

TOWN OF FALMOUTH
BOARD OF SELECTMEN
AGENDA

MONDAY, APRIL 23, 2018 – 6:30 P.M.
SELECTMEN'S MEETING ROOM
TOWN HALL

6:30 p.m. OPEN SESSION

6:30 p.m. EXECUTIVE SESSION

1. M.G.L. c. 30A, s. 21(a)(3) – Discuss resolution of all turbine litigation
2. M.G.L. c. 30A, s. 21(a)(6) – Status/update on potential purchase of Lyberty Green Project site
3. M.G.L. c. 30A, s. 21(a)(3) – Review Ballymeade Homeowners Assoc. v. Town of Falmouth
4. M.G.L. c. 30A, s. 21(a)(7) – Discussion of personnel matter/review of confidential document

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation – Police Week – May 13–19, 2018
4. Recognition
5. Announcements
6. Public Comment
7. Affirm Appointment of Recreation Director

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Application for Change of Manager of an All Alcoholic Innholder License – Hostmark Falmouth Management, LLC d/b/a Falmouth Holiday Inn, 291 Jones Road, Falmouth
 - b. Application for a Special All Alcoholic One-Day Liquor License – Fundraising Bowling Tournament – Trade Center Bowl, 89 Spring Bars Road – Sunday, 4/29/18
 - c. Application for Special All Alcoholic One-Day Liquor Licenses – Falmouth Theatre Guild – Highfield Theatre, 58 Highfield Drive – May 4, 5, 6, 11, 12, 13, 18, 19 & 20, 2018
 - d. Application for Special Wine & Malt One-Day Liquor License – Cinco de Mayo Woods Hole – Quicks Hole Taqueria Parking Lot, 6 Luscombe Avenue – Saturday, 5/5/18
 - e. Application for Transfer of a Taxi License – Falmouth Taxi, 17 Walker St.
2. Administrative Orders
 - a. Endorse Proposed Gun Buyback Program
 - b. Authorize/Approve Use of Old Silver Beach Resident Parking Area for Fireworks Display on Monday, April 23, 2018
3. Special Events

New - Recommended:

 - a. Cinco de Mayo Woods Hole – Quicks Hole Taqueria Parking Lot, 6 Luscombe Ave., Saturday, 5/5/18

PUBLIC HEARINGS

7:30 p.m.

1. Application for a New All Alcoholic Common Victualler License – Markantonis Restaurant Group, Inc. d/b/a Estia – 117 Main Street, Falmouth

7:45 p.m. BUSINESS

1. Report on Falmouth Housing Authority Programs – Bobbi Richards, Executive Director
2. Upper Cape Cod Regional Technical School - Robert Dutch, Michael Degan
3. Status Report on Fields, Roads and Beach Maintenance – Department of Public Works
4. Discussion of Shellfish Advisory Committee Charge

5. Application for Commercial Shellfish License – Michael C. DeMello
6. Approve Request for Waiver of Special Event Fee – Run Jack Run Family Fun Run/Walk
7. Application for Sign Variance – Off-Premise Promotional Signs – Falmouth VIPS Feasts of Falmouth & Beyond
8. Approve 2018 Seasonal/Annual License Renewals

ALL ALCOHOL

Shuckers, 91A Water Street

AUTOMATIC AMUSEMENT DEVICES

Florence Tea Room, 196 Crystal Springs Ave.

BOWLING ALLEY

Ryan Family Amusement, 23 Town Hall Sq.

COMMON VICTUALLER

Falmouth Clam Shack, 227 Clinton Avenue
 Florence Tea Room, 196 Crystal Springs Ave.
 Shuckers, 91A Water Street

ENTERTAINMENT

Shuckers, 91A Water Street

SUNDAY ENTERTAINMENT

Shuckers, 91A Water Street

LODGING HOUSE

Elizabeth Hathon, 165 North Falmouth Hwy.
 Frederick William House, 594 Palmer Ave.
 Inn on the Sound, 313 Grand Avenue
 Woods Hole Inn, 28 Water Street

SECOND HAND DEALERS

Cash Point, 348 East Falmouth Highway
 Falmouth Service Center, 67 Davisville Road
 Falmouth Stamp and Coin, 11 Town Hall Sq.
 Fay's Gallery, 556 Main Street
 Hannoush Jewelers, 352 Main Street
 St. Vincent de Paul Thrift Shop, 18A Davisville Rd.

9. Minutes of Meetings:
 - Public Session – January 27, 2018; April 2, 2018, April 9, 2018, April 10, 2018, April 11, 2018
 - Executive Session – April 2, 2018
 - Vote to Release/Not to Release Minutes of Executive Sessions
10. Individual Selectmen's Reports
11. Review of Town Manager's Report
12. Review and/or Discuss Correspondence Received

Susan L. Moran, Chairman
 Board of Selectmen



PROCLAMATION for POLICE WEEK

- WHEREAS The Congress and President of the United States have designated May 15 as Peace Officer Memorial Day, and the week in which it falls Police Week; and
- WHEREAS The members of the law enforcement agency of the Town of Falmouth play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Falmouth; and
- WHEREAS It is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and
- WHEREAS The police department of the Town of Falmouth has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;
- THEREFORE We, The Board of Selectmen call upon all citizens of the Town of Falmouth and upon all patriotic, civil and educational organizations to observe the week of May 13– 19, 2018, as Police Week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.
- FURTHER We call upon all citizens of the Town of Falmouth to observe Tuesday, May 15, 2018 as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty, especially, our own Officer Samuel F. Pierce who lost his life in the Line of Duty on August 16, 1933. I further, call upon all citizens of the Town of Falmouth to observe a moment of silence on Tuesday, May 15, 2018 in their honor.

IN WITNESS WHEREOF, We, Susan L. Moran, Megan English Braga, Doug Jones, Samuel H. Patterson and Douglas C. Brown have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 23rd day of April, 2018.

Susan L. Moran, Chairman

Samuel H. Patterson

Megan English Braga

Douglas C. Brown

Doug Jones

BOARD OF SELECTMEN



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

00030-HT-0390
ABCC License Number

Falmouth
City/Town

04/17/2018
Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

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

APPLICANT INFORMATION

Name of Licensee: Hostmark Falmouth Management, LLC D/B/A: Falmouth Holiday Inn

ADDRESS: 291 Jones Road CITY/TOWN: Falmouth STATE: MA ZIP CODE: 02540

Manager: Michael G. MacDonald

Granted under Special Legislation? Yes No

If Yes, Chapter _____
of the Acts of (year) _____

\$12 Hotel	Annual	All Alcoholic Beverages
Type (i.e. restaurant, package store)	Class (Annual or Seasonal)	Category (i.e. Wines and Malts / All Alcohol)

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the Local Licensing Authority: Approves this Application

Please indicate what days and hours the licensee will sell alcohol: Mon-Sat 8:00am-1:00am
Sun 12:00pm-1:00am

If **Approving With Modifications**, please indicate below what changes the LLA is making:

Please indicate if the LLA is downgrading the License Category (approving only Wines and Malts if applicant applied for All Alcohol):

<u>Changes to the Premises Description</u>	Indoor Area Total Square Footage	<input type="checkbox"/>	Floor Number	Square Footage	Number of Rooms
Patio/Deck/Outdoor Area Total Square Footage	Number of Entrances	<input type="checkbox"/>			
Seating Capacity	Number of Exits	<input type="checkbox"/>			

Abutters Notified: Yes No Date of Abutter Notification: N/A Date of Advertisement: N/A

Please add any additional remarks or conditions here:

Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

04/23/2018
Date APPROVED by LLA

**Hostmark Falmouth Management, LLC
(a Delaware limited liability company)**

Consent in Lieu of Meeting

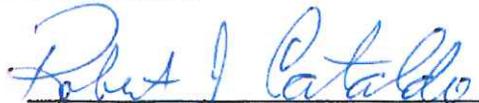
April, 2018

The undersigned, being the sole Manager of Hostmark Falmouth Management, LLC, (the "Company") required to adopt the following resolutions without the necessity of a meeting pursuant to the Company's operating agreement, hereby consents as follows:

RESOLVED: That the officers and Manager of the Company are, and each of them is, hereby authorized and empowered, for and on behalf of the Company, to appoint Michael G. MacDonald, as its manager and principal representative, with full authority and control of the premises at 291 Jones Road, Falmouth, MA, described on the All Alcoholic Innholder License of the Company and of the conduct of all business therein relative to service of alcoholic beverages as the licensee itself could in any way have and exercise if it were a natural person resident in the Commonwealth of Massachusetts and that a copy of this resolution duly certified by the Manager of the Company and delivered to said manager and principal representative shall constitute the written authority required by G.L. c. 138, § 26, and to execute and deliver any and all other documents, papers or instruments and to do or cause to be done any and all such acts and things as they, or any of them, may deem necessary, appropriate or desirable in order to cause Michael G. MacDonald to be approved as Manager of Record for the Company as to its All Alcoholic Innholder License by the Board of Selectmen for the Town of Falmouth, Massachusetts, and the Massachusetts Alcoholic Beverages Control Commission.

RESOLVED: To authorize Michael G. MacDonald to seek by way of application to the Board of Selectmen for the Town of Falmouth and the Massachusetts Alcoholic Beverages Control Commission his appointment as Manager of Record for the All Alcoholic Innholder License in the name of the Company for use at its location at 291 Jones Road, Falmouth, Massachusetts.

EXECUTED as of the date set forth above.


Robert J. Cataldo, Managing Member

2018

License Alcoholic Beverages

18-4-AA

Fee:

25

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale Of All Alcoholic Beverages

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To Belonging to Each Other
Norma Railey, Manager

Falmouth Trade Bowling Center
89 Spring Bars Road
Falmouth, MA 02540

On the following described premises:

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL ACT.

This license is valid from the 29th day of April 2018 until the 29th day of April 2018, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

Date: Sunday, April 29, 2018. Hours: 10:00 a.m. - 6:00 p.m. Event: Fundraising Bowling Tournament.

Conditions: Liquor liability insurance required. 2. Servers of alcoholic beverages must be TIPS (or equivalent) certified. Provide floor plan of area where alcohol will be served and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of April 2018

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ



Lieutenant John (Sean) F. Doyle
Falmouth Police Department
750 Main Street Falmouth, MA 02540
Phone: 774-255-4527 ext. 4505 | Fax: 508-457-2566
Email: sdoyle@falmouthpolice.us



April 16, 2018

Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

Re: One Day, All Alcohol - Fundraising Bowling Tournament – Trade Center Bowl, 89 Spring Bars Rd.

Dear Board of Selectmen,

I have reviewed the request for a Special One Day Liquor License for a fundraising bowling tournament for "Belonging to Each Other" on April 29, 2018 at the Trade Center Bowl. As long as all laws and by-laws are adhered to then this department does not have any issue(s) with the request.

Respectfully,

John (Sean) F. Doyle
Lieutenant

2018

License Alcoholic Beverages

18-5-AA

Fee:

75

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale Of All Alcoholic Beverages

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To Falmouth Theatre Guild
Brian J. Buczkowski, Director-at-Large
Highfield Theater
58 Highfield Drive, Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL ACT.

This license is valid from the 4th day of May 2018 until the 6th day of May 2018, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

Dates and Hours: Friday, May 4, 2018 - 6:30 p.m. - 9:30 p.m. Saturday, May 5, 2018 - 1:00 p.m. - 9:30 p.m. Sunday, May 6, 2018 - 1:00 p.m. - 4:00 p.m.

Conditions: 1. Certificate of liquor liability insurance required, 2. Servers must be TIPS certified, 3. Apply for temporary food permit with Health Department, 4. Rope or fence off area where alcohol will be sold and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of April 2018

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A
CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

2018

License Alcoholic Beverages

18-6-AA

Fee:

75

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale Of All Alcoholic Beverages

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To Falmouth Theatre Guild
Brian J. Buczkowski, Director-at-Large

Highfield Theater
58 Highfield Drive, Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL ACT.

This license is valid from the 11th day of May 2018 until the 13th day of May 2018, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

Dates and Hours: Friday, May 11, 2018 - 6:30 p.m. - 9:30 p.m. Saturday, May 12, 2018 - 1:00 p.m. - 9:30 p.m. Sunday, May 13, 2018 - 1:00 p.m. - 4:00 p.m.

Conditions: 1. Certificate of liquor liability insurance required, 2. Servers must be TIPS certified, 3. Apply for temporary food permit with Health Department, 4. Rope or fence off area where alcohol will be sold and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of April 2018

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A
CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

2018

License Alcoholic Beverages

18-7-AA

Fee:

75

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale Of All Alcoholic Beverages

License to Expose, Keep for Sale, and to Sell
All Kinds of Alcoholic Beverages

To Be Drunk On the Premises

To Falmouth Theatre Guild
Brian J. Buczkowski, Director-at-Large

Highfield Theater
58 Highfield Drive, Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

THE ABOVE NAMED NON-PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES, TO BE DRUNK ON THE PREMISES UNDER CHAPTER 138, SECTION 14, OF THE LIQUOR CONTROL ACT.

This license is valid from the 18th day of May 2018 until the 20th day of May 2018, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

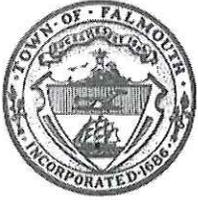
Dates and Hours: Friday, May 18, 2018 - 6:30 p.m. - 9:30 p.m. Saturday, May 19, 2018 - 1:00 p.m. - 9:30 p.m. Sunday, May 20, 2018 - 1:00 p.m. - 4:00 p.m.

Conditions: 1. Certificate of liquor liability insurance required, 2. Servers must be TIPS certified, 3. Apply for temporary food permit with Health Department, 4. Rope or fence off area where alcohol will be sold and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of April 2018

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ



Lieutenant John (Sean) F. Doyle
Falmouth Police Department
750 Main Street Falmouth, MA 02540
Phone: 774-255-4527 ext. 4505 | Fax: 508-457-2566
Email: sdoyle@falmouthpolice.us



April 16, 2018

Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

Re: Special One Day Liquor Licenses – Falmouth Theatre Guild

Dear Board of Selectmen,

I have reviewed the request for nine Special One Day Liquor Licenses for the Falmouth Theatre Guild at Highfield Theater on May 4, 5, 6, 11, 12, 13, 18, 19, & 20 (Fridays from 6:30 PM to 9:30 PM, on Saturdays from 1:00 PM to 9:30 PM and Sundays from 1:00 PM to 4:00 PM). As long as all laws and by-laws are adhered to then this department does not have any issue(s) with the request.

Respectfully,

John (Sean) F. Doyle,
Lieutenant



Lieutenant John (Sean) F. Doyle
Falmouth Police Department
750 Main Street Falmouth, MA 02540
Phone: 774-255-4527 ext. 4505 | Fax: 508-457-2566
Email: sdoyle@falmouthpolice.us



April 16, 2018

Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

Re: Cinco de Mayo Event and One Day Wine and Malt License for the Event for Quick's Hole Taqueria

Dear Board of Selectmen,

I have reviewed the request for a Cinco de Mayo Event to be held in the parking lot of the establishment. I have also reviewed the request for a One Day Wine and Malt License for the event. As long as all laws and by-laws are adhered to then this department does not have any issue(s) with the request.

Respectfully,

John (Sean) F. Doyle
Lieutenant

Diane Davidson

From: Tim Smith <tsmith@falmouthfire.us>
Sent: Friday, April 13, 2018 12:24 PM
To: 'Diane Davidson'; 'Boyd Demello'; 'Brian Reid'; 'James F. Grady Jr.'; 'Mel Trott'; 'Michael Souza'; 'Olive Fitzpatrick'; 'Peter McConarty'; 'Rod Palmer'; 'Scott McGann'; 'Sean Doyle'
Cc: 'Julian Suso'; 'Peter Johnson-Staub'
Subject: RE: Special Event Application - Cinco de Mayo Woods Hole

Diane,
I have reviewed this application with the Fire Prevention Office (FI Demello) and the FD has no issues or concerns, at this time, as long as the organizers abide with the "no street closure" request and no use of tents or outside cooking. If any additional requests are presented, then we would ask to have time to review any specific changes with this event prior to the proposed date.
Thank you.

Tim Smith, Deputy Fire Chief
Falmouth Fire Rescue Department
Work- (508) 495-2512
Cell- (508) 274-6410
tsmith@falmouthfire.us

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Thursday, April 12, 2018 12:47 PM
To: Boyd Demello <bdemello@falmouthfire.us>; Brian Reid <breid@falmouthpolice.us>; James F. Grady Jr. <jgrady@falmouthmass.us>; Mel Trott <mtrott@falmouthfire.us>; Michael Souza <msouza@falmouthmass.us>; Olive Fitzpatrick <ofitzpatrick@falmouthmass.us>; Peter McConarty <pmcconarty@falmouthmass.us>; Rod Palmer <rod.palmer@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>; Sean Doyle <sdoyle@falmouthpolice.us>; Timothy Smith <tsmith@falmouthfire.us>
Cc: Julian Suso <jsuso@falmouthmass.us>; Peter Johnson-Staub <peter.jstaub@falmouthmass.us>
Subject: Special Event Application - Cinco de Mayo Woods Hole

To: Special Event Working Group

Attached please find an application from Beth Colt of Quicks Hole Taqueria requesting a Cinco de Mayo event to be held in the parking area of Quicks Hole on Saturday, May 5, 2018. Please review and provide your recommendations by Thursday, April 19, 2018.

Also attached is an application for a one-day wine and malt liquor license for this event.

This application will be scheduled for review/approval by the Board of Selectmen during its meeting on Monday, April 23, 2018.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen*

MEMO

to: Town of Falmouth
from: Beth Colt of Quicks Hole LLC
date: March 23, 2018
re: Proposed Event "Cinco de Mayo Woods Hole" on May 5, 2018

We propose to hold a "Cinco de Mayo Woods Hole" spring gathering on Saturday May 5, 2018 in Woods Hole. We are not requesting a street closure.

We seek a one-day liquor license in order to serve alcohol in the areas demarcated on the attached map. We propose hiring a band to play in the parking lot of the Quicks Hole Taqueria, located at 6 Luscombe Avenue. We are anticipating a family-friendly event for all ages, and hope that the locals of Woods Hole and Falmouth will join us in kicking off the season at this free event.

All food sold will come from our licensed kitchen, so we imagine we do not need an additional health inspection for food service, but are happy to apply if you deem it appropriate.

We will seek a one-day liquor license for May 5, 2018. We would like the right to move this to either May 6 or May 12 in case of bad weather. We plan to establish a secure area within which alcohol may be served (please see attached map). We will set up an outdoor bar in addition to the bar in our restaurant. All bartenders will be TIPS certified and all ABCC laws regarding the sale of alcohol will be observed. In addition, additional staff will be hired to maintain secure gates and doors to be sure alcohol does not leave the licensed premise area.

We do not anticipate needing a tent. We do not anticipate needing any special signage.

We will seek and provide proof of insurance coverage of \$2,000,000 in the aggregate and \$1,000,000 per occurrence per your requirement.

We will attach letters of support from all other businesses in the street from a similar request in 2016 including Coffee Obsession, Soft as A Grape, Old Barn Liquors, Jimmy's and Coalition for Buzzards Bay.

Quicks Hole LLC
Cinco de Mayo
One Day Liquor License Proposal
Saturday May 5, 2018



- KEY
- Existing Fence
 - Existing Retaining Wall
 - Event Fencing with Access Gate -----

Beth Colt [REDACTED]

Number:
18-5-Taxi

Fee
\$50.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
AEEG, Inc. d/b/a Falmouth Taxi
Adam Meehan, Owner
17 Walker Street
Falmouth, MA 02540
is hereby granted this
Taxi License

In accordance with the provisions of Chapter 40, Section 22 of the General Laws with amendments thereto, and Chapter 280, Code of the Town of Falmouth the above named entity is hereby licensed to engage in the business of transporting and discharging passengers for hire at the located premises described as follows:

14 VEHICLES (8 ANNUAL, 6 SEASONAL)

Valid from: April 23, 2018

Valid until: December 31, 2018

By order of The Falmouth Board of Selectmen

April 23, 2018

This License Must be Posted in a Conspicuous Place upon the Premises



Falmouth Police Department

750 Main Street Falmouth, MA 02540
Phone: 774-255-4527 | Fax: 508-457-2566
www.falmouthpolice.us



April 19, 2018

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

RE: Vehicle for Hire License ("Taxi License") – Falmouth Taxi

Dear Board of Selectmen:

This letter is in reference to the Vehicle for Hire License ("Taxi License") Application submitted by Mr. Adam Meehan, the new owner of Falmouth Taxi.

I have reviewed the application, as well as completed a background check. As a result, the police department has no reason to believe Mr. Meehan should not be granted a Taxi License.

Respectfully,

Douglas M. DeCosta
Lieutenant

cc: Chief Dunne

RECEIVED

April 10, 2018

APR 10 2018

Board of Selectmen

SELECTMEN'S OFFICE

Request to be on the BOS agenda to ask for support for a community Gun BuyBack

Dear Board of Selectmen,

This is a request to be on your agenda. We are asking for your support for our community Gun BuyBack on June 9 at the Falmouth Police Station. Police officers will be present to direct the procedures. I attach a flyer. Details are not completely finalized it so it is not for distribution as we are still asking for supporters.

This is a bipartisan group...as you see from the reps who support us....and we are fully supported by the Falmouth Police , Chamber of Commerce, many churches, LWV, etc. The Waquoit Congregational Church is our 5013C. A previous gun buyback in 2013 in Falmouth after Sandy Hook collected over 200 guns. A drop in the bucket, of course, but we feel that after Parkland, a community gesture is important.

We will be asking for contributions to buy the grocery store gift cards in a range of up to \$50 worth which we will give out to those who turn in guns. We have arranged to have a scrap metal business completely destroy the guns as we make a video of the destruction. The police here will send an escort with us to deliver guns we collect.

What we would ask is if The Board of Selectmen can come on as a named supporter along with the others you see on the attached flyer. We do not expect any financial contributions from the BOS, of course.

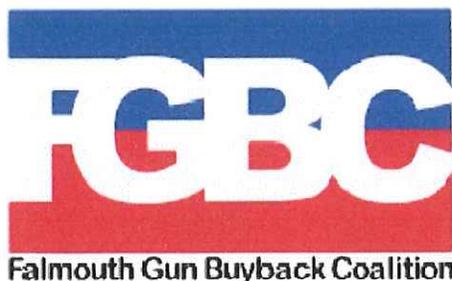
If the BOS requires a speaker on this request, Richard Duby , a member of our Coalition , has agreed to speak. He can be reached at 508 549 9170.



Kirstin Moritz, member, Gun BuyBack Coalition, 508 540 8528 and kmoritz@verizon.net

Other Coalition members include:
Tom + Ann Stone (Chair)
Penny + Rich Duby
Nan Logan

Lou Turner
Sally Hauck
Trish Muller



A coalition of local social organizations, businesses and communities of faith is forming in Falmouth to support a voluntary gun buyback in Falmouth on June 9th. With the help of the Falmouth Police, the Coalition will accept guns in exchange for gift cards at the Falmouth Police Station located at 750 Main St. Guns will be destroyed.

The reasons for buybacks are well known and they have been successful in many parts of our state; in the Worcester area, hospitals, law enforcement and district attorneys have joined to support the events year after year.

The goal of Falmouth Gun Buyback is to remove unwanted, possibly improperly stored guns from homes.

While plans develop, we are inviting businesses, individuals and other organizations to become a part of the coalition. We are also accepting pledges of financial support for the buyback.

For more information email: falmgunbuyback2018@gmail.com

Contact us if interested in supporting!

Supporting Organizations and Businesses

**Falmouth Police Department and Waquoit Congregational Church
with**



Falmouth Chamber of Commerce - Massachusetts Coalition to Prevent Gun Violence - Greater Boston Fire Safety Council - Engage Falmouth - Market Street Bookstore - Cape Cod Women for Change - Women Will Vote Falmouth - SWIFT: Women in Financial Transition - Progressive Women of Massachusetts - Women United of

Massachusetts - No Place for Hate, Falmouth - Coffee Obsession - West Falmouth Friends (Quakers) - Church of the Messiah - Unitarian Universalist Fellowship - The League of Women Voters of Falmouth - Falmouth Jewish Synagogue -

The Falmouth Service Center - First Falmouth Congregational Church - State Sen. Vinny deMacedo, State Rep. Dylan Fernandes, State Rep. David Vieira



**Check us out on Facebook at:
Falmouth Gun Buyback Day 2018**

Ver. April 4, 2018



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

TO: Board of Selectmen
FROM: Peter Johnson-Staub, Assistant Town Manager
SUBJECT: Sea Crest Beach Hotel Fireworks – use of Old Silver Beach Parking Lot
DATE: April 20, 2018

On your agenda for April 23rd under Administrative Orders is a request from the Sea Crest Beach Hotel and the Cape Cod Chamber of Commerce to use Old Silver Beach to launch fireworks on the same night of this meeting. The fireworks mark the end of a three-day event: Discover New England's 23rd Annual Tourism Summit & International Marketplace which is described in the attachment.

Needless to say, this is not our normal procedure for approving special events involving the use of Town property. The Fire Department was first notified of this event on April 11th and Mr. Suso and I were given the particulars the following day. Apparently, the initial plan was to launch the fireworks from the Sea Crest private beach but that was not feasible because a 210 ft buffer is required from the launching point. We were told a barge was not feasible from a cost standpoint. As there was no Selectmen meeting scheduled between the date we first learned of the issue and the day of the event, we were presented with the option of denying the permit for this significant tourism promotion event or approving the request without a Board of Selectmen vote.

After consulting with representatives of Police, Fire and Beach Departments and Chairman Moran, we made the determination that the interests of the Town were best served by approving the request subject to the applicant meeting the requirements of Police, Fire and Beach departments for protection of public safety and the beach. The resident beach will need to be secured and closed to the public from Sunday night through Monday night to provide a safe setup area and a buffer from the launch point. The Fire Department has advised all parties that we will need notice much earlier for the use of Town property in the future.

We respectfully request the Board's approval to affirm administrative approval already given to the Sea Crest Beach Hotel and the Cape Cod Chamber for this event.

Attachment: Memo with attachments from Boyd DeMello

CC: Julian M. Suso, Town Manager
Boyd DeMello, Fire Prevention Inspector, Falmouth Fire Department
Brian Reid, Captain Falmouth Police Department
Bruce Mogardo, Acting Beach Superintendent

//Sea Crest Fireworks 4-20-2018.docx

Dear Peter,

Here is the background research on the April 23 event. It appears that this is a three-day conference being held at the Seacrest Beach Hotel

Discover New England's 23rd
Annual Tourism Summit & International Marketplace

Sea Crest Beach Hotel on Cape Cod, Massachusetts

April 22 – 24, 2018

Each year, Discover New England invites more than 60 international tour operators from the United Kingdom, Germany, France, Italy, and other European countries, and China, Japan, and Australia, as well as U.S. receptive operators, to come to its annual Summit to meet and form relationships with 250+ New England travel suppliers. While they are here, many of these tour operators learn more about the host state and travel throughout New England on pre- and post-Summit familiarization trips.

What is the DNE Summit?

International Travelers, New England, and Your Organization

Each year, according to the U.S. Office of Travel & Tourism, over 1.7 million overseas travelers come to the New England region. The DNE Summit is an opportunity to direct these travelers to your destination, property, or attraction. The DNE Annual Tourism Summit & International Marketplace is the only trade show dedicated to New England organizations looking to increase business from overseas travelers. For the New England market, there is nothing else like it — a highly cost-effective trade conference dedicated entirely to our region. Expand your international business without ever stepping on an airplane!

The Fireworks event will be part of what is listed as a reception for conference attendees from 6:30pm- 10:00pm on Monday April 23, 2018

As far as the Fireworks display is concerned it is listed to be about a 10 to 15-minute display. The devices being used consist of mostly cake style display devices, no large shells. Cake fireworks also known as repeaters or multiple tube devices, are a fire work with a series of tubes that shoot small aerial shells. Each tube is connected together by a high speed fuse to make a display with one ignition.

I spoke with Wendi Norcross at The Cape Cod Chamber of Commerce and advised her to contact the Detail Sargent at the Police Department. Also I told her that the Residents side parking lot will be unavailable starting Sunday night through Monday night for parking. She was concerned with this because there are over 400 attendees to this event. I explained that unfortunately the parking lot needs to be closed to have the display. The Seacrest will have to make other arrangements

I have spoken with Atlas and they will conduct post beach inspections as required. See documents below.

Boyd W. DeMello
Fire Prevention Inspector

Falmouth Fire Rescue Department

bdemello@falmouthfire.us

508-495-2534 - Office





April 10, 2018

Falmouth Fire Department
Attn: Lt. Mel Trott
399 Main Street
Falmouth, MA 02540

RE: Fireworks Displays – 4/23/2018

Dear Lt. Trott:

Enclosed please find the complete permit package for an upcoming fireworks display on April 23rd for the Cape Cod Chamber of Commerce. Included in this package is the application for fireworks permit, copy of technicians fireworks license, site diagram, product list, insurance certificate, FAA Notification, permit to transport, user's certificate and surety bond. Upon your approval please sign and submit a copy of the permit, site diagram, FAA Notification and product list to the State Fire Marshal's Office. Please return a copy of the signed permit to our office to ensure completion of the process.

If you have any questions, please contact our office at (603) 532-8324.

Sincerely,

Hannah Pelkey
Atlas PyroVision Entertainment Group, Inc.

Old Silver Beach – Falmouth, MA
210' radius circle – 1.4G cakes
Star indicates discharge site
Discharge site is 215' from road, 248' from Resort
Orange lines indicate snow fencing





**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

EVENT Cinco de Mayo Woods Hole

NAME Elizabeth Colt, Quicks Hole, LLC

MAILING ADDRESS P.O. Box 4, Woods Hole, MA 02543

EVENT DAY & DATE Saturday, May 5, 2018

RAIN DATE Sunday, May 6, 2018

EVENT LOCATION Parking Lot at Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole

EVENT TYPE Cinco de Mayo Food and Music Event

SET-UP ARRIVAL TIME _____ **EVENT HOURS** 2:00 p.m. – 6:00 p.m.

NUMBER OF ATTENDEES 150 **# OF VEHICLES** _____

ADDITIONAL DETAILS Special one-day wine and malt liquor license. Entertainment by Brothers Rye Band. Sunday entertainment if rain date is needed. Staff will be stationed at the public entry areas to check for proper I.D. and to be sure alcohol does not leave the licensed premise area. Servers are TIPS certified. Food will be provided by Quicks Hole.

CONDITIONS:

1. No street closure.
2. No use of tents for outside cooking.

PERMIT FEE \$100.00 **FILING FEE** \$10.00

DEPOSIT \$300.00 (Refundable at conclusion of event provided that no litter or damage has occurred)

BOARD OF SELECTMEN:

MEMO

to: Town of Falmouth
from: Beth Colt of Quicks Hole LLC
date: March 23, 2018
re: Proposed Event "Cinco de Mayo Woods Hole" on May 5, 2018

We propose to hold a "Cinco de Mayo Woods Hole" spring gathering on Saturday May 5, 2018 in Woods Hole. We are not requesting a street closure.

We seek a one-day liquor license in order to serve alcohol in the areas demarcated on the attached map. We propose hiring a band to play in the parking lot of the Quicks Hole Taqueria, located at 6 Luscombe Avenue. We are anticipating a family-friendly event for all ages, and hope that the locals of Woods Hole and Falmouth will join us in kicking off the season at this free event.

All food sold will come from our licensed kitchen, so we imagine we do not need an additional health inspection for food service, but are happy to apply if you deem it appropriate.

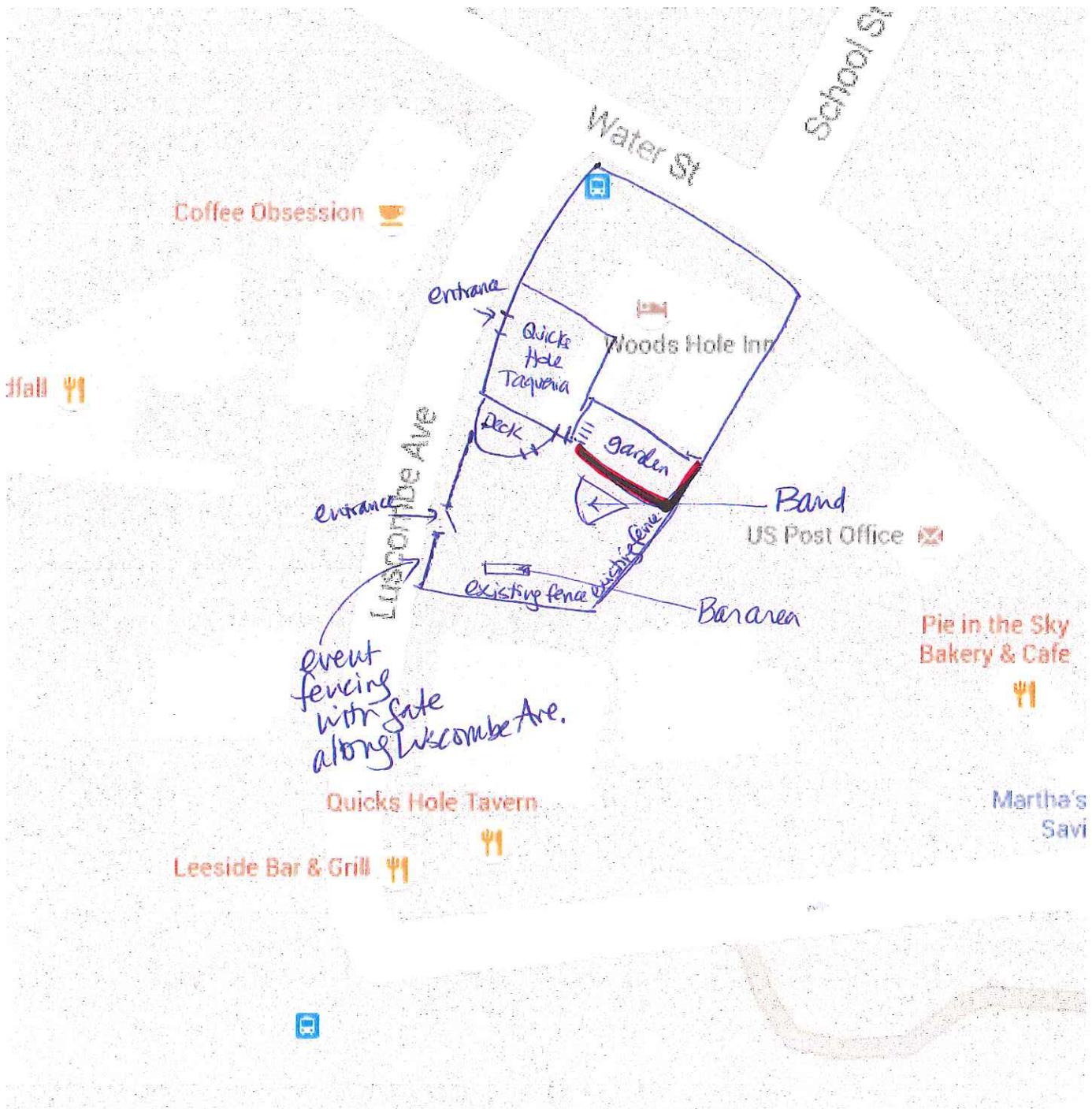
We will seek a one-day liquor license for May 5, 2018. We would like the right to move this to either May 6 or May 12 in case of bad weather. We plan to establish a secure area within which alcohol may be served (please see attached map). We will set up an outdoor bar in addition to the bar in our restaurant. All bartenders will be TIPS certified and all ABCC laws regarding the sale of alcohol will be observed. In addition, additional staff will be hired to maintain secure gates and doors to be sure alcohol does not leave the licensed premise area.

We do not anticipate needing a tent. We do not anticipate needing any special signage.

We will seek and provide proof of insurance coverage of \$2,000,000 in the aggregate and \$1,000,000 per occurrence per your requirement.

We will attach letters of support from all other businesses in the street from a similar request in 2016 including Coffee Obsession, Soft as A Grape, Old Barn Liquors, Jimmy's and Coalition for Buzzards Bay.

Quicks Hole LLC
 Cinco de Mayo
 One Day Liquor License Proposal
 Saturday May 5, 2018



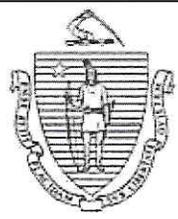
- KEY
- Existing Fence
 - Existing Retaining Wall
 - - - - Event Fencing with Access Gate

Beth Colt [REDACTED]
 [REDACTED]

For rain date
only
Sunday,
May 6, 2018

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 QUICKS HOLE TAQUERIA, QUICKS HOLE LLC in or on the property at No. 6 Luscombe Ave, Woods Hole Ma, 02543 (address)

The Licensee or Authorized representative, _____ in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
Sunday	10am-10pm	Public entertainment with band of four pieces plus singer

Hon. SUSAN L. MORAN 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

SALHOUSE ENTERPRISES, INC.
d/b/a Old Barn Package Store
P.O. Box 455
Woods Hole, MA 02543

March 30, 2016

To Whom It May Concern,

We are pleased to hear that there is a proposed Cinco de Mayo celebration here in the village of Woods Hole. We are happy to support those efforts.

Based on the early May date, we believe this comes at a good time for all; the busy summer schedule and population boom are still a few weeks away, yet it is a chance for all to come out, roam the village, and have some fun!

Please keep us posted.

Regards,



Andy Salthouse
Old Barn Package Store
Manager



Beth Colt <bethscolt@gmail.com>

May 6
1 message

William Eburn <[REDACTED]>
To: Beth Colt <bethscolt@gmail.com>

Thu, Feb 4, 2016 at 3:34 PM

Beth,

As owner of Jimmys of Woods Hole, at 22 Luscombe Ave, I am in favor of closing Luscombe Ave. between the hours of 5 and 10 PM on May 6th to celebrate Cinco de Mayo. It is always great to promote our local businesses and generate exciting events that bring people to Woods Hole. It benefits us all. I hope the Town will be favorably disposed.

Best,

Bill Eburn
President
Jimmys of Woods Hole Inc.



April 1, 2016

Julian Suso
Town Manager
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Dear Mr. Suso,

The Buzzards Bay Coalition operates an office and public education exhibit at 21 Luscombe Ave. which abuts the Landfall restaurant and is across the street from Quicks Hole Taqueria. We are aware of their plans for an event on the evening of May 6th to celebrate Cinco de Mayo. We are pleased to support this event and recognize that it will include the closure of Luscombe Ave. Our education center is seasonal and will not be open until Memorial Day and we do not anticipate needing access to the building during the time of the event.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Rasmussen".

Mark Rasmussen
President

www.savebuzzardsbay.org



114 Front Street, New Bedford, Massachusetts 02740 | Tel: 508-993-6363 Fax: 508-984-7913

21 Luscombe Avenue, Woods Hole, Massachusetts 02543 | Tel: 508-540-6222

© 2011 Buzzards Bay Coalition



To Whom It May Concern,

We are aware of the plans to close Luscombe Ave on May 6th for a street celebration of Cinco de Mayo at Quicks Hole Taqueria and Landfall restaurants. We encourage the Town to support this effort as part of the shoulder season marketing that will improve the economy for all Woods Hole businesses and believe this will lead to more traffic and exposure to our Soft As A Grape store on Luscombe Ave.

Sincerely,

Raymond Nicoletti

Soft As A Grape
328 Marion Road
Wareham, MA 02571

LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Markantonis Restaurant Group, Inc. d/b/a ESTIA, has applied for a new All Alcoholic Common Victualler Liquor License, located at 117 Main Street, Falmouth, MA. A Hearing will be held in the Selectmen's Meeting Room, Falmouth Town Hall on Monday, April 23, 2018 at 7:30 p.m. on the above application.

LICENSING BOARD

Susan L. Moran
Megan English Braga
Doug Jones
Samuel H. Patterson
Douglas C. Brown

Publication Date: April 6, 2018
Account: 2056



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

[Empty box for ABCC License Number]

Falmouth

03/26/2018

ABCC License Number

City/Town

Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- Change Corporate Name
- Pledge of Collateral (i.e. License/Stock)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Change of DBA
- Change of CLASS (i.e. Annual / Seasonal)
- Change of Hours
- Change of Manager
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Issuance/Transfer of Stock/New Stockholder
- Change of Beneficial Interest
- Change of Location
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement

APPLICANT INFORMATION

Name of Licensee: Markantonis Restaurant Group, Inc. D/B/A: ESTIA

ADDRESS: 117 Main Street CITY/TOWN: Falmouth STATE: MA ZIP CODE: 02540

Manager: Nicholas S. Markantonis

\$12 Restaurant Annual All Alcoholic Beverages

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

Granted under Special Legislation? Yes No

If Yes, Chapter _____ of the Acts of (year) _____

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the Local Licensing Authority: [Empty box]

Please indicate what days and hours the licensee will sell alcohol: Mon-Sat 8 am-12am Sun 11am-12am

If Approving With Modifications, please indicate below what changes the LLA is making:

Please indicate if the LLA is downgrading the License Category (approving only Wines and Malts if applicant applied for All Alcohol):

[Empty box for license category change]

Changes to the Premises Description

Indoor Area Total Square Footage [Empty box]

Patio/Deck/Outdoor Area Total Square Footage [Empty box]

Seating Capacity [Empty box]

Number of Entrances [Empty box]

Number of Exits [Empty box]

Floor Number	Square Footage	Number of Rooms

Abutters Notified: Yes No Date of Abutter Notification: 4/10/18 Date of Advertisement: 4/6/18

Please add any additional remarks or conditions here: [Empty box]

Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

04/23/2018

Date APPROVED by LLA



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

APPLICATION FOR COMMON VICTUALLER

NAME OF APPLICANT Markantonis Restaurant Group, Inc.

HOME ADDRESS [REDACTED]

BUSINESS NAME Markantonis Restaurant Group, Inc.

D/B/A ESTIA

BUSINESS ADDRESS 117 Main Street, Falmouth, MA 02540

MAILING ADDRESS
(IF DIFFERENT) _____

MANAGER Nicholas S. Markantonis

FEDERAL ID # [REDACTED]

EMAIL [REDACTED]

TELEPHONE BUSINESS: 617-966-5665 HOME: [REDACTED]

SEATING CAPACITY 194 OCCUPANCY: 250 203

DAYS OF OPERATION Monday - Sunday

HOURS OF OPERATION 11 am to 11 pm

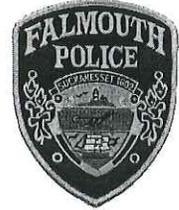
DATE 3/23/18 Nicholas S. Markantonis Pres.
OWNER, MANAGER OR AUTHORIZED AGENT

BOARD OF SELECTMEN

LICENSE FEE: \$60.00
FILING FEE: \$10.00



Lieutenant John (Sean) F. Doyle
Falmouth Police Department
750 Main Street Falmouth, MA 02540
Phone: 774-255-4527 ext. 4505 | Fax: 508-457-2566
Email: sdoyle@falmouthpolice.us



April 16, 2018

Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

**Re: New All Alcohol Restaurant License – Estia Falmouth, 117 Main Street
and two CORI Checks**

Dear Board of Selectmen,

I have reviewed the request for a New All Alcohol Restaurant License for Estia Falmouth. I also conducted CORI checks on Nicholas and Catherine Markantonis. After reviewing this information, this department does not have any objections to the request.

Respectfully,

John (Sean) F. Doyle
Lieutenant

Carolyn Grasso

From: Mel Trott <mtrott@falmouthfire.us>
Sent: Tuesday, April 17, 2018 8:42 AM
To: Carolyn Grasso
Cc: Timothy Smith; Boyd Demello
Subject: New All Restaurant License for Estia

Good Morning Carolyn,

The Falmouth Fire Rescue Department Fire Prevention Bureau is not opposed to the issuing of this license.

Thanks,

Mel

Lt. Mel Trott

Fire Prevention Officer
Falmouth Fire Rescue Department
Phone: 508-495-2533
Fax: 508-495-2540
E-mail: mtrott@falmouthfire.us

Carolyn Grasso

From: Ollie Fitzpatrick <ofitzpatrick@falmouthmass.us>
Sent: Friday, April 13, 2018 3:26 PM
To: 'Carolyn Grasso'
Subject: RE: Investigation: New All Restaurant License for Estia - Your comments please. Thank you.

No issue here

Ollie Fitzpatrick
Assistant Zoning Enforcement Officer
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
Phone: (508) 495-7468
Fax: (508) 548-4290
Email: ofitzpatrick@falmouthmass.us

BE ADVISED: This message originates from Town of Falmouth Inspectional Services and contains confidential and or privileged information. If the reader of this message, regardless of the address or routing, is not an intended recipient, you are hereby notified that you have received this transmittal in error and any review, use, distribution, dissemination or copying is strictly prohibited. If you have received this message in error, please delete this e-mail and all files transmitted with it from your system and immediately notify Town of Falmouth Inspectional Services by sending a reply e-mail to the sender of this message.

From: Carolyn Grasso [mailto:cgrasso@falmouthmass.us]
Sent: Thursday, April 12, 2018 3:47 PM
To: Tim Smith <tsmith@falmouthfire.us>; Sari Budrow <sbudrow@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>; Olive Fitzpatrick <ofitzpatrick@falmouthmass.us>
Subject: Investigation: New All Restaurant License for Estia - Your comments please. Thank you.



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

Memorandum

TO: Carolyn Grasso, Selectmen's Office

FROM: Sari D. Budrow, Zoning Administrator 

RE: New Application for Liquor License – Estia Restaurant
117 Main Street, Falmouth

DATE: April 17, 2018

The subject property is zoned Business 1 and consists of approximately 20,458 square feet of land that is not located within Siders Pond Coastal Pond Overlay District. The site contains a structure that was once a bank and was recently approved via a Special Permit (copy attached) to a restaurant. The application was before the Board pursuant to Section 240-105 of the Code of Falmouth that states: *Off-street parking must be provided to service the net increase in parking demand created by new construction, additions or change of use. Buildings, structures and land uses in existence April 2, 1979, are not subject to these requirements so long as they are not enlarged or changed to increase their parking needs.* The previous bank's parking was determined by Section 240-108 (Bank – 1 space per 300 square feet of leasable space or as determined by the Building Inspector). A restaurant for 194 seats requires 1 parking space per 2 seats – thus the change of use and change that creates more parking needs. The Board approved the restaurant for a 194 seat capacity – reduced from requested 212 seating. The approved 194 seats includes seating proposed on the exterior of the building (seasonal use). It does not take into consideration employees as the representative stated at the hearing that the management will suggest to employees to take public transportation or carpool to work to help limit the number of vehicles that will require parking.

On the liquor license permit it states 194 seats and an occupancy of 250 proposed occupancy. The Board is concerned with the 250 occupancy.

Other than the above concerns, the Board of Appeals has no issues regarding the All Alcohol License.

If you have any questions or concerns regarding the above, please do not hesitate to contact me.

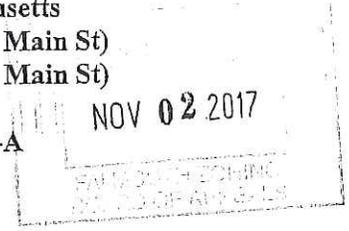
FALMOUTH ZONING BOARD OF APPEALS

1,333,539

11/2/17

FINDINGS AND DECISION

SPECIAL PERMIT NO: 063-17
APPLICANT/OWNER: MARKANTONIS PROPERTIES LLC of Mashpee, MA
SUBJECT PROPERTY: 117 and 127 Main Street, Falmouth, Massachusetts
Assessor's Map: Map 47A, Section 07, Parcel 064, Lot 001 (117 Main St)
Map 47A, Section 07, Parcel 065, Lot 002 (127 Main St)
DEED/CERTIFICATE: Certificate 210898 – Lot 1 and 2 – Plan 24236-A
SUMMARY: Special Permit Granted with Conditions



PROCEDURAL HISTORY

1. Under a date of July 31, 2017, the applicant applied to the Zoning Board of Appeals for a Special Permit pursuant to Section(s) 240-104, 240-105 and 240-107 of the Code of Falmouth regarding parking relative to a change of use on subject properties known as 117 and 127 Main Street, Falmouth, MA.
2. Notice was duly given as required by Section 11 of Chapter 40A, M.G.L., as well as notices sent to all persons deemed to be affected thereby as they appear on the tax list, and at which hearing, at the Board's discretion, relevant and appropriate testimony was heard.
3. A duly advertised public hearing was opened on September 28, 2017.
4. The public hearing was closed on October 5, 2017, wherein the Board consisting of Acting Chairman Terrence Hurrie, Clerk Kimberly Bielan, Member Edward Van Keuren and Associate Members Gerald Potamis and Robert Dugan (sitting as voting members) made a decision to Grant the Special Permit with conditions. Minutes of the hearing(s) are on file in the Board of Appeals.
5. The applicant was represented at the hearing by Stephen O. McKenzie, Zoning Consultant, who reviewed and discussed proposed plans with the Board.
6. The Board received documents and information prior to and during the public hearing that are on file in the office of the Board of Appeals at Town Hall, as set forth below:

Letters/E-mails from Abutters/Interested Parties

09/11/2017 Letter submitted to the file from Saint Barnabas Episcopal Church to Zoning Administrator dated September 7, 2017 (sent RRR) in opposition to a restaurant serving alcohol adjacent to the Church. Letter states they intend to erect signage and will tow cars as necessary.

- 09/18/2017 Letter submitted to the file from Allan DesRosiers of Mashpee to Board of Appeals dated September 12, 2017, stating support of Estia Restaurant.
- 09/25/2017 E-mail submitted to file from Paul Nazzaro of Eel River Road dated September 23, 2017 stating support of Estia Restaurant.
- 09/27/2107 E-mail letter submitted to the file from Melony Grady of East Falmouth to the Board of Appeals dated September 27, 2017 stating support of Estia Restaurant.
- 09/29/2017 E-mail submitted to the file from Cara Eaton to the Board of Appeals dated September 29, 2017 stating support of Estia Restaurant.
- 09/29/2017 E-mail submitted to the file from Linda Cohen to Board of Appeals dated September 28, 2017 stating support of the Estia Restaurant.
- 10/04/2017 Letter submitted to the file from Jay Zavala to Zoning Administrator dated October 3, 2017 stating support of Estia Restaurant with comments.
- 10/04/2017 Letter submitted to the file from Michael Kasparian, President & C.E.O. of Falmouth Chamber of Commerce to Board of Appeals dated October 4, 2017 stating support of Estia Restaurant.

Letters/E-mails/Information from Applicant/Representative(s)

- 09/28/2017 Information submitted to the file by Stephen O. McKenzie, the representative for Applicant, noting information on other restaurants along Main Street in Falmouth.
- 10/4/2017 Letter submitted to the file by Stephen O. McKenzie, the representative for Applicant, to the Zoning Administrator dated October 3, 2017 giving information on screening, lighting and restaurant capacity as requested by the Board at previous hearing.

Letters/Referrals/E-mails from Town Departments

- 08/10/2017 Referral submitted to the file from Falmouth Fire Rescue Department with no comment
- 08/10/2017 Referral submitted to the file from Planning Department staff with no comment
- 08/10/2017 Referral submitted to the file from Historical Commission staff with no comment
- 08/14/2017 Referral submitted to the file from Director of Assessing with no comment
- 09/05/2017 Referral submitted to the file from Town Engineering Department with standard comments and noting that the project must not direct any stormwater runoff to public property, abutters, or right of ways.

- 09/06/2017 Referral submitted to the file from Conservation Commission that states: *Only concern is drainage on property and how this can be improved. Wetlands just south of property – does current drainage flow into this wetland system to Siders Pond?*
- 10/05/2017 ZBA staff requested a copy of the Historical Commission's 'Certificate of Appropriateness' for the renovation at 117 Main Street and submitted it to the file.

Plans submitted by Applicant/Applicant's Representative

"Falmouth Estia Restaurant" drawn by Imai Keller Moore Architects – one drawing 'Ground Floor Plan (Proposed)' shows seating for proposed restaurant with a Board date 'received' stamp of September 27, 2017;

"Site Plan for #117 Main Street" prepared for Estia Restaurant in Falmouth, MA as drawn by Falmouth Engineering, Inc. – Sheet 1 of 2 dated July 28, 2017 with a final revision date of 10/2/2017 – plan is stamped and signed by Michael J. Borselli, P.E. and with a Board date 'received' stamp of October 2, 2017;

"Sewer Details and Profile for #117 Main Street" prepared for Estia Restaurant in Falmouth, MA as drawn by Falmouth Engineering, Inc. – Sheet 2 of 2 dated May 30, 2017 – plan is stamped and signed by Michael J. Borselli, P.E. and with a Board date 'received' stamp of July 31, 2017; and

"Estia Restaurant 117 Main Street Falmouth, MA" as drawn by Imai Keller Moore Architects consisting of Drawings A3.1 'Exterior Elevation' dated July 21, 2017; Drawing A3.2 'Exterior Elevation' dated July 21, 2017; Drawing D3.1 'Exterior Elevation Demo' dated July 21, 2017; Drawing D3.2 'Exterior Elevation Demo' dated July 21, 2017; Drawing A1.0 'Architectural Site Plan' dated July 21, 2017; Drawing A1.1 'Basement Plan' dated July 21, 2017; Drawing A1.2 'Ground Floor Plan' dated July 21, 2017; and Drawing A1.3 'Second Floor Plan' dated July 21, 2017 – all Drawings have a Board date 'received' stamp of July 31, 2017.

Hearing – September 28, 2017 (Hermann Room – Falmouth Library):

Mr. McKenzie was present on behalf of Applicant and reviewed the existing site that was formerly Eastern Bank for many years. The application represents a change in use and the application is therefore before the Board of Appeals pursuant to Section 240-105 of the Code of Falmouth. Mr. McKenzie informed the Board that the application has been before the Historic Commission and has received a Certificate of Appropriateness. He reviewed the setbacks and lot coverage requirements for this Business 1 zoned lot; that the property is being connected to the Town sewer; and the lot has sixteen (16) existing parking space, one being a handicap space that is located near the rear of the existing structure adjacent to an existing handicap ramp. Mr. McKenzie reviewed (and submitted) a list of businesses that have had a change to restaurant use along Main Street that were not required by the Building Commissioner to apply for a special permit; and noted that this is the only restaurant that has its own parking spaces on site. The original plan was for 212 seats for the restaurant but has been scaled back to 194 seats. He reviewed the parking requirements under Section 240-107 and the municipal and public parking in various locations along and/or just off Main Street.

Board asked questions of Mr. McKenzie relative to the application and plans submitted.

Chairman Hurrie asked if anyone present wished to speak in favor or in opposition to the application.

Peter Mili of 83 Allen Avenue stated support of the application noting that Estia Restaurant would be a welcome addition to the Town.

Donald Koundajkian of 71 Southview Way stated support of the proposed Estia Restaurant.

Peter French of 850 West Falmouth Highway stated he is representing St. Barnabas Church and said he has very strong reservations regarding the restaurant, citing parking, safety, noise, fumes, alcohol consumption near the church and children's play area and possible trespassing onto Church property.

The Board reviewed information and plans submitted and discussed concerns for the amount of proposed seating, parking, buffering and signage on subject property. Mr. McKenzie agreed to continue the hearing to October 5, 2017 to submit requested information. Ms. Bielan reiterated that it is the parking associated with the change of use from a bank to a restaurant that is before the Board and not the use.

Member Van Keuren made a motion to continue the hearing to October 5, 2017 at 6:30 PM in the Selectmen's Meeting Room in Town Hall. Member Murphy seconded the motion. Motion carried 5 – 0.

Continued Hearing – October 5, 2017:

Mr. McKenzie was present and reviewed the information he submitted as requested by the Board. He reviewed the proposed planting of arborvitae along the westerly (rear) property line adjacent to the Church's garage structure; the arborvitae plantings will be 6' in height and planted 3' to 4' on center. He reviewed the lighting as shown on the plan (three lights) that will be low level and will light the parking area without impact to abutting businesses and the lighting within the restaurant at the front of the building and at the south façade of the building where a patio is proposed (off parking area). Mr. McKenzie reminded the Board that in the off-season, seating within the restaurant will be approximately 130 seats – the two patios (one in front of building and the other off parking/drive area) will not be used, which is similar in size to many of the restaurants along Main Street.

The Board discussed plans and testimony.

Member Van Keuren made a motion to close the hearing. Member Potamis seconded the motion. Motion carried 5 – 0.

Chairman Hurrie closed the hearing.

FINDINGS

The Board of Appeals, after carefully considering all of the facts and evidence submitted at the hearing, makes the following findings:

The subject property located at 117 and 127 Main Street in Falmouth contains 20,458 square feet of Business 1 zoned land that is located within the Siders Pond Coastal Pond Overlay District. The applicant applied under Section(s) 240-104, 240-105 and 240-107 of the Code of Falmouth regarding parking relative to a change of use on subject properties known as 117 and 127 Main Street. The subject property previously was an Eastern Bank facility; the proposed is a change in use to a 194 seat restaurant. Under Section 240-104 'Waiver of parking requirements' and Section 240-105 'Performance requirement' of the Code of Falmouth, requires that a change of use on downtown Main Street requires a special permit to show how the parking demand created by a change in use (Bank to a 194 seat restaurant) will be provided. Business 1 zoned district on Main Street and the uses along Main Street, having public parking spaces available at different sites along and off Main Street, need to weigh the expansion of retail activity or other uses, some of which may be exempted from parking requirements, however, Section 240-105, specifically, 'change of use' is not exempt from Section 240-104. Section 240-107 of the Code of Falmouth 'Parking reductions' – sub-section A. 'Reduction by right' allows a 25% reduction for parking spaces based on the number of spaces required for this restaurant with 194 seats that normally, if not in Business 1 district zone, would require 82 parking spaces, which in this case would be 20 parking spaces (leaving 62 required – minus 16 existing equals 46 additional spaces required). Sub-section B. allows a 'Reduction by special permit' if the Board determines that special circumstances such as shared use of parking based on peak demand times will render a lesser provision adequate for parking needs for a use.

The Board finds that the applicant is requesting a reduction in parking spaces beyond that of a parking reduction by right and the Board has taken into consideration the peak demand times of the businesses along Main Street – majority being retail and professional. The Board further finds that the proposed restaurant has sixteen (16) parking on its property and there is public parking in the downtown area to accommodate parking for the restaurant, as is the case of approximately fourteen (14) other restaurants/food establishments on Main Street in downtown Falmouth and that the majority of those restaurants have parking limited to five (5) or six (6) spaces on site. Furthermore, the Board finds that testimony by the applicant's representative (see submission to file by Mr. McKenzie) that other expansions of restaurants or businesses and change of uses along Main Street have not been required to come before the Board of Appeals and therefore the Board has determined that the parking on site and public parking in the downtown area is appropriate for the change in use in the application relative to parking.

The Board finds that there is a lot of pedestrian traffic on Main Street that may not travel to Main Street by a personal automobile and may be via public transportation, walking from nearby homes and motels and by bike. The Board further finds and agrees with the applicant's representative that the proposed restaurant will most likely not bring in 194 more individuals but will offer another venue as a choice for dining by individuals coming to visit the downtown area.

The Board finds that the applicant has reduced the number of seats in the restaurant and patio areas from 212 to 194 seats. The Board further finds through testimony by the applicant's representative that the off-season capacity of the restaurant will be approximately 134 seats as the two (2) proposed patios shown on the plans submitted, reviewed and noted herein, are seasonal (summer). Furthermore, the Board further finds through testimony by the applicant's representative that the management of the restaurant will suggest to employees to take public transportation or carpool to work to help limit the number of vehicles needing parking by staff.

The Board finds through testimony by the applicant's representative that the applicant is amenable to installing bollards, or bollard-like barriers along the easement area on the southerly (side) property line as a vehicle barrier to protect the safety of the outside seating area of adjacent restaurant (Osteria La Civetta). The Board further finds that the proposed lighting on site as shown on the plans noted herein is appropriate for the site and does not appear to impact the abutting restaurant patrons or the abutting church. Furthermore, the Board finds that the signage at the front corner of the building is appropriate and has been reviewed by the Historical Commission, as with other changes/alteration to the building, and approved.

The Board finds that the applicant submitted a plan showing proposed landscaping at the rear property line of subject property to reduce the noise, lights from vehicles and activity from subject property to abutting church. The Board further finds that the applicant, through applicant's representative, is amenable to installing a gate or fence at the northwest corner of subject property that shows as a 'path' from subject property to abutting church property so as to eliminate possible pedestrian traffic from one property to the other. Furthermore, the Board finds according to testimony by the applicant's representative, the intent to install signage on site that will read "Parking for Estia Customers Only" or something to the same effect.

In addition to the above findings, the Board finds that the proposed change of use from a bank to a restaurant on subject property will be in harmony with the general purpose and intent of this chapter and does include consideration set forth in Section 240-216 of the Code of Falmouth as follows:

A. The site is adequate in terms of size for the proposed restaurant as it is in compliance with Section 240-68 A. and B. and Section 240-69 A. of the Code of Falmouth.

B. The site is suitable for the proposed use as the property is zoned Business 1 and the restaurant use as presented would normally be a by right use except under Sections 240-104 and 105 of the Code of Falmouth.

C. There is no increase in the number of parking spaces on site and no change to the location of the existing driveway on site, however, the change of use from a bank to restaurant may impact traffic flow.

D. The visual character of the subject property will be improved and there does not appear to be any impact on the neighborhood's visual character by lighting; and there is no impact on any view or vista from the roadway or abutting properties as the existing building remains intact with slight exterior change.

E. The subject property is attached to the Town sewer.

F. There are adequate utilities to subject property by virtue of an existing business on site.

G. The proposed change of use on subject property discussed and represented herein will have no effect on the supply of affordable housing in Falmouth.

H. There was no Site Plan Review required by the Planning Board and the referral submitted to the file from the Planning Department had no comment.

I. The application is within compliance of all applicable sections of the zoning bylaws as represented, except for the nonconformities stated herein.

J. The approval of this special permit does not include any affordable housing.

The Board of Appeals has weighed the effects of the proposed change of use on subject property relative to parking as discussed herein and finds that the beneficial effects of granting this permit outweigh any

negative effects there may be. The Board further finds that the granting of this permit will be in harmony with the purpose and intent of the Zoning Bylaw.

Member Bielan made a motion to Grant the Special Permit with conditions. Member Van Keuren seconded the motion.

NOW THEREFORE

BE IT RESOLVED, that the Board of Appeals (herein referred to as Board) being of the opinion aforesaid and acting under the provisions of the Code of Falmouth voted **5 – 0 to Grant the Special Permit** to Markantonis Properties LLC (herein referred to as Applicant) under Section(s) 240-104, 240-105 and 240-107 regarding parking relative to a change of use on subject properties known as 117 and 127 Main Street, Falmouth, Massachusetts. This special permit shall be subject to the following conditions:

1. The parking, floor plans of restaurant, lot coverage, setbacks and use of building shall be as represented to the Board and as shown on plans submitted and reviewed by the Board entitled as follows:
 - “Falmouth Estia Restaurant” drawn by Imai Keller Moore Architects – one drawing ‘Ground Floor Plan (Proposed)’ shows seating for proposed restaurant with a Board date ‘received’ stamp of September 27, 2017;
 - “Site Plan for #117 Main Street” prepared for Estia Restaurant in Falmouth, MA as drawn by Falmouth Engineering, Inc. – Sheet 1 of 2 dated July 28, 2017 with a final revision date of 10/2/2017 – plan is stamped and signed by Michael J. Borselli, P.E. and with a Board date ‘received’ stamp of October 2, 2017;
 - “Sewer Details and Profile for #117 Main Street” prepared for Estia Restaurant in Falmouth, MA as drawn by Falmouth Engineering, Inc. – Sheet 2 of 2 dated May 30, 2017 – plans is stamped and signed by Michael J. Borselli, P.E. and with a Board date ‘received’ stamp of July 31, 2017; and
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2. The applicant shall install a vehicle barrier or bollards along the ‘easement area’ on the southerly side of subject property for safety of the exterior use of the abutting property’s use (131 Main Street – Osteria La Civetta), said vehicle barrier will be shown on a revised “Site Plan” to be submitted to the Board of Appeals for approval prior to occupancy or use of proposed restaurant.

3. There shall be no more than 194 (one hundred ninety-four) seats allowed on subject property for the restaurant operation.
4. The applicant shall submit proposed signage and signage location for 'customer parking' on subject property to the Board of Appeals for approval prior to occupancy or use of proposed restaurant.
5. Any deviation, no matter how minor, from plans submitted and approved, orally or in writing, by this Board, shall be submitted to the Board for approval prior to implementation of said change. Minor changes may be administratively approved by the Zoning Administrator.
6. The Applicant shall meet the requirements of the DPW Water Division.
7. This permit shall not take effect until a copy of the decision bearing the certification of the Town Clerk that 20 days has elapsed after the decision had been filed in the office of the Town Clerk with no appeal being filed, or an appeal has been filed within such time, is recorded in Barnstable Registry of Deeds. (Any person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.)
8. This permit shall lapse two years from the date on which this decision is filed in the Town Clerk's office if a substantial use of the Special Permit has not sooner commenced except for good cause as determined by the Board of Appeals.

Decision of the Falmouth Zoning Board of Appeals Continued:

Special Permit Number: 063-17

Applicant: MARKANTONIS PROPERTIES LLC

Subject Property: 117 and 127 Main Street, Falmouth, Massachusetts
Map 47A, Section 07, Parcel 064, Lot 001 (117 Main St)
Map 47A, Section 07, Parcel 065, Lot 002 (127 Main St)

Action: The Board of Appeals, by the signature below, being present, certifies the vote of the Board as follows for the above referenced:

Vote: 5 - 0 to Grant the Special Permit as represented to the Board, based on the Findings stated herein and with the above stated Conditions.



Terrence J. Hurrie, Vice Chairman, Board of Appeals

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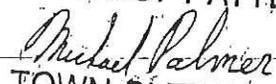
OCT 12 2017

FALMOUTH TOWN CLERK

ADC 12:08 PM

Date Filed With Town Clerk

Notice is hereby given that any appeal from this Decision shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Falmouth Town Clerk.

A TRUE COPY ATTEST

TOWN CLERK OF
FALMOUTH, MASS.



Town of Falmouth

MICHAEL PALMER
TOWN CLERK

59 Town Hall Square, Falmouth, Massachusetts 02540
(508) 495-7353 Fax (508) 457-2511

CERTIFICATION OF NO APPEAL

I, Michael Palmer, Town Clerk of the Town of Falmouth, hereby certify that the Board of Appeals vote was filed in this office on October 12, 2017 and that no Notice of Appeal on this vote was received during the twenty days (20) next after such receipt and recording of said vote.

Michael Palmer
Town Clerk

Date: November 2, 2017

RE: Markantonis Properties, LLC



Town of Falmouth

INSPECTIONAL SERVICES



59 TOWN HALL SQUARE, FALMOUTH, MA 02540
(508) 495-7470 * FAX (508) 548-4290

ROD PALMER, C.B.O.
COMMISSIONER

April 19, 2018

Peter Johnson-Staub
Assistant Town Manager
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Re: Estia Restaurant Occupancy Load Information

Dear Mr. Johnson-Staub :

Based on plans drawn by Randall M. Imai, Imai Keller Moore Architects, Watertown, Massachusetts, dated July 28, 2017 and relative to our building permit no.: 2017-012858, the occupancy load for the Estia Restaurant will be 203. Please see excerpt from plans, marked "Estia 2017-01258".

Please feel free to contact me with any questions or concerns.

Sincerely,

Rod Palmer, CBO
Building Commissioner

Enclosure

RP:SG



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

TO: Board of Selectmen
FROM: Peter Johnson-Staub, Assistant Town Manager
SUBJECT: Shellfish Advisory Committee Charge
DATE: April 19, 2018

On the agenda for April 23rd is a discussion of the charge of the Shellfish Advisory Committee. I drafted a charge which is attached with the date March 26, 2018 with input from Town Counsel, the MES Director, Shellfish Constable. This draft was sent for input to the Agricultural Commission and the Water Quality Management Committee, the latter Committee has been actively involved in promoting aquaculture for nitrogen mitigation purposes.

The Water Quality Management Committee indicated support for the charge as drafted. The Agricultural Commission submitted the attached letter from Chairman Karen Schwalbe recommending a larger committee and a more detailed charge. A vote of the Board is required to establish the Shellfish Advisory Committee with a specified number of members. Typically, the charge of the committee is also formally adopted at the time the committee is established but it may be amended by vote of the Board of Selectmen at any time.

CC: Julian M. Suso, Town Manager

//Shellfish Advisory Committee 4-19-2018.docx

DRAFT ONLY

Shellfish Advisory Committee Charge

March 26, 2018

The Shellfish Advisory Committee shall be appointed by the Board of Selectmen in accordance with relevant provisions of the Falmouth Home Rule Charter and Town bylaws. The Committee shall consist of five (5) members:

- One member from, or by, the Agricultural Commission;
- One member from, or by, the Water Quality Management Committee;
- One member who holds a Commercial shellfish permit;
- One member who holds a Recreational shellfish permit;
- One member who holds an Aquaculture permit.

Members shall be appointed for staggered three-year terms. In the event that a member appointed by either the Agricultural Commission or the WQMC holds a shellfish permit, that single appointee may fill two of the above requirements. Remaining positions may be filled by the Board of Selectmen on an at-large basis. The Board may wish to consider appointing more than one Recreational permit holder given that the vast majority of shellfish permits are Recreational. The Falmouth Shellfish Constable shall serve as the ex officio staff representative to the Committee

The mission of the Committee is to advise the Board of Selectmen with regard to projects, policies, rules and regulations related to shellfish including aquaculture and wild harvest shellfish. The Committee will be informed of Town of Falmouth shellfish activities by the Shellfish Constable and will serve as a resource to the Shellfish Constable in developing plans related to Shellfish activities.

The Committee shall support the mission of the Marine and Environmental Services Department to preserve, protect and enhance shellfish populations to sustain recreational and commercial shell fishing in a manner that is consistent with promoting the overall health of marine ecosystems. The Committee will also

DRAFT ONLY

seek to support the mission of the Water Quality Management Committee to improve water quality in Town estuaries in a cost effective manner by increasing nitrogen uptake by shellfish.

April 19, 2018

Susan Moran, Chair, Board of Selectmen

Dear Su,

After consultation with town management, commercial and recreational shellfishers and aquaculture grant holders, as well with advice from the staff of the Southeastern Massachusetts Aquaculture Center; we are recommending a nine member Shellfish Advisory Committee to advise the Board of Selectmen.

The mission of the Shellfish Advisory Committee will be to advise the Board of Selectmen with regard to projects, policies, rules and regulations related to shellfish including aquaculture and wild harvest shellfish. The Committee will be informed of Town of Falmouth shellfish activities by the Shellfish Constable and will serve as a resource to the Shellfish Constable in developing plans related to Shellfish activities.

The Committee shall support the mission of the Marine and Environmental Services Department to preserve, protect and enhance shellfish populations to sustain recreational and commercial shell fishing in a manner that is consistent with promoting the overall health of marine ecosystems, as well as seek to support the mission of the Water Quality Management Committee.

Given the extent and diversity of the shoreline, area of potential production, the range of commercial and recreational interests and the necessity to understand and collaborate with the water quality management needs of the town we think the best composition of the committee would be:

- 2 Commercial License Holders
- 2 Recreational License Holders who have held that license for more than three years
- 2 Aquaculture Grant Holders
- 2 Scientific Board Members expertise in shellfish propagation, cultivation and/or biology
- 1 At-Large Member

The Shellfish Constable shall serve as the ex-officio staff representative to the committee.

The charge and mission developed by Town Management are a reasonable starting point but a more detailed list of duties will clarify the role of the Shellfish Advisory Committee.

Duties of the Committee should include but need not be limited to:

- Develop plans and provide recommendations to the Shellfish Constable and the BOS with regard to the management of the Town's shellfish resources (regulations, propagation, habitat protection, etc.)
- Research, review, and make recommendations regarding sources of income for maintaining Town shellfish resources (including the rotational aquaculture plan, recreational fees, State and Federal grants.)

- Develop recommendations for the implementation and management of the Town's rotational aquaculture plan.
- Review new and renewal aquaculture license applications, with appropriate considerations for conflict of interest issues.
- Provide detailed annual reports and analysis of existing shellfish resources/industry and to advise relative to any plan involving shellfish resources.
- Research and make recommendations regarding the establishment of innovative management efforts.
- Maintain active liaisons with stakeholders and assist with mediating conflicts.
- Provide scheduled public forums for the input from residents regarding shellfish resources
- Meet on a regular basis with the Water Quality Management Committee.

We appreciate the Selectmen and Town Management's understanding of the importance of our shellfish and aquaculture resources to the environmental, economic and social interests of the people of Falmouth and your willingness to move quickly on this matter.

Best regards,

A handwritten signature in black ink that reads "Karen Schwalbe". The signature is written in a cursive, flowing style.

Karen Schwalbe
Chair, Falmouth Agricultural Commission

Michael C. DeMello

Residence: 21 Casey's Way, East Falmouth, MA 02536

Mai: PO Box 2503, Teaticket, MA 02536

██████████

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MAR 30 2018

SELECTMEN'S OFFICE

3/28/18

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

RE: Hardship Request for Commercial Shellfish License

Dear Board members:

Due to multiple strokes which have resulted in permanent physical disability, I had to give up my lifetime career as a heavy equipment operator last Spring. We are life long permanent residents of Falmouth.

This has created tremendous financial hardship on my wife and I since my health issues extremely limits the tasks I am able to perform.

However, I am still able to shellfish (on the family permit under my wife's name). Obtaining a Commercial Shellfish License in my name would help lessen our financial burden.

Thank you for your consideration.

Regards,

Michael C DeMello

Michael C. DeMello

Diane Davidson

From: Gregg Fraser <gregg.fraser@falmouthmass.us>
Sent: Friday, April 20, 2018 3:31 PM
To: Diane Davidson
Cc: Chuck; Peter Johnson Staub; Gregg Fraser; jsuso@falmouthmass.us
Subject: Re: Hardship Request for Commercial Shellfish License

Hello Dianne,

I'm on my way back from Florida so an email is all I can do at this time.

Given the board has granted hardships in the past I recommend this be approved.

I will ask the to be formed shellfish advisory committee to review the entire application process for future recommendations to the BOS.

Specifically I want them to consider changing the application process to match the mooring and slip wait list enrollment and closure dates, remove hardship appeals and discontinue the commercial permit cap as it appears to be unfair to those without hardships. They will also be asked to consider a wait list procedure should the cap stay in place.

Thank you for the opportunity to comment on this matter.

Thank you,
Gregg

Sent from my iPhone



Be The Change
Think and Sign • Don't Drink and Drive

RECEIVED

APR - 2 2018

SELECTMEN'S C

March 25, 2018

Falmouth Town Manager & Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

Dear Mr. Julian Suso and Board of Selectmen,

We are gratefully requesting a fee waiver for the 7th Annual 'Run Jack Run' Family Fun Run/Walk to take place Wednesday, July 4th, 2018 as the single fundraiser for Jack's PACT (Positive Alternative for Community & Teens). This event—as well as Jack's PACT—has a "broad community benefit" as we aim to reduce drunk driving and educate youth and adults about the power of positive choices as well as substance abuse prevention. Jack's PACT is a grassroots 100% volunteer organization under the umbrella of Falmouth Together We Can, Inc.'s 501c3. Net proceeds each year from Run Jack Run are awarded as scholarships. The fewer the expenses, the more we can give back to kids! A small portion of these profits also covers materials and food for our pro-social activities and Peer Mentoring programs, including supplying snacks, pizza, and soda weekly for the Falmouth Recreation Center's Youth Nights, youth dances, and after school programs.

My family and our Jack's PACT group are so grateful for the Town's support of this event over the years that allows us to offer memorial scholarships in my brother's name to graduating high school seniors from Falmouth who have committed not to drive while under the influence of drugs or alcohol. Since Run Jack Run began in 2012, Jack's PACT has given away over \$40,000 in scholarships with funds raised solely from Run Jack Run each year. Each year, these recipients stand out among their peers as leaders, role models, and true difference-makers in our community. *They have all signed our "PACT" pledging not to drive while under the influence of alcohol or drugs and encourage others to join them in their commitment.*

Run Jack Run was established to remember and celebrate the life of Jack Pearsall who was tragically hit and killed by a drunk driver. Jack was a 16-year-old FHS student-athlete who loved playing soccer and running in our town. July 4, 2018 marks 7 years since losing Jack. He would be turning 24 this summer. My family and our Jack's PACT community use this annual event to build awareness about the severity of drunk driving and encourage all Run Jack Run participants to sign Jack's "PACT" pledging not to drive while under the influence of drugs or alcohol. To date over 2,000 individuals have made this important pledge.

Thank you again for your support and considering this request.


Samantha Pearsall Mueller

Jack's PACT President & Youth Advisor
Samantha@jackspact.org

BE THE CHANGE. THINK & SIGN. DON'T DRINK & DRIVE.

2017 'RUN JACK RUN' EVENT ACCOUNTING

EVENT EXPENSES		
Item/Service	Amount	Details
Permit from Town	\$0.00	Town of Falmouth - fee waived by Selectmen
Deposit to Town	\$0.00	\$300 refundable
Application for hosting event	\$10.00	Town of Falmouth, paid by Sam
Bouse House at FINISH	\$0.00	Bouse House 1-800-649-2010 (CCWSL paid \$90)
Bouse House at START	\$50.00	In kind, Mike paid cash
Police detail	\$0.00	Lt. Brian Kinsella of PFD donated his time
Fire Dept/Paramedic detail	\$0.00	volunteers from FFRD
Entertainment & A/V equip.	\$0.00	Cheryl Atherton & Tony Sciarillo, volunteers
Compost / trash collection	\$0.00	Compost With Me (Mary Ryther, volunteer)
Tables and chairs	In Kind	Taylor Rental donated
National anthem singers	\$0.00	Soulfege a cappella group, teen volunteers
Facepainting and activities	\$0.00	Teen volunteers, Art Honors Society students
RJR T-Shirts	\$2,616.41	430 shirts discounted - Image 76/Dan Sawyer
RJR signage	\$51.50	1 lawn sign from VistaPrint.com
XmasTree/Dollar Store	in kind	table cloths, flags, decorations (Sam purchased)
Fruit for post-race	in kind	donated by Jack in the Beanstalk
Granola bars for post-race	in kind	Donated by Shaw's and Stop & Shop
Bottled water	In kind	donated by Murphy's Package Store
Prizes for Logo Design Winners	\$200.00	1- \$100, 1- \$50, 2- \$25 Amazon gift cards
Coffee for volunteers	In kind	Coffee Obsession donated
Bagels and cream cheese	In kind	Cape Cod Bagel donated
Signage /posterboard	In Kind	Sam purchased
Decorations, facepaints and other supplies	\$57.77	Dollar Tree & Michael's
TOTAL EVENT EXPENSES	\$2,985.68	\$2,925.68 paid by Jack's PACT, \$60 by others
FUNDRAISING		
Sponsorships & Donations	\$6,270	45 total
Registration Online	\$2,020.00	104 registered individuals at Active.com
Registration by Mail or on Race Day	\$1,555	78 registered individuals/families
TOTAL RAISED	\$9,845	
2017 NET PROFIT	\$6,859.32	<i>\$6,000 to be awarded as scholarships in June 2018 to several graduating Falmouth seniors, all who have committed not to drink/drug and drive and volunteered countless hours with Jack's PACT</i>

JACK'S PACT

Positive Alternatives for Community & Teens



Our mission is to support existing initiatives and develop our own that deter drunk driving and other risky behaviors surrounding substance abuse in our community, while promoting healthy, positive lifestyles. Jack's PACT awards scholarships to exemplary teens, supports engaging pro-social activities for youth, provides education and awareness, and encourages people of all ages to sign our PACT pledging not to drive while under the influence of drugs or alcohol. Those who sign join a very special

and growing group of folks: Team JP.

Visit www.JacksPACT.org to learn more and make your pledge today!



What we do:

- Jack's PACT Peer Mentoring Program with the Falmouth Recreation Center
- Created a documentary about Jack's PACT for Driver's Education Programs and a Public Service Announcement with Falmouth Community TV
- Annual Project Sticker Shock with Falmouth Prevention Partnership to raise awareness of underage drinking
- Annual Run Jack Run Family Fun Run & Walk to remember Jack on July 4th
- Award Scholarships in Jack's name for graduating Falmouth seniors committed to the mission of Jack's PACT
- No Guff Week and other informational presentations at Falmouth High School
- PACT signing campaign encouraging folks of all ages to pledge not to drive while under the influence of drugs or alcohol
- Sponsor of the Celebrations After-Prom Party in Falmouth and other organizations (Falmouth Soccer Club, Falmouth Service Center, FCTV, etc.)
- Present Jack's Story at Gosnold's Driver Alcohol Education groups



On July 1, 2011 Jack Pearsall, a 16-year-old Falmouth boy, was struck by a drunk driver as he was walking from a fireworks display in Mashpee with friends. He passed away on July 4th due to his injuries.

In Jack's memory, family and friends established Jack's PACT, which stands for Positive Alternatives for Community & Teens. Today Jack's PACT is a grassroots community group of youth and adults conducting an ongoing anti-drunk driving campaign.



Jack's PACT (Positive Alternatives for Community & Teens)
PO Box 232, Falmouth, MA 02541
www.JacksPACT.org

VIPS – Feasts of Falmouth

Request for Off-Premise Signs

Quantity: 7

Size: 2' x 1.5' (3.0 sq. ft.)

Note: The sign measurements are within the sign code (less than 8 sq. ft.); therefore, no need for Design Review Committee review, only Board of Selectmen approval.

Locations:

1. Coonamessett Inn (corner of Jones Rd. & Gifford St.)
2. School Admin. Building Lawn (340 Teaticket Hwy.)
3. M.V. Savings Bank (corner Jones Rd. & Palmer Ave.)
4. Intersection (near) Davisville Rd. & E. Falmouth Hwy.
5. Woods Hole Rd. & McCallum Drive (entrance to private neighborhood)
6. In front of Taylor Rental (Rt. 28A, N. Falmouth)
7. Falmouth High School (corner of Gifford St. & Brick Kiln Rd.)

When:

Saturday, June 2, 2018 – Saturday, June 9, 2018.

Request for One-Day Liquor License

Scheduled for Board of Selectmen's meeting of Monday, May 7, 2018.

21 March 2018

Susan Moran, Chairman
Town of Falmouth Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540



Dear Ms. Moran,

Falmouth Volunteers In Public Schools (VIPS) requests a variance for off-premises signs for our 16th annual Feasts of Falmouth & Beyond event, scheduled for Friday, June 8th. We have submitted a Town of Falmouth Sign Permit application to the building department. I have attached the listing of the proposed sign locations, as well as a sample of the signs. They are lawn signs on metal stakes. They are typically put out on the Saturday prior to the event (June 3rd) and picked up immediately after the event. Falmouth VIPS is most appreciative of the visibility afforded by these lawn signs each year.

In addition, we are requesting a 1-day liquor license for this year's event. In keeping with the "taste" options for the event, we have asked Cape Cod Beer and Cape Cod Winery to offer tastings of their products. Attached is our application.

Please contact me if you have any questions about either the event, the signs, or the beer and wine tastings.

Thank you,

Tracey Crago
VIPS Director

Enc.

Town of Falmouth Sign Permit Application (rev. 9/10)
 (508) 495-7470 Fax (508) 548-4290

For office use only:
 BD Permit#: _____ Fee*: _____ HDC App. #: _____ DRC App. #: _____

*The Sign Permit Fee is \$25.00 per sign, payable to the Town of Falmouth (special event and promotional signs under §184-30 are no charge) – please submit the required fee to the Building Department along with the completed sign permit application.

DATE: 3/21/18
 STREET ADDRESS FOR PROPOSED SIGN(S): see attached
 APPLICANT NAME: Falmouth VIPS PHONE: 508 548-1621
 MAILING ADDRESS: 874 Gifford St. TOWN/STATE/ZIP: Falmouth 02540
 BUSINESS NAME: Falmouth Volunteers In Public Schools, Inc.
 BUSINESS OWNER: _____ ADDRESS/PHONE: _____
 PROPERTY OWNER: same ADDRESS/PHONE: _____
 CONTRACTOR / SIGN COMPANY: _____
 ASSESSOR'S PARCEL ID: _____ ZONING DISTRICT: _____

IS THE PROPOSED SIGN LOCATED WITHIN A LOCAL HISTORIC DISTRICT? Y / N
 If YES, the applicant must first submit this application to the Historic District Commission (HDC) for their approval. See attached 'Town of Falmouth Sign Permit Process and Required Submittals' for a detailed description of the HDC requirements.

FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35
 List number and sizes of each sign that presently exist for each street frontage: _____
 Area of proposed standing sign is: _____ x _____ = _____ square feet.
 Do the frames, borders, etc. exceed 8 square feet in area? Y / N
 The proposed standing sign will be set back from _____ street line _____ feet.

WALL SIGN(s) § 184-37; Awning(s) § 184-22
 List number and sizes of each wall and roof sign that presently exist on building: _____
 Size of proposed wall sign is: _____ x _____ = _____ square feet.
 The lineal frontage of the wall supporting the sign is: _____ lineal feet.
 The proposed sign will face _____ street/parking lot

ROOF SIGN(s) § 184-37
 List number and sizes of each wall and roof sign that presently exist on building: _____
 Size of proposed roof sign is: 2 x 1.5 = 3.0 square feet.
 The wall that the sign will be above is: _____ lineal feet.

PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30
 Size of proposed sign is: 2 x 1.5 = 3.0 square feet.
 Start date: 6/2/18; End date: 6/8/18 Total number of days that the sign will be displayed: 7

If the sign is eight (8) square feet or greater, this application must be submitted the Design Review Committee (DRC) for approval. See attached 'Town of Falmouth Sign Permit Process and Required Submittals' for a description of the DRC requirements.

OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20
The Board of Selectmen must approve all off-premise signs.

Proposed location: _____ Size: _____ square feet.
Board of Selectmen License No.: _____ *(Note: A copy must be attached)*

INSTRUCTIONS TO APPLICANT: (1) Attach a separate sheet with a site plan showing the location of the proposed sign on the lot as well as a sketch of the proposed sign with dimensions and the approximate appearance. (2) All signs in local Historic Districts must receive approval from the Historic District Commission (HDC) before the sign permit application is filed with the building department. (3) All applications for signs at a size of eight (8) square feet or greater that are located outside of local historic districts must be submitted to the Design Review Committee (DRC) for approval.

[Signature] _____
 Signature of Applicant
3/21/18
 Date

 Historic District Commission Date or Design Review Committee Date

With the following conditions: _____

 Building Commissioner/Inspector Date
 With the following conditions: _____

2018 Feasts of Falmouth Sign Distribution:

LOCATION

1. Coonamessett Inn (corner Jones Rd. & Gifford St.)
2. Admin Building Lawn (340 Teaticket Highway)
3. M.V. Savings Bank (corner Jones Rd./Palmer Ave.)
4. Intersection (near) Davisville Rd./E. Falmouth Highway
5. Woods Hole Rd./McCallum Drive (entrance to private neighborhood)
6. In front of Taylor Rental (Rt. 28A, N. Falmouth)
7. FHS Corner (Gifford St./Brick Kiln Road)

PLEASE NOTE:

Signs will be placed in these locations (permission secured) on Saturday, June 2nd and will be removed immediately following the event.

**VIPS Feasts of
Falmouth & Beyond**

Friday: 5 - 7 p.m.

NEW LOCATION:

Mahoney's

Garden Center

18" x 27" Yard Signs: Back side

SEASONAL LICENSE RENEWALS FOR 2018

**BOARD OF SELECTMEN'S MEETING
APRIL 23, 2018**

ALL ALCOHOL (\$1650)

Shuckers, 91A Water Street, Woods Hole

AUTOMATIC AMUSEMENT DEVICES (\$100)

Florence Tea Room, 196 Crystal Springs Avenue, North Falmouth

BOWLING ALLEY (\$195)

Ryan Family Amusement, 23 Town Hall Square, Falmouth

COMMON VICTUALLER (\$60)

Falmouth Clam Shack, 227 Clinton Avenue, Falmouth

Florence Tea Room, 196 Crystal Springs Avenue, North Falmouth

Shuckers, 91A Water Street, Woods Hole

ENTERTAINMENT (\$100)

Shuckers, 91A Water Street, Woods Hole

SUNDAY ENTERTAINMENT (\$75)

Shuckers, 91A Water Street, Woods Hole

LODGING HOUSE (\$35)

Elizabeth Hathon, 165 North Falmouth Hwy., North Falmouth

Frederick William House, 594 Palmer Avenue, Falmouth

Inn on the Sound, 313 Grand Avenue, Falmouth

Woods Hole Inn, 28 Water Street, Woods Hole

SECOND HAND DEALERS (\$25)

Cash Point, 348 East Falmouth Highway, East Falmouth

Falmouth Service Center, 67 Davisville Road, East Falmouth

Falmouth Stamp and Coin, 11 Town Hall Square, Falmouth

Fay's Gallery, 556 Main Street, Falmouth

Hannoush Jewelers, 352 Main Street, Falmouth

St. Vincent de Paul Thrift Shop, 18A Davisville Road, East Falmouth

TOWN OF FALMOUTH
BOARD OF SELECTMEN

Meeting Minutes

SATURDAY, JANUARY 27, 2018 – 8:30 A.M.
HERMANN MEETING ROOM
FALMOUTH PUBLIC LIBRARY

JOINT MEETING

**BOARD OF SELECTMEN – CONSERVATION COMMISSION – PLANNING BOARD –
ZONING BOARD OF APPEALS – BOARD OF HEALTH – AFFORDABLE HOUSING COMMITTEE –
WATER QUALITY MANAGEMENT COMMITTEE**

Present: Susan Moran, Chairperson; ; Doug Jones; Sam Patterson; Doug Brown.

Others Present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager.

Open Session

1. Chair Moran called to order.
2. Chairs of all boards called their perspective meetings to order.
3. Coordinating Visions: Side-by-Side of the Selectmen's Annual Strategic Plan and Falmouth's Local Comprehensive Plan

This is a framework for the discussion to look at what they have as commonalities and how to prioritize.

Jim Fox suggested the public go to the Town website to read the plans.

Chair Moran explained the BOS Strategic Plan for policy overview, which includes where the Town is going, what is happening, where they are with each goal. The long term strategic vision was reviewed via PowerPoint presentation. The BOS is trying to target things in order, next week the BOS will be doing a listening session to make sure what they are looking at is in line with the community priorities.

Jim Fox reviewed the local comprehensive plan via PowerPoint, which was revised 2016. It is prepared through the local comprehensive plan subcommittee, regular meetings are held and the public is encouraged to attend. Eventually goals and policies are approved by Town Meeting; action items eventually become warrant articles. Deals with short and long term plans, goes into detail on who is responsible for the action times. Vision was reviewed, need to protect natural and built resources, complete streets. Falmouth was originally developed as a town that uses cars, into the future looking for infrastructure including sidewalks and public transportation. Encourage development, reviewed action items in land use, including set up a fund to buy developable shoreline properties to prepare going forward. Transportation was reviewed, maintain what we have, complete streets for various modes of transport, maximize regional transport and connecting with train and highways. Budget lifecycle maintenance approved as part of a project. Encourage alternative and environmentally sensitive modes of travel. Consider having a Transportation Committee. Protect operational capacity of vulnerable infrastructure; Trunk River was cited. Wetlands as shock absorbers help with flooding. Action items were reviewed, including innovative programs in place after Hurricane Sandy; encourage neighborhood and civic networks. Reviewed states codes and bylaws for resiliency and lobby for changes; break the cycle of building to replace without redesign and build it right in the first place. Water and wastewater elements were reviewed, we need to protect water sources going forward. Explore regionalization of sewer treatment and distribute the cost of wastewater equity throughout the Town. Need to maintain groundwater, any water used or rid of, make sure the water table is maintained. Investigate mechanisms to finance future water and sewer projects. Evaluate the full cost of maintaining the water and sewer system throughout its life. Investigating use of non-potable water. Develop equitable sewer betterment policy for the Town for existing and new ones going forward and grey water recapture. Housing was reviewed, including

affordable housing. Focus on housing for all, not just affordable housing. Policies will allow for greater density where appropriate such as village centers. Encourage the market to create multiple housing opportunities through changes in zoning and overlay districts, let private investment build housing for those in all stages of their lives, incomes, and separate from the State affordable housing requirements. Action items reviewed, some are already done such as the housing study. Economic sustainability was reviewed, meetings have been held with local and State colleges. Consider developing a Redevelopment Authority. Energy self-sufficiency was reviewed. Reduce energy use by 2.5% each year is a Town goal. Explore opportunities; add solar use analysis into site plan review. Perseveration of Falmouth's character was reviewed. Wayfaring around Town was recommended. This is a living plan continually under review.

Both plans are reviewed regularly; the requirements of the plans were explained by Charlotte Harrisas she referred to a PowerPoint presentation.

Chair Moran noted the BOS vision that the purpose of them begin at the agenda stage, all boards have a chance to recommend agenda items. The two plans have commonalities; she asked others for suggestions they would like to highlight going forward.

Ken Forman, Zoning Board, noted there have been a number of 40Bs and he did not see an affordable housing action plan. The State regulations say that if we can generate three quarters of 1 percent of affordable housing (150 units) we can fend off unfriendly 40B projects. Encourage developers to produce the kind of project we would like to have for Falmouth, possible incentives may be tax abatement, if rentals 100% of units count towards affordability requirement. There was one before on this list and he would like to see it rejuvenated and include a proactive policy.

Holly Wilson noted the housing production plan approved by the State expired in 2/2014, affordable housing committee asked for funds to hire a consultant, it was approved in Town Meeting. The have been waiting for Housing Coordinator to come on board, the plan is the issue an RFP by around 3/1/18, the former housing production plan gathered dust, hoping this new one is more productive.

Annie Connolly, Affordable Housing Committee, stated that there is a philosophical issue. The subsidized housing inventory, need for flexible housing, variety of options, we do not have other options for people. Limited stock of housing, either free standing houses families grew out of with empty rooms and retirees who make their dream house, then subsidized housing; not a lot in the middle. Need to follow the State's mandate because they have the money. Housing is complicated. Also need to create areas in Town where a developer could come in, we need a map. She was excited to see the accessory apartment bylaw passed in Town Meeting; she encourages all to have these conversations and issues.

Mr. Patterson noted we rely on private developers to build, so there is always a public private partnership so how do we invite developers to come in to give the kind of projects the Town wants; we need to talk with them about the vision of what we want the Town to be. We do not have a vision for overall land use in Falmouth, where we want to see development, what kind, until we have that common vision of land use in Falmouth, we will be struggling against each other. FPD officers are not living in Falmouth, some in Bourne, most are living in Wareham and Plymouth, have to live in a 15 mile radius. We need to think about the diversity of the community.

Jim Fox noted the Davis Straits plan, part is moving forward now. No multi-family housing district, it is a special permit. They are encouraging an overlay district on a portion of it, might have density in village area to have a greater density.

Chair Moran noted the EDIC had the South Cape developer come in to talk about why Falmouth is perceived as antidevelopment, if Falmouth wanted some of these larger projects, what would they need.

4. First Focus Point for 2018: New or Replacement Septic Systems
 - a. Overview of Impaired Watersheds in Falmouth
Sia Karplus and Eric Turkington presented a PowerPoint presentation, 15 impaired estuaries have more nitrogen than these water bodies can stand, and shellfish are dying, water cloudy, water

undesirable for man or beast. Eric reviewed the level of impairment. Water Quality Management Committee spends a lot of time on what each estuary needs. Many can get their nitrogen down to acceptable level without sewerage if we do other things. A few will need sewerage. As people build or add on, want to make sure they are not adding to the problem. All of the impacted estuaries do not have mapped coastal overlay districts. Let's get the last four mapped and on the books by Town Meeting.

Mr. Brown stated the need to implement denitrification septic systems. At some point will have to ask the owners to update their septic systems and possibly provide incentives.

Mr. Turkington said they need to help people with financing. The currently approved system that MA allows does not do all that is needed, they reduce nitrogen load by half, but that is not enough. There are maintenance issues, cost issues and when need to do on a large scale, and questions will be answered. They will be affordable and not have the maintenance issues.

Chair Moran stated the Water Quality Management Committee is responsible for this to happen. These projects get vetted at county level, Falmouth has been shovel ready.

Jerry Potamis stated the need to be careful regarding what level of septic tank is acceptable in the future. Without a comprehensive plan we should not specify a level of nitrogen and may need to think about two levels of nitrogen.

Steve Rafferty, Board of Health, stated that any on-site septic systems are sent to the Board of Health for approval. Enhanced nitrogen removal will take careful crafting so it is a flexible forward looking definition. Su Moran noted it falls to staff to drive/organize that.

Ron Zweig, Water Quality Management Committee, reviewed history, the 2005 plan was to reduce energy use by 10% by 2020, and a report showed that the wastewater consumption in 2010 was 20% of the total consumption. 3% of the properties used 20% of the municipal energy use. Little Pond system adds to it, about 9% of the Town but energy consumption is about 45% of the Town's total energy use. We have this objective by 2019 the LPSSA will use 40% of the municipal use, so looking at lower energy systems is the way to go. As we move forward thinking about other estuaries, priority needs to be on minimizing energy use.

Mr. Brown noted the Cape Light program where they come out to insulate your house and pay 25%; he would like the Town to promote that.

John Waterbury, Board of Health and Water Quality Management Committee, reviewed the overlay district map and asked if the entire Town be declared a nitrogen sensitive area?

b. Review/Discussion on Implementation of Accessory Apartment Bylaw

Pam Harting-Barrat, Planning Board noted the accessory apartment bylaw, doing a disservice to those who do not have to enhance their septic system, may be in the overlay district, so someone who has a home they can retrofit to make affordable housing is now out because they cannot afford a new septic system. She believes there has to be a way to allow these units with no added flow to fit the criteria and could accommodate young family or individual. This is not a unit in perpetuity, there are many older folks who have a unit that an individual or young family could live in and assist the elderly person who wants to keep their home. How do we interpret that? Simpler when a garage that is not attached, but if you have something within a dwelling we cannot offer that in the community.

Building Commissioner Rod Palmer said that a lot of people were excited by the accessory bylaw, assumed it would be easier than it turned out to be. There are other requirements as well. Over the past few months he has been sitting down with people to explain some of the requirements; some walk away discouraged, it is too much for them to revamp their septic system, it is not easy to

convert a single family home into something with an accessory apartment for those who want to add an addition, it is a little easier.

John Walker, Health Department noted Title V is not something the Board of Health can vary because it is State code.

Mr. Rafferty noted the board has not sat down and reviewed the accessory bylaw.

Diana Molloy, Board of Health, said they would make it an agenda item as soon as possible.

Every accessory apartment is an accessory to a single family and is not to change the appearance or right of the single family dwelling. It is not a second dwelling, its accessory to primary single family use.

Ms. Harting-Barrat suggested the possibility of a moratorium on the bylaw was suggested, because it is confusing, not working, there is no coordination between various departments, and we need to step back, fix it, and then move forward.

According to Mr. Brown, it works for a few people and it is okay to start out slowly, he would not want to go backwards now.

Chair Moran noted the Town website allows you to sign up for certain agenda and minute items.

Mr. Patterson said a big part is criticality of Town staff to coordinate all of the volunteer activities.

Ms. Malloy asked if it would make sense to request a task force of those representatives to come together.

Mr. Suso is willing to make that happen and follow the BOS recommendation.

Annie Connolly stated that staffing is a key link to communication and to reestablish credibility in Town Meeting, they need to go back to Town Meeting and a working group is an excellent idea, hopefully stakeholders will have clout with their subgroups at Town Meeting.

According to Mr. Suso, 4 of the 6 applications have been approved since bylaw adopted.

State Representative Dylan Fernandes suggested when the working group is established, he could assist in connecting them with folks on Nantucket who have been working on these issues for years.

5. Discussion on Implementation of Existing Reserve Capacity for Wastewater Treatment (CWMP)
Chair Moran explained that looking at policies going forward, what do builders know about what is available for capacity, and what development to prioritize.

Amy Lowell, Wastewater Superintendent, reviewed flow neutral bylaw via PowerPoint. The capacity is limited by the discharge limit in Ground water discharge permit, not treatment or collection capacity. Now the permit limits flow from the plant to 70,000 gallons per day. When you get to 80% of that number, you need to let them know how you will control flow units. She estimates the total proposed development and redevelopment projects she is aware of is approximately 70,000 per day in Title V flows; these are conservative and they would actually see about 35,000 gallons per day.

Chair Moran noted many homeowners have put in requests to be connected, it would be helpful if they had a policy.

Mr. Brown asked if found a discharge, what about expandable capacity of the plant to treat. Ms. Lowell said discharge is the limiting factor because it is based on nitrogen because our discharge is to the ground, which flows to coastal ponds; each pond has a nutrient limit. If outfall was approved or went to membrane system in the plant, than the discharge limits are dramatically increased. Outfall is a pipe that would discharge to Vineyard sound or Buzzards Bay, thereby bypassing the estuaries. The plant is designed to treat up to 1.2 million gallons per day. This is just fort projects Ms. Lowell is aware of that have been proposed.

Chair Moran noted need to look at planning and whether it may include planning for an additional water treatment center.

If there is available capacity within a sewer area, they cannot arbitrarily deny someone hooking into the sewer system. Need a policy and understand what can be limited. The estimate included the flow from the LPSSA when the properties are all connected in the future.

Outfall was discussed, if go to a membrane system, what kind of time frame would be needed to do the addition on the current treatment plant from planning to completion?

Eric stated there would be two presentations at next Water Quality Management meeting. Over the next couple months they will have good picture of the Town's options for discharge sites.

Mr. Suso reminded all that the Town does not have unilateral authority to implement or undertake what we are talking about; it is a heavily regulated issue and the Town is subject to a wastewater management plan and permit process that is periodically negotiated with the State Department of Environmental Protection. The limits Ms. Lowell spoke about came about because of this regulatory process. It is not only about what the Town would like to do or have the resources to do.

Ray Jack, DPW Director, explained capacity and the collection systems limitations. The lift stations are large, pipes of a size to accommodate growth in the future. We are entering redevelopment, which is more intense and bottom line is going to be there is growth in the Town, to what degree will it occur and where will it be centered. They are working closing with the Water Quality Management Committee and to the future more than 20 years. Wastewater plan by 2019 they will go to the State to let them know how they will accommodate future needs.

The Silver Beach system is independent, there is limited capacity there now, and that plant is capable of expansion.

Mr. Patterson commented the nitrogen we create, how does it gets converted and we have to recognize the outfall is just bypassing the estuary and is that a strategy to handle the nitrogen we create. If you look at planet as a whole, if estuaries are overloaded, maybe we need a bypass to bring it down.

6. Discuss Additional Potential Focus Points for 2018: Overall Coordination of Planning, Zoning Board of Appeals, Board of Health and Water Quality Management
7. Best Practices to Receive and Give Input on Another Board's Hearing or Agenda

Chair Moran said they could send an email to request agenda item, focus points, etc.

Annie Connolly said there was staff review when permitting 40B, she wonders if with zoning changes like that something similar is instituted. Well ahead of Town Meeting. It would be appreciated by Town Meeting. No reason we do not work it out before Town Meeting.

Chair Moran asked Mr. Suso to send out a request to all boards on Ms. Connolly's suggestion. Mr. Turkington supports it as well.

8. Other Business

Mike Galasso, Falmouth EDIC, said it sounds like there is a need for a comprehensive community land use plan that shows where we want to grow, put density, community facilities, this would show all of that and help calculate how much more sewer we need and where it will go.

Representative Fernandes stated that The Air BNB tax is coming at the State level and the Cape and Islands delegation is looking at this regarding the wastewater problem. They are looking to level the playing field between Air BNB and regular BNBs/hotels. They would like a small fee/tax on top of the short term room rental fee that the state will already put and designate the fee for wastewater treatment on the Cape. Communities would have to opt in.

9. Adjourn

Chair Moran motion to adjourn. Second Mr. Jones. Vote: Yes-5. No-0.

All other Boards motion to adjourn their meetings with unanimous committee votes to adjourn.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, APRIL 2, 2018
SELECTMEN'S MEETING ROOM
TOWN HALL

Present: Susan Moran, Chairperson; Megan English Braga, Vice Chairperson; Doug Jones; Doug Brown.
Absent: Sam Patterson.

Others Present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Frank Duffy, Town Counsel.

1. **Chair Moran called the open session to order at 6:30 p.m. and motioned to convene the executive session under 1. M.G.L. c. 30A, s. 21(a)(3) – Discuss Resolution of all turbine litigation. 2. M.G.L. c.30A s.21(a)(6) – Status/update on potential purchase of Lyberty Green Project site. 3. M.G.L. c.30A s.21(a)(3) – Vote/approve collective bargaining agreement with Police Lieutenants because to not go into executive session could prejudice ongoing negotiations. Mr. Jones seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll call vote: Mr. Brown, aye; Ms. English Braga, aye; Chairman Moran, aye; Mr. Jones, aye. Absent: Mr. Patterson.**
2. Chair Moran reconvened the open session at 7 p.m.
3. Pledge of Allegiance
4. Proclamations:
 - a. Arbor Day – April 27, 2018
Ms. English Braga read the proclamation in the packet as a motion. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.
 - b. Falmouth Chamber of Commerce Citizen of the Year – Carl F. Cavossa, Jr.
Mr. Jones read the proclamation in the packet as a motion. Second Ms. Moran. Vote: Yes-4. No-0. Absent-1.
- c. Recognition
Ms. English Braga recognized that this month in Falmouth is Falmouth Reads Together month, many activities throughout the community. A book is chosen, read as a community, and come together for discussion. Between the World and Me was the book chosen. Check out the library website for events.
- d. Announcements
Status of the beach
Mr. Suso provided an update on the storm damage to Falmouth beaches, the Acting Beach Superintendent does a post storm assessment, works with the Conservation Commission and DPW Highway to mitigate losses. The sand donated will be suitable for nourishment at Surf Drive, now have the county dredge doing the entrance to Eel Pond and the sand will go on the East side of Menauhant. There is a good chance it will stay in place for the summer season.

Beach stickers will be for sale as of 5/2/18 at the Marks Building, it will be publicized at Town Hall, in the newspaper, and Town website.

Mr. Suso announced approval of the FPD Lt. Collective Bargaining Agreement, renewal of the union contract for fiscal year 2018-2020. This includes that the Town may implement vehicle dashboard camera in the FPD Lt. vehicle only.

Ms. English Braga noted that on 4/4/18 at 7 p.m. at the Museums on the Green, there will be a talk by a professor of Portuguese history about impact of Portuguese immigration in Town.

Ms. English Braga noted as approaching Town Meeting, there has been a lot of posting about articles and issues going before the Town Meeting that has been erroneous. She has received questions about articles and folks are getting the wrong information and encouraged representatives to vett things before putting information out because it can cause confusion.

Mr. Jones announced the Lyberty Green Appeals, there will be a site review at 9:30 and then a 10 a.m. hearing at the Hermann Room at the main library; only speakers will be those called as witnesses.

- e. Public Comment-none.
- f. Vote to Affirm Appointment of Fleet Services Manager

Mr. Suso recommends James Reynolds for the position and reviewed his qualifications.

Ray Jack welcomed Mr. Reynolds to the team.

Mr. Reynolds told the BOS that he is honored to be in the position.

Mr. Jones motion to affirm the appointment. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

SUMMARY OF ACTIONS

- 1. Licenses
 - a. Approve Application for Special One-Day Wine and Malt Liquor License – Food Truck Festivals of America – Cape Cod Fairgrounds – Saturday, 8/11/18
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.
 - b. Approve Application for Special One-Day Wine and Malt Liquor License – Gray Matter Marketing – Craft Beer Festival – Cape Cod Fairgrounds – Saturday, 10/13/18
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.
 - c. Approve Application for One-Day Entertainment License – Beach Concert Fundraiser for Recovery Without Walls – Old Silver Beach – Wednesday, 7/25/18
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Ms. English Braga noted Lt. Doyle had no issues with them, but encourages the organizer to get in touch with the police regarding police details.

- 2. Administrative Orders
 - a. Authorize Negotiating Team for Discussions on a Potential Inter-Municipal Agreement for Waquoit Bay
Mr. Suso received communication from the Water Quality Management Committee, Eric Turkington is recommending this process and asked that it be authorized to begin, it involves pursuit of an agreement for managing water quality issues, modeled after approaches taken in other towns. If the BOS agrees, then they would designate a BOS member, Town Manager or designee, and a member of the Water Quality Management Committee. Mr. Suso has no proposal for the individuals, the members are yet to be determined.

Eric Turkington, Precinct 1 and Chair of the Water Quality Management Committee, noted other Towns affect this bay and this model is to get Mashpee, Barnstable, and Falmouth together to look at them; it has worked for another bay.

Mr. Brown expressed interest in being part of it.

Mr. Jones motion to have membership as Mr. Suso described. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion appointment of Mr. Brown from the BOS. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

- 3. Special Events

New - Recommended:

- a. Beach Concert Fundraiser for Recovery Without Walls – Old Silver Beach – Wednesday, 7/25/18
Ms. English Braga motion approval. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

PUBLIC HEARINGS

7:30 p.m.

1. Approve Application for Transfer of an All Alcoholic Common Victualler License and Entertainment License – Rose M Corp. d/b/a Soprano's – Casino By The Sea – 286 Grand Avenue, Falmouth

Chair Moran read the public hearing notice.

Bob Ament, attorney representing the applicant for transfer of the licenses held by Casino restaurant LLC. Principal of transferee operated Raw Bar since 2008, Sopranos in Mashpee since 2004, and lifetime of restaurant experience in Falmouth. He wants to create a restaurant modeled after Sopranos in Mashpee with the same menu. He has a five year lease with estate of Francis X. Messina with an option to extend another 5 years, and will employ 25 employees. They will be opened year round and hope to open 4/25/18.

Mr. Jones noted no Sunday Entertainment license indicated in the application, if he wants that, he needs to apply for it. Mr. Ament noted there are no changes, it is just a transfer.

Public comment in favor: none.

Public comment against: none.

Mr. Jones motion to close the hearing. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion approval of the license. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

7:40 p.m.

2. Approve Application for Transfer of a Wine and Malt Common Victualler License – Martha's East, LLC d/b/a Martha's – 281 Main Street, Falmouth

Chair read the hearing notice.

The applicant addressed the BOS and explained she purchased what was the Parkside Market, she plans to operate the restaurant breakfast/lunch, summer evenings Thursday, Friday, and Saturday from 4-7 p.m. with beer and wine.

Public comment in favor: none.

Public comment against: none.

Mr. Jones motion to close the hearing. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Ms. English Braga motion approval. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.

BUSINESS

1. Vote Position on April 2018 Town Meeting Article 18 High School All Purpose Field
Mr. Suso explained that the cost would be \$3.1 million, operation would be a debt exclusion. The Finance Committee voted to recommend as presented to them for an all-purpose synthetic turf field at the FHS.

Mr. Jones motion to voice support for the recommendation. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

2. Approve Debt Exclusion Ballot Vote on High School All Purpose Field for May 2018 Municipal Election
Ms. English Braga motion approval. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

3. Appoint Falmouth Representative to the Cape Cod Commission
Charlie McCaffrey addressed the BOS and reviewed some interactions between the Town and the Cape Cod Commission. Several initiatives he believes the Town should consider participating in including

regional land use vision, coastal resilience, and the Cape Cod Commission updating the regional policy plan-increasing appropriate locations housing choices. He handed copy of his remarks to the BOS.

Chair Moran asked the Town Manager to work with the Town Planner for a May agenda item regarding getting on the map ways to benefit by interacting with the Cape Cod Commission.

Mr. Jones motion to reappoint Mr. McCaffrey to a three year term through 4/24/2021.

4. Interview, Vote and Appoint Members to the Charter Review Committee

Mr. Suso reported that town counsel said if the BOS concludes work to appoint 7 members, they also need to be designate who is to convene the first meeting and suggested town counsel would be temporary chair to call the meeting to order.

- a. Marc Finneran
Unable to attend.
- b. Charles M. Radar
He has served on Charter Review Committees in the past and is good at it; he has conducted one in Middlesex County and explained the process. He was on the Chatham Charter Review Committee.
- c. Daniel H. Shearer
There is some tweaking that needs to be done on the charter, this is his 50th town meeting as town meeting member and has held a variety of committee memberships.
- d. David Garrison
Spent his career working in and around local government in urban policy. Reviewed his experience, this is a lifelong area of interest to him. Mr. Garrison is fond of Town Meeting, it is part of the process and understanding how the Town works. He has read the charter and state statutes behind it.

Nothing about the issue of the Wellfleet range encouraged him to apply to the charter review committee.
- e. Pamela Harting-Barrat
- f. Judith Fenwick
Enjoyed her time on a previous Charter Review Committee, she likes big projects and liked the people who were on the committee. She would like to be a part of it again.
- g. Peter L. Clark
He supports the Town form of government, likes the representative town meeting, but all systems have strengths and weakness and all systems can be improved. He can separate the system of government from those who hold the offices. He was in the school system for thirty years, Town Meeting member, and is excited about exploring other parts of government.
- h. Charles McCaffrey
His professional career has been working with local governments, most of which in NY. All local governments are different, he respects that. He has good understanding of how the Town works, favorable towards representative town meeting, but it is important to understand the details and constantly reevaluate how the town works.
- i. Mary Pat Flynn
- j. Flannery du Rivage Rogers

Interested in local government, involved in Town Meeting, this committee is an important way to get more familiar. She has taken a look at the charter, the timeline of how things have been amended and when, has spoken with others on the committee in the last round.

- k. H. Carter Hunt, Jr.
Interested in process, he was a moderator in another town. This process is outstanding event, gives everyone a chance to look at and modernize how things are done. He has read the charter.

- l. Michael Palmer

Ms. English Braga commented that it would make sense for the Town Clerk to be a member of the Charter Review Committee. The BOS discussed this and Mr. Palmer will be available as a resource.

Judith Fenwick noted Michael Palmer was a full member for charter review 3. There were 2 members from the League of Women Voters, the league went along side and sent a matrix monthly of what they were talking about and what they thought should be talked about.

According to Mr. Jones, the Charter review Committee meetings are open, minutes recorded.

Mr. Jones motion to appoint Judy Fenwick. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Chair Moran motion to appoint Peter Clark. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Mr. Brown motion to appoint David Garrison. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.

Ms. English Braga motion to appoint Flannery Rogers. Second Chair Moran. Vote: Yes-4. No-0. Absent-1.

Chair Moran motion to appoint Pam Harting-Barrat. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion to appoint Dan Shearer. Second Chair Moran. Vote: Yes-4. No-0. Absent-1.

Chair Moran motion to appoint Carter Hunt. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

Mr. Jones motion to authorize Town Counsel convene the first meeting as Acting Chair. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Ms. English Braga motion to appoint Michael Palmer as Ex Officio. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

The timeline was reviewed, meetings began last time in September. Chair Moran noted if possible, get started right away. Looking to come back to April 2019 Town Meeting for the May ballot.

- 5. Request for Sign Variance – On-Premise Freestanding Sign – 460 Waquoit Highway
Deferred at request of the applicant.
- 6. Request for Sign Variance – Off-Premise Promotional Signs – Gosnold – National Rx Drug Take Back Day
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.
- 7. Approve Request for Waiver of Special Event Permit Fee – Sunday Worship – Surf Drive Beach – John Wesley United Methodist Church
Ms. English Braga motion approval. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1.
- 8. Approve Request for Waiver of Special Event Permit Fee – Falmouth Farmers Market – Marina Park

Ms. English Braga motion approval. Second Mr. Jones. Vote: Yes-4. No-0. Absent-1. The applicants were asked to clean up after themselves.

9. Final Review of 2018-2019 Town Manager Goals

Mr. Suso explained it is his redraft of the voted goals by the BOS at the 2/26/18 regular meeting.

The document in the packet was reviewed by the BOS with Mr. Suso.

Mr. Jones motion approval of the Town Manager's goals for 2018-19. Second Ms. English Braga.

Vote: Yes-4. No-0. Absent-1.

10. Announce Board of Selectmen Second Quarter 2018 Meeting Schedule

Next Monday and Tuesday, possible wed.

4/9/18
4/10/18
4/23/18
5/7/18
5/21/18
6/4/18
6/18/18
7/9/18
7/23/18
8/6/18
8/20/18

Ms. English Braga motion approval of the scheduled. Second Mr. Brown. Vote: Yes-4. No-0. Absent-1.

11. Individual Selectmen's Reports

Chair Moran:

Fire safety week

Attended School Committee Meeting, new Superintendent was appointed.

Mr. Brown:

Met with New Bedford Mayor Mitchell regarding his vision of waterfront. The state pier location lends itself to a redevelopment/mixed use area and Mayor Mitchell is not inclined to encourage freight only through the state pier, New Bedford is trying to develop a north pier for freight traffic. They are seeking a grant for that area, hope SSA and Falmouth would partner with them and help with seed money towards the grant.

Mr. Brown met with Betsy Gladfelter about the meeting.

Attended Recreation Committee meeting.

Ms. English Braga:

Attended career day that VIPS puts on at Morse Pond, mostly Town employees.

Mr. Jones:

Inquired about precinct meetings and how they have gone. Mr. Brown noted there were questions regarding the stretch code and helpful that a representative from the Energy Committee was present.

12. Review of Town Manager's Report

Mr. Suso attended the Coastal Resiliency Action Committee meeting. Attended Precinct 4 and 7 meetings, he will attend more this week. The Accessory Apartment Bylaw Working Group will meet at the end of April.

13. Review and/or Discuss Correspondence Received

Mr. Jones motion to adjourn at 8:40 p.m. Second Ms. English Braga. Vote: Yes-4. No-0. Absent-1.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso *JMSuso*

DATE: April 20, 2018

- Selectmen will meet at 6:30PM in executive session for a status update on various legal matters. In addition, we will discuss with Town Counsel Frank Duffy a personnel matter which has arisen.
- I am pleased to request that the Board affirm my appointment of Joe Olenick as Recreation Director for the Town of Falmouth. Joe will be in attendance with us on Monday evening as well.
- "Retroactive" approval is being requested from the Board for the temporary use of the Old Silver Beach Resident Parking Area for a prior-scheduled fireworks display related to an event being held by the Cape Cod Chamber of Commerce at the Seacrest Resort. Our understanding is that this is necessitated by "safe zone" requirements for ensuring public safety in this area adjacent to the Seacrest (and allowing this limited display to be "shot-off" from this parking area at a greater distance from the Seacrest Resort buildings). The timing is unfortunate, as this event and display was prior-scheduled and is due to occur Monday evening, only coming to the Town's attention subsequent to the Board's last meeting.
- You will be hearing Reports/Updates from both the Falmouth Housing Authority and the Upper Cape Regional Technical School.
- Peter McConarty will be joining us to provide a status update on playing field, roadway and beach maintenance activities through public works.
- We will follow Selectmen's lead in establishing a Shellfish Advisory Committee. Particular attention is requested to the "charge" of the Committee, which is strategic in avoiding misunderstandings which occasionally arise after the fact.
- The Board will be taking up the matter of 2018 Seasonal License renewals.
- The Senior Center Building Committee continues its deliberative meeting process. As you know, two public forums are scheduled for the afternoon and evening of this coming Tuesday, April 24 to provide opportunity for additional public input on design-related issues. I thank Peter and Jill for their ongoing work with this important Committee.
- I was pleased to stop-by, welcoming back Eight Cousins Bookstore upon their return to business operations, as one of the Town's anchor retailers!