr. Zylinski: To move the Consent Agenda Second: Mr. Brown Vote: Yes – 5 No - 0
TOWN MANAGER’S SUPPLEMENTAL REPORT
 No report this evening.

SELECT BOARD REPORTS

Mr. Brown reported on the following:

- Attended the Traffic Advisory Meeting today

Chair Taylor reported on the following:

- Will be requesting two workshops for the Board this summer – 1) training around relationships and responsibilities with the Town Manager, and 2) schedule a strategic planning this summer. She said a new calendar reflecting these additions will be sent out once the dates are confirmed.

ADJOURN

Motion by Mr. Brown: To adjourn

Second: Mr. Zylinski

Vote: Yes – 5 No - 0

Respectfully submitted

Carole Sutherland, Recording Secretary