

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, JULY 29, 2024 – 6:00 P.M.
OLD SILVER ROOM
FALMOUTH SENIOR CENTER
780 MAIN STREET, FALMOUTH, MA 02540

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

6:00 p.m. OPEN SESSION

6:00 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – to discuss strategy with respect to collective bargaining – Communications Officers, AFSCME Local 1636, Unit B (various professional staff)

6:30 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Recognition – Swearing in of Police Officers
4. Announcements
5. Public Comment

6:35 p.m. COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members: Waterways Committee – James H. Tietje

6:45 p.m. PUBLIC HEARINGS

1. Application for One-Day Entertainment License – Shipwrecked – Asics Falmouth Road Race After Party – Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave. – Sunday 8/18/24 – 10:00 a.m. to 6:00 p.m.

7:00 p.m. BUSINESS

1. Report – Commission on Disabilities (15 minutes)
2. Report – Historical Commission (15 minutes)
3. Consider the adoption of the Falmouth Affordable Housing Fund (FAHF) Board of Trustees' Funding Allocation Guidelines as amended (5 minutes)
4. Consider the approval of a Falmouth Affordable Housing Fund (FAHF) grant of \$15,000 to the EDIC for pre-development costs associated with land located at 59 Depot Avenue (5 minutes)
5. Consider support of Local Initiative Program (LIP) application of Habitat for Humanity of Cape Cod – 805 Gifford Street Extension (5 minutes)
6. Consider the approval of Falmouth Affordable Housing Fund (FAHF) Application – 805 Gifford Street Extension – Habitat for Humanity of Cape Cod (5 minutes)
7. Consider the approval of 0 Broken Bow Lane Project Eligibility/Site Approval Application - Town Comment Letter (5 minutes)
8. Consider the approval of 419 Waquoit Hwy Project Eligibility/Site Approval Application - Town Comment Letter (5 minutes)
9. Consider the approval of a request from Department of Public Works to utilize technical assistance from the Barr Foundation and approve the expenditure of \$12,000 to apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential infrastructure improvements on Water Street in Woods Hole (5 minutes)

10. Consider the request from the Commission on Disabilities to submit an application to the Community Preservation Committee (CPC) to apply for funds for costs associated with engineering and design as well as site preparation for the All-Inclusive Playground development at Goodwill Park (5 minutes)
11. Consider the request from the Recreation Department to apply to the Community Preservation Committee (CPC) for funds to complete improvements to the John Neil Little League field complex (5 minutes)
12. Consider the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth (5 minutes)
13. Consider approval of an application for a Second-Hand Dealer's License – The Curator, 17 Walker St., Suite A, Falmouth (5 minutes)
14. Consider approval of an application for a seasonal Common Victualler license – The Tea Room, 196 Crystal Spring Ave., North Falmouth (5 minutes)
15. Consider the approval of a petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022 (5 minutes)
16. Designate a member of the Select Board to seek input on the request to name the Water Treatment Plant for Raymond A. Jack (5 minutes)
17. Designate a member of the Select Board to seek input on the request to name a sports field or village green for Harry Hill (5 minutes)

8:45 p.m. CONSENT AGENDA

1. Licenses

- a. Consider approval of an application for a Special One-Day All Alcohol Liquor License – Falmouth Road Race, Inc. – VIP Tent, Falmouth Heights Ball Field – Sunday, 8/18/24, 7:00 a.m. to 2:00 p.m.
- b. Consider approval of an application for a Special One-Day Wine & Malt Liquor License – Shipwrecked – Asics Falmouth Road Race After Party – Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave. – Sunday, 8/18/24 – 10:00 a.m. to 6:00 p.m.

2. Administrative Orders

- a. Consider approval of the Warrant for 2024 State Primary on Tuesday, September 3, 2024
- b. Consider the acceptance of a donation from the Teaticket Civic Association in the amount of \$600.00 to the Veterans Council donation account
- c. Consider approval of the request from the Veterans Council to expend \$2,445.61 from the Veterans Council Donation Account to assist a Falmouth veteran with expenses associated with fuel and emergency hot water heater invoices
- d. Consider the acceptance of a grant of easement for a water main extension at 255 Old Main Road
- e. Consider the approval to pay for the Town Manager's registration and travel expenses to attend the 2024 International City/County Management Association conference

8:50 p.m. MINUTES

1. Review and vote to approve minutes of meetings: Public Session – July 15, 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

COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members: Waterways Committee – James H. Tietje



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Committee Interviews 1.

ITEM TITLE: Interview, vote and appoint committee members- Waterways Committee- James H. Tietje

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Committee Application Form dated June 13, 2024

PURPOSE:

The Select Board will conduct an interview of Mr. James H. Tietje who has applied for a vacant seat on the Waterways Committee.

BACKGROUND/SUMMARY:

- Mr. Tietje completed his application for a seat on the Waterways Committee on June 13, 2024.
- He is the owner of Patriot Party Boats, and the owner and operator of a 13-slip marina and clam shack on Falmouth Inner Harbor.
- There is currently one (1) position vacant on the Waterways Committee, with a term to expire on June 30, 2027.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to appoint James H. Tietje to serve a three-year term on the Waterways Committee with a term expiration date of June 30, 2027.

OPTIONS:

- Motion to appoint James H. Tietje to serve a three-year term on the Waterways Committee with a term expiration date of June 30, 2027.

- Motion to deny the appointment of James H. Tietje to serve a three-year term on the Waterways Committee with a term expiration date of June 30, 2027.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to appoint James H. Tietje to serve a three-year term on the Waterways Committee with a term expiration date of June 30, 2027.

Michael Renshaw

Town Manager

7/24/2024

Date

Waterways Committee (7 members) (3-year terms)

One vacancy:

- With a term ending 6/30/27

One applicant:

- James H. Tietje



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

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

Name: James H Tietje
Address: 19 Kettle Hole Rd Village: Falmouth ZIP: 02540

Mailing Address: same Village: _____ ZIP: _____

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 68^{years} (date: _____) / Taxpayer 54^{years} (date: _____)

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

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

- Waterways Committee
- _____
- _____

Seeking: Permanent Position Alternate Position

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

Relevant affiliation and work and personal experiences: owner of Patriot Party Boats, Member of Falmouth Yacht Club, Falmouth Rod & Gun Club

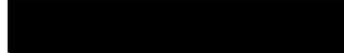
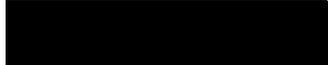
Town offices held in Falmouth or elsewhere and dates of years served: none

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

owner and operator of 13 slip
marina and clam shack on
Falmouth Inner Harbor and owner
of local party boat and water
shuttle.

You may attach a resume to this application.

List three (3) references:

<u>Name</u>	<u>Title</u>	<u>Phone</u>
1. <u>Dick Smith</u>	<u>Captain</u>	
2. <u>Dr. Rick Abigla</u>	<u>Doctor</u>	
3. <u>Joe Sullivan</u>	<u>Mr.</u>	

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

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

6/13/2024
DATE

James H. Tute
APPLICANT'S SIGNATURE

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

Town Committee Vacancies

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

Committee	Term Until
Affirmative Action Committee (1 position)	6/30/27
Bicycle & Pedestrian Committee (1 position)	6/30/27
Board of Assessors (1 position)	6/30/27
Board of Survey (2 positions)	6/30/27
Building Code Board of Appeals (3 positions)	6/30/25, 6/30/29 (2)
Cable Advisory Committee (3 positions)	6/30/25, 6/30/26, 6/30/27
Commission on Disabilities (4 positions)	6/30/25 (2), 6/30/27 (2)
Conservation Commission (2 full positions) and (3 alternate positions)	6/30/27 (2) 6/30/25 (2), 6/30/26
Constable (1 position)	6/30/27
Council on Aging (2 positions)	6/30/27
Economic Development & Industrial Corp. (EDIC) (2 positions) (Real estate experience)	6/30/25
(Low income/affordable housing experience)	6/30/26
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (2 positions)	6/30/25, 6/30/27
Falmouth Housing Authority (1 position)	6/30/25
Freshwater Ponds Advisory Committee (1 alternate position)	6/30/25
Human Services Committee (1 position)	6/30/27
Joint Base Cape Cod-Community Advisory Council	6/30/26
Joint Base Cape Cod-Military-Civilian Community Council	6/30/26
Taskforce on Workforce Sustainability (7 – 9 positions)	7/1/26
Veterans Council Committee (1 position)	6/30/25
Waterways Committee (1 position)	6/30/27

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

Regulatory Boards:

Committee	Incumbent for Reappointment	Term
Board of Health (1 position)	Jed Goldstone	6/30/27
Historical Commission (3 positions)	Annie Dean, Johanna Reed, Mason Wilcox	6/30/27
Zoning Board of Appeals (2 positions)	D. Scott Peterson, Gerald C. Potamis	6/30/29

Non-Regulatory Boards:

Committee	Incumbent for Reappointment	Term
Affirmative Action Committee (1 position)	Milene Chioatto	6/30/27
Affordable Housing Committee (4 positions)	Kerry Walton, Chinna Mapp, David Sutkowy, Jessica O'Brien	6/30/27
Agricultural Commission (1 position)	Matt Churchill	6/30/27
Beach Committee (3 positions)	Mark Twichell, Nancy Quigg, Trisha Herlihy	6/30/27
Bicycle & Pedestrian Committee (2 positions)	Katherine Jansen, Timothy Shea	6/30/27
Board of Assessors (1 position)	Robert Dolan	6/30/27
Building Code Board of Appeals (1 position)	Fred Giampietro	6/30/29
Cable Advisory Committee (1 position)	Anne Price	6/30/27
Cape Cod Water Protection Collaborative (1 position)	Peter McConarty	6/30/26
Cape Light Compact – Joint Powers Entity	Matt Patrick, Scott Mueller	6/30/27
Commission on Disabilities (1 position)	Rhona Carlton-Foss	6/30/27
Commission on Substance Use (1 position)	Richard Corey, Jr.	6/30/27
Community Preservation Committee (1 position)	Michael Stone	6/30/27
Constable (5 positions)	Ahmed Mustafa, David Braga, Harold March, Harry Martin, Jr., William Dalton	6/30/27
Council on Aging (4 positions)	Carol Kenney, Jamie MacDonald, Kevin Murphy, Pamela Truesdale	6/30/27

Cultural Council (6 positions)	Alice Kociemba, Carrie Fradkin, Ilene Karnow, Luke Okoshi-Michel, Rima Petrosyan, Stacey Wiessbock	6/30/27
EDIC (2 positions)	Adrian Merryman, Kevin M. Holmes	6/30/27
Energy Committee (1 position)	Scott Mueller	6/30/27
Human Services Committee (2 positions)	Kerin Delaney, Sharon Sodekson	6/30/27
Recreation Committee (2 positions)	Richard Boles, Thomas Zine	6/30/27
Shellfish Advisory Committee (3 positions)	Peter Chase, Robert O. Sargent Sr., Thomas K. Duncan	6/30/27
Solid Waste Advisory Committee (1 position)	Richard L. Merrick	6/30/27
Steamship Authority Port Council (1 position)	Robert S.C. Munier	6/30/26
Upper Cape Regional Transfer Station (1 position)	Peter McConarty	6/30/25
Upper Cape Regional Water Supply Cooperative (3 positions)	Carey Murphy, Michael Reghitto, Peter McConarty	6/30/27
Veterans Council Committee (3 positions)	Brian Hodor, Paula T. Smith	6/30/25
Water Quality Management Committee (2 positions)	Jordan Mora, Kenneth Foreman	6/30/27

Application deadline for these vacancies is Friday, May 24, 2024. Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to townmanager@falmouthma.gov. Interviews will be conducted by the Select Board at its meeting on Monday, June 3, 2024.

Publication date: Friday, May 10, 2024; Falmouth Enterprise.

OPEN SESSION

PUBLIC HEARINGS

1. Application for One-Day Entertainment License – Shipwrecked – Asics Falmouth Road Race After Party – Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave. – Sunday, 8/18/24 – 10:00 a.m. to 6:00 p.m.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Public Hearing 1.

ITEM TITLE: Application for One-Day Entertainment License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Avenue- Sunday, August 18, 2024- 10:00 AM to 6:00 PM

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Public Hearing Notice dated July 19, 2024; License Application Review Form; One Day Entertainment License Application; Application for Special Events dated June 18, 2024; Event narrative; Site plan; Staff email thread

PURPOSE:

The Select Board will conduct a public hearing and then consider the approval of a One-Day Entertainment License for Shipwrecked for an event titled Asics Falmouth Road Race After Party to be conducted at Shipwrecked/The Heights Hotel parking lot, 263 Grand Avenue on Sunday, August 18, 2024 from 10:00 AM to 6:00 PM.

BACKGROUND/SUMMARY:

- The applicant representative of Shipwrecked, Mr. Rob Loewen, submitted its application for a One-Day Entertainment License and an Application for Special Events on June 18, 2024.

- The application states that the event will take place on Sunday, August 18, 2024 and will involve live musical entertainment (guitar for duo/soloist and amplified disc jockey), and according to the applicant much the same way last year's event was conducted.
- The event hours are listed as being 10:00 AM to 6:00 PM., and during the Road Race the music will be lightly amplified so as not to infringe upon the race.
- Over 400 people are projected to attend (in and out throughout the event hours).
- Two mobile beer trailers will be positioned in the parking lot area and will be staffed by Shipwrecked TIPS-certified employees.
- The Police and Fire Rescue Departments have reviewed the application and had no objections to its approval.
- The Building Commissioner reviewed the application and stated that crowd control protocols and building occupancy limits must be maintained by Shipwrecked Restaurant.
- The Health Department and DPW/Parks/Highway reviewed the application and had no issues or concerns.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board conduct the public hearing as advertised and base their decision upon the information and facts that are presented during the hearing.

OPTIONS:

- Motion to approve the One-Day Entertainment License as submitted by Shipwrecked for the event titled Asics Falmouth Road Race After Party to be executed at Shipwrecked/The Heights Hotel parking lot, 263 Grand Avenue- Sunday, August 18, 2024 from 10:00 AM to 6:00 PM.
- Motion to deny approval of the One-Day Entertainment License as submitted by Shipwrecked for the event titled Asics Falmouth Road Race After Party to be executed at Shipwrecked/The Heights Hotel parking lot, 263 Grand Avenue- Sunday, August 18, 2024 from 10:00 AM to 6:00 PM.
- 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 conduct the public hearing as scheduled and base their decision for approval upon the information and facts that are presented.

Michael Renshaw

Town Manager

7/23/2024

Date



TOWN OF FALMOUTH
SELECT BOARD
REVISED*
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 Shipwrecked LLC located at 263 Grand Avenue, Falmouth, MA has applied for a One-Day Entertainment License for an event to be held in the parking lot of Shipwrecked and The Heights Hotel, 263 Grand Avenue, on Sunday, August 18, 2024, between 10:00 a.m. and 6:00 p.m.

A hearing on the above application will be held at the *Falmouth Senior Center, Old Silver Room, 780 Main Street, Falmouth, MA 02540 on Monday, July 29, 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, July 19, 2024; Falmouth Enterprise.

LICENSE APPLICATION REVIEW FORM

Date: 7/29/24

Restaurant/Business: Shipwrecked, Rob Loewen, GM

Address: 263 Grand Avenue (parking lot of Shipwrecked and The Heights Hotel)

License Type: One-Day Entertainment and Sunday Entertainment

New or Transfer of License One-Day Entertainment and Sunday Entertainment

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 objection.</u> |
| <input checked="" type="checkbox"/> Building | <u>*See below.</u> |
| <input checked="" type="checkbox"/> Health | <u>No issues.</u> |
| <input type="checkbox"/> Zoning | _____ |
| <input type="checkbox"/> Planning | _____ |
| <input checked="" type="checkbox"/> DPW | <u>Parks and Highway - No objections.</u> |
| <input checked="" type="checkbox"/> Recreation | <u>OK with this event.</u> |
| <input type="checkbox"/> M.E.S. | _____ |
| <input type="checkbox"/> Communications | _____ |
| <input checked="" type="checkbox"/> Beach | <u>No objection.</u> |

NOTES:

Shipwrecked Falmouth Road Race After Party.

Location: Shipwrecked and Heights Hotel parking lot.

Date: Sunday, August 18, 2024. Hours: 10:00 a.m. to 6:00 p.m.

*Building Dept.: Crowd control protocol and building occupancy must be maintained by the sponsoring Shipwrecked Restaurant.



Town of Falmouth

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

ONE-DAY ENTERTAINMENT LICENSE APPLICATION (per day)

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

NAME OF ESTABLISHMENT

ADDRESS

NAME OF OWNER/MANAGER

TELEPHONE #:

EMAIL:

NARRATIVE DESCRIBING ENTERTAINMENT:

**LOCATION OF ENTERTAINMENT on premises

****Attach to this form a Floor Plan showing where on the premises entertainment will take place.**

DATE or DATES APPLIED FOR:

SUNDAY ENTERTAINMENT? (if YES, also complete State application fee - contact the Select Board Office)

Hours entertainment will be offered

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT:

1. DANCING By Patrons Y/N Other Dancing Y/N

2. MUSIC Recorded Y/N Live Y/N No. of Musicians Amplification Y/N

Type of Instruments

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

X

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

OWNER, MANAGER OR AUTHORIZED AGENT

State Fee, \$ 2.00
Municipal Fee, \$ 5.00

THE COMMONWEALTH OF MASSACHUSETTS
Town _____ OF Falmouth _____



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Shipwrecked in or on the property at No. Shipwrecked/The Heights Hotel parking lot, 263 Grand Avenue, Falmouth, MA 02540 (address)

The Licensee or Authorized representative, Rob Loewen 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
8/18/2024	10:00am-6:00pm	Live guitar for duo/soloist and D.J. amplified.

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



Town of Falmouth

PAID

\$10.00 filing fee CK 1937

Office of the Town Manager & Select Board
59 Town Hall Square · Falmouth, MA 02540
Telephone (508) 495-7320 · Email townmanager@falmouthma.gov



Application for Special Events

CONTACT INFORMATION

Applicant's Name: Shipwrecked/Rob Loewen

Mailing Address: 263 Grand Ave Falmouth Ma 02540

Phone: 508-540-9600 Cell Phone: [REDACTED]

E-Mail: info@shipwreckedfalmouth.com

EVENT DETAILS

Name of Event: Shipwrecked/Asics Falmouth Road Race After Party

Type of Event: Road race after party

Event Day & Date: Sunday, August 18, 2024

Rain Date: _____

Event Hours: From: 10am To: 6pm

Setup Date: 08/18/24 Time: 8am Breakdown Date: 08/18/24 Time: 6pm

Location Requested:

1st Choice: Parking lot of Shipwrecked and The Heights Hotel

2nd Choice: _____

Number of Attendees: 400+ in and out Number of Vehicles: 0

Parking Plan: _____

Solid Waste & Recycling Plan: Porta Potty

Note: Please see Solid Waste & Recycling Information, attached.

Check all that apply and provide a description of each:

- Chairs beach chairs
- Tents 10X10 (apply for tent permit at Building Department)
- Barriers Rope at courtyard entrances, metal gates on street entrances
- Signs promotional (apply for sign permit at Building Department)
- Road race _____ (include route map, see attached road race rules and sign)
- Walk/bike _____ (include route map)
- Use of Shining Sea Bike Path _____ (see attached bike path rules and sign)
- Food or beverages _____ (apply for temporary food permit at Health Department)
- Alcoholic beverages Beer trucks (apply for one-day liquor license)
- Entertainment D.J. and band (apply for Sunday entertainment license)

ADDITIONAL INFORMATION: (Use of restroom facilities, electricity, etc.) (Attach a narrative describing the event.)

Please see attached

Applicant's Signature: [Signature] Date: 6-18-24

References:

1. _____ Phone: _____

2. _____ Phone: _____

3. _____ Phone: _____

Shipwrecked / Heights Hotel Falmouth Official Asics Falmouth Road Race Post Party

June 18,2024

Shipwrecked and the Heights Hotel would like to host the annual post Asics Falmouth Road Race party in the property parking lot. This event is being planned in the same fashion as it was last year on 08/18/23 with the support of the Asics Falmouth Road Race personnel.

The property parking lot will be closed to all vehicular traffic beginning at 5am and through to the end of the event. There will be a manned barrier closing off the entrance to the parking lot from the field with attendants and security personnel present during event hours.

There will be two mobile draft beer trailers parked in the parking lot supplied by L. Knife and will be attended by Shipwrecked TIPS certified employees. Draft and canned beer will be sold to individuals with proper identification. The restaurant will be fully operational, and food may be served indoors and out.

Live entertainment will be playing outdoors between the hours of 10am – 6pm. Music will be lightly amplified during the race but will not infringe upon the proceedings of the road race.

Staff members including managers and kitchen staff will be present during the event who are Serve Safe, Crowd Management, and CPR/First Aid/ Choke Training Certified.

Please feel free to contact the Shipwrecked management team with further questions.

Thank you,

Rob Loewen, Operations Manager

Shipwrecked and The Heights Hotel

508-540-9600

info@shipwreckedfalmouth.com

PLAZA
BRIDGE

Heights Hotel
- 300 BLDG -

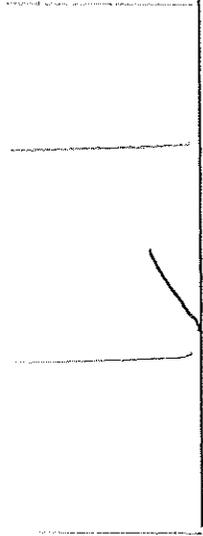
PLAZA FORM
BRIDGE

10 X 10
TENT

10 X 10
TENT

- PARKING -

CONCRETE
ROAD



SHIPWRECKED

HEIGHTS LOBBY

Town of Falmouth, MA

Property

269 GRAND AVE



(http://help.mapgeo.io/)



Google (https://www.google.com/maps/@41.546375,-70.59385,19z?hl=en-US)

41.546375,-70.59385

Map data ©2024 Google 10 m

Diane Davidson

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Wednesday, July 17, 2024 1:49 PM
To: Boyd Demello; Diane Davidson; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: **One-Day Liquor License - One-Day Sunday Entertainment License**

No objection from Police.

Respectfully,

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



From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike rensaw <mike.rensaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson; Brian Reid; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
[508-495-2534](tel:508-495-2534) - Office
[774-836-2436](tel: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, July 17, 2024 11:34
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

Diane Davidson

From: Gary Street
Sent: Wednesday, July 17, 2024 1:32 PM
To: Diane Davidson
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Diane,

Crowd control protocol and building occupancy must be maintained by the sponsoring Shipwrecked Restaurant.

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, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

May I request your comments by next Wednesday, July 24, 2024.

A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Diane Davidson

From: Morgan Cardoso
Sent: Wednesday, July 17, 2024 1:04 PM
To: Diane Davidson
Cc: Scott McGann
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

No issues from health.



Morgan Cardoso
Health Inspector
(508) 495-7486 | morgan.cardoso@falmouthma.gov
Town of Falmouth Health Department
59 Town Hall Square, Falmouth, MA 02540

Please Note:

The Town of Falmouth Health Department has rolled out PermitEyes (online permitting system). Please see the links below to register, apply or for Public View.

Applicant Registration Page : <https://permiteyes.us/falmouth/userregistration.php>

Applicant Side Login Page : <https://permiteyes.us/falmouth/loginuser.php>

Public View Site (no login required): <https://permiteyes.us/falmouth/publicview.php>

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

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May I request your comments by next Wednesday, July 24, 2024.

Diane Davidson

From: Jeremiah Pearson
Sent: Wednesday, July 17, 2024 1:57 PM
To: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

No objections from Parks!

Jeremiah

From: Diane Davidson
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

May I request your comments by next Wednesday, July 24, 2024.

A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Please let me know if you have any questions.

Thank you,

Diane

Diane Davidson

From: Joe Olenick
Sent: Wednesday, July 17, 2024 11:39 AM
To: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Recreation is ok with this event.

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

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A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Please let me know if you have any questions.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing

Diane Davidson

From: Brooke McMillan
Sent: Wednesday, July 17, 2024 2:10 PM
To: Jeremiah Pearson
Cc: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: Re: One-Day Liquor License - One-Day Sunday Entertainment License

Beach has no objection

Sent from my iPhone

On Jul 17, 2024, at 1:56 PM, Jeremiah Pearson <jeremiah.pearson@falmouthma.gov> wrote:

No objections from Parks!

Jeremiah

From: Diane Davidson
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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To: Special Events Working Group

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Diane Davidson

From: Jim Grady
Sent: Thursday, July 18, 2024 7:07 AM
To: Boyd Demello; Diane Davidson; Brian Reid; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Good Morning , Public Works Highway Division has no issues
Thank you,

James F. Grady Jr.
Town of Falmouth
Superintendent of Highways
416 Gifford Street Falmouth MA 02540
Tel (508)457-2543
FAX (508)548-1537
Jim.grady@falmouthma.gov

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

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

OPEN SESSION

BUSINESS

1. Report – Commission on Disabilities **(15 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 1.

ITEM TITLE: Report- Commission on Disabilities

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: None

PURPOSE:

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

BACKGROUND/SUMMARY:

- The mission of the Commission on Disabilities for the Town of Falmouth is to work with and educate all stakeholders in the community in order to raise the awareness of all of the Town's residents and businesses as to the needs of persons with disabilities including physical, intellectual and developmental impairments.

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

7/23/2024

Date

Commission on Disabilities 2024 Report to the Select Board

The Commission on Disabilities is now composed of one person from the community and the town's ADA Coordinator/Human Resource Director. With the resignation of one member this past winter and another this month, as well as a member terming out. I alone am the commission. It changes the landscape of what we had planned for the future somewhat, but I will soldier on with the hope that the town will put a notice that members of the community are needed for the viability of the commission and the work it tries to accomplish.

The commission almost every month with the exception of my needing to cancel for personal reasons and a member was away leaving only a couple of members so the meeting was cancelled in April.

The commissioner felt it was necessary to continue to meet anyway to keep informed and to provide any guidance on the things that impact the disabled in the town of Falmouth. The mats that have been placed at the North Falmouth School on one of its playgrounds was the topic and update of a meeting held with Jeremiah Pearson, Park Superintendent, Peter McConarty, DPW Director and Jim Grady Highway Superintendent. They have been at several meetings where the discussion involved activities by the DPW that will impact the disabled's ability to maneuver around Falmouth. Beaches have also been discussed in terms of the placement of Mobi mats at the beaches and an accessible picnic table purchased for Surf drive beach.

Kathleen and former member Tracy LaChapelle were involved with the working group for the final resting place of the Community Play Space. The three top choices for its placement were presented to the Selectboard and Godwill Park was ultimately chosen. The rest of the commission was updated regularly on the progress and their suggestions and input were invaluable.

Jed Cornock also visited the commission several times. He kept the commission updated last year on the Emerald Property progress, the parking plan sponsored by the Planning Dept. and lastly for the Open Space and Recreation study.

The commission will persevere and hopefully an advertisement for members will be approved and will reach the greater Falmouth Community.

OPEN SESSION

BUSINESS

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



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 2.

ITEM TITLE: Report- Historical Commission

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Presentation

PURPOSE:

The Select Board will hear a presentation and report from the Historical Commission. This report is for informational purposes only, and no formal Board action will be taken.

BACKGROUND/SUMMARY:

- The Historical Commission works to protect the historic character of buildings and their settings in the Town's seven local historic districts through the review of plans for new construction; additions; renovation or restoration; signage; sheds; fencing and stone walls.
- All work visible from a public way within a local historic district requires a Certificate of Appropriateness, or administrative review from the Commission before a building or sign permit can be granted by any town department.

- The Historical Commission works to preserve Falmouth's historic resources through activities such as: surveys; nominates building and sites to the National Register of Historic Places; administer Chapter 107 the demolition delay bylaw and the List of Significant Buildings (for structures outside of the 7 LHD); advises the Select Board, the Planning Board, and the Zoning Board of Appeals on preservation issues; and reviews proposals involving federal or state funding that could affect historic buildings.

DEPARTMENT RECOMMENDATION:

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

OPTIONS:

N/A

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

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

Michael Renshaw

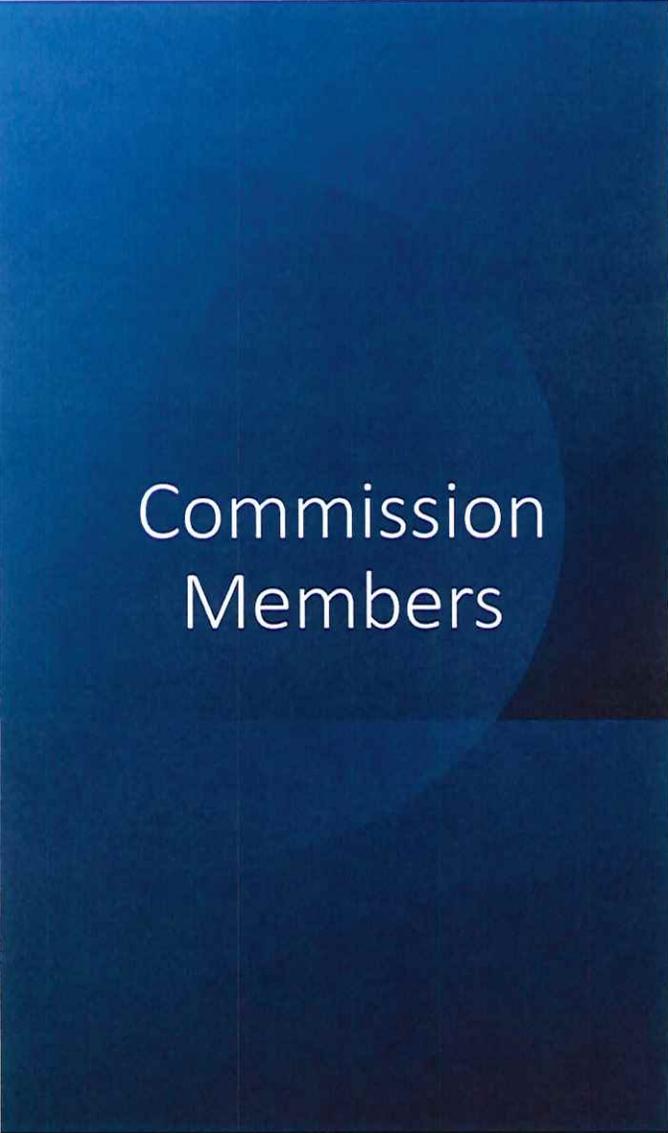
Town Manager

7/23/2024

Date

Falmouth Historical Commission

JULY 29, 2024



Commission Members

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

Historical Commission Roles

Regulatory

- Issue Certificates of Appropriateness for exterior changes in the historic district
- Meetings are monthly on the first Tuesday of each month
- Maintain Design Guidelines
- Demolition Delay Bylaw waiver

Advisory

- Advise on the preservation of Falmouth's historic assets
- Recommend applications for historic preservation funds from the CPC
- Hold the Preservation Restrictions for MHC and CPC
- Design: Steamship Authority, Coast Guard, Chamber of Commerce, 40 B

Regulatory Activity

- 2023 106 applications: 76 administrative approvals, 30 hearings
- 2022 100 applications: 52 administrative approvals, 48 hearings
- 2021 63 applications: 38 administrative approvals, 24 hearings, 1 withdrawn
- 2020 73 Applications: 51 administrative approvals, 20 hearings, 2 withdrawn
- 2019 87 Applications: 63 administrative approvals, 24 hearings
- 2018 92 Applications: 73 administrative approvals, 19 hearings
- 2017 80 Applications: 52 administrative approvals, 28 hearings

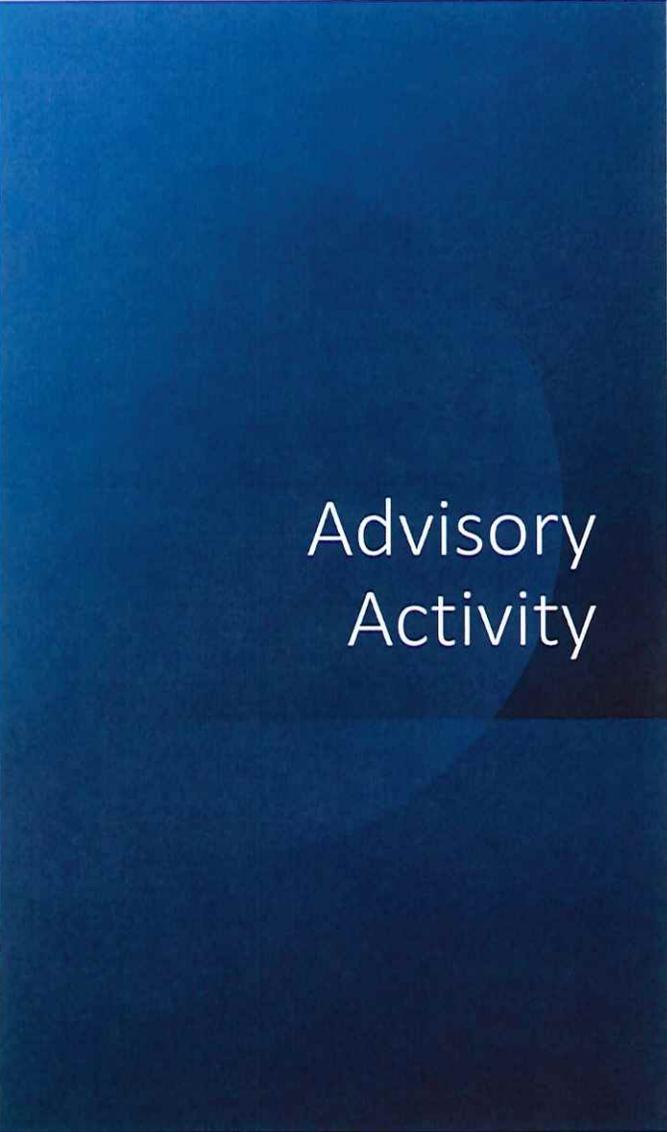
50 – 80% Approved administratively, 2-3 day turnaround

Administrative Approval vs Hearing

- Hearings
 - New construction and additions
 - Changes affecting a house/building design
 - Changes affecting architectural details, e.g. windows, porches, dormers
 - Allows for abutter input
- Administrative Approval
 - Repairs
 - Like for like material replacement/changes
 - Insignificant changes

Demolition Delay Bylaw

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



Advisory Activity

Tamsen George is the HC representative on the CPC, involved with the Book of Falmouth, and the Old Burying Grounds.

Christian Valle is the HC representative on the Edward Marks Building Advisory Committee (EH also a member)

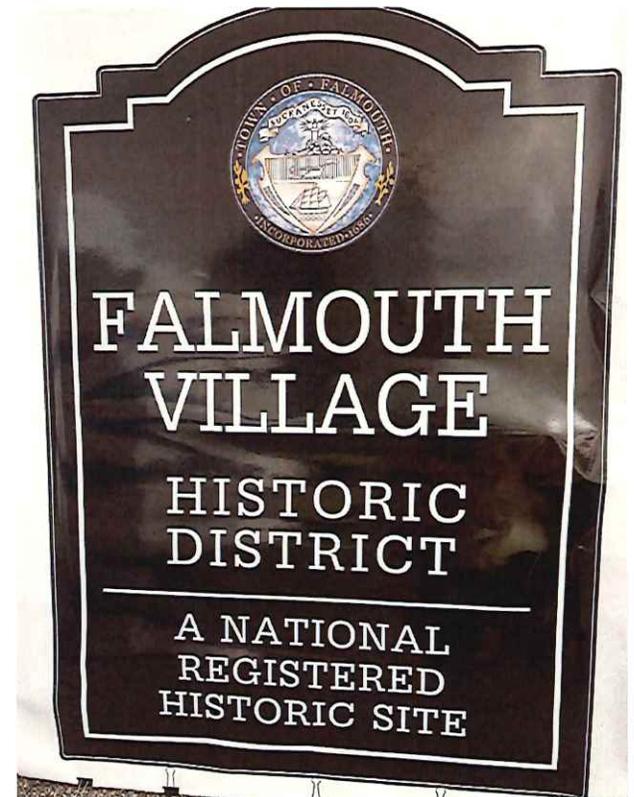
Maintain the List of Significant Building (Demolition Delay Bylaw)

Advisory Activity

- Maintain Falmouth's historic asset inventory on Mass Historic Commission website (MACRIS)
- Edward Marks Building/Poor House restoration
 - Funds secured for exterior restoration of Phase I and II
- Old Burying Grounds
 - Managed by DPW, new consultant hired to catalogue gravestones
- Washburn Island
 - Neil Good leading effort to get National Register status
- Book of Falmouth
 - reprint
- Historic District Markers
 - Recently presented to and approved by Select Board
 - Target to erect 11 signs in the 7 historic districts

Proposed Historic District Markers

- Falmouth Village - 3
- North Falmouth - 2
- West Falmouth - 2
- Quisset - 1
- Woods Hole - 1
- Davisville - 1
- Waquoit - 1



Materials

- Approved materials allowed in historic districts:
 - Extruded PVC decking and railing systems – matte finish
 - Extruded PVC fencing – matte finish
 - PVC trim – painted
 - Wood alternative materials: Boral, lifespan, fibrex, ultrex
 - Clad windows on non historic homes and new construction.
 - Urethane for signs
 - Fiberglass doors, gutters and shutters.

Materials

- **Prohibited materials**

- Vinyl siding
- Cement siding (Hardi board)
- Vinyl windows
- Chain link fences
- Vinyl shutters
- PVC fences, railings, etc. (shiny)
- Vinyl signs/lettering

OPEN SESSION

BUSINESS

3. Consider the adoption of the Falmouth Affordable Housing Fund (FAHF) Board of Trustees' Funding Allocation Guidelines as amended **(5 minutes)**



ITEM NUMBER: Business 3.

ITEM TITLE: Consider the adoption of the Falmouth Affordable Housing Fund (FAHF) Board of Trustees' Funding Allocation Guidelines as amended

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Kimberly Fish, Housing Coordinator

ATTACHMENTS: Board of Trustees' Funding Allocation Guidelines w/highlighted revisions and CPC Recommendation Memo

PURPOSE:

The Housing Coordinator will provide a brief presentation regarding the proposed revision to the Falmouth Affordable Housing Fund Board of Trustees' Funding Allocation Guidelines to include language regarding pre-development costs. It is requested that the Select Board, as Trustees of the Fund, vote to adopt said document as per the Fund's enabling Act.

BACKGROUND/SUMMARY:

- The Falmouth Affordable Housing Fund (FAHF) was created in 2011 by Session Law, Acts of 2011, Chapter 29 for the promotion, expansion and/or retention of affordable housing. The Select Board are Trustees of the Fund.
- On May 6, 2024, the Select Board voted to adopt revised FAHF documents as presented by the Housing Coordinator.

- After receiving an application requesting funding for pre-development costs, the Falmouth Affordable Housing Fund Working Group recommended revising the Board of Trustees' Funding Allocation Guidelines to include language regarding funding for pre-development costs.
- As per Section 2(c) of the enabling Act, Housing Coordinator presented the proposed amended document to the Community Preservation Committee (CPC) at their July 11, 2024, meeting. The CPC voted to recommend the revised document to the Select Board.

DEPARTMENT RECOMMENDATION:

The Housing Coordinator recommends adoption of the amended Board of Trustees' Funding Allocation Guidelines as presented.

OPTIONS:

- Motion, as Trustees of the Falmouth Affordable Housing Fund, to adopt the amended Board of Trustees' Funding Allocation Guidelines as presented.
- Motion, as Trustees of the Falmouth Affordable Housing Fund, to deny adoption of the amended Board of Trustees' Funding Allocation Guidelines as presented.
- Some other Board defined alternative.

TOWN MANAGER COMMENTS:

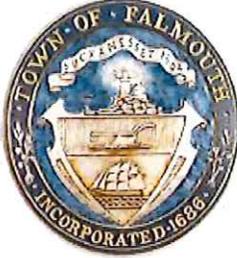
The Town Manager recommends that the Select Board adopt the amended Board of Trustees' Funding Allocation Guidelines as recommended by the Housing Coordinator and Community Preservation Committee.

Michael Renshaw

7/23/2024

Town Manager

Date



Falmouth Affordable Housing Fund

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

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

BOARD OF TRUSTEES' FUNDING ALLOCATION GUIDELINES

Falmouth Affordable Housing Fund (FAHF) monies are available on a limited basis for projects that support the Trustees' Funding Priorities. The FAHF will review the status of applications pending and applications projected to be filed. They will adjust awards based on the amount of applications and a determination of the current housing needs of Falmouth and the current cost of construction at the time application is filed since costs of construction ebb and flow. The Trustees may allocate up to \$150,000 per unit inclusive of site acquisition costs with the specific amount to be determined based upon the review of community benefit and the particular aspects of each project taking into account criteria including, but not limited to:

- Level of affordability and percentage of deed restricted units that will be created.
- Extent to which the development meets the Trustees Funding Priorities.
- Extent to which the project meets the priorities as set in the most current Housing Production Plan.
- Strength of the overall concept.
- Reasonableness of operating costs for a project of its size.
- Availability of additional subsidy funds to leverage FAHF investment.
- Results of the Project Funding Evaluation Form.
- Project's readiness to proceed.
- Developer is in good standing.

The FAHF will accept and may approve applications for up to \$25,000 for pre-development costs such as the preparation of permitting materials. The FAHF Working Group will consider the following among other items when reviewing the application: 1) specific details of the proposed project, 2) current level of available funding, and 3) number of projects already in the funding queue.



Community Preservation Committee
59 Town Hall Square, Falmouth, MA 02540
508-495-7436

MEMO

To: Michael Renshaw, Town Manager
Kimberly Fish, Housing Coordinator

From: Maureen Thomas, Community Preservation Coordinator

MT

Cc: Sandra Cuny, CPC Chair

Re: CPC Recommendation – FAHF Revised Guidelines

Date: July 15, 2024

On Thursday, July 11, 2024, the Community Preservation Committee (CPC) voted to make a recommendation to the Falmouth Affordable Housing Fund (FAHF) Trustees in support of the proposed revision to the FAHF Guidelines to allow for up to \$25,000 in pre-development funding.

Thank you very much for your consideration of the CPC recommendation.

OPEN SESSION

BUSINESS

4. Consider the approval of a Falmouth Affordable Housing Fund (FAHF) grant of \$15,000 to the EDIC for pre-development costs associated with land located at 59 Depot Avenue **(5 minutes)**



ITEM NUMBER: Business 4.

ITEM TITLE: Falmouth Affordable Housing Fund Application/Depot Ave/EDIC

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager and Kimberly Fish, Housing Coordinator

ATTACHMENTS: 1) FAHF Application w/attachments, 2) Town Manager Recommendation, 3) CPC Recommendation, and 4) EDIC Presentation

PURPOSE:

A brief presentation will be provided by Wayne Lingafelter, Executive Director of the Falmouth Economic Development & Industrial Corporation (EDIC) requesting the Select Board's approval of their application to the Falmouth Affordable Housing Fund (FAHF) for \$15,000 in funding intended to supplement a grant application for \$150,000 to the State of Massachusetts One Stop for Growth program.

The funding would be used for the pre-development costs for the property located at 59 Depot Avenue.

BACKGROUND/SUMMARY:

- On May 15, 2024, EDIC filed an application for funding from the Falmouth Affordable Housing Fund for \$15,000. The funding is intended to supplement a grant application for \$150,000 from the State of Massachusetts One Stop for Growth program. The funding would be used for the pre-development costs for the property located at 59 Depot Avenue.

- The application states that the EDIC is committed to develop for-rent apartment units on the site, possibly in the range of 40 to 80 units between the area median income of 80% and 150%.
- On May 28, 2024, the applicant met with the Falmouth Affordable Housing Fund Working Group, which gave a positive recommendation to the Town Manager with the following conditions: 1) if the grant application to the State is not awarded to the EDIC then the FAHF funds will not be disbursed and the grant agreement will be voided; and 2) if construction of affordable deed restricted units does not take place, then FAHF funds expended on pre-development costs are to be returned to the FAHF.
- The Town Manager gave the CPC a positive recommendation with the same conditions outlined by the FAHF Working Group as cited above (memo attached hereto).
- On June 13, 2024, the applicant went before the Community Preservation Committee (CPC), which gave a positive recommendation to the Select Board including the same conditions as outlined by the Town Manager as cited above (memo attached hereto).

DEPARTMENT RECOMMENDATION:

The Housing Coordinator recommends that the Select Board support and approve this application with the suggested conditions given by the FAHF Working Group and recommended by both the Town Manager and the CPC.

OPTIONS:

- Motion that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, grant \$15,000 to the EDIC for the pre-development costs for land located at 59 Depot Avenue as recommended by the Town Manager and Community Preservation Committee, and give authority to the Town Manager to execute a commitment letter and grant agreement setting forth the terms of the financial award to the EDIC.
- Motion that the Board, acting as Trustees of the Falmouth Affordable Housing Fund, deny funding a grant of \$15,000 to the EDIC for the pre-development costs for land located at 59 Depot Avenue.
- Some other Board defined alternative.

TOWN MANAGER COMMENTS:

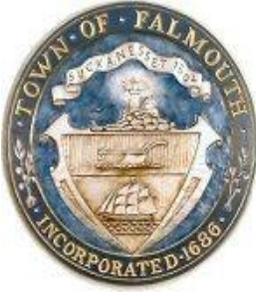
The Town Manager recommends that the Select Board approve this grant of \$15,000 to the EDIC for the pre-development costs for land located at 59 Depot Avenue as recommended by the Housing Coordinator and Community Preservation Committee, and to give authority to the Town Manager to execute a commitment letter and grant agreement setting forth the terms of the financial award to the EDIC.

Michael Renshaw

7/23/2024

Town Manager

Date



FALMOUTH AFFORDABLE HOUSING FUND

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

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

AFFORDABLE HOUSING FUND APPLICATION Calendar Year 2024

General Information

Project Name: *Falmouth Station Workforce Housing*

Project Location and Parcel ID#: *59 Depot Ave, Falmouth MA; Parcel ID#: #17168, #17169*

Type of Project: *Multi-family rental housing for Falmouth's workforce*

Applicant(s) name/ Organization: *Falmouth Economic Development and Industrial Corp. (EDIC)*

Contact Person: *Wayne Lingafelter, Executive Director*

Mailing Address: *59 Town Hall Square Falmouth MA 02540*

Telephone Number: *(443) 542-7075*

Email Address: whlingafelter@gmail.com

Property Ownership

Legal Property Owner of Record: *The property is owned by the Commonwealth of Massachusetts. The Falmouth EDIC controls the site by virtue of a 99-year lease it signed with the Massachusetts Department of Transportation (MassDOT) in 2015. This includes the Falmouth Station and the vacant ground adjacent to the Station. MassDOT issued a letter of support for housing on the site in October of 2023 and the EDIC and MassDOT are now negotiating the terms of a lease amendment.*

Is the owner the applicant? *No*

If not, does the applicant have site control or written consent of the property owner to submit an application? *Yes*

If yes, attach documentation. *Please refer to the attached lease agreement between the Falmouth EDIC and MassDOT.*

For projects that have an acquisition expense the applicant must provide an appraisal from an independent party that justifies the acquisition cost. *Not Applicable*

Development Team

Please submit as attachments the resumes of the development team and a list and description of affordable housing projects completed by the applicant as well as the most recent monitoring agent annual report for each project.

This request for pre-development funding (\$15,000) is intended to supplement a much larger grant application (\$150,000) being made to the State of Massachusetts One Stop for Growth program. As such, it is premature for a "development team" to have been selected for this project. Falmouth EDIC has hired an experienced engineering firm, Vanasse Hangen Brustlin, ("VHB"), to assist in the preparation of the grant application and the execution of the site due diligence as contemplated by the State grant scope of work. VHB has a track record of work in Falmouth and specifically on the Falmouth Station property.

The project work will be led by Wayne Lingafelter, Executive Director of the Falmouth EDIC. Mr. Lingafelter recently served as the EDIC's primary leader on the MassDevelopment Master Plan Study which was completed in early 2022. Mr. Lingafelter has significant experience in the planning and construction phases of development projects over a 30-year career in real estate development and management, including senior leadership positions at two public real estate companies.

Project Information

Describe the proposed project including:

Project Style: *Concept planning done to date has focused upon multi-family rental apartments in a multi-building, multi-floor configuration. _*

Type of Units (condo ownership, fee simple ownership, rental, etc.): *To be determined but the targeted range is 40 to 80 rental units depending upon unit size and configuration. The Falmouth EDIC is committed to developing for-rent apartment units on the site.*

Total Number of Units: *40 to 80 _____*

The unit specific information requested below is not available. The grant funding we seek from the State and the FAHF will in part be used to determine the unit pricing and size breakdowns.

Number of Market Units: _____	Number of BRs: _____	
Number of Affordable Units: _____	Number of BRs: _____	
Proposed Sale Prices/Rents: _____	Market: _____	Affordable:
Proposed Condo Fees: _____	Market: _____	Affordable:

Proposed % of AMI target beneficiaries: These targets have not been determined due to the pre-development status of the project. The Falmouth EDIC is committed to a project which delivers a substantial number of the rental units in the range of 80% to 150% of AMI. The EDIC's mission is to support the business community in Falmouth. Workforce housing is one of the most important and frequently requested needs in our community. Housing for the "Missing Middle" will be an important target for this project. The specific breakdown between this subsidized housing and market rate units will be established as the project advances in its development and the financial feasibility of the project is determined. The EDIC shall welcome input and feedback from the Falmouth community as the planning work for the project advances.

Describe how this project addresses the unmet affordable housing needs of the community as identified in the Town of Falmouth *Housing Demand Study & Needs Analysis (2014)* and the Town of Falmouth *Housing Production Plan (2018)*. (Please note, this response references the 2024 Housing Production Plan approved by the Select Board and submitted to the State.)

The proposed rental housing at the Falmouth Station as envisioned by the EDIC would make contributions to four of the total seven HPP goals as outlined in the 2024 plan.

GOAL 1 Produce at least 80 units of affordable housing annually and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B. *While the final unit count is not yet determined, the concept planning for this site suggests up to a single year's amount of affordable housing units could be developed on the site in a multi-family configuration.*

GOAL 2 Promote a diversity of housing types targeting different household needs. *The EDIC envisions a range of unit types and rents which would be intended to serve the workforce of Falmouth. Preliminary targets suggest rents in a range from 80% to 150% of AMI.*

GOAL 4 Prioritize creation of affordable rental units. *This project is envisioned as being comprised entirely of rental units, a majority of which will be deemed affordable for the Falmouth workforce as described above.*

GOAL 5 Work with private developers to ensure community needs for affordable housing are met. *The Falmouth EDIC is a 501(c)(3) not-for-profit entity and may elect to partner with other not-for-profit housing organizations on the project or with private affordable housing developers.*

Site Information

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

General Site Description: The Falmouth Station property is located on Depot Avenue, approximately 1/10th of a mile from Palmer Ave. The site is comprised of at least two separate parcels. One houses the Falmouth Station and access ways and is approximately two acres. The second parcel is approximately 1.4 acres, is vacant and is wooded.

In addition to the bus station building and associated parking, the property consists of approximately two acres of undeveloped land which has been identified and studied as the potential site for housing. This portion of the site is predominately wooded with lower quality trees and undergrowth. The property is bounded on its western edge by the Shining Sea Bikeway, on the north by the Steamship Authority parking lot, on the north by several private commercial properties which front on Palmer Ave. and on the south by Depot Ave.

Building: The Falmouth Station is a historic building which in its current form dates to the 1920's. A small portion of the site is in a Town Historic District but the Station building, and vacant ground are not. The Falmouth Station is not designated as a State Historic Place. The primary function of the building is to serve as Falmouth's transportation hub while also being a convenience stop for bike path users and the larger community. Currently, three bus operators provide service to the Falmouth community from the station including Cape Cod Regional Transit Authority, Peter Pan Bus Lines and Plymouth and Brockton Bus Co.

Zoning: Both parcels which comprise the Falmouth Station property are zones B3.

Health: Not applicable

Conservation: The Falmouth Station will remain in its current state and continue to function as a transportation center for Falmouth after the development of the proposed workforce housing.

Infrastructure: It is not clear how this issue relates to the current request. The EDIC will study infrastructure related issues with the State and FAHF funding it is making application for including traffic related infrastructure needs and sanitary sewerage options for the proposed development.

Total Project Cost: *Not available at this time. An order of magnitude estimate of the costs is in the range of \$25 million to \$42 million for the completed multi-family project.*

Amount of FAHF Request: \$15,000

Please list all public funding sources and indicate funding application dates:

As referenced elsewhere in this application, the EDIC previously secured funding of \$57,000 from the State Real Estate Technical Assistance Program for initial concept planning and community outreach on the Falmouth Station site. The EDIC will be making an application for the next round of One Stop for Growth funding in the amount of \$150,000. This application is due June 5th, 2024. The request for these FAHF in the amount of \$15,000 is to supplement the State funding for the work described herein. More importantly, it is a tangible demonstration of the Town's commitment to the project in conjunction with the State funds.

Project Feasibility

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

This project is in the early stages of its development and therefore this detailed information has not been generated. In part, the funding we are requesting from the State and the Town will be used to collect this data and generate pro forma economics. The EDIC's One Stop for Growth application has four components to it. These areas are as follows:

- 1. Undertake a housing demand study to quantify the amount and type of workforce housing which could be successfully developed on this site.*
- 2. Site feasibility evaluation to confirm the applicability of multi-family housing on the site including zoning and architectural design considerations.*
- 3. Site due diligence including detailed analysis of traffic, environmental conditions and sewerage options.*
- 4. Create a financial model which supports the project's development economics and viability.*

Community Outreach

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

In FY22, the EDIC secured a MassDevelopment's Real Estate Technical Assistance Program grant in the amount of \$57,000 to undertake a Master Plan Study of the portion of the leasehold interest which is vacant land. Under the administration of Amanda Gregoire, and in conjunction with VHB Engineers and DREAM Collective, this work was successfully completed in January of 2022. As part of this planning effort, the EDIC held two formal stakeholder meetings and multiple informal meetings with interested parties to the project. The attendance at the stakeholders meeting was both in-person and virtual and included neighbors, town administration staff and community leaders. In total, over 60 individuals participated in each session. In addition, the EDIC posted the results of this Master Plan work and a recording of the final presentation on its public website. A copy of the final presentation materials is attached for reference.

Development Schedule

Describe the timeframe for the proposed project and how it will be implemented. Provide a timeline for all project milestones included as *Attachment B – Project Schedule*. **NOT APPLICABLE**

Preliminary concept planning which explored the site potential was completed with MassDevelopment funds in January 2022. This request is to supplement the next round of funding requests the EDIC is making to the State on or about June 5th, 2024. Importantly, any FAHF funds will also demonstrate a further tangible commitment on the Town of Falmouth’s part to the project and thereby improve the scoring of the application.

The One Stop for Growth applications are to be reviewed from June 6th through the summer with a final decision provided to the applicant in mid-to-late September. There is a one-to-two-month period to memorialize an award between the State and the EDIC. Beginning in December of 2024, the EDIC will set out to bid on and finalize the service contracts with preferred providers for the work described herein. This work would begin in early 2025 and take approximately four months to complete. The funds requested from the FAHF would be requested in the first quarter of 2024 to reimburse the EDIC for the costs of these services when rendered.

Please note that the funds we are requesting from the FAHF will not be expended until and unless the Community Planning Grant is secured. In the event this application is not approved for funding, the EDIC does not anticipate drawing on the FAHF funds.

List of Attachments

A copy of the final community presentation on the concept planning work for the Station property. This presentation contains several aerial photographs and graphics illustrating potential configurations for the project. Please understand this planning work was conceptual. Based upon this work and the community feedback, the EDIC did decide to proceed with further diligence on the multi-family rental options and not progress the green space option. It is important to recognize that this planning work is at the conceptual stage. While it indicates how a development solution could be executed on the site, it is very likely that these plans will continue to evolve as the due diligence and planning for the site advance. The size, scale and number of buildings is still very much a work in progress. The initial work was indicative of a maximum development scenario.

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

Project Applicant Name: Wayne Lingafelter

Title: Executive Director, Falmouth EDIC

Applicant Signature: W H Lingafelter

Date: May 15, 2024

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

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. Carefully consider projected Milestone dates. Unrealistic Implementation Schedules may have a negative impact on the project's application review. Project implementation delay may be considered in recommendation for grant award.*

Milestones (Month/Year):

- A. Project Start (Month/Year):
- B. Procurement Documents Submitted to FAHF (Month/Year):
- C. Project Construction/Professional Contract Submitted FAHF (Month/Year):
- D. Project/Construction Start (Month/Year):
- E. 50% Project Completion (Month/Year):
- F. 100% Project Completion (Month/Year):
- G. Close-Out Complete (Month/Year):

Comments:

Falmouth Station Master Plan

Community Meeting

January 26, 2022

Project Overview



- Falmouth Station background
- “Site Readiness” Program Grant from MassDevelopment (June 2021)
- Objective: Produce plans which enhance Falmouth Station and its role in the community, including underutilized land

Scope of Work

Task 1: Kick off Meeting and Site Tour (complete)

Task 2: Transportation and Safety (complete)

Task 3: Review Local Reports, Studies, and Site Plan Alternatives (complete)

Task 4: Draft Concept Plans (complete)

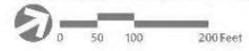
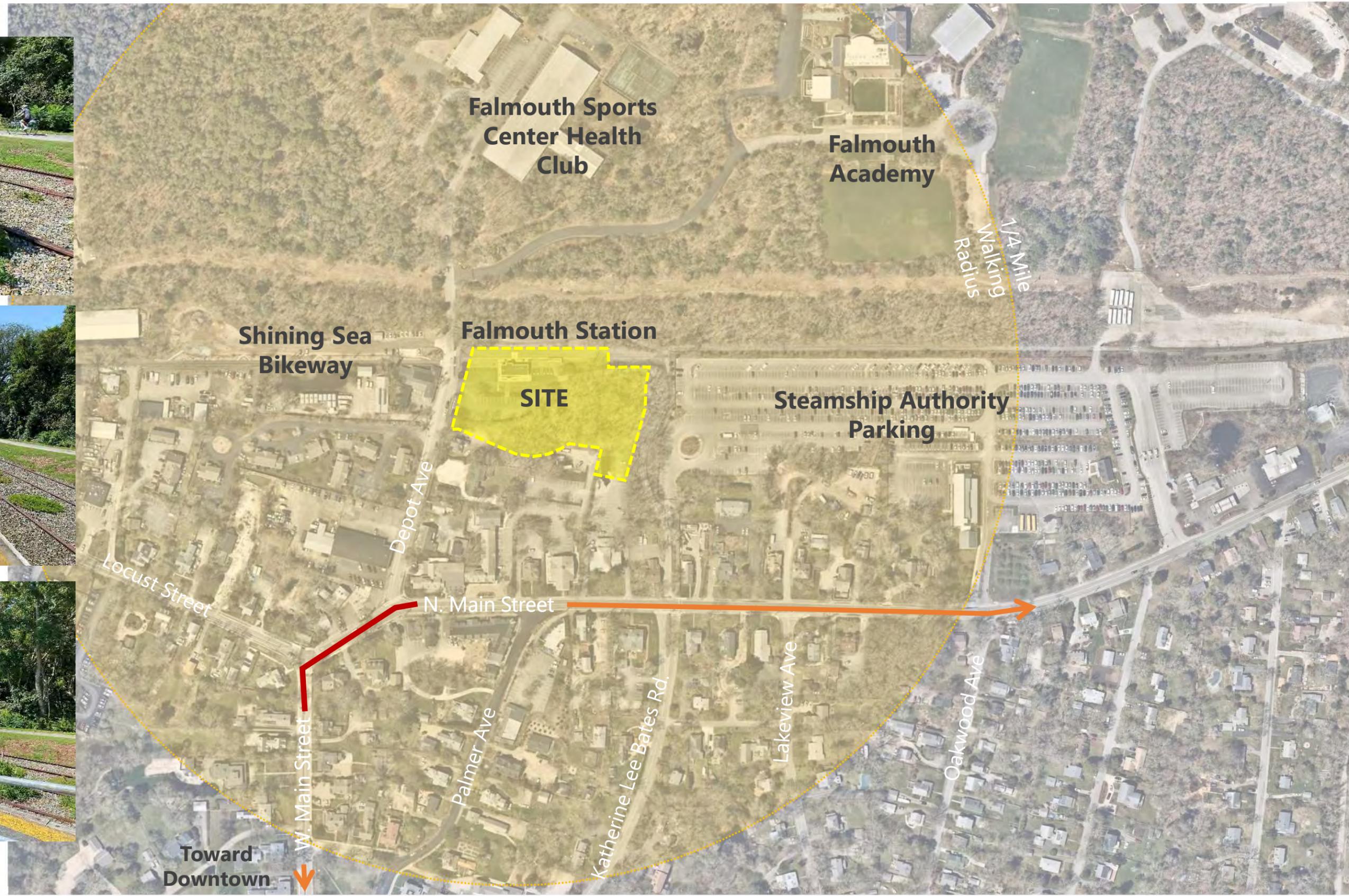
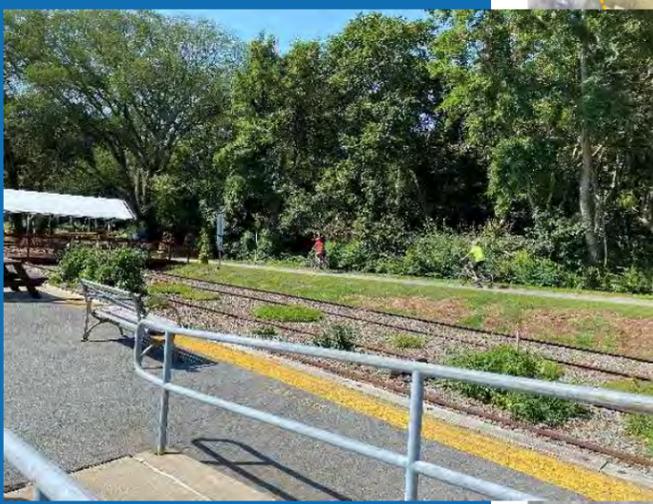
- Concept Plan 1: Open Space
- Concept Plan 2: Workforce housing
- Concept Plan 3: Expanded parking, bike pavilion and workforce housing

Task 5: Implementation Strategies and Cost Estimates (complete)

Task 6: Final Site Plan (complete)

Task 7: Committee Meetings and Public Engagement

- Stakeholder meetings (complete)
- Station Sub-committee Nov 23, 2021 (complete)
- Board Presentation (complete)
- Community meeting (Jan 26, 2022)



SITE CONTEXT

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY





Concert in the park



Bike path



No accessible ramp

Signage for parking is too small

No parking control

Full parking lot – (observed parking for bikeway, local businesses, coffee shop, and buses)

Historic Stone wall?

Outdoor covered dining with kitchen garden

Platform no longer used and can be removed

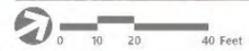
EV spaces – No charging station

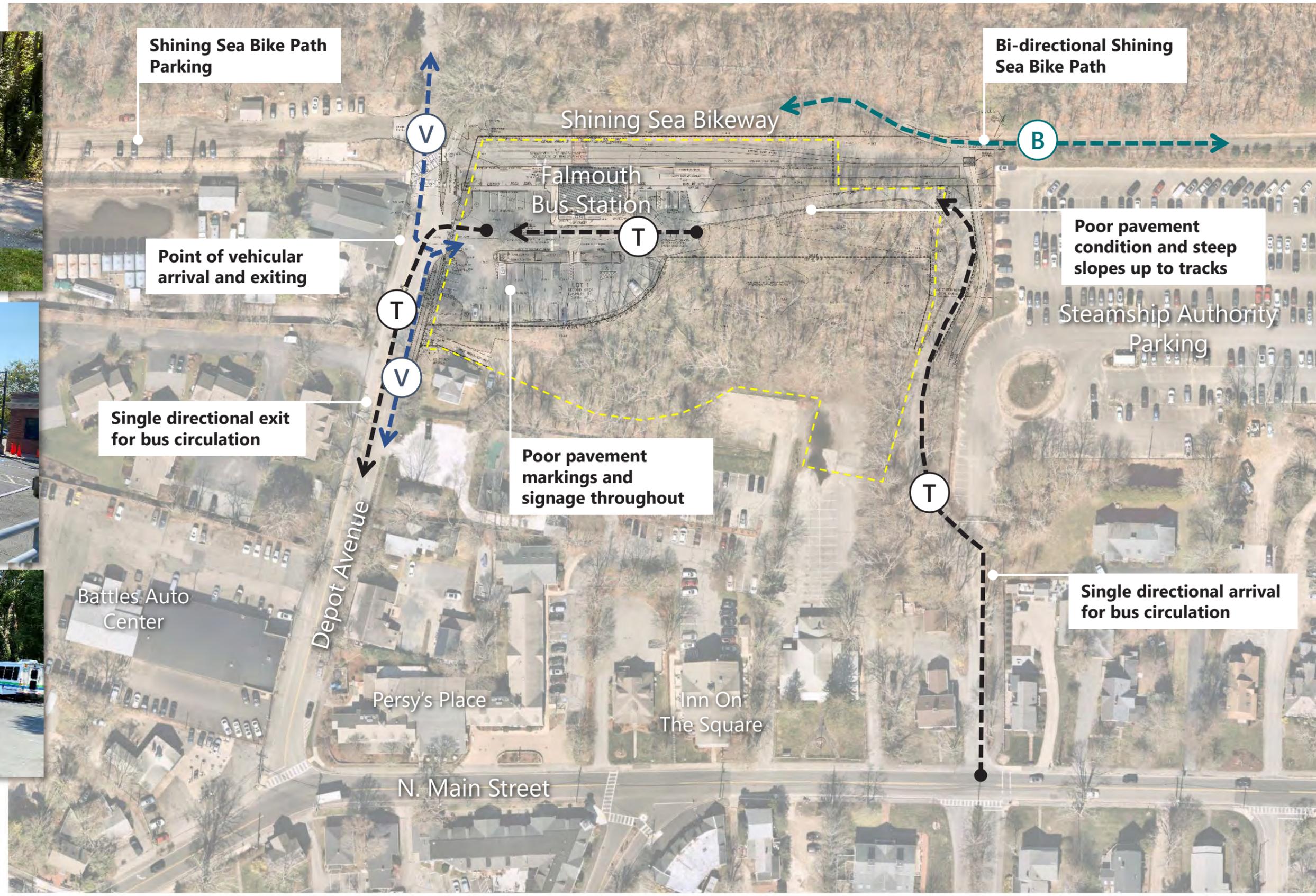
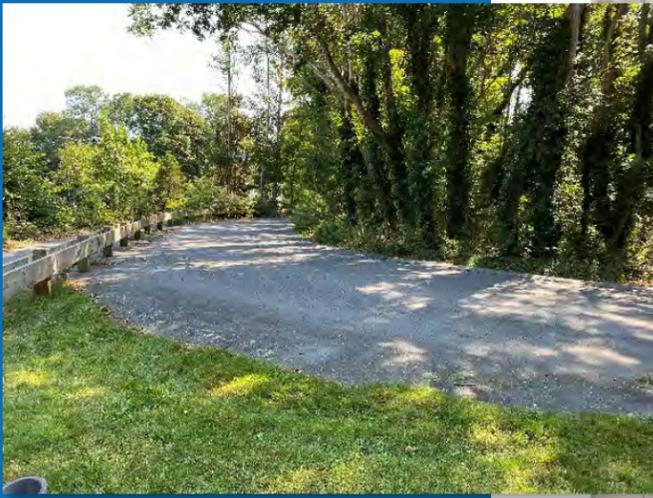
Curb cut for drainage into wooded area

Bus queuing area (two spots)

Low point (18-foot contour)

Access easement for adjacent residence





ACCESS AND CIRCULATION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY



Summary of Stakeholder Meetings

(October 20, 2021)

Site Characteristics

- Falmouth Station preserved as Town historic resource
- Site development issues include – access/circulation, parking, drainage, green space
- Shining Sea Bikeway - 250,000 annual trips; potential to connect bikeway to Downtown Falmouth
- Better signage – Station, Bikeway

Concerns

- Increased traffic along Depot Avenue
- Development scale and density
- Transient people in the area
- Parking control and enforcement

Opportunities

- Strengthen site identity as a “Transportation Hub” – bring people together (bus, bike, ferry)
- Enhanced pedestrian and bike connections to downtown via Palmer Ave crosswalk and KBL Rd
- Multi-family workforce housing with reduced parking requirements
- Open space that is an attraction for users of the bike path and visitors to downtown

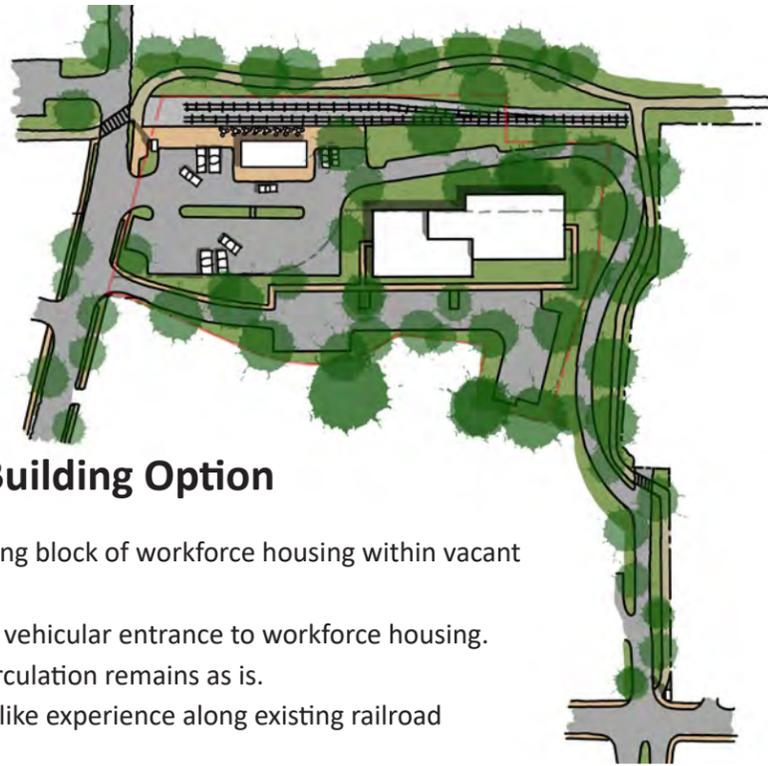
Focus of Planning Efforts: October thru January

1. Open Space Alternative:

- a. Preserve and enhance existing Station property while adding to the inventory of Town open spaces.

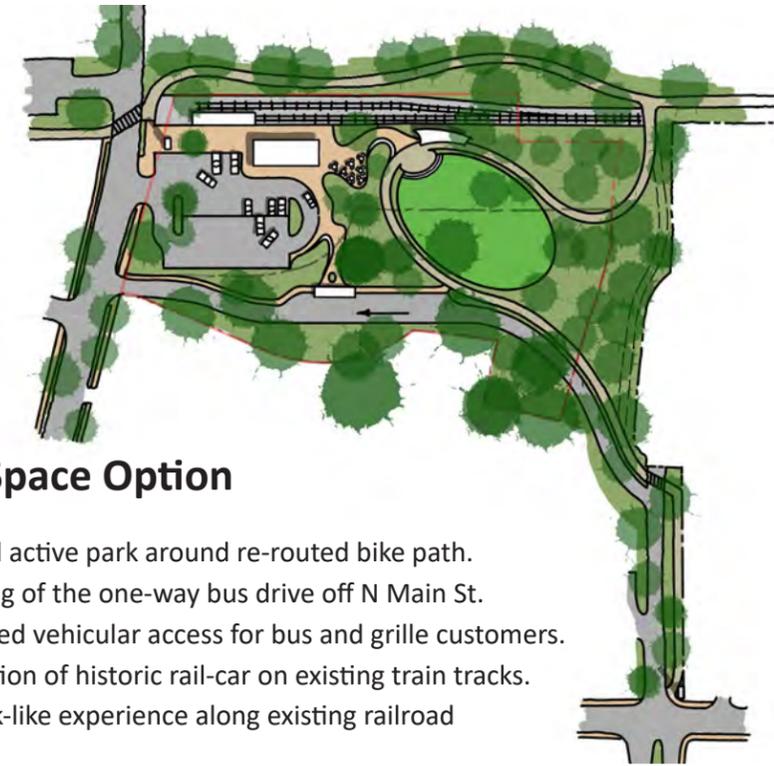
2. Community Need for Workforce Housing:

- a. Falmouth is in the midst of an affordable housing crisis - impacts the community's ability to attract and retain workers.
- b. Workforce housing targets teachers, healthcare workers, police officers, firefighters, and service workers who are priced out of the housing market.
- c. Design a workforce housing project which targets the rental market for workers in the 80% to 120% of AMI cohort.



Single Building Option

- One building block of workforce housing within vacant parcel.
- Separated vehicular entrance to workforce housing.
- Existing circulation remains as is.
- New park-like experience along existing railroad tracks.



Open Space Option

- Proposed active park around re-routed bike path.
- Re-routing of the one-way bus drive off N Main St.
- One shared vehicular access for bus and grille customers.
- Introduction of historic rail-car on existing train tracks.
- New park-like experience along existing railroad tracks.



Multi-Building Option

- 3 smaller buildings of workforce housing with private outdoor landscape space.
- New bus route off Depot Ave.
- One shared vehicular access for bus passengers, grille customers, and workforce housing tenants.
- Demolished railroad tracks.
- Proposed bike rental pavilion.

LEGEND

- (A)** Falmouth Station & Grille
- (B)** Existing Rail Tracks
- (C)** Shining Sea Bike Path
- (D)** Historic Rail-car
- (E)** One-way Bus Drive Lane
- (F)** Gate
- (G)** Iconic Signage
- (H)** Bike Path Parking
- (I)** Bus Staging
- (J)** Parking (50 spaces)
- (K)** Bus Shelter
- (L)** Bike Parking
- (M)** Park/Playground
- (N)** New Bike Path Location



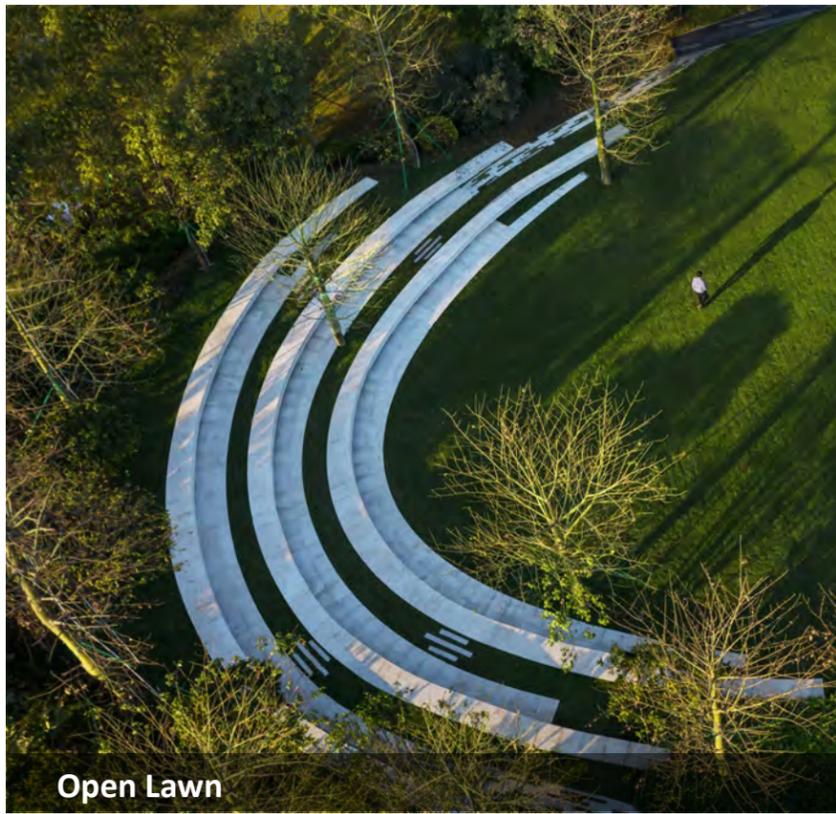
OPEN SPACE OPTION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY

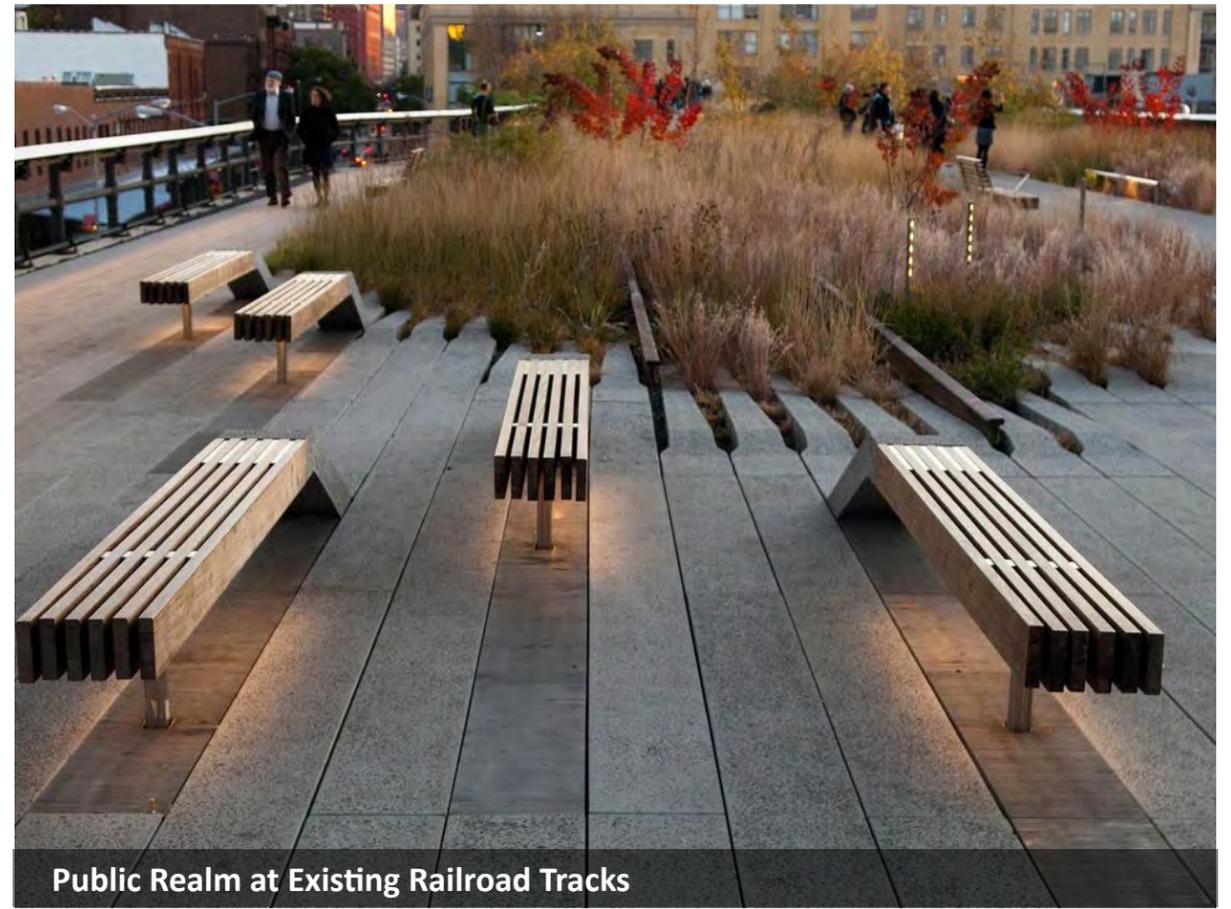




Open Lawn



Historic Rail Car



Public Realm at Existing Railroad Tracks



Public Realm at Existing Railroad Tracks



Transit Hub



Burgers at the Grille



Biking

Open Space



Active Park

CHARACTER IMAGES FOR OPEN SPACE OPTION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE ARCHITECTURE POWERED BY DIVERSITY



LEGEND

- (A)** Falmouth Station & Grille
- (B)** Existing Rail Tracks
- (C)** Shining Sea Bike Path
- (D)** Workforce Housing
- (E)** Existing Bus Entry Road
- (F)** Gate
- (G)** Iconic Signage
- (H)** Bike Path Parking
- (I)** Bus Staging
- (J)** Parking (51 spaces)
- (K)** Bus Arrival
- (L)** Existing Parking (42 spaces)
- (M)** Existing Bike Path
- (N)** Dog Park
- (O)** Septic Field
- (P)** E-Car Charging Stations



SINGLE BUILDING OPTION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY



LEGEND

- (A)** Falmouth Station & Grille
- (B)** Existing Rail Tracks
- (C)** Shining Sea Bike Path
- (D)** Bike Rental Pavilion
- (E)** One-way Bus Drive Lane
- (F)** Gate
- (G)** Iconic Signage
- (H)** Bike Path Parking
- (I)** Bus Staging with Charging Stations
- (J)** Parking (36 spaces)
- (K)** Bus Shelter
- (L)** Outdoor Patio
- (M)** Workforce Housing
- (N)** Dog Park
- (O)** Septic Field
- (P)** E-Car Charging Stations
- (Q)** Parking (42 Spaces)



MULTI-BUILDING OPTION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY



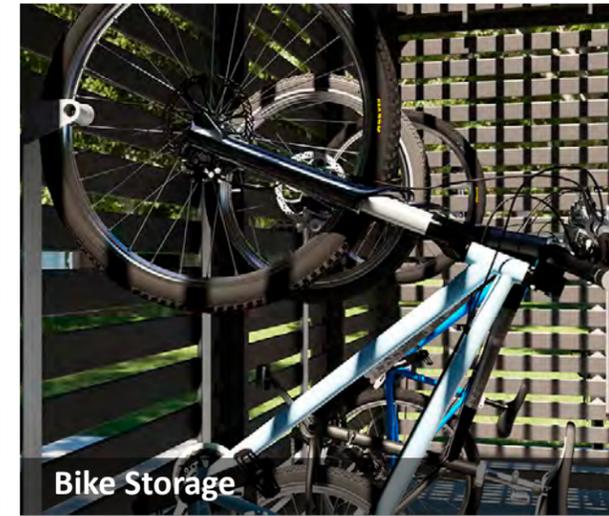


Cafe off Lobby

**COWORKING
SPACE**



Outdoor Table Games



Bike Storage


BIKE RENTAL



Studio Apartment

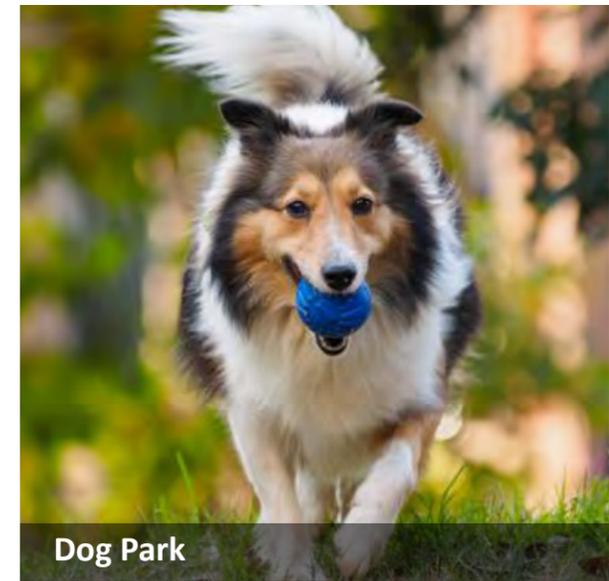


Cedar Shake Siding

Workforce Housing



Co-working Space



Dog Park

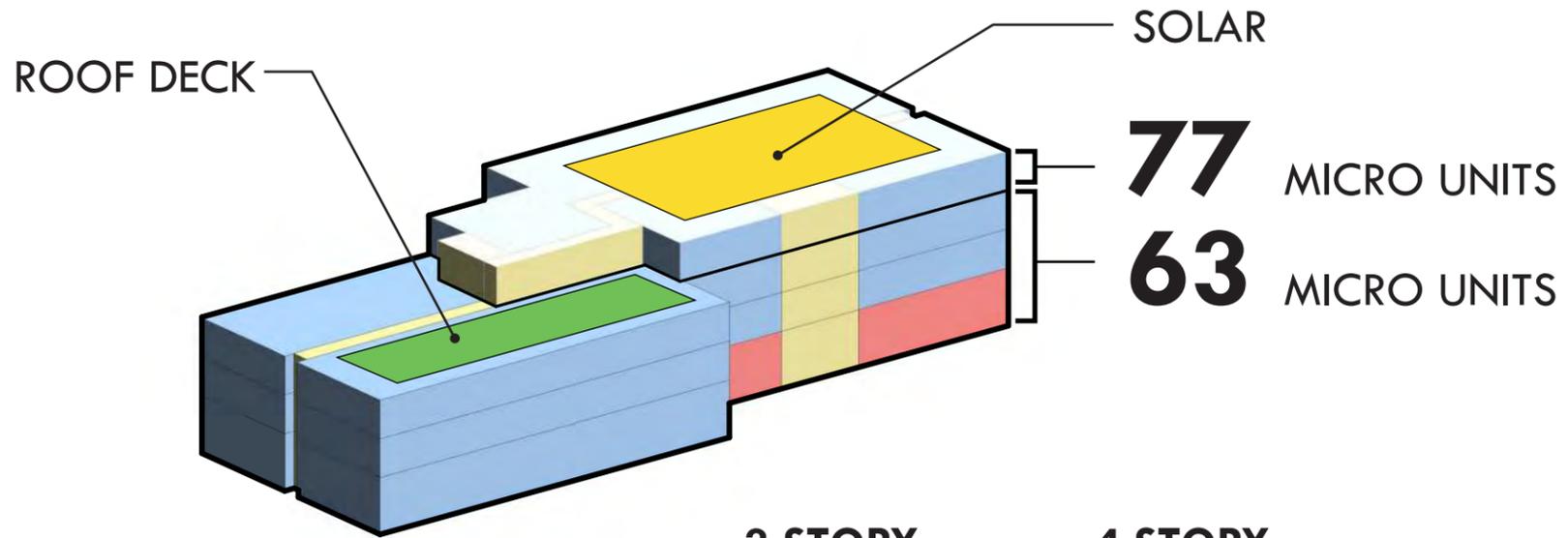
CHARACTER IMAGES FOR WORKFORCE HOUSING OPTIONS

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



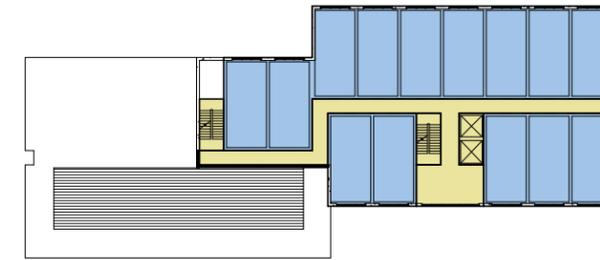
D/R/E/A/M COLLABORATIVE
ARCHITECTURE POWERED BY DIVERSITY

Falmouth
EDIC Economic Development
& Industrial Corporation



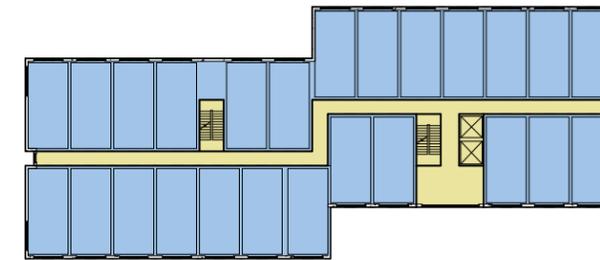
- CIRCULATION
- RESIDENTIAL
- COMMUNAL SPACE

	3 STORY	4 STORY
	5,900 GSF	7,800 GSF
	31,650 GSF	38,600 GSF
	5,950 GSF	5,950 GSF
	43,500 GSF	52,350 GSF
	63	77 MICRO UNITS

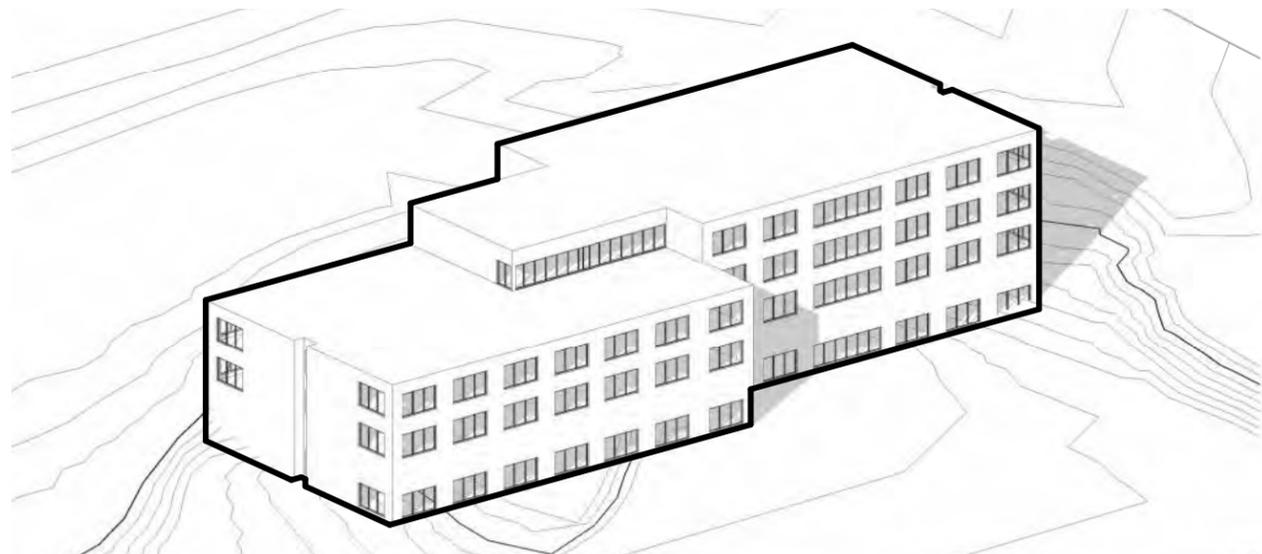


4TH
(OPTIONAL)

1,200 SF ROOF DECK



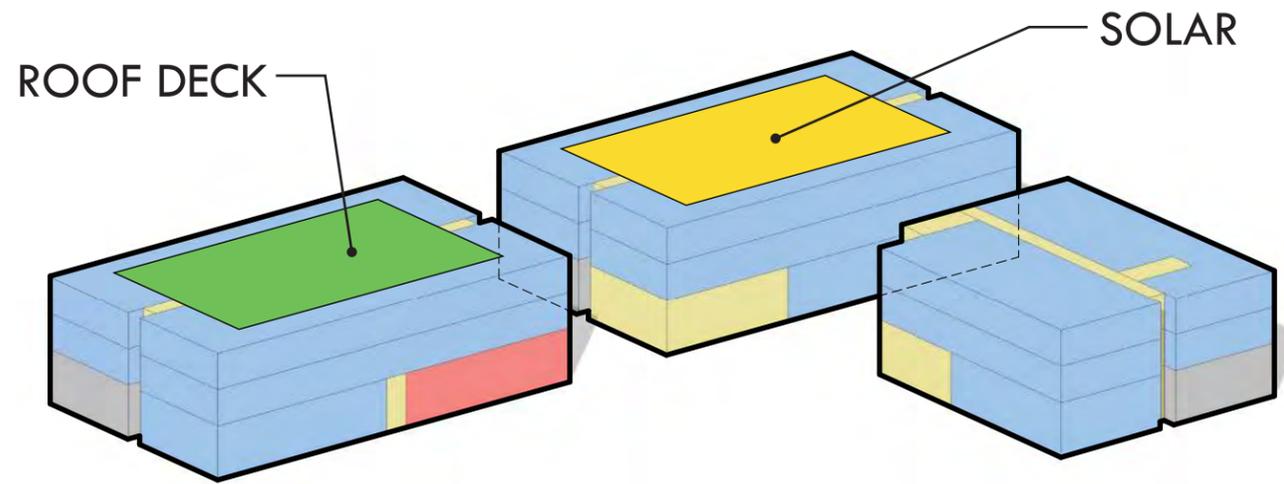
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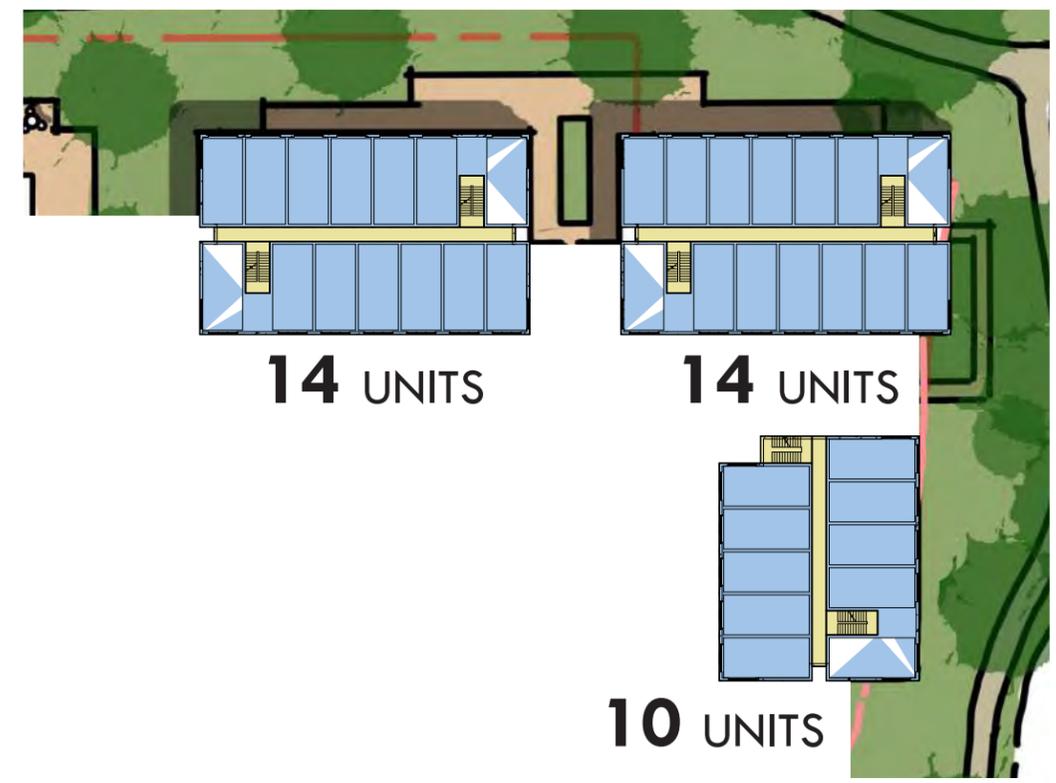
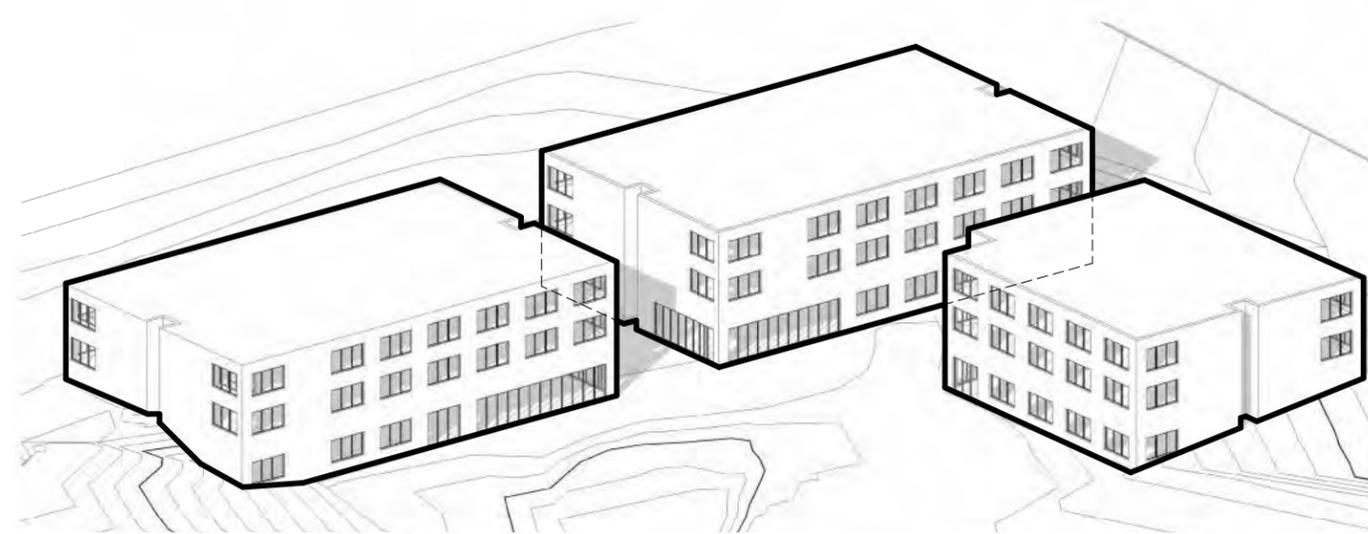
G

SINGLE BUILDING OPTION

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



	CIRCULATION	9,500 GSF
	RESIDENTIAL	44,600 GSF
	COMMUNAL SPACE	3,350 GSF
		57,450 GSF
		87



2/3



G

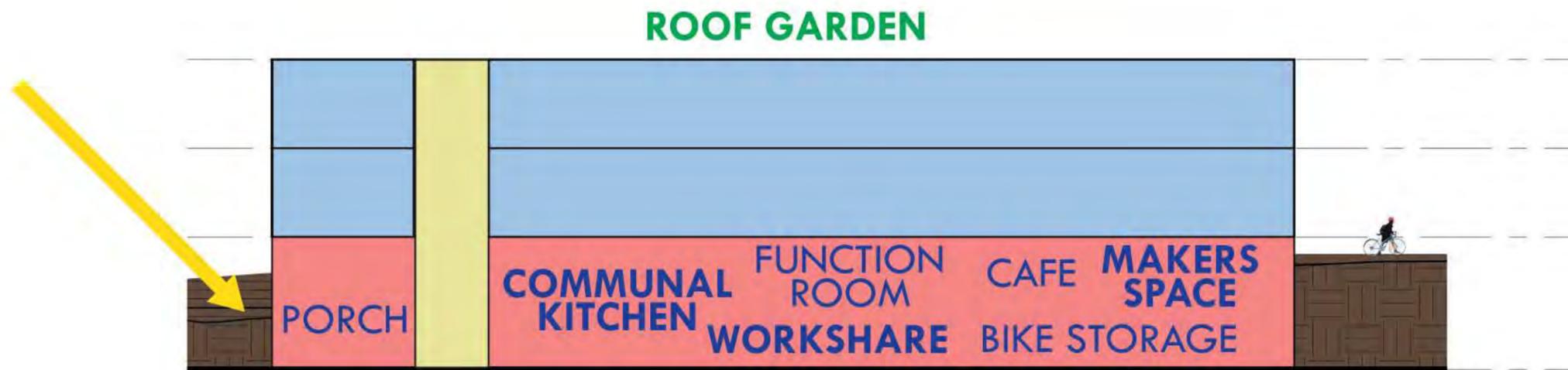
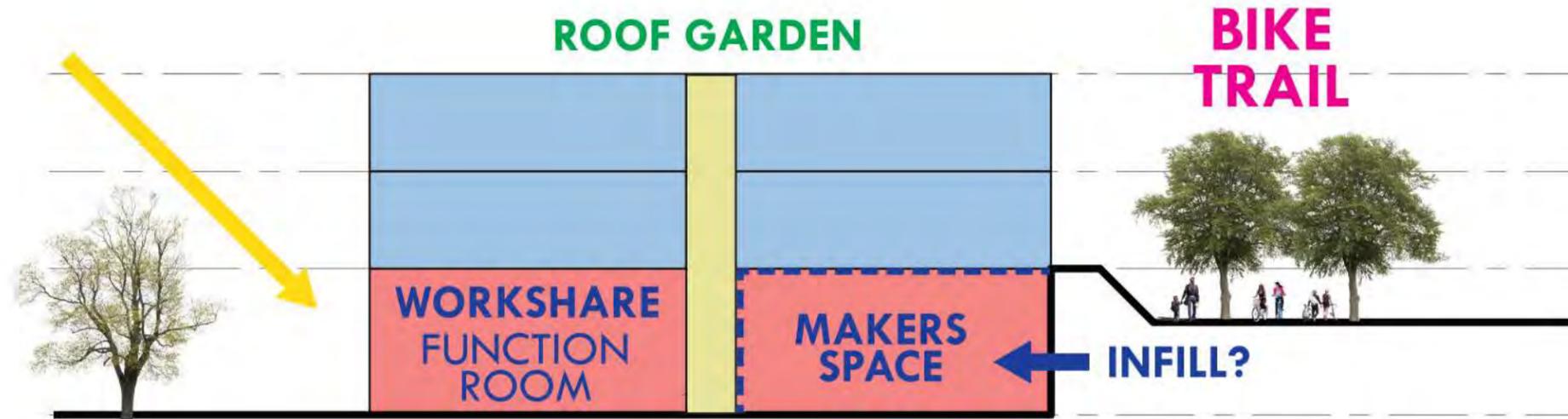


STUDIO
420 SF



BUILDING SECTION

- RESIDENTIAL
- COMMERCIAL
- CIRCULATION



BUILDING SECTIONS

FALMOUTH STATION | FALMOUTH | MASSACHUSETTS







MOBILITY AS AN AMENITY™

Electric Car Sharing Service & Platform

Envoy is a community-based electric car sharing service and platform, providing electric vehicles as an exclusive amenity to apartments, hotels, and workplaces. Envoy electric vehicles are conveniently located on property with dedicated parking spaces and EV charging stations and can be reserved through the Envoy car sharing app. Mobility as an Amenity™ where you live, work or stay.

Summary of Master Plan Study

1. Broad support for enhancing the profile of Falmouth Station while preserving its historic importance.
2. The site is a unique opportunity given its size, proximity and positioning within the broader context of downtown Falmouth.
3. Conceptual plans provide a framework for understanding the potential of the site and the challenges to execution while facilitating discussion.
4. Retail and/or office uses are not the best type of development for this location.
5. Challenges exist with each alternative which require additional study before any decision about how to proceed can be made.

Next Steps for EDIC Board

1. Solicit feedback from community stakeholders including Neighbors, Town Boards, Town Committees and Town Departments such as Select Board, Planning Board, Transportation Committee and DPW.
2. Undertake zoning analysis of alternatives contained in Master Plan Study to understand zoning conformance, required approvals and potential timeline.
3. Educate MassDOT on Master Plan Study and determine required approvals.
4. Secure public funding sources to advance planning efforts.
5. Collect, evaluate and report out on the community input on the Master Plan Study.
6. Establish a path forward which aligns with community needs and EDIC objectives and mission.



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

TO: Community Preservation Committee
FROM: Mike Renshaw, Town Manager 
SUBJECT: 59 Depot Avenue, Falmouth, MA
Application to Falmouth Affordable Housing Fund (FAHF)
DATE: May 28, 2024
CC: Kimberly Fish, Housing Coordinator
Wayne Lingafelter, Executive Director EDIC

The FAHF received an application from Wayne Lingafelter, Executive Director of EDIC requesting \$15,000 in funding for pre-development funding intended to supplement a grant application for \$150,000 to the State of Massachusetts One Stop for Growth program.

The FAHF Working Group met on May 28, 2024. While this is an unusual request for pre-development costs, the FAHF Working Group felt that under the circumstances presented, it would give their recommendation. Further, the FAHF Working Group has recommended that a policy be drafted and incorporated into the Board of Trustees' Funding Allocation Guidelines regarding funding pre-development costs.

I recommend the Community Preservation Committee support this application with the following conditions:

- 1) if the grant application to the State is not awarded to the EDIC then the FAHF funds will not be disbursed and grant agreement voided; and
- 2) if the construction of affordable deed restricted units does not take place, then FAHF funds expended on pre-development costs are to be returned to the FAHF.

ATTACHMENTS:

- Application w/attachments



Community Preservation Committee
59 Town Hall Square, Falmouth, MA 02540
508-495-7436

MEMO

To: Michael Renshaw, Town Manager
Kimberly Fish, Housing Coordinator

From: Maureen Thomas, Community Preservation Coordinator *MT*

Cc: Sandra Cuny, CPC Interim Chair

Re: **CPC Recommendation - 59 Depot Avenue - EDIC FAHF Application**

Date: June 17, 2024

On Thursday, June 13, 2024, the Community Preservation Committee (CPC) voted unanimously to make a recommendation to the Trustees in support of funding the Falmouth Economic Development and Industrial Corporation's (EDIC) 59 Depot Avenue FAHF application in the amount of \$15,000 to go toward pre-development funding with the following recommended conditions:

1. If the grant application to the State is not awarded to the EDIC, the FAHF funds will not be disbursed and the grant agreement will be voided; and
2. If the construction of affordable deed restricted units does not take place, any FAHF funds expended on pre-development costs are to be returned to the FAHF.

Thank you very much for your consideration of the CPC recommendation.



Falmouth EDIC

Request for FAHF Funds

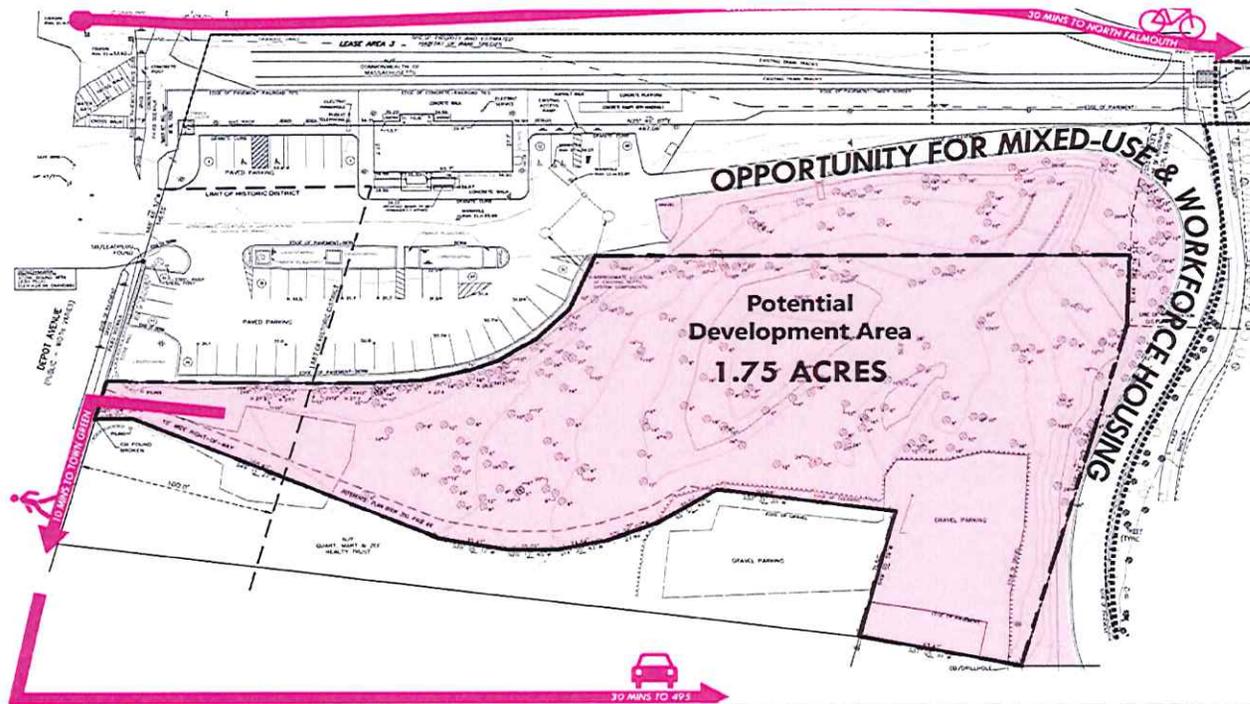
July 29, 2024 – Falmouth Select Board Presentation



Falmouth Station – Site Context



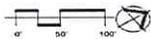
Falmouth Station Proposed Workforce Housing



Falmouth Station Housing – 2022 Concept Plan

LEGEND

- Ⓐ Falmouth Station & Grille
- Ⓑ Existing Rail Tracks
- Ⓒ Shining Sea Bike Path
- Ⓓ Bike Rental Pavilion
- Ⓔ One-way Bus Drive Lane
- Ⓕ Gate
- Ⓖ Iconic Signage
- Ⓗ Bike Path Parking
- Ⓙ Bus Staging with Charging Stations
- Ⓝ Parking (36 spaces)
- Ⓚ Bus Shelter
- Ⓛ Outdoor Patio
- Ⓜ Workforce Housing
- Ⓝ Dog Park
- Ⓞ Septic Field
- Ⓟ E-Car Charging Stations
- Ⓠ Parking (42 Spaces)



MULTI-BUILDING OPTION
 FALMOUTH STATION | FALMOUTH | MASSACHUSETTS



D/R/E/A/M COLLABORATIVE





EDIC Application for State Community Planning Grant

1. Requested **\$150,000 in funds** to further study workforce housing demand, community outreach and to advance site feasibility and due diligence including the study of traffic, environmental conditions and sewerage options.
2. Grant application was presented to the Affordable Housing Committee in May, which provided a letter of support and recommendation to the Select Board for this grant funding.
3. The **EDIC is requesting \$15,000 in matching funds** from the Falmouth Affordable Housing Fund to advance this work and as a tangible demonstration of local support for the planning initiative.
4. The Board of Directors of the **EDIC has committed \$15,000** of its funds for the planning work should the State grant be approved.



OPEN SESSION

BUSINESS

5. Consider support of Local Initiative Program (LIP) application of Habitat for Humanity of Cape Cod – 805 Gifford Street Extension
(5 minutes)



ITEM NUMBER: Business 5.

ITEM TITLE: Local Initiative Program (LIP) Application – 805 Gifford Street Extension, Habitat for Humanity

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager and Kimberly Fish, Housing Coordinator

ATTACHMENTS: 1) LIP Application, 2) Revised LIP Application Narrative, 3) Timeline of Appeals of Decisions, 4) Letter from Affordable Housing Committee, 5) Housing Development Working Group Evaluation Form, 6) Town Manager LIP Recommendation Memo to the Select Board w/attached Proposed Letter from Select Board to EOHLC

PURPOSE:

To provide the developer of this Local Incentive Program (LIP) application, Habitat for Humanity of Cape Cod, with an opportunity to present the project, located at 805 Gifford Street Extension, to the Select Board.

The Select Board is asked to vote to support the LIP application by sending a letter to the Executive Office of Housing and Livable Communities (EOHLC) outlining their approval and to sign the LIP application.

BACKGROUND/SUMMARY:

- The development proposes 4 single family homes for homeownership at 805 Gifford Street Extension. Of the 4 single family homes, 2 will be deed restricted as affordable to households

earning up to 60% of the area median income (AMI) and 2 will be deed restricted as affordable to households earning up to 80% of the AMI.

- The project is a redevelopment of an existing commercial property that currently contains retail use (Habitat for Humanity of Cape Cod ReStore).
- The property is 4.052 acres to be subdivided into 6 parcels, the retail store will remain on one of the parcels. One parcel will be for the shared septic system. Lots 3, 4, and 5 will include two-story 3-bedroom Cape style homes. Lot 6 will include a single-story 3-bedroom ranch (to be adapted for accessibility if needed).
- The proposed development will be walkable to the Falmouth High School and a small grocery store. It is also a short drive to Falmouth's main commercial center.
- Municipal Meeting(s): Beth Wade, Director of Land Acquisition and Project Development Habitat for Humanity of Cape Cod met with the Town Planner, the Zoning Board Administrator and the Housing Coordinator to discuss concepts of the project. On November 1, 2023, Ms. Wade and members of the project's team, as well as the Housing Coordinator conducted a site visit.
- Land Use Meeting: On November 15, 2023, the project's team appeared before the town's Land Use Group meeting (which consists of all development staff).
- Affordable Housing Committee: On December 14, 2023 and March 14, 2024 the project's team appeared before the Affordable Housing Committee (AHC). Following the March 14, 2024 meeting, the AHC voted unanimously to send a letter recommending the Select Board support the project.
- Housing Development Working Group: On June 24, 2024, as part of the newly established LIP Application Process and Review Guidelines, the project's team appeared before the Housing Development Working Group to present the project. The Housing Development Working Group gave a positive recommendation to the Town Manager.
- On July 22, 2024 the Town Manager sent a memo to the Select Board with his recommendation that the Select Board support the project by signing the proposed letter to the Executive Office of Housing and Livable Communities outlining their support of the LIP application.

DEPARTMENT RECOMMENDATION:

Staff recommends the Select Board vote to endorse the LIP application of Habitat for Humanity of Cape Cod to construct 4 single family homes for homeownership to be deed restricted as affordable at the property located at 805 Gifford Street Extension by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and by signing the LIP application.

OPTIONS:

- Motion to endorse the LIP application of Habitat for Humanity of Cape Cod to construct 4 single family homes for homeownership to be deed restricted as affordable at 805 Gifford Street Extension by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and by signing the LIP application.

- Motion to deny endorsement of the LIP application of Habitat for Humanity of Cape Cod as presented.

- Defer action to a subsequent meeting.

TOWN MANAGER COMMENTS:

The Town Manager recommends the Select Board vote to endorse the LIP application of Habitat for Humanity of Cape Cod to construct 4 single family homes for homeownership to be deed restricted as affordable at the property located at 805 Gifford Street Extension by sending a letter outlining their approval to the Executive Office of Housing and Livable Communities and by signing the LIP application.

Michael Renshaw

Town Manager

7/23/2024

Date



Narrative for proposed project at 805 Gifford Street Extension (rev. 5.30.2024)

The property at 805 Gifford Street Ext. is owned by Capital Realty and Development Corporation (CRDC), 1025 Main Street Ext., West Barnstable MA. A Purchase and Sales Agreement for a portion of the 176,358 sf/4.052-acre parcel, was executed between Habitat for Humanity of Cape Cod, Inc. (HHCC) and CRDC on June 29, 2023, giving HHCC site control for the purpose of developing four Affordable homes. An amendment to the agreement changing the description of the parcel (to reflect an increase in lot size from 37,000+/- SF to 40,780+/- SF) was executed in May 2024. Please see *Attachment 5*.

HHCC plans to permit the project under Massachusetts General Law, Chapter 40B, through a friendly 40B process. HHCC is proposing the division of 805 Gifford Street Extension into six parcels. One parcel of 135,578 sf/3.11 acres containing the commercial building, will continue to be owned by CRDC. The remainder area of 40,780 sf/.94 acre, to be purchased by Habitat, will contain four separate fee simple home parcels, and a fifth lot containing a shared Title V septic and the subdivision's stormwater management system.

The subdivision will be accessed from Gifford Street Extension via the current ReStore parking lot entrance. A new exit way will be built to provide best vehicular flow. See, *Attachment 7*, J.M. O'Reilly & Associates, Inc. "Preliminary Site Plan, 805 Gifford Street EXT, Falmouth, MA, 4/10/2024".

Once permitting is accomplished, we will use our volunteer and "sweat equity" program to build four, single family homes that will be sold affordably to income-eligible households. One hundred percent of the proposed homes will be affordable to lower income families as defined by the Executive Office of Housing and Livable Communities (EOHLC). All homes will be eligible for Falmouth's Subsidized Housing Inventory (SHI).

Habitat and Friendly 40B.

We have sought to involve the Town of Falmouth, from the start of the project:

- Early on we discussed the project concept with Falmouth Town Planner, Jed Cornock; Housing Coordinator, Kimberly Fish, and ZBA Administrator, Noreen Stockman.
- On 11/1/2023, we conducted a site visit with Housing Coordinator, Kimberly Fish.
- On 11/15/2023, we appeared at the informal meeting of Town department heads to review the project. Follow up discussion ensued, and several "tweaks" were made to our preliminary site plan.
- On 12/14/2023, we appeared before the Falmouth Affordable Housing Committee. Following that we adjusted our plans incorporating their comments.

- On 3/14/2024, we appeared before the Falmouth Affordable Housing Committee. Of those present, there was a unanimous vote to write a letter of support and to sign the LIP application to be sent to EOHLC.
- We are scheduled to appear on 6/24/2024 at the LIP Review Committee.
- On submission of the LIP application to the Executive Office of Housing and Livable Communities (EOHLC), we will send a letter alerting area residents and neighbors to the LIP application and provide several meeting dates to allow for an opportunity to review plans, and provide input, during the 30- day LIP public comment period.
 - Please note: We met with Mr. Paul Miskovsky (on 4/11/2024), our immediate abutter to the south.
- On receipt of the Project Eligibility Letter (PEL) from EOHLC, we will submit a 40B Comprehensive Permit application to the ZBA. There will be additional opportunity for public participation and input throughout the 40B ZBA permitting process.

Description of the Site. See also Attachment 3

The underlying zoning of the parcel is Agricultural (AGA). The site is proximate to public utilities, excepting sewer. The proposed home sites sit behind an occupied commercial building (currently leased by HHCC's ReStore). The commercial building is subject to a Falmouth Planning Board Decision on January 10, 2017. In our plan the commercial building will be sited on its own, Lot 1. We are proposing access to and from the housing development through the ReStore lot. The proposed traffic flow is outlined in the attached plan. A permanent easement will be put into place ensuring access to and from the homes. Please note "Draft easement" at *Attachment 13*.

The vacant, back parcel is subject to some topographical variations and covered with mixed tree growth, oaks, evergreens, native shrubs, and ground cover. Abutters to the property include at the southerly boundary, a 3.70 acre commercial/residential site, "Miskovsky Landscaping" at 393 Brick Kiln Road; to the north a town owned, permanently encumbered open space/recreational lot of 13.78 acres; to the east a 2.03-acre residential parcel at 365 Brick Kiln Road; and at the southeasterly tip of the subject parcel a 1-acre residential parcel at 387 Brick Kiln Road.

Habitat is proposing the division of this rear, vacant, portion of the site being 40,780 +/- sf parcel into five lots, four residential lots to be owned in fee simple: Lot 3 to be 7,655 sf (.18 acre), Lot 4 to be 7,875 sf (.18 acre), Lot 5 to be 8,369 sf (.19 acre), and Lot 6 to be 7,317 sf (.17 acre). Each lot will contain a three-bedroom home with private parking area and be serviced by a shared septic system. Lot 2 at 9,564 sf (.21 acre) will contain the shared Title V septic system, drainage, and a portion of shared driveway. An HOA will control the common lot and the driveway into the development. (See also *Attachment 7, Site Plans*).

Description of Homes and Yards.

Lots 3, 4 and 5 will contain two-story Capes; and Lot 6 will contain a single-story ranch. The ranch is easiest to adapt for accessibility, as all the living area is on the same floor. As we select our families before construction, if a selected family has a disability that needs accommodation, we amend construction plans to build to accommodate the need. The 3-BR Capes have two full bathrooms, and the 3-BR Ranch contains 1.5 bathrooms. All HHCC homes have a full basement (subject to site

conditions). All homes meet or exceed EOHLC LIP standards in terms of square footage and other features. See Floor Plans and Elevations at *Attachment 9*.

The homes at 805 Gifford Street Ext. will include solar, as site conditions allow. And in terms of other aspects of “green” building: Habitat homes typically meet or exceed LEED standards, although for cost saving reasons, we do not seek certification. We use sustainable and renewable building materials whenever possible. Our homes have high R-value for insulation (with 2 x 6 construction which allows for such high insulation) and are inherently efficient because the homes are built well and are modest in size (so less materials to build, less fuel to heat). We use low U-value windows and Energy Star appliances. We use highly efficient air source heat pumps, which are an aid to indoor air quality. And we use low or no VOC products. Habitat homes consistently score extremely low HERs ratings; and in 2022 HHCC received an award for our high-performance homes. The national energy rating organization, RESNET recognized us for having the lowest HERS score (-15) among the 1,000+ Habitat for Humanity International affiliates across the country. We continue to excel in our HERs ratings and continue to upgrade our homes as new products and innovations become available. See "Green Building Practices" at *Attachment 13*.

HHCC provides fencing and/or landscape buffers at boundaries for privacy and screening from neighboring parcels, as needed. We are currently working with the Cape Cod based Permaculture Organization, *Resilient Roots* to incorporate sustainable, edible, wildlife landscapes into our plans. Our families have some say in the selection of the initial plantings around their homes. Some choose only native, wildlife friendly plantings, others incorporate dwarf fruit trees and shrubs bearing edible fruits. We will provide appropriate transitional plantings as a buffer between any developed areas and surrounding woodland. We also include an 8 x 10 shed, when site conditions allow. A draft landscape plan is included at *Attachment 7*, J.M. O’Reilly & Associates, Inc. “Landscape Plan, 805 Gifford Street EXT, Falmouth, MA, 4/10/2024” A final design will be within our ZBA submission.

Homebuilding Process/Community Involvement

Assuming successful permitting, HHCC will use its tried-and-true “sweat-equity” model to build these Falmouth homes. In our model, qualified, selected family’s partner with us and devote 250 to 500 hours of work (250 for a single-adult family; 500 for a two-adult family) to the effort. A family may work on their own home or on another HHCC home build, or at other HHCC related volunteer activities (if unable to participate at the home build site).

Habitat works closely with our buyers, not just during our rigorous application process, but throughout the build period, providing significant homebuyer education, counseling, and working with our families through the mortgage and closing process. This is a critical element of our partnership, as education has proven to be key to successful homeownership. Our process not only promotes a homeowner who is well educated in building and maintenance, but it fosters a true sense of community.

HHCC also partners with our home-build communities, seeking donations of materials, professional services, and labor. We strive to make our homes welcome in a neighborhood and to be good neighbors. We work to create a collaborative spirit where the whole community can be actively involved in helping to address the affordable housing crisis.

Affordability, SHI, and Local Preference

All the Falmouth homes will be affordable in perpetuity. HHCC offers 100% of the project as affordable; not simply the minimum 25% required by law—as providing affordable housing is our mission. Affordability will be protected by an EOHLC LIP Regulatory Agreement and Deed, and all homes will count on Falmouth’s Subsidized Housing Inventory (SHI). We are proposing that two of the homes be sold as affordable to very low-income households, households earning at or less than 60% of Area Median Income (AMI); and two of the homes be sold to those at or less than 80% AMI. Home sale prices will be at or around \$194,500 at 60% AMI pricing, and \$261,900 at 80% AMI pricing.

The final home sale price will be determined using HUD median incomes and EOHLC calculations at the time of execution of the regulatory agreement and/or marketing of homebuyer applications. Home prices will be approved by EOHLC prior to opening the lottery. If the regulatory agreement has been recorded in advance of the opening of the lottery, an amendment may need to be approved by all parties and recorded at the Registry of Deeds reflecting any EOHLC home sale price modification.

Habitat will work with the Town and EOHLC to request that two of the four homes be awarded a local preference (preference for applicants living in the Town of Falmouth, working in the Town of Falmouth, employed by the Town, or with children enrolled in Falmouth public schools). Local Preference guidelines currently allow for a maximum of 70% of a project’s units and are awarded at the discretion of EOHLC.

With our quality, single-family homes priced affordably, Habitat for Humanity creates homeownership opportunities for families at income levels not served by other affordability programs. We are an experienced developer, having built over 180 affordable Cape Cod homes since our founding as an affiliate of Habitat for Humanity International in 1988.

Habitat for Humanity of Cape Cod partners with families in need of an affordable home to build one of their own, fostering stability, self-reliance, and a strong sense of community.

Appeals and Decisions of Habitat projects subject to litigation

181 Route 6, Truro.

This possible three home project has been appealed twice by the same abutter.

<u>Date</u>	<u>Event</u>
6/2/2014	ZBA 40B Decision
6/12/2014	Notice of Appeal of Decision
4/1/2016	Judge ruled for Plaintiff. The Board's decision did not comply with certain bylaws and there were no findings to support its decision to waive the bylaw. The decision was remanded to Truro ZBA to look at those specific waivers.
9/26/2016	Remanded ZBA 40B Decision
10/14/2016	Notice of Appeal Remanded ZBA 40B Decision
3/24/2020	Judge ruled for Plaintiff. The Board's decision did not comply, and it made no findings to support its decision to waive the bylaws.

Determinations are being made between the Town of Truro and Habitat on next steps.

2254 Old King's Highway Wellfleet

Planning Board and ZBA permitting decisions were appealed three times by a group of abutters. Habitat prevailed through the last trial with a judgement in our favor in October 2022.

<u>Date</u>	<u>Event</u>
6/3/2015	Planning Board Decision
7/6/2015	Notice of Appeal of Planning Board Decision. The appeal was dismissed when HHCC pursued permitting through a new 40B application.
3/17/2016	ZBA 40B Decision
4/2016	Notice of Appeal of ZBA 40B Decision
8/28/2017	Judge ruled for Plaintiff - Board had not been configured correctly when they voted in support of the Comprehensive Permit, so the Permit was vacated (Mullin's rule).
7/18/2019	ZBA 40B Decision
8/6/2019	Notice of Appeal of ZBA 40B Decision
10/14/2022	Judge ruled for Defendant

Habitat began infrastructure work for the four homes to be built at the site in Fall 2023, with wall raisings scheduled for Fall 2024.



Town of Falmouth Affordable Housing Committee

59 TOWN HALL SQUARE, FALMOUTH, MA
02540

March 21, 2024

Select Board
Town of Falmouth
Town Hall
Falmouth MA 02540

Dear Select Board Members:

The Falmouth Affordable Housing Committee has reviewed the proposal by Habitat for Humanity of Cape Cod for a 4-unit LIP development at 805 Gifford Street Extension. Beth Wade, Director of Land Acquisition & Project Development made her initial presentation to the AHC last fall and updated the Committee at its March 14, 2024 meeting. I am pleased to advise the Select Board that the AHC fully supports the project and urges the Board to approve the application.

We are fortunate to have Habitat sponsoring such projects in Falmouth. The organization's most recent development on Willett Way is an excellent addition to our stock of affordable housing. We are glad to note that the 805 Gifford Street Extension project will result in two homes sold to homeowners with incomes below 60% of AMI as well as two more with incomes below 80% of AMI. We hope Habitat will receive permission to have a local preference for two of the four units, a further benefit for the town.

Sincerely,

David Garrison
Chair
Falmouth Affordable Housing Committee

Housing Development Working Group Evaluation Form

June 24, 2024

Revised 6/24/24

- 1) a. Property Address: 805 Gifford Street Ext Parcel ID:
b. Development Team: Habitat for Humanity of Cape Cod
Huge team, see application, page 40.
Falmouth housing project: Willett Way (10 units) and Glenwood (2 units)
c. Evidence of ownership or property control: purchase and sale agreement
d. Property description: acreage: 4.052 acres (to be subdivided into 6 parcels, one of which will include the commercial building.
zoning: AGA (agricultural)
(see application for full description)
e. Project summary: # of units: 4 single family homes
Rent/own: homeownership
Affordability: 2 at 60% AMI
2 at 80% AMI
Unit mix: 3 three-bedrooms
1 three-bedroom ranch
Amenities: none
- MEETINGS: ZBA Administrator, Town Planner and Housing Coordinator
Land Use
AHC (x2) (recommended project)
Met with direct abutter

NOTES ON PROJECT – CRITERIA FROM LIP GUIDELINES (PAGE 5):

- A. mixed-income year-round rental and homeownership opportunities for households earning from 30% and up to 120% of the Area Median Income (“AMI”)
2 homes at 60% AMI, 2 homes at 80% AMI
- B. mixed-use development is desirable in certain locations;
Lots 3, 4, & 5 two-story 3-bedroom Capes. Lot 6 single-story 3-bedroom ranch (easy to adapt for accessibility. There currently is a commercial building on site (Habitat for Humanity of Cape Cod ReStore), which will remain.
- C. strong preference for proposals in which more than 25% of the total units are deed-restricted for households earning 120% of AMI or less;
All homes will be deed-restricted as affordable, but not higher than 80% AMI
- D. proposals which provide attainable housing for the “missing middle” by including deed restricted units (in excess of the mandatory 25% affordable at 80% of AMI or less), for households earning from 80% to 120% of the AMI;
2 homes will be deed restricted at 80%
- E. site design that provides open space and recreational amenities;

There really isn't any room on the site to provide open space or recreation opportunities. However, each individual lot appears to have a backyard with room for personal recreational items.

- F. architecture that is compatible with the surrounding neighborhood; *Cape and ranch style homes can be found in the surrounding areas.*
- G. enhancements to site and surrounding neighborhood (landscaping, drainage, connectivity, etc.); *The submitted landscaping plan proposes some buffering plantings between the existing commercial uses to the north and south of the new homes. Additionally, a new one-way out driveway will be provided for the new residential use to reduce traffic congestion on the site.*
- H. ability to meet identified housing needs (senior, workforce, rental); *yes*
- I. availability of sewer and/or on-site wastewater disposal technology that reduce nitrogen output; *Shared Title V*
- J. has a positive economic impact on the neighborhood and stimulates new investment in distressed area;
This is a neglected area of the parcel that could benefit from housing.
- K. mitigates environmental impact through redevelopment of existing structures, proximity to existing infrastructure, and use of best available design and technology; *The proposed project doesn't include redevelopment; however, it is adjacent to existing infrastructure and proposes buildings that have 2x6 construction, U-value windows, high efficiency heat pumps, and Energy Star appliances.*
- L. proposes a low fertilizer and low water consumption landscape design;
- M. has Energy Star Rating; *solar included, exceeds LEED standards, renewable materials, high R-value for insulation, energy star appliances.*
- N. provides Handicapped Accessible/Visitable options; *if a selected family has a disability that needs accommodation, they amend construction plans to build to accommodate the need.*
- O. located in a planning district with a lower percentage of affordable housing.

NOTES FROM 6/24/24 HOUSING DEVELOPMENT WORKING GROUP MEETING

All members agreed to recommend project, including waiving appraisal.



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

TO: Select Board
FROM: Mike Renshaw, Town Manager
SUBJECT: Local Initiative Program Application
805 Gifford Street Ext., Falmouth – Habitat for Humanity of Cape Cod
DATE: July 22, 2024
CC: Kimberly Fish, Housing Coordinator
Beth Wade, Director of Land Acquisition & Project Development Habitat for Humanity

I received a Local Initiative Program (LIP) application from Habitat for Humanity of Cape Cod (HHCC) to construct 4 homes located at 805 Gifford Street Extension, Falmouth. All four homes will be deed restricted as affordable in perpetuity - two homes will be at 60% of the area median income and the other two homes will be at 80% of the area median income.

As part of the newly adopted LIP Application Process and Review Guidelines, HHCC appeared before the Housing Development Working Group on June 24, 2024 to present the project and answer questions. The Working Group ultimately provided me with a favorable recommendation to endorse this LIP application.

For all the reasons outlined in the attached letter to the Executive Office of Housing and Livable Communities (EOHLC), I recommend the Select Board endorse this LIP application by signing said letter and LIP application.

ATTACHMENTS:

- LIP Application
- Letter to the Executive Office of Housing and Livable Communities

July ____, 2024

Executive Office of Housing and Livable Communities
100 Cambridge Street, Suite 300
Boston, MA 02114

Attention: Margaux LeClair, Counsel/Fair Housing Specialist
Rieko Hayashi, Director Local Initiative Program

Via email: margaux.leclair@mass.gov
rieko.hayashi@mass.gov

Re: ***Habitat for Humanity of Cape Cod – Local Initiative Program Application
805 Gifford Street Extension, Falmouth, MA***

Dear Ms. LeClair and Ms. Hayashi:

At its meeting on July 29, 2024, the Falmouth Select Board voted to endorse the Local Initiative Program application of Habitat for Humanity of Cape Cod (HHCC) to construct 4 homes for homeownership at 805 Gifford Street Extension in Falmouth MA. The project site includes 4.052 acres of land which will be subdivided into 6 parcels; 4 for the new homes, one for the shared septic system, and the last for the existing commercial building located at the front of the 805 Gifford Street Extension property (Assessor's Map No. 26 01 017 000D).

In summary, the proposed development includes 4 homes for homeownership. Of the 4 homes, 2 will be deed restricted at 60% of the area median income (AMI) and 2 will be deed restricted at 80% of the AMI. Altogether, the development will include 3 three-bedroom cape style homes and 1 three-bedroom ranch. Pursuant to the Executive Office of Housing and Livable Communities (EOHLC) Ch. 40B Guidelines VI.9.e.(1) "the municipality, or its designee, is named in the deed rider as the monitoring agent (along with DHCD)". HHCC has agreed to perform the annual monitoring and Housing Assistance Corporation will monitor the resales, acting as the Town's designee and will be included in the deed rider along with DHCD (now known as EOHLC).

The Select Board finds there is a substantial community benefit in endorsing the proposed development. Like many Cape Cod communities, the Town of Falmouth has a significant need for affordable homes for homeownership. According to Cape Cod and Islands Association of Realtors, the May 2024 median priced home in Falmouth was \$805,000, which makes homeownership only attainable by people at much higher income levels than the average family our community desperately needs. This project will also get us closer to our goal as cited in the Town of Falmouth Housing Production Plan recently approved by EOHLC of 80 units a year for 5 years. All 4 homes will be included on the Subsidized Housing Inventory (SHI) and HHCC will request that EOHLC allow them to utilize the Local Preference option in the lottery for 2 of the homes. This project will create a mix of uses on a site that has an existing commercial structure (currently being used as Habitat for Humanity of Cape Cod ReStore). It will have mixed-income homeownership opportunities and will include all affordable deed restricted homes, not just the 25% required by Ch. 40B. Its landscape design will be low maintenance, low fertilizing, low watering landscaping including native plantings.

All 4 homes will include rooftop solar paneling, will exceed LEED Standards, use LEED materials, have a high R-value for insulation and install energy star appliances. There are no sidewalks and there is no public transportation near the site; however, it is 0.3 miles from the Falmouth High School, across the street from a small grocery store, approximately 2.6 miles from the main commercial center of Falmouth and nearly 3 miles from Chapoquoit Beach. HHCC conducts the lotteries prior to the build of the homes since the homeowners will need to provide "sweat equity" as part of their purchase of the home. If a lottery winner has handicapped accessible/visitable needs, the ranch home will be adapted to accommodate those needs.

Early on in the project, HHCC met with the Town Planner, Zoning Board of Appeals Administrator and the Housing Coordinator. On November 1, 2023 HHCC conducted a site visit with the Housing Coordinator and on November 15, 2023, they appeared before the town's Land Use group (which consists of municipal staff who deal with development in town). On December 14, 2023 and March 13, 2024 they appeared before the Affordable Housing Committee (AHC) at which time the AHC unanimously voted to recommend the Select Board support the project. Lastly, on June 24, 2024 they appeared before the town's Housing Development Working Group, which gave a positive recommendation to the Town Manager to support this LIP application. The Town Manager gave his recommendation of support on July 22, 2024.

The Select Board is pleased to endorse this Local Initiative Program application to create much needed affordable homes in our community. ¹

Sincerely,

Nancy Taylor, Chair
Falmouth Select Board

cc: Elizabeth Hardy Wade, Habitat for Humanity, Director of Land Acquisition & Project Development
Kim Fish, Falmouth Housing Coordinator

¹ This letter does not waive any of the requirements for this project to come into full compliance with all applicable laws, rules and regulations.

OPEN SESSION

BUSINESS

6. Consider the approval of Falmouth Affordable Housing Fund (FAHF) application – 805 Gifford Street Extension – Habitat for Humanity of Cape Cod **(5 minutes)**



ITEM NUMBER: Business 6.

ITEM TITLE: Consider the approval of Falmouth Affordable Housing Fund (FAHF) Application- 805 Gifford Street Extension- Habitat for Humanity of Cape Cod

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager and Kimberly Fish, Housing Coordinator

ATTACHMENTS: 1) FAHF Application w/attachments, 2) FAHF Working Group Evaluation Form, 3) Town Manager Recommendation Memo, 4) CPC Recommendation Memo

PURPOSE:

A brief presentation will be provided by Beth Wade, Land Acquisition and Project Development Habitat for Humanity of Cape Cod, requesting the Select Board's approval of their application to the Falmouth Affordable Housing Fund (FAHF) for \$500,000 to construct 4 single family homes for homeownership.

Of the 4 single family homes, 2 will be deed restricted as affordable to households earning up to 60% of the area median income (AMI) and 2 will be deed restricted as affordable to households earning up to 80% of the AMI.

BACKGROUND/SUMMARY:

- The development proposes 4 single family homes for homeownership at 805 Gifford Street Extension. Of the 4 single family homes, 2 will be deed restricted as affordable to households

earning up to 60% of the area median income (AMI) and 2 will be deed restricted as affordable to households earning up to 80% of the AMI.

- The project is a redevelopment of an existing commercial property that currently contains retail use (Habitat for Humanity of Cape Cod ReStore).
- The property is 4.052 acres to be subdivided into 6 parcels, the retail store will remain on one of the parcels. One parcel will be for the shared septic system. Lots 3, 4, and 5 will include two-story 3-bedroom cape style homes. Lot 6 will include a single-story 3-bedroom ranch (to be adapted for accessibility if needed).
- The proposed development will be walkable to the Falmouth High School and a small grocery store. It is also a short drive to Falmouth's main commercial center.
- On June 17, 2024, the applicant filed an application for funding from the Falmouth Affordable Housing Fund for \$500,000; of this amount, \$250,000 is for the land acquisition and \$250,000 is for construction.
- On June 26, 2024, the applicant met with the Falmouth Affordable Housing Fund Working Group, which gave a positive recommendation to the Town Manager.
- On July 11, 2024, the applicant went before the Community Preservation Committee, which gave a positive recommendation to the Select Board.

DEPARTMENT RECOMMENDATION:

The Housing Coordinator recommends that the Select Board support and approve this application.

OPTIONS:

- Motion that the Select Board, acting as Trustees of the Falmouth Affordable Housing Fund, award \$500,000 to Habitat for Humanity of Cape Cod for the creation of affordable housing

at 805 Gifford Street Extension, of which \$250,000 will be awarded as a grant for land acquisition and \$250,000 will be awarded as a zero interest loan for the construction of 4 single family homes for homeownership, two of which will be deed restricted as affordable at 60% AMI and two will be deed restricted as affordable at 80% AMI in perpetuity, and to authorize the Town Manager to execute all documents setting forth the terms of the financial award to Habitat for Humanity of Cape Cod.

- Motion to deny the grant request of \$500,000 to Habitat for Humanity of Cape Cod as presented.

- Some other Board defined alternative.

TOWN MANAGER COMMENTS:

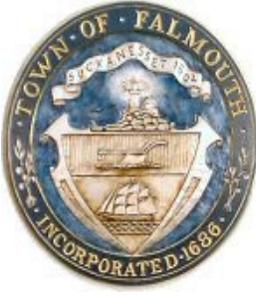
The Town Manager recommends that the Select Board approve the Falmouth Affordable Housing Fund (FAHF) Application- 805 Gifford Street Extension- Habitat for Humanity of Cape Cod as presented.

Michael Renshaw

Town Manager

7/23/2024

Date



FALMOUTH AFFORDABLE HOUSING FUND

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

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

AFFORDABLE HOUSING FUND APPLICATION Calendar Year 2024

General Information

PROJECT NAME: Gifford Street Extension Community Housing

PROJECT LOCATION: 805 Gifford Street Extension, Falmouth

APPLICANT(S) NAME/ORGANIZATION: Habitat for Humanity of Cape Cod, Inc.

CONTACT PERSON: Elizabeth Hardy Wade (Beth)

Mailing Address: 411 Main Street, Suite 6, Yarmouth Port, MA 02675

Telephone Number: Office: 508-362-3559 x 24 Cell: 207-930-5918

Email Address: land@habitatcapecod.org

Property Ownership

Legal Property Owner of Record: CAPITAL REALTY & DEVELOPMENT COPORATION

Is the owner the applicant? NO

If not, does the applicant have site control or written consent of the property owner to submit an application?

Yes, we have site control through a purchase and sale agreement that is attached – see Attachment 1.

If yes, attach documentation. Without this documentation the project will be ineligible for funding for this applicant.

For projects that have an acquisition expense the applicant must provide an appraisal from an independent party that justifies the acquisition cost. See Attachment 2 – Appraisal.

Development Team

Please submit as attachments the resumes of the development team and a list and description of affordable housing projects completed by the applicant as well as the most recent monitoring agent annual report for each project.

Please see Attachment 3-Development Team & Experience.

Project Information

Describe the proposed project including:

Please see Attachment 4 Narrative (and accompanying materials) for additional information.

Project Style: Single Family Homes

Type of Units (condo ownership, fee simple ownership, rental, etc.): Fee simple, homeownership

Total Number of Units: Four (4)

Number of Market Units: 0 Number of BRs: n/a

Number of Affordable Units: Four (4) Number of BRs: Three (3)

Proposed Affordable Sale Prices: @60% AMI, \$194,500 and @80% AMI, \$261,900

Proposed Condo Fees: n/a Market: n/a Affordable: \$60 HOA per month

Proposed % of AMI target beneficiaries: At initial lottery/offering: TWO of the homes will be marketed for sale to a family at or below 60%AMI; and TWO of the homes will be marketed for sale to a family at or below 80% AMI. Resales will be for those at or below 80% AMI.

Note on Sales prices: The above listed sales prices are based on 2024 housing price calculations; sales prices may be adjusted at the time of submission of the final marketing plan to EOHLIC and prior to the opening of applications and lottery. Price will be in accordance with the approved HUD AMI and allowable pricing for each targeted AMI at the time of offering and approved by EOHLIC.

Describe how this project addresses the unmet affordable housing needs of the community as identified in the Town of Falmouth *Housing Demand Study & Needs Analysis (2014)* and the Town of Falmouth Housing Production Plan (2024).

The project addresses the following: 1. Replaces lost year-round homeownership units. 2. Eliminates the affordability-gap for 4 home ownership units. Home prices for three-bedroom homes are estimated to be at or around \$194,500 (at 60% AMI) to \$261,900 (at 80% AMI), using 2024 pricing calculations. Subsidized home sale prices promote opportunities for younger households to purchase their own home. Please note, home sale prices are subject to adjustment to HUD allowable limits, considering AMI and mortgage lending rates at the time of marketing. Home sale prices are approved by the Executive Office of Housing and Livable Communities prior to the opening of the marketing-application period. 3. Habitat homes are SHI eligible and will increase Falmouth Subsidized Housing Inventory by 4 ownership units. Habitat-built homes are Deed restricted in perpetuity ensuring affordability through the resale process (all homes are sold at 80% AMI at resale). 4. Provides opportunities for the whole community to be involved in an affordable housing effort. Habitat's unique model engages the homebuyers and community members in the building process. Working side by side enables opportunities that break down socio-economic barriers, dispel myths about those who need affordable housing, and through the process builds a stronger, more connected community.

Site Information

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

Please see Attachment 4 Narrative (and accompanying materials).

Building:

Zoning:

Health:

Conservation:

Infrastructure:

Total Project Cost: \$2,152,512

Amount of FAHF Request: \$500,000 (\$250,000 for acquisition and \$250,000 for construction).

Please list all public funding sources and indicate funding application dates: Please see Attachment 5 Proforma/Budget. At present there is no State funding for home ownership developments at this scale and locus. We will apply for the Federal Home Loan Bank of Boston (FHLBB) funding in July 2024.

Project Feasibility

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

Please see Attachment 5 Proforma/Budget.

Community Outreach

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

Please see Attachment 4 Narrative at sections entitled, “Homebuilding Process/Community Involvement” and “HHCC Friendly 40B and Communication”.

Development Schedule

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

List of Attachments:

- Attachment 1: Purchase and Sale Agreement
- Attachment 2: Independent Appraisal
- Attachment 3: Development Team and Project Experience
- Attachment 4: Narrative, including site plans, maps and photos, and requested waiver list
- Attachment 5: Proforma/Budget
- Attachment B/6: Project Schedule

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

Project Applicant Name: Elizabeth (Beth) Hardy Wade Title: Director of Land Acquisition & Project Development

Applicant Signature: Elizabeth H. Wade Date 6.17.2024

For Habitat for Humanity of Cape Cod, Inc.

Please submit one electronic copy to housing@falmouthma.gov and one hard copy to: Housing Coordinator, Town of Falmouth, 59 Town Hall Square, Falmouth, MA 02540

ATTACHMENT B 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. Carefully consider projected Milestone dates. Unrealistic Implementation Schedules may have a negative impact on the project's application review. Project implementation delay may be considered in recommendation for grant award.

Milestones (Month/Year):

- A. Project Start (Month/Year): early winter 2025 start with Infrastructure
- B. Procurement Documents Submitted to FAHF (Month/Year): N/A
- C. Project Construction/Professional Contract Submitted FAHF (Month/Year): N/A
- D. Project/Construction Start (Month/Year): Volunteer wall raisings in Sept/October (Fall) 2025
- E. 50% Project Completion (Month/Year): April/May 2026
- F. 100% Project Completion (Month/Year): Sept/October (Fall) 2026
- G. Close-Out Complete (Month/Year): November/December 2026 (Sales to buyers)

Comments:

The schedule presumes that permitting is completed in fall 2024; and we close on the sale of the land late fall 2024, early winter 2025. Permitting and construction delays can occur, but this is our intended timeline and schedule.

ATTACHMENT 1
Purchase &
Sale Agreement

From the Office of:
Rebecca L. Moore, Esq.
90 Tupper Road
P.O. Box 238
Sandwich MA 02563
Tel. 774-413-9158
Fax 774-413-9530

PURCHASE AND SALE AGREEMENT

This _____ day of June 2023.

1. Parties and Mailing Address:

CAPITAL REALTY & DEVELOPMENT COPORATION, of 1025 Main Street Ext., (PO BOX 848), West Barnstable MA 02668

(hereinafter called the SELLER) agrees to **SELL** and

HABITAT FOR HUMANITY OF CAPE COD, INC. of 411 Main Street, Suite 6,
Yarmouthport, MA 02675

(hereinafter called the BUYER or PURCHASER) agrees to **PURCHASE**, upon the terms hereinafter set forth, the following described premises:

2. Description

A parcel of vacant land consisting of approximately 37,000 square feet more or less being a portion of LOT D on a Plan recorded in Plan Book 549 Page 75, being a portion of 805 Gifford Street Extension, Falmouth, Barnstable County, Massachusetts 02540, being a portion of the land described in that certain deed recorded with the Barnstable County Registry of Deeds in Book 29435 Page 260.

3. Buildings, Structures, Improvements, Fixtures

VACANT LAND.

4. Title Deed

Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER, or to the nominee designated by the BUYER by written notice to SELLER at least seven days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except

- (a) Provisions of existing building and zoning and health and environmental laws;
- (b) Existing rights and obligations in party walls which are not the subject of written agreement;
- (c) Such real estate taxes for the then current year as are not due and payable on the date of the delivery of such deed;
- (d) Any liens for municipal betterments assessed after the date of Closing hereunder; and
- (e) Easements, restrictions, and reservations of record, if any, so long as the same do not prohibit or materially interfere with the proposed use of said premises to construct at least four (4) affordable single family dwelling units containing a total of twelve (12) bedrooms and customary appurtenances thereto.

5. Plans

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.

6. Registered Title

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.

7. Purchase Price

The agreed purchase price for said premises is TWO HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 (\$250,000.00)

\$ 1000.00	deposit paid with the Offer
\$ 1000.00	have been paid as a deposit this day
\$ 248,000.00	are to be paid at the time of delivery of the deed in cash, or by certified, cashier's, treasurer's, bank, or attorney's client trust fund or IOLTA check(s), all of which shall be drawn on a Massachusetts bank.

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title.

13. Acceptance of Deed

The acceptance and recording of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

14. Use of Money to Clear Title

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed or thereafter in accordance with local conveyancing practice.

15. Insurance

NONE

16. Adjustments

Real estate taxes for the then current fiscal year shall be adjusted, as of the day of performance of this agreement and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the BUYER at the time of delivery of the deed.

17. Adjustment of Unassessed and Abated Taxes

If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

18. Broker's Fee

NO BROKERS FEE

19. Broker(s) Warranty

NOT APPLICABLE

20. Deposit

All deposits made hereunder shall be held in escrow by Seller as escrow agent subject to the terms of this agreement and shall be duly accounted for at the time for performance of this agreement. In the event of any disagreement between the parties, the escrow agent shall retain all deposits made under this agreement pending written instructions mutually given by the SELLER and the BUYER or a final order of a court of competent jurisdiction.

21. Buyer's Default Damages

If the BUYER shall fail to fulfill the BUYER'S agreements herein, all deposits made hereunder by the BUYER may be retained by the SELLER as liquidated damages and this shall be SELLER'S sole and exclusive remedy at law and equity for any breach of this Agreement by BUYER. The Parties acknowledge and agree that Seller has no adequate remedy in the event of BUYER'S default under this Agreement because it is impossible to compute exactly the damages which would accrue to SELLER in such event. Therefore, the Parties have taken these facts into account in setting the amount of the deposit hereunder and hereby agree that: (i) the deposit hereunder is the best estimate of such damages which would accrue to SELLER in the event of BUYER's default hereunder, (ii) said deposit represents damages and not a penalty against BUYER, and (iii) the Parties have had the benefit of counsel with regard to the provisions of this paragraph..

22. Release by Husband or Wife

NOT APPLICABLE

23. Broker as a Party

NOT APPLICABLE

24. Liability of Trustee, Shareholder, Beneficiary, etc

If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

25. Warranties and Representations

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction, nor has it relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the following

additional warranties and representations, if any, made by either the SELLER or the Broker: NONE.

26. Mortgage Contingency Clause

DELETED

27. Construction of Agreement

This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.

28. Buyer-Seller Broker Representation.

The Buyer and Seller represent and warrant to each other that neither party has contacted any real estate broker, other than the BROKER named in paragraph 18 of this Purchase and Sale Agreement, ("BROKER"), in connection with this transaction and were not directed to each other as a result of any services or facilities of any real estate broker other than BROKER. Buyer agrees to indemnify Seller against and hold Seller harmless from any claim, loss, damage, cost or liability for any brokerage commission or fee which may be asserted against Seller as a result of Buyer contacting any broker, other than BROKER, in connection with this transaction. Likewise, Seller agrees to indemnify Buyer against and to hold Buyer harmless from any claim, loss, damage, cost or liability for any brokerage commission or fee which may be asserted against Buyer as a result of Seller contacting any broker, other than BROKER, in connection with this transaction. The provisions of this paragraph shall survive delivery of the deed.

29. All offers, agreements, and any other understanding made prior to this Agreement, including without limitation, the memorandum executed by the Parties hereto, entitled "Offer to Purchase Real Estate" ("Offer"), are hereby superseded, rendered null and void and shall have no further force and effect, it being the intent of the Parties that all obligations of the Parties are contained only in this Agreement and this Agreement represents the complete and full agreement of the parties hereto.

30. The parties acknowledge and agree that this Agreement may be signed in counterparts, and for purposes of this Agreement, facsimile or electronically scanned signatures shall be construed as original, provided however that no party shall avoid any obligation hereunder by failing to provide such original signature.

31. If this Agreement or any other provision by way of reference incorporated herein shall contain any term or provision which shall be invalid, then the remainder of the Agreement or other instrument by way of reference incorporated herein, as the case may be, shall not be affected thereby and shall remain valid and in full force and effect to the fullest extent permitted by law.

32. By executing this Agreement, the Buyer and Seller hereby grant to their attorneys the actual authority to bind them for the sole limited purpose of allowing them to cancel, grant extensions, modify or amend this Agreement in writing, and the Buyer and Seller shall be able to rely upon the signatures of said attorneys as binding unless they have actual knowledge that the principals have disclaimed the authority granted herein to bind them. Further, for purposes of this Agreement, email transmissions and/or facsimile signatures on such written instruments shall be binding, provided however that no party shall avoid any obligation hereunder by failing to provide such original signature.

33. Both Buyer and Seller hereby acknowledge that they have been offered the opportunity to seek and confer with qualified legal counsel of their choice prior to signing this Agreement.

34. Notices.

All notices required or permitted to be given hereunder shall be in writing and delivered in hand, or sent by facsimile ("fax"), by email, or by Federal Express or other recognized overnight delivery service, or mailed postage prepaid, by registered or certified mail, addressed to BUYER or SELLER at the address specified below or to such other address as shall be designated by written notice given to the other party. Any such notice shall be deemed given when so delivered in hand or, if sent by Federal Express or other recognized overnight delivery service, on the next business day after deposit with said delivery service, or, if so mailed, five (5) business days after deposit with the U.S. Postal Service. In the case of fax notification, the party relying on such notification shall retain and present upon request a fax confirmation sheet which shows a minimum of: the date and time of the fax, the number of pages sent, the fax number to which it was sent, some indication that the transmission was successfully sent and that such transmission was sent readable side up. In the case of email notification, Notice shall be considered sufficient so long as the email is acknowledged as received by the recipient in writing. Any party may change its address for notice by written communication delivered as aforesaid.

If to BUYER: Rebecca L. Moore, Esq.
Law Office of Rebecca L. Moore
90 Tupper Road
PO Box 238
Sandwich MA 02563
Tel. 774-413-9158
Fax. 774-413-9530
Email: Rebecca@MooreLaw1.com

And

If to SELLER: Jeffrey W. Oppenheim, Esq.
Oppenheim & Nickerson LLP
156 Locust Street
Falmouth, MA 02540
Tel. 508-548-8255
Fax. 508-457-9050
Email: jwo@onllplaw.com and office@onllplaw.com

35. This Agreement shall not be construed against the party preparing it, but shall be construed as if the Parties jointly prepared this Agreement, and any uncertainty and ambiguity shall not be interpreted against any one party. This Agreement is to be interpreted, enforced and governed by and under the laws of the Commonwealth of Massachusetts.

36. **ADDITIONAL TITLE MATTERS AND CONDITIONS TO BUYER'S OBLIGATIONS
HEREUNDER:**

The BUYER's obligations hereunder are contingent upon the following:

- (a) Buyer having obtained the award and release of funds in the amount of \$250,000 for the purchase of the Property from the Town of Falmouth Municipal Affordable Housing Trust Fund, Falmouth CPA fund, or another funder.
- (b) The Premises are buildable for the intended purposes of the construction, use and occupancy of a minimum of four (4) single family affordable dwelling units containing a total of 12 bedrooms and customary appurtenances thereto under all applicable land use laws, by-laws, and regulations.
- (c) Buyer having obtained all necessary permits and approvals including but not limited to a comprehensive permit issued by the Board of Appeals pursuant to M.G.L. c. 40B §§20-23, for the development and the construction of a minimum of four (4) affordable single family dwelling units, which dwelling units are includable on the Subsidized Housing Inventory compiled by the Department of Housing and Community Development for the Town of Falmouth, but not including building permits; and
- (d) the lapse of all appeal periods for all permits obtained by the Buyer with no appeals having been filed; and

(e) Buyer, at its expense and to its satisfaction and upon its sole discretion, obtaining information that there are no encroachments on the Premises, that there is no presence of hazardous waste on the Premises or in the immediate vicinity that is likely to impact the Premises; and there are no endangered species on or near the Premises in accordance with the Massachusetts Natural Heritage and Endangered Species Act.

37. SELLER shall execute, upon request, simultaneously with the delivery of the deed, and when required shall on oath swear to the truth of the matters therein set forth, such documents as may reasonably be required by Buyer's title insurance company, including without limiting the generality of the foregoing, certifications, or affidavits with respect to: (a) persons or parties in possession of the Unit; (b) facts or conditions which may give rise to mechanic's or materialmen's liens; (c) an affidavit pursuant to Section 1445 of the Internal Revenue Code; (d) the true purchase price of the Premises and whether the SELLER has or intends to lend to the BUYER a portion thereof; (e) UFFI Disclosure Affidavit; and (f) 1099 reporting form.

38. Any title matter arising under or relating to this Agreement which is the subject of a title standard or practice of the Massachusetts Real Estate Bar Association shall be governed by said standard to the extent applicable and to the extent such standard does not contradict any expressed term or condition of this Agreement.

39. Seller's title shall not be deemed good and clear record and marketable unless:

(i) Such title is insurable at standard rates by a nationally recognized title insurance company of Buyer's choice licensed to do business in Massachusetts, without exceptions except as to taxes for the current year not as yet due and payable and except as permitted under Paragraph 4 of this agreement;

(ii) The Premises abut, or have legal access to, a public way duly laid out or accepted as such by the Town or City in which said Premises are located

(iii) Buyer's survey discloses no encroachments of buildings, roadways, or fences from adjacent properties on to said premises or from said premises on to adjacent properties;

(iv) No building structure, improvement or property of any kind either encroaches upon or under the Premises from other properties unless by duly recorded instrument;

(v) No proceeding for the exercise of the power of eminent domain with respect to the Premises or any part thereof is pending.

It is agreed that in the event of a title matter for which a title insurance company is willing to issue a so-called "clean" policy or provide "affirmative coverage" over a known defect or problem, Buyer may elect to accept same but shall not be required to do so, and shall have the right, at the option of their counsel, to deem title to the Premises unacceptable or unmarketable and to terminate this Agreement.

40. Seller Representations. Seller makes the following representations to the best of Seller's actual knowledge and belief, with no independent duty of investigation and no constructive or imputed knowledge shall be attributed to Seller:

(a) No Outstanding Agreements or Litigation. Said Premises are not the subject of any outstanding agreements with any party pursuant to which any such party may acquire any interest in said premises. There is no litigation or administrative proceeding, pending or threatened, against or relating to said Premises, or against Seller which will affect Seller's ability to convey good, clear and marketable title.

(b) Ability To Perform. Subject to the conditions and limitations set forth elsewhere in this Agreement, Seller has full power to execute, deliver and carry out the terms and provisions of this Agreement and has taken all necessary action to authorize the execution, delivery and performance of this Agreement, and this Agreement constitutes the legal, valid and binding obligations of Seller enforceable in accordance with its terms. This transaction is not a so-called "short sale."

(c). The Premises are not the subject of any outstanding agreements with any party pursuant to which any such party may acquire any interest in the Premises, other than mortgagees if any;

(d). Seller has no knowledge and has received no written notice of any pending or contemplated betterments, assessments, or takings that would affect locus.

(e). The SELLER has not received any notice that the Premises are in violation of any federal, state or local environmental, sanitary, health or safety statute, ordinance, code, by-law, rule or regulation and that the SELLER has no actual knowledge of any such violations.

(f). The SELLER has no knowledge of any pending betterment assessments, encumbrances and/or liens affecting the Premises.

(g). The SELLER has no knowledge of any underground fuel or chemical storage tanks on the Premises.

(h). Seller has never been required by a mortgage lender to purchase flood insurance and seller represents to the best of their knowledge that the premises is not located in a flood zone.

41. If there is any occurrence affecting any representation made by Seller herein, or if Seller shall come to have information and/or knowledge that any such representation or warranty is untrue, incomplete, or inaccurate, prior to the closing, Seller shall forthwith make full and complete disclosure to Buyer. It shall be a condition of the Buyer's obligations to close under this Agreement that all of said representations are true to the best of Seller's knowledge and belief, both as of the date hereof and as of the closing.

42. Original Signed Deed Requirement. Buyer shall not be required to accept a deed signed under a power of attorney. At the sole option of the Buyer, a Deed executed for the Seller pursuant to a power of attorney shall not satisfy the title requirements of the Agreement.

43. All references to the "then current year" and like references with respect to real estate taxes payable for the Premises shall be construed to mean the then current fiscal tax period within which such taxes are payable.

44. In the event this Agreement contains any provision that the BUYER shall accept the title of the SELLER subject to easements and restrictions, if any, then such acceptance of title subject to easements and restrictions shall be limited to those of record, if any, insofar as they may be in force and effect, which do not adversely affect the Premises for use as a single family dwelling by the BUYER and which: (a) give no rights to anyone to enter upon, cross or use any portion of the Premises other than standard utility easements; (b) have been duly satisfied of record at or prior to the Closing in the event consents or approvals are needed; and (c) have been duly complied with of record at or prior to the Closing in the event there is any order of condition or any other state, county, municipal or subdivision requirements in connection with the Premises.

45. Notwithstanding anything contained in the Agreement to the contrary, the balance of the purchase price may be paid via attorney IOLTA check, so long as drawn on good funds and on a Massachusetts bank.

46. SELLER ASSENTS

SELLER hereby assents to, and joins in, all applications made by BUYER for permitting and the like whether with local, state, or federal permitting authorities; and cooperates with BUYER in its assessments and investigations into the feasibility of the Premises' development, construction, use and occupancy of four (4) single-family affordable homes, providing the same do not cause SELLER to incur additional liability or cost.

Buyer shall have the right, from time to time, at Buyer's sole cost, expense, risk and hazard and in all such manner as Buyer may reasonably determine, without material damage being imposed upon the Premises and remaining unrepaired, to enter upon the Premises to make, or cause to be made, engineering and development findings and assessments in respect thereto, including (without limitation) surveying, conducting percolation tests, conducting test borings in order to determine subsoil conditions of ledge, peat or other soft materials, the making of tests to determine the presence of hazardous waste, and, in general conducting other tests, analyses and studies of the Premises. Buyer intends to conduct any and all such other research and assessments as Buyer deems necessary in order to determine whether the Premises meet all regulatory and permitting requirements and whether the development and construction of four (4)

affordable single-family homes under Massachusetts General Law Chapter 40B is economically and financially feasible.

NOTICE: This is a legal document that creates binding obligations. If not understood, consult an attorney.

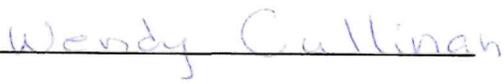

Robert Burke (Jan 29, 2023 14:58 EDT)

Seller: Capital Realty & Development Corporation



Buyer: Habitat for Humanity of Cape Cod, Inc.

By: Robert F. Burke
Its: President & Treasurer

By: 
Its: 

Habitat signed - CLEAN PS SELLER AS ESCROW AGENT 6.29.2023

Final Audit Report

2023-06-29

Created:	2023-06-29
By:	Geoffrey Nickerson (Office@ONLLPlaw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAHSaOCzsGOZ6cxukx07zoFmXpFNMDBA_3

"Habitat signed - CLEAN PS SELLER AS ESCROW AGENT 6.29.2023" History

-  Document created by Geoffrey Nickerson (Office@ONLLPlaw.com)
2023-06-29 - 6:52:11 PM GMT - IP address: 76.19.36.51
-  Document emailed to rburke@crdcc.net for signature
2023-06-29 - 6:53:52 PM GMT
-  Email viewed by rburke@crdcc.net
2023-06-29 - 6:55:24 PM GMT - IP address: 104.28.55.235
-  Signer rburke@crdcc.net entered name at signing as Robert Burke
2023-06-29 - 6:57:58 PM GMT - IP address: 166.196.89.65
-  Document e-signed by Robert Burke (rburke@crdcc.net)
Signature Date: 2023-06-29 - 6:58:00 PM GMT - Time Source: server- IP address: 166.196.89.65
-  Agreement completed.
2023-06-29 - 6:58:00 PM GMT

AMENDMENT TO PURCHASE AND SALE AGREEMENT

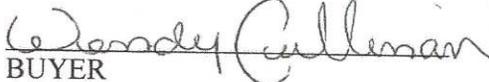
SELLER: CAPITAL REALTY & DEVELOPMENT CORP.
BUYER: HABITAT FOR HUMANITY OF CAPE COD, INC
PREMISES: 805 GIFFORD STREET EXT., FALMOUTH MA 02543

For valuable consideration paid each to the other, the receipt of which is hereby acknowledged, the undersigned parties to a certain Purchase and Sale Agreement as described above hereby execute this AMENDMENT TO PURCHASE AND SALE AGREEMENT which amends the signed Purchase and Sale Agreement between the parties as follows:

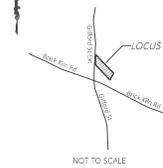
Para 2. Description: A parcel of vacant land consisting of approximately 40,780 square feet more or less being a portion of LOT D on a Plan recorded in Plan Book 549 Page 75, being a portion of 805 Gifford Street Extension, Falmouth, Barnstable County, Massachusetts 02540, being a portion of the land described in that certain deed recorded with the Barnstable County Registry of Deeds in Book 29435 Page 260. See Sketch Plan attached.

In all other respects the provisions of said Agreement are ratified and affirmed.

Dated:


BUYER


SELLER



NOT TO SCALE

PLAN BOOK 549 PAGE 75
PLAN BOOK 537 PAGE 28
DEED BOOK 28435 PAGE 260
ASSESSOR'S PROPERTY ID: 26-01-017-0000

LEGEND

- EXISTING CORNER
- EXISTING SPOT GRADE
- UTILITY / TRANSMISSION POLE
- CATCH BASIN
- STORMWATER LEACH PIT
- ⊙ LIGHTPOST
- ⊙ PROPOSED FIRE HYDRANT
- ⊙ CONCRETE FOUND FOUND
- 6" STOCKADE FENCE
- SPLIT RAIL FENCE
- - - - - EDGE OF SWALE

NOTE: PROPERTY IS WITHIN THE TOWN OF FALMOUTH WATER RESOURCE PROTECTION DISTRICT

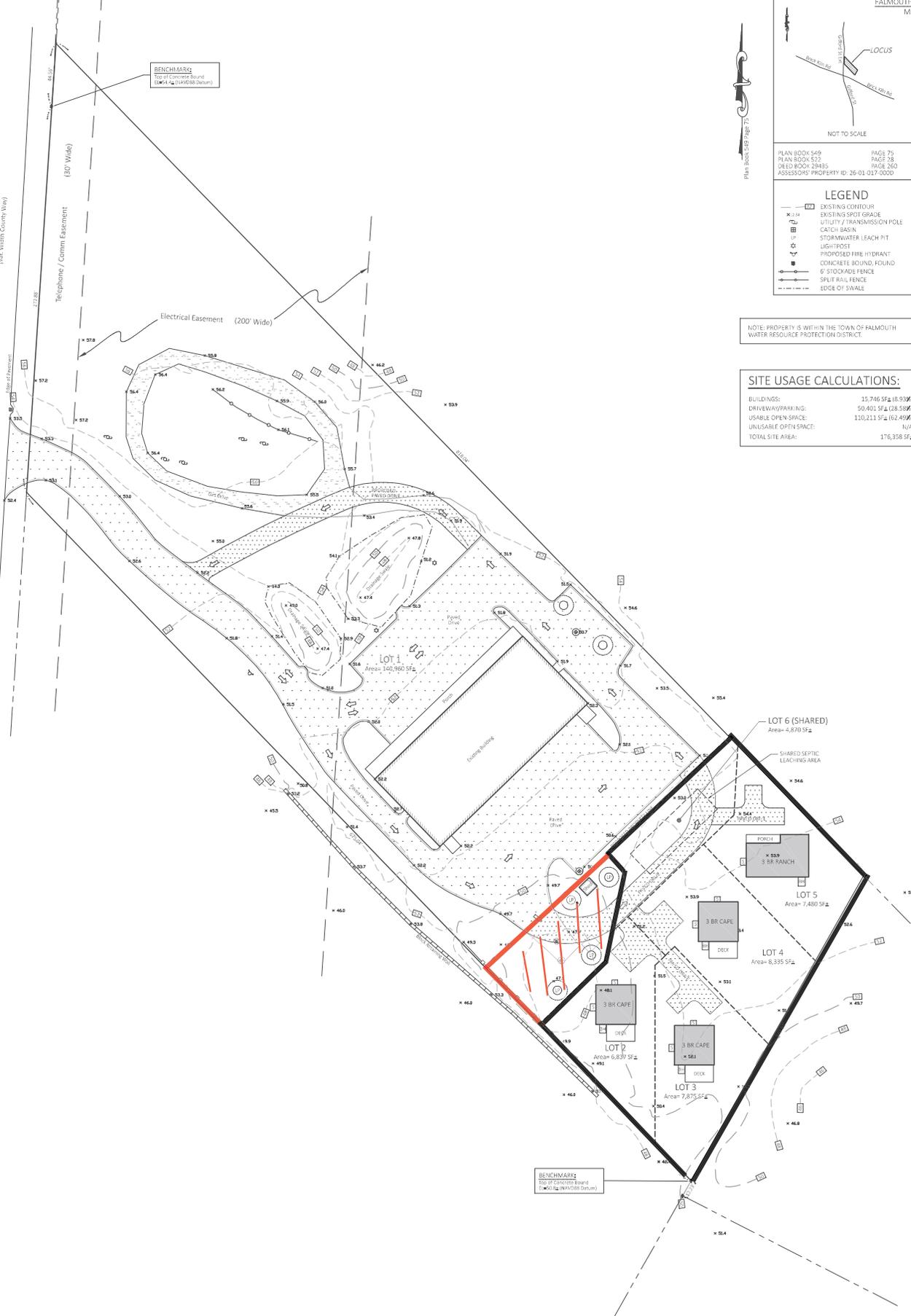
SITE USAGE CALCULATIONS:

BUILDINGS:	15,746 SF (18.93%)
DRIVEWAY/PARKING:	50,401 SF (28.58%)
USABLE OPEN SPACE:	130,211 SF (62.49%)
UNUSABLE OPEN SPACE:	N/A
TOTAL SITE AREA:	176,358 SF

GIFFORD ST EXT
(Per Walcott County View)

Telephone / Comm Easement (30' Wide)

Electrical Easement (200' Wide)



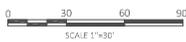
BENCHMARK:
Top of Concrete Board
ELEV. 41.4 (WAVERS DAM)

BENCHMARK:
Top of Concrete Board
ELEV. 41.4 (WAVERS DAM)

Habitat for Humanity of Cape Cod, Inc.
431 Main Street, Suite 6, Yarmouthport, MA 02675

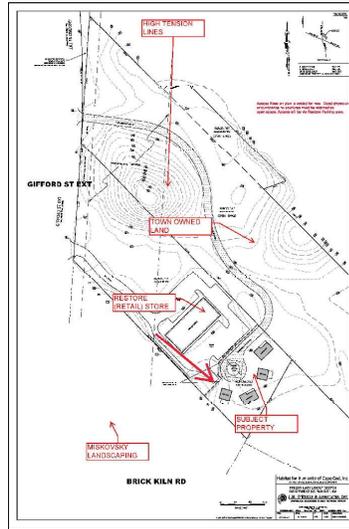
PRELIMINARY SITE PLAN - INDIV. DRIVEWAYS
805 GIFFORD ST EXT, FALMOUTH, MA

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services



1579 Main Street - Suite 6A PO, Box 1775 Brewster, MA 01931 (508)866-8801 Fax	DATE: 1/17/2024	SCALE: As Noted	FILE: RFR	CHECK: JMO	DESIGNER: JMG-9563
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ATTACHMENT 2
Independent
Appraisal



APPRAISAL OF REAL PROPERTY

LOCATED AT:

805 Gifford St Extension (portion of)
Falmouth, MA 02540

FOR:

Habitat for Humanity of Cape Cod
411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675

BY:

Kevin W. Lundy
82 Dolar Davis Rd, Centerville, MA 02632

LAND APPRAISAL REPORT

File # 23Fa1Gifford805

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

CLIENT AND PROPERTY IDENTIFICATION

Property Address: 805 Gifford St Extension (portion of) City: Falmouth State: MA Zip Code: 02540
 Borrower: Habitat for Humanity of Cape Cod Owner of Public Record: Capital Realty & Development Corp. County: Barnstable
 Legal Description: Barnstable County Registry of Deeds: BK 294350 ~ PG 260
 Assessor's Parcel #: 26 01 017 000D (potential portion of) Tax Year: 2023 (Rate = \$6.92) R.E. Taxes: \$1500 (projected)
 Neighborhood Name: Brick Kiln/Locustfield corridor Map Reference: 12700 Census Tract: 0144.02
 Special Assessments: 0 PUD Yes No HOA: \$ 0 Per Year Per Month
 Property Rights Appraised: Fee Simple Leasehold Other (describe) _____
 Assignment Type: Purchase Transaction Refinance Transaction Other (describe) Feasibility Study (potential purchase)
 Lender/Client: Habitat for Humanity of Cape Cod Address: 411 Main Street ~ Suite 6 Yarmouth Port MA. 02675

CONTRACT ANALYSIS

did did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price: \$ _____ Date of Contract: _____ Is the property seller the owner of public record? Yes No Data Sources: _____
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? Yes No
 If Yes, report the total dollar amount and describe the items to be paid. \$ _____

NEIGHBORHOOD DESCRIPTION

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics	One-Unit Housing Trends	One-Unit Housing	Present Land Use %
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE AGE	One-Unit <u>80</u> %
Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000) (yrs)	2-4 Unit <u>5</u> %
Growth <input type="checkbox"/> Rapid <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Slow	Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	<u>400</u> Low <u>0</u>	Multi-Family <u>0</u> %
Neighborhood Boundaries <u>Blacksmith Shop Rd (North); Brick Kiln Rd (South); Sandwich Rd (East) & Rte 28 (West). Nearby commercial uses include an abutting Restore Outlet (Habitat</u>		<u>850</u> High <u>80</u>	Commercial <u>5</u> %
<u>for Humanity/retail); Miskovsky Landscaping; and nearby Jack n the Beanstock farm stand.</u>		<u>550</u> Pred.35	Other Vacant <u>10</u> %

	Good	Average	Fair	Poor		Good	Average	Fair	Poor
Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Primary Education	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Police/Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convenience to Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Detrimental Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Neighborhood Description: Falmouth is in the upper-region of Cape Cod. The neighborhood is comprised primarily of single-family homes with adequate balance and conformity. The stated nearby small commercial uses do not appear to adversely affect overall appeal and marketability of residential properties in the subject market area. Other uses include public schools and related athletic fields.

Market Conditions (including support for the above conclusions): _____
 Given the overall undersupply & continued pent-up demand for vacant, buildable lots, the overall appeal & marketability of the subject for residential use is good. Housing trends show that prices appear to be nearing stabilization after a lengthy period of appreciation, low days on market, while an undersupply remains. Interest rates have also been a motivating factor, with a 30yr conventional fixed rate in the range of 6.5%. Feds recently raised interest rates and are hinting on more hikes into 2023.

SITE DESCRIPTION

Dimensions: Varied metes & bounds Area: 37,170 Acres Sq.Ft. Shape: Irregular/Adeq. View: Mixed Uses/Adequate
 Specific Zoning Classification: AGA (Residential) Zoning Description: 45,000 sf minimum lots/100' frontage/150' width
 Zoning Compliance: Legal Legal Nonconforming (Grandfathered Use) No Zoning Illegal (describe) _____ Potential Chapter 40B allowance _____
 Uses permitted under current zoning regulations: Single-family dwellings (Affordable Housing bylaws may allow 4 SF dwellings/12BRs total).
 Highest & best use: Residential

Describe any improvements: Some minimal area of paving as part of abutting parent lot
 Do present improvements conform to zoning? Yes No No Improvements If No, explain: The subject is a potential 37,170 SF back lot which would be created from a 4.05 acre parent lot (which includes the single story Restore building). The subject lot portion is generally level & wooded to the rear, conducive to residential use. A electric transmission line crosses nearby W'ly/not adverse.
 Present use of subject site: Commercial store/Front ~ Wood/Rear Current or proposed ground rent? Yes No If Yes, \$ _____
 Topography: Generally level/wooded Size: Adequate for residential use Drainage: Adequate
 Corner Lot: Yes No Underground Utilities: Yes No Fenced: Yes No If Yes, type: _____
 Special Flood Hazard Area: Yes No FEMA Flood Zone: X FEMA Map #: 25001C0728J FEMA Map Date: 07/16/2014

Utilities	Public	Other	Provider or Description	Off-site Improvements	Type/Description	Public	Other
Electricity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>In Street (to parent lot)</u>	Street Surface	<u>Paved</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>In Street (to parent lot)</u>	Street Type/Influence	<u>Public/Adequate</u>		
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>In Street (to parent lot)</u>	Curb/Gutter	<u>Asphalt/Adequate</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Septic systems would be needed</u>	Sidewalk	<u>Asphalt/Adequate</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>	Street Lights (type)	<u>Incandescent</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<u>N/A</u>	Alley	<u>None</u>	<input type="checkbox"/>	<input type="checkbox"/>

Are the utilities and off-site improvements typical for the market area? Yes No If No, describe: _____
 Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? Yes No If Yes, describe: _____
 Character is mostly wooded with exception to the Eversource transmission line that traverses the Restore lot about halfway deep into it's lot. The presence of the crossing line does not appear to adversely affect marketability or hinder development potential.
 Site Comments: _____

The subject when created, would have adequate land area, shape & topography conducive to potential development for residential use. Access would be provided via an existing paved driveway from Gifford Rd Extension, created by an easement to allow water, utilities and vehicular ingress & egress (*not expected to be high in volume after construction of 4 cluster homes, toward the parcel rear, wooded area). The release of the subject portion would not appear to diminish the value of the current 4.05 acre site.

LAND APPRAISAL REPORT

23Fa1Gifford805
File # 23Fa1Gifford805

There are 3 comparable sites currently offered for sale in the subject neighborhood ranging in price from \$200,000 to \$400,000
 There were 6 comparable sites sold in the past 12 months in the subject neighborhood ranging in sale price from \$200,000 to \$400,000

COMPARABLE SALES

FEATURE	SUBJECT	COMPARABLE # 1	COMPARABLE # 2	COMPARABLE # 3
Address	805 Gifford St Extension	206 Hayway Rd	0 Ben Davis Ln	822 Old Barnstable Rd
City/ST/Zip	Falmouth MA 02540	E. Falmouth MA 02536	E. Falmouth MA 02536	E. Falmouth MA 02536
Proximity to Subject		3.23 miles NE	3.49 miles NE	4.14 miles NE
Data Sources	Inspection/TownRec	MLS #221069844/7 Days on Mkt	MLS #22204029/27 Days on Mkt	MLS #22203121/13 Days on Mkt
Verification Sources	Barnstable Reg.	Barnstable Cty Reg. Deeds	Barnstable Cty Reg. Deeds	Barnstable Cty Reg. Deeds
Sale Price	\$	\$ 275,000	\$ 247,500	\$ 165,000
Price/ SF	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Date of Sale (MO/DA/YR)		s04/22;c03/22	s09/22;c08/22	s10/22;c06/22
Days on Market	N/A	7	27	13
Financing Type	N/A	Cash	Cash	Cash
Concessions	N/A	None reported	None reported	None reported
Location	Average	Average	Falmouth Airpark -25000	Average
Property Rights Appraised	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site Size Sq.Ft	37,170 SF	41,382 SF	21,300 SF +25000	20,473 SF +25000
View	Average	Average	Average	Busy Street +25000
Topography	Generally level	Generally level	Generally level	Generally level
Available Utilities	Water/Gas/Elec/TV	Water/Gas/Elec/TV	Water/Gas/Elec/TV	Water/Gas/Elec/TV
Street Frontage	Drvwy/Easement/Adeq	Adequate	Adequate	Adequate
Street Type	Public/Adequate	Public/Adequate	Private/Adequate	Public/Adequate
Water Influence	Average	Average	Average	Average
Fencing	None	None	None	None
Improvements	None	None	None	None

Net Adjustment (Total, in \$)	<input type="checkbox"/> + <input type="checkbox"/> -	\$	<input type="checkbox"/> + <input type="checkbox"/> -	\$	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 50,000
Adjusted Sale Price of the Comparable Sales (in \$)	Net <u>-0.0%</u>	Gross <u>-0.0%</u>	Net <u>-0.0%</u>	Gross <u>20.20%</u>	Net <u>30.30%</u>	Gross <u>30.30%</u>
		\$ 275,000	\$ 247,500	\$ 215,000		

The appraiser has researched the transfer history of the subject property for the past 3 years and the listing history of the subject for the past 12 months prior to the effective date of this appraisal. The appraiser has also researched the transfer and listing history of the comparable sales for the past 12 months.

The appraiser's research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of the appraisal.

Data sources: Barnstable County Registry of Deeds

The appraiser's research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data sources: Barnstable County Registry of Deeds

The appraiser's research did did not reveal any prior listings of the subject property or comparable sales for the year prior to the effective date of the appraisal.

Data sources: Barnstable County Registry of Deeds

Listing/Transfer History (If more than two, use comments section or an addendum.)	Transfer/Sale (ONLY) of the Subject in past 36 months:	Listing and Transfer history of Comp 1 in past 12 months:	Listing and Transfer history of Comp 2 in past 12 months:	Listing and Transfer history of Comp 3 in past 12 months:
	\$ _____	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____	\$ _____

Subject Property Is Currently Listed For Sale? Yes No Data Source: CC MLS

Current Listing History	List Date	List Price	Days on Market	Data Source
		\$ _____		

Subject Property has been listed within the last 12 Months? Yes No Data Source: CC MLS

12 Month Listing History	List Date	List Price	Days on Market	Data Source
		\$ _____		
		\$ _____		

Comments on Prior Sales/Transfers and Current and Prior Listings:

The subject has not sold during the past 3 years, nor has it been offered for sale during the past year. No other sales of the comps during the past 12 months except as cited. All of the comparable sales closed prior to the effective appraisal date and all prices and dates were confirmed via on-line records of the Barnstable County Registry of Deeds.

Summary of Sales Comparison Approach:

Comp 1 is the largest lot, though not warranting a size difference adjustment. It has conventional frontage. Comp 2 is located in a subdivision where predominant values are relatively higher warranting a downward adjustment for superior location, offset by inferior site utility (inferior development intensity). Comp 2 is located on heavily travelled street, but also has inferior site utility. The subject value estimate is concluded at \$250,000, toward the mid-range of the adjusted sales, with generally equal weight placed on the selected indicators. Several additional sales and listings were analyzed.

Listings include 142 Timothy Bourne Cartway (130,811 SF), listed at \$198,900 and under agreement; 0 Beagle Ln (60,897 SF), listed at \$250,000 and under agreement; 0 Thomas B. Landers Rd (0 #695), (59,634 SF) listed at \$289,900 and under agreement. Lot 371 Ashumet Rd (63,598 SF), listed \$299,000, still active after 270 days with no price reductions (long & narrow shape).

Reconciliation Comments:

Reliance is placed solely on the Sales Comparison Approach to Value. The Cost Approach was not employed as there are no existing improvements. The Income Approach is not applicable for the subject property type and little or no market area activity for land leases.

This appraisal is made as is, subject to the following conditions or inspections:

The value estimate is based on hypothetical conditions relative to the potential creation of the subject lot including deeded access easements.

Based on a complete visual inspection of the subject site and those improvements upon said site, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of market value, as defined, of the real property that is the subject of this report is:

Opinion of Market Value: \$ 250000, as of: 05/05/2023, which is the date of inspection and the effective date of this appraisal.

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? Yes No Unit type(s) Detached Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal name of project: _____

Total number of phases: _____ Total number of units: _____ Total number of units sold: _____

Total number of units rented: _____ Total number of units for sale: _____ Data sources: _____

Was the project created by the conversion of an existing building(s) into a PUD? Yes No If Yes, date of conversion: _____

Does the project contain any multi-dwelling units? Yes No Data source: _____

Are the units, common elements, and recreation facilities complete? Yes No If No, describe the status of completion: _____

Describe common elements and recreational facilities: _____

CERTIFICATION AND LIMITING CONDITIONS

This report form is designed to report an appraisal of a parcel of land which may have some minor improvements but is not considered to be an "improved site." All improvements are considered to be of relatively minor value impact on the overall value of the site. This report form is not designed to report on an "improved site" where significant value is derived from the improvements. This appraisal report form may be used for single family, multi-family sites and may be included within a PUD development.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the subject site and any limited improvements, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions and conclusions in this appraisal report.

INTENDED USE: The intended use of the appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this report is the lender/client identified within the appraisal report.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what they consider their own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffacted by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: OCC, OTS, FRS, & FDIC joint regulations published June 7, 1994)

* Adjustments to the comparables must be made for special or creative concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

- The appraiser will not be responsible for matters of a legal nature that affect the subject property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
- The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
- The appraiser has noted in this appraisal report any adverse conditions (such as the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the subject property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties express or implied. The appraiser will not be responsible for any such conditions that do exist or for the engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal must not be considered as an environmental assessment of the property.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

- I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
- I performed a complete visual inspection of the subject site and any limited improvements. I have reported the information in factual and specific terms. I identified and reported the deficiencies of the subject site that could affect the utility of the site and its usefulness as a building lot(s).
- I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of the Appraisal Foundation and that were in place at the time this appraisal report was prepared.
- I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them unless indicated elsewhere within this report as there are no or very limited improvements and these approaches to value are not deemed necessary for credible result and/or reliable indicators of value for this appraisal assignment.
- I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
- I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of the sale of the comparable sale, unless otherwise indicated in this report.
- I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
- I have not used comparable sales that were the result of combining multiple transactions into reported sales.
- I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
- I have verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
- I have knowledge and experience in appraising this type of property in this market area.
- I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.

CERTIFICATIONS AND LIMITING CONDITIONS (continued)

13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believed to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).
22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.
23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.
24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.
25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

SIGNATURES

APPRAISER

Signature: Kevin W. Lundy
 Name: Kevin W. Lundy
 Company Name: Kevin W. Lundy & Associates
 Company Address: 82 Dolar Davis Rd
Centerville MA 02632
 Telephone Number: 508-790-4538
 Email Address: capeappraiser@comcast.net
 Date of Signature and Report: 05/09/2023
 Effective Date of Appraisal: 05/05/2023
 State Certification #: #2929
 or State License #: _____
 or Other (describe): _____ State #: _____
 State: MA
 Expiration Date of Certification or License: 01/25/2024

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature: _____
 Name: _____
 Company Name: _____
 Company Address: _____
 Telephone Number: _____
 Email Address: _____
 Date of Signature: _____
 State Certification #: _____
 or State License #: _____
 State: _____
 Expiration Date of Certification or License: _____

ADDRESS OF PROPERTY APPRAISED

805 Gifford St Extension (portion of)
Falmouth MA 02540
 APPRAISED VALUE OF SUBJECT PROPERTY \$: 250000

SUBJECT PROPERTY

Did not inspect subject property
 Did inspect exterior of subject property from as least street
 Date of Inspection: _____

LENDER/CLIENT

Name: Ms. Beth Wade, Director of Land Acquisition
 Company Name: Habitat for Humanity of Cape Cod
 Company Address: 411 Main Street ~ Suite 6
Yarmouth Port MA 02675
 Email Address: _____

COMPARABLE SALES

Did not inspect exterior of comparable sales from street
 Did inspect exterior of comparable sales from street
 Date of Inspection: _____

Photograph Addendum

File No.

23Fa1Gifford805
23Fa1Gifford805

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod	Lender's Address 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675
Appraiser Kevin W. Lundy	Appraiser's Address 82 Dolar Davis Rd, Centerville, MA 02632



Front Overview ~ SE'ly direction
(Restore rear parking lot
in foreground)



From Gifford St Ext. frontage
*subject would be behind building
in background



Gifford Street Extension ~ N'ly
(subject access toward right)

Photograph Addendum

File No. 23Fa1Gifford805
23Fa1Gifford805b

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod	Lender's Address 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675
Appraiser Kevin W. Lundy	Appraiser's Address 82 Dolar Davis Rd, Centerville, MA 02632



Gifford Street Extension ~ S'ly
(subject access toward left)

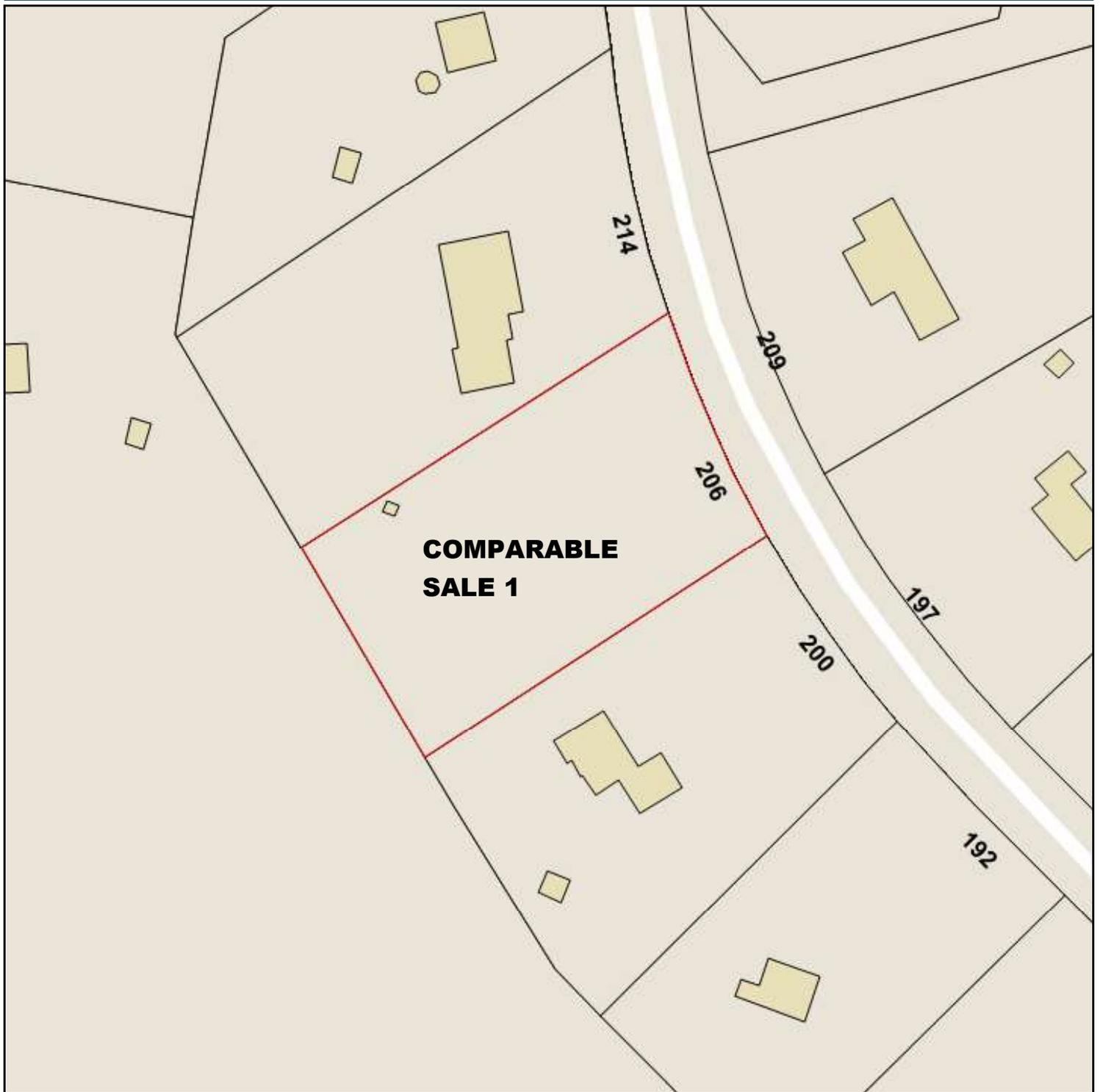


From access driveway ~ SE'ly
Subject would be at end
Miskovsky Landscaping along right



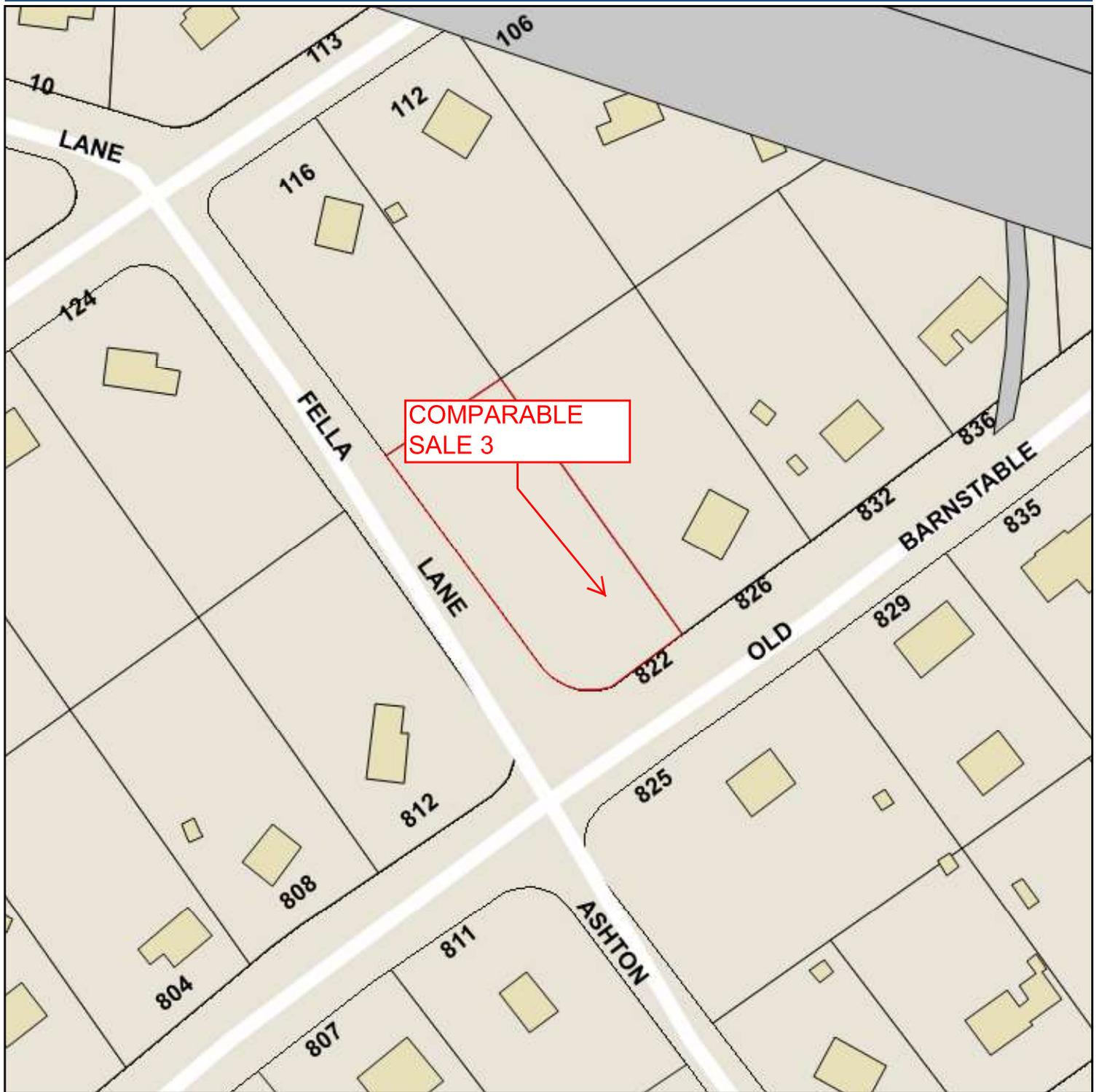
From approximate subject location
W'ly toward access driveway
(high tensions cross left to right)

206 Hayway Road Falmouth MA 02540



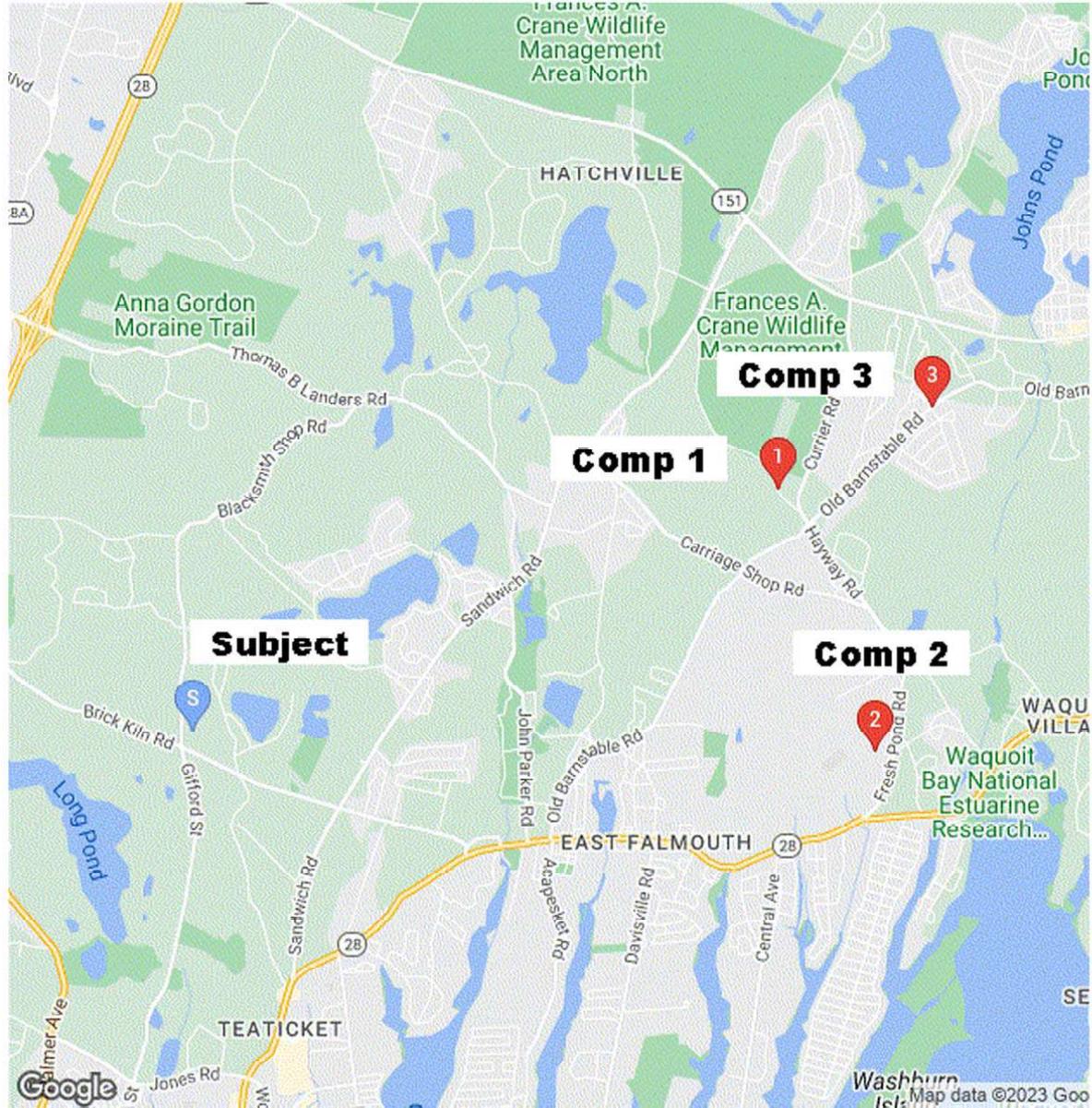
DISCLAIMER: Maps, including property and street lines, as well as building locations, was not made from an instrument survey. Locations and distances should not be used for the conveyance of property nor for determining street and property line setbacks.

822 Old Barnstable Road Falmouth MA 02540



DISCLAIMER: Maps, including property and street lines, as well as building locations, was not made from an instrument survey. Locations and distances should not be used for the conveyance of property nor for determining street and property line setbacks.

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	



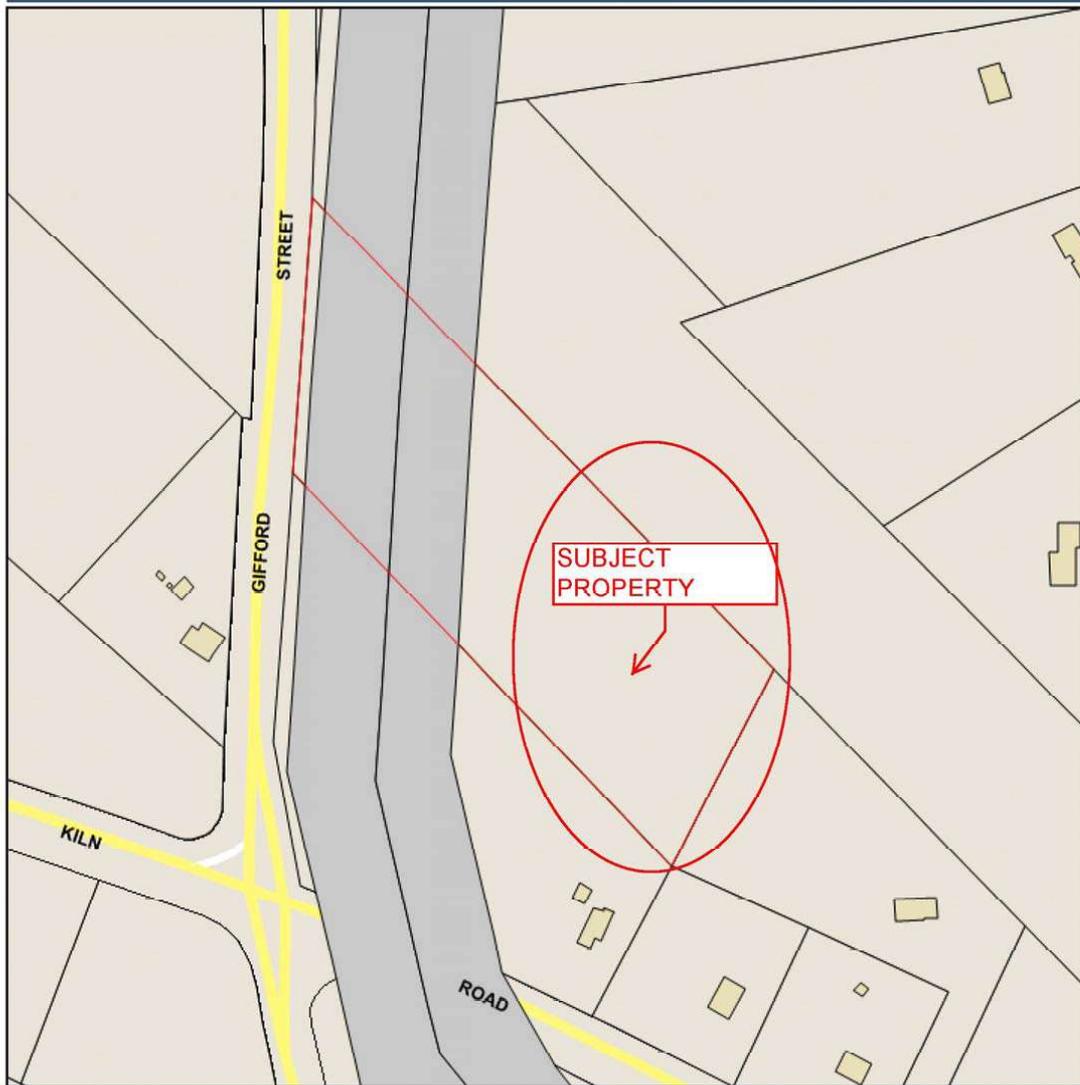
Subject Property Address: 805 Gifford Street Ext, Falmouth, MA 02540

Straight Line Distance from Subject Property to:

- Comparable 1 - 3.24 Miles E 206 HAYWAY RD, E FALMOUTH, MA 02536
- Comparable 2 - 3.50 Miles E 0 Ben Davis Ln, East Falmouth, MA 02536
- Comparable 3 - 4.13 Miles NE 822 OLD BARNSTABLE RD, E FALMOUTH, MA 02536

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	

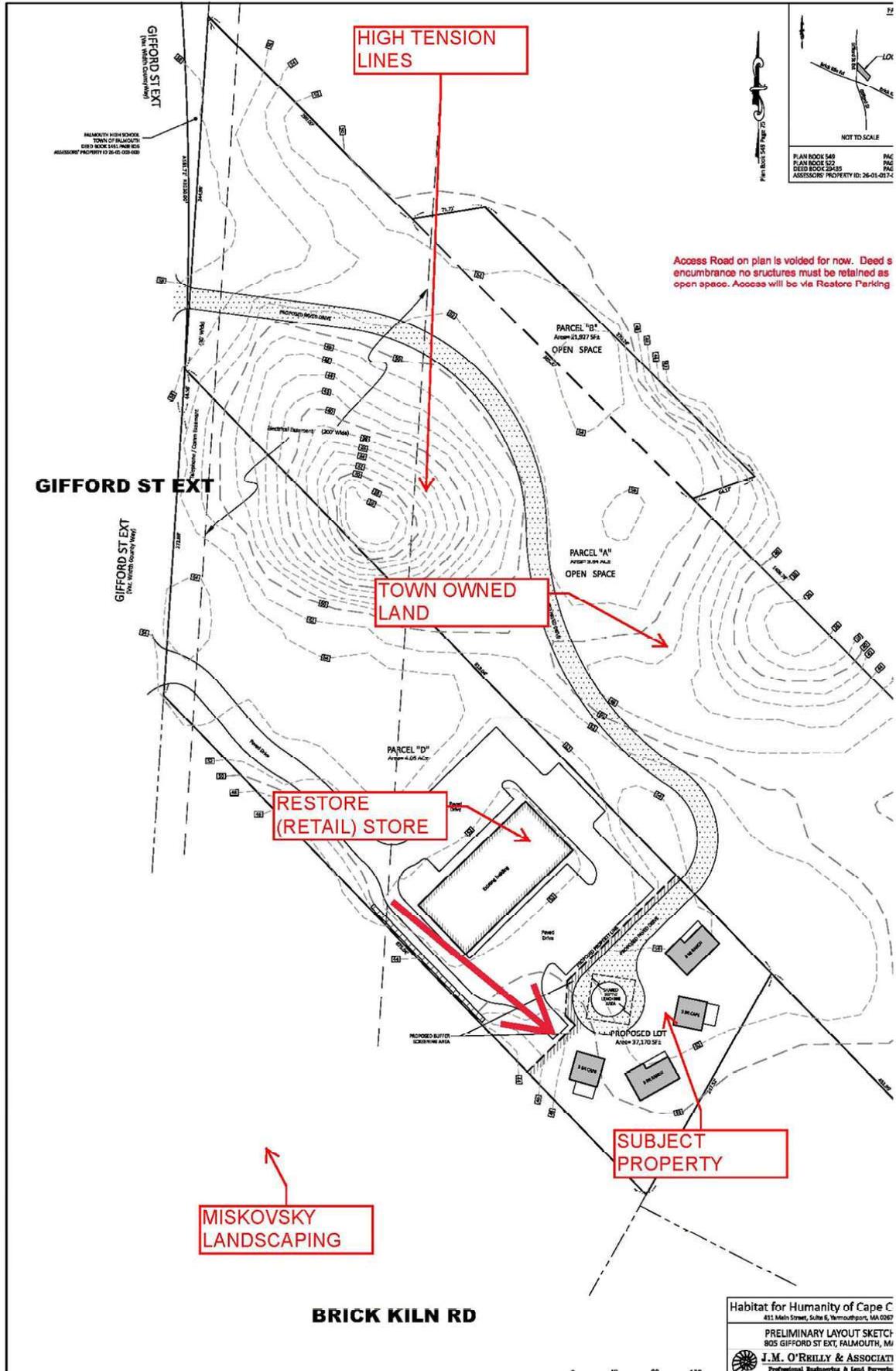
805 Gifford Street Extension Falmouth MA 02540



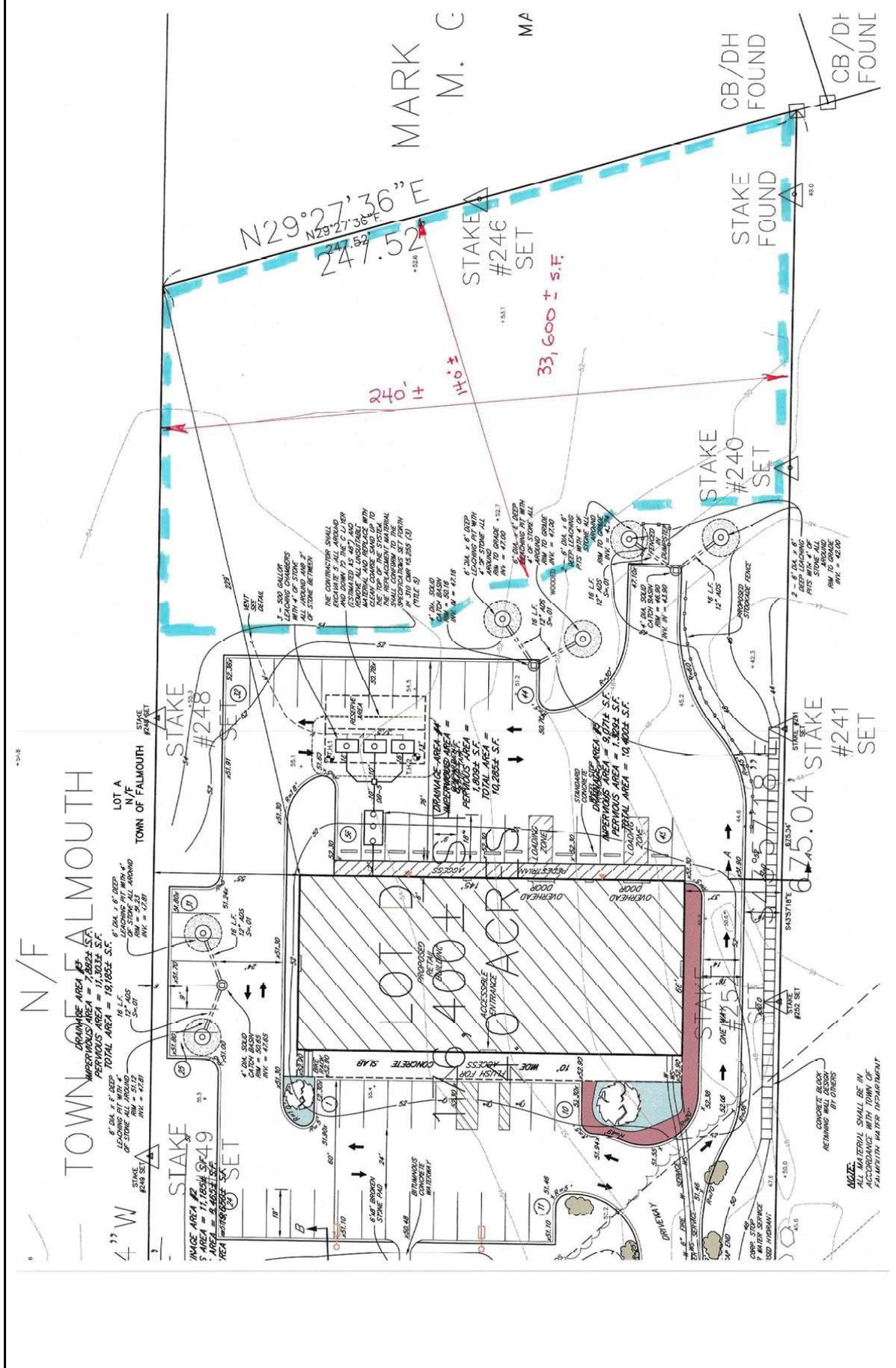
EXISTING PLAT MAP

DISCLAIMER: Maps, including property and street lines, as well as building locations, was not made from an instrument survey. Locations and distances should not be used for the conveyance of property nor for determining street and property line setbacks.

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	



Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	



Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	

805 Gifford Street Extension Falmouth MA 02540



AERIAL MAP

DISCLAIMER: Maps, including property and street lines, as well as building locations, was not made from an instrument survey. Locations and distances should not be used for the conveyance of property nor for determining street and property line setbacks.

Borrower **Habitat for Humanity of Cape Cod**
 Property Address **805 Gifford St Extension (portion of)**
 City **Falmouth** County **Barnstable**
 State **MA** Zip Code **02540**
 Lender/Client **Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675**

FLOOD MAP

Legend
 SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
- With BFE or Depth Zone AE, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/8/2023 at 12:01 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is valid if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, panel key, map metadata, data, annotations, metadata.

National Flood Hazard Layer FIRMette



Borrower **Habitat for Humanity of Cape Cod**
 Property Address **805 Gifford St Extension (portion of)**
 City **Falmouth** County **Barnstable**
 State **MA** Zip Code **02540**
 Lender/Client **Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675**

*** DEED FOR EXISTING PARENT LOT
 FOR REFERENCE ONLY (05/2023)**

**Bk 29435 Pg 260 #5587
 02-04-2016 @ 01:35p**

N O T A N O F F I C I A L C O P Y	N O A N O F F I C I A L C O P Y	MASSACHUSETTS STATE EXCISE TAX BARNSTABLE COUNTY REGISTRY OF DEEDS Date: 02-04-2016 @ 01:35pm Ct1#: 801 Doc#: 5587 Fee: \$478.80 Cons: \$140,000.00
N O T A N O F F I C I A L C O P Y	N O A N O F F I C I A L C O P Y	BARNSTABLE COUNTY EXCISE TAX BARNSTABLE COUNTY REGISTRY OF DEEDS Date: 02-04-2016 @ 01:35pm Ct1#: 801 Doc#: 5587 Fee: \$378.00 Cons: \$140,000.00

Property Location: 0 Gifford Street Extension, East Falmouth, Barnstable County, Massachusetts

QUITCLAIM DEED

We, Paul M. Gonsalves, a married man, of 377 Brick Kiln Road, East Falmouth, Massachusetts 02536; Patrick R. Gonsalves, a married man, of 351 Brick Kiln Road, East Falmouth, Massachusetts 02536; Doreen Martini, a married woman, of 11 Huron Drive, Mashpee, Massachusetts 02649; Ruby Sprague, a married woman, of 29 Lodengreen Drive, East Falmouth, Massachusetts 02536; Cheryl Maguire, a married woman, of 11440 30th Cove East, Parrish, Florida 34219; Wendy Gonsalves, an unmarried woman, of 1109 Pocatella Drive, Barefoot Bay, Florida 32976; Mark Gonsalves, an unmarried man, of 365 Brick Kiln Road, P. O. Box 2452, East Falmouth, Massachusetts 02536; and Michael Gonsalves, an unmarried man, of 355 Brick Kiln Road, P. O. Box 2064, East Falmouth, Massachusetts, as Tenants in Common,

For consideration paid of One Hundred Forty Thousand and 00/100 (\$140,000.00) Dollars,

Grant to Capital Realty & Development Corporation, a Massachusetts Corporation, with a mailing address of 800 Gifford Street Extension, East Falmouth, Barnstable County, Massachusetts 02540,

With **QUITCLAIM COVENANTS**,

The vacant land located in Falmouth, Barnstable County, Massachusetts, being shown as Parcel "D" on a Plan entitled, "Plan of Land located in Falmouth - Mass. prepared for Mary Gonsalves, Scale 1" = 80 Ft., Dec. 18, 1995, Ferreira Associates, 131 Spring Bars Road,

*Prepared by Patricia Mello & Associates, P.C.
 766 Falmouth Road, Unit A-9
 Mashpee, MA 02649
 508-477-0267*

Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	



Borrower Habitat for Humanity of Cape Cod	
Property Address 805 Gifford St Extension (portion of)	
City Falmouth	County Barnstable
State MA	Zip Code 02540
Lender/Client Habitat for Humanity of Cape Cod, 411 Main Street ~ Suite 6, Yarmouth Port, MA. 02675	



301 E. Fourth Street, Cincinnati, OH 45202

DECLARATIONS
for
REAL ESTATE APPRAISERS
ERRORS & OMISSIONS INSURANCE POLICY

THIS IS BOTH A CLAIMS MADE AND REPORTED INSURANCE POLICY.

THIS POLICY APPLIES TO THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND REPORTED IN WRITING TO THE COMPANY DURING THE POLICY PERIOD.

Insurance is afforded by the company indicated below: (A capital stock corporation)

Great American Assurance Company

Note: The Insurance Company selected above shall herein be referred to as the **Company**.

Policy Number: **RAP3667792-23**

Renewal of: **RAP3667792-22**

Program Administrator: **Herbert IL Landy Insurance Agency Inc.
100 River Ridge Drive, Suite 301 Norwood, MA 02062**

Item 1. **Named Insured:** **Kevin W Lundy**

Item 2. **Address:** **82 Dolar Davis Road**
City, State, Zip Code: **Centerville, MA 02632**

Item 3. **Policy Period:** From 01/03/2023 To 01/03/2024
(Month, Day, Year) (Month, Day, Year)
(Both dates at 12:01 a.m. Standard Time at the address of the **Named Insured** as stated in Item 2.)

Item 4. **Limits of Liability:**

- A. \$ 1,000,000 **Damages** Limit of Liability – Each Claim
- B. \$ 1,000,000 **Claim Expenses** Limit of Liability – Each Claim
- C. \$ 1,000,000 **Damages** Limit of Liability – Policy Aggregate
- D. \$ 1,000,000 **Claim Expenses** Limit of Liability – Policy Aggregate

Item 5. **Deductible** (Inclusive of **Claim Expenses**):

- A. \$ 0.00 Each Claim
- B. \$ 0.00 Aggregate

Item 6. **Premium:** \$ **810.00**

Item 7. **Retroactive Date** (if applicable): **01/03/1996**

Item 8. **Forms, Notices and Endorsements attached:**

D42100 (03/15) D42300 MA (05/13) IL7324 (07/21)
D42402 (05/13) D42408 (05/13) D42412 (03/17) D42413 (06/17)
D42414 (08/19)

Rebecca A. Magnuson

Authorized Representative

ATTACHMENT 3
Development
Team &
Experience

Development Team, and Board Members' Experience, and Recent Projects



Habitat for Humanity of Cape Cod partners with families in need of an affordable home to build one of their own, fostering stability, self-reliance, and a strong sense of community.

Our Homes: Habitat for Humanity of Cape Cod has built over 180 homes throughout the Cape Cod region since our founding as an affiliate of Habitat for Humanity International in 1988. At present we have 13 open and active building permits, and the potential for 16 homes currently in predevelopment, feasibility or permitting.

Our Construction Team: Habitat relies on the skills and passion of over **600 volunteers**. On any given job site, anywhere from 130-260 different volunteers will give of their time and resources to help build the homes and ensure our success. We have volunteers with specialized skills or licenses, others with decades of experience working with their hands, and we also have volunteers who have never worked with tools before. All are welcome! We have active volunteers in their nineties and volunteers as young as six (while construction volunteers must be at least 16 years old, we have woodworking and other projects appropriate for youth groups). Some volunteers work a single 7-hour shift, others put in 700 hours over the course of a multi-home project. Volunteers come from the Cape and beyond, from all walks of life, and bring a variety of perspectives. They all share a simple passion: the desire to make a difference for working families on Cape Cod and doing so while working side by side with their neighbors.

Habitat also relies on **Bob Ryley** as our **Director of Construction**. Bob has forty plus years' experience as a general contractor and sub-contractor in wood frame, has worked throughout the Cape and Islands, and has made training and instruction a focus. Bob was a member of the Habitat Board from 2006 to 2010, and volunteered as a Crew Leader, an instructor, and on a Youth United home build. Bob is a member of the Green Building Council, Cape Cod's Climate Change Collaborative and has been a driving force behind Habitat's efforts in reaching Net Zero.

Barry Clickstein and **Bob Leary** both serve Habitat as stipend-volunteer construction **Site Supervisors**. Mr. Leary, a retired shop teacher at Falmouth high School, has been a Habitat volunteer for over twenty years, worked as a builder in an early career and is a licensed contractor. Mr. Clickstein is a talented carpenter and respected leader and got the Habitat "bug" after volunteering on his first Habitat construction site in 2007. Each of these fine gentlemen lead crews of 8-30 volunteers, supervising the work, assigning tasks to capable and loyal volunteers, and teaching tasks to novices.

Desmond McMahon has been on the Habitat staff as our **Lead Carpenter** since 2012. He had made his living in residential and commercial construction before joining Habitat's staff. While a builder in the private sector, he attained 10-year volunteer status with Habitat, helping on Saturdays and participating on disaster relief trips with Habitat crews.

Habitat is led by **CEO/President, Wendy Cullinan**. After an extensive open search process, Wendy was unanimously affirmed by the Board of Directors to assume the responsibility of Executive Director on January 1, 2020. As Habitat Cape Cod's Resource Development Director from 2013-2019, Wendy ably managed all fundraising operations, including grant proposals, corporate relations, marketing, and communications. She also worked closely with and grew Habitat's relationships with the faith-based community, and volunteer committees focusing on special events and ReStore development. Prior to her position at Habitat, Wendy enjoyed working as a consultant for several

Cape Cod non-profits including, the National Marine Life Center, Association to Preserve Cape Cod, Woods Hole Research Center, and Gosnold Treatment Center. Earlier in her career she worked in restaurant management and event planning.

Warren Brodie is Habitat's **Permitting Attorney**. Warren is the principal of the Law Offices of Warren H. Brodie, P.C., a law firm with offices in Wellesley and Falmouth, MA. He has been in private practice since 1979. The firm specializes in construction law and litigation, including the representation of developers, general contractors, subcontractors, and material suppliers at all levels of the judicial process, including the Massachusetts Appeals Court and Supreme Judicial Court. Warren has been involved with Habitat since 2003, primarily involved with land acquisition and permitting, including Comprehensive Permits under Massachusetts General Laws, chapter 40B. Warren has been involved in well over 120 Habitat homes.

Elizabeth (Beth) Hardy Wade is Habitat's **Director of Land Acquisition & Project Development**. Beth has been involved in the real estate and construction industry for over 30 years. She has held Real Estate Brokers licenses in Maine and Massachusetts. She provided real estate and land acquisition services at Maine Farmland Trust from 2010 to 2014. She also has broad experience with Affordable Housing and the non-profit sector through her position as the Executive Director of CHAMP Homes in Hyannis, and her work with the Friends of Chatham Affordable Housing Committee and the Community Development Partnership. Beth joined Habitat in 2018.

Habitat also has a strong staff that supports the breadth and depth of programs that make up the Habitat experience. Habitat staff also includes a Family Programs Manager, a Volunteer Services Manager, a Finance Director, a Resource Development Director, a Fundraising Events Coordinator, as well as office staff, office volunteers, and key contractors (including several experienced conveyance attorneys and engineers).

Resumes are available on request.

Habitat for Humanity of Cape Cod, Board of Directors 2021-2022

The Board is made up of dedicated individuals from many fields, including construction, real estate, social services, finance, and faith leadership. Their collective expertise helps guide our programs, informs our strategic direction, and assesses the effectiveness of our organization. These men and women lead us in our mission to build homes, hope, lives, and community.

OFFICERS

Peter Kimball

Chair. Peter is a respected and experienced home builder and remodeler based in Orleans. He is the past president of Home Builders and Remodelers Association of Cape Cod. Peter has been the organizer and a participant in 4 Habitat Blitz Builds. He is an active committee member and Board member.

Leslie Schneeberger

Vice-Chair. Leslie is the Principal/Owner of Schneeberger Collective Architecture + Interior Design. A long-time Cape Cod resident and accomplished architect, Leslie has a passion for designing innovative buildings that complement their surroundings, elevate the community, and enrich their owners' daily lives. Over the past fifteen years, she has designed and administered the construction of custom homes and commercial projects throughout the Cape. Leslie earned a Master of Architecture from the University of Colorado; a BA from St. Lawrence University; and studied Interior Design at Pratt Institute. She serves on the building committees for the Monomoy regional High School and the Cape Cod Technical High School and Facilities committee for Pleasant Bay Community Boating. Leslie is passionate about community projects that make Cape Cod a more vibrant place for year-round living. She lives in Chatham with her wonderful family – husband and two girls – who give her a great incentive to make the Cape, our community, the best it can be.

John Schoenherr

Treasurer. John, now retired, had a career in high tech, managing the development of Business Intelligence applications for Oracle. In 2016, John became a construction volunteer with Habitat Cape Cod and has since become a familiar face on many sites. In 2019 he joined a team of volunteers to transition our organization to Habitat Connect, our new platform for volunteer management, and in 2020 he started helping in financial reporting and analysis. John lives in Centerville.

Josh Jalbert

Clerk. Josh has worked at Shepley Wood Products of Hyannis for 8 years and is currently in an Outside Sales position. He was born and raised on Cape Cod into a large family. He has 13 aunts and uncles, most of whom still live and work on the Cape and too many cousins to name! He grew up in the home building industry and is proud to be serving Habitat and the local community in which he lives. He currently resides in South Dennis and enjoys spending time on the beach or at the parks with his wife Farran and son Russell.

Shari Hayes

Assistant Clerk. Shari has over twenty years of experience in commercial lending. Prior to joining Cape Cod 5 in 2010, Shari worked as a Commercial Lending Officer for another local banking institution. Earlier in her career, Shari worked in retail banking and as a Residential Mortgage Loan Officer. In her current role as a Commercial Loan Officer with Cape Cod 5, Shari manages a portfolio of borrowers across a broad spectrum of industries and handles all facets of lending. She has expertise in SBA lending and financing affordable housing. Shari is a graduate of Framingham State College and Mass Bankers School of Commercial Lending. She is an active member of the community and has served on the Loan Review Committee for the Southeastern Economic Development (SEED) Corp. for ten years. Shari has been a resident of Cape Cod for more than thirty-five years, and currently resides in Yarmouth Port with her husband and children.

DIRECTORS**Matt Anderson**

Matt is the owner of Anderson Framing & Remodeling, a Cape Cod based residential framing contractor. Prior to operating Anderson Framing & Remodeling Matt attended Northeastern University where he graduated in 2004 with a dual concentration in Finance and Entrepreneurship. In addition to sitting on the Habitat for Humanity board Matt also currently serves as President of the Home Builders and Remodelers Association of Massachusetts, sits on the Town of Sandwich Finance Committee and is past President of the Home Builders and Remodelers Association of Cape Cod. Matt first became involved with Habitat in 2013 providing the labor to frame the 1st Blitz Build home in collaboration with HBRACC. He has since provided framing labor for all four Blitz Build houses HBRACC has built. Currently Matt resides in East Sandwich with his wife Stephanie and their two daughters Addison and Audrey.

Warren Brodie

Warren is the principal of the Law Offices of Warren H. Brodie, P.C., a law firm with offices in Falmouth and Wellesley, MA. The firm specializes in construction law and litigation, including the representation of developers, general contractors, subcontractors, and material suppliers at all levels of the judicial process, including the Massachusetts Appeals Court and Supreme Judicial Court. Warren has been involved with Habitat since 2003 primarily with land acquisition and permitting, including Comprehensive Permits under Massachusetts General Laws, chapter 40B. Warren has been involved in well over 120 Habitat homes.

Jaime Carey

Clerk. Jaime is the former Chief Operating Officer and Chief Merchant of Barnes & Noble, Inc., the world's largest retail bookseller. His senior leadership responsibilities included the areas of strategic planning, marketing, merchandising, e-commerce, and new store development. Jaime served for eight years on the Board of the National Book Foundation, the presenter of the National Book Awards. He is currently a member of the Advisory Committee for Habitat's ReStores here on the Cape. In addition, he was a family partner and construction volunteer on our Marston's Mills build. Jaime and his wife Rosemary live in North Falmouth near the Shining Sea Bikeway, which they both love to ride.

Carol Forgione

Carol has over twenty-five years of experience as a Human Resources professional. Prior to joining Seamen's Bank, Carol worked as Director of Human Resources at Nauset Public Schools. Carol has worked in a variety of industries including financial services, manufacturing, retail, environmental engineering, and public education. Carol is a graduate of UMass Lowell and holds an MBA from Rivier College. Carol is active in the local community, and volunteers for Brewster PTO and Cape Cod HR Association.

Rabbi David Freelund

David is the rabbi of the Cape Cod Synagogue in Hyannis where he has been for the last eighteen years. Prior to living on the Cape, he served a community in Tucson, AZ where he was introduced to Habitat. His other interests include music, cooking, and social justice. He and his wife, Bettina, live in Centerville.

Lynn Johnson.

Lynn is a retired trainer of thorough bred & standard bred racehorses in New Jersey. She moved to the Cape after marrying her husband, Murray. They live in Harwich. Their son Ian is currently attending Mass Maritime Academy. Lynn is a member of the HHCC Faith Relations committee, is a volunteer family partner and has been a construction volunteer. Lynn has worked at the front desk, as a dental assistant and as the facilities manager at her husband's dental practice. She is currently a PSIA (Professional Ski Instructors of America) certified alpine and adaptive ski instructor at Mount Snow. Lynn is the head coach for Special Olympics at Mount Snow. She has a passion for working with adults and children with special needs. Lynn serves on the Mission Committee as the Chairperson of the Personnel Committee at the First Congregational Church in Harwich Center.

Matt Pitta

Matt is the Director of Communication for the Davenport Companies and a 30-year journalist who has covered news across Cape Cod, the state, and the nation. At The Davenport Companies, he oversees external communications and community relations for all divisions within The Davenport Companies including Davenport Realty Trust, Davenport Building Company, Thirwood Place, Cape Cod Fence Company, Red Jacket Resorts, Blue Rock Golf Course and Cape Self Storage. Pitta is also involved in various aspects of marketing for The Davenport Companies. He is the former news director of Cape Cod Broadcasting, iHeart Media and the previous Quantum Communications. Matt spent many years working with the Associated Press as a broadcast editor and reporter, covering major stories across New England. He has been recognized with three Edward R. Murrow Awards for excellence in journalism and dozens of Associated Press awards.

Cindy Roth

Cindy Roth has a BA in Business Management, specializing in Hospitality from the University of the Sacred Heart in San Juan, Puerto Rico. She has over 20 years' experience in the Hospitality Industry having worked for Hilton Hotels, Inn Season Resorts and Bluegreen Resorts, in positions such as HR EEOC Officer & Employee Relations Manager, Regional Director of Training and Resort General Manager before becoming a Real Estate professional. Cindy began working with Kinlin Grover Real

Estate in 2012 and manages over 100 vacation rental properties on Cape Cod. She is also currently a member of the Cape & Islands Association of Realtors Diversity & Inclusion Committee. Cindy, her husband Daniel and two children have made Cape Cod their home for almost 20 years and reside in Orleans.

Melissa Wheeler

Melissa is the co-owner of Cape Cod Cleaning Collaborative, a thriving and successful cleaning and rental management company. In 2012 Melissa partnered with Habitat for Humanity of Cape Cod to build her dream home on the end of the Yellow Brick Road in North Truro. Melissa continues to volunteer her time on construction sites, speaking at fundraising events and welcoming new homeowners to the Habitat family. Melissa is a single mother of 2 children, Ava and Dylan, and Timber the Doodle, her first and most rewarding job. Melissa employees 30 local, seasonal employees and continues to create year-round employment opportunities for her fellow Cape residents. Melissa is an artist, and passionate about giving back to the community in creative and beautiful ways.

Steven Xiarhos

Steve is the grandson of Greek legal immigrants and a lifelong American Patriot. He is the son and grandson of United States Army, Air Force, and Merchant Marine Veterans. He has a strong desire to serve our Country and assist and support the men and women of our American Armed Forces, First Responders, and Veterans and Military families of all wars and conflicts especially post 9-11. Currently, he serves on the Board of Directors of the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund and the Massachusetts Military Support Foundation, as well as a Volunteer for Wounded Warrior Project Cape Cod Soldier Ride. He is a graduate of Anna Maria College, Northeastern University, and Cape Cod Community College (where he majored in Criminal Justice and Law Enforcement).

Recent Project References

Project Name	Address	Housing Type	No. of Units	Total Dev Cost	Subsidy Program	Date Complete	Reference (Town Adm)
Setucket Road/Jack Delaney Lane	Dennis	Single Family Ownership	4	\$2,191,896	DHCD 40B	Started Infrastructure	Elizabeth Sullivan 508-760-6148
Old King's Highway	Wellfleet	Single Family Ownership	4	\$2,035,903	DHCD 40B	Started Infrastructure	Richard Waldo 508-349-0300
Red Top/Phoebe Wy	Brewster	Single Family Ownership	2	\$1,027,386	DHCD 40B	Under construction	Peter Lombardi 508-896-3701
Scatter site Cotuit & Nauset	Sandwich	Single Family Ownership	3	\$1,115,442	DHCD 40B	11/2023 projected	Bud Dunham 508-888-5144
Willett Way Barrows Road	Falmouth	Single Family Ownership	10	\$3,608,507	DHCD 40B	Phase 1: 4/2023 Phase 2: 10/2023	Julian Suso 508-495-7320
George Ryder So.	Chatham	Single Family Ownership	2	\$689,024	DHCD 40B	7/31/2023	Jill Goldsmith 508-945-5105
Murray Lane	Harwich	Single Family Ownership	6	\$2,114,323	DHCD 40B	10/2022	Joseph Powers 508-430-7513
Quanset Road	Orleans	Single Family Ownership	1	\$567,371	LIP/LAU	10/2021	John Kelly 508-240-3700
Great Neck Road North	Mashpee	Single Family Ownership	2	\$606,398	DHCD 40B	10/2021	Rodney Collins 508-539-1400
Degrass Road	Mashpee	Single Family Ownership	1	\$368,255	LIP/LAU	12/2020	Rodney Collins 508-539-1400
Tubman Road	Brewster	Single Family Ownership	6 + 8 two phases	\$5,525,954	DHCD 40B	Phase 1: 8/2018 Phase 2: 12/2020	Peter Lombardi 508-896-3701
Durkee Lane	Wellfleet	Single Family Ownership	2	\$848,893	LIP/LAU	10/2020	Dan Hoort (508) 349-0300
Janall Drive	Dennis	Single Family Ownership	2	\$522,154	LIP/LAU	8/2019	Elizabeth Sullivan 508-760-6148
S. Yarmouth Road	Dennis	Single Family Ownership	1	\$289,566	LIP/LAU	7/2019	Elizabeth Sullivan 508-760-6148
River Road	Barnstable	Single Family Ownership	4	\$1,584,327	DHCD 40B	3/2019	Mark Ells 508-862-4610
143 Route 6	Truro	Single Family Ownership	3	\$1,279,919	DHCD 40B	9/2018	Rae Ann Palmer 508-214-0201
Main Street	Chatham	Single Family Ownership	4	\$859,411	DHCD 40B	8/2017	Jill Goldsmith 508-945-5105
Virginia Street	Yarmouth	Single Family Ownership	6	\$1,394,278	DHCD 40B	5/2017	Daniel Knapik 508-398-2231
Orchard & Quinaquisset	Mashpee	Single Family Ownership	2	\$593,849	DHCD 40B	5/2017	Rodney Collins 508-539-1401
Old Stage Rd	Barnstable	Single Family Ownership	2	\$437,469	DHCD 40B	8/2016	Mark Ells 508-862-4610
Rabbit Run	Eastham	Single Family Ownership	1	\$215,336	DHCD LAU	6/2016	Jacqueline Beebe 508-240-5900
Oak Street	Harwich	Single Family Ownership	7	\$1,389,121	DHCD 40B	7/2016	Christopher Clark 508-430-7513

Sesame Street	Barnstable	Single Family Ownership	2	\$486,148	DHCD 40B	7/2015	Mark Ells 508-862-4610
Glenwood	Falmouth	Duplex Ownership	2	\$306,000	DHCD 40B	1/2015	Julian Suso 508-495-7320
Bevan Way	Orleans	Single Family Ownership	6	\$1,602,740	DHCD 40B	9/2015	John Kelly 508-240-3700

Attachment 4
Narrative with photos, maps,
site plans and requested waivers



Narrative for proposed project at 805 Gifford Street Extension (rev. 6.17.2024)

The property at 805 Gifford Street Ext. is owned by Capital Realty and Development Corporation (CRDC), 1025 Main Street Ext., West Barnstable MA. A Purchase and Sales Agreement for a portion of the 176,358 sf/4.052-acre parcel, was executed between Habitat for Humanity of Cape Cod, Inc. (HHCC) and CRDC on June 29, 2023, giving HHCC site control for the purpose of developing four Affordable homes. An amendment to the agreement changing the description of the parcel (to reflect an increase in lot size from 37,000+/- SF to 40,780+/- SF) was executed in May 2024. The amendment did not increase the original offered sales price. Please see *Attachment 1: P&S Document*.

Permitting Path. HHCC plans to permit the project under Massachusetts General Law, Chapter 40B, through a friendly 40B process. HHCC is proposing the division of 805 Gifford Street Extension into six parcels. One parcel of 135,578 sf/3.11 acres containing the commercial building, will continue to be owned by CRDC. The remainder area of 40,780 sf/.94 acre, to be purchased by Habitat, will contain four separate fee simple home parcels, and a fifth lot containing a shared Title V septic and the subdivision's stormwater management system.

The subdivision will be accessed from Gifford Street Extension via the current ReStore parking lot entrance. A new exit way will be built to provide best vehicular flow. See, plan at our Narrative *Attachment 4: J.M. O'Reilly & Associates, Inc. "Preliminary Site Plan, 805 Gifford Street EXT, Falmouth, MA, 4/10/2024"*.

Once permitting is accomplished, we will use our volunteer and "sweat equity" program to build four, single family homes that will be sold affordably to income-eligible households. One hundred percent of the proposed homes will be affordable to lower income families as defined by the Executive Office of Housing and Livable Communities (EOHLC). All homes will be eligible for Falmouth's Subsidized Housing Inventory (SHI).

Description of the Site/Zoning. The underlying zoning of the parcel is Agricultural (AGA). The site is proximate to public utilities, excepting sewer. The proposed home sites sit behind an occupied commercial building (currently leased by HHCC's ReStore). The commercial building is subject to a Falmouth Planning Board Decision on January 10, 2017. In our plan the commercial building will be sited on its own, Lot 1. We are proposing access to and from the housing development through the ReStore lot. The proposed traffic flow is outlined in the attached plan. A permanent easement will be put into place ensuring access to and from the homes.

The vacant, back parcel is subject to some topographical variations and covered with mixed tree growth, oaks, evergreens, native shrubs, and ground cover. Abutters to the property include at the southerly boundary, a 3.70 acre commercial/residential site, "Miskovsky Landscaping" at 393 Brick Kiln Road; to the north a town owned, permanently encumbered open space/recreational lot of 13.78 acres; to the east a 2.03-acre residential parcel at 365 Brick Kiln Road; and at the southeasterly tip of the subject parcel a 1-acre residential parcel at 387 Brick Kiln Road.

The division of the rear, vacant, portion of the site will be into five lots, the four residential lots to be owned in fee simple: Lot 3 to be 7,655 sf (.18 acre), Lot 4 to be 7,875 sf (.18 acre), Lot 5 to be 8,369 sf (.19 acre), and Lot 6 to be 7,317 sf (.17 acre). Each lot will contain a three-bedroom home with private parking area and be serviced by a shared septic system. Lot 2 at 9,564 sf (.21 acre) will contain the shared Title V septic system, drainage, and a portion of shared driveway. An HOA will control the common lot and the driveway into the development.

Description of Homes and Landscape. Lots 3, 4 and 5 will contain two-story Capes; and Lot 6 will contain a single-story ranch. The ranch is easiest to adapt for accessibility, as all the living area is on the same floor. As we select our families before construction, if a selected family has a disability that needs accommodation, we amend construction plans to build to accommodate the need. The 3-BR Capes have two full bathrooms, and the 3-BR Ranch contains 1.5 bathrooms. All HHCC homes have a full basement (subject to site conditions). All homes meet or exceed EOHLC LIP standards in terms of square footage and other features.

The homes at 805 Gifford Street Ext. will include solar, as site conditions allow. And in terms of other aspects of “green” building: Habitat homes typically meet or exceed LEED standards, although for cost saving reasons, we do not seek certification. We use sustainable and renewable building materials whenever possible. Our homes have high R-value for insulation (with 2 x 6 construction which allows for such high insulation) and are inherently efficient because the homes are built well and are modest in size (so less materials to build, less fuel to heat). We use low U-value windows and Energy Star appliances. We use highly efficient air source heat pumps, which are an aid to indoor air quality. And we use low or no VOC products. Habitat homes consistently score extremely low HERs ratings; and in 2022 HHCC received an award for our high-performance homes. The national energy rating organization, RESNET recognized us for having the lowest HERS score (-15) among the 1,000+ Habitat for Humanity International affiliates across the country. We continue to excel in our HERs ratings and continue to upgrade our homes as new products and innovations become available

HHCC provides fencing and/or landscape buffers at boundaries for privacy and screening from neighboring parcels, as needed. We are currently working with the Cape Cod based Permaculture Organization, *Resilient Roots* to incorporate sustainable, edible, wildlife landscapes into our plans. Our families have some say in the selection of the initial plantings around their homes. Some choose only native, wildlife friendly plantings, others incorporate dwarf fruit trees and shrubs bearing edible fruits. We will provide appropriate transitional plantings as a buffer between any developed areas and surrounding woodland. We also include an 8 x 10 shed, when site conditions allow. A draft landscape plan is included at Attachment 4: J.M. O’Reilly & Associates, Inc. “Landscape Plan, 805 Gifford Street EXT, Falmouth, MA, 4/10/2024” A final design will be within our ZBA submission.

Homebuilding Process/Community Involvement. Assuming successful permitting, HHCC will use its tried-and-true “sweat-equity” model to build these Falmouth homes. In our model, qualified, selected family’s partner with us and devote 250 to 500 hours of work (250 for a single-adult family; 500 for a two-adult family) to the effort. A family may work on their own home or on another HHCC home build, or at other HHCC related volunteer activities (if unable to participate at the home build site).

Habitat works closely with our buyers, not just during our rigorous application process, but

throughout the build period, providing significant homebuyer education, counseling, and working with our families through the mortgage and closing process. This is a critical element of our partnership, as education has proven to be key to successful homeownership. Our process not only promotes a homeowner who is well educated in building and maintenance, but it fosters a true sense of community.

HHCC also partners with our home-build communities, seeking donations of materials, professional services, and labor. We strive to make our homes welcome in a neighborhood and to be good neighbors. We work to create a collaborative spirit where the whole community can be actively involved in helping to address the affordable housing crisis.

Affordability, SHI, and Local Preference. All the Falmouth homes will be affordable in perpetuity. HHCC offers 100% of the project as affordable; not simply the minimum 25% required by law—as providing affordable housing is our mission. Affordability will be protected by an EOHLC LIP Regulatory Agreement and Deed, and all homes will count on Falmouth’s Subsidized Housing Inventory (SHI). We are proposing that two of the homes be sold as affordable to very low-income households, households earning at or less than 60% of Area Median Income (AMI); and two of the homes be sold to those at or less than 80% AMI. Home sale prices will be at or around \$194,500 at 60% AMI pricing, and \$261,900 at 80% AMI pricing.

The final home sale price will be determined using HUD median incomes and EOHLC calculations at the time of execution of the regulatory agreement and/or marketing of homebuyer applications. Home prices will be approved by EOHLC prior to opening the lottery. If the regulatory agreement has been recorded in advance of the opening of the lottery, an amendment may need to be approved by all parties and recorded at the Registry of Deeds reflecting any EOHLC home sale price modification.

Habitat will work with the Town and EOHLC to request that two of the four homes be awarded a local preference (preference for applicants living in the Town of Falmouth, working in the Town of Falmouth, employed by the Town, or with children enrolled in Falmouth public schools). Local Preference guidelines currently allow for a maximum of 70% of a project’s units and are awarded at the discretion of EOHLC.

HHCC Friendly 40B and communication.

We have sought to involve the Town of Falmouth, from the start of the project:

- Early on we discussed the project concept with Falmouth Town Planner, Jed Cornock; Housing Coordinator, Kimberly Fish, and ZBA Administrator, Noreen Stockman.
- On 11/1/2023, we conducted a site visit with Housing Coordinator, Kimberly Fish.
- On 11/15/2023, we appeared at the informal meeting of Town department heads to review the project. Follow up discussion ensued, and several “tweaks” were made to our preliminary site plan.
- On 12/14/2023, we appeared before the Falmouth Affordable Housing Committee. Following that we adjusted our plans incorporating their comments.
- On 3/14/2024, we appeared before the Falmouth Affordable Housing Committee. Of those present, there was a unanimous vote to write a letter of support and to sign the LIP application to be sent to EOHLC.

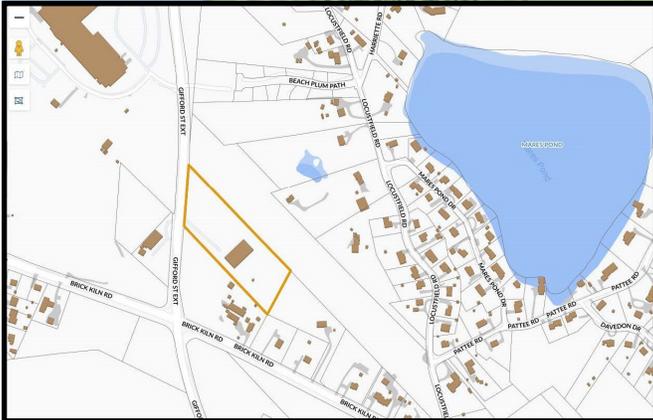
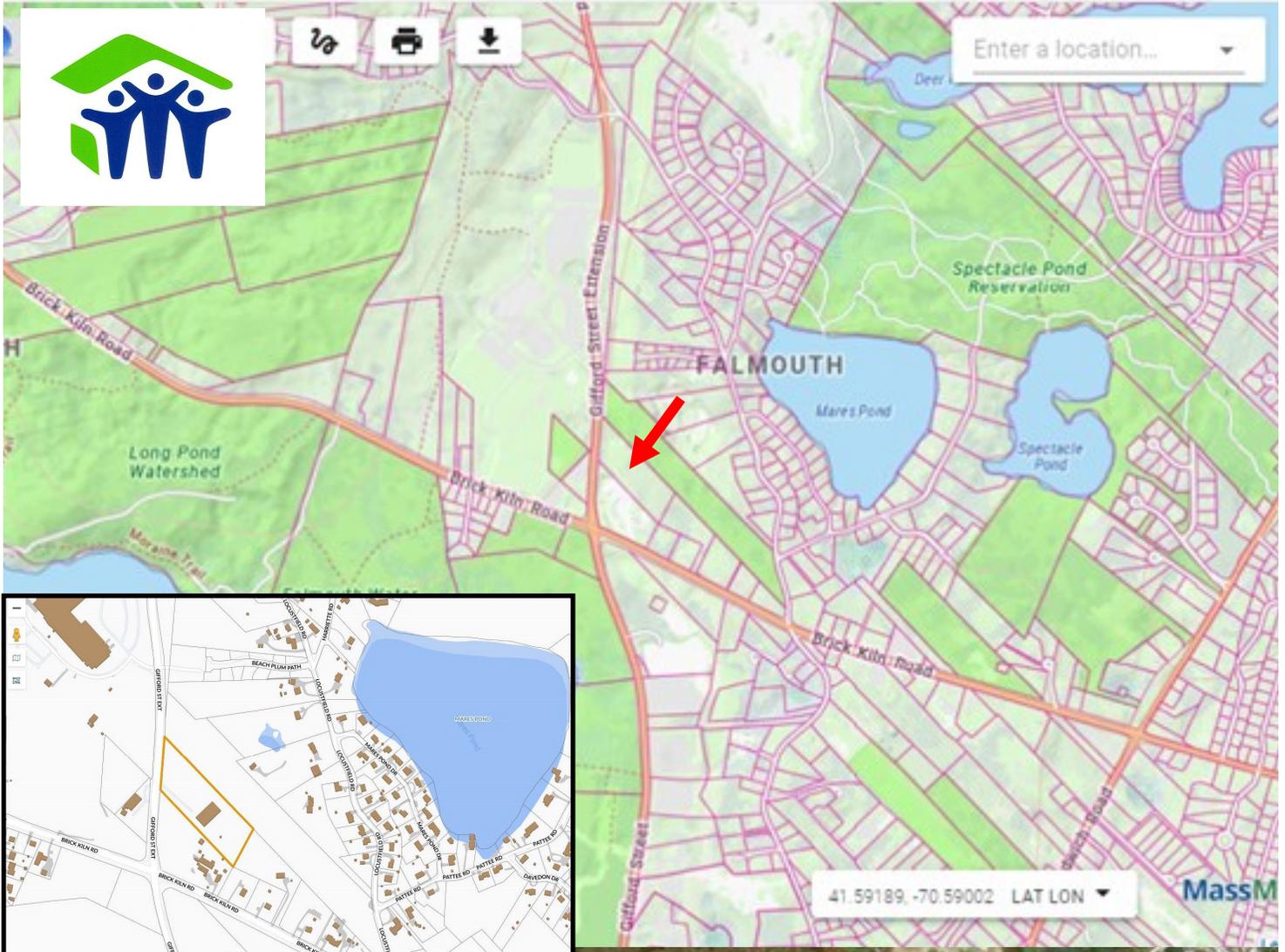
- We plan to appear on 6/24/2024 at the LIP Review Committee.
- On submission of the LIP application to the Executive Office of Housing and Livable Communities (EOHLC), we will send a letter alerting area residents and neighbors to the LIP application and provide several meeting dates to allow for an opportunity to review plans, and provide input, during the 30- day LIP public comment period.
 - Please note: We met with Mr. Paul Miskovsky (on 4/11/2024), our immediate abutter to the south.
- On receipt of the Project Eligibility Letter (PEL) from EOHLC, we will submit a 40B Comprehensive Permit application to the ZBA. There will be additional opportunity for public participation and input throughout the 40B ZBA permitting process.

With our quality, single-family homes priced affordably, Habitat for Humanity creates homeownership opportunities for families at income levels not served by other affordability programs. We are an experienced developer, having built over 180 affordable Cape Cod homes since our founding as an affiliate of Habitat for Humanity International in 1988.

Habitat for Humanity of Cape Cod partners with families in need of an affordable home to build one of their own, fostering stability, self-reliance, and a strong sense of community.

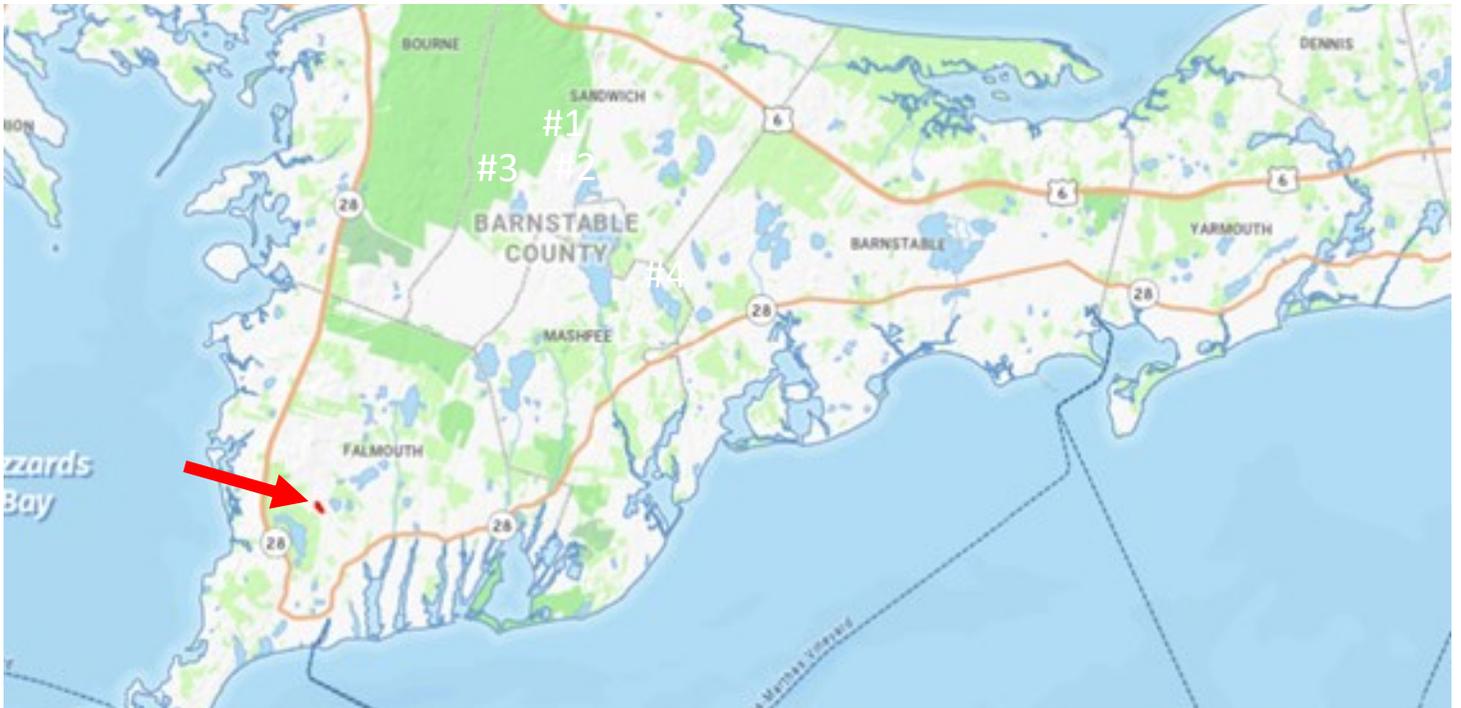
Site: Maps and Photos

Maps and Photos: 805 Gifford Street Extension, Falmouth

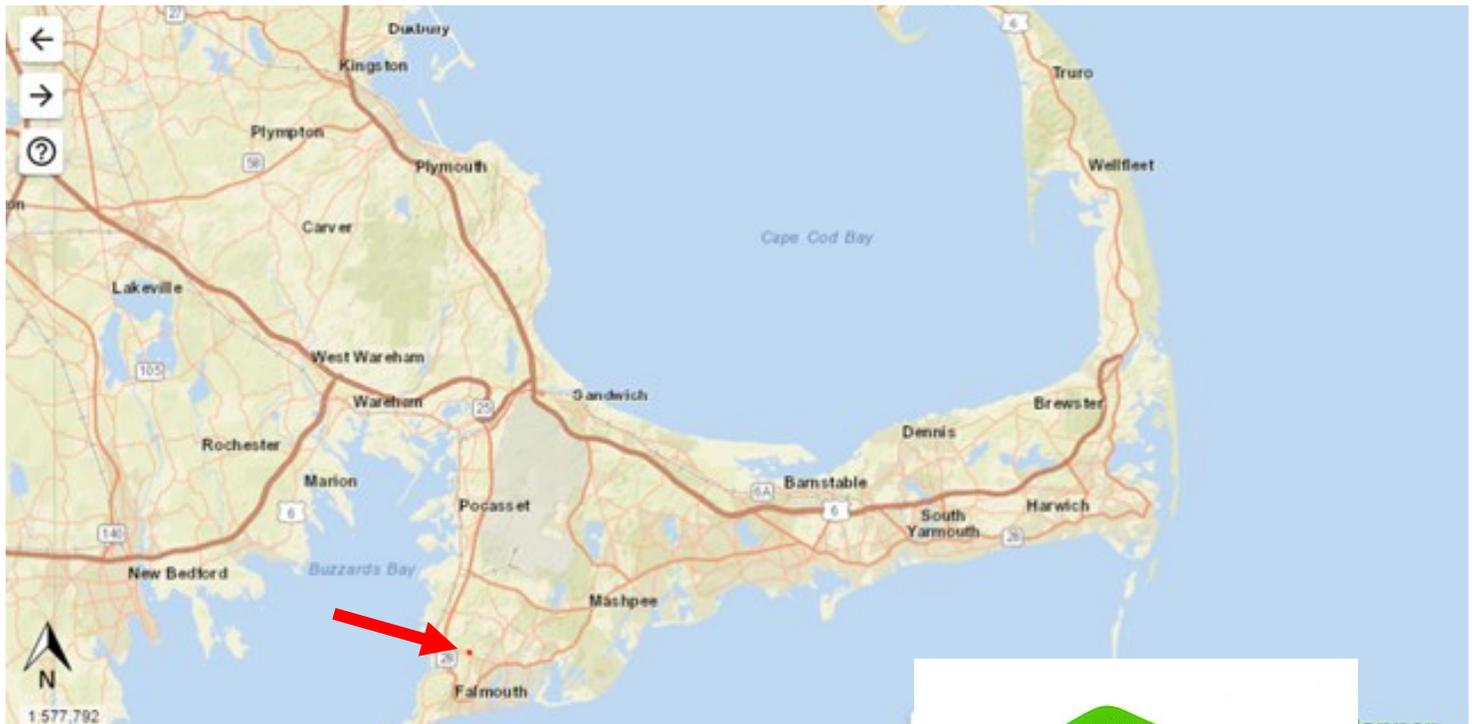


Satellite view of subject build area

Maps and Photos: 805 Gifford Street Extension, Falmouth



Location—805 Gifford St. Extension, Falmouth—MASS Mapper Map



Maps and Photos: 805 Gifford Street Extension, Falmouth



**Above Google Street View: Looking in southerly direction on Gifford Street Extension
ReStore/development entrance on the left**



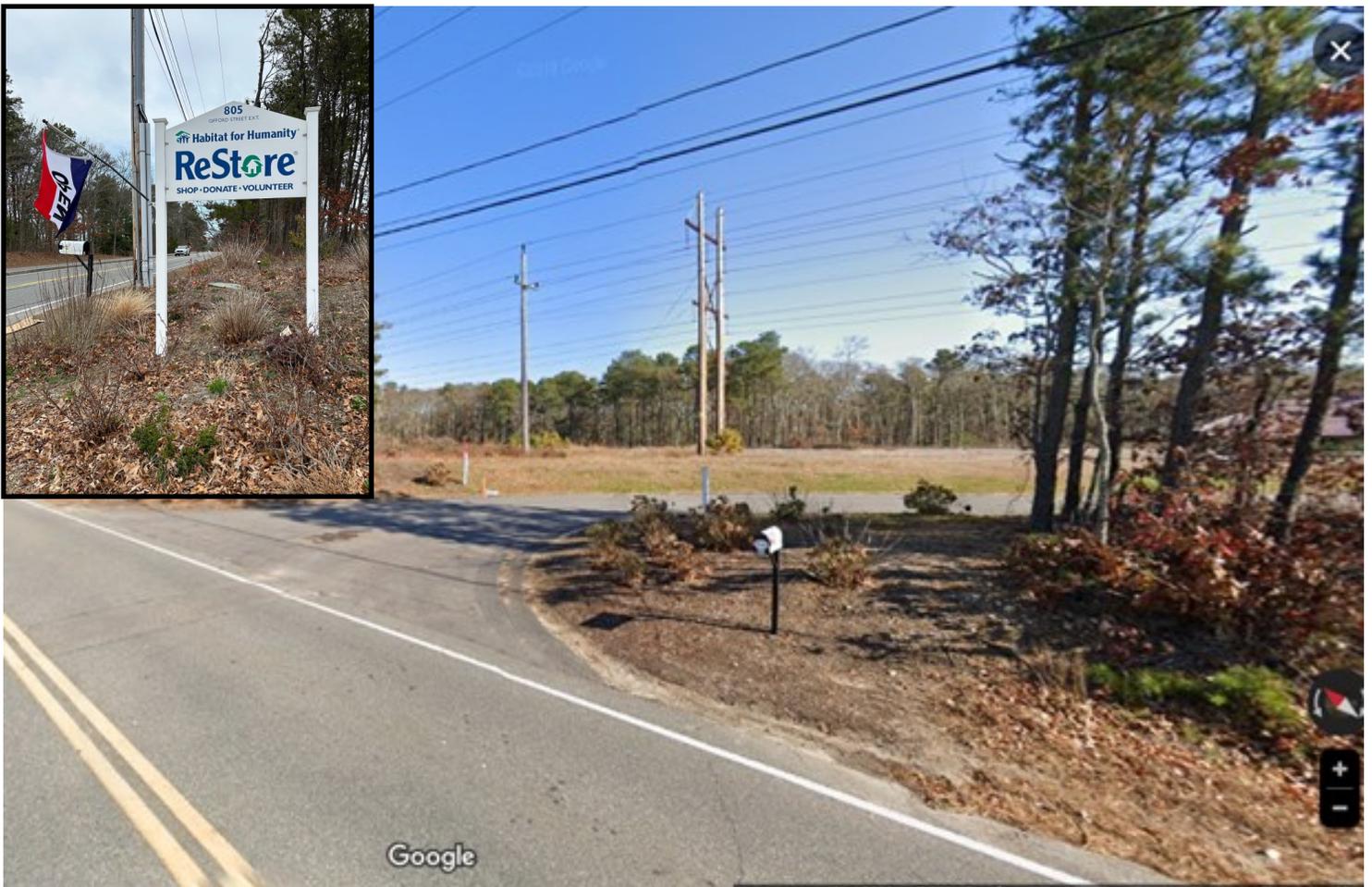
Just past ReStore/Development entrance toward intersection of Brick Kiln and Gifford St. Ext.

On the right is the "Jack in the Beanstalk" grocery store at 800 Gifford Street Ext.

Maps and Photos: 805 Gifford Street Extension, Falmouth



**Above Google Street View: looking in southerly direction from Gifford Street Ext.
Across the intersection at Brick Kiln Road .**



Entrance area to the ReStore and Proposed new development.

Maps and Photos re. 805 Gifford Street Extension, Falmouth



Top: Current and proposed entry side (south side of building)

Bottom: Rear view of ReStore building and employee parking

Maps and Photos re. 805 Gifford Street Extension, Falmouth



Above left photos: Looking easterly into the area of proposed development.

Right side photos: Looking south westerly from proposed area of development.

Maps and Photos re. 805 Gifford Street Extension, Falmouth



Above left photos: Looking north westerly toward area for development from the north side of Re-Store. Lower left (and lower right) Looking westerly toward proposed new exit spur area.

Upper right: trees/fence at Miskovsky-side bound

Maps and Photos: 805 Gifford Street Extension, Falmouth

Some of our Neighbors—within proximity of our proposed development



Sample of home styles in neighborhood near to our proposed development



Locustfield Road



Locustfield Road



Locustfield Road



Brick Kiln Road



Brick Kiln Road



Brick Kiln Road

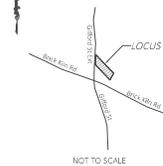


Left: Falmouth High School entry/exit off Gifford Street Extension.



Please note: Photos taken from publicly available sources

Site & Landscape plans



PLAN BOOK 549 PAGE 75
PLAN BOOK 537 PAGE 28
DEED BOOK 28435 PAGE 260
ASSESSOR'S PROPERTY ID: 26-01-017-0000

LEGEND

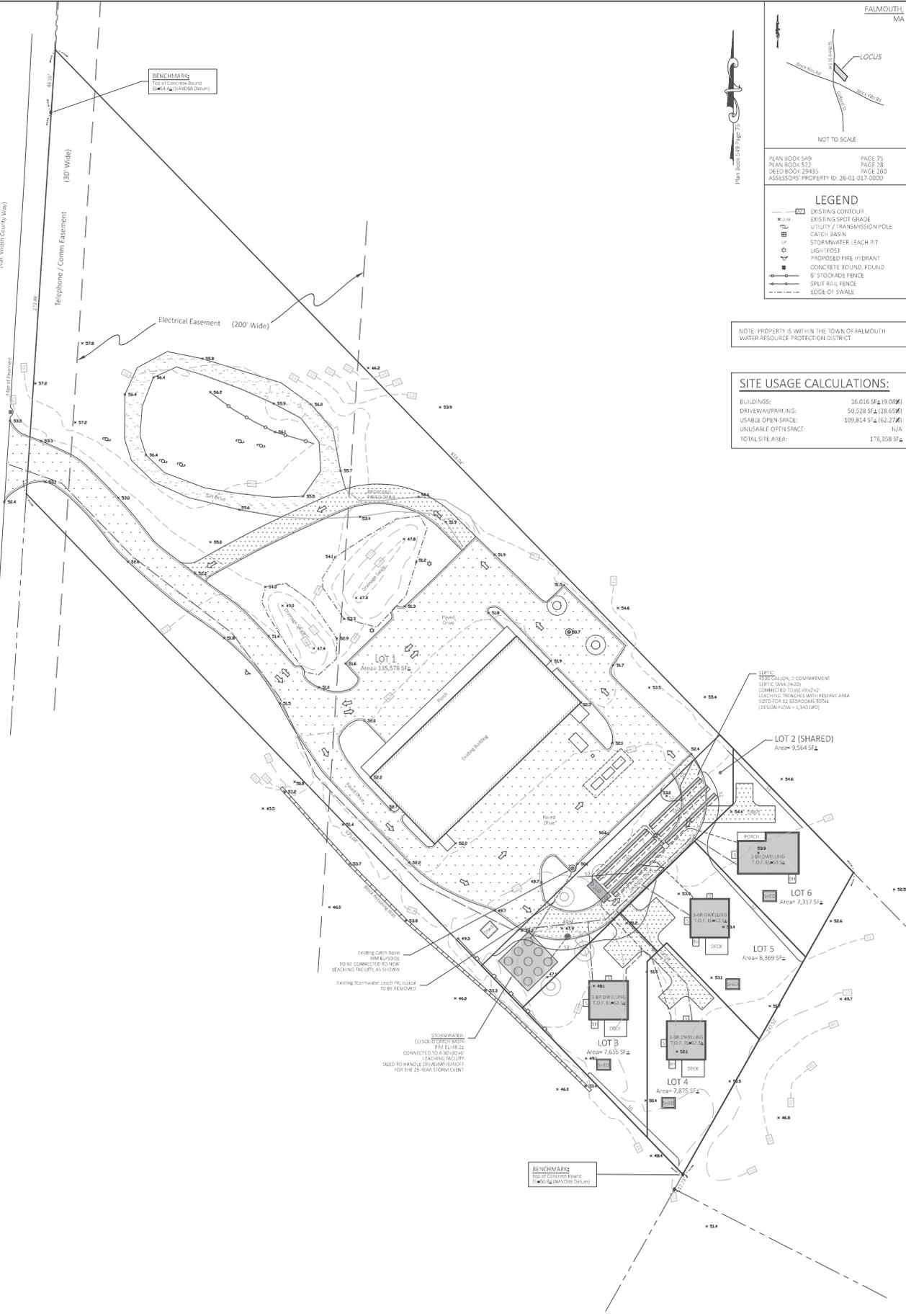
- EXISTING CORNER
- EXISTING SPOT GRADE
- UTILITY / TRANSMISSION POLE
- CATCH BASIN
- STORMWATER LEACH PIT
- LIGHT POST
- PROPOSED FIRE HYDRANT
- CONCRETE ROUND FOUND
- 6" STOCKADE FENCE
- SPLIT RAIL FENCE
- EDGE OF SWALE

NOTE: PROPERTY IS WITHIN THE TOWN OF FALMOUTH WATER RESOURCE PROTECTION DISTRICT

SITE USAGE CALCULATIONS:

BUILDINGS:	16,016 SF (19.03%)
DRIVEWAY/PARKING:	50,528 SF (28.65%)
USABLE OPEN SPACE:	109,814 SF (62.27%)
UNUSABLE OPEN SPACE:	N/A
TOTAL SITE AREA:	176,358 SF

GIFFORD ST EXT
(Per Walcott County View)



Existing Catch Basin
TO BE CONNECTED TO NEW
LEACHING FACILITY, AS SHOWN

Existing Stormwater Leach Pit, typical
TO BE REMOVED

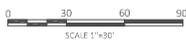
STORMWATER
(1) SOLID DRYWELL BASKIN
#14 ELEM 22
CONNECTED TO A 300-300-40
LEACHING FACILITY
NEED TO HANDLE DRIVEWAY RUNOFF
FOR THE 25-YEAR SNOW EVENT

SEPTIC
INSTALLATION, 2-COMPARTMENT
SEPTIC TANK (#22)
CONNECTED TO 84-40-242
LEACHING TRENCHES WITH RESERVE AREA
SIZED FOR 12 BEDROOMS TOTAL
(DESIGN FLOW = 1,340 GPD)

Habitat for Humanity of Cape Cod, Inc.
4311 Main Street, Suite 6, Falmouthport, MA 02675

PRELIMINARY SITE PLAN
805 GIFFORD ST EXT, FALMOUTH, MA

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

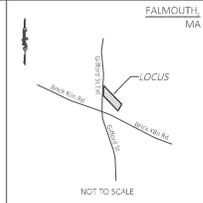


1579 Main Street - Suite 6A Falmouth, MA 02541 (508)868-8801 Office 3/19/2024	As Noted	RF	JW/O	03/19/2024 JMG-9563
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PLANTING SPECIFICATIONS

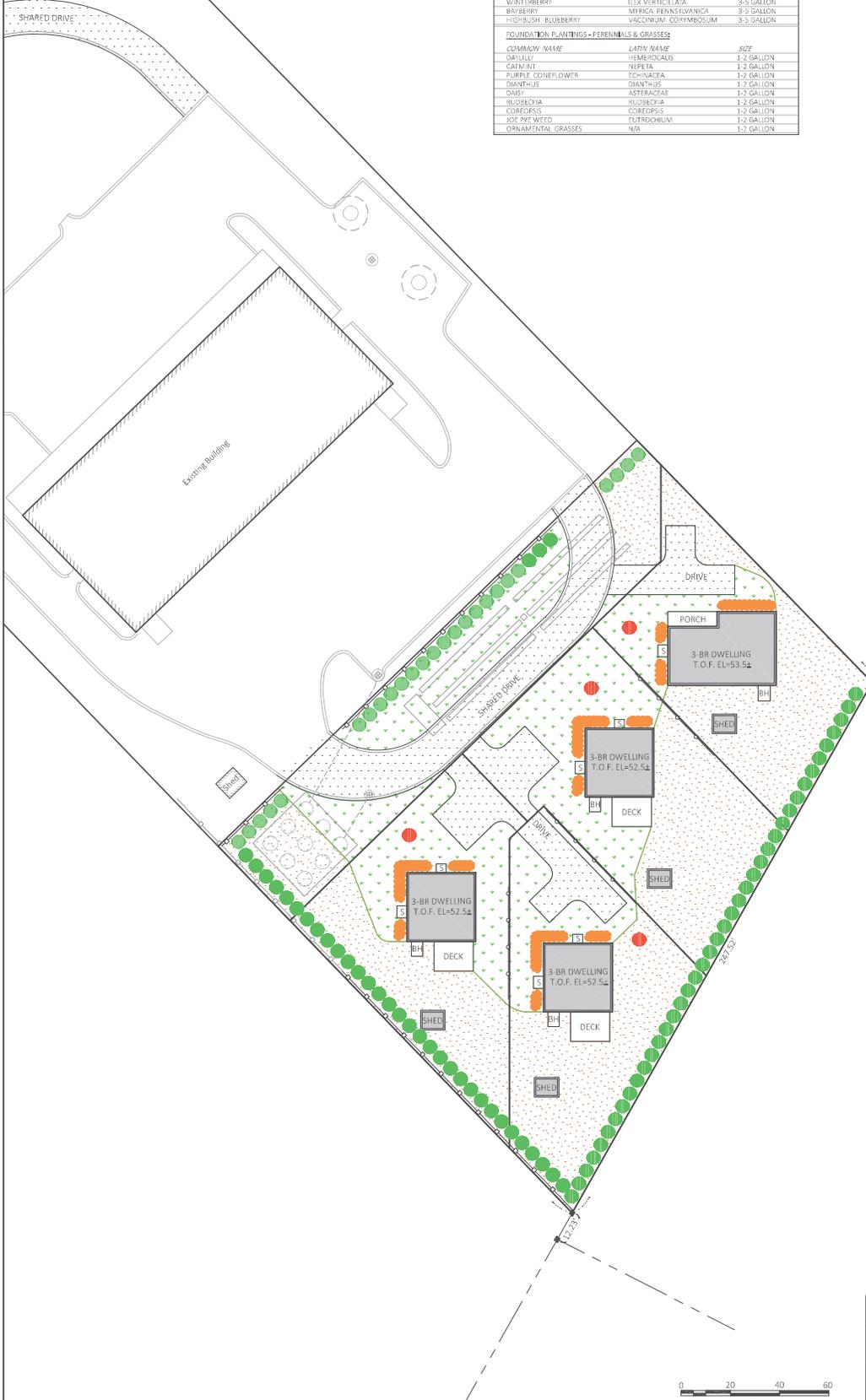
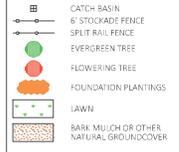
SCREENING TREES		
COMMON NAME	LATIN NAME	SIZE
GREEN GIANT ARBORVITAE	THUJA PLICATA	6" TALL
EMERALD GREEN ARBORVITAE	THUJA OCCIDENTALIS SMARAGD	6" TALL
LYONARD CYPRISS	LENARDOI	6" TALL
CRYPTOMERIA	CRYPTOMERIA JAPONICA	6" TALL
FLOWERING TREES		
COMMON NAME	LATIN NAME	SIZE
CRABAPPLE	MALUS	1.5" - 2" CALIPER
CHERRY	PRUNUS	1.5" - 2" CALIPER
FOUNDATION PLANTINGS - SHRUBS		
COMMON NAME	LATIN NAME	SIZE
SUNNYBUSH	CELEBRIS ALNIFOLIA	3-5 GALLON
BUTTERFLY BUSH	BUDLEIA DAVIDII	3-5 GALLON
BUTTONBUSH	CEPHALANTHUS OCCIDENTALIS	3-5 GALLON
REDSIP DOGWOOD	CORNUS SERICA	3-5 GALLON
"ARNDOLD DWARF" FORSYTHIA	FORSYTHIA X INTERMEDIA	3-5 GALLON
"LIMELIGHT" HYDRANGEA	HYDRANGEA PANICULATA	3-5 GALLON
WINTERBERRY	ILEX VERTICILLATA	3-5 GALLON
BAVBERRY	MYRTICA PENNSYLVANICA	3-5 GALLON
HIGHBUSH BLUEBERRY	VACCINIUM CORYMBOSUM	3-5 GALLON
FOUNDATION PLANTINGS - PERENNIALS & GRASSES		
COMMON NAME	LATIN NAME	SIZE
DAYLILY	HEMEROCALLIS	1-2 GALLON
CATMINT	NEPETA	1-2 GALLON
PURPLE CONEFLOWER	ECHINACEA	1-2 GALLON
DIANTHUS	DIANTHUS	1-2 GALLON
DAISY	ASTERACEAE	1-2 GALLON
RUDBECKIA	RUDBECKIA	1-2 GALLON
CONIFERUS	CONIFERUS	1-2 GALLON
JOE PYE WEED	EUTROCHILUM	1-2 GALLON
ORNAMENTAL GRASSES	N/A	1-2 GALLON

Plan 2024-05-18 11:58 AM



PLAN BOOK 549 PAGE 75
 PLAN BOOK 557 PAGE 78
 DEED BOOK 28435 PAGE 260
 ASSESSORS PROPERTY ID: 26-01-017-0000

LEGEND

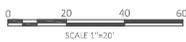


Habitat for Humanity of Cape Cod, Inc.
 431 Main Street, Suite 6, Yarmouthport, MA 02675

LANDSCAPE PLAN
 805 GIFFORD ST EXT, FALMOUTH, MA

J.M. O'REILLY & ASSOCIATES, INC.
 Professional Engineering & Land Surveying Services

1579 Main Street - Suite 6A
 Falmouth, MA 01935
 (508)868-8801 Office (508)868-8802 Fax
 (508)868-8803 Cell



Requested Waivers

Waivers to be Requested for 805 Gifford Street Extension

APPLICATION FOR A COMPREHENSIVE PERMIT MGL Chapter 40B, Sections 20-23 and 760 CMR 56.00

Applicant: Habitat for Humanity of Cape Cod, Inc.
Site: 805 Gifford Street Extension, Falmouth
Assessors' ID: 26-01-017-000D
Project Name: Gifford Street Extension Community Housing
Date: 05/02/2024

WAIVERS REQUESTED:

Habitat for Humanity of Cape Cod, Inc. requests the following waivers from local code requirements and regulations in order to promote the creation of affordable housing.

Town of Falmouth Zoning Bylaw

Section 240-7.7(5) Density Limitations

Waive the requirements of this section. All four of the proposed residential lots do not meet the requirements for minimum lot size, minimum lot width, minimum lot frontage, and maximum lot coverage of 20%.

Section 240-9.3 Affordable Housing Development

Waive the requirements of this section. Habitat for Humanity will seek approval of a conventional MGL Ch. 40B approval through the Zoning Board instead of using this bylaw to pursue a Planning Board Special Permit.

Section 240-11.2B(1) Minimum Lot Dimensions - Requirements

The property is within the Agriculture A Zone. The following waivers are requested with respect to lot size, setbacks and frontage:

Lot 2 (Shared)

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Lot Area	45,000 ft ²	9,564 ft ²	yes	35,436 ft ²
Minimum Frontage	100 ft	0 ft	yes	100 ft
Minimum Lot Width	150 ft	41.0 ft	yes	109.0 ft

Lot 3

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Lot Area	45,000 ft ²	7,655 ft ²	yes	37,345 ft ²
Minimum Frontage	100 ft	0 ft	yes	100 ft
Minimum Lot Width	150 ft	73.0 ft	yes	77.0 ft

Lot 4

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Lot Area	45,000 ft ²	7,875 ft ²	yes	37,125 ft ²
Minimum Frontage	100 ft	0 ft	yes	100 ft
Minimum Lot Width	150 ft	71.0 ft	yes	79.0 ft

Lot 5

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Lot Area	45,000 ft ²	8,369 ft ²	yes	36,631 ft ²
Minimum Frontage	100 ft	0 ft	yes	100 ft
Minimum Lot Width	150 ft	65.0 ft	yes	85.0 ft

Lot 6

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Lot Area	45,000 ft ²	7,317 ft ²	yes	37,683 ft ²
Minimum Frontage	100 ft	0 ft	yes	100 ft
Minimum Lot Width	150 ft	65.0 ft	yes	85.0 ft

Section 240-11.2B(2) Minimum Lot Dimensions – Lot Width

Waive the requirements of this provision. Lots 2-6 all have portions of the lot that are less than 50 feet in width.

Section 240-11.3A(1) Maximum Lot Coverage - Requirements

The property is within the Agriculture A Zone. No waivers requested; all lots meet maximum lot coverage requirements.

Section 240-11.4A(2) Setbacks - Requirements

The property is within the Agriculture A Zone. Please note, the proposed lots do not have street frontage, so street frontage setback requirements are not applicable. Lot 2 is a shared lot with

no proposed structures. Lots 3-5 meet all setback requirements from this section. The following waiver is requested from side and rear setback requirements for Lot 6:

Lot 6

Dimensional Requirement	Required	Proposed	Waiver Required?	Variance Requested
Minimum Setbacks - Side Yards	10 ft	5.7 ft	yes	*4.8 ft
Minimum Setbacks - Rear Yard	10 ft	33.3 ft	no	---

***Note:** Building setback variance requests add an additional 6” to the proposed setbacks, to allow a margin for insubstantial changes during construction.

Town of Falmouth Subdivision Rules and Regulations

Section 305-5, Approval of Definitive Plan
Section 305-6,
Section 305-11

Waive the provisions of these sections which describe the submission and approval process for a Definitive Subdivision layout with the Planning Board. For Chapter 40B filings, Zoning Board of Appeals sits in place of all other Town Boards and Commissions.

Section 305-14 Environmental Impact Statement

Waive the requirements of this section. New subdivision will be contained within an existing developed lot.

Section 305-30 Sidewalks, grass plots and street trees
Section 305-37

Waive the requirements of these sections related to sidewalks. Due to the density of the development in a low-traffic area, sidewalks are not proposed as part of this development.

Section 305-34 Streetlights
Section 305-43

Waive the requirements of this section. The subdivision has a shared driveway instead of a street.

Section 305-38 Monuments

Waive the requirements of this section. Monuments to be installed at selected lot corners to provide sufficient boundary information for future surveyors to retrace the boundary lines. Proposed monument locations to be shown on definitive plan.

Section 305-41 Fire alarm systems

Waive the requirements of this section.

ATTACHMENT 5
Proforma/Budget



March 19, 2024

Wendy Cullinan, CEO & President
Habitat for Humanity of Cape Cod, Inc.
411 Main Street, Suite 6
Yarmouth Port, MA 02675

RE: Letter of Interest Financing for 805 Gifford Street Extension, Falmouth

Dear Ms. Cullinan:

Please accept this as a letter of interest in potentially financing the proposed four home affordable housing development at #805 Gifford Street Extension, utilizing the Local Initiative Program. In addition, we would be interested in acting as the Member Bank should Habitat for Humanity of Cape Cod, Inc. apply for Federal Home Loan Bank of Boston Affordable Housing Program grant funds to further support this project.

We appreciate your confidence in the Bank and have been very pleased with our existing lending relationship which has included providing construction financing for more than twenty Habitat developments to date. We look forward to the opportunity to expand this relationship by further reviewing a loan request for this upcoming project.

This letter of interest does not constitute a formal offer or commitment to lend. It is subject to satisfactory completion of due diligence, credit underwriting and approval as well as other terms and conditions as determined by Cape Cod Five Cents Savings Bank.

If I can be of further assistance, please contact me at (508) 247-2253 or cmerrill@capecodfive.com

With regards,

Christopher Merrill
Vice President, Commercial Loan Officer
Cape Cod Five Cents Savings Bank
171 Falmouth Road
Hyannis, MA 02601

805 GIFFORD STREET, FALMOUTH		4 HOMES				
FUND USES	House Costs					
	BUDGET	PER UNIT	PER SF	% of TTL		
a	Site Acquisition	250,000	62,500	28	12%	
	Site Work/Hard Costs					
	Drainage	36,000	9,000	4	2%	
	Driveways and Parking	28,000	7,000	3	1%	
	Earthwork/Topsoil	20,000	5,000	2	1%	
	Excavate, Backfill, Septic, Waterline	84,000	21,000	9	4%	
	Lawns, Plantings and Walkways	22,000	5,500	2	1%	
	Other:	0	0	0	0%	
	Roadway	108,000	27,000	12	5%	
	Sheds	13,200	3,300	1	1%	
	Site Landscaping & Loam Shoulders	12,000	3,000	1	1%	
	Site Utilities (not extensions/road)	40,000	10,000	4	2%	
	Water/Wells	7,200	1,800	1	0%	
b	Subtotal Site Work	370,400	92,600	42	17%	
	Direct Construction					
	Appliances	16,000	4,000	2	1%	
	Cabinets & Vanities	36,800	9,200	4	2%	
	Carpentry/Doors & Windows	260,000	65,000	29	12%	
	Concrete	92,000	23,000	10	4%	
	Electrical	66,232	16,558	7	3%	
	Insulation	38,000	9,500	4	2%	
	Interior Finish	92,000	23,000	10	4%	
	Plumbing/HVAC	144,620	36,155	16	7%	
	Solar Install	100,000	25,000	11	5%	
c	SubTotal Direct Construction	845,652	211,413	95	39%	
d	SubTotal Site Wk & Direct Const (b + c)	1,216,052	304,013	136	56%	
	6% of (d)	General Requirements	72,963	18,241	8	3%
	6% of (d)	Builder's Profit	72,963	18,241	8	3%
	2% of (d)	Builder's Overhead	24,321	6,080	3	1%
e		Total Gen Req, Profit, Overhead	170,247	42,562	19	8%
f	5% of a,b,c,d	Construction Contingency	81,815	20,454	9	4%
g	TOTAL HARD/CONST COSTS (a+b+c+e+f)	1,718,114	429,529	193	80%	

805 GIFFORD STREET, FALMOUTH		4 HOMES			
FUND USES		House Costs			
		BUDGET	PER UNIT	PER SF	% of TTL
Soft Costs					
	Accounting	4,000	1,000	0	0%
	Architectural	500	125	0	0%
	Construction Interest	9,000	2,250	1	0%
	Engineering	12,900	3,225	1	1%
	Family Programs/Volunteer Services	24,584	6,146	3	1%
	Financing/Application Fees/Appraisals	500	125	0	0%
	Insurance	11,368	2,842	1	1%
	Legal	9,500	2,375	1	0%
	Maintenance (unsold units)	0	0	0	0%
3% of home \$	Marketing (Affirmative Fair Housing)	27,369	6,842	3	1%
	Permits/Surveys	2,000	500	0	0%
	Real Estate Taxes	0	0	0	0%
	Security	0	0	0	0%
	Site & Construction Supervision	84,212	21,053	9	4%
	Utilities	0	0	0	0%
	Less Discounts/Gifts in Kind	0	0	0	0%
h	Subtotal Soft Costs	185,933	46,483	21	9%
i	5.0% Soft Cost Contingency	9,297	2,324	1	0%
j	TOTAL SOFT COSTS	195,230	48,807	22	9%
k	HARD AND SOFT COSTS	1,913,344	478,336	215	89%
l	12.5% Developer's Fee	239,168	59,792	27	11%
TOTAL DEVELOPMENT COST		2,152,512	538,128	241	100%

FUND SOURCES		
\$912,300	Proceeds from Sale of Homes	Note 1
\$250,000	Acquisition Funding	
\$250,000	Construction Funding - Housing Trust	
\$120,000	FHLBB Grant	
\$200,000	Fundraising: Designated Grants & Sponsorships	
\$420,212	Habitat Developer Equity	
\$0	Solar Grants & Energy Rebates	Note 2
\$0	Other	
\$2,152,512		

Note 1:	The "Proceeds from Sale of Homes-USDA" is based on 2023 EOHL approved pricing.
Note 2:	We will add a solar funding sources for this project once it is identified.
Note 3:	The above Development Cost does not include donations and professional discounts, estimated at \$10K - \$20K per home.

Habitat for Humanity of Cape Cod Monitoring (6.18.2024).

HHCC Regulatory Agreements. To date HHCC regulatory agreements with partner municipalities have assigned post sale monitoring of affordable units to the municipality and DHCD, now EOHLC. Specific reference is found in:

7 B. Throughout the term of this Agreement, the Chief Executive Officer [of the municipality as outlined in 7A] shall annually certify in writing to EOHLC that each of the Low and Moderate Income Units continues to be occupied by a person who was an Eligible Purchaser at the time of purchase; that any Low and Moderate Income Units which have been resold during the year have been resold in compliance with all of the terms and provisions of the Deed Rider then in effect with respect to each such Low and Moderate Income Unit, and in compliance with the Regulations and Guidelines and this Agreement; and that the Project and the Low and Moderate Income Units have otherwise been maintained in a manner consistent with the Regulations and Guidelines, this Agreement, and the Deed Rider then in effect with respect to each Low and Moderate Income Unit.

While official monitoring has been assigned to the municipalities, Habitat continues as the first point of contact for many of our Habitat homeowners who are entertaining resales. Habitat and the municipalities work together with Housing Assistance Corporation to comply with the resale terms at the time of sale.

Falmouth Willett Way. In the case of the HHCC project at Willett Way, the Town of Falmouth requested that we monitor the units on behalf of the Town. We entered into an Agreement, recorded at the Barnstable County Registry of Deeds, BK 31690 PG 33, attached.

Within that agreement we agreed “to annually research that each Low and Moderate Income unit is in compliance...” and certify and report in writing our findings to the town.

We will be sending compliance request letters to all the owners on Willett Way this fall, coordinated with their first year anniversary of home ownership, and continuing forward on an annual basis.

It is our understanding that the Town of Falmouth is requiring developers to monitor their own developments going forward. As that is the case, HHCC will monitor its project at 805 Gifford Street Extension.



Falmouth Affordable Housing Fund

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

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

BOARD OF TRUSTEES' PROJECT FUNDING EVALUATION FORM

Applicant: Habitat For Humanity **Address:** 805 Gifford St. Ext (behind ReStore
Amount Requested: \$500,000
Falmouth Affordable Housing Working Group Meeting Date: June 26, 2024

- Rental units with one to three bedrooms
- Homeownership with two bedrooms (4 three-bedroom homes)
- Mixed income developments (2 at 60% and 2 at 80%)
- Multi-family housing
- ADA accessible (if a lottery winner needs it, they will accommodate them at build)
- Project compatible with surrounding homes and neighborhoods
- Project is consistent with the Commonwealth's Sustainable Development Principles
- Project protects natural resources (H4H will be saving some of the native vegetation to replant)
- Project creates attainable housing (80% - 140%) (2 at 80%)
- Operating costs for project of its size is reasonable
- Project is prepared to proceed with permitting process

- √ Applicant and development team has experience with projects of similar type
- √ Applicant and development team is in good standing with respect to prior FAHF funding awards, including but not limited to having no unresolved findings or corrective actions from annual project monitory reviews
- √ Prior projects are up to date with their monitory agent's annual submissions ([see submission from Beth regarding this issue](#))
- √ There are other subsidy funds available
- √ Project is located close to employment opportunities, health care, public transportation, schools, recreational areas, public and other services
- √ No environmental impacts or none that can't be mitigated.
- √ Will be doing a Local Preference for lottery (70% highest by law)
- √ Will be creating more than the required 25% required by the permitting decision ([all 4 proposed homes will be deed restricted in perpetuity](#))



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

TO: Community Preservation Committee
FROM: Mike Renshaw, Town Manager *MR*
SUBJECT: 805 Gifford Street Ext., Falmouth – Habitat for Humanity
Application to Falmouth Affordable Housing Fund (FAHF)
DATE: June 26, 2024
CC: Kimberly Fish, Housing Coordinator
Beth Wade, Director of Land Acquisition & Project Development Habitat for Humanity

The FAHF received an application from Habitat for Humanity requesting \$500,000 in funding. \$250,000 for the acquisition of land located at 805 Gifford Street Ext and \$250,000 for the construction of four homes for homeownership. All four homes will be deed restricted as affordable in perpetuity.

The FAHF Working Group met on June 26, 2024 and gave a favorable recommendation. I recommend the Community Preservation Committee support this application.

ATTACHMENTS:

- Application w/attachments



Community Preservation Committee
59 Town Hall Square, Falmouth, MA 02540
508-495-7436

MEMO

To: Michael Renshaw, Town Manager
Kimberly Fish, Housing Coordinator

From: Maureen Thomas, Community Preservation Coordinator

MT

Cc: Sandra Cuny, CPC Chair

Re: **CPC Recommendation – 805 Gifford Street Extension
Habitat for Humanity FAHF Application**

Date: July 15, 2024

On Thursday, July 11, 2024, the Community Preservation Committee (CPC) voted unanimously to make a recommendation to the Falmouth Affordable Housing Fund (FAHF) Trustees in support of funding the Habitat for Humanity 805 Gifford Street Extension FAHF application in the amount of \$500,000 to go toward land acquisition (\$250,000) and the construction of four deed-restricted affordable homes (\$250,000).

Thank you very much for your consideration of the CPC recommendation.

OPEN SESSION

BUSINESS

7. Consider the approval of 0 Broken Bow Lane Project Eligibility/Site Approval Application – Town Comment Letter **(5 minutes)**



ITEM NUMBER: Business 7.

ITEM TITLE: Consider the approval of a Project Eligibility Letter for a 16-unit housing proposal at 0 Broken Bow Lane

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Jed Cornock, Town Planner

ATTACHMENTS: DRAFT Project Eligibility Letter

PURPOSE:

The Select Board is being requested to consider the approval of a letter to submit to MassHousing in connection with the developer's application for project eligibility and site approval pursuant to the MA G.L. c. 40B comprehensive permit process.

The purpose of the letter is to encourage the developer to take certain actions to mitigate the impacts of the proposed 40-unit rental housing proposal.

BACKGROUND/SUMMARY:

➤ Procedural Overview:

- The developer, "Broken Bow Residences, LLC", is applying for a comprehensive permit under M.G.L. c.40B.
- MassHousing will determine whether or not to grant project eligibility and site approval. If approved by MassHousing at this stage, the developer will then submit a comprehensive permit application to the Falmouth Zoning Board of Appeals.

- The Town's ability to influence MassHousing's decision to grant project eligibility and site approval is limited given that Falmouth has not reached the statutory affordable housing threshold of 10%.
- The 'project eligibility letter' is an opportunity for the Select Board to go on the record with its position on the project which may influence future decisions of the developer or the Zoning Board of Appeals.
- Town staff met with the developer and MassHousing at the project site on July 9, 2024. Town staff reviewed the application submitted to MassHousing.
- The Select Board typically has 30 days from submission of the application to submit a letter to MassHousing; however, the Town received an extension of this timeline in order to submit comments by July 31, 2024.

➤ Project Description:

- The project is located on a 1.59-acre parcel on Broken Bow Ln, just north of Teaticket Hwy (Route 28).
- The proposal includes 16 units of rental housing, 4 of which will be affordable at 80% AMI (the minimum 25% required under 40B).
- Of the four duplex buildings, six units will include two-bedroom, one bath, 784 square foot units and two units will include a three-bedroom, one bath, 1,122 square foot units. The two-bedroom unit buildings, having a total of six units, will be one story with full basements while the three-bedroom unit building, having a total of 2 units, will be one and half stories with full basements.
- Each building will have private outdoor space at the rear for each unit, including an 8'x10" patio and privacy fencing. Additionally, the 1 multi-unit building will include 8 studio units, each containing 512 square feet and 1 bathroom. The multi-unit building will be two stories with access to the second floor being provided by exterior stairways to connecting porches on the front and rear of the structure.
- All of the proposed units will be served by a shared, private, on-site standard Title V septic system and will have town water service. The proposed parking lot includes 32 parking spaces where 28 are required and provides two curb cuts on Broken Bow Lane to provide access to the new units. All generated stormwater will be collected and treated on the property and electric service will be extended into the site via Broken Bow Lane.

- Project Benefits:
 - The proposal would create an additional 4 units of affordable rental housing. New rental opportunities are identified as a priority in the 2024 Housing Production Plan.

- Project Impacts:
 - The project is proposed on a currently undisturbed, vacant lot which conflicts will mean a substantial amount of tree clearing.

 - The application does not include provisions for alternative energy sources, such as rooftop solar panels or electric car charging stations.

DEPARTMENT RECOMMENDATION:

The Planning Department recommends that the Board approve the enclosed draft letter with, or without amendments, to formally request the developer take certain actions to mitigate the impacts of this project.

OPTIONS:

- 1) Approve proposed letter as submitted;
- 2) Authorize Chair to revise and submit letter;
- 3) Take no action, do not approve letter

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 enclosed draft letter with, or without amendments, to formally request the developer take certain actions to mitigate the impacts of this project.

Michael Renshaw

Town Manager

7/22/2024

Date

July 22, 2024

Michael Busby
Relationship Manager, Planning and Programs
MassHousing
One Beacon Street
Boston MA 02108

RE: Project Eligibility/Site Approval – 0 Broken Bow Lane, East Falmouth, “Broken Bow Residences”

Dear Mr. Busby:

The Town of Falmouth has reviewed the application for Project Eligibility/Site Approval for “Broken Bow Residences” located at 0 Broken Bow Lane, East Falmouth submitted by Broken Bow Residences, LLC and offers the following for your consideration.

The proposal consists of 16 rental housing units in four duplex buildings and eight studio rental housing units in one multi-unit building on a 1.597 acre previously undisturbed lot. In total, 4 of the 16 units (25%) will be affordable at 80% AMI, leaving the remainder (11 units) as market rate units.

Of the four duplex buildings, six units will include two-bedroom, one bath, 784 square foot units and two units will include a three-bedroom, one bath, 1,122 square foot units. The two-bedroom unit buildings, having a total of six units, will be one story with full basements while the three-bedroom unit building, having a total of 2 units, will be one and half stories with full basements. Each building will have private outdoor space at the rear for each unit, including an 8’x10” patio and privacy fencing. Additionally, the 1 multi-unit building will include 8 studio units, each containing 512 square feet and 1 bathroom. The multi-unit building will be two stories with access to the second floor being provided by exterior stairways to connecting porches on the front and rear of the structure.

All of the proposed units will be served by a shared, private, on-site standard Title V septic system and will have town water service. The proposed parking lot includes 32 parking spaces where 28 are required and provides two curb cuts on Broken Bow Lane to provide access to the new units. All generated stormwater will be collected and treated on the property and electric service will be extended into the site via Broken Bow Lane.

The proposed project was reviewed and discussed by various town officials, most recently, at the site visit on July 9, 2024. The following items are provided to articulate the town's position as it relates to this proposed project.

Alignment with Housing Production Plan

Overall, the proposed development both aligns and conflicts with the needs and goals outlined in the town's 2024 Housing Production Plan.

Aligns with HPP

In terms of the proposed housing type, the project aligns well with the town's 2024 Housing Production Plan (HPP). Specifically, with the creation of 4 affordable rental units (rented to households earning not more than 80% of the AMI), the project directly addresses Goal #4: Prioritize creation of affordable rental units. Moreover, with these units being rental, the entire project will count on the town's Subsidized Housing Inventory, which aligns with Goal #1: Produce at least 80 units of affordable housing annually, and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B.

Conflicts with HPP

While the project includes 4 affordable rental units, the remainder of the market rate units appear to have proposed rent amounts which will be challenging for future residents to afford.

Additionally, the project is proposed on a currently undisturbed, vacant lot which conflicts with Goal #6: Minimize greenfield development by targeting residential development and redevelopment where it already exists. Although finding housing sites in Falmouth is challenging and expensive, the town is focused on redevelopment opportunities, especially in areas that have existing public infrastructure.

Lastly, the application states that none of the proposed units will be handicapped accessible but that they'll have "visitable" features. Although "visitable" design elements are positive, the 2024 HPP directly addressed this item by including Strategy 15: Encourage development that includes a number of units for populations with unique needs such as formerly homeless households or persons with disabilities. Going beyond the "visitable" standard is essential to providing housing for the entire population and being an inclusive community.

Therefore, the town requests that the applicant give serious consideration to the following in order to better align with the 2024 Housing Production Plan:

1. Reducing the rents of the market rate units,
2. Minimizing the amount of tree clearing on the site, and
3. Creating at least 10% of the total units as fully accessible units

Wastewater & Water Quality

As mentioned previously, the application indicates that all of the future units will be served by a private shared standard Title V septic system. However, this parcel is located in the Great Pond/Perch Pond watershed and is also in the Great Pond Phase 1 sewer service area.

As part of the Great Pond Phase 1 sewer project, the town will install a sewer lateral to the property line, and the property owner will be required to design and construct the sewer connection from the building(s) to the lateral. Construction of the Great Pond Phase 1 sewer project is expected to begin in the summer of 2025 (contingent upon appropriation of construction funds in April 2025, and upon receipt of a modified groundwater discharge permit by approximately that same date) and for the sewers to be available for connection in 2027.

Due to the anticipated town sewer connection, requiring a denitrification septic system for this proposed project seems unnecessary. However, continued conversations and collaboration with the town's wastewater division as to the progress of the Great Pond Phase 1 sewer project is highly recommended to ensure that the nitrogen impact is properly mitigated.

Traffic & Transportation

The site is located nearby typical trip generators (retail establishments, restaurants, commercial areas, etc.) and is served by the Cape Cod Regional Transit Authority (CCRTA) regional bus service. Additionally, a sidewalk is present along Teaticket Highway (Route 28) extending east and west through town. Therefore, future residents will have transportation options for getting to work, patronizing local businesses, or enjoying the many recreation options in town. However, the application and site plans do not include a sidewalk connection from the proposed project to the one present on Route 28. As such, the town encourages the applicant to consider providing this infrastructure to ensure that the future residents have a safe and reliable connection to the options on Teaticket Highway.

Environment & Energy

As mentioned, building a residential development on a heavily wooded and largely undeveloped lot is not consistent with the town's 2024 HPP. Maintaining mature vegetation is important in managing the heat in the summer, aiding in stormwater mitigation, sustaining existing wildlife populations and habitats, and improving the quality of life for future residents and abutting properties. That said, the town continues to encourage additional housing options to combat the ongoing housing crisis, which this proposed development does. Balancing these two issues is essential moving forward, therefore, the town encourages the applicant to take every step possible to clearly delineate the limit of tree clearing, stay within those areas during construction, and provide new native plantings where possible in the future.

Lastly, the application does not include provisions for alternative energy sources, such as rooftop solar panels or electric car charging stations. In 2020, the town declared a climate emergency and Town Meeting unanimously approved a resolution to reduce net greenhouse gas emissions from human activity within and by the Town to zero at the earliest technically and economically feasible time. As such, the applicant is strongly encouraged to consider energy efficiency provisions when moving through the permitting process.

Like many communities in the Commonwealth and more acutely on Cape Cod, Falmouth continues to struggle with the ongoing housing crisis and all efforts to help address it are carefully considered and vetted. The town appreciates efforts such as this to help address the

situation and looks forward to working with MassHousing and the applicant to ensure this proposal meets the town's housing needs, is respectful of the surrounding neighborhood, and is designed in a manner to mitigate environmental and public safety impacts to the greatest extent feasible.

Sincerely,

Nancy Taylor, Chair
Falmouth Select Board

DRAFT

OPEN SESSION

BUSINESS

8. Consider the approval of 419 Waquoit Hwy. Project Eligibility/Site Approval Application – Town Comment Letter **(5 minutes)**



ITEM NUMBER: Business 8.

ITEM TITLE: Consider the approval of a Project Eligibility Letter for a 5-unit housing proposal at 419 Waquoit Highway

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Jed Cornock, Town Planner

ATTACHMENTS: DRAFT Project Eligibility Letter

PURPOSE:

We seek Select Board approval of a letter to submit to MassHousing in connection with the developer's application for project eligibility and site approval pursuant to the M.G.L. c. 40B comprehensive permit process.

The purpose of the letter is to encourage the developer to take certain actions to mitigate the impacts of the proposed 5-unit rental housing proposal.

BACKGROUND/SUMMARY:

- Procedural Overview:
 - The developer, Falmouth Housing Trust, is applying for a comprehensive permit under MA G.L. c.40B.
 - MassHousing will determine whether to grant project eligibility and site approval. If approved by MassHousing at this stage, the developer will then submit a comprehensive permit application to the Falmouth Zoning Board of Appeals.

- The Town's ability to influence MassHousing's decision to grant project eligibility and site approval is limited given that Falmouth has not reached the statutory affordable housing threshold of 10%.
 - The 'project eligibility letter' is an opportunity for the Select Board to go on the record with its position on the project which may influence future decisions of the developer or the Zoning Board of Appeals.
 - Town staff met with the developer and MassHousing at the project site on July 11, 2024. Town staff reviewed the application submitted to MassHousing.
 - The Select Board typically has 30 days from submission of the application to submit a letter to MassHousing, which in this case is July 31, 2024.
- Project Description:
- The project is located on a 1.10-acre lot on Waquoit Highway, walking distance from Waquoit Village.
 - The 5 homes proposed will include 3 two-bedroom homes and 2 three-bedroom homes. Two homes (1 two-bedroom and 1 three-bedroom) will be sold for households that earn no more than 80% of the Area Median Income (AMI) for Barnstable County and one of these homes (1 two-bedroom) will be sold for a household that earns no more than 100% AMI. The remaining two homes (1 two-bedroom and 1 three-bedroom) will be sold to households that earn no more than 120% of the AMI.
 - All of the proposed homes will be served by their own private, on-site denitrification septic system, will have individual town water service, and two parking spaces. All generated stormwater from the new private roadway/driveway will be collected and treated on the property and all other utilities will be brought in from Waquoit Highway (Route 28).
- Project Benefits:
- The proposal would create an additional 5 units of affordable ownership housing. New homeownership opportunities are identified as a priority in the 2024 Housing Production Plan.
 - The property is not located within the Town sewer service area but is within the Coastal Pond Overlay District (Waquoit Bay Watershed). The applicant has committed to installing an Innovative/Alternative septic system that will reduce nitrogen flow into the groundwater.

➤ **Project Impacts:**

- The project site is walkable to services and is located on a fixed route transportation service; however, there is no pedestrian infrastructure on Route 28 so future residents will need to rely on the bus service or their own automobiles for transportation.

DEPARTMENT RECOMMENDATION:

The Planning Department recommends that the Select Board approve the enclosed draft letter, with or without amendments, to formally request the developer take certain actions to mitigate the impacts of this project.

OPTIONS:

- 1) Approve proposed letter as submitted;
- 2) Authorize Chair to revise and submit letter;
- 3) Take no action, do not approve letter

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 enclosed Project Eligibility Letter, with or without amendments, to formally request the developer take certain actions to mitigate the impacts of this project.

Michael Renshaw

Town Manager

7/22/2024

Date

July 22, 2024

Michael Busby
Relationship Manager, Planning and Programs
MassHousing
One Beacon Street
Boston MA 02108

RE: Project Eligibility/Site Approval – 419 Waquoit Highway, Waquoit

Dear Mr. Busby:

The Town of Falmouth has reviewed the application for Project Eligibility/Site Approval for a homeownership project located at 419 Waquoit Highway, Waquoit submitted by Falmouth Housing Trust, Inc. and offers the following for your consideration.

The proposal consists of 5 deed-restricted single-family detached homes for homeownership on a 1.1 acre previously disturbed lot. The 5 homes proposed will include 3 two-bedroom homes and 2 three-bedroom homes. Two homes (1 two-bedroom and 1 three-bedroom) will be sold for households that earn no more than 80% of the Area Median Income (AMI) for Barnstable County and one of these homes (1 two-bedroom) will be sold for a household that earns no more than 100% AMI. The remaining two homes (1 two-bedroom and 1 three-bedroom) will be sold to households that earn no more than 120% of the AMI.

Of the 5 homes, the 3 two-bedroom homes will have 1.5 baths and consist of 1,092 square feet. The 2 three-bedroom homes will have 2 baths and consist of 1,551 square feet. All homes will be 2 stories and include full basements.

All of the proposed homes will be served by their own private, on-site denitrification septic system, will have individual town water service, and two parking spaces. All generated stormwater from the new private roadway/driveway will be collected and treated on the property and all other utilities will be brought in from Waquoit Highway (Route 28).

The proposed project was reviewed and discussed by various town officials, most recently, at the site visit on July 11, 2024. The following items are provided to articulate the town's position as it relates to this proposed project.

Alignment with Housing Production Plan

Overall, the proposed development both aligns and conflicts with the needs and goals outlined in the town's 2024 Housing Production Plan.

Aligns with HPP

In terms of the proposed housing type, the project aligns well with the town's 2024 Housing Production Plan (HPP). Specifically, with the creation of 5 affordable homeownership units, the project directly addresses Goal #1: Produce at least 80 units of affordable housing annually, and remain committed to producing affordable units beyond the ten percent statutory minimum under Chapter 40B.

Additionally, the project is proposed on a currently disturbed and underutilized lot which aligns with Goal #6: Minimize greenfield development by targeting residential development and redevelopment where it already exists. This project is advantageous due to its proximity to Waquoit Village, a mixed-use residential and commercial center.

Conflicts with HPP

The application states that none of the proposed units will be handicapped accessible, which is in conflict with Strategy 15: Encourage development that includes a number of units for populations with unique needs such as formerly homeless households or persons with disabilities. With only 5 proposed homes, the town recognizes the challenge in creating a fully accessible unit; however, by providing housing for the entire population, the town continues to work toward being an inclusive community.

Therefore, the town requests that the applicant give serious consideration to the following in order to better align with the 2024 Housing Production Plan:

1. Creating at least 1 of the 5 homes as a fully accessible unit

Wastewater & Water Quality

Although the application doesn't speak to it, at the site visit the applicant stated that all of the future homes will be served by their own private denitrification septic system. Addressing water quality is extremely important to the town and the applicant should be commended for volunteering to include this enhanced nitrogen removal technology in the Waquoit Bay watershed.

Traffic & Transportation

The site is located within walking distance to typical trip generators (retail establishments, restaurants, commercial areas, etc.) and is served by the Cape Cod Regional Transit Authority (CCRTA) regional bus service. Unfortunately, a sidewalk is not present along Waquoit Highway (Route 28); therefore, other than the existing bus service, future residents will have no other safe transportation options other than their personal vehicles for getting to work, patronizing local businesses, or enjoying the many recreation options in town. That said, the applicant is proposing to relocate the existing curb cut approximately 40 feet to the east which will improve sight distances for exiting vehicles, making it safer for that type of travel.

Environment & Energy

The application does not include provisions for alternative energy sources, such as rooftop solar panels or electric car charging stations. In 2020, the town declared a climate emergency and Town Meeting unanimously approved a resolution to reduce net greenhouse gas emissions from human activity within and by the Town to zero at the earliest technically and economically feasible time. As such, the applicant is strongly encouraged to consider energy efficiency provisions when moving through the permitting process.

Like many communities in the Commonwealth and more acutely on Cape Cod, Falmouth continues to struggle with the ongoing housing crisis and all efforts to help address it are carefully considered and vetted. The town appreciates efforts such as this to help address the situation and looks forward to working with MassHousing and the applicant to ensure this proposal meets the town's housing needs, is respectful of the surrounding neighborhood, and is designed in a manner to mitigate environmental and public safety impacts to the greatest extent feasible.

Sincerely,

Nancy Taylor, Chair
Falmouth Select Board

DRAFT

OPEN SESSION

BUSINESS

9. Consider the approval of a request from Department of Public Works to utilize technical assistance from the Barr Foundation and approve the expenditure of \$12,000 to apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential infrastructure improvements on Water Street in Woods Hole **(5 minutes)**



ITEM NUMBER: Business 9.

ITEM TITLE: Consider the approval of a request from Department of Public Works to utilize technical assistance from the Barr Foundation and approve the expenditure of \$12,000 to apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential infrastructure improvements on Water Street, Luscombe Avenue, and Railroad Avenue in Woods Hole

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Peter McConarty, DPW Director and Jed Cornock, Town Planner

ATTACHMENTS: Barr Foundation SS4A Grant Technical Assistance Memorandum of Understanding

PURPOSE:

To receive Select Board approval to utilize technical assistance funding from the Barr Foundation to work with Toole Design and apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential transportation infrastructure safety improvements at Water Street, Luscombe Avenue, and Railroad Avenue in Woods Hole.

Also, to request approval for the expenditure of \$12,000 from a Public Works Transportation Engineering Services account for a grant match.

BACKGROUND/SUMMARY:

- Procedural Overview:
 - Traffic and parking conditions on Water Street in Woods Hole has been

brought to the Traffic Advisory Committee (TAC) in 2008, 2012 and most recently this past May 2024, which included a site visit on May 16, 2024 to discuss potential solutions.

- To date, consensus on potential improvements has not been reached between Town Departments and the Woods Hole Community. Many differing opinions remain.
- On June 21, 2024, the Cape Cod Commission contacted town staff to share a potential funding opportunity for Cape towns to support pilot demonstration grants through the U.S. Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) program.
- The U.S. Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) program provides grants to local, regional, and Tribal communities for implementation, planning, and demonstration activities as part of a systematic approach to prevent deaths and serious injuries on the nation's roadways.
- The SS4A program funds two types of grants:
 1. Planning and Demonstration Grants for Comprehensive Safety Action Plans, including supplemental safety planning and demonstration activities to inform an Action Plan.
 2. Implementation Grants to implement strategies or projects identified in an existing Action Plan.

These demonstration grants can cover a wide range of temporary street design changes like curb extensions, intersection geometry changes to slow turns, temporary sidewalks and bike lanes, etc.

- Through funding provided by the Barr Foundation, Toole Design will provide technical assistance to the town by developing a grant application to the USDOT Safe Streets and Roads for All (SS4A) Program. There is a potential \$12,000 match for this grant application and anticipated future project. The matching funds will be paid out of a Public Works Transportation Engineering Services account.
- Project Description:
- The Town of Falmouth will use SS4A funding to pilot circulation changes and safety investments in the area around Woods Hole Terminal. Grant activities will include:
 1. Public outreach and engagement around multimodal safety in the Water Street area.

2. Coordination with the Steamship Authority regarding pick-up and drop-off circulation at the terminal
3. Parking reconfiguration on one block of Water Street to safely accommodate two-way traffic for all road users
4. Curb extensions and pedestrian crossing improvements
5. Bike connectivity and circulation improvements at the terminus of the Shining Sea Bikeway
6. Traffic calming gateway treatments at the intersection of Water Street, Railroad Avenue, Crane Street, and Woods Hole Road (which was included in a recent MassDOT Road Safety Audit).

➤ Project Benefits:

- The pilot demonstration will allow the Town of Falmouth to evaluate the safety benefits of the proposed treatments and build public support before changes become permanent.
 - The pilot will also serve as a case study for the Cape Cod Regional Safety Action Plan, with findings applicable to other communities on the Cape with seasonal fluctuations in traffic, high volumes of pedestrians and cyclists, and busy port areas.
- Toole Design forwarded a draft Memorandum of Understanding (MOU) for Technical Assistance the Water Street Area Safety Improvements grant assistance. The draft MOU has been reviewed by Town Counsel and she has indicated it is acceptable in form. The draft MOU is attached.
- Toole Design forwarded a Memorandum dated July 22, 2024 explaining the grant opportunity, providing a project timeline, and a graphic illustrating potential pilot activities. The Memorandum is attached.

DEPARTMENT RECOMMENDATION:

The Department of Public Works and the Planning Department are recommending that the Select Board provide approval to utilize technical assistance funding from the Barr Foundation to work with Toole Design and apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential infrastructure improvements on Water Street in Woods Hole as presented.

OPTIONS:

- Motion to approve the request to utilize technical assistance funding from the Barr Foundation to apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for

potential transportation safety infrastructure improvements on Water Street, Luscombe Avenue in Woods Hole and to expend up to \$12,000 from the Public Works Transportation Engineering Services account for the required grant match.

- Motion to not approve the grant request. Town offices will continue to work with the community to address the ongoing transportation safety issues.

- Motion to approve a variation of this request.

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 utilization of technical assistance funding from the Barr Foundation to work with Toole Design and apply for grant funding through the USDOT Safe Streets and Roads for All (SS4A) Program for potential infrastructure improvements on Water Street, Luscombe Avenue, and Railroad Avenue in Woods Hole as presented.

Michael Renshaw

Town Manager

7/25/2024

Date

MEMORANDUM

July 23, 2024

To: Steven Cadorette
Deputy Director of Public Works
Town of Falmouth, MA

From: Bhakti Kulkarni
Toole Design Group

Re: SS4A Grant Application Brief

Grant Opportunity Overview

The USDOT Safe Streets and Roads for All (SS4A) program, established under the 2021 Bipartisan Infrastructure Law, aims to enhance safety across all modes of transportation on our streets and roads. Rooted in the Safe System Approach, the program supports regional agencies and local communities in working to eliminate serious and fatal injury crashes. The Cape Cod Commission (CCC) received an SS4A grant in 2022 to create a Regional Safety Action Plan, which will establish a comprehensive strategy for reducing severe crashes throughout Barnstable County. Local communities in Barnstable County are eligible to apply for Supplemental Planning and Demonstration Grants to support and reinforce the regional process. These grants can cover a wide range of project types, including:

- Road Safety Audits (RSAs) and small-area safety studies (Supplemental planning)
- Action Plan updates (Supplemental planning)
- Data Collection and Analysis (Supplemental planning)
- Traffic Calming measure (Demonstration Activities)
- One-Way to Two-Way Pilot Conversion (Demonstration Activities)
- Testing new technologies (Demonstration Activities)

Demonstration activities are typically low-capital investments and can be evaluated and removed after a 12 to 15-month period during the course of the 5-year the grant period.

Toole Design Group through the support of Barr Foundation will assist the Town of Falmouth in preparation of grant application material to include a project narrative, budget and relevant maps.

Proposed Project Description

The Town plans to apply for SS4A funding under the Supplemental Planning and Demonstration grant category to study the Water Street area in Woods Hole and pilot targeted safety investments. Proposed activities include:

- Public outreach and engagement around multimodal safety in the Water Street area
- Coordination with the Steamship Authority regarding pick-up and drop-off circulation at the terminal
- Parking reconfiguration on one block of Water Street to safely accommodate two-way traffic for all road users
- Curb extensions and pedestrian crossing improvements
- Bike connectivity and circulation improvements at the terminus of the Shining Sea Bikeway
- Traffic calming gateway treatments at the intersection of Water Street, Railroad Avenue, Crane Street, and Woods Hole Road (which was included in a recent MassDOT Road Safety Audit)

Figure 1 on page 3 below exhibits the geographic locations of the areas of study and potential interventions proposed for the application. The pilot demonstration will allow the Town to evaluate the safety benefits of the proposed treatments, build public support, and incorporate public feedback before changes become permanent. The pilot will also serve as a case study for the Cape Cod Regional Safety Action Plan, with findings applicable to other communities on the Cape with seasonal fluctuations in traffic, high volumes of pedestrians and cyclists, and busy port areas.

Project Timelines

The Planning and demonstration grant for 2024 must be submitted by **Thursday, August 29, 2024, 5:00 PM (EDT)**.

Date	Projected Milestone
Dec 2024/Jan 2025	Anticipated Award of Grant
Feb 2025 – Apr 2025	"Before" condition data collection, project monitoring and evaluation plan, and project design/layout begins.
May 2025 – June 2025	Public engagement for the project
July 2025 – July 2030	Installation of demonstration activities
Dec 2025	"After" data collection begins 6 months after installation is complete.
July 2030 – Dec 2030	Technical memorandum preparation for sharing with MPO and public

Figure 1: SS4A Grant Application Demonstration Pilot Activities



Barr Foundation SS4A Grant Technical Assistance Memorandum of Understanding

July 24, 2024

To: **Name, Title**
Community
Address
City, MA Zip

From: Bhakti Kulkarni and Alexis Vidaurreta, Toole Design

CC: Lisa Jacobson, Barr Foundation

RE: Falmouth Memorandum of Understanding for Technical Assistance

Overview

Toole Design is pleased to provide this proposed scope for technical assistance to the Town of Falmouth through the Barr Foundation for grant applications to the USDOT Safe Streets and Roads for All (SS4A) Program. Our professional planning and grant writing service fees will be paid for directly by the Barr Foundation with your approval. The following sections summarize the proposed technical assistance scope of work.

PROJECT INFORMATION

Project Name	Woods Hole Water Street Area Safety Improvements
Project Summary	<p>The Town of Falmouth will use SS4A funding to pilot circulation changes and safety investments in the area around Woods Hole Terminal. Grant activities will include:</p> <ul style="list-style-type: none">- Coordination with the Steamship Authority regarding pick-up and drop-off circulation at the terminal- Parking reconfiguration on one block of Water Street to safely accommodate two-way traffic for all road users- Curb extensions and pedestrian crossing improvements- Bike connectivity and circulation improvements at the terminus of the Shining Sea Bikeway- Traffic calming gateway treatments at the intersection of Water Street, Railroad Avenue, Crane Street, and Woods Hole Road <p>The pilot demonstration will allow the Town of Falmouth to evaluate the safety benefits of the proposed treatments and build public support before changes become permanent. The pilot will also serve as a case study for the Cape Cod Regional Safety Action Plan, with findings applicable to other communities on the Cape with seasonal fluctuations in traffic, high volumes of pedestrians and cyclists, and busy port areas.</p>

MUNICIPAL TEAM

Lead Department	
Main Point of Contact	
Review and Approval	

Technical Assistance Scope

Falmouth will provide the following information to Toole Design and complete the following tasks for the development of the grant application:

- An active Unique Entity Identifier (UEI) with SAM.gov for grant submission.
- Completion of Standard Forms requiring signature:
 - Application for Federal Assistance (SF-424)
 - Assurances for Non Construction Programs (SF-424B)
 - Disclosure of Lobbying Activities (SF-LLL)
- A funding source for the local match (coordination with MassDOT for potential funding assistance).
- Coordination with MPO/RPA on regional planning process, potentially including a letter of support from the MPO/RPA to establish consistency between local planning efforts and the regional action plan.
- Coordination with community-based organizations on implementation partnerships.
- As agreed upon, local data and relevant documents.

Toole Design will work with Falmouth to:

- Develop a project idea.
- Define grant application goals, identify staff and consultant roles and responsibilities, and confirm the project schedule.
- Develop draft and final grant application materials for the FY 24 cycle, including the SF-424A standard budget form (no signature required)
- Support coordination with state and regional planning partners to ensure alignment with other Safety Action Planning.

Toole Design will use available documents, GIS mapping data, best practice guidance, and professional judgment to prepare the grant application materials. It is assumed that work not identified above will be performed by Falmouth staff or be outside of this scope of services.

The tasks delineated below are services that will be rendered by Toole Design.

	Project Element Description	Deliverable
1	Determine supplemental planning needs or identify demonstration activities. Determine local match source. Develop a summary document outlining supplemental planning or demonstration activities	<ul style="list-style-type: none"> ■ Up to Two (2) Meetings with Falmouth Staff ■ Written summary outline of proposed pilot project

	Project Element Description	Deliverable
		<ul style="list-style-type: none"> ■ Summary graphic of pilot project
2	Completion of Standard Form SF-424A, Budget Information for Non-Construction Programs (no signature required)	<ul style="list-style-type: none"> ■ Draft Standard Form ■ Final Standard Form
3	Completion of Planning and Demonstration Application Key Information Table.	<ul style="list-style-type: none"> ■ Draft Key Information Table ■ Final Key Information Table
4	Develop a Grant Narrative.	<ul style="list-style-type: none"> ■ Draft Grant Narrative ■ Final Grant Narrative
5	Develop a Jurisdiction Map.	<ul style="list-style-type: none"> ■ Draft Map ■ Final Map
6	Develop a Budget.	<ul style="list-style-type: none"> ■ Draft Budget ■ Final Budget
7	Coordinate with Falmouth Staff on grant materials development and submittal.	<ul style="list-style-type: none"> ■ Up to Three (3) Meetings with Falmouth Staff

PROJECT SCHEDULE

Time Frame	Description
Week of 7/22 (ahead of 7/29 Select Board meeting)	Meeting with Falmouth Staff to review and clarify scope.
Week of 8/5	Toole submits draft grant materials (forms, narrative, map, budget, worksheet, information table)
Week of 8/12	Meeting with Falmouth Staff to review draft grant materials
Week of 8/19	Toole submits final grant materials (forms, narrative, map, budget, worksheet, information table)
Week of 8/26	Falmouth Staff submit grant application to USDOT

PROJECT BUDGET

The fee for services accrued will be on a time and materials basis and billed monthly to the Barr Foundation. Charges to the Barr Foundation will not exceed \$12,000 without prior written approval.

ADDITIONAL INFORMATION FOR COMMUNITIES

Supplemental Planning Activities Examples

Examples of Supplemental Planning include:

- Topical safety sub-plans focused on topics such as speed management, vulnerable road users, accessibility for individuals with disabilities, Americans with Disabilities Act of 1990 (ADA) transition plans, health equity, safety-focused Intelligent Transportation System implementation, lighting, or other relevant safety topics
- Road safety audits
- Additional safety analysis and expanded data collection and evaluation using integrated data
- Targeted equity assessments
- Follow-up stakeholder engagement and collaboration
- Other roadway safety planning activities that enhance a regional Action Plan

Demonstration Activities Examples

Examples of Demonstration Activities include:

- Feasibility studies using quick-build strategies that inform permanent projects in the future (e.g., use of paint and plastic delineator posts to experiment with impermanent roadway design changes, use of removable barriers to re-allocate roadway space).
 - Various MUTCD Engineering Studies that further safety applications of the MUTCD (e.g., evaluating warrants for traffic signal installation, high-visibility crosswalk markings, bike lane treatments, etc.).
 - Pilot programs for behavioral or operational activities that include at least one element of the Safe System Approach (e.g., test out a new education campaign's messaging at a small scale, trial changes to how Emergency Medical Services respond to crashes).
 - Pilot programs that demonstrate safety benefits of technologies not yet adopted in the community (e.g., variable speed limits, technology for adaptive signal timing, adaptive lighting, Intelligent Transportation Systems, vehicle-to-infrastructure technology, etc.). Eligible technologies must be commercially available and at a prototype or advanced technological readiness level.
-

OPEN SESSION

BUSINESS

10. Consider the request from the Commission on Disabilities to submit an application to the Community Preservation Committee (CPC) to apply for funds for costs associated with engineering and design as well as site preparation for the All-Inclusive Playground development at Goodwill Park **(5 minutes)**



ITEM NUMBER: Business 10.

ITEM TITLE: Consider the request from the Commission on Disabilities to submit an application to the Community Preservation Committee (CPC) to apply for funds for costs associated with completing engineering and design for the all-inclusive playground project at Goodwill Park

MEETING DATE: 07/29/2024

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

SUBMITTED BY: Kathleen Haynes, Chair, Commission on Disabilities and Mike Renshaw, Town Manager

ATTACHMENTS: None

PURPOSE:

The Chair of the Commission on Disabilities, Kathleen Haynes, will be requesting the Select Board's permission to submit to the Community Preservation Committee (CPC) an application for the costs associated with completing engineering and design for the all-inclusive playground project at Goodwill Park.

BACKGROUND/SUMMARY:

- The play space has been the victim of disregard for many years.
- At their June 17, 2024 meeting the Select Board voted to approve Goodwill Park as the permanent site for the all-inclusive community play space.
- A petition article is to be submitted by CPC to transfer the \$24,500 left for the design of the former Davisville Road site to the Goodwill Park site for the purpose of creating a design that incorporates features from the previous design done for the Davisville Road site, however modified to fit the landscape at Goodwill Park.
- The Commission on Disabilities will be requesting from the CPC funding in the

estimated amount of \$50,000 for the costs associated with completing the design and engineering of the all-inclusive community playground at the newly selected Goodwill Park site.

DEPARTMENT RECOMMENDATION:

The Commission on Disabilities recommends that the Select Board approve the request to apply to the Community Preservation Committee for funding for the costs associated with completing engineering and design for the all-inclusive playground project at Goodwill Park.

OPTIONS:

- Motion to approve the request from the Commission on Disabilities to submit an application to the Community Preservation Committee (CPC) for funding for the costs associated with completing the design and engineering of the all-inclusive community playground at the newly selected Goodwill Park site.

- Motion to deny approval of the request from the Commission on Disabilities to submit an application to the Community Preservation Committee (CPC) to apply for funding for the costs associated with completing the design and engineering of the all-inclusive community playground at the newly selected Goodwill Park site.

- 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:

Michael Renshaw

Town Manager

07/25/2024.

Date

OPEN SESSION

BUSINESS

11. Consider the request from the Recreation Department to apply to the Community Preservation Committee (CPC) for funds to complete improvements to the John Neil Little League Field complex **(5 minutes)**



ITEM NUMBER: Business 11.

ITEM TITLE: Consider the request from the Recreation Department to submit an application to the Community Preservation Committee (CPC) to apply for funds to complete improvements to the John Neil Little League field complex

MEETING DATE: 7-29-2024

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

SUBMITTED BY: Joe Olenick, Recreation Director and Peter Johnson-Staub, Assistant Town Manager

ATTACHMENTS: CDM Smith Opinion of Probable Cost

PURPOSE:

The Recreation Department seeks approval from the Select Board to apply for Community Preservation funds to complete improvements to the John Neil Little League field complex.

BACKGROUND/SUMMARY:

- The two fields are over 30 years old.
- Under Phase one of this project, \$1.4 million dollars was received to rehabilitate 2 fields within the complex; the bids came in well above budget and the scope of the project was scaled back.
- Major aspects of the project that still need to be completed include lighting for Field 2, Americans with Disabilities Act (ADA) Bleachers on both fields, ADA paths and stairways,

repairs to a failing retaining wall and drainage improvements within the parking lot and bleacher areas.

- The gravel parking lot has been repeatedly damaged by vandalism. The application includes costs to pave the lot to reduce time spent by Public Works repairing the gravel lot.
- A professional cost estimate (i.e. opinion of probable cost) for most of this scope of work was prepared by CDM Smith. The total amount based on 30% designs effective March 2024 is \$1.7 million.
- We propose to add pavement of the parking lot to the scope of work. When we escalate this estimate for inflation, and add paving, contingency, and design costs, the anticipated request is approximately \$2.4 million; this amount will be refined prior to the April 2025 Annual Town Meeting as the designs are further developed.

DEPARTMENT RECOMMENDATION:

The Recreation Department recommends approval of this request to address potential safety hazards, provide reliable lighting, and improve accessibility.

The Recreation Committee voted unanimously to support the request.

OPTIONS:

- Motion to approve the request from the Recreation Department to apply to the Community Preservation Committee (CPC) for funds to complete improvements to the John Neil Little League field complex.
- Motion to deny approval of the request from the Recreation Department to apply to the Community Preservation Committee (CPC) for funds to complete improvements to the John Neil Little League field complex.
- Some other Board defined alternative..

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
CPC	Recreation				\$2.4 Million	

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the request from the Recreation Department to apply to the Community Preservation Committee (CPC) for funds to complete improvements to the John Neil Little League field complex to address potential safety hazards, provide reliable lighting, and improve accessibility.

Michael Renshaw

07/23/2024

Town Manager

Date

*Falmouth, MA
 Youth Baseball Fields
 Opinion of Probable Construction Cost, March 2024, 10% Design*

Project name Youth Baseball Fields
 Falmouth
 MA

Estimator Clukey, Martinez

Labor rate table MA24 New Bedford

Equipment rate table 2024 \$8EquipRate BOF

Estimate Type OPCC
 Design Level 30%
 CDM Smith DB Ver. V8
 General Conditions 15%
 OH and P 15%
 Contingency 20%
 Escalation 7% /year
 Reviewed By: Paul Damon
 ENR 20 City CCI: March 2024: 13,532

Notes

This is an Opinion of Probable Construction Cost only, as defined by the documents provided at the level of design indicated above. CDM Smith has no control over the cost of labor, materials, equipment, or services furnished, over schedules, over contractor's methods of determining prices, competitive bidding (at least 3 each - both prime bidders and major subcontractors), market conditions or negotiating terms. CDM Smith does not guarantee that this opinion will not vary from actual cost, or contractor's bids.

There are not any costs provided for: Change Orders, Design Engineering, Construction Oversight, Client Costs, Finance or Funding Costs, Legal Fees, Land Acquisition or temporary/permanent Easements, Operations, or any other costs associated with this project that are not specifically part of the bidding contractor's proposed scope.

This OPCC shall remain valid for 30 days. Beyond this date, CDM Constructors should be notified of design changes. The estimate will also be reviewed to reflect current market conditions.

Assumptions:
 No rock excavation is required.
 Only nominal dewatering is needed.
 No consideration for contaminated soils or hazardous materials is included (i.e. asbestos, lead, etc).
 General contractor self performs scope except for electrical, concrete & paving

Report format Sorted by 'Area/95CSI Sctn/Element'
 'Element' summary
 Allocate addons
 Paginate



Falmouth, MA
 Youth Baseball Fields
 (INDIRECT COSTS ALLOCATED)

3/28/2024 10:04 AM

Spreadsheet Level	Takeoff Quantity	Labor Amount	Material Amount	Sub Amount	Equip Amount	Other Amount	Total Cost/Unit	Total Amount
10 North Field								
02220 Demolition								
02220.5005 Remove Existing Aluminum Bleachers & Concrete/Ground Surface	1.00 ls	12,703		613	4,508		17,823.90 /ls	17,824
02220.5010 Remove Retaining Wall	45.00 cy	26,950		242	17,205		986.60 /cy	44,397
02220.5020 Demo Timber Stairs	1.00 ls	6,090		61	1,901		8,052.05 /ls	8,052
02220 Demolition		45,743		916	23,614			70,273
02300 Earthwork								
02300.5005 Cut/Fill & Grading for Bleachers (80' x 20')	120.00 cy	4,355	2,969	1,509	5,308		117.84 /cy	14,141
02300 Earthwork		4,355	2,969	1,509	5,308			14,141
02370 Erosion Control								
02370.5005 Erosion Control Allowance	1.00 ls			4,883			4,882.67 /ls	4,883
02370 Erosion Control				4,883				4,883
02600 Drainage & Containment								
02600.5005 3' x 3' Infiltration Trench	35.00 lf	461	469	262	595		51.08 /lf	1,788
02600 Drainage & Containment		461	469	262	595			1,788
02700 Base/Ballast/Pavements & Appurtenances								
02700.5005 Wheel Stop	5.00 ea	369	1,045				282.71 /ea	1,414
02700 Base/Ballast/Pavements & Appurtenances		369	1,045					1,414
02710 Base Courses								
02710.5005 8" Gravel Base & 4" Crushed Stone at Asphalt Paving	60.00 cy	3,196	3,524	1,021	1,712		157.55 /cy	9,453
02710.5010 8" Base Course at Concrete Paving Walkway Area	33.00 cy	676	540	151	362		52.42 /cy	1,730
02710.5015 24" Base Course at Picnic Area	43.00 cy	1,598	1,664	466	856		106.60 /cy	4,584
02710 Base Courses		5,471	5,728	1,638	2,930			15,767
02740 Asphalt Paving								
02740.5005 Asphalt Paving Parking Area: 3" Thickness	270.00 sy	3,657	14,613	2,070	3,697		89.03 /sy	24,038
02740 Asphalt Paving		3,657	14,613	2,070	3,697			24,038
02750 Concrete Paving								
02750.5005 4" Concrete Paving: Walkway Area	62.00 sy	5,928	4,658				170.74 /sy	10,586
02750.5015 8" Concrete Paving: Picnic Area	64.00 sy	6,970	6,822				215.50 /sy	13,792
02750 Concrete Paving		12,898	11,479					24,378
02800 Site Improvements								
02800.5005 Retaining Wall	625.00 sf			122,067			195.31 /sf	122,067
02800.5010 Concrete Seat Wall	25.00 sf			7,324			292.96 /sf	7,324
02800 Site Improvements				129,391				129,391
02870 Site Furnishings								
02870.5005 Surface Mounted Aluminum Bleacher Seating	1.00 ls			29,218			29,217.83 /ls	29,218
02870 Site Furnishings				29,218				29,218
02930 Trees/Shrubs/Groundcover								
02930.5005 Shrubs	16.00 ea			2,500			156.25 /ea	2,500
02930 Trees/Shrubs/Groundcover				2,500				2,500
02950 Site Restoration & Rehabilitation								
02950.5005 Restoration Allowance	1.00 ls			4,883			4,882.65 /ls	4,883
02950 Site Restoration & Rehabilitation				4,883				4,883
03000 Concrete								
03000.5010 Concrete Foundation for N Field Bleachers	89.00 cy	119,745	84,179	3,442	4,381	787	2,388.02 /cy	212,533
03000.5015 Cast In Place North Stairs	7.00 cy	59,412	16,383	637	1,281	64	11,111.03 /cy	77,777
03000 Concrete		179,157	100,562	4,079	5,662	850		290,311
05000 Metals								
05000.5005 42" Steel Handrail	110.00 lf	12,807	13,329				237.60 /lf	26,136
05000 Metals		12,807	13,329					26,136
10 North Field		264,918	150,193	181,348	41,806	850		639,117



Falmouth, MA
 Youth Baseball Fields
 (INDIRECT COSTS ALLOCATED)

3/28/2024 10:04 AM

Spreadsheet Level	Takeoff Quantity	Labor Amount	Material Amount	Sub Amount	Equip Amount	Other Amount	Total Cost/Unit	Total Amount
15 South Field								
02220 Demolition								
02220.5005 Remove Existing Aluminum Bleachers & Concrete/Ground Surface	1.00 ls	6,804		613	2,730		10,146.76 /ls	10,147
02220.5015 Remove 15 LF Existing Retaining Wall	5.00 cy	2,958		68	669		738.99 /cy	3,695
02220.5020 Demo Timber Stairs	1.00 ls	3,141		61	1,082		4,283.44 /ls	4,283
02220 Demolition		12,903		742	4,481			18,125
02370 Erosion Control								
02370.5005 Erosion Control Allowance	1.00 ls			4,883			4,882.67 /ls	4,883
02370 Erosion Control				4,883				4,883
02710 Base Courses								
02710.5005 8" Gravel Base & 4" Crushed Stone at Asphalt Paving	19.00 cy	1,599	727	211	819		176.63 /cy	3,356
02710.5020 8" Base Course at Concrete Paving	4.00 cy	643	169	47	329		296.88 /cy	1,188
02710.5025 8" Base Course at Concrete Pad for Bleachers	21.00 cy	459	747	232	396		87.33 /cy	1,834
02710 Base Courses		2,701	1,643	490	1,543			6,378
02740 Asphalt Paving								
02740.5005 Asphalt Paving Parking Area: 3" Thickness	58.00 sy	2,188	3,016	427	2,192		134.88 /sy	7,823
02740 Asphalt Paving		2,188	3,016	427	2,192			7,823
02750 Concrete Paving								
02750.5010 4" Concrete Paving	19.00 sy	1,852	1,456				174.11 /sy	3,308
02750 Concrete Paving		1,852	1,456					3,308
02800 Site Improvements								
02800.5005 Retaining Wall	120.00 sf			35,155			292.96 /sf	35,155
02800 Site Improvements				35,155				35,155
02870 Site Furnishings								
02870.5010 5- Tier Bleacher	1.00 ls			96,677			96,676.71 /ls	96,677
02870 Site Furnishings				96,677				96,677
02950 Site Restoration & Rehabilitation								
02950.5005 Restoration Allowance	1.00 ls			4,883			4,882.67 /ls	4,883
02950 Site Restoration & Rehabilitation				4,883				4,883
03000 Concrete								
03000.5005 Concrete Foundation for S Field	16.00 cy	9,178	7,784	608	71	142	1,111.48 /cy	17,784
03000.5020 Cast In Place South Stairs	2.00 cy	16,081	5,610	471	374	21	11,278.32 /cy	22,557
03000 Concrete		25,259	13,394	1,079	445	163		40,340
15 South Field		44,904	19,508	144,335	8,661	163		217,571



Falmouth, MA
 Youth Baseball Fields
 (INDIRECT COSTS ALLOCATED)

3/28/2024 10:04 AM

Spreadsheet Level	Takeoff Quantity	Labor Amount	Material Amount	Sub Amount	Equip Amount	Other Amount	Total Cost/Unit	Total Amount
30 Electrical South								
16000 Electrical Allowance/Miscellaneous								
16000.5005 Field Lighting	1.00 Is			488,266			488,266.19 /ls	488,266
16000 Electrical Allowance/Miscellaneous				488,266				488,266
16050 Electrical Demolition								
30.16050.6505 Electrical Demo E-5	1.00 Is	44,963			19,360		64,322.37 /ls	64,322
16050 Electrical Demolition		44,963			19,360			64,322
16060 Grounding & Lightning Protection								
30.16060.6505 Grounding System E-5	1.00 Is	2,122	1,601				3,722.83 /ls	3,723
16060 Grounding & Lightning Protection		2,122	1,601					3,723
16090 Service & Distribution								
30.16090.6505 New Pedestal Cabinet E-5	1.00 Is	15,807	90,726		899		107,431.87 /ls	107,432
16090 Service & Distribution		15,807	90,726		899			107,432
16100 Site Power								
30.16100.6505 Electrical Hand Hole E-5	4.00 ea	37,000	25,397		27,656		22,513.42 /ea	90,054
30.16100.6510 Direct Buried Ductbank E-5	690.00 lf	35,904	23,646				86.31 /lf	59,550
16100 Site Power		72,904	49,044		27,656			149,604
16130 Feeders								
30.16130.6505 Feeders E-5	1.00 Is	32,142	20,013				52,154.89 /ls	52,155
16130 Feeders		32,142	20,013					52,155
30 Electrical South		167,937	161,384	488,266	47,915			865,502



Falmouth, MA
Youth Baseball Fields
(INDIRECT COSTS ALLOCATED)

3/28/2024 10:04 AM

Estimate Totals

Description	Amount	Totals	Hours	Rate
Labor	477,759		2,532 hrs	
Material	331,085			
Subcontract	813,950			
Equipment	98,382		216 hrs	
Other	1,013			
	<u>1,722,189</u>	1,722,189		
Total		1,722,189		

"This Opinion of Probable Construction Cost is produced in accordance with CDM Smith's Firmwide Quality policies and best practices as described in CDM Smith's Estimating Manual Dated 01/03/12 Section 10 titled Quality Control. I hereby attest that the Cost Estimating policies and procedures were followed in preparation of the Opinion of Probable Cost"

Lead Estimator initials - Paul Damon

Date

OPEN SESSION

BUSINESS

12. Consider the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth **(5 minutes)**



ITEM NUMBER: Business 12.

ITEM TITLE: Consider the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Maria Raber, Catalyst Architecture/Interiors on behalf of the North Falmouth Village Junction Association

ATTACHMENTS: Preliminary Project Budget Worksheet; Project Timeline

PURPOSE:

The North Falmouth Village Association is requesting approval to submit to the Falmouth Community Preservation Committee (CPC) for funding.

The requested funding will be used for an Exterior Envelope Preservation and Restoration Project for the Historic Community Building located at 212 Old Main Road, in North Falmouth. The building is a contributing structure to the North Falmouth Historic District.

BACKGROUND/SUMMARY:

- The North Falmouth Village Association (NFVA) Village Junction Community Building is the hub of Community Activity in the NFVA area; preserving and restoring the historic Village Junction Community Building will benefit the many people in the area and the Town that use it.

- The Village Junction Community Building is owned by the Town of Falmouth and leased by the NFVA.
- The proposed work will comply with all requirements using the industry standard Secretary of the Interiors Standards for the Treatment of Historic Properties.
- The NFVA has received Funding from the State of MA to begin the process of preserving and restoring this historic building exterior.
- The NFVA has hired Catalyst Architecture/Interiors to assist with the CPC submission process, and the Existing Conditions Investigation, Proposed Schematic Scope of Work, Budgeting and Scheduling.
- The funding request includes a request for Schematic Design Fees for the study of improvements to the building interior including handicapped accessibility upgrades to improve the building use for all members of the community and enable expansion of community-based programs.
- The preliminary project budget is approximately \$484,185 and will be the estimated amount applied for through the Community Preservation Committee (see attached budget worksheet for a breakdown of estimated project costs).
- The North Falmouth Village Association includes 320 households and 17 Active Local Businesses.
- The NFVA is an important entity in the North Falmouth Community. The Community Building provides a location for various community groups and special interest groups to meet regularly such as:
 - Book Club
 - Chess Club
 - Crafting Group (Village Maker)
 - Knitting Group
 - Mahjong Group
- In addition to the regular meetings, there are several beloved annual events that attract both those inside the NFVA area others from the Falmouth and neighboring areas such as:
 - The Paul White Road Race (326 Runners this year) is the NFVA major fundraising event.

- The North Falmouth Porchfest (400 participants from the Falmouth and N Falmouth area)
 - Village Unplugged the annual community picnic (200+ participants)
 - The Annual Halloween Parade
 - The NFVA Tree Lighting and Caroling
- The Paul White Road Race proceeds fund local programs in the community such as:
- The Science Guy Program at the North Falmouth Elementary School.
 - A scholarship program for North Falmouth High School Graduates
 - Holiday Gift Program for the Carriage House Shelter.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth

OPTIONS:

- Motion to approve the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth, as presented.
- Motion to deny approval of the request from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth.
- 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 from the North Falmouth Village Association to apply to the Community Preservation Committee (CPC) for funding for exterior envelope preservation and restoration of the Village Junction Community Building located at 212 Old Main Road, North Falmouth.

Michael Renshaw

Town Manager

7/23/2024

Date

North Falmouth Village Association (NFVA) Village Junction Community Building

Draft for Select Board Meeting - we anticipate refining the estimate prior to CPC submission

7/23/2024

The following preliminary project budget is based upon the schematic design documents, dated 7/23/24. Because the Building is Town Owned, Prevailing Wages and Public Bidding are required for this project. Construction Costs are based on Schematic Design Estimate by Local Contractor(s).

Construction Costs for Renovation Work - Based on Schematic Design:	
General Requirements and General Conditions	\$67,680
Selective Demolition and Site Work Drip line trenches and prep for concrete paving at North Elev	\$34,028
Exterior Concrete: Concrete Slab Sloped Walk at second egress door North Elevation.	\$6,393
Wood Restoration and Preservation - Rough and Finish Carpentry Incl Louver Reconstruction	\$57,957
Doors and Windows - Window and Door Replacement	\$60,560
Siding and Trim Restoration: Cedar Shingle Replacement in Select Areas	\$28,684
Roofing and Flashing - Wood shingle roof with Zinc Coated Copper Flashings	\$68,400
Finishes - Painting and Woodwork Preservation	\$40,200
Subtotal Base Price Construction Costs	\$363,902
Design and Construction Contingency	\$20,586
Escalation to September of 2025 - 6.0%	\$21,834
Subtotal Construction Cost with Contingency and Escalation	\$406,322
Bonds - Performance and Payment Bond 1% - Required for Chapter 149 Public Bid Laws	\$4,063
Total Construction Costs	\$410,385
Miscellaneous Project Expenses (Soft Costs)	
Architectural & Engineering PreDesign Fee - Measuring, Drawing and Reviewing Existing Conditions	\$13,000
Arch & Engineering Schematic Design and Budgeting Exterior and Interior (Two Separate Projects)	\$19,000
Architectural Fees Historic Commission Submission and Hearing	\$3,000
Arch. & MEP/FP Eng. Exterior Project Const Doc, Bidding, Const Admin Fees , 6 Mo Const Period	\$31,000
Preservation Restriction Legal Fees - Not Required per CPC Application Guidelines	\$0
Estimated Reimbursable Expenses (shipping, postage)	\$1,500
Project Dog - Bidding Service Fees	\$1,000
Builder's Risk Insurance (0.43% Construction Cost)	\$1,747
Building Permit Fee - Assumed Building Permit will be waived	\$0
Part-Time Clerk of the Works / OPM (Not Required per Chapter 149 Bid Laws)	\$0
Subtotal Soft Costs	\$70,247
Soft Cost Contingency 5%	\$3,512
Total Project Soft Costs	\$73,760
Sub-Total Construction Costs and Project Soft Costs	\$484,145
Total Estimated Project Cost	\$484,145

NOTE: (1) Possible project expenses not included in the estimate are:

- * Finance Costs for Project Funding
- * Legal Consultation & Representation
- * Hazardous Materials Testing or Removal

**The NFVA has contributed \$6,000.00 of their own funds, and a \$10,000.00 Travel and Tourism State Grant to Architectural Fees for the early PreDesign and Exterior Schematic Design Phases.

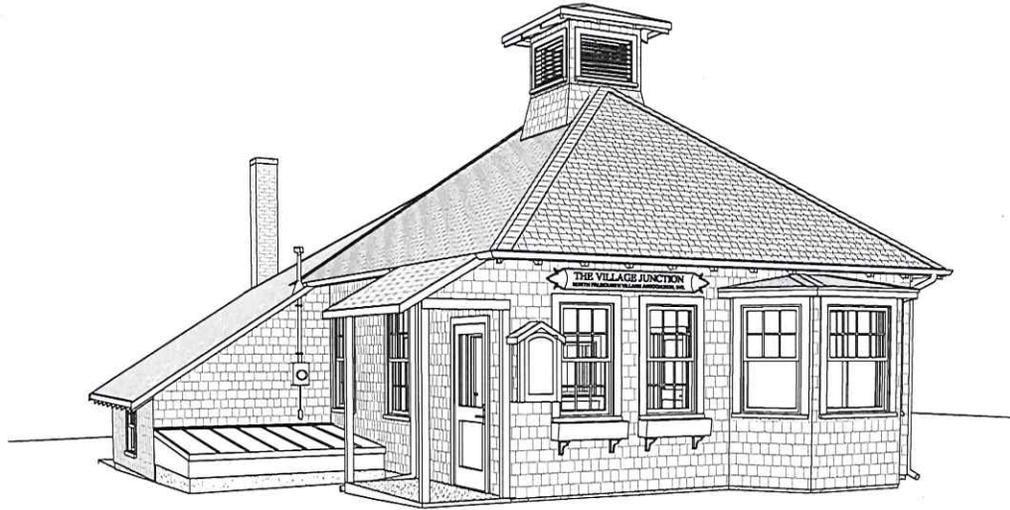
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SCHEDULE OF DRAWINGS	
Sheet Number	Sheet Name
COVER SHEETS	
A0.0	COVER SHEET
ARCHITECTURAL	
A1.1	PROPOSED FLOOR PLANS
A1.2	PROPOSED EXTERIOR ELEVATIONS
A1.3	PROPOSED WINDOW & DOOR SCHEDULES

Exterior Preservation and Restoration of the North Falmouth Village Junction Building 212 Old Main Road, N. Falmouth MA

7/23/2024
 SCHEMATIC DESIGN DRAWINGS

ALL MATERIALS SHOWN ON THE DRAWINGS ARE TO BE CONSIDERED NEW AND ARE TO BE FURNISHED AND INSTALLED BY THE CONTRACTOR UNLESS NOTED AS "EXISTING", "EXIST." OR "EX."

DRAWINGS ARE
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**Exterior Preservation and Restoration of the
North Falmouth Village Junction Building**
212 Old Main Road, N. Falmouth MA

**PROPOSED
FLOOR PLANS**

DATE ISSUED: 7/23/24

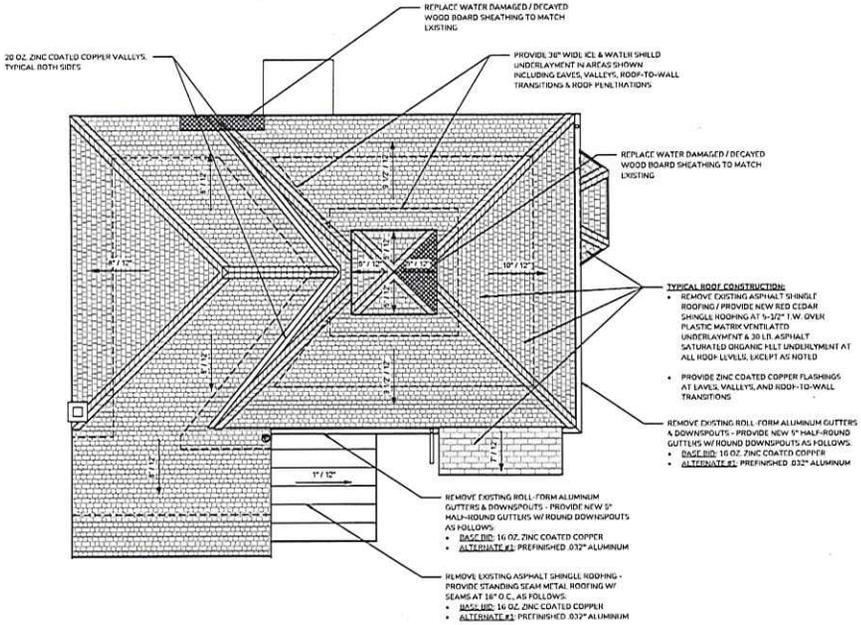
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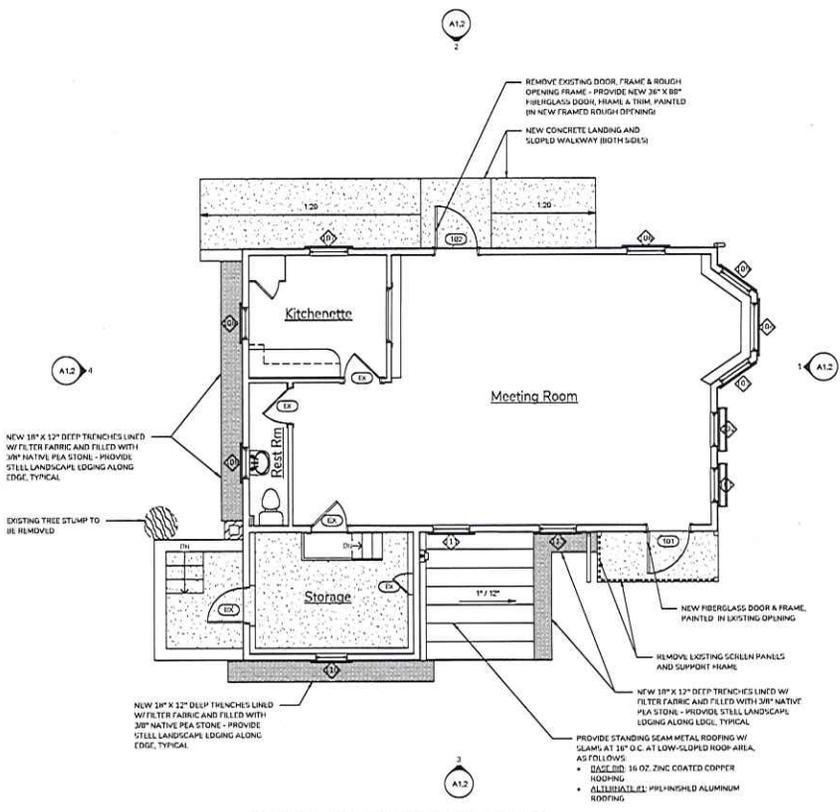
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DRAWING NO.

A1.1



② PROPOSED ROOF PLAN
1/4" = 1'-0"



① PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

C:\Users\Author\OneDrive\Documents\Projects\212 Old Main Road\212 Old Main Road.dwg

GENERAL NOTES:

- IN ADDITION TO THE SHINGLE SIDING REPLACEMENT SHOWN ON THE DRAWINGS, CARRY AN ADDITIONAL 25 SQUARE FEET OF REPLACEMENT OF SPLIT, BOWLED OR DECAYED SHINGLES.
- PRIOR TO PAINTING EXTERIOR SURFACES, SAND AND APPLY RUST INHIBITIVE PRIMER TO EXPOSED / RUSTED FASTENERS AT EXTERIOR SIDING, AND TRIM BOARDS.
- SET / COUNTERSINK ALL EXPOSED & RUSTED FASTENERS AT TRIM AND SHINGLE SIDING. FILL HOLES WITH HIGH QUALITY WOOD FILLER, SANDED FLUSH WITH SURROUNDING MATERIAL.
- REMOVE ALL UNNECESSARY FASTENERS, SUCH AS THOSE PREVIOUSLY USED TO HANG BANNERS, ETC. AND FILL HOLES WITH HIGH QUALITY WOOD FILLER, SANDED FLUSH WITH SURROUNDING MATERIAL.
- SCRAPE, PREPARE, PRIME AND PAINT ALL EXISTING EXTERIOR WOOD COMPONENTS, INCLUDING BUT NOT LIMITED TO EXISTING WOOD SIDING SHINGLES, TRIMWORK AS WELL AS DOORS, FRAMES AND CASING AND WINDOW CASING & SELLS.

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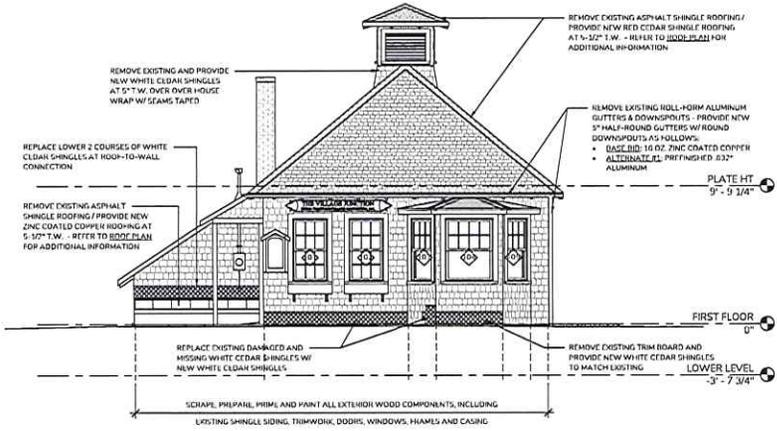
**Exterior Preservation and Restoration of the
North Falmouth Village Junction Building**
212 Old Main Road, N. Falmouth MA

PROPOSED EXTERIOR ELEVATIONS

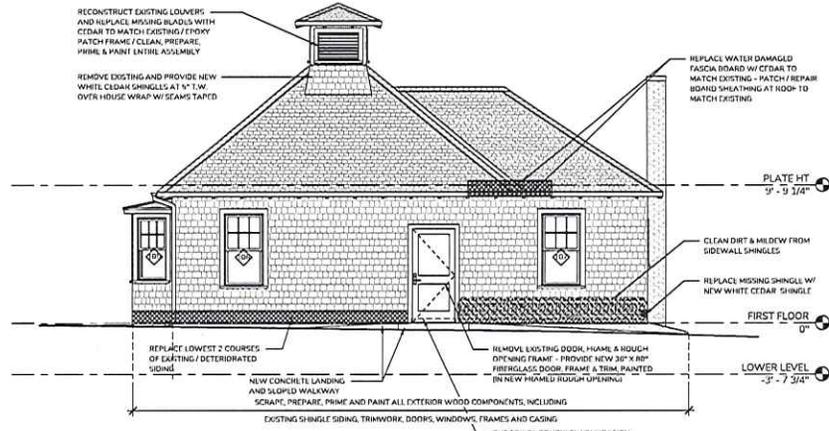
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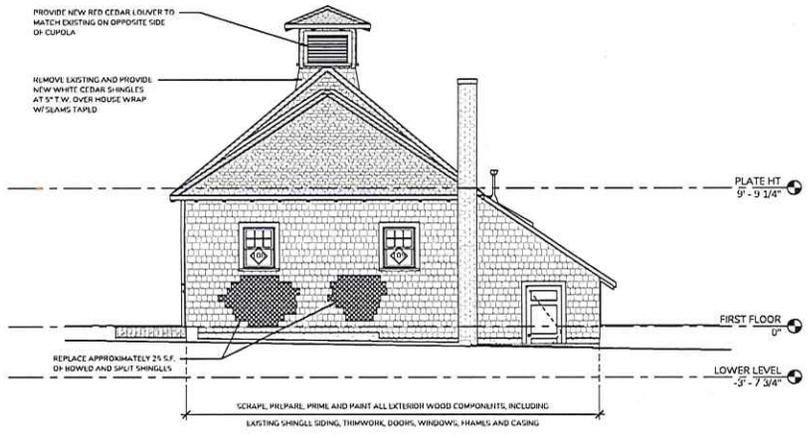
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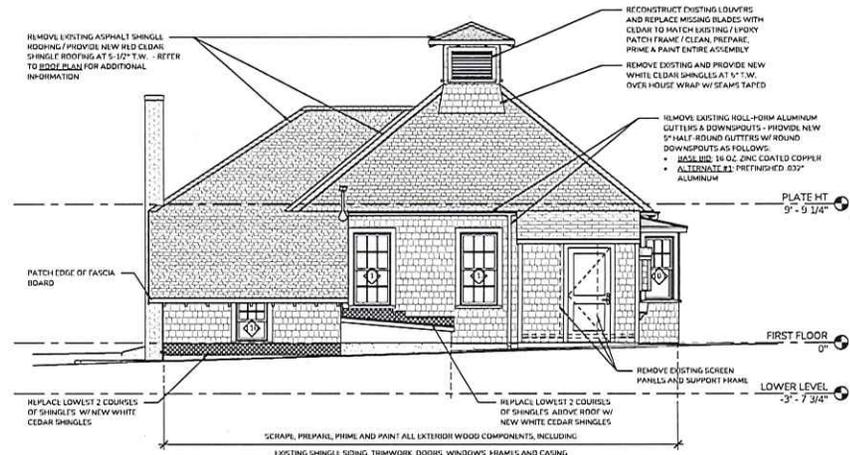
1 PROPOSED EAST (FRONT) ELEVATION
1/4" = 1'-0"



2 PROPOSED NORTH ELEVATION
1/4" = 1'-0"



4 PROPOSED WEST ELEVATION
1/4" = 1'-0"



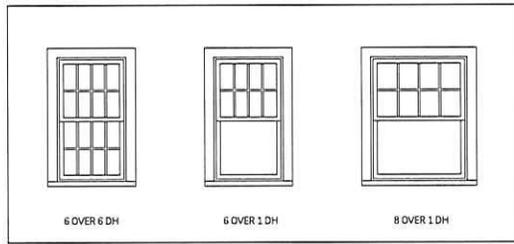
3 PROPOSED SOUTH ELEVATION
1/4" = 1'-0"

WINDOW SCHEDULE									
Mark	Manufacturer	Style	Model No.	Operation	Width R.O.	Height R.O.	Head Height	Glazing Type	Notes
101	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 6 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 5 1/2"	4' - 5 3/4"	7' - 5 3/4"	DUAL-PANE IPACT RESISTANT	
102	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 6 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 5 1/2"	4' - 5 3/4"	7' - 5 3/4"	DUAL-PANE IPACT RESISTANT	
103	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 6 1/4"	4' - 5 3/4"	7' - 5 3/4"	DUAL-PANE IPACT RESISTANT	
104	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	8 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	3' - 5"	4' - 5 3/4"	7' - 5 3/4"	DUAL-PANE IPACT RESISTANT	
105	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 6 1/4"	4' - 5 3/4"	7' - 5 3/4"	DUAL-PANE IPACT RESISTANT	
106	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 9"	5' - 1 3/4"	7' - 9"	DUAL-PANE IPACT RESISTANT	
107	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 9"	5' - 1 3/4"	7' - 9"	DUAL-PANE IPACT RESISTANT	
108	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 3"	2' - 11"	7' - 0 1/4"	DUAL-PANE IPACT RESISTANT	
109	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 3"	2' - 11"	7' - 0 1/4"	DUAL-PANE IPACT RESISTANT	
110	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 1 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 3"	2' - 11"	3' - 0 3/8"	DUAL-PANE IPACT RESISTANT	
111	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 6 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 6"	5' - 2"	7' - 9 1/4"	DUAL-PANE IPACT RESISTANT	
113	ANDERSEN A-SERIES W/ STORMWATCH PROTECTION	6 OVER 6 DH	ADH - CUSTOM SIZED TO FIT EXIST. R.O.	DOUBLE HUNG	2' - 8"	5' - 2"	7' - 9 1/4"	DUAL-PANE IPACT RESISTANT	

WINDOW NOTES:

1. BASIS OF DESIGN: TO ESTABLISH A STANDARD OF QUALITY, DESIGN AND FUNCTION REQUIRED. DRAWINGS AND SPECIFICATIONS ARE BASED ON ANDERSEN A-SERIES WINDOWS WITH STORMWATCH PROTECTION. SUBJECT TO COMPLIANCE WITH THE REQUIREMENTS SPECIFIED, MANUFACTURERS OFFERING EQUIVALENT PRODUCTS WILL BE CONSIDERED.
2. WINDOW DIMENSIONS INDICATED ARE FOR BIDDING ONLY. PRIOR TO CONSTRUCTION THE CONTRACTOR IS TO FIELD MEASURE THE EXISTING WINDOW ROUGH OPENINGS AND SUPPLY WINDOWS SIZED TO MEET THOSE OPENING SIZES.
3. GRILLES ARE TO BE SIMULATED DIVIDED LITE, 5/8" IN WIDTH, DOUBLE PROFILE, WITH SPACERS BETWEEN INSULATED GLAZING PANELS.
4. DOUBLE HUNG WINDOW ARE TO HAVE A SASH LOCK & KEEPER AND TWO (2) SASH LIFTS.
5. ALL EXISTING STORM WINDOWS AND PLEIGGLASS ELEXANI PANELS IN PLACE OVER EXISTING WINDOWS ARE TO BE REMOVED AND DISPOSED OF.
6. NEW WINDOWS ARE TO BE INSULATED AROUND THE PERIMETER WITH LOW RISE EXPANDING FOAM INSULATION TO FILL VOIDS BETWEEN THE WINDOW FRAMES AND THE ROUGH OPENINGS.
7. NEW WINDOWS ARE TO BE TRIMMED ON THE EXTERIOR WITH NEW 1 X 5 PRESERVATIVE TREATED, PRL-PRIMED RADIATA PINE TRIM WITH HISTORIC SILLS, SUCH AS THOSE MADE BY BODYGUARD WOOD PRODUCTS, LTD. OR APPROVED EQUAL, PAINTED.
8. NEW WINDOWS ARE TO BE TRIMMED ON THE INTERIOR WITH 1 X 5 POPLAR CASING & APRONS, PAINTED AND 1 X 5 POPLAR STILES W/ FULL BULLNOSE EDGE, PAINTED.

WINDOW STYLES / ELEVATIONS



DOOR AND FRAME SCHEDULE														
Number	From Room: Name	To Room: Name	Width	Height	Thickness	Manufacturer	Model No.	Door Material	Door Finish	Glazing	Operation	Frame Material	Frame Finish	Notes
101	Meeting Room	Covered Entry / Porch	3' - 0"	0' - 8"	1 3/4"	THERMA-TRU	S4315	FIBERGLASS	PAINTED	INSULATED IMPACT-RESISTANT GLASS	HINGED, EXTERIOR	ENDURA FRAMESAVER FRAME	PAINTED	
102	Meeting Room	Exterior	3' - 0"	0' - 8"	1 3/4"	THERMA-TRU	S4315	FIBERGLASS	PAINTED	INSULATED IMPACT-RESISTANT GLASS	HINGED, EXTERIOR	ENDURA FRAMESAVER FRAME	PAINTED	
EX			2' - 6"	0' - 6"	1 3/8"	EXISTING TO REMAIN	--		--			EXISTING TO REMAIN		EXISTING DOORS TO REMAIN

DOOR NOTES:

1. BASIS OF DESIGN: TO ESTABLISH A STANDARD OF QUALITY, DESIGN AND FUNCTION REQUIRED. DRAWINGS AND SPECIFICATIONS ARE BASED ON THE DOORS INDICATED IN THE DOOR SCHEDULE. SUBJECT TO COMPLIANCE WITH THE REQUIREMENTS SPECIFIED, MANUFACTURERS OFFERING EQUIVALENT PRODUCTS WILL BE CONSIDERED.
2. ALL DOOR DIMENSIONS SHOWN IN THE DOOR SCHEDULE ARE DOOR LEAF DIMENSIONS. THE CONTRACTOR IS TO VERIFY ROUGH OPENING SIZES WITH MANUFACTURERS PRIOR TO ORDERING DOORS OR COMPLETING ROUGH FRAMING.
3. PROVIDE FLOOR-MOUNTED (HALF MOON TYPE) DOOR STOPS WHEREVER DOOR HANDLE CONTACTS ANOTHER SURFACE.
4. ALL BUILDING CYLINDERS TO BE KEYPED TO THE EXISTING BUILDING MASTER KEYING SYSTEM.
5. NEW EXTERIOR ARE TO BE INSULATED AROUND THE PERIMETER WITH LOW RISE EXPANDING FOAM INSULATION TO FILL VOIDS BETWEEN THE WINDOW FRAMES AND THE ROUGH OPENINGS.
6. NEW DOORS ARE TO BE TRIMMED ON THE EXTERIOR WITH NEW 1 X 5 PRESERVATIVE TREATED, PRL-PRIMED RADIATA PINE TRIM SUCH AS THAT MADE BY BODYGUARD WOOD PRODUCTS, LTD. OR EQUAL, PAINTED.
7. NEW WINDOWS ARE TO BE TRIMMED ON THE INTERIOR WITH 1 X 5 POPLAR CASING, PAINTED.

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Exterior Preservation and Restoration of the North Falmouth Village Junction Building
212 Old Main Road, N. Falmouth MA

PROPOSED WINDOW & DOOR SCHEDULES

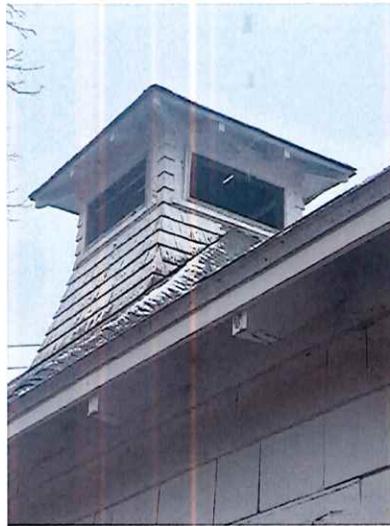
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**Exterior Preservation and Restoration of the
North Falmouth Village Junction Building
212 Old Main Road, N. Falmouth MA**

**Existing
Photos**

DATE ISSUED: 7/23/2024

REVISIONS:

NO.	DESCRIPTION	DATE

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Massachusetts Cultural Resource Information System

Scanned Record Cover Page

Inventory No:	FAL.719
Historic Name:	North Falmouth Hose Company #9 Fire Station
Common Name:	North Falmouth Community Center - Village Library
Address:	212 Old Main Rd
City/Town:	Falmouth
Village/Neighborhood:	North Falmouth;
Local No:	5A-11;
Year Constructed:	1915
Architectural Style(s):	Craftsman;
Use(s):	Community Center; Fire House; Library;
Significance:	Architecture; Community Planning; Politics Government;
Area(s):	FAL.AI, FAL.AW
Designation(s):	Local Historic District (10/20/1975); Nat'l Register District (02/20/1998);
Building Materials:	Roof: Asphalt Shingle; Wall: Wood; Wood Shingle; Foundation: Concrete Unspecified;
Demolished	No



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Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
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FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION

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MA2015
2/20/98

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LHD - 10/20/75

FAL. 719

AREA

FORM NO.

719

AW AI

PI



Town North Falmouth

Address 212 Old Main Road

Historic Name N.F. Fire Station

Use: Original Fire station

Present Community Center

DESCRIPTION

Date 1915

Source Town records/ N.F. History

Style National Folk

Architect

Exterior Walls Shingle

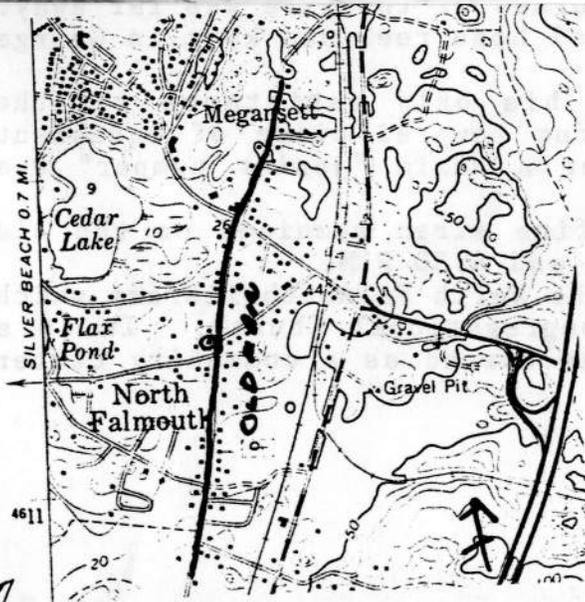
Outbuildings

Major Alterations

Condition Good

Acreage Quarter acre

Setting Main street



UTM REFERENCE

USES QUADRANGLE

SCALE

Recorded by William M. Dunkle

Organization Falmouth Historical Commission

Date 4-90

Fire station

ARCHITECTURAL SIGNIFICANCE Describe important architectural features and evaluate in terms of other buildings within the community.

This small one-story building with its pyramidal roof was one of five or six similar structures that served as Falmouth's first fire stations in the early part of this century. Several were sold off by the town in the 1920's when it built a large new fire station on Main Street.

HISTORICAL SIGNIFICANCE Explain the role owners played in local or state history and how the building relates to the development of the community.

The North Falmouth fire station opened in 1915 with a roll of hose on two wheels and Ernest R. Hatch as permanent firefighter. The reel had to be pulled by men if the fire was nearby or by horses if the fire was far away. Before the station opened in 1915, the chemical hose reel was kept in George Noyes' barn on Pine Street.

Hatch retired in 1949. For many years his only assistance was the availability of a dozen callmen. The first powered piece of equipment was a 1914 Model T Ford. A few years later a Maxim "junior pumper" was acquired which served for more than 25 years.

In 1951 a new firehouse opened, but the fire siren remained on the old firehouse roof and continued to blast at noon and 4:30 P.M.

From 1956 to 1966 this building served as the North Falmouth library which had been located in the North Falmouth Congregational Church. It is a branch of the town library. Since 1979 it has served as a community center run by the North Falmouth village Association.

BIBLIOGRAPHY and/or REFERENCES

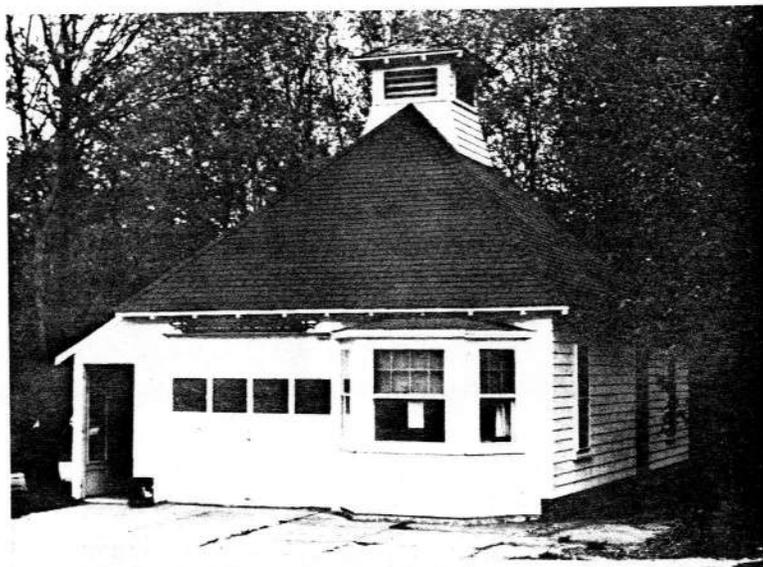
The Book of Falmouth, Mary Lou Smith, Ed., 1986, p.318



"Village youngsters use the library a lot," Mrs. Sylvester says. "It's very gratifying to see our young folks around here regularly."

. . .

NEW Lib. OPEN
JAN 9, 1966



The Village Junction,
formerly the North
Falmouth fire station,
Old Main Road. Photo
by William Dunkle.

1978

North Falmouth Library

READERS at the North Falmouth Library get a rude jolt at 4:30 each afternoon as the village fire whistle atop the library roof lets go with a blast that can be heard miles away.

The only thing that saves readers from being similarly jolted each noon is the fact that the library is not open at that hour. The ever-present possibility of an actual fire is something else again, however, and a factor that library users have learned to live with.

This drastic departure from a library's credo of silence serves to reveal the North Falmouth Library's history. It was in 1956 that the library moved from the North Falmouth Congregational Church into this building which had served as the local fire station from the time it was built in 1915 until the nearby new firehouse was opened in 1951. The siren has never been moved from the old firehouse roof.

North Falmouth resident Ernest R. Hatch served as the station's permanent firefighter from 1915 until his retirement in 1949. For many years his only assistance was the availability of a dozen callmen. Mr. Hatch recalls that the old station's first piece of equipment was a roll of hose on two wheels, designed to be driven by manpower.

"This chemical hose reel," he said, "had been kept in George Noyes' barn on Pine Street before the station opened in 1915."

The first powered piece of equipment was a 1914 Model T Ford. A few years later, a Maxim "junior pumper" was acquired, which served for more than 25 years. Mr. Hatch wore Badge 1 of the Falmouth Fire Department for many years.

In 1955, the town appropriated \$3,000 for the conversion of the vacated fire station into the North Falmouth Public Library. Unlike the Woods Hole and West Falmouth Libraries, which are private and incorporated under State laws, the North Falmouth Library is town-owned and a branch of the Main Street Library in Falmouth center.

Annual town-provided budget is \$1,000, which is supplemented with dues paid by members of the North Falmouth Library Association, and by proceeds from Associated-sponsored activities. Such an activity was a benefit performance presented last Summer by the Highfield acting company, Cross Right Stage.

Librarian in the branch library is Mrs. Ida Small Sylvester, who is also noted for her 20 years service at the West Falmouth fire tower. "We have about 3,500 books on the shelves," Mrs. Sylvester says, "and another 500 or so still to be catalogued."

Library hours, apart from July and August, are from 3 to 5 p.m. and from 7 to 9 p.m. Mondays and Saturdays. Mrs. Sylvester added, "In the Summer we're open every day except Sunday."

The Thursday Club, a group of North Falmouth women, donated a set of the Encyclopedia Britannica to the library. Part of the proceeds from the Highfield benefit performance were used to purchase a children's encyclopedia.

Village Junction

The Village Junction building served as the North Falmouth fire station from the time it was built in 1915 until the new fire station on the corner of Wild Harbor Road and Old Main Road was opened in 1951. Ernest R. Hatch was the station's permanent firefighter from 1915 until he retired in 1949. He was aided by a dozen callmen. The old station's first piece of equipment was a hose wagon with two wheels, drawn by the men if the fire was nearby, by horses if the fire was far away. Before the station opened in 1915, the chemical hose reel was kept in George Noyes' barn on Pine Street. The first piece of powered equipment was a 1914 Model T Ford, and a few years later a Maxim junior pumper was bought. It served the village for more than 25 years.

In 1956 when the Junction was no longer needed as a fire station it became the North Falmouth Library for ten years.

Today the Junction serves the village in a new way. On Oct. 3, 1977 Colonel Roland F. Thomas held the first organizational meeting for a civic group which has become the North Falmouth Village Association. Since 1979 the old Fire Station/Library/Village Junction has been leased from the town of Falmouth. The North Falmouth Village Association plans local events, organizes the Paul White Memorial Road Race, and has established the Mellen Fund to support scholarship aid for North Falmouth young people and to promote safe driving.

The Village Junction building has undergone changes in use and face lifting throughout the years but it continues to serve the people of North Falmouth in creative ways.



Hose Company No. 9, F.F.D., in front of present Village Junction, ca. 1926. Front row, left to right: Charles White, Ernest Hatch, Darrel Wood. Back row: Captain John E. Overy, Edwin Brown, Manuel White, John Head, Nelson Cahoon, Keene Smith, Chester Hall. Courtesy Kathryn Wright.



North Falmouth Fire Dept, ca. 1918. Left to right: Edwin Brown, Nelson Cahoon, John Overy, Keene Smith, Chester Hall, Charles White, Ernest Hatch, Manuel White, Darrell Wood, John Head.

FAL. 719

OPEN SESSION

BUSINESS

13. Consider approval of an application for a Second-Hand Dealer's License – The Curator, 17 Walker St., Suite A, Falmouth **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 13.

ITEM TITLE: Consider approval of an application for a Second-Hand Dealer License-
The Curator, 17 Walker Street Suite A, Falmouth

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form; Application for New Second-Hand Dealer License dated July 9, 2024; Email thread; Business Entity Summary

PURPOSE:

The applicant, Mar Brady, listed as the owner of The Curator, is requesting that the Select Board approve an application for a Second-Hand Dealer's License for The Curator located at 17 Walker Street, Suite A, in Falmouth.

BACKGROUND/SUMMARY:

- The applicant, Mary Brady, who is listed as the owner of The Curator, submitted the New Second-Hand Dealer License application on July 9, 2024.

- The Falmouth Police Department has reviewed the application and has no concerns with the license approval, however indicated that the fingerprint background check is scheduled for August 1, 2024.

- The Fire Rescue and Building Department reviewed the application and have no objections.
- The Zoning Administrator reviewed the application and indicated that this property is currently under review for a future 40B development.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the issuance of a Second-Hand Dealer License for The Curator located at 17 Walker Street, Suite A, in Falmouth.

OPTIONS:

- Motion to approve the issuance of a Second-Hand Dealer License for The Curator located at 17 Walker Street, Suite A, in Falmouth.
- Motion to deny approval of a Second-Hand Dealer License for The Curator located at 17 Walker Street, Suite A, in Falmouth.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the issuance of a Second-Hand Dealer License for The Curator located at 17 Walker Street, Suite A, in Falmouth.

Michael Renshaw

7/24/2024

Town Manager

Date

LICENSE APPLICATION REVIEW FORM

Date: 7/29/24

Restaurant/Business: The Curator

Address: 17 Walker Street, Suite A

License Type: Second-Hand Dealer License

New or Transfer of License New

or

Change of License _____

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

- | | |
|--|---|
| <input type="checkbox"/> Police | <u>Fingerprint background check scheduled for 8/1/24.</u> |
| <input checked="" type="checkbox"/> Fire | <u>No objections.</u> |
| <input checked="" type="checkbox"/> Building | <u>See below.</u> |
| <input type="checkbox"/> Health | _____ |
| <input checked="" type="checkbox"/> Zoning | <u>See below.</u> |
| <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"/> <u>Beach</u> | _____ |

NOTES:

This business has signed a short-term lease for use of this location.

For the sale of vintage & contemporary clothing & other finds.

Building Dept.: "This location is the proposed 40B that was presented to the ZBA two weeks ago by Laura Moynihan called 17 Walker Street Multifamily. No issues."

Zoning Board: "No comment by ZBA; property is currently under review for future 40B development."



PAID \$65.00 CK# 242



TOWN OF FALMOUTH APPLICATION for SECOND HAND DEALER LICENSE

LICENSE TO SELL, TRADE OR BARTER JUNK, OLD METALS OR SECOND-HAND ARTICLES
CODE OF FALMOUTH CH. 136

Required fields are outlined in RED

NAME OF OWNER: MARY BRADY

HOME ADDRESS: 152 Clinton Ave

TOWN: Falmouth STATE: MA ZIP CODE: 02540

BUSINESS NAME: The Curator

D/B/A - if any:

BUSINESS ADDRESS: 17 Walker Street, Suite A

TOWN: Falmouth STATE: MA ZIP CODE: 02540

MAILING ADDRESS (if different): 152 Clinton Ave, Falmouth, MA 02540

MANAGER - if any:

FEDERAL ID #:

EMAIL required:

TELEPHONE BUSINESS:

HOME:

MOTOR VEHICLES - list year, make and license number of each vehicle:

2018 Chevrolet Equinox

TYPE OF GOODS SOLD: Vintage & contemporary clothing & other finds

TAX ATTESTATION: I certify under the penalties of perjury that the information provided in this application is true and that, to my best knowledge, I have filed all state tax returns and paid all state and local taxes as required under law. I understand that Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation:

7/9/24
DATE

Mary Brady
OWNER / MANAGER / AUTHORIZED AGENT

A Background Check for the Owner of the establishment must be performed annually at the Falmouth Police, Central Records Office within 10 days of submitting this application, call 774-255-4527 for hours & fee details.

Diane Davidson

From: Gary Street
Sent: Wednesday, July 10, 2024 1:40 PM
To: Diane Davidson
Subject: RE: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

Diane,

This location is the proposed 40B that was presented to the ZBA two weeks ago by Laura Moynihan called 17 Walker Street Multifamily.
No issues.

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, July 10, 2024 1:02 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>
Cc: Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Falmouth Licensing <licensing@falmouthma.gov>; Janet Uttaro <janet.uttaro@falmouthpolicema.gov>
Subject: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

To all,

Attached please find an application for a new Second-Hand Dealer's License for The Curator to be located at 17 Walker Street, Suite A. The type of goods to be sold are vintage and contemporary clothing and other finds.

The owner, Mary Brady, has an appointment scheduled with the police department for the fingerprint background check on July 17, 2024.

Please review and provide your comments/recommendations.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 10, 2024 1:46 PM
To: Diane Davidson; Brian Reid; Sean Doyle; Gary Street; Noreen Stockman; Jed Cornock
Cc: Jeff Lourie; Timothy Smith; Falmouth Licensing; Janet Uttaro
Subject: RE: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

Fire Rescue has no objections

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, July 10, 2024 13:02
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>
Cc: Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>; Falmouth Licensing <licensing@falmouthma.gov>; Janet Uttaro <janet.uttaro@falmouthpolicema.gov>
Subject: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

To all,

Attached please find an application for a new Second-Hand Dealer's License for The Curator to be located at 17 Walker Street, Suite A. The type of goods to be sold are vintage and contemporary clothing and other finds.

The owner, Mary Brady, has an appointment scheduled with the police department for the fingerprint background check on July 17, 2024.

Please review and provide your comments/recommendations.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board

Diane Davidson

From: Noreen Stockman
Sent: Wednesday, July 10, 2024 3:00 PM
To: Diane Davidson
Subject: RE: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

No comment by ZBA; property is currently under review for future 40B development.

Sincerely,
Noreen

Noreen H. Stockman
Zoning Administrator
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
508-495-7462

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 10, 2024 1:02 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Gary Street <gary.street@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Jed Cornock <jed.cornock@falmouthma.gov>
Cc: Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Falmouth Licensing <licensing@falmouthma.gov>; Janet Uttaro <janet.uttaro@falmouthpolicema.gov>
Subject: Second-Hand Dealer's License - The Curator - 17 Walker St., Suite A

To all,

Attached please find an application for a new Second-Hand Dealer's License for The Curator to be located at 17 Walker Street, Suite A. The type of goods to be sold are vintage and contemporary clothing and other finds.

The owner, Mary Brady, has an appointment scheduled with the police department for the fingerprint background check on July 17, 2024.

Please review and provide your comments/recommendations.

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

Secretary of the Commonwealth of Massachusetts

William Francis Galvin

Business Entity Summary

ID Number: 001818439

[Request certificate](#)

[New search](#)

Summary for: THE CURATOR LLC

The exact name of the Domestic Limited Liability Company (LLC): THE CURATOR LLC		
Entity type: Domestic Limited Liability Company (LLC)		
Identification Number: [REDACTED]		
Date of Organization in Massachusetts: 07-08-2024		Date of Revival:
Last date certain:		
The location or address where the records are maintained (A PO box is not a valid location or address): Address: 17 WALKER STREET SUITE A City or town, State, Zip code, FALMOUTH, MA 02540 USA Country:		
The name and address of the Resident Agent: Name: REGISTERED AGENTS INC. Address: 82 WENDELL AVE. STE 100 City or town, State, Zip code, PITTSFIELD, MA 01201 USA Country:		
The name and business address of each Manager:		
Title	Individual name	Address
In addition to the manager(s), the name and business address of the person(s) authorized to execute documents to be filed with the Corporations Division:		
Title	Individual name	Address
SOC SIGNATORY	MARY BRADY	152 CLINTON AVENUE FALMOUTH, MA 02540 USA USA
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	Individual name	Address
REAL PROPERTY	MARY BRADY	152 CLINTON AVENUE FALMOUTH, MA 02540 USA USA

Consent

Confidential Data

Merger Allowed

Manufacturing

View filings for this business entity:

- ALL FILINGS
- Annual Report
- Annual Report - Professional
- Articles of Entity Conversion
- Certificate of Amendment
- Certificate of Organization

View filings

Comments or notes associated with this business entity:

New search

OPEN SESSION

BUSINESS

14. Consider approval of an application for a seasonal Common Victualler License – The Tea Room, 196 Crystal Spring Ave., North Falmouth **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 14.

ITEM TITLE: Consider the approval of an application for a seasonal Common Victualler license- The Tea Room, 196 Crystal Spring Ave., in North Falmouth

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: License Application Review Form; Common Victualler & Innholder License Application dated July 1, 2024; Site plan; Menu; Certificate of Organization; Copy of Common Victualler License (Outdoors- cease serving patrons at 9:00 PM) valid from July 10, 2023 to November 30, 2023

PURPOSE:

The Select Board will consider the approval of an application for a seasonal Common Victualler license- The Tea Room, 196 Crystal Spring Ave., in North Falmouth.

The applicant missed the annual renewal period for seasonal licenses, therefore a new application for a Common Victualler license was required.

BACKGROUND/SUMMARY:

- In 2023, the applicant applied for and the Select Board approved a seasonal Common Victualler license (License # 009-SEA-CV, attached) which stipulated:
 - Indoor hours of operation of Monday-Sunday 8:00 AM to 11:00 PM
 - Outdoor hours of operation of Monday-Sunday 8:00 AM to 9:00 PM

- Maximum seating capacity was limited to 24
- In this 2024 application, the establishment is seeking the below hours of operation:
 - Indoors: Monday- Sunday from 8:00 AM to 10:00 PM
 - Outdoors: Monday- Sunday from 8:00 AM to 9:00 PM
- The Police Department has reviewed this application and does not recommend approval of the seasonal Common Victualler license due to concerns that the establishment is located within a densely populated residential neighborhood and that past issues with individuals bringing their own alcohol onto the property could potentially create concerns for public safety.
- The Fire Rescue Department has reviewed the application and has no objections to its approval.
- The Building Department and the Health Department have reviewed the application and have no issues or objections (a food service permit was issued for 2024).

DEPARTMENT RECOMMENDATION:

The Town Manager concurs with the concerns and recommendation of the Police Department regarding the potential for public safety and quality of life issues due to the location of this establishment within the heart of a residential neighborhood, and therefore recommends that the Select Board deny approval of the requested seasonal Common Victualler license.

OPTIONS:

- Motion to approve the application for a seasonal Common Victualler license- The Tea Room, 196 Crystal Spring Ave., in North Falmouth.
- Motion to deny approval of the application for a seasonal Common Victualler license- The Tea Room, 196 Crystal Spring Ave., in North Falmouth.
- 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 concurs with the concerns and recommendation of the Police Department regarding the potential for public safety and quality of life issues due to the location of this establishment within the heart of a residential neighborhood, and therefore recommends that the Select Board deny approval of the requested seasonal Common Victualler license.

Michael Renshaw

Town Manager

7/25/2024

Date

LICENSE APPLICATION REVIEW FORM

Date: 7/29/24

Restaurant/Business: The Tea Room

Address: 196 Crystal Spring Ave.

License Type: Common Victualler (Seasonal)

New or Transfer of License New

or

Change of License _____

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

Police Please see attached comments.

Fire No objections.

Building No concerns or objections.

Health No issues. Food service permit issued for 2024.

Zoning _____

Planning _____

DPW _____

Recreation _____

M.E.S. _____

Communications _____

Beach _____

NOTES:

The applicant missed the annual renewal period for seasonal licenses; therefore, a new application for a Common Victualler license needed to be submitted.

Last year the Select Board approved the seasonal Common Victualler license

for: Indoors: Monday-Sunday: 8:00 a.m. to 11:00 p.m.

and Outdoors: Monday-Sunday: 8:00 a.m. to 9:00 p.m.

They are applying for the same hours and days.



PAID \$70.00 cash



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: Holly Pacella TITLE: Manager

HOME ADDRESS: 196 crystal spring Ave

Town: N. FALMOUTH State: MA Zip code: 02556

BUSINESS NAME: The Tea Room L.L.C.

D/B/A if any: The Tea Room

BUSINESS ADDRESS: 196 crystal Spring Ave

Town: N. Falmouth State: MA Zip code: 02556

MAILING ADDRESS (if different): SAME

Town: " State: " Zip code: "

FEDERAL ID #: [REDACTED] MANAGER OF RECORD: Holly Pacella

EMAIL - required: [REDACTED]

TELEPHONE - BUSINESS: [REDACTED] ALTERNATE: [REDACTED]

DAYS OF OPERATION: Monday - Sun

HOURS OF OPERATION: 8:00 AM - 10 PM - Indoors

8:00 AM - 9:00 PM - outdoors

SEATING CAPACITY :

24

APPLICATION MUST BE SIGNED BY OWNER, MANAGER of RECORD, OR AUTHORIZED REPRESENTATIVE

**DATE:

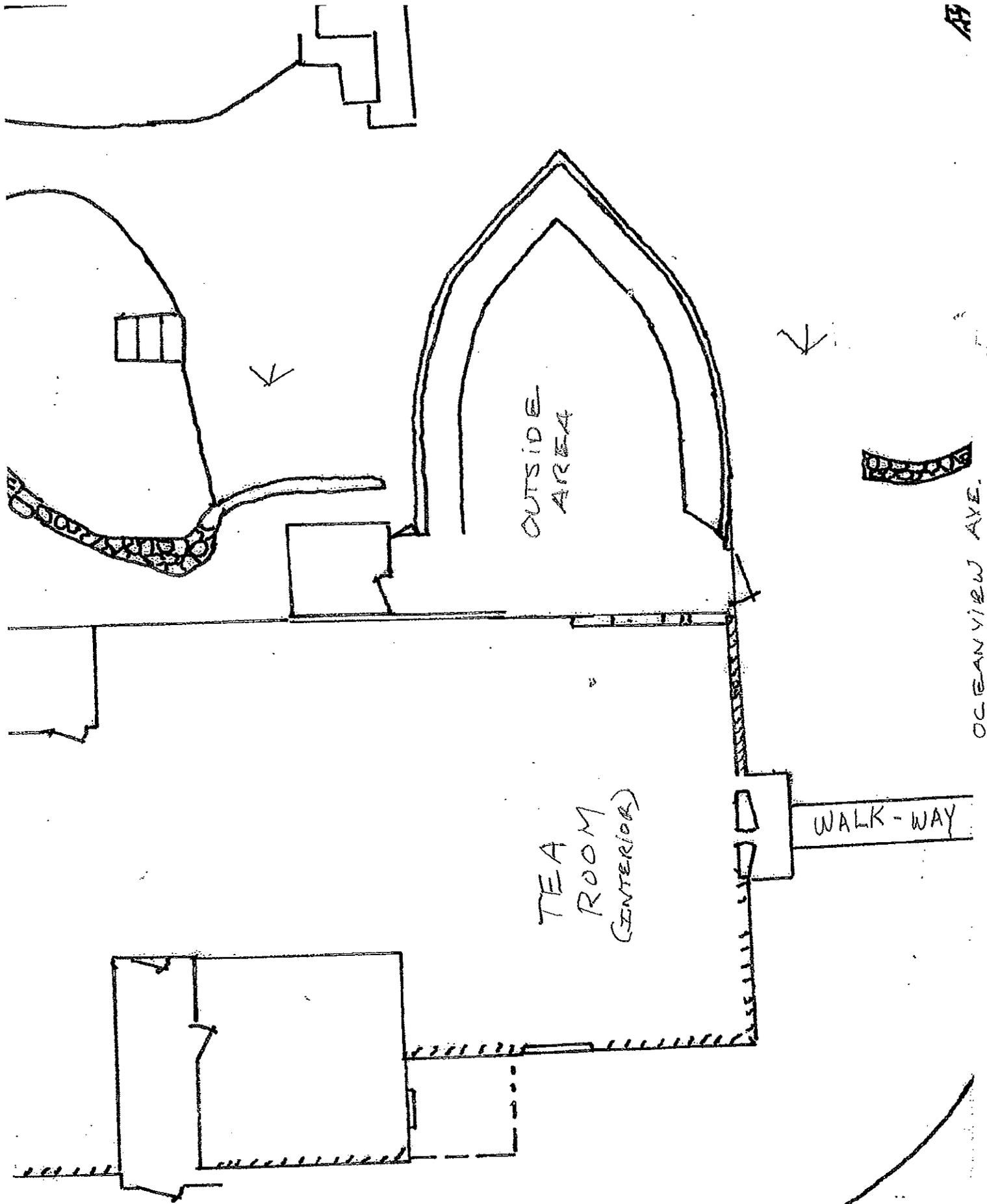
7/1/24



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



CRYSTAL SPRING AVE

AB

OCEAN VIEW AVE.

OUTSIDE
AREA

TEA
ROOM
(INTERIOR)

WALK-WAY



Breakfast

Boat Load

Giant egg sandwich with bacon, sausage, or ham with hash brown

OMG Omelettes

You name it, we can build it

Vancakes

Two blueberry pancakes

The Good Mooring

Two buttermilk pancakes

The Bikini Bucket

Fresh fruit sliced daily

The Mooring After

Cinnamon French Toast

Homemade Blueberry Bread

Donuts & Muffins

Lunch

Italian Grilled Cheese

Fresh mozzarella, garden tomato, pesto, balsamic glaze on grilled scali bread

High Tide Wings

Buffalo wings, boneless or bone in

Low tide wings

Plain wings, boneless or bone-in

Van-Go

Grilled chicken, honey mustard, lettuce tomato on a wrap

Life Boat

Call the coastguard! Shaved steak, and American cheese, peppers, onions on a grilled bun

Schooner

Tuna Melt on wheat bread

Tan Rancher

Crispy fried chicken with lettuce, tomato, ranch dressing and shredded cheese on a wrap

W.H.Y.C

Wheat, ham and yummy cheese

Wild Harbor Burger

Bacon cheeseburger with lettuce, garden tomatoes on a grilled sesame bun

Beetle Cat

Grilled cheese, double the cheese, double the yum!

Cleveland Ledge

Jumbo hot dog

Dinghy Dog

Hot dog in a bun

Tender Dog

Two chicken tenders on a grilled hot dog roll.

Golden Nuggets

Chicken nuggets - 6, 12, or 20 pieces

Sophie's Surprise

Chicken breast with peppers, onions and american cheese on a grilled sub roll

Life Guard

Large fresh garden salad

Life Guard with Muscles

Garden salad with chicken or tuna

Cubby

Delicious medium rare cheesburger on a grilled sesame seed bun with freedom fries

The Cape Cod Trifecta

Fried clams, scallops and fish

Fried clams - roll/dinner

Fried Scallops - roll/dinner

Homemade Stuffed Quahogs - when available



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$500.00

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

Certificate of Organization

(General Laws, Chapter)

Identification Number: [REDACTED]

1. The exact name of the limited liability company is: THE TEA ROOM LLC

2a. Location of its principal office:

No. and Street: 196 CRYSTAL SPRING AVENUE
 City or Town: NORTH FALMOUTH State: MA Zip: 02556 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 196 CRYSTAL SPRING AVENUE
 City or Town: NORTH FALMOUTH State: MA Zip: 02556 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

TO OPERATE A RESTAURANT AND SWEETS SHOP, AS WELL AS TO ENGAGE IN ALL OTHER LAWFUL ACTIVITIES.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: HOLLY PACELLA
 No. and Street: 42 PINE ACRES ROAD
 City or Town: FOXBORO State: MA Zip: 02035 Country: USA

I, HOLLY PACELLA 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	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	HOLLY PACELLA	196 CRYSTAL SPRING AVENUE 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.

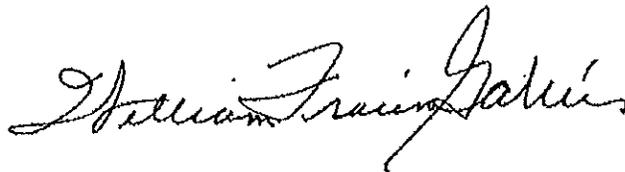
Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code

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:

December 12, 2018 12:00 PM

A handwritten signature in cursive script, reading "William Francis Galvin".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

Number:
009-SEA-CV

Fee
\$60.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
The Tea Room, LLC d/b/a The Tea Room
Holly Pacella, Manager
196 Crystal Springs Avenue
North Falmouth, MA 02556
is hereby granted this
Common Victualler License

Outdoors - cease serving patrons at 9:00 pm.

in said Falmouth and that place only and expires on the date shown below unless sooner suspended or revoked for violation of the laws of the Commonwealth respecting the licensing of common victuallers. This license is issued in conformity with the authority granted to the licensing authorities by General Laws, Chapter 140, and amendments thereto.

INDOORS: Monday - Sunday 8:00 am - 11:00 pm
OUTDOORS: Monday - Sunday 8:00am - 9:00 pm
Maximum Seating Capacity 24

Valid from: July 10, 2023
By order of The Falmouth Board of Selectmen
July 10, 2023

Valid until: November 30, 2023

Nancy K. [Signature]
Ch. P. [Signature]
D. B. [Signature]
Angela [Signature]
[Signature]

Diane Davidson

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Monday, July 22, 2024 9:46 AM
To: Boyd Demello; Diane Davidson; Sean Doyle; Craig O'Malley; Scott McGann; Gary Street
Cc: Morgan Cardoso
Subject: RE: Application for Seasonal Common Victualler License - The Tea Room

Diane,

The Police Department does not recommend approval of this license. We have reviewed this application in the past and expressed our concerns over having a common victualler situated at the heart of this densely populated residential neighborhood. The Tea Room is adjacent to community tennis courts and a small beach parking lot. The roadway immediately adjacent to the location is frequently filled with children on bicycles, scooters and skateboards, and families walking with small children and pets. We are concerned that having beer and wine service is a poor fit for the neighborhood and would create concerns for public safety. Chief Lourie and I toured the area again on July 18 and he agreed with our original assessment.

Respectfully,

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



From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:50 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
Cc: Morgan Cardoso <morgan.cardoso@falmouthma.gov>
Subject: RE: Application for Seasonal Common Victualler License - The Tea Room

Fire Rescue has no objections

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

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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, July 17, 2024 11:39
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
Cc: Morgan Cardoso <morgan.cardoso@falmouthma.gov>
Subject: Application for Seasonal Common Victualler License - The Tea Room

To all,

We have received an application for a Seasonal Common Victualler license from The Tea Room, 196 Crystal Spring Ave., North Falmouth. They did not open last year, so they are re-applying for this season.

Please provide your comments by Wednesday, July 24.

This application is scheduled on the Monday, July 29, 2024 Select Board agenda.

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.

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:50 PM
To: Diane Davidson; Brian Reid; Sean Doyle; Craig O'Malley; Scott McGann; Gary Street
Cc: Morgan Cardoso
Subject: RE: Application for Seasonal Common Victualler License - The Tea Room

Fire Rescue has no objections

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
[508-495-2534](tel:508-495-2534) - Office
[774-836-2436](tel: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, July 17, 2024 11:39
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
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Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square
Falmouth, MA 02540

Diane Davidson

From: Gary Street
Sent: Wednesday, July 17, 2024 11:56 AM
To: Diane Davidson
Subject: RE: Application for Seasonal Common Victualler License - The Tea Room

Diane,

Building has no concerns or objections.

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, July 17, 2024 11:39 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
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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

Diane Davidson

From: Morgan Cardoso
Sent: Wednesday, July 17, 2024 1:04 PM
To: Diane Davidson
Cc: Scott McGann
Subject: RE: Application for Seasonal Common Victualler License - The Tea Room

Hi Diane,

No issues with health. We have issued their foodservice permit for 2024.



Morgan Cardoso
Health Inspector
(508) 495-7486 | morgan.cardoso@falmouthma.gov

Town of Falmouth Health Department
59 Town Hall Square, Falmouth, MA 02540

Please Note:

The Town of Falmouth Health Department has rolled out PermitEyes (online permitting system). Please see the links below to register, apply or for Public View. .

Applicant Registration Page : <https://permiteyes.us/falmouth/userregistration.php>

Applicant Side Login Page : <https://permiteyes.us/falmouth/loginuser.php>

Public View Site (no login required): <https://permiteyes.us/falmouth/publicview.php>

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 17, 2024 11:39 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>
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Please provide your comments by Wednesday, July 24.

This application is scheduled on the Monday, July 29, 2024 Select Board agenda.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing

OPEN SESSION

BUSINESS

15. Consider the approval of a petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022 **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 15.

ITEM TITLE: Consider the approval of a petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Petition; Map of Proposed Speed Reductions on Woods Hole Road, Exhibit A; Chapter 358 of the Acts of 2022

PURPOSE:

The Select Board will consider voting to approve a petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022.

Residents of the Woods Hole area have made numerous complaints concerning truck and other vehicle speeds along specific sections of Woods Hole Road.

BACKGROUND/SUMMARY:

- On January 2, 2023 the Governor signed Chapter 358 of the Act of 2022 into law; it is an Act to reduce traffic fatalities, and made amendments to several statutes governing traffic safety within the Commonwealth.

- Section 13 of the Act (refer to highlighted section on page 7 of 9 in the attached copy of the Act) provides that the Select Board may petition the Department of Transportation to modify the speed limit on a state highway within their geographic boundaries.
- Such a petition must be made in writing to the State Traffic Engineer, and the Department has 90 days to approve or deny the petition.
- Upon approval of the petition or the expiration of 90 days without any action being taken, the petitioned speed limit changes take effect, and the Department is required to install the new signage.
- During its meeting on April 8, 2024 the Select Board voted to approve the submission of a petition to the State Traffic Engineer for speed limit changes along Woods Hole Road as reflected in the attached map marked Exhibit A.

DEPARTMENT RECOMMENDATION:

The Town Manager is recommending that the Select Board vote to approve the submission of the attached petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth, as reflected in the attached map marked as Exhibit A, and pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022.

OPTIONS:

- Motion to approve the petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth, as reflected in the map marked as Exhibit A, and pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022.
- Motion to deny approval of the petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth, as reflected in the map marked as Exhibit A, and pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022.
- Some other Board defined alternative motion.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager is recommending that the Select Board vote to approve the submission of the attached petition to the State Traffic Engineer for speed limit changes along Woods Hole Road in Falmouth, as reflected in the attached map marked as Exhibit A, and pursuant to MGL Chapter 90 section 18 as amended by Chapter 358 of the Acts of 2022.

Michael Renshaw

Town Manager

7/22/2024

Date

State Traffic Engineer
10 Park Plaza, Suite 7520
Boston MA 02116

RE: **PETITION TO REDUCE THE SPEED LIMIT ON STATE ROADWAYS
PURSUANT TO M.G.L. c. 90 § 18**

At the April 2024 Falmouth Town Meeting, the Southeast Massachusetts Regional Transportation Task Force (“SMART”) submitted a petition article concerning the speed limit along Woods Hole Road in Falmouth MA. In its petition article, SMART sought a vote of Town Meeting to “request that the Select Board petition the State Engineer for speed limit changes along the so-called ferry corridor in Falmouth pursuant to General Law chapter 90 section 18 as recently amended by Chapter 358 of the Acts of 2022.” A copy of the petition article is attached hereto as reference.

As part of the petition article, SMART submitted several maps depicting Locust Street and Woods Hole Road in Falmouth. As shown in the maps, also attached hereto, the proposed speed limit reductions are as follows:

- Reduce from 35 MPH to 25 MPH:
 - The entire length of Locust Street and continuing southerly along Woods Hole Road until the intersection of Katy Hatches Road
- Reduce from 40 MPH to 35 MPH:
 - Beginning on Woods Hole Road and the intersection of Oyster Pond Road and continuing southerly until the intersection of both Standpipe Hill Road and Sumner Street
- Reduce from 35 MPH to 25 MPH:
 - Beginning on Woods Hole Road and the intersection of Standpipe Hill Road and Sumner Street and continuing southerly until the terminus of Woods Hole Road at Water Street

The Falmouth Select Board now petitions the Massachusetts Department of Transportation to reduce the speed limit on the state roads shown above. The growing presence of bicyclists and pedestrians in these areas of concern poses an increasing risk of harm and merits attention. A recent increase in local population as well as the seasonal influx of visitors to the community also drives this petition. Speed limits that more appropriately reflect the dynamics and composition of the traffic in these locations will serve to enhance and preserve public safety.

By this petition, the Select Board requests that the State Traffic Engineer conduct a study of the roadways above and make a determination that the speed limits must be decreased to protect pedestrians, cyclists and motor vehicle operators alike.

EXHIBIT A

Segment 1 on WH Village - Falmouth corridor

Segment 1 with proposed 25 mph
from 35 mph

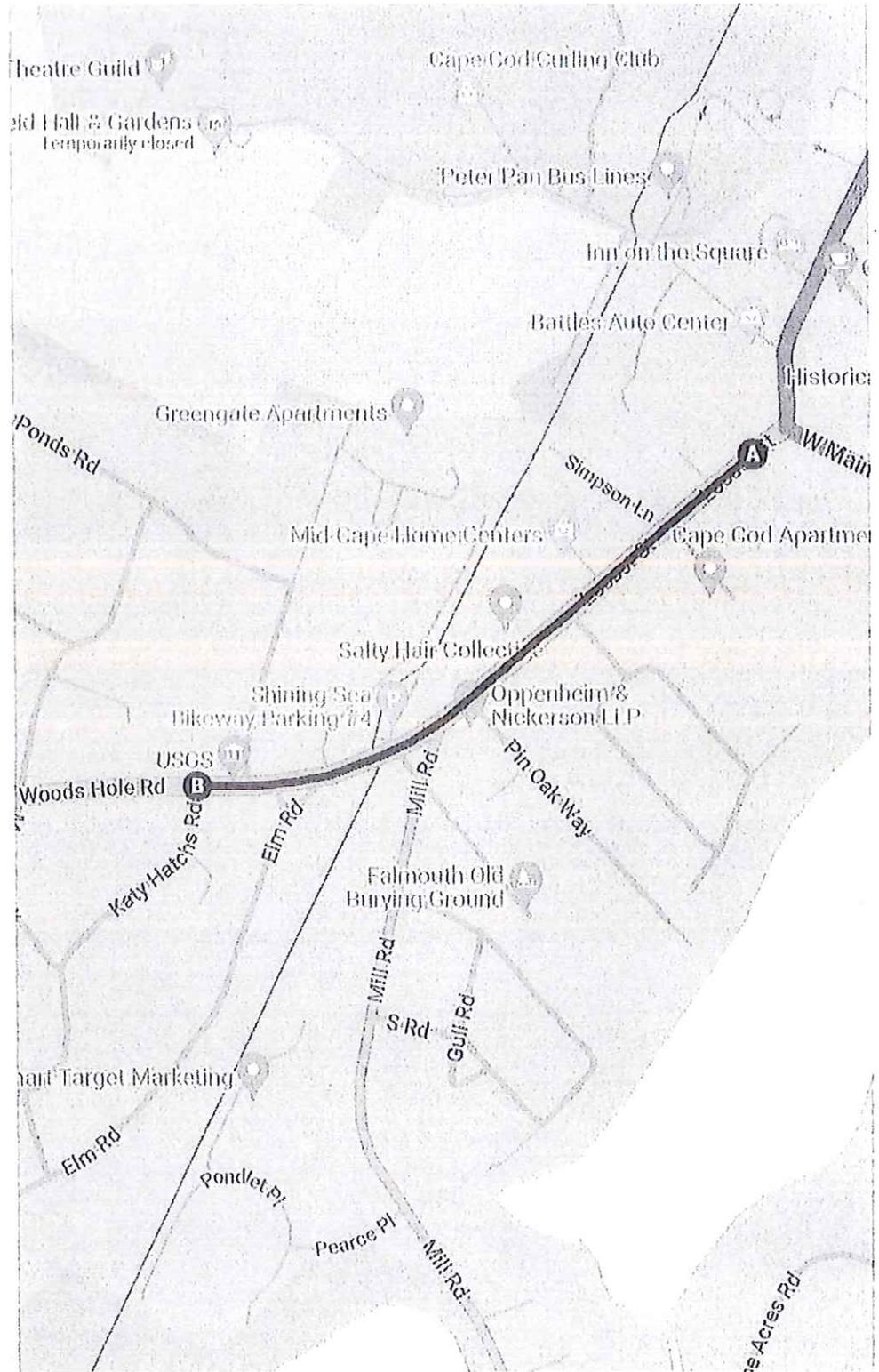


19 Locust St, Falmouth, MA
02540, USA



28 Woods Hole Rd, Falmouth,
MA 02543, USA

Observed on Nov. 18, 2023



Segment 2 WH Village - Falmouth corridor

Segment 2 with proposed 35 mph
from 40 mph

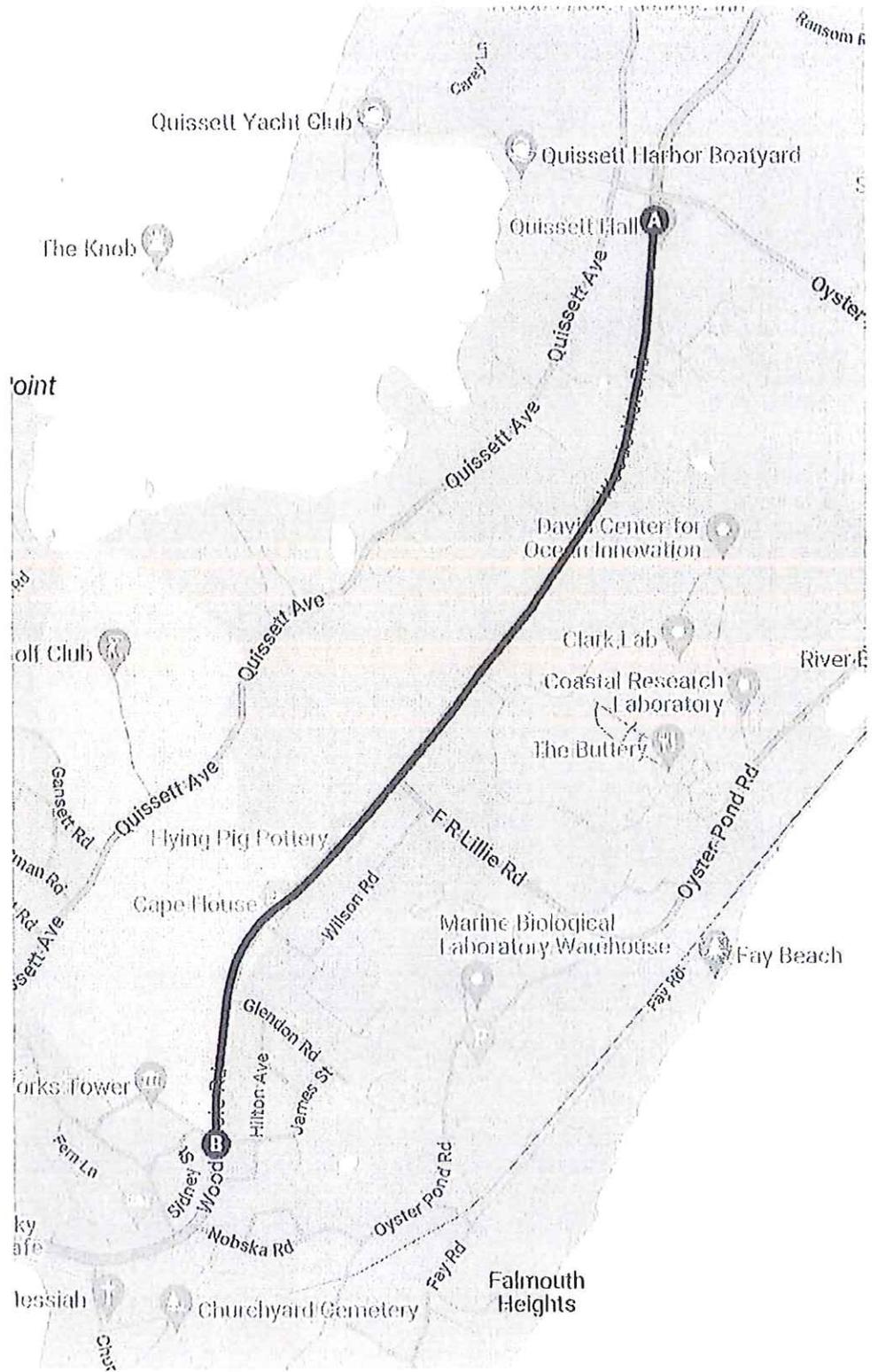
A

243 Woods Hole Rd, Falmouth,
MA 02540, USA

B

490 Woods Hole Rd, Falmouth,
MA 02543, USA

Observed on Nov. 18, 2023



Segment 3 WH Village - Falmouth corridor

Segment 3 with proposed 25 mph
from 35 mph

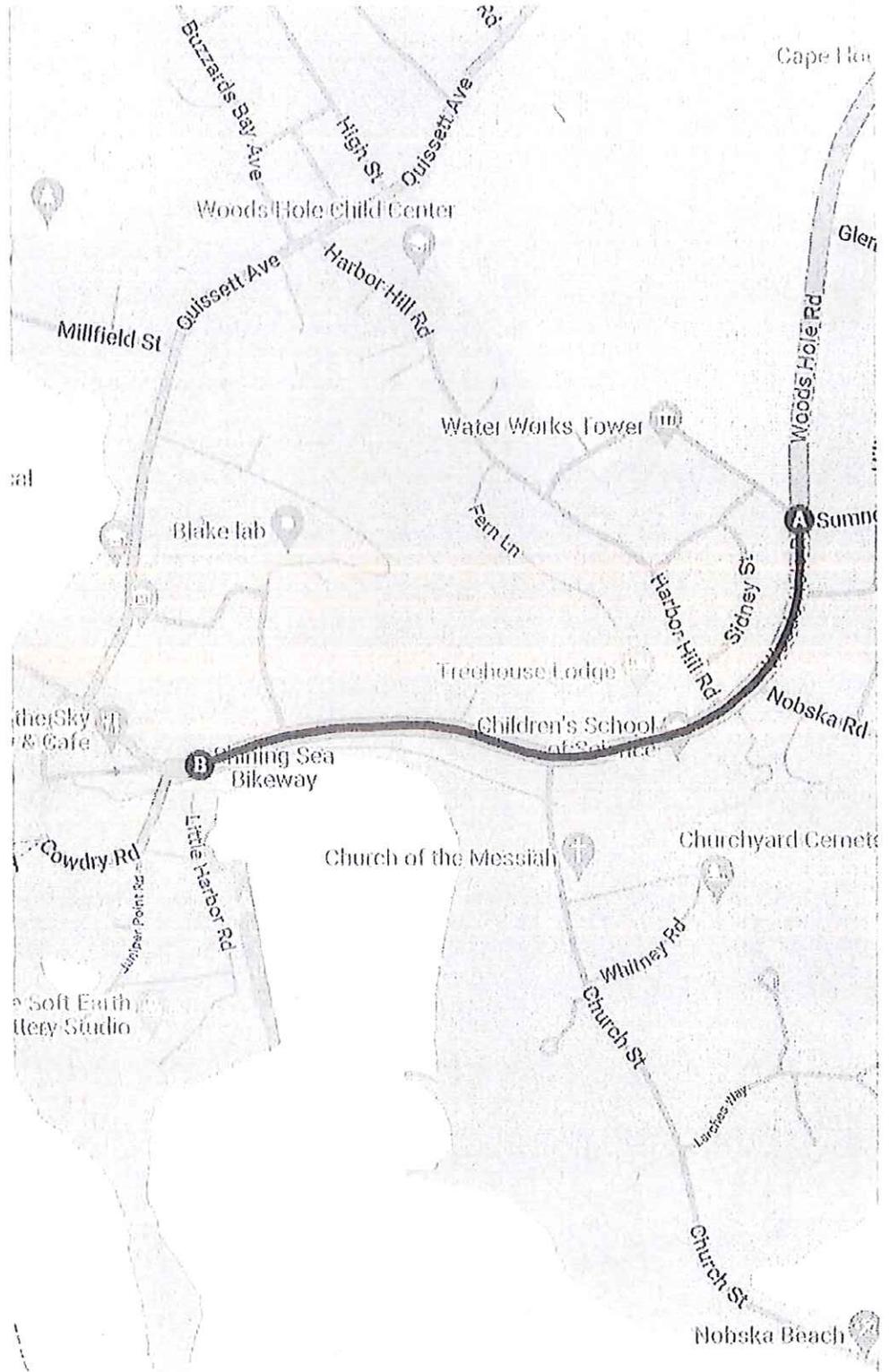
A

490 Woods Hole Rd, Falmouth,
MA 02543, USA

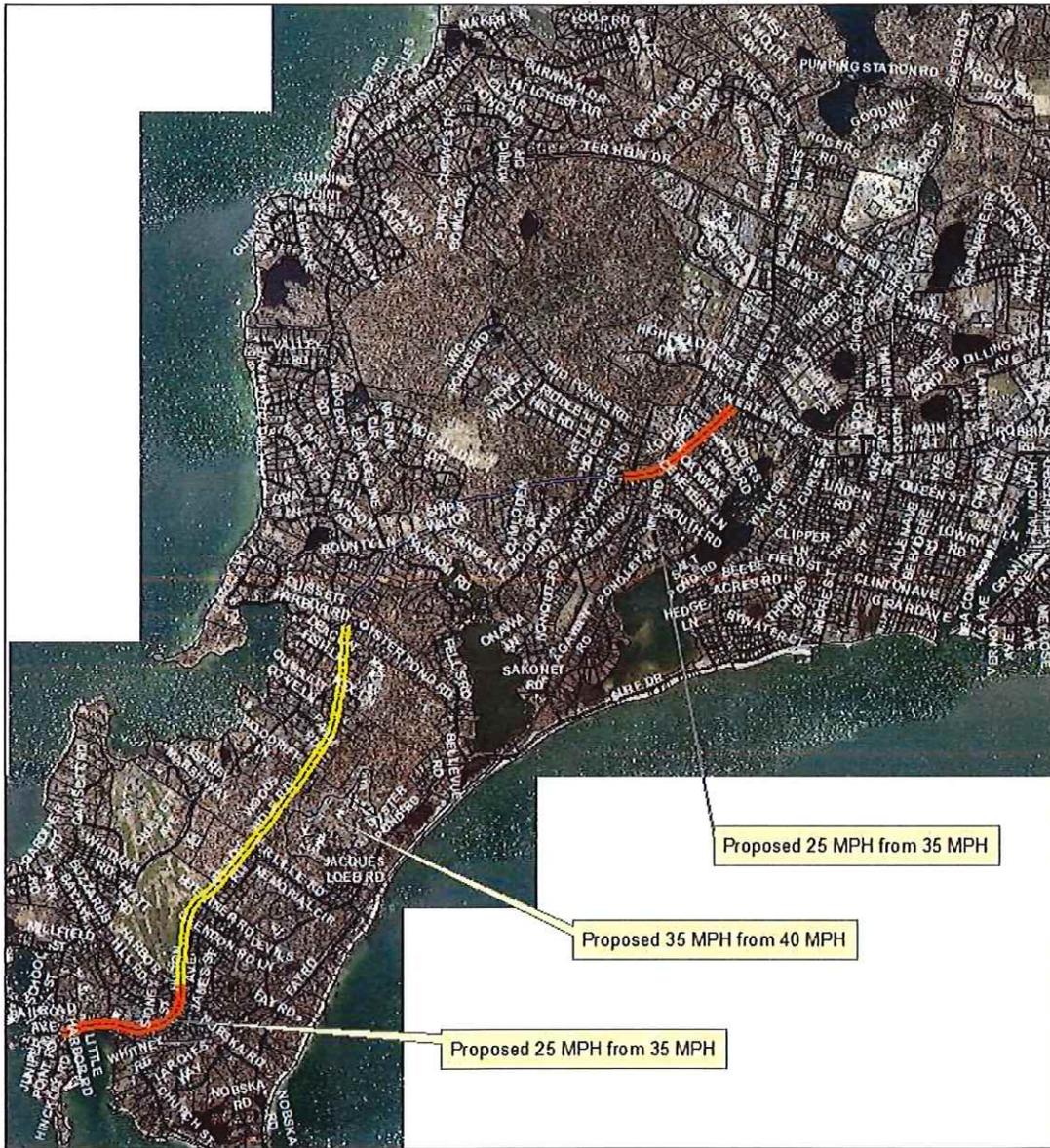
B

579 Woods Hole Road, Woods
Hole, MA

Observed on Nov. 18, 2023



Appendix for Article 24 - Petition: Have the Town Petition the State for Speed Limit Changes



ARTICLE 24: SMART (Southeast Massachusetts Regional Transportation Task Force) requests that the Select Board petition the State Traffic Engineer for speed limit changes along the so-called ferry corridor in Falmouth pursuant to General Law chapter 90 section 1B as recently amended by Chapter 358 of the Acts of 2022.



Town of Falmouth, MA makes no claim and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

OPEN SESSION

BUSINESS

16. Designate a member of the Select Board to seek input on the request to name the Water Treatment Plant for Raymond A. Jack **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 16.

ITEM TITLE: Designate a member of the Select Board to seek input on the request to name the Water Treatment Plant for Raymond A. Jack

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Nomination letter from Stephen Rafferty dated June 30, 2023; Naming Policy for Public Facilities and Places, Support Emails and letters

PURPOSE:

The Select Board will consider the designation of a Board member to seek input on the request to name the Water Treatment Plant for Raymond A. Jack, in accordance with the Naming Policy for Public Facilities and Places.

BACKGROUND/SUMMARY:

- On June 30, 2023 Mr. Stephen Rafferty submitted a letter requesting that the Select Board consider naming the Water Treatment Plant for former Public Works Director Raymond A. Jack.
- Mr. Jack's knowledge and expertise in the field of water treatment was a key reason why the treatment facility was designed and constructed to the very highest standards.

- At its July 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 required 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 Water Treatment Plant for Raymond A. Jack.

OPTIONS:

- Motion to designate ____ to seek input on the request to name the Water Treatment Plant for Raymond A. Jack.
- Motion to deny designating a member to seek input on the request to name the Water Treatment Plant for Raymond A. Jack.
- Some other Board defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to designate a member to seek input on the request to name the Water Treatment Plant for Raymond A. Jack.

Michael Renshaw

Town Manager

7/24/2024

Date

June 30, 2023

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



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

Dear Board,

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

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

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

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

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

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

Sincerely,

Handwritten signature of Stephen Rafferty in black ink.

Stephen Rafferty, 34 King Street, Precinct 2

Diane Davidson

From: Jennifer Pederson <jpederson@masswaterworks.org>
Sent: Thursday, August 10, 2023 3:57 PM
To: Falmouth Selectboard; Nancy Taylor
Subject: Letter of Support: Renaming Water Treatment Plant in honor of Raymond A. Jack
Attachments: 8-10-23, MWWA Letter of Support renaming Falmouth treatment plant.pdf

Dear Chair Taylor and the Select Board:

Please see the attached letter of support from our organization for the nomination before you to consider renaming the Long Pond Water Treatment Plant in the name of Raymond A. Jack.

Jennifer A. Pederson

Executive Director

Massachusetts Water Works Association

PO Box 1064

Acton, MA 01720

Phone: 978-263-1388

Mobile: 978-844-2294

Fax: 978-263-1376

Email: jpederson@masswaterworks.org

LinkedIn: <https://www.linkedin.com/company/massachusetts-water-works-association/>



Board of Directors

- President
Mark F. Warren
- President-Elect
Lauren E. Underwood, P.E.
- Secretary
Blake D. Lukis
- Treasurer
Matthew E. Pearson
- Past President
Jeffrey A. Faulkner, P.E.
- First Trustee
Jaimye L. Bartak, AICP
- Second Trustee
Steven Horn
- Third Trustee
Kimberly Abraham

Committee Chairs

- Awards
Jeffrey A. Faulkner, P.E.
- Education
Brian Antonioli
Robert Propphett
- Finance
Jeffrey A. Faulkner, P.E.
- Historical
Martin C. Taylor, Sr.
Joseph E. Coulter
- Legislative Advisory
Philip D. Guerin
Alan H. Cathcart
- Membership/
Public Relations
Lisa M. Goyer, P.E.
Michael V. Nelson, P.E.
- Program
Justin Van Cott
Amy B. Rusiecki, P.E.
- Operator
Jon Foster
- Scholarship
Thomas J. Mahanna, P.E.
- Sponsor
Thomas J. Mahanna, P.E.
Ian Kasowitz
- Technical Advisory
J. Cary Parsons
Stephen C. Olson, P.E.
- Young Professional
Rebecca Paustian, P.E.
Kevin Desjardins, P.E.

Staff

- Executive Director
Jennifer A. Pederson
- Training Coordinator
Daniel G. Laprade, P.E.

August 10, 2023

Nancy Taylor, Chair
Falmouth Select Board
59 Town Hall Square
Falmouth, MA 02540

RE: Letter of Support: Renaming Falmouth Water Treatment Plant
Via email to: nancy.taylor@falmouthma.gov and
selectboard@falmouthma.gov

Dear Members of the Falmouth Select Board:

Massachusetts Water Works Association, Inc. (MWWA) is a 501(C)(3) nonprofit organization based in Acton, MA. MWWA is a membership organization dedicated to the advancement of the drinking water profession. Through education and advocacy, MWWA is committed to public health by promoting a safe and sufficient supply of drinking water to Massachusetts consumers. We are aware of Stephen Rafferty's request to the Board to rename Falmouth's Long Pond Water Treatment Plant in the name of Raymond A. Jack. The Board of Directors of MWWA wholeheartedly supports this request and is sending this letter of support for the Board's consideration.

Ray Jack was an accomplished public works professional, and a long-time member of our organization. Ray served as President of MWWA from 2007-08. Ray entered his MWWA presidency with a very ambitious goal of working on educational standards for drinking water operators to ensure that those working in water systems were properly trained. He felt strongly that given the important public health role we play, all operators should be trained in a similar manner to police and fire. Ray felt a tangential benefit of this effort would be to raise the bar for the profession. Under Ray's direction, MWWA convened a subcommittee, and the resulting work was changes to the state regulations governing licensing of drinking water operator to require prerequisite education prior to sitting for the higher-level licensing exams. Water operators seeking a Grade 2 license or higher now must sit for a 12-week course for water distribution, basic water treatment, and/or advanced water treatment depending on the license they are

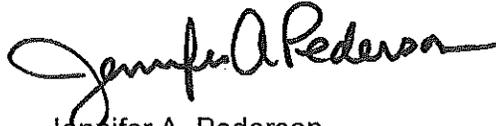
seeking. Since the implementation of these educational requirements, passing rates on the state licensing exams have improved.

Ray represented water suppliers on a number of state committees, including the Water Policy Task Force, the Sustainable Water Management Initiative, and the Climate Adaptation Committee; he was appointed by Governor Patrick to serve on the Massachusetts Water Resources Commission to representing public water suppliers. Ray's involvement with MWWA over the years included participation on our Legislative Committee, Technical Committee, Nominating Committee, Awards Committee, and at the time of his passing, he was still an active member of our Finance Committee. He was proud of his work as an instructor of water treatment at Cape Cod Community College and with MWWA; students valued his great depth of knowledge.

Ray was immensely proud of the work he did in Falmouth to ensure that the residents had the highest water quality available. He worked tirelessly to get the state-of-the-art treatment plant at Long Pond approved, designed, and constructed. The process required a lot of outreach to the community, and a lot of work with the regulatory agencies to get to "Yes." A \$40+ million-dollar capital investment is a huge commitment by the community; Ray knew that it was an investment in Falmouth's future. Ray was laser focused on the end-goal and he was so pleased when the Town approved moving forward with his vision. He presented an overview of the project at MWWA's Membership Meeting in 2018 to help his fellow water system managers understand the process and learn from Falmouth's experience should they embark on construction of a new facility of their own. There were certainly challenges along the way and Ray worked through those to ensure that the plant had operators at the staffing level it needed. As you know the plant has been the recipient of multiple honors. MWWA held a tour of the treatment plant last summer and the pride that the operators show in that plant is amazing and a tribute to the foundation Ray laid. Falmouth's Water Department was recognized with MWWA's Community Award in November of 2022 for being an exemplary water system.

Ray devoted his entire adult life to public service. As a water operator, water system manager, and then public works director, it may not be well-known that he sacrificed time away from his family to ensure that essential services for the community were maintained. Renaming the Long Pond Treatment Plant in the name of Raymond A. Jack would be a very fitting recognition for his years of dedicated service to the Town of Falmouth and a tribute to his legacy of ensuring that the community has clean drinking water for decades to come. We would respectfully request that the Board approve the request of Mr. Rafferty. We would be pleased to attend any future renaming ceremony the town might hold and share the amazing accomplishments that Ray Jack achieved over his public works career. Should you have any questions about Ray's accomplishments, please do not hesitate to reach out to me.

With Water Works Pride,

A handwritten signature in black ink, reading "Jennifer A. Pederson". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer A. Pederson
Executive Director

cc: Stephen Rafferty
Alice Jack

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

17. Designate a member of the Select Board to seek input on the request to name a sports field or village green for Harry Hill **(5 minutes)**



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Business 17.

ITEM TITLE: Designate a member of the Select Board to seek input on the request to name a sports field or village green for Harry Hill

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Nomination letter from the Recreation Committee dated July 17, 2023;
Naming Policy for Public Facilities and Places, Support Emails

PURPOSE:

The Select Board will consider the designation of a Board member to seek input on the request to name the Water Treatment Plant for Raymond A. Jack, in accordance with the Naming Policy for Public Facilities and Places.

BACKGROUND/SUMMARY:

- On July 17, 2023, the Recreation Committee submitted a letter recommending that the Select Board consider honoring Mr. Harry Hill, a longtime Department of Public Works employee who passed away in March of 2023, with some form of memorial in recognition of his outstanding service to the Town and community.

- At its July 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 required 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 from the Recreation Committee on the request to name a sports field or village green for Harry Hill.

OPTIONS:

- Motion to designate ____ to seek input on the request to name a sports field or village green for Harry Hill.
- Motion to deny designating a member to seek input on the request to name a sports field or village green for Harry Hill.
- Some other Board defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board vote to designate a member to seek input from the Recreation Committee on the request to name a sports field or village green for Harry Hill.

Michael Renshaw

Town Manager

7/24/2024

Date

Recreation Committee Town of Falmouth

July 17, 2023

Select Board
59 Townhall Square
Falmouth, MA 02540

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

Dear Select Board,

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

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

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

Sincerely,



Recreation Committee

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

Cc. Recreation Committee
Joe Olenick, Recreation Department
Peter Dale

Town of Falmouth
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

CONSENT AGENDA

1. Licenses

- a. Consider approval of an application for a Special One-Day All Alcohol Liquor License – Falmouth Road Race, Inc. – VIP Tent, Falmouth Heights Ball Field – Sunday, 8/18/24, 7:00 a.m. to 2:00 p.m.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Licenses 1.a.

ITEM TITLE: Consider approval of an application for a Special One-Day All Alcoholic Liquor License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024 from 7:00 AM to 2:00 PM

MEETING DATE: 7/1/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: One Day Liquor License Application Review Form, Special One-Day Liquor License Application dated June 17, 2024; Event narrative from Falmouth Road Race, Inc. dated June 21, 2024; Site plan; Tax exemption certificate; Certificate of Liability Insurance; email thread from staff

PURPOSE:

The Select Board will consider the approval of an application for Special One-Day All Alcoholic Beverages License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024 from 7:00 AM to 2:00 PM.

BACKGROUND/SUMMARY:

- Applicant Jennifer Edwards, on behalf of Falmouth Road Race, Inc. submitted the Special One-Day License for the Sale of Alcoholic Beverages on June 17, 2024.

- The event, titled Asics Falmouth Road Race VIP Tent, will take place on Sunday, August 18 from 7:00 AM to 2:00 PM and approximately 400 people are anticipated to attend.
- The Police and Fire Rescue Departments have reviewed the application and have no objections or concerns with approval of the license.
- The event narrative and application states that Bloody Mary's and Mimosas are to be served under the VIP Tent at Falmouth Heights Ball Field.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day All Alcoholic Liquor License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024, from 7:00 AM to 2:00 PM as presented.

OPTIONS:

- Motion to approve the application for a Special One-Day All Alcoholic Beverages Liquor License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024, from 7:00 AM to 2:00 PM as presented.
- Motion to deny approval of a Special One-Day All Alcoholic Beverages Liquor License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024, from 7:00 AM to 2:00 PM.
- Select Board defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day All Alcoholic Liquor License- Falmouth Road Race, Inc.- VIP Tent, Falmouth Heights Ball Field- Sunday, August 18, 2024, from 7:00 AM to 2:00 PM as presented.

Michael Renshaw

Town Manager

7/24/2024

Date



Town of Falmouth

Office of the Town Manager and Select Board
59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320

APPLICATION SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES M.G.L.A. CHAPTER 138, SECTION 14



PAID
\$10.00 CK#3356

NAME OF APPLICANT: **Jennifer Edwards**

ADDRESS OF APPLICANT: **155 Katharine Lee Bates Road**

TOWN: **Falmouth** STATE: **MA** ZIP: **02540**

NAME OF ORGANIZATION: **Falmouth Road Race, Inc.**

MAILING ADDRESS: **P.O. Box 732**

TELEPHONE #: **508-540-7000** EMAIL: **jennifer@falmouthroadrace.com**

LOCATION TO BE LICENSED AND ADDRESS: **VIP Tent at Falmouth Heights Ballfield**

TOWN: **Falmouth** STATE: **MA** ZIP: **02540**

AUTHORIZED MANAGER/OFFICER OF EVENT ESTABLISHMENT: **Scott Ghelfi**

EVENT TITLE: **ASICS Falmouth Road Race** TYPE OF EVENT: **Road Race**

DAY AND DATE(S) OF EVENT: **Sunday, August 18, 2024**

HOURS OF EVENT: **7:00 am until 2:00 pm**

APPROXIMATE # OF PEOPLE: **400**

TYPE OF LICENSE:

1. WINE & MALT NON-PROFIT FOR PROFIT
2. ALL ALCOHOLIC (NON-PROFIT ONLY) NON-PROFIT

REQUIREMENTS CHECKLIST:

- Narrative describing the event, including a description of the premises, food service and security plan.
- Floor plan of area where alcohol will be served and consumed, and securely stored and how this will be separated from public areas (roping, fences, etc.)
- Certificate of non-profit status (if your organization is non-profit)
- Certificate of liquor liability insurance: \$1 million per occurrence/\$2 million in the aggregate
- Certificate of TIPS or other alcohol safety training for all persons handling alcohol
- Application for Temporary Food Permit (Health Department)

APPLICANT'S SIGNATURE

6/17/24
DATE

FILING FEE: \$10.00
LICENSE FEE: \$25.00 PER DAY



June 21, 2024

We are requesting a one-day liquor license for our VIP Tent at the finish line of the ASICS Falmouth Road Race held on Sunday, August 18, 2024.

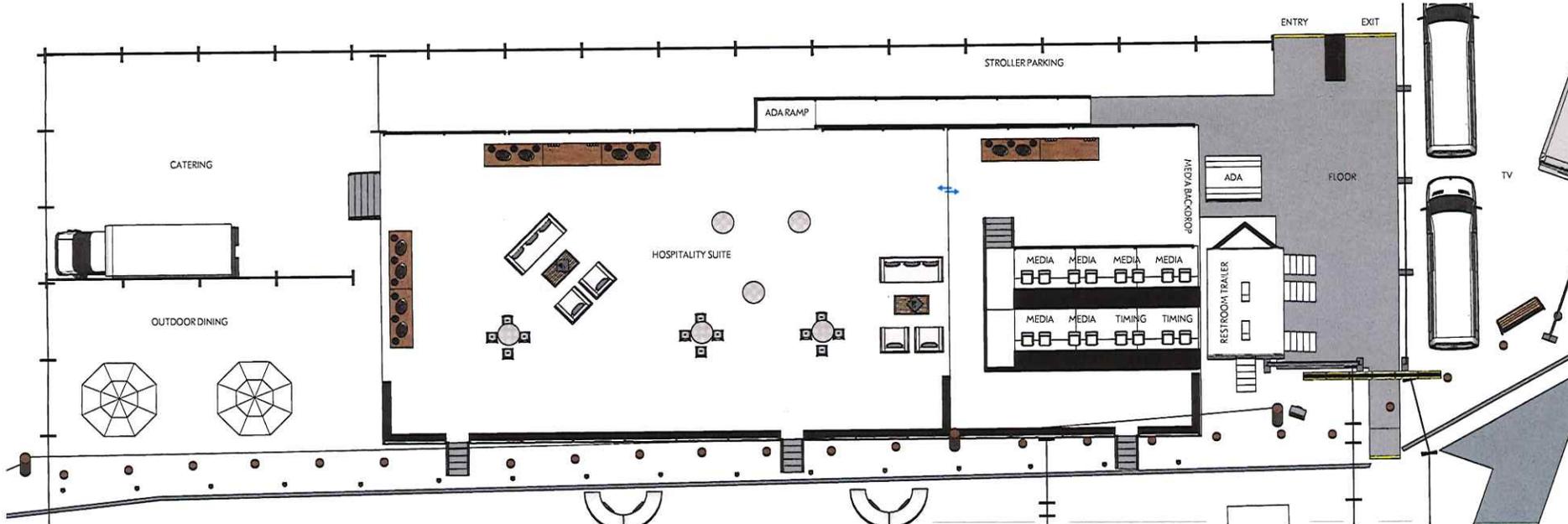
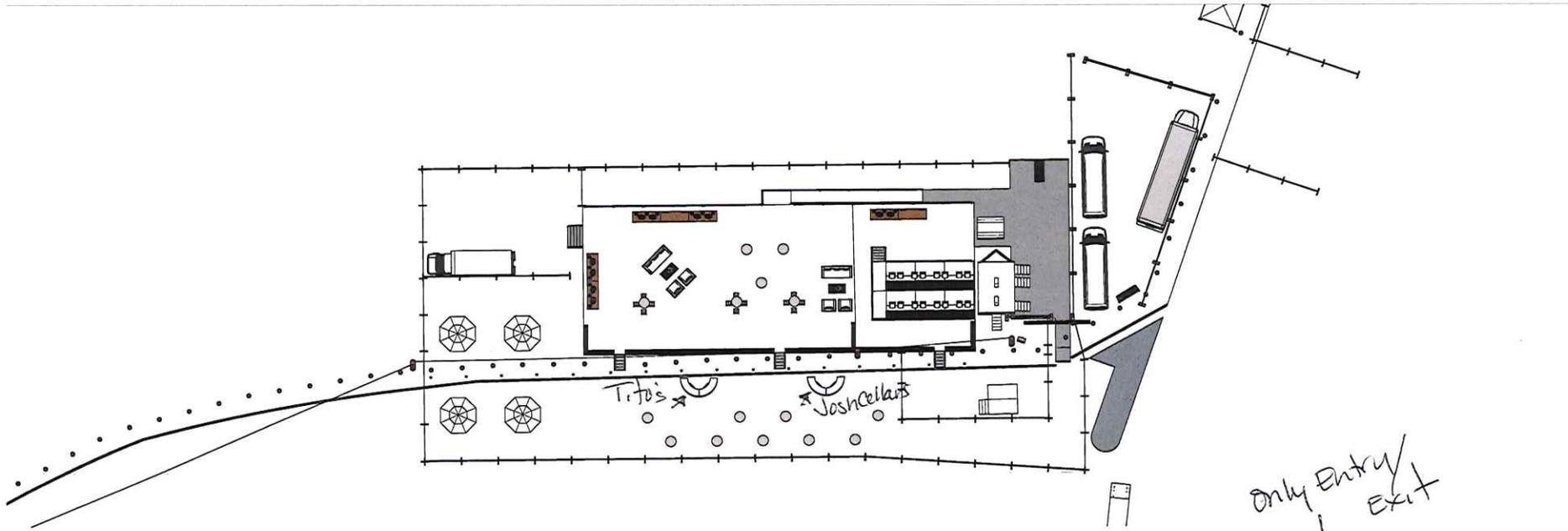
Our goal is to have the ability for our sponsor's Tito's Vodka and Josh Cellars, to serve a limited alcoholic beverage menu to our invited guests'. As a non-profit, we value our sponsor partnerships and see this as an opportunity to enhance our event while creating an elevated experience for approximately 400 of our special guests.

Prior to submitting this request, as part of our public safety policy, we have given this a thorough review and established the following operating guidelines:

- We met with Police Chief Lourie and have collaborated with regard to our security plan and FPD's expectations.
- To compliment our catering we will plan to serve an alcohol menu limited to two options, Bloody Marys and Mimosa's.
- The VIP tent is a secured venue with a single entrance and exit location. (excluding our designated emergency exit areas)
- Access to the tent is by invitation only, each individual attending is checked in at the door by a FRR representative and their ticket is collected.
- There is no charge for VIPs to enter the tent and there will be no charge for alcoholic beverages within the tent.
- Each VIP will receive a wristband upon entry. VIPs who are 21 and older will receive a unique wristband. Different wristbands will be issued to VIPs who are under 21. Public Safety team to have a copy of various wristbands and their designations prior to the event.
- Alcohol will be strictly limited to within the VIP tent. We will have a "no beverage on exit" policy and signage in place monitored by our team stationed at the entrance/exit of the tent.
- We will have a team in place during the event to circulate and monitor consumption, spot checking wristbands.
- An additional security team will be in and around the VIP tent at all times throughout the morning.
- Beverage service will be conducted by TIPS certified bartenders sourced and provided by our sponsors Tito's and Josh Cellars and served to our guests from a controlled "bar" setting within the tent (see floor plan).

Attached you will find copies of our required documents outlined in "Step 1" of the Application for a Special One Day Liquor License.

VIP Tent - floor plan



Design by:
 F&S Sports
 1000 North Main Street
 North Andover, MA
 Office: (978) 258-8229
 Cell: (978) 488-8338
 www.fandsports.com
 F&S@fandsports.com

LEGEND

- Tent: 10M X 35M X 3.4M
- Floor: 12.5M X 3.5M X 3'
- Railing: Cable Rails
- Stairs: (3) Sets of 48"
(1) Set of 96"
- Ramp: (1) ADA Ramp
- Extension: 10M X 2.5M w/
4M Leg

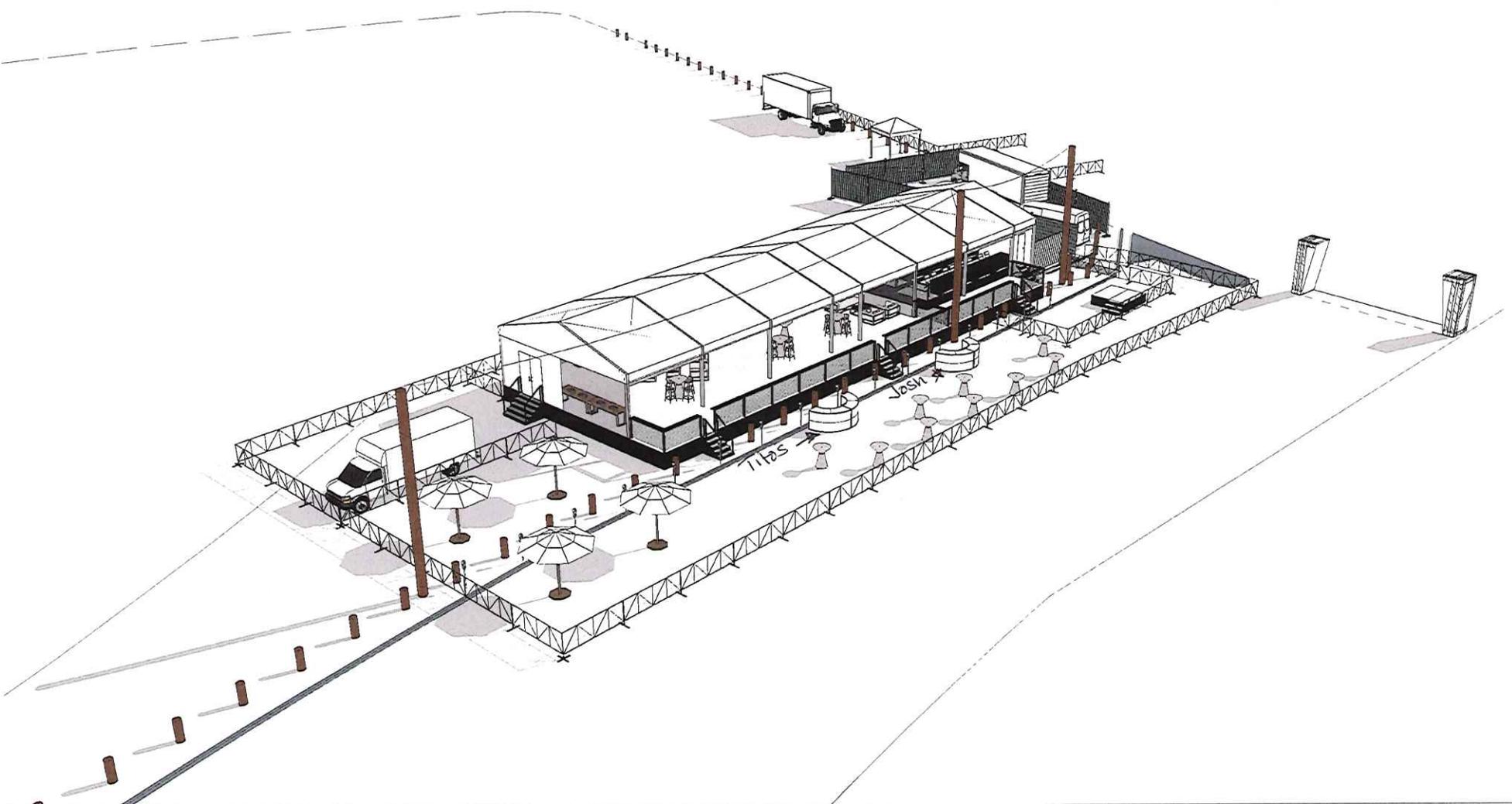
OVERVIEW

INITIAL CONCEPT

VERSION	1/22/2024
CLIENT	FRR, Inc.
LOCATION	Falmouth, MA
DATE	August 19, 2024

A 04





Design by:
 Ryan McGilverey
 Dawn McGilverey Sports Enterprises, Inc.
 North Andover, MA
 Office: 1781-256-8226
 Cell: 1617-438-5336
 www.dmsesports.com
 Ryan@dmsesports.com

ASICS FALMOUTH ROAD RACE | HOSPITALITY & MEDIA

PROJECT LOCATION: FALMOUTH, MA

PROJECT DATE: AUGUST 18, 2024

INITIAL CONCEPT

VERSION	FR24-VIP-01
CLIENT	FSR Inc
ENGINEER	ENGINEER
PROJECT #	05052024

These drawings are for informational purposes only and may not be used for construction. This document and all the information herein are copyrighted and remain the property of Dawn McGilverey Sports Enterprises, Inc. (DMSE). No part of this document, in whole or part, for any other project without the prior written authorization of Dawn McGilverey Sports Enterprises, Inc. (DMSE Sports). This document may not be reproduced or modified in any way without prior written consent of DMSE, Inc. © 2024

Design by:
 Perimeter Sports & Entertainment, Inc.
 1000 State St., Suite 200
 Falmouth, MA 01905
 Office: (508) 228-3225
 Cell: (508) 485-5118
 www.perimetersports.com
 PerimeterSports.com

LEGEND

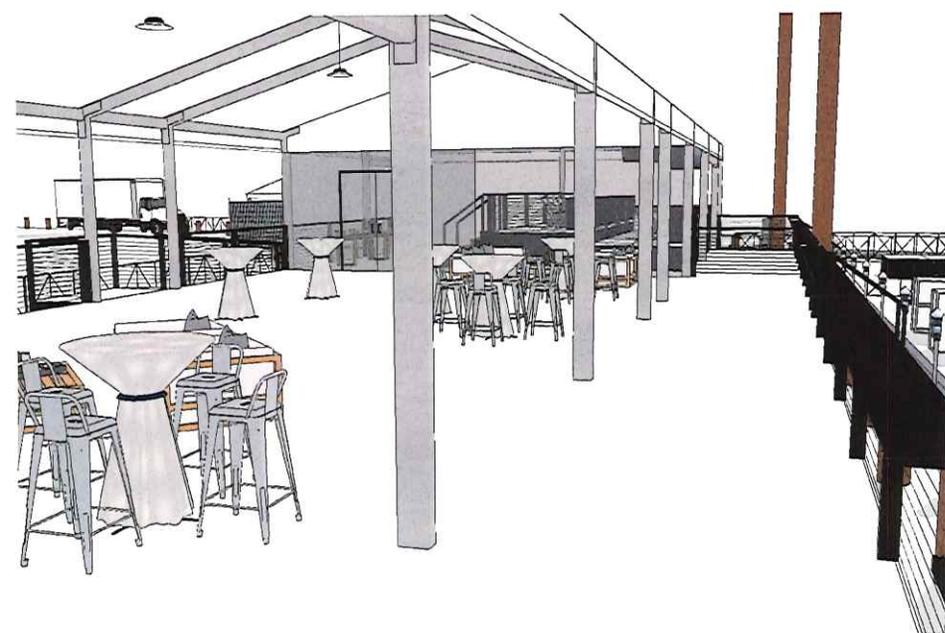
- Tent: 10M X 35M X 3.4M
- Floor: 12.5M X 3.5M X 3'
- Railing: Cable Rails
- Stairs: (3) Sets of 48"
(1) Set of 96"
- Ramp: (1) ADA Ramp
- Extension: 10M X 2.5M w/
4M Leg

INTERIOR

INITIAL CONCEPT

VERSION	Perimeter
CLIENT	FRR, Inc.
LOCATION	Falmouth, MA
DATE	August 15, 2024

A | 02



Internal Revenue Service

Date: August 28, 2006

FALMOUTH ROAD RACE INC
PO BOX 732
FALMOUTH MA 02541-0732

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Ms. Benson #31-07273
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
04-2676136

Dear Sir or Madam:

This is in response to your request of August 28, 2006, regarding your organization's tax-exempt status.

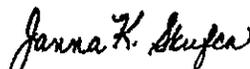
In December 1979 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under section 509(a)(2) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Janna K. Skufca, Director, TE/GE
Customer Account Services



Department of the Treasury
Internal Revenue Service
Ogden, UT 84201

In reply refer to: 0152428752
Jan 17, 2023 LTR 147C
04-2676136

FALMOUTH ROAD RACE INC
155 KATHARINE LEE BATES ROAD
FALMOUTH MA 02540-3088 992

Taxpayer Identification Number: 04-2676136

Form(s):

Dear Taxpayer:

Thank you for your telephone inquiry of January 17th, 2023.

Your Employer Identification Number (EIN) is 04-2676136. Please keep this letter in your permanent records. Enter your name and your EIN on all business federal tax forms and on related correspondence.

If you have any questions regarding this letter, please call our Customer Service Department at 1-800-829-0115 between the hours of 7:00 AM and 7:00 PM. If you prefer, you may write to us at the address shown at the top of the first page of this letter. When you write, please include a telephone number where you may be reached and the best time to call.

Sincerely,

Ms Dintcheff
1004602397
Customer Service Representative



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/27/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Murray & MacDonald Insurance Services, Inc. 550 MacArthur Blvd. Bourne MA 02532	CONTACT NAME: Zachary Tonello PHONE (A/C, No, Ext): (508) 540-2400 E-MAIL ADDRESS: zach@riskadvice.com	FAX (A/C, No): (508) 289-4111
	INSURER(S) AFFORDING COVERAGE	
INSURED Falmouth Road Race Inc. 155 Katharine Lee Bates Road Falmouth MA 02540	INSURER A: Philadelphia Insurance Co	NAIC #
	INSURER B: Arbella Mutual Insurance Co	17000
	INSURER C: USLI	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 23-24 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PHPK2622618	12/06/2023	12/06/2024	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							Employee Benefits	\$ 1,000,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			1020128796	05/15/2024	05/15/2025	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB888807	12/06/2023	12/06/2024	EACH OCCURRENCE	\$ 1,000,000
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
C	Liquor Liability			MSE024U7228	08/18/2024	08/18/2024	Each Occurrence	\$1,000,000
							Aggregate	\$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Town of Falmouth 59 Town Hall Square Falmouth MA 02540	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Zachary Smolter</i>

11:35



CERTIFICATE OF COMPLETION

This certifies that

Curtis Chin

is awarded this certificate for

TIPS On-Premise Alcohol Server Training

Hours 3.00	Completion Date 03/13/2024	Expiration Date 03/13/2027	Certificate # 0N-000033034621
---------------	-------------------------------	-------------------------------	----------------------------------

Scott N. [Signature]
Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 303 | Austin, TX 78730 | www.360training.com

CERTIFIED

Issued: 03/13/2024
Candidate #: 0N-000033034621

Curtis Chin
22 Woodbine Drive
Plymouth, MA 01901

Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature: _____

lms.360training.com





Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

licensing@falmouthma.gov • (508) 495-7320

Application for a Special One-Day Liquor License Checklist

Step 1: *Gather all the requirements.*

- A separate note or letter providing a narrative overview of the event including a description of the premises, food service, and security.
- If applying for an All-Alcoholic Beverages License, provide form 501(c){3}, or other proof of the organization's non-profit status.
- Certificate of Liquor Liability Insurance verifying coverage as follows: \$1 MILLION PER OCCURRENCE; \$2 MILLION AGGREGATE.
- TIPS or other Alcohol Safety Certification for all bartenders, servers, or other persons handling alcohol.
- A Floor Plan showing the area where alcohol will be served, consumed, and securely stored. Also show how the area will be separated from public areas (roping, fences, etc.)
- A Temporary Food Service Permit, if food is to be served, contact the Health Department at (508) 495-7485.

Step 2: *Now you are ready to submit the application form and requirements to the Select Board Office.*

- Submit the application and all requirements with the fees payable to the Town of Falmouth: \$10.00 filing fee plus \$25.00 per day license fee. Applicants usually do not need to attend the Select Board meeting at which the application is reviewed.
- Upon approval, the license will be mailed to the address on the application.

Proofread the application carefully. Incomplete applications may be denied. For questions contact:
licensing@falmouthma.gov or call (508) 495-7320

Diane Davidson

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Wednesday, July 17, 2024 1:48 PM
To: Boyd Demello; Diane Davidson; Craig O'Malley; Diane Davidson; Jeff Lourie; Mallory Langler; Morgan Cardoso; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: One-Day Liquor License Application - Falmouth Road Race - VIP Tent

No objection from Police.

Respectfully,

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



From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:52 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Subject: RE: One-Day Liquor License Application - Falmouth Road Race - VIP Tent

Fire Rescue has no objections

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: Tuesday, July 16, 2024 9:47
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:52 PM
To: Diane Davidson; Brian Reid; Craig O'Malley; Diane Davidson; Jeff Lourie; Mallory Langler; Morgan Cardoso; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: One-Day Liquor License Application - Falmouth Road Race - VIP Tent

Fire Rescue has no objections

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

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From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Tuesday, July 16, 2024 9:47
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Subject: One-Day Liquor License Application - Falmouth Road Race - VIP Tent

To all,

Attached please find an application for a special one-day all alcohol liquor license from the Falmouth Road Race. The Road Race is requesting service of Bloody Mary's and Mimosas under the VIP tent at Falmouth Heights Ball Field on Sunday, August 18 from 7:00 a.m. to 2:00 p.m.

Please provide your comments/recommendations by Monday, July 22, 2024. This application is scheduled for the Monday, July 29 Select Board meeting.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Select Board
59 Town Hall Square

OPEN SESSION

CONSENT AGENDA

1. Licenses

- b. Consider approval of an application for a Special One-Day Wine & Malt Liquor License – Shipwrecked – Asics Falmouth Road Race After Party – Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave. – Sunday 8/18/24 – 10:00 a.m. to 6:00 p.m.



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Licenses 1.b.

ITEM TITLE: Consider approval of an application for a Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: One Day Liquor License Application Review Form dated June 18, 2024; Emails from Reviewers; Application for Special Events; Event narrative;

PURPOSE:

The Select Board will consider the approval of an application for Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM.

BACKGROUND/SUMMARY:

- Applicant Rob Loewen, representing Shipwrecked, submitted a Special One-Day Liquor License for the Sale of Alcoholic Beverages application on June 18, 2024.
- The for-profit event, titled Asics Falmouth Road Race After Party, will be held on Sunday, August 18, 2024, from 10:00 AM to 6:00 PM and over 400 people are expected to attend the event.

- The event is to be conducted in the parking lot of Shipwrecked/The Heights Hotel, and the property parking lot will be closed to all vehicular traffic beginning at 5:00 AM on August 18.
- Two mobile draft beer trailers will be parked in the lot and will be attended by TIPS certified employees of Shipwrecked.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM, as presented.

OPTIONS:

- Motion to approve the application for a Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM, as presented.
- Motion to deny approval of the application for a Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM.
- Select Board defined alternative.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the application for a Special One-Day Wine and Malt Liquor License- Shipwrecked- Asics Falmouth Road Race After Party- Shipwrecked/The Heights Hotel parking lot, 263 Grand Ave.- Sunday, August 18, 2023- 10:00 AM to 6:00 PM, as presented.

Michael Renshaw

Town Manager

7/24/2024

Date

Date: 7/29/24

ONE-DAY LIQUOR LICENSE APPLICATION REVIEW FORM

Applicant: Shipwrecked, Rob Loewen

Event: Road Race After Party

Location: Parking lot of Shipwrecked and The Heights Hotel, 263 Grand Ave.

Date: Sunday, August 18, 2024 **Time:** 10:00 a.m. - 6:00 p.m.

License Type: Wine & Malt Beverages or All Alcoholic Beverages

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Police | <u>No objections from Police.</u> |
| <input checked="" type="checkbox"/> Fire | <u>No objection from Fire Rescue.</u> |
| <input checked="" type="checkbox"/> Health | <u>No issues from Health.</u> |
| <input checked="" type="checkbox"/> Building | <u>See below.*</u> |
| <input type="checkbox"/> Communications | <u>_____</u> |
| <input type="checkbox"/> M.E.S. | <u>_____</u> |
| <input checked="" type="checkbox"/> DPW-Parks | <u>No objections from Parks.</u> |
| <input checked="" type="checkbox"/> Recreation | <u>Recreation is OK with this event.</u> |
| <input checked="" type="checkbox"/> Beach | <u>No objection from Beach.</u> |
| <input checked="" type="checkbox"/> DPW-Highway | <u>No issues from Public Works Highway Division.</u> |

NOTES: *Building Dept. comments: Crowd control protocol and building occupancy must be maintained by the sponsoring Shipwrecked Restaurant.



APPLICATION

SPECIAL ONE-DAY LIQUOR LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES
M.G.L.A. CHAPTER 138, SECTION 14

NAME OF APPLICANT: Shipwrecked/Rob Loewen

ADDRESS OF APPLICANT: 263 Grand Ave

Falmouth Ma 02540
TOWN STATE ZIP CODE

NAME OF ORGANIZATION: Shipwrecked

MAILING ADDRESS: 263 Grand Ave

TELEPHONE #: 508-540-9600 EMAIL: info@shipwreckedfalmouth.com

LOCATION TO BE LICENSED-ADDRESS: Parking lot of Shipwrecked and The Heights Hotel
Falmouth MA 02540
TOWN STATE ZIP CODE

EVENT TITLE: Shipwrecked.Falmouth Road Race After Party APPROXIMATE # OF PEOPLE: 400+

DATE(S) OF EVENT: 08-18-24 HOURS OF EVENT: 10am-6pm

AUTHORIZED MANAGER OF ESTABLISHMENT EVENT: Rob Loewen

TYPE OF LICENSE:
1. WINE & MALT FOR PROFIT
2. ALL ALCOHOLIC NON-PROFIT ORGANIZATIONS ONLY NON-PROFIT

REQUIREMENTS check list:

- 1. Submit in a separate note or letter a narrative overview of the event including a description of the premises, food service, and security
- 2. Certificate of non-profit status (if your organization is non-profit)
- 3. Certificate of liquor liability insurance; 1 MILLION PER OCCURANCE - \$2 MILLION AGGREGATE
- 4. Certificate of TIPS or other alcohol safety training for all persons handling alcohol
- 5. Floor plan of area where alcohol will be served, consumed, and securely stored and how this will be separated from public areas (roping, fences, etc.)
- 6. Temporary Food Permit (Health Department)

06-18-24
DATE

Rob Loewen
APPLICANT SIGNATURE

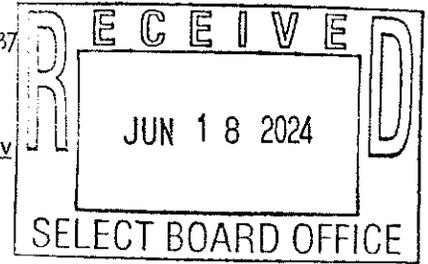
FEE: \$25.00 PER DAY
\$10.00 FILING FEE



Town of Falmouth

PAID
\$10.00 filing fee CK 1937

Office of the Town Manager & Select Board
59 Town Hall Square · Falmouth, MA 02540
Telephone (508) 495-7320 · Email townmanager@falmouthma.gov



Application for Special Events

CONTACT INFORMATION

Applicant's Name: Shipwrecked/Rob Loewen

Mailing Address: 263 Grand Ave Falmouth Ma 02540

Phone: 508-540-9600 Cell Phone: [REDACTED]

E-Mail: info@shipwreckedfalmouth.com

EVENT DETAILS

Name of Event: Shipwrecked/Asics Falmouth Road Race After Party

Type of Event: Road race after party

Event Day & Date: Sunday, August 18, 2024

Rain Date: _____

Event Hours: From: 10am To: 6pm

Setup Date: 08/18/24 Time: 8am Breakdown Date: 08/18/24 Time: 6pm

Location Requested:

1st Choice: Parking lot of Shipwrecked and The Heights Hotel

2nd Choice: _____

Number of Attendees: 400+ in and out Number of Vehicles: 0

Parking Plan: _____

Solid Waste & Recycling Plan: Porta Potty

Note: Please see Solid Waste & Recycling Information, attached.

Check all that apply and provide a description of each:

- Chairs beach chairs
- Tents 10X10 (apply for tent permit at Building Department)
- Barriers Rope at courtyard entrances, metal gates on street entrances
- Signs promotional (apply for sign permit at Building Department)
- Road race _____ (include route map, see attached road race rules and sign)
- Walk/bike _____ (include route map)
- Use of Shining Sea Bike Path _____ (see attached bike path rules and sign)
- Food or beverages _____ (apply for temporary food permit at Health Department)
- Alcoholic beverages Beer trucks (apply for one-day liquor license)
- Entertainment D.J. and band (apply for Sunday entertainment license)

ADDITIONAL INFORMATION: (Use of restroom facilities, electricity, etc.) (Attach a narrative describing the event.)

Please see attached

Applicant's Signature: [Signature] Date: 6-18-24

References:

1. _____ Phone: _____

2. _____ Phone: _____

3. _____ Phone: _____

Shipwrecked / Heights Hotel Falmouth Official Asics Falmouth Road Race Post Party

June 18,2024

Shipwrecked and the Heights Hotel would like to host the annual post Asics Falmouth Road Race party in the property parking lot. This event is being planned in the same fashion as it was last year on 08/18/23 with the support of the Asics Falmouth Road Race personnel.

The property parking lot will be closed to all vehicular traffic beginning at 5am and through to the end of the event. There will be a manned barrier closing off the entrance to the parking lot from the field with attendants and security personnel present during event hours.

There will be two mobile draft beer trailers parked in the parking lot supplied by L. Knife and will be attended by Shipwrecked TIPS certified employees. Draft and canned beer will be sold to individuals with proper identification. The restaurant will be fully operational, and food may be served indoors and out.

Live entertainment will be playing outdoors between the hours of 10am – 6pm. Music will be lightly amplified during the race but will not infringe upon the proceedings of the road race.

Staff members including managers and kitchen staff will be present during the event who are Serve Safe, Crowd Management, and CPR/First Aid/ Choke Training Certified.

Please feel free to contact the Shipwrecked management team with further questions.

Thank you,

Rob Loewen, Operations Manager

Shipwrecked and The Heights Hotel

508-540-9600

info@shipwreckedfalmouth.com

Diane Davidson

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Wednesday, July 17, 2024 1:49 PM
To: Boyd Demello; Diane Davidson; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

No objection from Police.

Respectfully,

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



From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov

Diane Davidson

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson; Brian Reid; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

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, July 17, 2024 11:34
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Tim Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

Diane Davidson

From: Gary Street
Sent: Wednesday, July 17, 2024 1:32 PM
To: Diane Davidson
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Diane,

Crowd control protocol and building occupancy must be maintained by the sponsoring Shipwrecked Restaurant.

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, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

May I request your comments by next Wednesday, July 24, 2024.

A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Diane Davidson

From: Morgan Cardoso
Sent: Wednesday, July 17, 2024 1:04 PM
To: Diane Davidson
Cc: Scott McGann
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

No issues from health.



Morgan Cardoso
Health Inspector
(508) 495-7486 | morgan.cardoso@falmouthma.gov
Town of Falmouth Health Department
59 Town Hall Square, Falmouth, MA 02540

Please Note:

The Town of Falmouth Health Department has rolled out PermitEyes (online permitting system). Please see the links below to register, apply or for Public View. .

Applicant Registration Page : <https://permiteyes.us/falmouth/userregistration.php>

Applicant Side Login Page : <https://permiteyes.us/falmouth/loginuser.php>

Public View Site (no login required): <https://permiteyes.us/falmouth/publicview.php>

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

May I request your comments by next Wednesday, July 24, 2024.

Diane Davidson

From: Jeremiah Pearson
Sent: Wednesday, July 17, 2024 1:57 PM
To: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

No objections from Parks!

Jeremiah

From: Diane Davidson
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

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May I request your comments by next Wednesday, July 24, 2024.

A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Please let me know if you have any questions.

Thank you,

Diane

Diane Davidson

From: Joe Olenick
Sent: Wednesday, July 17, 2024 11:39 AM
To: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Jim Grady; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Recreation is ok with this event.

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

May I request your comments by next Wednesday, July 24, 2024.

A public hearing on the application for the one-day Sunday entertainment license is scheduled for Monday, July 29 at 6:45 p.m.

Please let me know if you have any questions.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing

Diane Davidson

From: Brooke McMillan
Sent: Wednesday, July 17, 2024 2:10 PM
To: Jeremiah Pearson
Cc: Diane Davidson; Boyd Demello; Brian Reid; Craig O'Malley; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jim Grady; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: Re: One-Day Liquor License - One-Day Sunday Entertainment License

Beach has no objection

Sent from my iPhone

On Jul 17, 2024, at 1:56 PM, Jeremiah Pearson <jeremiah.pearson@falmouthma.gov> wrote:

No objections from Parks!

Jeremiah

From: Diane Davidson
Sent: Wednesday, July 17, 2024 11:34 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: One-Day Liquor License - One-Day Sunday Entertainment License

To: Special Events Working Group

Attached please find an application for your review and recommendations for a special one-day liquor license and a one-day Sunday entertainment license for the annual Shipwrecked/Falmouth Road Race After Party to be held on Sunday, August 18, 2024 at the Shipwrecked/The Heights Hotel parking lot from 10:00 a.m. to 6:00 p.m.

Diane Davidson

From: Jim Grady
Sent: Thursday, July 18, 2024 7:07 AM
To: Boyd Demello; Diane Davidson; Brian Reid; Craig O'Malley; Diane Davidson; Eleanor MacKay; Gary Street; Gregg Fraser; Jeff Lourie; Jeremiah Pearson; Joe Olenick; Maggie Clayton; Mallory Langler; Mike Renshaw; Morgan Cardoso; Peter Johnson-Staub; Peter McConarty; Scott McGann; Sean Doyle; Steven Cadorette; Timothy Smith
Cc: Brooke McMillan; Kristin Nickerson; Lindsey Demers; Pam Marshall; Samantha Moir
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Good Morning , Public Works Highway Division has no issues
Thank you,

James F. Grady Jr.
Town of Falmouth
Superintendent of Highways
416 Gifford Street Falmouth MA 02540
Tel (508)457-2543
FAX (508)548-1537
Jim.grady@falmouthma.gov

From: Boyd Demello <boyd.demello@falmouthfirema.gov>
Sent: Wednesday, July 17, 2024 12:51 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Eleanor MacKay <eleanor.mackay@falmouthma.gov>; Gary Street <gary.street@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jeff Lourie <Jeff.Lourie@falmouthpolicema.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Mike Renshaw <mike.renshaw@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Steven Cadorette <steven.cadorette@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Brooke McMillan <brooke.mcmillan@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Lindsey Demers <lindsey.demers@falmouthma.gov>; Pam Marshall <pamela.marshall@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>
Subject: RE: One-Day Liquor License - One-Day Sunday Entertainment License

Fire Rescue has no objection

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

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- a. Consider approval of the Warrant for 2024 State Primary on Tuesday, September 3, 2024

July 29, 2024



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.a.

ITEM TITLE: Consider the approval of the Warrant for the 2024 State Primary on Tuesday, September 3, 2024

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Draft Warrant for 2024 State Primary

PURPOSE:

The Select Board will consider the approval of the Warrant for the State Primary to be held on Tuesday, September 3, 2024.

BACKGROUND/SUMMARY:

- The Select Board is asked to approve the Warrant for the 2024 State Primary.
- Each of the nine (9) precincts are listed.
- The State Primary will be held on Tuesday, September 2024, and votes may be cast from 7:00 AM to 8:00 PM.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board approve the Warrant for the 2024 State Primary on Tuesday, September 3, 2024 as presented.

OPTIONS:

- Motion to approve the Warrant for the 2024 State Primary on Tuesday, September 3, 2024 as presented.

- Motion to deny approval of the Warrant for the 2024 State Primary on Tuesday, September 3, 2024 as presented.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager recommends that the Select Board approve the Warrant for the 2024 State Primary on Tuesday, September 3, 2024 as presented.

Michael Renshaw

Town Manager

7/24/2024

Date

COMMONWEALTH OF MASSACHUSETTS

**WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2024 STATE PRIMARY

Barnstable SS.

To the Constables of the Town of Falmouth

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

- Precinct 1: Town Hall
- Precinct 2: Falmouth Community Veterans Center
- Precinct 3: Falmouth High School Gymnasium
- Precinct 4: St Anthony's Lodge
- Precinct 5: North Falmouth Congregational Church Hall
- Precinct 6: Falmouth High School Gymnasium
- Precinct 7: Waquoit Congregational Church Hall
- Precinct 8: Navigator Club
- Precinct 9: Jewish Congregation Community Center

On **TUESDAY, THE THIRD DAY OF SEPTEMBER, 2024**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

SENATOR IN CONGRESS	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS	NINTH DISTRICT
COUNCILLOR	FIRST DISTRICT
SENATOR IN GENERAL COURT	PLYMOUTH & BARNSTABLE DISTRICT
REPRESENTATIVE IN GENERAL COURT	BARSTABLE, DUKES & NANTUCKET DISTRICT
REPRESENTATIVE IN GENERAL COURT	THIRD BARNSTALBE DISTRICT
CLERK OF COURTS	BARNSTABLE COUNTY
REGISTER OF DEEDS	BARNSTABLE COUNTY
COUNTY COMMISSIONERS (if	BARNSTABLE COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____, 2022.
(month)

Select Board of: the Town of Falmouth

In the name of the Commonwealth, you are hereby directed to notify and warn the inhabitants of the Town of Falmouth by posting an attested copy of this warrant in Town Hall and a public place in each precinct

_____, 2024.
Constable (month and day)

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- b. Consider the acceptance of a donation from the Teaticket Civic Association in the amount of \$600.00 to the Veterans Council donation account



ITEM NUMBER: Consent Agenda – Administrative Orders 2.b.

ITEM TITLE: Consider the acceptance of a donation from the Teaticket Civic Association in the amount of \$600.00 to the Veterans Council Donation Account

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: Letter from Veterans Services to Teaticket Civic Association dated July 19, 2024

PURPOSE:

This is a request to the Select Board for permission to accept a donation of \$600.00 to the Veterans Council Donations Account from the Teaticket Civic Association.

BACKGROUND/SUMMARY:

- The Teaticket Civic Association has a very long history of generously supporting the veteran community.
- This donation, if accepted, will be deposited into the Veterans Council Donation Account and used to assist Falmouth veterans who are in need.

DEPARTMENT RECOMMENDATION:

The Town Manager recommends that the Select Board vote to accept the donation of \$600.00 to the Veterans Council Donations Account from the Teaticket Civic Association as presented.

OPTIONS:

- Motion to accept the donation of \$600.00 to the Veterans Council Donations Account from the Teaticket Civic Association as presented.
- Motion to deny acceptance of the donation of \$600.00 to the Veterans Council Donations Account from the Teaticket Civic Association.

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 of \$600.00 to the Veterans Council Donations Account from the Teaticket Civic Association as presented.

Michael Renshaw

Town Manager

7/24/2024

Date



TOWN OF FALMOUTH
DEPARTMENT OF VETERANS' SERVICES

59 TOWN HALL SQUARE, FALMOUTH, MA. 02540

PHONE: (508) 495-7450/7453 ~ FAX: (508) 495-7451

E-MAIL: don.lincoln@falmouthma.gov or Julie.cadogan@falmouthma.gov

July 19, 2024

Teaticket Civic Association
Attn: Paul Affsa
Box 2154
Teaticket, MA 02536

Re: Donation for Falmouth Veterans

Dear Teaticket Civic Association:

Thank you so much for your very generous donation of \$600.00 for our veterans. Your organization is one of the most generous donors to the Falmouth Veterans' Council Donation account, and we are so very appreciative.

I can't thank you enough for your continued commitment to our veterans and their families. We are in the process of helping an older veteran and his wife who have fallen on hard times and need assistance. We could not provide the same level of services without your contributions.

Because your donation is over \$500.00, it must go before the Selectboard. It is scheduled for their July 29th meeting where they will sign off on it.

Wishing you all the best,


Julie Cadogan

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- c. Consider approval of the request from the Veterans Council to expend \$2,445.61 from the Veterans Council Donation Account to assist a Falmouth veteran with expenses associated with fuel and emergency hot water heater invoices



ITEM NUMBER: Consent Agenda – Administrative Orders 2.c.

ITEM TITLE: Consider approval of the request from the Veterans Council to expend \$2,445.61 from the Veterans Council Donation Account to assist a Falmouth veteran with expenses associated with fuel and emergency hot water heater invoices

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Falmouth Veterans' Council

ATTACHMENTS: Letter from Falmouth Veterans Council Committee to Select Board dated July 23, 2024; Letter from resident veteran to Don Lincoln dated June 24, 2024; copy of invoice from The Fuel Company dated July 1, 2024

PURPOSE:

The Veterans Council is requesting that the Select Board consider allowing the expenditure of funds from the Veterans Council Donation Account in order to pay for past due monies owed, in the amount of \$2,445.61, for a fuel and emergency hot water heater bill for a veteran in need.

BACKGROUND/SUMMARY:

- A resident veteran and spouse are experiencing difficulties since the passing of their 48-year old live-at-home special needs daughter; the spouse's physical and emotional health has plummeted and as a result the veteran is now her 24/7 caregiver.
- Therefore, the veteran is unable to work, relying solely on Social Security as income, leaving them in a month-to-month financial crisis.

- There are adequate funds in the Veterans' Council Donation account to cover the requested amount.
- A copy of the Veterans' Council's recommendation for payment of requested funds, invoice from The Fuel Company, and letter from the veteran are attached here for review.

DEPARTMENT RECOMMENDATION:

Veterans Services, as well as the Falmouth Veterans Council, are recommending that the Select Board approve the request to expend funds from the Veterans Council Donation Account in the amount of \$2,445.61 to assist a Falmouth veteran with expenses related to fuel and emergency hot water heater invoices.

OPTIONS:

- Motion to approve the request from the Veterans Council to expend \$2,445.61 from the Veterans Council Donation Account to assist a Falmouth veteran with expenses associated with fuel and emergency hot water heater invoices, as presented.
- Motion to deny approval of the request from the Veterans Council to expend \$2,445.61 from the Veterans Council Donation Account to assist a Falmouth veteran with expenses associated with fuel and emergency hot water heater invoices.
- 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 expend funds from the Veterans Council Donation Account in the amount of \$2,445.61 to assist a Falmouth veteran with expenses related to fuel and emergency hot water heater invoices.

Michael Renshaw

Town Manager

7/24/2024

Date

July 23, 2024

To: Falmouth Select Board

From: Falmouth Veterans Council Committee

A request to provide financial assistance in the amount of \$2,445.61 to a Falmouth resident Veteran in need has come to our attention through the Town Office of Veterans Services. [Name redacted] has provided a copy of an unpaid invoice for the balance on his home heating fuel and new hot water heater. The need and validity of the request has been vetted and verified by the Office of Veterans Services.

The Committee is in a summer recess and could not meet to discuss this issue in person, but several emails have been shared among the group over the last two weeks; three of the members specifically expressed support for this recommendation, none has expressed disagreement. Given this input and the advice of the Office of Veterans Services, I write to recommend supporting this request for financial assistance.

Sincerely,

Carissa April
Carissa April, Chair

[REDACTED]

[REDACTED]

To: Don Lincoln, Director, Veterans Affairs, Falmouth, MA.

Date: June 24, 2024

Hello, Don

Thank You for your time the other day while I was in your office.

You asked me to provide you with various document copies, I believe to help you determine which VA benefits I qualify for. You'll recall that I'm already signed into the VA Healthcare system in Hyannis & thrilled with my treatment there. I also know that I qualify for burial at the National Cemetery in Bourne. I'm somewhat lost though beyond that.

[REDACTED]

You'll also recall my telling you that (my Wife & I have fallen on hard times since we lost our 48 year old live at home Special Needs Daughter. My Wife's physical & emotional health has plummeted as a result & I'm her 24/7 caregiver now, unable to work, leaving us in a month to month financial bind. Whatever help you & the VA can offer would be so deeply appreciated.

Currently, the one "stand-out" crisis that I'm having is with our unpaid home heating fuel bill from last season & the balance of an emergency purchase hot water heater, \$2445.61 total. It would be GREAT if the VA could at least help us especially with that.

[REDACTED]

[REDACTED]



thefuelcompany.com

111 E Falmouth Hwy
E. Falmouth MA 02536
508.548.3030
800.649.3412

Budget Statement

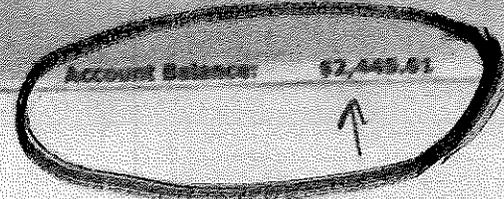
Date	Account	Amount Due
7/1/24	[REDACTED]	
	Budget Payments Due:	\$7.00
	Installation Payments Due:	\$0.00
	Non-Budget Charges Due:	\$1,880.57
Total Amount Due:		\$1,880.57

Services For:



Transaction History

Date	Ref	Transaction	Charges	Payments & Credits	Running Balance
6/1/24		Balance Forward			\$2,045.71
6/18/24	794793	Delivery: 100,000 gals. #2 BIGHEAT at 48 PROSPECT ST	\$399.00	\$0.00	\$2,445.61
Account Balance:					\$2,445.61



*****LAST MONTH FOR BUDGET PAYMENTS*****

All "ACCOUNT BALANCES" need to be paid in full by the end of this month. We will be reconciling the budgets at the end of month to start fresh on August 1, 2024. If you leave a large balance on your account you may not be eligible to enroll in the next season. Call the office with any questions or concerns.

Monthly Budget Payment \$0.00	Monthly Installment Payment \$0.00	Prebuy Balance \$0.00
---	--	---------------------------------



thefuelcompany.com

111 E Falmouth Hwy
E. Falmouth MA 02536
508.548.3030
800.649.3412

Date	Account	Amount Due
7/1/24	[REDACTED]	\$1,880.57
Please Enter Amount Paid: \$ _____		

Please return this portion with your payment



The Fuel Company
111 East Falmouth Hwy
East Falmouth, MA 02536

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- d. Consider the acceptance of a grant of easement for a water main extension at 255 Old Main Street



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.d.

ITEM TITLE: Consider the acceptance of a grant of easement for a water main extension at 255 Old Main Street

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Town Counsel

ATTACHMENTS: Partially Executed Water Main Easement and plan

PURPOSE:

The developer of property located at 255 Old Main Street is seeking to grant a permanent easement to the Town to construct an extension of the Town's water main to the development recently constructed at the location.

BACKGROUND/SUMMARY:

- In order to provide sufficient water service to the new construction at 255 Old Main Street, the Town requires an easement over the property; this proposed easement would allow the development at this location to connect to the Town's water service and gives the Town a perpetual right to maintain the pipes and hydrants at the location.
- This easement has been reviewed by Town Counsel and may be accepted administratively by the Select Board pursuant to chapter 65 § 3 of the Falmouth bylaws.

DEPARTMENT RECOMMENDATION:

Town Counsel recommends that the Select Board vote to accept the Water Main Easement so that the development located at 255 Old Main Street may connect to the Town’s water service and the Town may maintain the infrastructure at that location.

OPTIONS:

- Motion to accept the grant of easement as presented.
- Motion to reject the acceptance of the grant of easement.
- vote to request that Town Counsel negotiate modifications to the Easement Agreement as determined by the Board.

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 Water Main Easement so that the development located at 255 Old Main Street may connect to the Town’s water service and the Town may maintain the infrastructure at that location.

Michael Renshaw

Town Manager

7/22/2024

Date

WATER MAIN EASEMENT
NEW CONDOMINIUM DEVELOPMENT

NIKA DEVELOPMENT LLC a Limited Liability Company organized under the laws of Commonwealth of Massachusetts having a principal place of business at 44 CARL STREET NEWTON, MA 02461 ("Grantor") grant to the Town of Falmouth (the "Town" or "Grantee"), a municipal corporation, of 59 Town Hall Square, Falmouth, Barnstable County Massachusetts 02540, regarding a Water Easement located on that parcel of land known and numbered as located 259 & 263 Old Main Street, Falmouth, MA 02556

for nominal, non-monetary consideration,
the receipt and sufficiency of which is herein acknowledged,

the perpetual right, privilege, and easement, to use in common with the Grantor and others from time to time entitled to use the same, those strips of land lying within the area labelled "Proposed Water Easement" on a plan entitled "WATER EASEMENT PLAN, #255 OLD MAIN ROAD" dated June 24, 2024 by Merrill Engineers and Land Surveyors, recorded herewith, for underground water lines, including, without limitation, the right to use said strips for the purpose of laying, installing, maintaining, operating, constructing, re-constructing, removing, replacing, re-laying, inspecting, patrolling, servicing and using water mains, drains, pipes, hydrants, shut-offs, back flow devices, and related equipment and appurtenances, with the necessary manholes or conduits (all of which, water mains and related equipment, and conduits shall remain the property of the persons installing the same) in, through, under, across and upon said premises within the WATER EASEMENT in which the water main extension herein provided for is laid.

With respect to said right and easement hereby conveyed, the Grantor and the Grantee hereof for themselves and their respective successors in the record title thereto hereby agree as follows:

located 259 & 263 Old Main Street, Falmouth, MA
02556

AZ

NOW THEREFORE the Grantor covenants and agrees as follows:

1. The Grantor shall have the right to use and enjoy the foregoing right and easement for the purposes stated in common with the Grantee and others legally entitled thereto, subject to the terms and conditions expressed herein, but water usage shall be separately metered and paid by the party using the same.
2. The Grantor has or will, without any cost or expense to said Town of Falmouth, lay, construct, make, furnish, supply and install an extension of the existing water main of the Town of Falmouth, according to specifications approved by the Water Division and to its entire approval and satisfaction, from the existing water main on OLD MAIN ROAD, in, through, under, across and along the Proposed Water Easement shown on the plan attached hereto as Exhibit A.
3. It is agreed that during such constructions and laying of the water main as contemplated herein and hereby, the Water Division, and its duly appointed agents or representatives, shall have the right to inspect and to determine whether or not the rules and regulations and specifications of said Town of Falmouth are hereby complied with.
4. Grantor shall not perform, nor authorize or permit anyone to perform, any laying, installation, construction, maintenance, repairs or replacement of said water main without providing at least five (5) days written Notice to the Water Division and scheduling the supervision of an authorized agent of the Water Division onsite at all times.
5. It is further agreed and understood that there will be no change in the grade of said Water Easement in which said water main is laid without the prior written approval of the Water Division and that in the event that there is any change made to the grade of the Water Easement after the water main has been laid and installed as herein contemplated or provided, that the undersigned Grantor, and/or their successors in the record title thereto, will pay the entire costs of relocating any water mains or pipes or other equipment or appurtenances that may become necessary by virtue of any such change in the grade of such Water Easement.
6. Grantor will not authorize nor permit to be laid any existing or proposed waste water management system or components thereof, including, without limitation, gravity sanitary or storm sewer, septic tank, or subsoil treatment system within 10 feet horizontally from the Water Main. Grantor will also not authorize nor permit to be laid any other utilities, including, without limitation, underground telephone or electric wires or cables in said Water Easement within five (5) feet of any water main laid in said Water Easement. However, the immediately preceding provision in this Paragraph 6 will apply only to parallel lines and not to lines crossing said water main and/or lines leading into homes in the development. In the event of any violation of the covenant(s), in this Paragraph 6, any such offending installation shall be moved without any cost or expense to the Town of Falmouth.

A7

7. If in connection with the installation of utilities or otherwise any excavations are made in said strips and the land within (10) feet of the sidelines of such Water Easement , the party making such excavation shall forthwith restore said strips and the surfaces thereof to their prior condition. If said party is anyone other than Grantee or their successors in the record title, then Grantor or their successors in record title shall be responsible for ensuring compliance with this Paragraph 7.
8. It is further agreed that upon the completion of the aforementioned water main extension as herein provided, to the approval and satisfaction of the Water Division as evidenced by water being furnished through said water main extension to said premises that all such water mains, pipes, hydrants and appurtenances and equipment shall become, and remain, a part of the Town of Falmouth water supply system and shall be subject to all of the rules and regulations of the Water Division; and that the said Town of Falmouth may connect other water pipes or water mains or other connections thereto, whether on land of the undersigned or otherwise, without obtaining the consent or approval of any person or persons, or corporation who may at that time own said premises or any portion thereof, and without the cost of this water main extension being considered in determining any water guarantee or other charges or conditions that may then be required by the Town of Falmouth.
9. This Easement creates rights for the Town of Falmouth and nothing in this Easement is intended to create a duty or responsibility of any kind whatsoever for the Town of Falmouth to lay, install, maintain, operate, construct, re-construct, remove, replace, re-lay, inspect, patrol, service and use water mains, drains, pipes, hydrants, shut-offs, back flow devices, and related equipment and appurtenances, with the necessary manholes or conduits, for the water main extension contemplated herein. Grantor has not and shall not convey any rights in said extension, to anyone other than the Town of Falmouth as contemplated herein or the Condominium Association and Unit Owners pursuant to Condominium Documents contemplated by the Grantor. The limitation in the immediately preceding sentence shall apply to the water main extension as a whole, including, without limitation, its mains, lines, improvements, appurtenances, drains, repairs and replacement.
10. The Town is hereby authorized to maintain, repair or replace the Water Main if the Grantor fails to make or undertake with due diligence maintenance, repair or replacement of said Water Main within ten days after it is given written notice of such failure from anyone; provided, however, that in case of emergency where, in the sole opinion of the Water Superintendent or any Town Official temporarily acting in the Water Superintendent's stead during his or her absence or a vacancy of the role, delay would cause serious loss or damages or a hazard or inconvenience to the public or any combination thereof, the Water Division may maintain, repair or replace the Water Main or place lights, signs, and barricades without prior notice to said Grantor. Said Grantor shall pay any and all costs arising out of or relating to any and all maintenance, repairs, or replacement of the water main, whether performed by the Water Division or not, including, without limitation, legal fees, expenses and costs.

AZ

For grantor's title see Deed recorded with Barnstable Registry of Deeds in Book 34909, Page 345.

IN WITNESS WHEREOF, the undersigned GRIGORY PRESAYZEN being the manager, real estate signatory, and duly authorized agent of NIKA DEVELOPMENT LLC has signed, sealed, acknowledged and delivered this instrument on behalf of NIKA DEVELOPMENT LLC this 16 day of July, 2024.

WITNESS: 
Print Name: Boris B. Maiden

NIKA DEVELOPMENT LLC
By: 
Name: ALEXANDER ZELFOND
Title: Manager

ACKNOWLEDGMENT

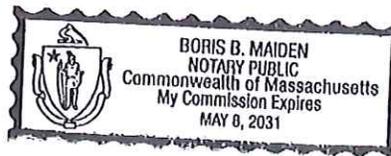
COMMONWEALTH OF MASSACHUSETTS

NORFOLK COUNTY

On this 16 day of July, 2024, before me, the undersigned notary public, personally appeared ALEXANDER ZELFOND, proved to me through satisfactory evidence of identification, which was MA DL, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he so signed it voluntarily for its stated purpose as the Manager of NIKA DEVELOPMENT LLC.



Notary Public
Print Name:
My Commission Expires:



We the undersigned Select Board of the Town of Falmouth hereby accept this Easement on behalf of the Town of Falmouth under authority of Ch. 65, § 3 of the Code of Falmouth.

Town of Falmouth
By its Select Board

Nancy Robbins Taylor, Chair

Edwin P. Zylinski II, Vice Chair

Douglas C. Brown

Robert P. Mascali

Heather M. H. Goldstone

Date: _____

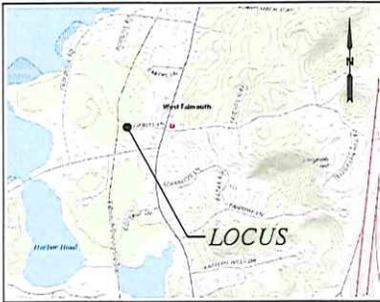
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2024 before me, the undersigned notary public, personally appeared _____ proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the within document and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:

Exhibit A
Water Easement Plan
[See Attached]

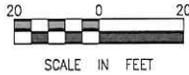


LOCATION MAP NOT TO SCALE

RECORD OWNER:
 ASSESSORS MAP 5A BLOCK 5 LOT 14
 #255 OLD MAIN ROAD

NIKA DEVELOPMENT LLC
 44 CARL STREET
 NEWTON, MA 02461
 DEED BOOK 34909 PAGE 345
 PLAN BOOK 701 PAGE 20

LEGEND	
□	CB/DH CONCRETE BOUND W/DRILL HOLE
□	SB/DH STONE BOUND W/DRILL HOLE
+	HYD FIRE HYDRANT
⊙	CURB STOP
—	WATER MAIN/SERVICE



I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DRAFT

DEANA BOUMITRI, P.L.S. DATE

I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES SHOWING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.

DRAFT

DEANA BOUMITRI, P.L.S. DATE

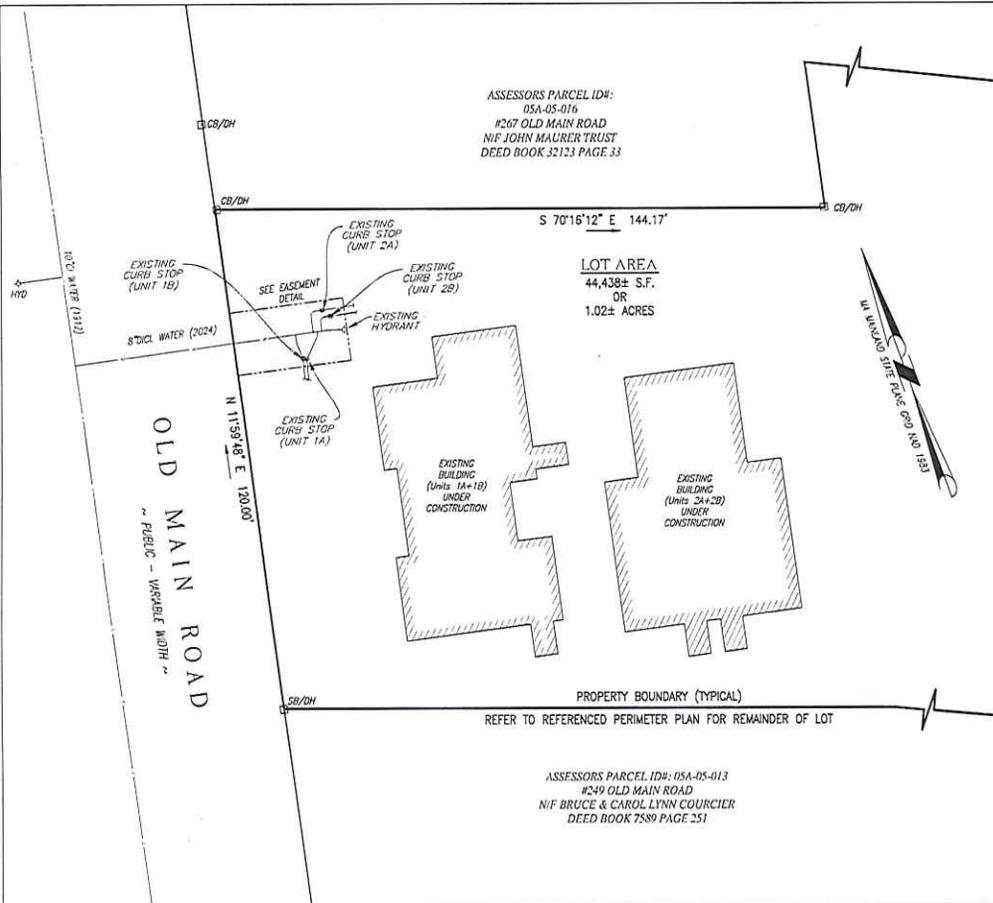
REVISIONS

DRAWN BY: DWT

DESIGNED BY: --

CHECKED BY: DB/TMS

Merrill
 Engineers and Land Surveyors
 427 COLLINGS ROAD, HANOVER, MA 03159 / T: (603) 826-9200
 26 UNION STREET, PLYMOUTH, MA 02360 / T: (508) 746-6060
 WWW.MERRILLINC.COM



THESE DIMENSIONS ARE BASED ON THE RECORD PLANS FOR THE EXISTING BUILDINGS AND THE PROPOSED EASEMENT. THE DIMENSIONS OF THE EXISTING BUILDINGS AND THE PROPOSED EASEMENT ARE SUBJECT TO THE RECORD PLANS FOR THE EXISTING BUILDINGS AND THE PROPOSED EASEMENT. THE DIMENSIONS OF THE EXISTING BUILDINGS AND THE PROPOSED EASEMENT ARE SUBJECT TO THE RECORD PLANS FOR THE EXISTING BUILDINGS AND THE PROPOSED EASEMENT.

WATER EASEMENT PLAN
 #255 OLD MAIN ROAD
 FALMOUTH, MASSACHUSETTS
 APPLICANT
 NIKA DEVELOPMENT LLC
 105 JORDAN ROAD
 BROOKLINE, MA 02446

JUNE 24, 2024

SCALE: 1" = 20'

JOB NO. 22-161

LATEST REVISION:

OPEN SESSION

CONSENT AGENDA

2. Administrative Orders

- e. Consider the approval to pay for the Town Manager's registration and travel expenses to attend the 2024 International City/County Management Association conference



AGENDA ITEM SUMMARY SHEET

ITEM NUMBER: Consent Agenda – Administrative Orders 2.e.

ITEM TITLE: Consider the approval to pay for the Town Manager’s registration and travel expenses to attend the 2024 International City/County Management Association conference

MEETING DATE: 7/29/2024

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

SUBMITTED BY: Mike Renshaw, Town Manager

ATTACHMENTS: None

PURPOSE:

The Select Board will consider the approval to pay for the Town Manager’s registration and travel expenses related to his attendance at the 2024 annual International City/County Management Association (ICMA) to take place in Pittsburgh, PA from September 21-September 25, 2024.

BACKGROUND/SUMMARY:

- Section 8 of the Employment Agreement between the Town and the Town Manager, titled Professional Development, states that “Subject to approval of the Board, the Town agrees to pay for the registration, travel, and reasonable expenses of the Town Manager for short courses, institutes, and seminars that are necessary for his professional development, which may include attendance at the ICMA Annual Conference,

Massachusetts Municipal Association Annual January Conference, and the Massachusetts Municipal Association Annual Spring Conference.”

- The 2024 Annual ICMA Conference is an excellent opportunity for the Town Manager to enhance his professional development and satisfy his required 40 hours of annual training needed to maintain his Credentialed Manager certification.
- The ICMA Annual Conference is the world’s largest and most impactful local government event of the year – with more than 5,500 public service professionals in attendance, it is an education-focused and energy-packed featuring the best and brightest professionals from local governments around the world.
- The ICMA Annual Conference brings together an unmatched educational programming spanning four days with renowned keynotes speakers, networking events, and an exhibit filled with technology and solutions available for local government.
 - Professional development.
 - Four days offer ample opportunities to discover new innovative management ideas and make connections with peers.
 - Hands-on training.
 - Workshops and educational sessions are taught by recognized experts. This ensures that attendees get practical knowledge and experience that they can bring back and share.
 - Networking.
 - The ICMA Annual Conference is the largest gathering of local government professionals worldwide.
- If registered by August 14, 2024, current ICMA members pay the reduced rate of \$810 (regular rate for members is \$890); the rate for the conference hotel is \$199/night.

DEPARTMENT RECOMMENDATION:

N/A

OPTIONS:

- Motion to approve paying for the Town Manager’s registration and travel expenses to attend the 2024 International City/County Management Association conference.

- Motion to deny approval to pay for the Town Manager’s registration and travel expenses to attend the 2024 International City/County Management Association conference.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

FINANCE DIRECTOR COMMENTS (IF APPLICABLE):

N/A

TOWN MANAGER COMMENTS:

The Town Manager is requesting that the Select Board approve paying for his registration and travel expenses associated with attending the 2024 Annual ICMA Conference in Pittsburgh, PA to take place from September 21 through September 25, 2024.

Michael Renshaw

Town Manager

7/22/2024

Date

OPEN SESSION

MINUTES

1. Review and vote to approve minutes of meetings
July 15, 2024

July 29, 2024

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes - DRAFT
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.

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

6:00 p.m. OPEN SESSION

Call to Order: By Chair Nancy Taylor

Chair Taylor called for a motion to go into Executive Session to consider the purchase, exchange or value of real property (599 Brick Kiln Rd.); and to discuss strategy with respect to collective bargaining –Communications Officers, AFSCME Local 1636, Unit C. She said discussion in open session would have a detrimental effect on the negotiating position of the Select Board.

Motion by Mr. Brown: So moved

Second: Mr. Zylinski

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.

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

Call to Order: Chair Taylor called to order the open sessions of the meeting saying that in Executive Session the Board came to an agreement with respect to collective bargaining with the Communications Officers, AFSCME Local 1636, Unit C.

Pledge of Allegiance – Led by Select Board

Proclamation – 100th Birthday – Muriel Humora

Mr. Brown read out the proclamation in its entirety, concluding as follows: We, the Select Board of the Town of Falmouth, do hereby proclaim Saturday, July 20, 2024, as Muriel Humora Day.

Recognitions:

Mr. Mascali recognized Brian Stokes for being appointed as full-time library director in Falmouth. He also recognized Janet Milkman for being named president of the Massachusetts Land Trust Board of Directors.

Chair Taylor recognized 3 students whom she had permission to name publicly for their assistance in a near-drowning incident at Goodwill Park on June 2: Lola Thibeault, Lily Joyce, and Emma Rascoe.

Announcements:

Mr. Brown said the Bureau of Ocean Energy Management has agreed to extend the comment period for the Gulf of Maine wind turbine lease area, and will be meeting on July 17 in Eastham.

Ms. Goldstone announced that the annual book sale for the Falmouth Public Library raised \$81,584, which broke a record set in 2019.

Public Comment:

Maurie Harlow-Hawkes, Old Dock Rd. – said she wanted to thank Peter McConarty, Jim Grady, and DPW workers for cutting back over-growth along Chapoquoit Rd., Nashawena, and Old Dock Rd. resulting in improved safety for all – said she had tried to submit a letter to the Enterprise but was told the letter could not be published – said she also wanted to thank the Select Board for standing strong and hard on keeping the rail, and for making a great effort at staffing all the stations.

Affirm appointment of the Finance Director

Mr. Renshaw orally introduced the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Open Session 7 – Affirm appointment of the Finance Director* in the Select Board packet. He said it was a very competitive recruitment and interview process and then summarized Laura Sitrin's experience and credentials, highlighting certain features. He said Ms. Sitrin would be a problem solver and an asset to the town. He requested that, due to details involving Ms. Sitrin's relocation, the Board waive the department head residency requirement. He said if Ms. Sitrin were appointed tonight, she would start on August 26.

Motion by Mr. Brown: To approve the Town Manager's recommendation to hire Laura Sitrin
Second: Mr. Zylinski Vote: Yes – 5 No – 0

Motion by Mr. Zylinski: To waive the department Head residency requirement for the new finance director, given the fact that housing is so difficult to find right now Second: Mr. Brown Vote: Yes – 5 No - 0

Ms. Sitrin spoke briefly saying she was very excited to join the team at the Town of Falmouth. She said she has spent a lot of time driving around Town and that a recent offer on a home in East Falmouth has been accepted. Mr. Mascali said he was familiar with partners at a firm where Ms. Sitrin had worked early in her career and welcomed her. Mr. Brown also commented on the quality of Ms. Sitrin's resume and that the Town was lucky to have her.

PUBLIC HEARINGS

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.

Mr. Zylinski read out the hearing notice.

Attorney Anthony Tsakalos was present representing the applicant. With him was the proposed manager, Robert Bell. Also with him were restaurant owners Karen Colangelo and Harold Gill, and Mark Colangelo. Atty. Tsakalos summarized the details included in the applications. He noted that the entertainment license was for the interior of the restaurant. He said Mr. Bell is TIPS certified and understands he is responsible for adherence to state and local liquor laws. He said Mr. Bell has a background check scheduled for July 25th. Atty. Tsakalos said he had contacted Lori Robinson, a nearby resident, regarding concerns related to the licenses after having seen her letter included in the packet. He said he was able to answer her questions and allay her concerns over entertainment volume and seating capacity.

Mr. Mascali asked about the driveway on the side. Atty. Tsakalos said it was slightly moved due to the patio but would still be a driveway, an issue that had been addressed at a previous planning board meeting.

Mr. Brown asked about the 7-day entertainment license and if it would be used that much. Atty. Tsakalos said it does allow for flexibility. Mr. Bell said the entertainment would not be all day every day, but would focus on busier weekend days unless there were a special event on a weekday. Atty. Tsakalos said he understood the new entertainment regulations.

Mr. Zylinski asked about the proximity of the nearest neighbor. Atty. Tsakalos said it was approximately 300 feet from the establishment. Mr. Zylinski asked if the applicant would commit to keeping in close touch with their residential neighbors regarding any concerns. Atty. Tsakalos said that the applicants would absolutely do so and gave examples regarding how that communication would work, including hours of trash pickup.

Ms. Goldstone asked why the applicant had not yet obtained a food service license. Atty. Tsakalos said it was an oversight by the owners and that they would be taking care of that in short order.

Chair Taylor stated that any action taken tonight would be contingent upon the successful completion of the background check.

Public comment:

Pete Nielsen said he lives at 435 N. Falmouth Highway and is about 300 or 400 feet from the venue – said the nearest neighbor is about 20 feet, which is an apartment adjacent to the restaurant – said there could be issues when you are 20 feet away – said it's a state highway and it's illegal to park on a state highway – said the noise wouldn't bother him but is speaking for the area neighbors.

Atty. Tsakalos said there is a residential building next door but no residential tenants in the building itself. He said there is adequate parking on site and nearby commercial spaces open up after business hours.

Chair Taylor reiterated Mr. Zylinski's request that the owner remains in contact with neighbors.

Mr. Zylinski noted the difference between 300 feet and 20 feet regarding the proximity of the nearest neighbor. He said it is important to provide accurate testimony at a hearing to help the Board make its decisions. Atty. Tsakalos again went over the issue of the nearest neighbor and proximity to the restaurant saying there are residential tenants at the site who are in relatively close proximity who might be affected by the business, but there was no intention to misrepresent the facts. Mr. Zylinski said he was simply pointing out that regarding noise connected with an establishment, when providing information about distance, accuracy is important.

Motion by Mr. Mascali: To close the hearing Second: Mr. Zylinski Vote: Yes – 5 No – 0

Motion by Mr. Brown: 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 exercised at 444A North Falmouth Highway, North Falmouth Second: Mr. Zylinski Vote: Yes – 5 No – 0

Motion by Mr. Brown: 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 exercised at 444A North Falmouth Highway, North Falmouth Second: Mr. Zylinski Vote: Yes – 5 No - 0

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

Mr. Zylinski read out the notice.

Mr. Mascali was the Board's designee to seek input and advice from interested entities regarding the naming of a public facility or place per Board policy. He said he has spoken with Jessica Whritenour and Joe Netto, as well as Jennifer Lincoln and Mark Kasprzyk from Conservation about the matter. He said all were unanimous in support of the application. He reiterated the attributes included in the policy to consider when naming a public facility, saying Dr. Gladfelter possesses all of them and recommended consideration from the Board in naming the Overlook after her.

Public comment:

Joe Netto, East Falmouth – said Betsy is a very dedicated citizen of Falmouth – remembered that Virginia Valiela had said at the outset that the project is in good hands – said Betsy is a great facilitator and held regular meetings to monitor and help the process along – said she really took the ball and ran with it – thanked the Board for their consideration.

Jessica Whritenour, Executive Director of T3C Land Trust – said the 300 Committee has always been in full support of the idea – said Betsy is a master organizer and communicator – said dozens of agencies and millions of dollars were able to come together in this effort, organized by Betsy – said as a volunteer manager, Betsy was able to

coordinate so effectively with town management, staff, other volunteer groups, and non-profit organizations to create momentum for all aspects of the project, including accessibility and education – she said Betsy is a true champion of the Coonamessett River.

Leonard Johnson, Precinct 5, T3C Board of Directors – said regarding securing the money, Betsy “knows how to shake the trees.”

Motion by Mr. Mascali: To close the hearing Second: Mr. Zylinski Vote: Yes – 5 No – 0

Mr. Brown said that the request is well-warranted. Mr. Mascali said Betsy was tireless in getting needed funding and assuring everyone was paid properly, effectively, acting as project manager. Chair Taylor noted that this is not the only project that Dr. Gladfelter has worked on and doesn't know how she does it all. Ms. Goldstone noted that the naming policy says naming should be done rarely but in this case, she cannot imagine anything more appropriate. She said it also highlights an incredible woman scientist, as well as the role of science in society and the betterment of community.

Motion by Mr. Mascali: To name the Overlook on the Coonamessett River for Dr. Betsy Gladfelter
Second: Mr. Zylinski Vote: Yes – 5 No - 0

Dr. Gladfelter spoke briefly, saying she appreciated the opportunity to do this, not really knowing what it would entail. She said that her husband once said that she didn't really know how to do anything, but she knew how to get other people to do things, and do their best. She thanked all in the Town who have been connected with the project for its success. She said she enjoyed getting the chance to actually improve the environment, as well as affording the opportunity to others to appreciate and value the environment.

Mr. Zylinski said that what Dr. Gladfelter just said is actually knowing how to do something.

There was brief Board comment on whether the name would be Betsy or Elizabeth. Dr. Gladfelter said at this point, she didn't know.

Vote to Establish and Adopt Entertainment Regulations

Mr. Zylinski read out the hearing notice.

Mr. Renshaw orally reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Public Hearing 3 – Vote to Establish and Adopt Entertainment Regulations* in the Select Board packet, including the process used to create the draft regulations. He recommended approval as presented.

Mr. Mascali asked about #7c and if it pertained to outdoor entertainment or noise in general. He said he felt the intent was outdoor entertainment. Mr. Renshaw said, “It's noise that to a reasonable person is excessive.” Mr. Mascali again said he thought the regulation was addressing noise from outdoor entertainment and recommended that the draft be amended to reflect that, as opposed to just the term “noise.” There was brief Board discussion about noise that might result from patrons interacting outside the establishment vs. noise from the outdoor entertainment, and if the general noise were part of this regulation.

Public comment:

Town Counsel Maura O'Keefe said that Section 7 was drafted specifically for outdoor entertainment, and all 3 subsections of Section 7 apply to outdoor entertainment. She said the language could be made clearer if necessary. She suggested adding to Sub-section c: “Noise *from outdoor entertainment* shall not be ...”. Mr. Mascali said that was his recommendation. Chair Taylor said, “Done.”

Ms. Goldstone asked if Section 7 language (first paragraph) and Section 8 language were somewhat contradictory. Section 7 seems to allow exceptions specifically permitted by the Select Board; Section 8 language seems to allow no such permitting. She asked if Section 8 took away the previous ability of the Board to explicitly permit otherwise. Atty. O'Keefe said it can. “It's there to give you an out, to be honest,” she said. She said it does contain the ability of the Board to deviate from the outdoor entertainment rules in Section 7, but provides a “bright line rule that is there if you want it.”

Ms. Goldstone expressed concerns about the feasibility and enforceability of containing the sound of outdoor entertainment within property lines. She cited the example of where she lives and routinely hearing the Town band

performing at the bandshell. She asked if the regulations apply to activities on Town land and wondered if a double standard were being set up regarding town land activities vs. private business activities.

A discussion ensued around which activities require licenses and which do not, and if required, what kinds of licenses are needed, and the impact that serving alcohol has on the situation. The discussion returned to entertainment licenses. Mr. Brown said that when an applicant seeks an entertainment license, there is an understanding that “we’re holding you to a standard that is not really possible, but we put it in there so we have a way to respond if they are bothering the neighbors.” He said it’s not perfect, but you have to have something to stop it if the neighbors complain.

Mr. Mascali said he has concerns about the enforceability of it and would like to hear if anyone will speak to it. He said he is somewhat surprised that they haven’t heard from commercial businesses in Town, indicating that they are trying their best to confine the noise to the property line. Mr. Zylinski said he agreed with Mr. Mascali, and that the rules give businesses a base line to work from.

Public comment:

Marc Finneran – said if you enforce the rules equally, you will eliminate any concerts at the ball field or bandshell – asked if are you going to shut all those down – doesn’t seem fair to allow the concerts at the band shell and nowhere else – said he feels the rules are too extreme – asked how enforcement will be achieved – said people come here to have a good time and spend their money and that’s what keeps the Town afloat – said he thinks they are a little strong.

Dave Buzanoski, President of the Maravista/Falmouth Heights Neighborhood Assn. – said he’s here frequently regarding the volume of the entertainment noise – said he compliments Mr. Renshaw trying to standardize that – said we’re not trying to restrict people from entertaining their clients – said there’s a distinction between an establishment entertaining its patrons and a special event like a concert or special event – said he thinks the Board has addressed the issue, and that containing the volume to property lines will be difficult to regulate – said there is also an issue with cranking up the volume later in the evening.

Paula Lichter, Deacons Ave., Falmouth Heights – (passed out documents to Board members) – referred to a section in red in the document and requested that this be added – said she did not know who or which restaurants had access to the draft document – suggested adding “any establishment using any outdoor entertainment as per 6 or 7 above, must cease and desist as of the passing of this policy, and then apply for an outdoor entertainment license or remain without an outdoor entertainment” – said a neighboring establishment used speakers for a number of years without a license - said anyone who wants to use speakers at all needs to get a license – said that even when the issue previously came before the Board and a map was drawn to designate where the musician would sit, it didn’t work because the musician would walk around.

Mr. Brown said that the use of speakers should be implicit that a license is required.

Atty. O’Keefe said that she would not add the suggested language. She said that the first section states that if you are going to have entertainment, a license is required. She said the regulations will go into effect once they are adopted, and anyone holding a license will be subject to them. Some license holders may request modifications or would be asking for permission to do something else.

Mr. Mascali sought clarification that the Board would have the authority to grant exceptions on an application. Atty O’Keefe said that the Board can place any modification or condition on any license, whether entertainment or alcohol. This regulation just gives criteria to adhere to or deviate from, she said.

At this point, Atty. O’Keefe, responding to Ms. Goldstone’s earlier question, suggested this clarifying language for Section 8: “If noise from outdoor entertainment cannot be contained within the property lines, the Select Board may place suitable conditions on the license.”

Motion by Mr. Zylinski: To close the hearing Second: Mr. Mascali Vote: Yes – 5 No – 0

Mr. Mascali asked how this would work with a noise bylaw. Mr. Renshaw said he has been drafting a noise bylaw for November Town Meeting. He said it would have an impact in terms of enforceability, perhaps in having a decibel reading, to make it a more objective standard. Mr. Mascali also asked Town Counsel if she knew about

Jamie Mathews, Chair of the Conservation Commission, orally presented information contained on approximately 12 screens which comprised the report. Information included data on conservation commission membership, staffing, meetings, and conservation land management.

Mr. Brown asked about Mill Pond in East Falmouth and why it was not in green on the map of conservation lands. Dr. Gladfelter said that Mill Pond is not a Town conservation land. She said that the role of the commission is to enforce the state wetlands protection act and the Town's bylaw, as well as to manage conservation lands in Town. Mr. Brown said he asked because Mill Pond is a problem (smelly) and many people ask why the Town doesn't do something about it. Dr. Gladfelter then said the restoration of the pond could be something to consider doing. Mr. Mathews also said someone would need to take the helm and work on restoration. Mr. Brown said weed removal had been done at one time and would like to revisit that issue. Mr. Mathews said more research would need to occur and the issue looked into further.

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

Michael Kasparian, president of the Falmouth Chamber, said he was present to request that the Board approve the submission of an application to the CPC for CPA historic preservation funding.

Mr. Mascali asked how much funding would be requested. Mr. Kasparian said \$750,000. He outlined the history of the Town-owned building regarding previous CPA funding and updated the Board on the current condition of various features of the building that need restoration and preservation work. He said there are two local builders who engage in such work. He said there is already a preservation restriction on the building. He said CPA funding cannot be used for maintenance, so the DPW has done what it can to maintain things. He made the case that the restoration and preservation of the building is now a necessity. He said the Chamber, the tenant in the building, has taken on the responsibility of completing the application and has worked with the historical commission and DPW in that process. He said the last step is now to get the approval of the Select Board to submit the application.

Chair Taylor noted that the expectation was that the cost would be under \$750,000. Mr. Kasparian then identified work that would need to occur, including work on the old heating system. He said he has been working closely with Maureen Thomas with the CPC, as well as the sustainability director regarding plans. There was brief Board comment about the amount, but Mr. Renshaw clarified that the Board would be approving the submission of the application to the CPC rather than the details of it. Mr. Kasparian also provided a timeline connected with the process of requesting the funding, receiving the funding from Town Meeting, and then actually getting the work done. He said the expected completion of the project is Columbus Day of 2025.

Motion by Mr. Zylinski: To approve the request of the Falmouth Chamber of Commerce to submit an application to the Community Preservation Committee to apply for funds to completely preserve the Lawrence Academy Building **Second: Ms. Goldstone** **Vote: Yes – 5 No - 0**

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

Mr. Renshaw reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 5 – Approve request from the Falmouth School Department to apply to the Community Preservation Committee (CPC) for a grant to renovate the Mullen Hall School Playground* in the Select Board packet. He said Paul Dart from the School Dept. was present to answer questions.

Mr. Brown asked if the \$250,000 would be mostly for materials and guidance from a volunteer group. Mr. Dart said about \$106,000 would be for materials and project management. The rest is labor for an independent contractor to do the work. Mr. Brown then said if there were a volunteer effort, that figure would be lower. Mr. Dart agreed. Mr. Zylinski clarified that demolition would be included in those figures. Mr. Dart said the project is about replacing parts and upgrading, more renovating than demolishing. The price is all-inclusive. Ms. Goldstone asked about a timeline. Mr. Dart said it would be summer of 2025. Mr. Brown and Ms. Goldstone commented on the positive attitude connected with the project and that it benefits the entire community.

Motion by Ms. Goldstone: To approve the request from the Falmouth School Department to apply to the Community Preservation Committee for a grant in the amount of \$250,000 to renovate the Mullen Hall School Playground. **Second: Mr. Brown** **Vote: Yes – 5 No - 0**

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

Mr. Renshaw reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 6 – Approve a request for variance to sign code §184-7 for the placement of “Home of the Clippers” flags on the light poles along Main Street* in the Select Board packet.

Lori Duerr, superintendent of Falmouth Public Schools, presented information about the flags, including the design of the flag done by one of the high school “Clippers.” The Falmouth Road Race has funded all the signs and the brackets.

Ms. Goldstone noted the 3 time periods and questioned whether there could be an extension to include special occasions when showing “Clipper Pride” would be appropriate. Mr. Renshaw said that if the Board wished to include special occasions to the 3 listed time periods, that there be language in the motion indicating that.

Motion by Ms. Goldstone: To approve the request for a variance to sign code §184-7 for the placement of “Home of the Clippers” flags on the light poles along Main Street during 3 expected periods, and possible special events and any additional requests **Second: Mr. Zylinski** **Vote: Yes – 5 No – 0**

Request for variance to sign code Section 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

Mr. Renshaw reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 7 – Request for variance to sign code Section 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* in the Select Board packet. Mr. Renshaw recommended denial of the request based upon stated concerns of the building department included on the *Agenda Item Summary Sheet*.

Mr. Brown asked if the sign could be mounted to the wall. Eileen Miskell, the applicant, said she applied for the variance to test the system to see what the Board’s response would be to a long-time business (38 years). She said the face of the building is elevated and the space is limited. She said they have had the sandwich sign for a long time and that this issue came up only recently with the addition of a new staff member in Town Hall who told them they were in violation. It was clarified that the original store, 189, is the site in question. She said the sign is not on the sidewalk but in the garden.

Ms. Goldstone asked about a separate free-standing sign on premises and conditions that govern that. Mr. Renshaw said that some businesses are allowed free standing signs. Ms. Miskell asked what the difference is between a sandwich board sign and a free-standing sign. Mr. Renshaw said that one is moveable, and one is not. Ms. Miskell said the sandwich board sign has been there off and on for 10 years.

Mr. Brown asked about grandfathering the sign. Mr. Mascali said that granting the variance is doing the same thing. Mr. Brown said he sees the point that if everyone did it, it would be problematic. Mr. Zylinski said “precedent-setting.” Mr. Johnson-Staub said regarding precedent, one concern is that sandwich board signs tend to encroach into the sidewalk and affect accessibility. Ms. Miskell said she knows the sign is not allowed on the sidewalk.

Mr. Zylinski asked what the reluctance is to putting a free-standing sign in the garden area, and explained how that solution might get around the issue of setting a precedent. Ms. Miskell brought up the issue of budget concerns to design and install a sign.

Ms. Goldstone said while some businesses are allowed a free-standing sign, this business is asking for a different style of sign that is out of the walkway, clearly in the garden, and is essentially taking the place of the one permanent sign. Mr. Zylinski said that the free-standing sign doesn’t require a variance.

Mr. Johnson-Staub said that regarding the free-standing sign issue, he is not certain that that is by right for every business on Main Street. He said if Eight Cousins applied for a free-standing sign, he doesn’t know that they would get it per the code. Ms. Miskell noted also that the store is in the historic district, meaning the historical commission would be involved in the process.

Mr. Mascali said that the garden where the sign would be placed takes things out of the argument that this could be a precedent or be part of the building commissioner's concerns.

Motion by Mr. Mascali: To grant the variance Second: Ms. Goldstone
Vote: Yes – 4 (Mr. Brown said, "Just for this one.") No – 1 (Chair Taylor)

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

Amanda Braga-Tipton, sister of late Sgt. Joshua Tipton, spoke of ways 4 generations of her extended family have served the Town. She went on to highlight the scourge of suicide among military veterans, citing 42,600 over the past 23 years. She outlined the ways her brother was valued by all who knew or worked with him. She said she does not want her brother to be known by how he died on July 5, 2023, but by how he lived. She said for these reasons, she is requesting to start the one-year process for naming the Green Pond bridge the Sergeant Joshua Tipton Memorial Bridge.

Mr. Brown brought up example of the Menauhant Bridge and naming it after two military veterans. He asked Ms. Braga-Tipton if she would be amenable to that plan, dedicating one side or the other, and she said absolutely. She then asked if she could give materials to the Board and handed them to the chair.

Motion by Mr. Mascali: To start the process to name the Green Pond Bridge in honor of Sgt. Joshua Tipton
Second: Mr Brown Vote: Yes – 5 No – 0

Vote to support the implementation of the Senior Services Department Enrollment, Caregiver, and Visitor policies

Mr. Mascali asked if there were a difference between a resident and a residential taxpayer. Jill Irving Bishop, Senior Center Director, said the verbiage came from Town Counsel. Mr. Johnson-Staub said that a resident is registered to vote in Falmouth and may or may not be a property taxpayer. A taxpayer who votes elsewhere, for this policy, would be treated the same. Per this policy, both are eligible for services at the Senior Center. Mr. Mascali said he was asking about the term "residential taxpayer" because he has not seen it used in other documents, but he understands and supports the policy. Joe Clancy from the Council on Aging said that as an example, people who live in the apartments being built across the street will be residents but not taxpayers.

Ms. Goldstone asked about the visitor policy. Ms. Bishop said the real issue is the number of visitors or guests of residents who visit the café, which is not a restaurant, but a place where participants, residents of the community, can get affordable food. She said if someone seeks information, they can check in and be connected with outreach. But a resident cannot bring in 3 or 4 visitors just to have lunch, which has been happening. Ms. Goldstone asked about possibly issuing limited visitor passes. Ms. Bishop said that even doing that, the impact on the café is enormous. She said the café is run with a part-time staff person and 7 volunteer shifts per day. Mr. Zylinski noted that that one meal a day might be the only nutritious meal for that resident, and that is why it has to be protected. Chair Taylor reiterated that the space is a café and not a restaurant.

Ms. Bishop said that for FY2024, there were over 72,000 service units. She also gave data showing that volume and numbers of seniors in Town will grow, so they are trying to protect whom the center serves.

Announce November 2024 Annual Town Meeting schedule

Mr. Renshaw reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 10 –November (corrected from April) 2024 Annual Town Meeting Schedule* in the Select Board packet.

Motion by Mr. Zylinski: To approve the November 2024 Annual Town Meeting Schedule as presented
Second: Ms. Goldstone Vote: Yes – 5 No - 0

CONSENT AGENDA

- I. 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

Motion by Mr. Zylinski: To approve the Consent Agenda Second: Mr. Brown Vote: Yes – 5 No - 0

MINUTES

Review and Vote to Approve Minutes of Meetings

Public Session –June 17, 2024

Ms. Goldstone corrected a sentence under liaison assignments on p.10 as follows: “Mr. Brown said he would in turn take the Agricultural Commission.”

**Motion by Mr. Zylinski: To accept the June 17 minutes with the amendment Second: Ms. Goldstone
Vote: Yes – 5 No - 0**

Public Session - May 6, 2024

**Motion by Mr. Zylinski: To approve the May 6 minutes as presented Second: Mr. Brown
Vote: Yes – 4 Abstain – 1 (Ms. Goldstone)**

TOWN MANAGER'S SUPPLEMENTAL REPORT

No supplemental report this evening

SELECT BOARD REPORTS

Mr. Mascali reported on the following:

- Attended the Recreation Committee meeting

Mr. Brown reported on the following:

- Attended the Waterways Committee meeting with attention on Waquoit Bay

Ms. Goldstone reported on the following:

- Attended the Affordable Housing Committee meeting, which could eventually proceed because a member who was away called in to achieve a quorum

Mr. Zylinski reported on the following:

- Attended the CCMPO meeting today
- Attended The 300 Committee's annual meeting at their new headquarters (Mr. Mascali said the meeting honored Mr. Zylinski's family with a moving tribute)

ADJOURN

Motion by Mr. Mascali: To adjourn Second: Mr. Zylinski Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary