

TOWN OF FALMOUTH
BOARD OF SELECTMEN

AGENDA

MONDAY, MAY 7, 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)(3) – Discussion and vote on settlement of employment related claim

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation – Eagle Scout – Anthony Fusaro
4. Recognition
5. Announcements – Police Week May 13-19, 2018
6. Public Comment

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Application for Change of Corporate Name and d/b/a of an All Alcoholic Common Victualler License – East End Tap Incorporated d/b/a East End Tap – 734 Teaticket Highway, E. Falmouth
 - b. Application for Innholder License – Fontelux Hospitality Systems LLC – Palmer House Inn, 81 Palmer Avenue, Falmouth
 - c. Application for Second-Hand Dealer's License – Cape Kids' Treasures – Falmouth Plaza, Davis Straits – Consignment Sale Event twice/year
 - d. Application for Annual Sunday Entertainment License – Rose M Corp. d/b/a Soprano's – Casino by the Sea, 286 Grand Avenue, Falmouth
 - e. Application for Common Victualler License – The Buffalo Jump LLC, 277 Hatchville Road, East Falmouth
 - f. Application for Change of Sunday Hours – Windward Merchants LLC d/b/a Wild Harbor General Store, 200 Old Main Road, North Falmouth
 - g. Application for Special One-Day Wine and Malt Liquor Licenses – Historic Highfield, Inc., 56 Highfield Drive, Falmouth – Saturday, 5/19/18; Thursday, 6/21/18; Monday, 7/23/18; Sunday, 8/12/18; Saturday, 10/13/18; Tuesday, 11/20/18
 - h. Application for Special One-Day Wine and Malt Liquor License – VIPS – Feasts of Falmouth and Beyond – Mahoney's Garden Center, 958 E. Falmouth Hwy. – Friday 6/8/18
 - i. Application for Special One-Day Wine and Malt Liquor License – Falmouth Art Center – Summer Gala Fundraiser – Friday, 6/22/18
2. Administrative Orders
 - a. Approve Warrant for Annual Town Election on May 15, 2018
 - b. Vote to accept donation of three, 37" LG flat screen T.V.'s with a total value of \$900 from the Sea Crest Resort to the Falmouth Recreation Department
 - c. Authorize expenditure of up to \$30,000 from Article 17 (April 2011 Town Meeting) to fund a contract with the Woods Hole Research Center to monitor nitrogen removal in the lower Coonamessett River for up to three years
 - d. Accept easement for water services – Cedar St. - Maravista
 - e. Petition to General Court for Special Legislation – Extending Chief Edward Dunne's retirement date
 - f. Authorize application for State Municipal Vulnerability Preparedness (MVP) Grant Program Funding
 - g. Approval of letter of support for Marine Biological Laboratory pursuit of State funding for repair/replacement of Waterfront Park Seawall
 - h. Approve purchase from Library Donation Account in the amount of \$902.09 for Demco bookcases at the North Falmouth Library

3. Special Events

Recurring - Recommended:

- a. Arts Alive – Falmouth Village Association – Shore Street Extension & Library Lawn – Friday, 6/15/18 – Sunday, 6/17/18

New - Recommended:

- a. Wedding Ceremony – Deane – Megansett Beach – Saturday, 8/11/18
b. Kevin Looney Fundraiser Bike Ride – Lisa Looney – Shining Sea Bikeway – Saturday, 7/28/18
c. Yoga Class – Sandra Waite – Marina Park (bandshell side) – Saturday, 7/14/18 and Saturday, 8/4/18

7:30 p.m. BUSINESS

1. Board of Selectmen acting as Trustees of Falmouth Affordable Housing Fund:
a. Falmouth Housing Corp. presentation – application for \$750,000 for 10-unit rental housing at 587 Gifford Street
b. Board to discuss and consider approval

2. Annual appointment of Inspectors of Animals

3. Appoint member to Board of Registrars

4. Request for sign variance – off-premise promotional signs – Falmouth Commodores Baseball “Game Today”

5. Approve 2018 seasonal/annual license renewals

LODGING HOUSE

The Captain’s Manor Inn, 27 Main St.

SECOND-HAND DEALERS

Harmony Hut, 105 Spring Bars Rd.

Uncle Bill’s Country Store, 412 N. Falmouth Hwy.

6. Minutes of meetings:
Public session – March 26, 2018; April 23, 2018
Executive session – March 26, 2018; April 23, 2018
Vote to release/not to release minutes of executive sessions

7. Individual Selectmen’s reports

8. Review of Town Manager’s report

9. Review and/or discuss correspondence received

Susan L. Moran, Chairman

Board of Selectmen



Sea Scout Ship 40 (Boy Scouts of America) –
St Barnabas Church
C/O William LaRuffa (Skipper)
86 Rainbow Ave
East Falmouth MA 02536

APR 17 2018

APR 17 2018

April 11th 2018

WILMINGTON'S OFFICE

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

Dear Falmouth Board of Selectman,

My name is William LaRuffa, Skipper of Sea Scout Ship 40, in Falmouth Massachusetts, part of Boy Scouts of America, Cape Cod and Islands Council. I am proud to inform you that Ship 40 Scout, Anthony Fusaro, who has been a member of the ship since he was 14, a member of Boy Scout Troop 42 Since he was 11, and a member of Cub Scout Pack since he was 7years, has achieved the rank of Eagle Scout, Scouting's highest rank, on March 20th, 2018.

Anthony's Eagle Project was to create a hiking and reflection trail at his home church St Anthony's in East Falmouth MA. Anthony lead 10 volunteers to clear a trail, remove brush, and clean up an old dumping area. Anthony is a great. He currently is a senior at Falmouth High School.

On May 20th at two o'clock in the afternoon, we will be celebrating Anthony's achievement of the Eagle rank. Would be so kind as to send a letter of congratulations, along with any other items you wish to be presented to him during his Court of Honor? I will see that is presented to Anthony as a perment remainder of the importance of his achievement. I know Anthony will be proud to receive this acknowledgement from you.

Anthony's exemplifies in his daily life all that Scouting is, and is role model and beacon to those he works with.

Thank you very much for taking time from your schedule to help the community recognize his achievement.

Yours in Scouting,

William D. LaRuffa
Skipper, Ship 40



PROCLAMATION

WHEREAS: Anthony Fusaro of Boy Scout Troop 42 has successfully completed qualifications for the rank of Eagle Scout, a rigorous and demanding process that teaches patience, perseverance and teamwork, and requires strong goal setting; and

WHEREAS: Anthony Fusaro met these challenges with aplomb and shall be recognized as an outstanding representative of his family, his troop and his community; and

WHEREAS: The Boy Scouts of America, long acknowledged for building fine citizens, calls for Special Court of Honor to award its highest symbol of achievement to those who complete this rank; and

WHEREAS: Anthony Fusaro is now an Eagle Scout with all its rank and privilege;

NOW, THEREFORE, We, Susan L. Moran, Megan English Braga, Doug Jones, Samuel H. Patterson and Douglas C. Brown as Selectmen of the Town of Falmouth, do hereby declare and PROCLAIM

SUNDAY, MAY 20, 2018 AS ANTHONY FUSARO DAY

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed.

Susan L. Moran, Chairman

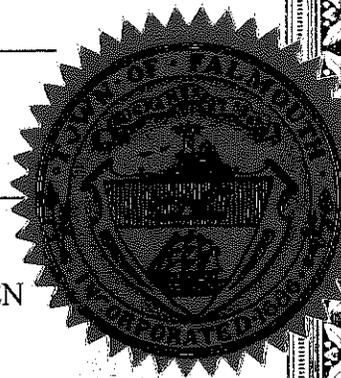
Samuel H. Patterson

Megan English Braga

Douglas C. Brown

Doug Jones

BOARD OF SELECTMEN

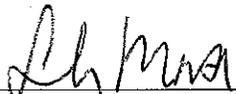


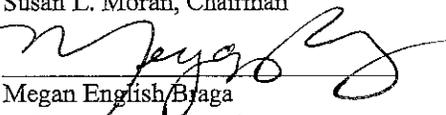


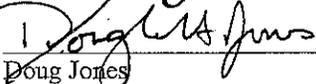
PROCLAMATION for POLICE WEEK

- 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.

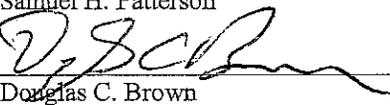
IN WITNESS WHEREOF, We, Susan L. Moran, Megan English Braga, Doug Jones, Samuel H. Patterson and Douglas C. Brown have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on this 23rd day of April, 2018.


Susan L. Moran, Chairman


Megan English Braga


Doug Jones


Samuel H. Patterson


Douglas C. Brown

BOARD OF SELECTMEN



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

00067-RS-0390

Falmouth

03/12/2018

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: D/B/A:

ADDRESS: CITY/TOWN: STATE: ZIP CODE:

Manager:

Granted under Special Legislation? Yes No

If Yes, Chapter of the Acts of (year)

Type: Class: Category:

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

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the Local Licensing Authority:

Please indicate what days and hours the licensee will sell alcohol:

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):

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

Abutters Notified: Yes No Date of Abutter Notification: Date of Advertisement:

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

05/07/2018

Date APPROVED by LLA

AMENDMENT APPLICATION FOR:

Change of Corporate Name, Change of DBA, Change of Legal Structure, Change of Class, Change of Category

Please check the amendment that you are applying for and complete the corresponding section. Please refer to the requirements page for required documents.

<input checked="" type="checkbox"/> Change of Corporate Name This is the License Entity Name or the Business Contact	Last-Approved Corporate Name:	J.R. Brody's Incorporated
	Requested New Corporate Name:	East End Tap Incorporated

<input checked="" type="checkbox"/> Change of DBA	Last-Approved DBA:	J.R. Brody's Roadside Tavern
	Requested New DBA:	East End Tap

<input type="checkbox"/> Change of Corporate Structure LLC, Corporation, Sole Proprietor, etc	Last-Approved Corporate Structure	
	Requested New Corporate Structure	

<input type="checkbox"/> Change of License Category All Alcohol, Wine and Malt, Wine Malt and Cordials	Last-Approved License Category	
	Requested New License Category	

<input type="checkbox"/> Change of License Class Seasonal or Annual	Last-Approved License Class	
	Requested New License Class	

<input type="checkbox"/> Change of License Type* i.e. Restaurant to Club Package Store to Supermarket	Last-Approved License Type	
	Requested New License Type	

CAN NOT change from an on-premise to an off-premises license type.

Diane Davidson

From: Mel Trott <mtrott@falmouthfire.us>
Sent: Monday, April 30, 2018 11:24 AM
To: Diane Davidson
Cc: Timothy Smith; Boyd Demello
Subject: J.R. Brody's - Change of Name

Hi Diane,

The Fire Rescue Department is not opposed to the name change from J.R. Brody's to East End Tap.

Mel

Lt. Mel Trott

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

Diane Davidson

From: Scott McGann <scott.mcgann@falmouthmass.us>
Sent: Friday, April 27, 2018 5:12 PM
To: 'Diane Davidson'
Subject: RE: J.R. Brody's - Change of Name

Applicant will need to obtain their 2018 food service permit prior to opening.

Scott McGann
Falmouth Health

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Friday, April 27, 2018 12:11 PM
To: Brian Reid <breid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>; Timothy Smith <tsmith@falmouthfire.us>; Rod Palmer <rod.palmer@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>
Subject: J.R. Brody's - Change of Name

To all,

For your information: The Board of Selectmen has received an application for a change of corporate name and dba from J.R. Brody's Roadside Tavern to East End Tap.

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*

Number:
18-3-INN

Fee
\$60.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
Fontelux Hospitality Systems LLC d/b/a
Palmer House Inn
81 Palmer Avenue
Falmouth, MA 02540
is hereby granted this
Innholder's License

and at that place only and expires on the below specified date unless sooner suspended or revoked for violation of the laws of the Commonwealth of Massachusetts respecting the licensing of innholders. This license is issued in conformity with the Chapter 140, and amendments thereto and is subject to sections twenty-two to thirty-two, inclusive, of said chapter and sections twenty-five to twenty-seven, inclusive, of Chapter 272.

Refer to Zoning Board of Appeals Special Permit #'s: 124-98, 122-95 and 41-94.

Valid from: March 7, 2018

Valid until: December 31, 2018

By order of The Falmouth Board of Selectmen

March 7, 2018

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

Diane Davidson

From: Mel Trott <mtrott@falmouthfire.us>
Sent: Monday, April 30, 2018 11:33 AM
To: Diane Davidson
Cc: Timothy Smith; Boyd Demello
Subject: Palmer House Inn - Change of Ownership

Hi Diane,

The Fire Rescue Department is not opposed to the Innholder License change of ownership and issuance of a new Common Victualler License for Fontelux Hospitality Systems LLC d/b/a Palmer House Inn, 81 Palmer Avenue.

Mel

Lt. Mel Trott

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

Diane Davidson

From: Scott McGann <scott.mcgann@falmouthmass.us>
Sent: Friday, April 27, 2018 5:11 PM
To: 'Diane Davidson'
Subject: RE: Palmer House Inn - Change of Ownership

Change in ownership requires the applicant to obtain a 2018 food service permit from the Health Department.

Scott McGann
Falmouth Health

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Friday, April 27, 2018 12:02 PM
To: Rod Palmer <rod.palmer@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>; Sari Budrow <sbudrow@falmouthmass.us>; Timothy Smith <tsmith@falmouthfire.us>
Subject: Palmer House Inn - Change of Ownership

To all,

Attached please find an application for innholder license and for a new common victualler license from Fontelux Hospitality Systems LLC d/b/a Palmer House Inn, 81 Palmer Avenue.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

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

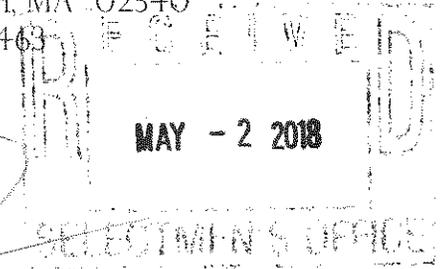
Memorandum

TO: Diane Davidson, Office Manager/Licensing

FROM: Sari D. Budrow, Zoning Administrator

**RE: Change of Ownership – Inn Holder License –Palmer House Inn
81 Palmer Avenue, Falmouth, MA**

DATE: May 3, 2018



The subject property located at 81 Palmer Avenue, consisting of 38,217 square feet of General Residence zoned land is known as 'The Palmer House'. The property is located within the Siders Pond Coastal Pond Overlay District, the Registered Historic District and the Historic District.

The existing Inn has had several special permits that control the number of guest rooms, parking, manager/owner living space and food service. Earlier Special Permits for the Inn's rooms and additions expired. The governing Special Permits are attached for your review. Specifically Special Permit #124-98 increased the number of guest rooms to 17; parking shall be for 19 vehicles, owner/manager resides in one-bedroom unit created within barn structure and food preparation and service shall be for guests of the Inn only.

If there is any deviation to the conditions set forth in Special Permit #'s 41-94, 122-95 and 124-98 (attached hereto), the property owner will be required to request a modification from the Board of Appeals.

Other than noted above, the Board of Appeals has no concerns with the application for Change of Ownership of the Palmer House Inn.

If you have any questions, please do not hesitate to contact me.



ParcelID: 38A 03 025A 000 Card: 1 of 4 Location: 81 PALMER AVE FALMOUTH



1" = 70 ft

- Parcels
 Road Ownership
 <all other values>
 - COUNTY; TOWN
 - PRIVATE
 - STATE
- Water Features
 POND
 STREAM
 Town Boundry

Disclaimer
 The Town of Falmouth makes no claims, no representations and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and/or GIS products furnished by the Town, including the implied validity of any uses of such data. Parcel lines are graphic representations only.
 Planimetric features derived from 3/05 Aerials.
 Prepared by Falmouth G.I.S.

DECISION OF FALMOUTH ZONING BOARD OF APPEALS

APPEAL NO:124-98

APPLICANT: JOANNE BAKER, TRUSTEE OF 81 PALMER TRUST of Falmouth, Ma.

LOCATION OF PROPERTY: 81-85 PALMER AVENUE, FALMOUTH
MAP 38A, SECTION 3, PARCELS 25 AND 26

Under a date of July 22, 1998 Joanne Baker, Trustee of 81 Palmer Trust of Falmouth, Ma., applied to the Zoning Board of Appeals for a Special Permit under Sections 240-3C(alter pre-existing, non-conforming structure); 240-28A(commercial accommodations) 240-109(alternate parking surface); Article XXXII(Special Permit) and any other applicable by-law provisions. The applicant seeks to renovate, expand and upgrade the kitchen, dining and common areas of the Inn, provide handicap accessibility to those facilities, provide office space for the manager/owner and to add four additional guest rooms for a total of seventeen. The location of the property is 81-85 Palmer Avenue,(The Palmer House Inn)

Applicant filed appropriate plans and papers in accordance with the Board of Appeals Rules and Regulations.

A public hearing was held on September 30, 1998, of which notice was duly given as required by Section 11, 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 all parties desiring to be heard were heard.

Attorney Robert Ament representing the applicant, explained this petition is to allow the renovation/expansion of the commercial accommodations known as The Palmer House Inn which the Bakers have owned for several years. The Inn is located on Palmer Avenue between the Village Green and North Main Street. The proposal includes an additional four guest bedrooms within the main inn building which will result in a total of 12 rooms within the main inn building for a total of 17 guest units on the property. The proposed addition to the main building will be three stories high in keeping with the existing building, and will have a footprint of about 1,122 square feet plus a covered porch. The existing buildings are non-conforming as they do not meet the required setbacks. The main building currently exceeds the maximum height. The property is also non-conforming as to the number of units allowed at this site. Mr. Ament stated the project will upgrade the kitchen, dining and common areas of the inn, provide handicapped accessibility to those facilities, provide a needed office space for the inn manager/owner, and meet the need for additional guest rooms and improve the profitability of the inn. Great effort has been taken to create an addition which will be attractive and appropriate in this Historical District.

Attorney Ament stated that the applicant is also seeking to continue to have an alternate surface parking area which will be in keeping with the residential nature of the neighborhood.

Board Members and Attorney Ament discussed serving of food at this commercial accommodation. The issue was raised as to whether only breakfast could be served as may have been previously thought although the by-law is silent in that respect. The Board and petitioner agree that the serving of food to guests of the Inn is appropriate, including dinner if the guests so desire.

The Planning Board has approved the proposal under Site Plan Review subject to several conditions which include the approval for alternate surface parking area and a special permit under Section 240-3 from the Board of Appeals.

DECISION OF FALMOUTH ZONING BOARD OF APPEALS
APPEAL NO: 124-98 APPLICANT: PALMER TRUST
PAGE 2

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

The Palmer House Inn has been governed by a special permit for many years. A total of thirteen commercial accommodation units exist currently on the property which is zoned General Residence. There are eight units in the main house, four units in the annex, and a separate cottage unit. To the rear of the property is the barn which was converted in 1995 into owner/manager quarters. The Board notes that this structure does not show on the submitted Site Plan dated September 8, 1998. The request is to renovate and expand the Inn to upgrade the kitchen, dining and common areas of the inn, provide handicapped accessibility to those facilities, provide a needed office space for the inn manager/owner, and add four additional guest rooms. The Board finds that the proposed addition to the main building will conform to the required setback and will be no higher than the existing building. The Board therefore finds that the non-conforming nature of the property is not being increased and the granting of this permit will not be substantially more detrimental to the neighborhood or the town than what currently exists. Commercial accommodations are allowed by special permit and this property has been governed by special permit over the years. This Board finds that the site is both adequate and suitable for the proposed use.

The applicant has provided sufficient parking on the site and is seeking relief to continue to have the alternate surface parking area. This Board finds there will be no adverse impact on traffic flow or safety by the granting of this permit. The Board finds there will be adequate utilities to the site, including town water. The Water Department is requiring the main house and the "guest house" to each have their own separate 2" water service.

This property has neither been designated for nor represented as affordable housing, therefore the granting of this permit will have no effect on the adequacy of the supply of affordable housing within the town. This Board considered the Planning Board's Site Plan Approval dated October 7, 1998 and is including certain conditions in this decision.

This Board finds that there will be no adverse impact on the visual character of the neighborhood by the granting of this decision. The addition will be no higher than the existing Inn and has been designed to blend aesthetically with the character of the existing building.

It is the opinion of this Board that the beneficial effects of granting this permit outweigh any negative effects there may be. This Inn provides many tourists with attractive, well managed, commercial accommodations in downtown Falmouth. The Board further finds the granting of this permit will be in harmony with the general purpose and intent of the By-law.

NOW THEREFORE

BE IT RESOLVED, that the Board of Appeals, being of the opinion aforesaid and acting under the provisions of the Code of Falmouth, hereby unanimously votes to GRANT a Special Permit to allow the renovation and expansion which will include upgrading the kitchen, dining and common areas of the Inn; providing handicap accessibility to those facilities, providing office space for the manager/owner and adding four additional guest rooms at 81-85 Palmer Avenue, Falmouth(The Palmer House Inn). This special permit is subject to the following conditions:

1. The total number of guest accommodations shall be seventeen; consisting of the main house with twelve rooms, annex with four rooms, and the cottage unit which has its own kitchen facility. The renovated barn to the rear of the property(not shown on submitted plot plan) shall be for the use by owner/manager of The Palmer House Inn only and not to be used as commercial accommodations or a rental.

2. The septic system shall meet Title V or the requirements of the Health Agent.

3. The renovations and expansion shall be substantially as shown on submitted plans.

Any minor changes may be reviewed the Board of Appeals administratively.

4. Separate 2" water service shall be provided to the main house and the "guest house" as required by the Water Department.

5. A total of nineteen parking spaces shall be provided as designed on the landscaping plan entitled Landscaping/Parking Plan for Palmer House Inn-1998, drawn by Hilde M. Maingay and Earle A. Barnhart, submitted by the applicant on July 22, 1998.

6. Any preparation and serving of food at the Inn shall be for guests of the Inn only.

7. This permit allows the continued alternate surface parking area.

ACTION: The Board of Appeals, consisting of John P. Vidal, John L. Druley, and
C. Veronica Zylinski, being all present and voting as follows:

VOTE TO: GRANT

VIDAL:

[Handwritten signature]

C. Veronica Zylinski

CLERK

DRULEY:

John L. Druley

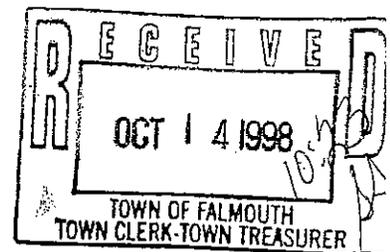
C. Veronica Zylinski,
ZONING BOARD OF APPEALS

ZYLINSKI:

C. Veronica Zylinski

DATE: OCTOBER 14, 1998

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 Town Clerk.



DECISION OF FALMOUTH ZONING BOARD OF APPEALS

APPEAL NO: 122-95

APPLICANT: JOANNE BAKER, TRUSTEE OF 81 PALMER TRUST of Falmouth, Ma.

LOCATION OF PROPERTY: 81-85 PALMER AVENUE, FALMOUTH
MAP 38A, SECTION 3, PARCELS 25 & 26, LOT 0

Under a date of September 22, 1995, Joanne Baker, Trustee of 81 Palmer Trust of Falmouth, Ma., applied to the Zoning Board of Appeals under Article 42, Sections 240-3C and 240-28A of the Code of Falmouth for a Special Permit to renovate the barn located in the easterly corner of the lot to contain owner/manager's quarters (one bedroom and living room with kitchen area). The property is located at 81-85 Palmer Avenue, Falmouth known as The Palmer House Inn.

Applicant filed appropriate plans and papers in accordance with the Board of Appeals Rules and Regulations.

A public hearing was held on November 1, 1995, of which notice was duly given as required by M.G.L., Ch.40A, Section 11, with notice sent by mail to all persons deemed to be affected thereby as they appear on the tax list, and at which hearing all parties being heard.

Attorney Robert Ament, representing the applicant stated the Board in 1989 granted a Special Permit to have 20 guest accommodations including one efficiency cottage on this 38,000 square foot lot. The Special Permit was extended twice and in 1994 the present applicant returned to the Board of Appeals and sought a different Special Permit. At that time a Special Permit was granted to renovate one apartment building on site into 4 commercial accommodation units and allow a total of 13 commercial accommodations: 8 in the main building, 4 guest rooms in the renovated building, and the efficiency cottage. To the rear of the property there is an existing barn which has been used for storage and is in need of repair. The owner/manager's quarters is currently in the basement and the applicant is seeking to renovate the existing barn to create more suitable living area for the Bakers who operate the Inn. The basement quarters has no bathroom and is adjacent to the laundry and storage area. The proposed renovations will be within the same footprint with no expansion except for a small dormer to accommodate a bathroom. The barn has a floor area of 582 square feet, is twenty feet high and is conforming to the required setbacks. Attorney Ament stated the Bakers would like the Board to allow them either to reconstruct using portions of the existing building or to entirely raze the building and reconstruct in accordance with the filed plans. The allowed number of guest rooms in the main house shall not exceed eight as previously approved.

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

The subject property has been a commercial accommodation known as The Palmer House Inn for many years, a use allowed by special permit from this Board. There are eight rooms in the main house, four rooms in the annex, and a cottage unit. The total of thirteen commercial accommodations units exist on the property which is zoned General Residence. The owner/manager of the property has used a portion of the basement in the main house for their personal quarters. The request is to allow the renovation or reconstruction of the existing barn into quarters for the owner/manager of the Inn. There will be no increase in the footprint of the barn, and the barn conforms to the required setbacks. This Board finds that the site is both adequate and suitable for the proposed use. There will be no adverse impact on traffic flow or safety by the granting of this permit. The septic system meets Title V or the requirements of the Health Agent. The visual impact on the character of the neighborhood will be an improvement as the existing barn is in need of repair.

DECISION OF FALMOUTH ZONING BOARD OF APPEALS
APPEAL NO: 122-95 APPLICANT: BAKER
PAGE 2

The renovated or newly constructed barn will be in keeping with the other buildings on the site. Renovations done previously by the Bakers have been in very good taste and it is obvious they are very concerned in maintaining the integrity of the neighborhood. The Board finds there are adequate utilities to the site.

This property has neither been represented as nor designated as affordable housing, therefore the granting of this permit will have no effect on the adequacy of the supply of affordable housing in the Town. This proposal is not subject to review by the Planning Board under Site Plan Review or Major Plan Review, so there is no Planning Board decision to consider. It is the opinion of this Board that the granting of this permit will be in harmony with the general purpose and intent of the By-law. The existing barn exceeds the height allowed for an accessory structure by two feet and the reconstructed barn will be no higher than the existing barn, therefore this Board finds the non-conforming nature of the property is not being increased. Since there is no increase in the non-conforming nature of the property, this Board finds that the granting of this special permit will not be substantially more detrimental to the neighborhood or the Town than what currently exists. The Board further finds the beneficial effects of granting this permit outweigh any negative impacts there may be.

NOW THEREFORE

BE IT RESOLVED, that the Board of Appeals, being of the opinion aforesaid and acting under the provisions of the Code of Falmouth, hereby unanimously vote to GRANT a Special Permit under Article 42, Sections 240-3C and 240-28A to renovate the barn located in the easterly corner of the lot to contain owner/manager's quarters at 81-85 Palmer Avenue, Falmouth known as The Palmer House Inn. This special permit is subject to the following conditions:

1. This permit allows either the reconstruction using portions of the existing building or to entirely raze the building and reconstruct it in accordance with the submitted plans.
2. The footprint shall be the same as the existing footprint, the building shall not exceed twenty feet in height, and the structure will comply with set back requirements from the property lines.
3. The septic system shall comply with Title V or the requirements of the Health Agent.
4. The renovated barn shall be for the use by owner/manager of The Palmer House Inn only and not to be used as commercial accommodations or a rental. The total number of guest accommodations shall be thirteen; consisting of the main house with eight rooms, annex with four rooms, and the cottage unit which has its own kitchen facility. Any preparation and serving of food at the Inn shall be limited to breakfast for Bed and Breakfast occupants only as this Board has always interpreted the By-law.
5. All applicable conditions in previously granted permits shall remain in effect.

ACTION: The Board of Appeals, consisting of John P. Taylor, Priscilla Roslansky,
and Chris Lebherz, being all present and voting
as follows:

VOTE TO: GRANT

TAYLOR:

[Signature]

LEBHERZ:

[Signature]

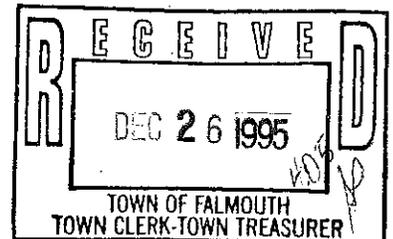
ROSLANSKY:

Priscilla F. Roslansky

Priscilla F. Roslansky
Priscilla F. Roslansky, CLERK
ZONING BOARD OF APPEALS

DATE: December 26, 1995

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 Town Clerk.



FALMOUTH ZONING BOARD OF APPEALS

Decision

Appeal No. 41-94

Applicant: Joanne, Baker, Trustee of 81 Palmer Trust

Location: 81-85 Palmer Avenue, Falmouth, MA
Assessors Map 38A Section 3 Parcels 25 and 26

Under a date of February 28, 1994, Joanne Baker, Trustee of 81 Palmer Trust, of Falmouth, MA, applied to the Board of Appeals for a Special Permit under Article XXXXII and Sections 240.3.C, 240-28.A, and 240-142 of the Code of Falmouth and the Falmouth Zoning By-law, for permission to convert an existing nonconforming duplex into four commercial accommodations rooms, to allow use of an existing cottage as a commercial accommodations unit with cooking facilities, and to have an alternate parking surface (gravel), all in connection with operation of the Palmer House Inn at 81-85 Palmer Avenue, Falmouth, MA.

Appropriate plans and papers were submitted in accordance with the Board of Appeals Rules and Regulations.

A public hearing was held on April 13, 1994, in the Board of Appeals hearing room in Falmouth Town Hall, and continued until April 27, 1994, at which time the public hearing was closed. Notice of the public hearing was duly given as required by M.G.L. ch. 40A Sec. 11, including notice sent by mail to all persons deemed to be affected thereby as they appear of the Falmouth assessors list. At such hearings all parties desiring to be heard were heard.

The applicant was present at both hearings and was represented by Attorney Robert H. Ament. Plans and photographs were submitted to the Board showing the structures on the premises, including (1) the main inn building which now contains eight commercial accommodations rooms; (2) the duplex which now contains two 2-bedroom apartments and is proposed to be renovated and converted into four commercial accommodations rooms; (3) the existing cottage dwelling which the applicants wish to use as a commercial accommodations unit with cooking facilities. The present use of the premises is nonconforming in that there are three dwellings on the site and the duplex is nonconforming with respect to the side yard setback. The site is in the General Residence District and has been used for commercial accommodations for many years. The duplex is to be renovated with the addition of a porch along its east and south sides, and a ramp from the porch will provide handicap accessibility. The renovated four room building will have no living areas, only attic storage, above the first floor guest rooms. The renovated building will be substantially lower than the permitted building height. In connection with the renovations to that building, a new septic tank is to be installed to upgrade the on site waste disposal system. Submitted architectural drawings for the duplex renovation were prepared by Louis F. Giampietro and show that the building will be an attractive addition to the Historical District, in contrast to the deteriorating building that now exists, as shown by submitted photos. The total number of guest rooms will be thirteen (13), the main house with eight rooms (plus owner/manager's residence), annex (former duplex) with four rooms, and the cottage unit.

Attorney Ament reminded the Board that in 1989 (Appeal No. 18-89) the Board approved a more substantial expansion of the commercial accommodations, which would have expanded the main house to contain eleven guest rooms and the annex would have had two floors with eight guest rooms, for a total of nineteen guest rooms plus the cottage and manager's quarters. No appeal to that decision was filed. That decision was extended twice (Appeal No. 39-90 and Appeal No. 27-91) but was subsequently allowed to lapse.

The commercial accommodations and residential uses on the site have been served for many years by a gravel parking area. The plan of the lot shows that the parking area provides more than the required number of parking spaces for the proposed uses. The applicant feels that because the bed and breakfast operation is less busy in the winter months and the site is in the Historic District, a gravel surface is more desirable than an asphalt surface.

No opposition to the proposal was noted at the hearing or otherwise. A favorable recommendation was received from the Planning Board.

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

1. Under Section 240-28.A and Section 240-67.C.(1)(d), the Board may allow the requested density of commercial accommodations units.
2. A total of thirteen (13) commercial accommodations units (eight rooms in the main house, four rooms in the annex, and the cottage unit) plus manager's quarters (consisting of one bedroom and a living room) is an acceptable density on this site and in the particular neighborhood given the proximity to adjacent commercial activity, other guest houses and professional offices. The number of bedrooms on the site will not be increased, because the four new guest rooms will replace two 2-bedroom apartments.
3. The site is adequate in size, as the number of units is allowable and lot coverage by structures, paving and parking will only be 31 percent.
4. Traffic flow and parking needs will not increase significantly, if at all, over that related to the existing uses on the site.
5. Although the Board will again approve a gravel surface, as existing for the parking area, on account of the seasonality of the bed and breakfast business and the desire of the applicant to preserve a less urban setting and to avoid the expense of paving, the Board recommends that the applicant consider that guests may prefer a paved parking surface. The driveway to the parking area has been paved.
6. A new septic tank will be installed and the sewage waste disposal system for the duplex (annex) will be upgraded to conform to Title V or such requirements as the Health Agent or Falmouth Board of Health may dictate.

7. There is sufficient public utility service to the site. There was no evidence of a drainage problem on the site or adjacent thereto.
8. The proposal will substantially improve the premises which are proximate to the Village Green.
9. Although two apartments will be replaced by commercial accommodations units, the duplex is deteriorated and would need to be substantially upgraded for continued occupancy. Use of the duplex as a dwelling is less suitable than the proposed use, due to the adjacent commercial use and possible conflicts with mixed residential and commercial accommodations use on the same site. Use of the site as proposed will not aggravate the need for affordable housing in Falmouth.
10. The Board of Appeals may allow cooking facilities in commercial accommodations under Section 240-142. The existing cottage has been a residence equipped with a kitchen used daily until recently.

The Board further finds specifically (1) that the proposed renovations and uses will not be substantially more detrimental to the neighborhood or the Town than the existing nonconforming use and structures on the site; (2) that the granting of the special permit as requested will be in harmony with the general purpose and intent of the Zoning By-law; and (3) that the beneficial aspects of the proposed renovations and use will not be overbalanced by any adverse effects, in view of the particular characteristics of the site.

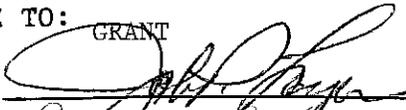
Therefore, the Board of Appeals, being of the opinion aforesaid, and acting under the provisions of the Zoning By-law, hereby vote to GRANT a Special Permit under Section 240-3.C., 240-28.A., 240-142 and Article XXXII of the Zoning By-law, allowing the duplex to be converted to four guest rooms and altered as shown on plans in file in the office of the Board of Appeals (plan of two pages dated April 22, 1994, prepared by Louis F. Giampietro, and site plan prepared by The Great Works, Inc.), including extension of the porch as shown on said plans; allowing the existing cottage to be used as a one bedroom cottage dwelling or as a one bedroom guest unit with optional cooking facilities, and allowing the parking area to remain a gravel surface, all with respect to the property located at 81-85 Palmer Avenue, Falmouth, MA. This Special Permit shall be subject to the following conditions:

1. The duplex shall be renovated and altered and the site improved in accordance with the plans referenced hereinabove. Lighting shall be installed and maintained according to the plan and other materials submitted to the Board.
2. The second level of the building to be renovated may be used only for storage.
3. All requirements of Title V or the Falmouth Health Agent shall be met with respect to the new septic tank installation for the renovated building and with respect to the kitchen operation of the bed and breakfast.

ACTION: The Board of Appeals, consisting of John P. Taylor, Priscilla Roslansky, and Chris Leberz, being all present and voting

VOTE TO: GRANT

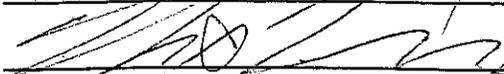
TAYLOR:



ROSLANSKY:



LEBHERZ:



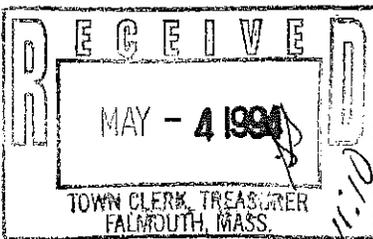


Chris Leberz, CLE
ZONING BOARD OF APPEALS

May 3, 1994

DATE: _____

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 Town Clerk



Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

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From: Diane Davidson [mailto:ddavidson@falmouthmass.us]
Sent: Friday, May 4, 2018 3:05 PM
To: Brian Reid <breid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>
Subject: FW: Various License Applications

Capt. Reid,
Lt. Doyle,

I am checking to see if you have had an opportunity to review these applications.

Thank you,

Diane

From: Diane Davidson [mailto:ddavidson@falmouthmass.us]
Sent: Friday, April 27, 2018 11:50 AM
To: Brian Reid (breid@falmouthpolice.us) <breid@falmouthpolice.us>; Sean Doyle (sdoyle@falmouthpolice.us) <sdoyle@falmouthpolice.us>
Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

PAID \$50.00 4-9-18

RECEIVED

TOWN OF FALMOUTH
Office of the Town Manager & Selectmen
59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320

APR 9 2018

SELECTMEN'S OFFICE

APPLICATION FOR INNHOLDER LICENSE

Application for INNHOLDER LICENSE in accordance with Massachusetts General Laws, Chapter 140.

NAME OF ESTABLISHMENT Fontelux Hospitality Systems LLC

ADDRESS 81 Palmer Ave, Falmouth MA 02540

NAME OF APPLICANT Thomas von Zabern and William Brown

ADDRESS 81 Palmer Ave, Falmouth MA 02540

MAILING ADDRESS (IF DIFFERENT) 230 Chestnut St. Cambridge MA 02139 (after 5/31/18: 81 Palmer Ave, Falmouth MA 02540)

MANAGER Thomas von Zabern and William Brown

FID # [REDACTED]

BUSINESS TELEPHONE # 508-548-1230

CELL PHONE # [REDACTED]

EMAIL [REDACTED]

NEW LICENSE RENEWAL

DATE 04/02/2018

W. Brown
OWNER, MANAGER OR AUTHORIZED AGENT

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

BOARD OF SELECTMEN

Number:
18-19-SHD

Fee
\$25.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
Cape Kids' Treasures
Dawn Atsalis, Manager
Falmouth Plaza
15 Davis Straits
is hereby granted this

Second-Hand Dealer's License

Falmouth Plaza, 15 Davis Straits, Falmouth

To be a dealer in or keeper of a shop for the purchase, sale of barter in:

JUNK, OLD METALS AND SECOND HAND ARTICLES
in said Falmouth in accordance with the laws of the Commonwealth of Massachusetts relating thereto, the ordinances and by-laws of said Falmouth and such rules and regulations provided for the supervision thereof.

This license shall continue in force unless sooner revoked and is subject to sections two hundred and two and two hundred and five, inclusive, of the General Laws, Chapter 140, as amended.

Conditions: Notify Town Manager's Office of dates and hours when the bi-annual consignment sales events will be held.

Children's consignment: Clothing, shoes, toys, books, games, baby gear and accessories.

Valid from: May 7, 2018

Valid until: April 30, 2019

By order of The Falmouth Board of Selectmen

May 7, 2018

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



Welcome

SPRING 2018 SALE DATES:

****NEW HOURS****

Fri., March 23, 10am-8pm

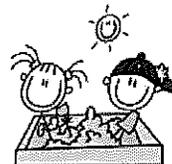
Sat. March 24, 8am-6pm (restocked)

Sun. March 25, 10am-2pm

SAME LOCATION

770 Main Street, Osterville, MA
(behind Wimpy's Restaurant)

Shop our Sale Event for new and gently used baby, kids and maternity clothing, shoes & accessories, toys, games, baby gear, nursery items, and so much more!!



shop our sale

SPRING 2018 Sale: Mar. 23-25!

consignor info

Earn up to 75%!

volunteer

and shop early!

Welcome to Cape Kids' Treasures

Cape Kids' Treasures is a unique, semi-annual Children's Consignment Sale and the first of its kind on Cape Cod!

Cape Kids' Treasures is pleased to offer you a great way to buy and sell your new and gently used baby, children's and maternity items!

You will be amazed at how easy it is to shop at our sale! We transform an empty space into a "store" for our event. Clothing is neatly hung on clothing racks and organized by gender, then by size to easily find what you are looking for. Toys, shoes, baby gear and other items are also arranged by group with signs to help you shop for bargains!

Tell your family, your friends, your neighbors, your co-workers and anyone who shops for babies and kids! Open to the Public!! **Admission is FREE!!**

Consignors can earn up to 75% of their sales!

- The idea is to help families with the cost of raising children by giving them a venue to make extra money on outgrown items and buy needed items at a fraction of the retail costs!

SPRING 2018 Sale Dates:

Fri., March 23, 10am - 8pm

Sat., March 24, 8am-6pm (restocked)

Sun., March 25, 10am-2pm

Half-Price Sale (select items):

Sat. 3-6pm & Sun. 10am-2pm

SAME LOCATION!!

770 Main Street, Osterville, MA

- You will find quality items for sale at reasonable prices -- all in one place! Shop for new and gently used baby, kids and maternity clothing, shoes & accessories, toys, games, baby gear, nursery items, and so much more!!
- This is a great way to recycle your outgrown children's items and earn money for them.
- Earn cash without all the hassles of holding a yard sale or selling online!
- Shop thousands of new and gently used items at a fraction of the retail price!

Latest News:

SPRING 2018 PUBLIC SALE DATES & TIMES:

Friday, March 23, 10am - 8pm

Saturday, March 24, 8am-6pm (**Restocked with new merchandise**)

Sunday, March 25, 10am-2pm

Half-Price Sale (Select Items): Sat. 3-6pm & Sun. 10am-2pm

Returning Consignors



*Follow us on Facebook. Click "Like" for information and updates about our sale!

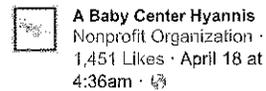
Want to shop early? Register as a Consignor, Volunteer or New Mom for a Pre-Sale pass!



Connect with Us



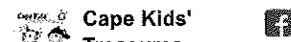
Be the first of your friends to like this



A Baby Center is welcoming new volunteers! We would love to speak to you about what you would love to offer babies and new parents here in Hyannis at ABC! We ha...

See More

3 1 Share



info@capekidstresures.com

Home About Us Shop Consign Volunteer Vendors Contact Us

Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

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Lt. Doyle,

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Thank you,

Diane

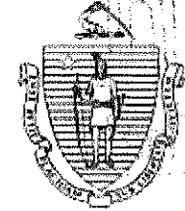
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Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

State Fee, \$ 100
Municipal Fee, \$ 150

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF FALMOUTH



APR 12 2018

RECORDING OFFICE

LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Rose M Corp dba - Sopranos - Casino by the Sea in or on the property at No. 286 Grand Ave Falmouth (address)

The Licensee or Authorized representative, Erin Rose in

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

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
Sundays	12AM-12AM	Recorded & Live Music 1-5 Musicians
Sunday	8AM-12PM	Recorded & Live Music 1-5 Musicians

Hon. SUSAN L. MORAN Mayor/ Chairman of Board of Selectman, Falmouth (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

Diane Davidson

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Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
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Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

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Diane

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Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

Number:
18-40-CV

Fee
\$60.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that
The Buffalo Jump LLC
Laura Higgins-Baltzley, Manager
277 Hatchville Road
East Falmouth, MA 02536
is hereby granted this
Common Victualler's License

in said Falmouth and that place only and expires on the date shown below unless sooner suspended or revoked for violation of the laws of the Commonwealth respecting the licensing of common victuallers. This license is issued in conformity with the authority granted to the licensing authorities by General Laws, Chapter 140, and amendments thereto.

Hours and Days of Operation: Monday - Saturday: 8:00 am - 3:00 pm. and Sunday, Monday, Tuesday 5:00 pm - 8:00 pm.

Valid from: May 7, 2018

Valid until: December 31, 2018

By order of The Falmouth Board of Selectmen

May 7, 2018

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



PAID \$ 10.00

TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

APR 18 2018

APPLICATION FOR COMMON VICTUALLER

NAME OF APPLICANT

Laura Higgins-Baltzley

HOME ADDRESS

[REDACTED]

BUSINESS NAME

The Buffalo Jump LLC

D/B/A

BUSINESS ADDRESS

277 Hatchville Rd. E. Falmouth, MA 02540

MAILING ADDRESS (IF DIFFERENT)

" " "

MANAGER

Laura Higgins-Baltzley

FEDERAL ID #

[REDACTED]

EMAIL

info@thebuffalojump.com

TELEPHONE

BUSINESS: 508-361-2361 HOME: 508-361-2361

SEATING CAPACITY

28 OCCUPANCY: 35

DAYS OF OPERATION

M-S 8-3 S,M,T 5-8

HOURS OF OPERATION

8-3 5-8

DATE

4/18/2018

[Signature]

OWNER, MANAGER OR AUTHORIZED AGENT

LICENSE FEE: \$60.00

FILING FEE: \$10.00

BOARD OF SELECTMEN

Diane Davidson

From: Mel Trott <mtrott@falmouthfire.us>
Sent: Monday, April 30, 2018 11:27 AM
To: Diane Davidson
Cc: Timothy Smith; Boyd Demello
Subject: The Buffalo Jump - New Common Victualler License

Hi Diane,

The Fire Rescue Department is not opposed to the issuance of a new Common Victualler License for The Buffalo Jump at 277 Hatchville Road.

Mel

Lt. Mel Trott

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

Diane Davidson

From: Scott McGann <scott.mcgann@falmouthmass.us>
Sent: Friday, April 27, 2018 5:12 PM
To: 'Diane Davidson'
Subject: RE: The Buffalo Jump - New Common Victualler License

Applicant will need to obtain their 2018 food service permit prior to opening.

Scott McGann
Falmouth Health

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Friday, April 27, 2018 12:04 PM
To: Rod Palmer <rod.palmer@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>; Sari Budrow <sbudrow@falmouthmass.us>; Timothy Smith <tsmith@falmouthfire.us>
Subject: The Buffalo Jump - New Common Victualler License

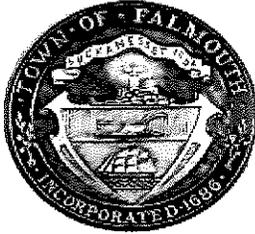
To all,

Attached please find an application from The Buffalo Jump located at 277 Hatchville Road (Coonamessett Farm) for a new Common Victualler License.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

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

Memorandum

TO: Diane Davidson, Office Manager/Licensing

FROM: Sari D. Budrow, Zoning Administrator

**RE: New Common Victualler License – ‘The Buffalo Jump’
277 Hatchville Road, East Falmouth, MA**

DATE: May 3, 2018

RECEIVED
MAY - 2 2018
SELECTMEN'S OFFICE

The subject property is known as Coonamessett Farm and consists of 13.91 acres of Agricultural A zoned land that is located within the Great Pond Coastal Pond Overlay District, the Water Resource Protection Overlay District and a small portion is within the State Zone II Overlay. The subject property has a 120' wind turbine through benefit of a Special Permit (#53-06).

There is existing parking on site. According to the application they are proposing 28 seats with an occupancy of 35.

The Board of Appeals has no concerns with the application and herein defers any parking concerns to the Building Commissioner.

If you have any questions, please do not hesitate to contact me.

Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

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From: Diane Davidson [mailto:ddavidson@falmouthmass.us]
Sent: Friday, May 4, 2018 3:05 PM
To: Brian Reid <breid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>
Subject: FW: Various License Applications

Capt. Reid,
Lt. Doyle,

I am checking to see if you have had an opportunity to review these applications.

Thank you,

Diane

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Sent: Friday, April 27, 2018 11:50 AM
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Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

00061-PK-0390
ABCC License Number

Falmouth
City/Town

04/17/2018
Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):
New License, Change Corporate Name, Pledge of Collateral, Change Corporate Structure, Transfer of License, Change of DBA, Change of Class, Change of Hours, Change of Manager, Alteration of Licensed Premises, Change of License Type, Issuance/Transfer of Stock/New Stockholder, Change of Beneficial Interest, Change of Location, Change of Category, Management/Operating Agreement

APPLICANT INFORMATION
Name of Licensee: Windward Merchants LLC
D/B/A: Wild Harbor General Store
ADDRESS: 200 Old Main Road
CITY/TOWN: North Falmouth
STATE: MA
ZIP CODE: 02556
Manager: Ray A. Rowitz
Type: \$15 Package Store
Class: Annual
Category: Wines and Malt Beverages
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: Approves this Application
Please indicate what days and hours the licensee will sell alcohol:

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):
Changes to the Premises Description: Indoor Area, Total Square Footage, Patio/Deck/Outdoor Area, Total Square Footage, Seating Capacity, Number of Entrances, Number of Exits, Floor Number, Square Footage, Number of Rooms

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

Please add any additional remarks or conditions here:
Change of Sunday opening to 10:00 a.m.

Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Signature lines for Local Licensing Authorities

Date APPROVED by LLA

Signature lines for Executive Director

Ray A. Rowitz, Manager
Windward Merchants LLC dba Wild Harbor General Store
200 Old Main Road
North Falmouth, MA

April 14, 2018

RECEIVED

APR 17 2018

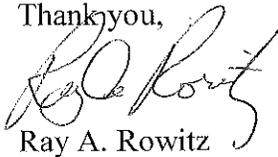
Board of Selectmen
59 Town Hall Square
Falmouth, MA 02541

SELECTMEN'S OFFICE

Re: Retail Package Goods Store- Wine and Malt License

We respectfully request to sell alcoholic beverages prior to 12:00 noon on Sundays.

Thankyou,



Ray A. Rowitz



Steven Grossman
Treasurer and Receiver General

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

Kim S. Gainsboro
Chairman

THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC") ADVISORY
M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME
ALLOWED AT 10:00 A.M.

Effective October 23, 2014¹, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <http://www.mass.gov/abcc/pdf/forms/nofectransmittal.pdf>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved "Form 43" with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director, at 617-727-3040 x 731.

(Issued: September 8, 2014)

¹ The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called "package store" license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.

Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

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Subject: FW: Various License Applications

Capt. Reid,
Lt. Doyle,

I am checking to see if you have had an opportunity to review these applications.

Thank you,

Diane

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Sent: Friday, April 27, 2018 11:50 AM
To: Brian Reid (breid@falmouthpolice.us) <breid@falmouthpolice.us>; Sean Doyle (sdoyle@falmouthpolice.us) <sdoyle@falmouthpolice.us>
Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

2018

License Alcoholic Beverages

18-10-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Historic Highfield, Inc.

56 Highfield Drive
Falmouth, MA 02540

On the following described premises:

Highfield, 56 Highfield Drive, Falmouth

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES
ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 19th day of May 2018 until the 19th day of May
2018, unless earlier suspended, cancelled or revoked.

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

Day: Saturday, May 19, 2018. Hours: 3:00 p.m. to 5:00 p.m. Rosé in the
Garden.

1. Proof of liquor liability insurance required.
2. Alcoholic beverages served on the premises must remain on the premises.
3. Rope or fence off area where alcohol will be sold and consumed.
4. Servers must be TIPS (or equivalent) certified.
5. Roads must remain passable to the public and to public safety vehicles.
6. Observe Chapter 150 of the Town Code relative to noise in consideration of the neighbors.
7. Contact the Falmouth Police Department Detail Sergeants if arrangements for proper safety and security measures are needed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their
official signatures this 7th day of May 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

18-12-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Historic Highfield, Inc.

56 Highfield Drive
Falmouth, MA 02540

On the following described premises:

Highfield, 56 Highfield Drive, Falmouth

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 23rd day of July 2018 until the 23rd day of July 2018, unless earlier suspended, cancelled or revoked.

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

Day: Monday, July 23, 2018. Hours: 7:30 p.m. to 10:00 p.m. - Curtis on Tour

1. Proof of liquor liability insurance required.
2. Alcoholic beverages served on the premises must remain on the premises.
3. Rope or fence off area where alcohol will be sold and consumed.
4. Servers must be TIPS (or equivalent) certified.
5. Roads must remain passable to the public and to public safety vehicles.
6. Observe Chapter 150 of the Town Code relative to noise in consideration of the neighbors.
7. Contact the Falmouth Police Department Detail Sergeants if arrangements for proper safety and security measures are needed.

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Licensing Board

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2018

License Alcoholic Beverages

18-13-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Historic Highfield, Inc.

56 Highfield Drive
Falmouth, MA 02540

On the following described premises:

Highfield, 56 Highfield Drive, Falmouth

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 12th day of August 2018 until the 12th day of August 2018, unless earlier suspended, cancelled or revoked.

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

Day: Sunday, August 12, 2018. Hours: 2:00 p.m. to 6:00 p.m. - Bluegrass on the Lawn

1. Proof of liquor liability insurance required.
2. Alcoholic beverages served on the premises must remain on the premises.
3. Rope or fence off area where alcohol will be sold and consumed.
4. Servers must be TIPS (or equivalent) certified.
5. Roads must remain passable to the public and to public safety vehicles.
6. Observe Chapter 150 of the Town Code relative to noise in consideration of the neighbors.
7. Contact the Falmouth Police Department Detail Sergeants if arrangements for proper safety and security measures are needed.

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Licensing Board

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

2018

License Alcoholic Beverages

18-14-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Historic Highfield, Inc.

56 Highfield Drive
Falmouth, MA 02540

On the following described premises:

56 Highfield Drive, Falmouth, MA

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

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

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

Day: Saturday, October 13, 2018. Hours: TBD - Octoberfest

1. Proof of liquor liability insurance required.
2. Alcoholic beverages served on the premises must remain on the premises.
3. Rope or fence off area where alcohol will be sold and consumed.
4. Servers must be TIPS (or equivalent) certified.
5. Roads must remain passable to the public and to public safety vehicles.
6. Observe Chapter 150 of the Town Code relative to noise in consideration of the neighbors.
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Licensing Board

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2018

License Alcoholic Beverages

18-14-WM

Fee: 25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Historic Highfield, Inc.

56 Highfield Drive
Falmouth, MA 02540

On the following described premises:

56 Highfield Drive, Falmouth, MA

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

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

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

Day: Saturday, October 13, 2018. Hours: TBD - Oktoberfest

1. Proof of liquor liability insurance required.
2. Alcoholic beverages served on the premises must remain on the premises.
3. Rope or fence off area where alcohol will be sold and consumed.
4. Servers must be TIPS (or equivalent) certified.
5. Roads must remain passable to the public and to public safety vehicles.
6. Observe Chapter 150 of the Town Code relative to noise in consideration of the neighbors.
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Licensing Board

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Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
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Subject: FW: Various License Applications

Capt. Reid,
Lt. Doyle,

I am checking to see if you have had an opportunity to review these applications.

Thank you,

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Subject: Various License Applications

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Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

Diane Davidson

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Friday, April 27, 2018 11:50 AM
To: Brian Reid (breid@falmouthpolice.us); Sean Doyle (sdoyle@falmouthpolice.us)
Subject: Various License Applications
Attachments: 1 Innholder & CV-Palmer House Inn.pdf; 2 Second-Hand Dealer-Cape Kids' Treasures.pdf; 3 Sunday Entertainment-Soprano's Casino.pdf; 4 Common Victualler-The Buffalo Jump.pdf; 5 Sunday Hours-Wild Harbor General Store.pdf; 6 One-Day Liquor Licenses-Highfield.pdf; 7 One-Day Liquor License-VIPS.pdf; 8 One-Day Liquor License-Art Center.pdf

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

MEMORANDUM

TO: Capt. Brian Reid, Police Department
Lt. Sean Doyle, Police Department

FROM: Diane Davidson, Office Manager/Licensing, 

DATE: April 26, 2018

SUBJECT: Request for Special One-Day Liquor Licenses – Highfield Hall & Gardens

Please provide your recommendation to the Board of Selectmen by Thursday, May 18, 2017 on the attached requests from Bob Ripley on behalf of Highfield Hall & Gardens, 56 Highfield Drive, for six (6) special one-day wine and malt liquor licenses as follows:

1. Rose in the Garden – Saturday, 5/19/18 – 3:00 p.m. – 5:00 p.m.
2. Summer Member Preview – Thursday, 6/21/18 – 4:00 p.m. – 6:00 p.m.
3. Curtis on Tour – Monday, 7/23/18 – 7:30 p.m. – 10:00 p.m.
4. Bluegrass on the Lawn – Sunday, 8/12/18 – 2:00 p.m. – 6:00 p.m.
5. Oktoberfest – Sunday, 10/13/18 – Hours TBD
6. Holidays at Highfield, Members Preview – Tuesday, 11/20/18 – 4:00 p.m. – 6:00 p.m.

Thank you.

Attachments

2018

License Alcoholic Beverages

18-16-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Volunteers in Public Schools (VIPS)

Mahoney's Garden Center
958 East Falmouth Highway
East Falmouth, MA 02536

On the following described premises:

Mahoney's Garden Center, 958 E. Falmouth Hwy., E. Falmouth

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 8th day of June 2018 until the 8th day of June 2018, unless earlier suspended, cancelled or revoked.

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

Days: Friday, June 8, 2018. Hours: 5:00 pm - 7:00 pm. Feasts of Falmouth.

1. Proof of liquor liability insurance required. 2. Alcoholic beverages served on the premises must remain on the premises. 3. Rope off area where alcohol will be sold and consumed. 4. Servers must be TIPS (or equivalent) certified.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 7th day of May 2018

Licensing Board

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

Diane Davidson

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Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

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Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
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Lt. Doyle,

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Subject: Various License Applications

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TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

MEMORANDUM

TO: Capt. Brian Reid, Police Department
Lt. Sean Doyle, Police Department

FROM: Diane Davidson, Office Manager/Licensing 

DATE: April 26, 2018

SUBJECT: Request for a Special One-Day Liquor License – Falmouth VIPS

Please provide your recommendation to the Board of Selectmen by Thursday, May 3, 2018 on the request of Tracey Crago on behalf of Falmouth Volunteers in Public Schools, Inc. (VIPS) for a Special, One-Day Wine and Malt Liquor License for the Feasts of Falmouth fundraiser event to be held at Mahoney's Garden Center, 958 E. Falmouth Hwy., E. Falmouth, on Friday, June 8, 2018 from 5:00 p.m. to 7:00 p.m.

This request will be discussed at the Monday, May 7, 2018 Selectmen's meeting.

Thank you.

Attachment

2018

License Alcoholic Beverages

18-17-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Falmouth Artists Guild, Inc.

Falmouth Art Center
137 Gifford Street
Falmouth, MA 02540

On the following described premises:

Falmouth Art Center, 137 Gifford Street, Falmouth, MA

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY
GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES
ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 22nd day of June 2018 until the 22nd day of June
2018, unless earlier suspended, cancelled or revoked.

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

Days: Friday, June 22, 2018. Hours: 6:00 pm - 9:00 pm. - Summer Gala
Fundraiser.

1. Proof of liquor liability insurance required.
2. Contain area where alcohol will be sold and consumed.
3. Servers must be TIPS (or equivalent) certified.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their
official signatures this 7th day of May 2018

Licensing Board

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

Diane Davidson

From: Brian Reid <breid@falmouthpolice.us>
Sent: Friday, May 04, 2018 3:59 PM
To: 'Diane Davidson'; 'Sean Doyle'
Subject: RE: Various License Applications

Hello Diane,
I have reviewed the attached applications. This department has no objections.
Thank you,

Captain Brian L. Reid
Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
breid@falmouthpolice.us

CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please contact the sender immediately and delete the original message. Thank you.

From: Diane Davidson [<mailto:ddavidson@falmouthmass.us>]
Sent: Friday, May 4, 2018 3:05 PM
To: Brian Reid <breid@falmouthpolice.us>; Sean Doyle <sdoyle@falmouthpolice.us>
Subject: FW: Various License Applications

Capt. Reid,
Lt. Doyle,

I am checking to see if you have had an opportunity to review these applications.

Thank you,

Diane

From: Diane Davidson [<mailto:ddavidson@falmouthmass.us>]
Sent: Friday, April 27, 2018 11:50 AM
To: Brian Reid (breid@falmouthpolice.us) <breid@falmouthpolice.us>; Sean Doyle (sdoyle@falmouthpolice.us) <sdoyle@falmouthpolice.us>
Subject: Various License Applications

Capt. Reid,
Lt. Doyle,

Attached please find eight (I'm sorry) license applications for your review and recommendation.



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

MEMORANDUM

TO: Capt. Brian Reid, Police Department
Lt. Sean Doyle, Police Department

FROM: Diane Davidson, Office Manager/Licensing *DD*

DATE: April 26, 2018

SUBJECT: Request for a Special One-Day Liquor License – Falmouth Art Center

Please provide your recommendation to the Board of Selectmen by Thursday, May 3, 2018 on the request of Suzy Bergmann on behalf of the Falmouth Art Center for a Special, One-Day Wine and Malt Liquor License for a Summer Gala fundraiser event to be held at the Falmouth Art Center, 137 Gifford Street, on Friday, June 22, 2018 from 6:00 p.m. to 9:00 p.m.

This request will be discussed at the Monday, May 7, 2018 Selectmen's meeting.

Thank you.

Attachment



Town of Falmouth
Warrant For
Annual Town Election
MAY 15, 2018

BARNSTABLE, SS.

To either of the Constables of the Town of Falmouth

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the Annual Town Election to vote at:

- Precinct 1: Town Hall
- Precinct 2: Gus Canty Recreation Center
- Precinct 3: Falmouth High School Gymnasium
- Precinct 4: St Anthony's Lodge
- Precinct 5: North Falmouth Congregational Church Hall
- Precinct 6: Falmouth High School Gymnasium
- Precinct 7: Waquoit Congregational Church Hall
- Precinct 8: Navigator Club
- Precinct 9: Jewish Congregation Community Center

on TUESDAY, the 15th OF MAY 2018, from 7:00a.m. to 8:00p.m. for the following purpose:

To cast their votes in the Town Election for the Candidates and Questions:

ELECT TOWN OFFICERS:

TOWN MODERATOR	ELECT ONE	3 YEAR TERM
BOARD OF SELECTMEN	ELECT ONE	3 YEAR TERM
TRUSTEE OF PUBLIC LIBRARY	ELECT THREE	3 YEAR TERM
SCHOOL COMMITTEE	ELECT THREE	3 YEAR TERM
PLANNING BOARD	ELECT TWO	3 YEAR TERM
FALMOUTH HOUSING AUTHORITY	ELECT ONE	5 YEAR TERM

TOWN MEETING REPRESENTATIVES:

PRECINCT 1	ELECT NINE	3 YEAR TERM
PRECINCT 2	ELECT NINE	3 YEAR TERM
PRECINCT 3	ELECT NINE	3 YEAR TERM
PRECINCT 4	ELECT NINE	3 YEAR TERM
PRECINCT 5	ELECT NINE	3 YEAR TERM
PRECINCT 6	ELECT NINE	3 YEAR TERM
PRECINCT 7	ELECT NINE	3 YEAR TERM
PRECINCT 7	ELECT TWO	2 YEAR TERM
PRECINCT 7	ELECT ONE	1 YEAR TERM
PRECINCT 8	ELECT NINE	3 YEAR TERM
PRECINCT 9	ELECT NINE	3 YEAR TERM
PRECINCT 9	ELECT ONE	2 YEAR TERM

QUESTIONS:

QUESTION 1: Shall the Town of Falmouth be allowed to exempt from the provisions of proposition two and one half so called, the amounts required to pay for the bond issued in order to pay for the engineering, design and construction, of an all-purpose synthetic athletic field at Falmouth High School including appurtenant structures and other related costs?

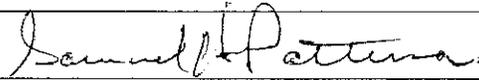
Given under our hands this _____ day of _____ 2018.

SUSAN L. MORAN, CHAIRMAN



DOUGLAS JONES

SAMUEL H. PATTERSON



MEGAN ENGLISH BRAGA



DOUGLAS C. BROWN

FALMOUTH BOARD OF SELECTMEN

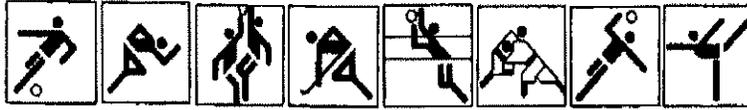
Barnstable, SS.
Falmouth, MA

By the virtue of this warrant, I have this day notified and summoned the inhabitants of the Town Of Falmouth qualified to vote, as said Warrant directs by posting an attested copy thereof in Town Hall and Every Precinct in the town.

Constable, Town of Falmouth

Date

Falmouth Recreation Department



GUS CANTY COMMUNITY CENTER

Joe Olenick

Recreation Director

April 30, 2018

To the Board of Selectman,

I would like you to please accept a donation that the Recreation Dept. received from the Sea Crest Resort in North Falmouth. The Sea Crest donated three 37" LG flat screen T.V.'s. One that will be a wall mount to be used in one of the upstairs rooms and two on stands that will replace two old small T.V.'s on movable carts. Each T.V. is valued at \$300.00 for a total donation of \$900.00. If you have any questions please let me know. Thanks Joe

**WATER QUALITY MANAGEMENT COMMITTEE
Town of Falmouth**

MEMO

May 2, 2018

TO: Julian Suso, Town Manager and Susan Moran, Chair of Board of Selectmen

FR: Virginia Valiela, Vice-Chair of WQMC

RE: Funding to monitor the restoration of the Coonamessett River
Selectmen's Meeting May 7, 2018 -- Summary of Actions

MOTION: To authorize spending up to \$30,000 from Article 17 (April 2011 Town Meeting) to fund a contract with the Woods Hole Research Center to monitor nitrogen removal in the lower Coonamessett River for up to three years.

BACKGROUND:

The Town of Falmouth is currently engaged in a multi-year effort to restore the Coonamessett River between Sandwich Road and the southern end of Lower Bog to a more natural wetland system. Construction of the restoration of Lower Bog has just been completed. Design and permitting are underway for Middle and Reservoir Bogs.

At present, the Coonamessett River is the largest single source of nitrogen input to the Great Pond estuary, one of Falmouth's fifteen impaired water bodies. Significant reductions in the nitrogen load will be necessary to meet the Total Maximum Daily Load [TMDL] set by the Massachusetts DEP.

The Water Quality Management Committee recommends that the bogs between Sandwich Road and Lower Bog be monitored for nitrogen removal and stream flow. The Committee reviewed two proposals. The Woods Hole Research Center proposal was the least costly: \$9750 for Year 1; \$10,012 for Year 2; and \$10,238 for Year 3. Total cost \$30,000.

GRANT OF EASEMENT FOR WATER SERVICES

Brian E. Sandlin and Trent Toran-Sandlin, as Trustees of the Sandlin Family Trust under Declaration of Trust dated November 23, 2002, being Document No. 985,276, noted on Land Court Certificate of Title No. 167417, owner of lots fronting on Cedar Street in Falmouth, Barnstable County, Massachusetts, which lots are shown as Lots 582, 583 and 584 on the plan entitled "Definitive Subdivision Plan Prepared for Sandlin Family Trust, Maravista, Falmouth, Massachusetts, being a subdivision of Lot 572 as shown on L.C. Plan 4286-5" dated September 19, 2016, as last revised March 19, 2018, prepared by BSS Design, Inc., Falmouth, MA 02540, being Land Court Plan 4286-____,

for nominal consideration paid, grant to the Town of Falmouth, a municipal corporation within the County of Barnstable, Commonwealth of Massachusetts, with an address of 59 Town Hall Square, Falmouth, MA 02540, its successors and assigns,

with Quitclaim Covenants,

the perpetual right, privilege and easement in, over, within and through the strip of land along Cedar Street in the Town of Falmouth, Massachusetts, shown as "10' wide utility easement" extending from Maravista Avenue to Lot 584, as shown on the below referenced plan, and in, over, within and through the portion of Lot 584 that is within 10' of Cedar Street, to enter

upon and locate, operate, and inspect water service lines therein serving Lots 583 and 584, and appurtenances thereto. The said 10' wide utility easement strip and said lots are shown on a plan entitled "Definitive Subdivision Plan Prepared for Sandlin Family Trust Maravista, Falmouth, Massachusetts, being a subdivision of Lot 572 as shown on L.C. Plan 4286-5" dated September 19, 2016, last revised March 19, 2018, being Land Court Plan 4286-_____.

It is hereby agreed that legal title and responsibility for maintenance of said water service lines and their appurtenances, shall remain with the property owner(s) and the successors and assigns as to the subject lots.

TRUSTEES' CERTIFICATE

1. We are the sole Trustees of the Sandlin Family Trust under Declaration of Trust dated November 23, 2002, registered with the Land Court Registry District for Barnstable County as Document No. 895,276 (hereinafter "the Trust");
2. The Trust is in full force and effect and has not been altered, amended, or revoked;
3. None of the beneficiaries of the Trust is a minor, a person under legal disability, a corporation, or an estate; and
4. We have been duly authorized in writing by one hundred percent of the beneficiaries of the Trust to execute and record this Grant of Easement for Water Services.

For title to the property see deed from Dorothy E. Sandlin dated November 23, 2002 recorded in Land Court Registry District of Barnstable County as Document No. 895,277, and noted on Certificate of Title No. 167417.

Executed under seal this 3rd day of May, 2018.

Sandlin Family Trust

Brian E. Sandlin
Brian E. Sandlin, Trustee

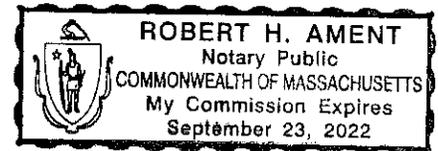
Trent Toran-Sandlin
Trent Toran-Sandlin, Trustee

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 3rd day of May, 2018, before me, the undersigned notary public, personally appeared Trent Toran-Sandlin and Brian E. Sandlin, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of Sandlin Family Trust.

Robert H. Ament
Notary Public:
My Commission Expires:



Approved on behalf of the Town of Falmouth
Accepted on behalf of the Town of Falmouth

Frank K. Duffly T.C.
5-4-18

ACCEPTANCE

We, the undersigned members of the Board of Selectmen of the Town of Falmouth, accept the within "GRANT OF EASEMENT FOR WATER SERVICES" in accordance with Chapter 65, Section 3 of the Code of Falmouth this _____ day of May, 2018.

Town of Falmouth
By its Board of Selectmen

Susan L. Moran, Chairman

Megan English Braga, Vice Chairman

Doug Jones

Samuel H. Patterson

Douglas C. Brown

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Town of Falmouth

**PETITION OF TOWN OF FALMOUTH
TO THE MASSACHUSETTS GENERAL COURT**

We, the undersigned Board of Selectmen of the Town of Falmouth submit this petition to the General Court for the enactment of special legislation on behalf of said town, which was approved by the vote on Article 24 of the Annual Town Meeting held in said Falmouth on April 10, 2018, as follows:

**AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO CONTINUE THE EMPLOYMENT OF
POLICE CHIEF EDWARD DUNNE**

1) Notwithstanding any general or special law to the contrary, Edward Dunne, Chief of Police of the Town of Falmouth, may continue to serve in that position until June 30, 2024, the date of his retirement or the date he is relieved of his duties by the Town Manager of the Town of Falmouth, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Town Manager may, at the expense of the town, require that Edward Dunne be examined by an impartial physician on or about his 65th birthday and each year hereafter on or about his birthday to determine such capability. No further deductions shall be made from the regular compensation of Edward Dunne pursuant to Chapter 32 of the Massachusetts General Laws for service subsequent to the date he reaches 65 years of age and, upon retirement, he shall receive a superannuation retirement allowance equal to the allowance that he would have been entitled had he retired on that date. Edward Dunne will continue to be a member in service under Chapter 32, section 1 for purposes of eligibility for benefits under Chapter 32, sections 7, 9 or 100 during any period after his 65th birthday while servicing as Chief of Police.

2) This act shall take effect upon its passage.

Further, the Board of Selectmen agrees that the General Court is authorized to make constructive changes in the text thereto to accomplish the intended purpose thereof.

Witness the vote of the Board of Selectmen this _____ day of May, 2018 at Falmouth, Massachusetts.

Town of Falmouth
By its Board of Selectmen

Susan L. Moran, Chairman

Megan English Braga, Vice Chairman

Doug Jones

Samuel H. Patterson

Douglas C. Brown

**ARTICLE 24
AND THE VOTE THEREON AT
THE ANNUAL TOWN MEETING
CONVENED IN FALMOUTH, MASSACHUSETTS
APRIL 10, 2018**

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to submit to the Massachusetts General Court a petition for a special act, as follows:

AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO CONTINUE THE EMPLOYMENT OF POLICE CHIEF EDWARD DUNNE.

- 1) Notwithstanding any general or special law to the contrary, Edward Dunne, chief of police of the town of Falmouth, may continue to serve in that position until June 30, 2024, the date of his retirement or the date he is relieved of his duties by the Town Manager of the town of Falmouth, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Town Manager may, at the expense of the town, require that Edward Dunne be examined by an impartial physician on or about his 65th birthday and each year thereafter on or about his birthday to determine such capability. No further deductions shall be made from the regular compensation of Edward Dunne pursuant to Chapter 32 of the Massachusetts General Laws for service subsequent to the date he reaches 65 years of age and, upon retirement, he shall receive a superannuation retirement allowance equal to the allowance that he would have been entitled had he retired on that date.
- 2) This act shall take effect upon its passage.

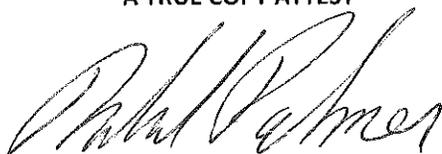
Or do or take any other action on this matter. On request of the Town Manager.

VOTED: By an electronic vote of 130 in favor and 65 opposed, a quorum being present on Tuesday, April 10, 2018 the Town voted to authorize the Board of Selectmen to submit to the Massachusetts General Court a petition for a special act, as follows:

AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO CONTINUE THE EMPLOYMENT OF POLICE CHIEF EDWARD DUNNE.

- 1) Notwithstanding any general or special law to the contrary, Edward Dunne, chief of police of the town of Falmouth, may continue to serve in that position until June 30, 2024, the date of his retirement or the date he is relieved of his duties by the Town Manager of the town of Falmouth, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Town Manager may, at the expense of the town, require that Edward Dunne be examined by an impartial physician on or about his 65th birthday and each year thereafter on or about his birthday to determine such capability. No further deductions shall be made from the regular compensation of Edward Dunne pursuant to Chapter 32 of the Massachusetts General Laws for service subsequent to the date he reaches 65 years of age and, upon retirement, he shall receive a superannuation retirement allowance equal to the allowance that he would have been entitled had he retired on that date. Edward Dunne will continue to be a member in service under Ch. 32 sec. 1 for purposes of eligibility for benefits under chapter 32 sections 7, 9 or 100 during any period after his 65th birthday while serving as Chief of Police.
- 2). This act shall take effect upon its passage.

A TRUE COPY ATTEST



**MICHAEL PALMER, TOWN CLERK
FALMOUTH, MASSACHUSETTS**

Diane Davidson

From: Julian Suso <jsuso@falmouthmass.us>
Sent: Friday, May 04, 2018 2:35 PM
To: Diane Davidson
Subject: FW: Municipal Vulnerability Preparedness Grant Application

Diane,
This email from Peter provides a helpful summary of the anticipated MVP Grant Program application which BOS is being asked to authorize at Monday's meeting. Thank you.
Julian

From: Peter Johnson-Staub [mailto:peter.jstaub@falmouthmass.us]
Sent: Wednesday, May 2, 2018 3:27 PM
To: Jennifer Petit <jpetit@falmouthmass.us>
Cc: Julian Suso <jsuso@falmouthmass.us>; 'Jennifer McKay' <jmckay@falmouthmass.us>
Subject: Municipal Vulnerability Preparedness Grant Application

Jen,

We recently learned of a grant opportunity and respectfully request Finance subcommittee approval to apply for funds under the "MUNICIPAL VULNERABILITY PREPAREDNESS GRANT PROGRAM (MVP) IMMEDIATE NEEDS ROUND FY 18 MVP ACTION GRANT." We are seeking funds to prepare:

1. A Municipal Vulnerability Assessment (i.e. coastal erosion, flooding, sea level rise, etc.)
2. A beach sediment transport and management plan;
3. A breach analysis (i.e. what infrastructure and resources are vulnerable to breach)

The above projects were identified in consultation with the Coastal Resilience Action Committee Chairman, Jen McKay, DPW staff and the Town Manager. The grant requires a 25% match. We intend to apply \$80,000 from the Vulnerability Assessment appropriated under Article 5 of the 11/6/2017 ATM to match a grant request of \$240,000. If additional in-kind match can be identified, the grant request amount may be increased proportionately. Receipt of this grant will not obligate the Town to additional expenditures beyond the \$80,000 already committed by Town Meeting.

The application round was announced April 13th and has a submission deadline of May 18th. Selectmen approval to submit the grant will be sought at the meeting on May 7th. Details for this grant program are available at <https://www.commbuys.com/bs0/external/bidDetail.sdo?bidid=BD-18-1042-ENV-ENV01-25921&parentUrl=activeBids>

Please let us know if there is any additional information needed to attain Fincom authorization to submit this grant.

Thank you,
Peter

Peter Johnson-Staub
Assistant Town Manager
Town of Falmouth, MA
P: 508-495-7320

<http://www.falmouthmass.us>

Kindly Remember that under MA General Laws most email correspondence is deemed a public record.



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

May 7, 2018

To Whom it May Concern,

We the Board of Selectmen for the Town of Falmouth respectfully submit this letter of support on behalf of the Marine Biological Laboratory in Woods Hole, MA.

Falmouth has a year round population of over 31,600, hosts a set of world-class scientific and research institutions and draws tourists from around the world to visit this unique section of Cape Cod or in transit to Martha's Vineyard via the Woods Hole Ferry Terminal. The coastal environment is a driving factor in tourism, scientific research and the local economy. Rising sea levels threaten significant portions of the Town of Falmouth and among them are fundamental public areas including Waterfront Park in Woods Hole.

The Marine Biological Laboratory (MBL) owns Waterfront Park but has made it available for routine public use for decades and the Town of Falmouth has zoned the area for public use (<http://www.falmouthmass.us/DocumentCenter/View/802>). The Park is a community asset and the primary publicly-accessible waterfront park area in Woods Hole. Hundreds of thousands of visitors to Woods Hole enjoy the Park and its iconic vistas every year. The Park serves as a significant portion of the staging area for the annual Falmouth Road Race, the Woods Hole Science Stroll and related public events. Further, Waterfront Park contains public sculptural art that interprets the scientific history and distinction of the Village and the MBL.

The seawall in Waterfront Park protects the Park and the MBL Visitors Center which welcomes thousands of curious tourists every summer and is used for community events. The seawall is degrading with the effects of storms and spot repairs are reaching their limit of effectiveness. For example, the MBL had to undertake a substantial repair to an opening that formed within a foot of one of the Visitors Center footings after a storm in the fall of 2017. Without the replacement of the seawall, it is likely that accumulated or acute structural damage will necessitate that the MBL restrict access to the Park for public safety reasons and possibly imperil the structural integrity of the MBL Visitors Center.

For all of these reasons the Falmouth Board of Selectmen support the MBL's seeking funding from the Commonwealth of Massachusetts to replace the failing sea wall. Preserving this public asset will ensure that the Park continues to remain open for public enjoyment.

Sincerely,

Susan L. Moran, Chairman

Samuel H. Patterson

Megan English Braga, Vice Chairman

Douglas C. Brown

Doug Jones

Falmouth Board of Selectmen

cc: Falmouth Legislators: Senator Vinny deMacedo, Representative Dylan Fernandes,
Representative David Vieira

FALMOUTH PUBLIC LIBRARY

BOARD OF TRUSTEES
300 Main Street
FALMOUTH, MASSACHUSETTS 02540



Tel: (508) 457-2555
Fax: (508) 457-2559

April 26, 2018

Board of Selectmen,

The North Falmouth Branch Library received donations in the name of one of their patrons, Mrs. Zaccaria. In her memory two Demco bookcases were purchased. They were \$439.99 each for a total of \$902.09. These book cases will provide added space for the display of newly purchased titles. I believe the patrons of the library and those who donated funds for library services in Mrs Zaccaria's name, would be pleased to see their donations used in this manner.

I respectfully ask the Board of Selectmen to approve this use of donated funds.

Sincerely,

A handwritten signature in cursive script that reads 'Linda Collins'.

Linda Collins
Director
Falmouth Public Library
300 Main Street
Falmouth, MS 02540

APR 27 2018 10:55 AM



**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

EVENT Arts Alive Festival

NAME Falmouth Village Association, Patricia Cosgrove, Manager

MAILING ADDRESS P.O. Box 614, Falmouth, MA 02541

EVENT DAY & DATE Friday – Sunday, June 15 – 17, 2018

RAIN DATE None.

EVENT LOCATION Shore Street Extension & Library Lawn

EVENT TYPE Arts Festival

SET-UP ARRIVAL TIME 9:00 a.m. **EVENT HOURS** Friday, June 15: 5-9 pm;
Saturday, June 16: 10am-9pm; Sunday, June 17: 11am-5pm

NUMBER OF ATTENDEES Approx. 5,000

ADDITIONAL DETAILS Use of restrooms, additional trash barrels from DPW. Closure of Shore Street Extension from dawn on Friday, 6/15/18 to noon on Monday, 6/18/18. Non-permanent chalk drawings on Main St. sidewalks. Live music, dance, craft vendors.

CONDITIONS:

1. Location must be policed for cleanliness.
2. Contact the Police Department and the DPW who will be ready to assist you, if needed.
3. Contact Health Department in advance to schedule inspections.
4. Contact Fire Department to arrange for inspection of food cooking equipment.
5. Contact Inspectional Services Department in advance for tent permit and inspection.

PERMIT FEE Waived **FILING FEE** \$10.00
DEPOSIT \$300.00 (Deposit refundable at conclusion of event provided that no litter or damage has occurred)

BOARD OF SELECTMEN:

Diane Davidson

From: Tim Smith <tsmith@falmouthfire.us>
Sent: Sunday, April 29, 2018 8:06 AM
To: 'Diane Davidson'; 'Boyd Demello'; 'Brian Reid'; 'Bruce Mogardo'; 'Gregg Fraser'; 'James F. Grady Jr.'; 'Jeremiah Pearson'; 'Joe Olenick'; 'Julian M. Suso'; 'Mallory Langler'; 'Mel Trott'; 'Mike Souza'; 'Olive Fitzpatrick'; 'Peter Johnson-Staub'; 'Peter McConarty'; 'Rod Palmer'; 'Scott McGann'; 'Sean Doyle'
Subject: RE: Special Events Applications

Good morning Diane,
All applications reviewed by the FD and no issues or concerns noted with these requests.
Have a good week.
Dep. Smith

From: Diane Davidson <ddavidson@falmouthmass.us>
Sent: Friday, April 27, 2018 3:31 PM
To: Boyd Demello <bdemello@falmouthfire.us>; Brian Reid <breid@falmouthpolice.us>; Bruce Mogardo <bruce.mogardo@Falmouthmass.us>; Gregg Fraser <gregg.fraser@falmouthmass.us>; James F. Grady Jr. <jgrady@falmouthmass.us>; Jeremiah Pearson <jeremiah.pearson@falmouthmass.us>; Joe Olenick <jolenick@falmouthmass.us>; Julian M. Suso <jsuso@falmouthmass.us>; Mallory Langler <mallory.langler@falmouthmass.us>; Mel Trott <mtrott@falmouthfire.us>; Mike Souza <msouza@falmouthmass.us>; Olive Fitzpatrick <ofitzpatrick@falmouthmass.us>; Peter Johnson-Staub <peter.jstaub@falmouthmass.us>; Peter McConarty <pmcconarty@falmouthmass.us>; Rod Palmer <rod.palmer@falmouthmass.us>; Scott McGann <scott.mcgann@falmouthmass.us>; Sean Doyle <sdoyle@falmouthpolice.us>; Tim Smith <tsmith@falmouthfire.us>
Subject: Special Events Applications

To: Special Events Working Group

We have received several applications for special events. The Working Group's next meeting is scheduled for June 19th, so I thought it might be a good idea to review these applications before then.

Please provide your recommendations by Friday, May 4, 2018.

Please let me know if you have any questions, or need more time to review any of these applications.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*

Diane Davidson

From: Bruce Mogardo <bruce.mogardo@falmouthmass.us>
Sent: Wednesday, May 02, 2018 11:58 AM
To: Diane Davidson
Subject: Special Events Group

Hi Diane.....I am recommending all requests. The Deane-Sabela wedding will be at Megansett Beach and the number of parking spaces will be reduced to 8 with the over flow going to the yacht club. The forty quests will be leaving after the 15 minutes ceremony. Additionally, Cassie Lawson from the Buzzards Bay Coalition has pulled her application because she cannot get the children Christian's Law certified.

Bruce

Diane Davidson

From: Joe Olenick <jolenick@falmouthmass.us>
Sent: Friday, April 27, 2018 3:50 PM
To: 'Diane Davidson'
Subject: RE: Special Events Applications

Diane, The Rec Dept. is good on these events. Thanks Joe

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Sent: Friday, April 27, 2018 3:31 PM
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Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*

Town Manager's Working Group Review Form

Meeting/Review Date: Email, 4/26/18
 Event Name: Arts Alive Festival
 Applicant: Falmouth Village Association, Patricia Cosgrove
 Location: Library Lawn and Shore Street Extension
 Date of Event: Friday - Sunday, June 15-17, 2018 Time: Fri. 5-9PM, Sat. 10AM-9PM, Sun. 11AM-5PM
 Set-Up Date: Friday, 6/15/18 at 9:00 a.m. Rain Date: None.
 Recurrence/# Years at Site: Recurring Event
 Signs: Y/N Yes How Many: _____ Where: Flags on poles on Main Street from 6/14/17 - 6/18/17
 One-Day Liquor License? Y/N No

Reviewers/Sign In :	<u>Print Name</u>	<u>Sign Name</u>	<u>Written Referral</u>	
Department of Public Works:				
Parks Department	_____	_____	Y___	N___
Highway Department	_____	_____	Y___	N___
Engineering	_____	_____	Y___	N___
Other	_____	_____	Y___	N___
Police Department	_____	_____	Y___	N___
Fire Department	_____	_____	Y___	N___
Recreation Director	_____	_____	Y___	N___
Building Commissioner	_____	_____	Y___	N___
Health Department	<u>Scott McGowan</u>	<u>Scott McGowan</u>	Y <input checked="" type="checkbox"/>	N___
Beach Department	_____	_____	Y___	N___
M.E.S.	_____	_____	Y___	N___
Design Review Committee	_____	_____	Y___	N___
Bikeways Committee	_____	_____	Y___	N___

*Vendor's
 must obtain
 food permits
 well established
 Event has ~~not~~
 always obtain
 permit in past*

Does this Event Meet the Minimum Requirements of the Special Events Policy? – Yes/No
 If No, what are the shortfalls of the application that must be addressed?
 Yes. _____

Special Events Approved or Requested on this Date or Weekend:

Event	Location	Date
None.	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Known Private Events on this Date or Weekend:

_____	_____	_____
_____	_____	_____
_____	_____	_____



**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

EVENT Kevin Looney Fundraiser Bike Ride

NAME Lisa Looney

MAILING ADDRESS 18 Pondview Drive, East Falmouth, MA 02536

EVENT DAY & DATE Saturday, July 28, 2018

RAIN DATE Saturday, August 4, 2018

EVENT LOCATION Bike Path – Depot Ave. to Trunk River to Depot Ave.

EVENT TYPE Bike Ride to benefit Kevin Looney Recovery Fund

SET-UP ARRIVAL TIME 8:30 am – 12:30 pm **EVENT HOURS** 9:00 am – 11:00 am

NUMBER OF ATTENDEES 50 **# OF VEHICLES** 50

ADDITIONAL DETAILS _____

CONDITIONS:

1. Please observe Shining Sea Bike Path rules, attached.
2. Organizers to police the bike route to ensure that no litter or debris is left behind.

PERMIT FEE \$25.00 **FILING FEE** \$10.00

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

BOARD OF SELECTMEN:

Diane Davidson

From: Tim Smith <tsmith@falmouthfire.us>
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To: 'Diane Davidson'; 'Boyd Demello'; 'Brian Reid'; 'Bruce Mogardo'; 'Gregg Fraser'; 'James F. Grady Jr.'; 'Jeremiah Pearson'; 'Joe Olenick'; 'Julian M. Suso'; 'Mallory Langler'; 'Mel Trott'; 'Mike Souza'; 'Olive Fitzpatrick'; 'Peter Johnson-Staub'; 'Peter McConarty'; 'Rod Palmer'; 'Scott McGann'; 'Sean Doyle'
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Town Manager's Working Group Review Form

Meeting/Review Date: Email, 4/26/18
 Event Name: Kevin Looney Fundraiser Bike Ride (to benefit the Kevin Looney Recovery Fund)
 Applicant: Lisa Looney
 Location: Shining Sea Bike Path 5K Ride from Depot Ave. to Trunk River back to Depot Ave.
 Date of Event: Saturday, July 28, 2018 Time: 9:00 a.m. - 11:00 a.m.
 Set-Up Date: Set up: 8:30 a.m. / Break down: 12:30 p.m. Rain Date: Saturday, August 4, 2018
 Recurrence/# Years at Site: New.
 Signs: Y/N Yes. How Many: _____ Where: At start and finish.
 One-Day Liquor License? Y/N No.

Reviewers/Sign In :	<u>Print Name</u>	<u>Sign Name</u>	<u>Written Referral</u>
Department of Public Works:			
Parks Department	_____		Y___ N___
Highway Department	_____		Y___ N___
Engineering	_____		Y___ N___
Other	_____		Y___ N___
Police Department	_____		Y___ N___
Fire Department	_____		Y___ N___
Recreation Director	_____		Y___ N___
Building Commissioner	_____		Y___ N___
Health Department	<u>Scott McGowan</u>	<u>Scott McGowan</u>	Y___ N___ <input checked="" type="checkbox"/> <u>OK Health</u>
Beach Department	_____		Y___ N___
M.E.S.	_____		Y___ N___
Design Review Committee	_____		Y___ N___
Bikeways Committee	_____		Y___ N___

Does this Event Meet the Minimum Requirements of the Special Events Policy? – Yes/No

If No, what are the shortfalls of the application that must be addressed?

Yes. _____

Special Events Approved or Requested on this Date or Weekend:

Event	Location	Date
Butterfly Garden Day	Spohr Gardens	7/28/18
_____	_____	_____
_____	_____	_____
_____	_____	_____

Known Private Events on this Date or Weekend:

_____	_____	_____
_____	_____	_____
_____	_____	_____



**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

NAME Yoga Class

CONTACT Sandra Waite, Cape Community Yoga

MAILING ADDRESS 52 Jones Road, Mashpee, MA 02649

EVENT DAY & DATE Saturdays: July 14, 2018 and August 4, 2018

RAIN DATE Saturdays: July 21, 2018 and August 11, 2018

EVENT LOCATION Marina Park (bandshell side)

EVENT TYPE Yoga Class

SET-UP ARRIVAL TIME 9:30 am / 11:30 am **EVENT HOURS** 10:00 am – 11:00 am

NUMBER OF ATTENDEES 20 to 45 **# OF VEHICLES** 20 - 45

ADDITIONAL DETAILS One-hour yoga class. Open to the public. Free event; will accept donations.

CONDITIONS:

1. Applicant to clean area following event to ensure no trash/debris left behind.

PERMIT FEE \$25.00/day = \$50.00 **FILING FEE** \$10.00

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

BOARD OF SELECTMEN:

_____	_____
_____	_____
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Town Manager's Working Group Review Form

Meeting/Review Date: Email, 4/26/18
 Event Name: Yoga Class (open to the public; no charge; donations accepted)
 Applicant: Sandra Waite, Cape Community Yoga
 Location: Marina Park (bandshell side)
 Date of Event: Saturday, 7/14/18 and Saturday, 8/14/18 Time: 9:30 a.m. - 11:30 a.m.
 Set-Up Date: _____ Rain Date: Saturday, 7/21/18 and Saturday, 8/11/18
 Recurrence/# Years at Site: New.
 Signs: Y/N Yes. How Many: _____ Where: _____
 One-Day Liquor License? Y/N No.

Reviewers/Sign In :	<u>Print Name</u>	<u>Sign Name</u>	<u>Written Referral</u>
Department of Public Works:			
Parks Department	_____	_____	Y___ N___
Highway Department	_____	_____	Y___ N___
Engineering	_____	_____	Y___ N___
Other	_____	_____	Y___ N___
Police Department	_____	_____	Y___ N___
Fire Department	_____	_____	Y___ N___
Recreation Director	_____	_____	Y___ N___
Building Commissioner	_____	_____	Y___ N___
Health Department	<u>Scott McGowan</u>	<u>Scott McGowan</u>	Y___ N___ ✓ <i>OK Health</i>
Beach Department	_____	_____	Y___ N___
M.E.S.	_____	_____	Y___ N___
Design Review Committee	_____	_____	Y___ N___
Bikeways Committee	_____	_____	Y___ N___

Does this Event Meet the Minimum Requirements of the Special Events Policy? – Yes/No

If No, what are the shortfalls of the application that must be addressed?

Yes. _____

Special Events Approved or Requested on this Date or Weekend:

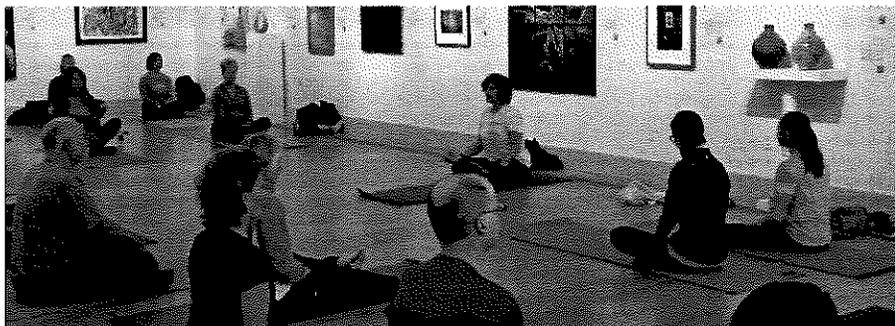
Event	Location	Date
<u>Nones.</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Known Private Events on this Date or Weekend:

_____	_____	_____
_____	_____	_____
_____	_____	_____



(1)

Visit Yoga Neighborhood on Facebook! (<https://www.facebook.com/yoga-neighborhood>)[Home / Schedule \(/\)](#)[About Yoga Neighborhood \(/about-yoga-neighborhood.html\)](#)[What Yoga is \(/what-yoga-is.html\)](#)

It All Started with a Bit of Kindness...

Yoga Neighborhood grew out of a Kind Yoga teacher training program, after instructor Diane Kovanda asked her students: What are you going to do once this training is complete?

Teaching in a traditional studio wasn't the answer for Gin Ryan Hoeck. With a background in the Peace Corps and nonprofits, it was clear to her that some people who could really benefit from yoga didn't have the opportunity to practice – mostly because of the cost but also for lack of information, education, and convenience.

With encouragement and incredible support from Diane, Gin worked with other trainees in developing the concept of a yoga program that was accessible to everyone in the community, regardless of their income, age, or fitness level.

But it didn't stop there. After graduation, Gin and Diane worked together on turning the concept into reality. Gin taught free classes at her workplace and her boss purchased mats and blankets. The town donated free space. A friend purchased a wireless microphone. That donation seemed extravagant at the time but it proved to be absolutely necessary.

Within a year, 50 to 75 people were attending the free weekly classes at the community center. They represented not the poor, but a broad cross-section of all types of people who live in, work in, and visit the downtown area.

The students wanted more classes. The town wanted more classes. People in other neighborhoods wanted classes.

And so Yoga Neighborhood is expanding. In addition to more public classes, we are offering small group classes and meeting people where they are at. We teach at veterans outreach centers, safe houses, shelters, schools. We will go wherever there is an interest.

We will always keep yoga affordable. For many people, that means free.

We keep our operating expenses as low as possible and rely on the generosity of the neighborhood to support us. We believe that those who can, will.



(1)

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A community is only as strong and healthy as the people who live in it.

Yoga Neighborhood provides everyone in "the neighborhood" the opportunity to practice yoga - regardless of their age, income, or fitness level.

Yoga Neighborhood is committed to creating a safe, nurturing, and inclusive environment wherever we teach, so that all are honored and inspired to practice yoga on and off the mat.

Welcome. Namaste.

Current Schedule

April 2018

SUNDAY

8:30 am Cotuit Center for the Arts

MONDAY

12:30 pm - St. Joseph Shelter

TUESDAY

8-9 am - Hyannis Youth & Community Center

9:45 am - Chair Yoga - Our Lady of Victory

WEDNESDAY

10 am - Chair Yoga - Hyannis Youth & Community Center

10 am - Wampanoag Center

THURSDAY

Take time for quiet meditation

FRIDAY

9:45 am - Mashpee Senior Center

In the event of a cancellation, please look on our Facebook page Yoga Neighborhood, or call the location where the class is being held.

As always, thank you for your support.

Yoga Neighborhood is a 501c3 nonprofit organization. Your generous support of our classes allows us to offer free trauma-sensitive yoga to the most vulnerable people in our community who otherwise would not have a chance to experience the benefits of yoga. Thank you!

Contact: Yoga Neighborhood Inc. PO Box 1432 Cotuit, MA 02635 or
capecommunityyoga@gmail.com

Web Hosting (<http://www.fatcow.com/>) by FatCow



**TOWN OF FALMOUTH
WEDDING/COMMITMENT CEREMONY
AND PARKING PERMIT**

NAME Jocelyn Deane – Michael Sabella

MAILING ADDRESS 4 Kimberly Lane, Blackstone, MA 01504

CEREMONY DAY & DATE Saturday, August 11, 2018

LOCATION Megansett Beach

SET-UP ARRIVAL TIME 3:45 pm **CEREMONY HOURS** 3:45 pm – 5:15 pm

NUMBER OF GUESTS 40-44 **NUMBER OF VEHICLES** 8

TIME NEEDED FOR PARKING VEHICLES 3:45 pm to 5:15 pm

ENTERTAINMENT Music.

ADDITIONAL DETAILS: Photography.

CONDITIONS:

1. No alcoholic beverages to be consumed on the premises.
2. Eight (8) vehicles to park at Megansett Beach. Overflow parking for vehicles will be at the Yacht Club.

PERMIT FEE \$150.00 **FILING FEE** \$10.00

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

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Subject: Special Events Applications

To: Special Events Working Group

We have received several applications for special events. The Working Group's next meeting is scheduled for June 19th, so I thought it might be a good idea to review these applications before then.

Please provide your recommendations by Friday, May 4, 2018.

Please let me know if you have any questions, or need more time to review any of these applications.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
(508) 495-7321*

Town Manager's Working Group Review Form

Meeting/Review Date: Email, 4/26/18
 Event Name: Wedding Ceremony
 Applicant: Jocelyn Deane, Michael Sabella
 Location: Megansett Beach
 Date of Event: Saturday, August 11, 2018 Time: 3:45 p.m. - 5:15 p.m.
 Set-Up Date: 3:45 p.m. Rain Date: None.
 Recurrence/# Years at Site: New.
 Signs: Y/N No. How Many: _____ Where: _____
 One-Day Liquor License? Y/N No.

Reviewers/Sign In :	<u>Print Name</u>	<u>Sign Name</u>	<u>Written Referral</u>	
Department of Public Works:				
Parks Department	_____		Y___	N___
Highway Department	_____		Y___	N___
Engineering	_____		Y___	N___
Other	_____		Y___	N___
Police Department	_____		Y___	N___
Fire Department	_____		Y___	N___
Recreation Director	_____		Y___	N___
Building Commissioner	_____		Y___	N___
Health Department	<u>Scott McGinn</u>	<u>Scott McGinn</u>	Y___	N___ ✓
Beach Department	_____		Y___	N___
M.E.S.	_____		Y___	N___
Design Review Committee	_____		Y___	N___
Bikeways Committee	_____		Y___	N___

→ all set no fad

Does this Event Meet the Minimum Requirements of the Special Events Policy? – Yes/No
 If No, what are the shortfalls of the application that must be addressed?
 Yes. _____

Special Events Approved or Requested on this Date or Weekend:

Event	Location	Date
None.	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Known Private Events on this Date or Weekend:

_____	_____	_____
_____	_____	_____
_____	_____	_____

FALMOUTH AFFORDABLE HOUSING FUND

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

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

MEMORANDUM

TO: Julian Suso, Town Manager
Cc: FAHF Working Group Members
FROM: Carla L. Feroni, Housing Coordinator
DATE: May 2, 2018

RE: Recommendation for Funding: 587 Gifford Street, Falmouth Housing Corp.

RECOMMENDATION:

The FAHF Working Group is recommending approval of an application for funding from the Falmouth Affordable Housing Fund by the Falmouth Housing Corporation for construction of 10 units of affordable rental housing in the amount of \$650,000.

Motion:

The Board of Selectmen, acting as Trustees of the Falmouth Affordable Housing Fund, hereby award \$650,000 from the Falmouth Affordable Housing Fund to the Falmouth Housing Corporation to develop 10 units of Workforce Housing at 587 Gifford Street as described in an application submitted May 1, 2018 and subject to the terms of a commitment letter to be issued by the Town Manager in consultation with Town Counsel.

Background

On May 1, 2018, the FAHF received an application from the Falmouth Housing Corporation (FHC) in the amount of \$750,000 to fund 10 units of rental housing at 587 Gifford Street. The FAHF Working Group expedited the review process for this application due to a DHCD letter dated April 17, 2018, approving a Falmouth Housing Corporation pre-application for funding under the Community Scale Housing Initiative (CSHI) with an application deadline of May 16, 2018, and requiring a letter of Town funding support. CSHI is a joint initiative of DHCD and MassHousing to provide funding for small scale projects in municipalities with a population of no more than 200,000.

On May 2, 2018, the FAHF Working Group -- comprised of the Selectman Sam Patterson, Affordable Housing Committee member Holly Wilson, Community Preservation Committee member John Druly, Peter Johnson-Staub and myself -- reviewed the application and discussed the merits of the application with a view towards meeting the affordable housing needs of the Town of Falmouth based upon the 2009 Housing Production Plan (HPP). A stated primary housing need in the HPP is for rentals for lower income individuals. This project is proposed as a 20 unit phased development with initial construction of 10 units in the first phase and an additional 10 units in the second phase. Eighty (80) percent of the proposed rentals will serve people with incomes of 80% of the area median income (AMI) for Barnstable County and the remaining twenty (20) percent of the rentals will serve people with 50% of the AMI. The project will be located on land owned by Falmouth Housing Corporation already developed with 36 affordable units. The project will require the modification of an existing 40B Comprehensive Permit. A cursory review of concept drawings by various town department staff did not reveal any "red flags" that would prevent the project from moving forward. Because of a compressed timeline created by DHCD beyond the applicant's control, Falmouth Housing Corporation has not had an opportunity to conduct

significant community outreach. However, the site is already developed with Falmouth Housing Corporation rental units. There are no other residential abutters and the Falmouth Service Center is the only other abutter to the property so this appears to be a good location for a project of this scale.

The members of the FAHF Working Group agree that multi-family rental housing should be one of the top priorities for funding from the FAHF. They note that the Falmouth Housing Corporation has a very good track record constructing and managing rental housing. The members of the FAHF Working Group unanimously support funding this project subject to terms and conditions to be detailed in a letter of agreement to provide appropriate fiduciary safeguards and timely use of committed funds. Historically, Falmouth and some other towns in the region have used \$50,000 per unit as a guideline for municipal funding of affordable housing. Due to the unusual time constraints of this situation, we have not been able to conduct a thorough evaluation of the project financials or to engage the applicant in a dialog about these financials. Based on the limited information available, the majority of the Working Group members recommend funding of \$60,000 per unit, with another \$50,000 available for pre-development costs. This is \$100,000 less than the applicant requested but more than has typically been awarded per unit in the past. Should the Board of Selectmen award this amount, the Falmouth Housing Corporation could submit a supplemental request at a future date based on new information. The one dissenting member supports funding of the full \$750,000 requested.

FALMOUTH AFFORDABLE HOUSING FUND

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Falmouth, Massachusetts 02540
(508) 495-7344

AFFORDABLE HOUSING FUND APPLICATION Calendar Year 2018

General Information

Project Name: Gifford Workforce Housing

Project Location and Parcel ID#: 587 Gifford Street, Falmouth/ Map/parcel #34-01-008-003

Type of Project: Workforce Housing: 80% of units at 80% AMI and 20% of units at 50% AMI

Applicant(s) name/ Organization: Falmouth Housing Corporation

Contact Person: Linda Clark, President

Mailing Address: 704 Main Street, Falmouth Ma 02540
Telephone Number: 508 540 4009 (o) 508 524 1229 (cell)

Email Address: lclark@falmouthhousingcorp.org

Property Ownership

Legal Property Owner of Record: Falmouth Housing Corporation

Is the owner the applicant? YES

If not, does the applicant have site control or written consent of the property owner to submit an application? If yes, attach documentation. Without this documentation the project will be ineligible for funding for this applicant.

For projects that have an acquisition expense the applicant must provide an appraisal from an independent party that justifies the acquisition cost.

Development Team

Please submit as attachments the resumes of the development team and a list and description of affordable housing projects completed by the applicant.

Project Information

Describe the proposed project including:

Project Style: Five-unit structure

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

Total Number of Units: 10
Number of Market Units: 0 Number of BRs: n/a
Number of Affordable Units: 10 Number of BRs: 1
Proposed Rents: 50% rents: \$808 for 50% and 80% rents \$1190
Proposed Condo Fees: n/a
Proposed % of AMI target beneficiaries: 50% and 80%

Describe how this project addresses the unmet affordable housing needs of the community as identified in the Town of Falmouth *Housing Demand Study & Needs Analysis (2014)* and the Town of Falmouth *Local Comprehensive Plan (2016)*.

“Just about everyone interviewed for this housing study – 32 people knowledgeable about housing conditions in Falmouth — said the town’s most critical needs is suitable, low cost rental housing for young workers.” (Town of Falmouth Housing Demand and Needs Analysis 2014)

Site Information

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

12.4 acre site currently occupied by 36 units of affordable housing owned and managed by Falmouth Housing Corporation. Proposed site for workforce housing is currently utilized by non-residents as garden plots, administered by Falmouth Service Center. Plan includes relocated garden for residents. Zoning is AGB. Modification of existing 40B Comprehensive Permit will be required.

Building:

Zoning:

Health:

Conservation:

Infrastructure:

Project Feasibility

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

Community Outreach

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

- Advised Service Center Director of proposed plan;
- Advised Community Preservation Committee of proposed plan;
- Advised Falmouth Affordable Housing Committee chair of proposed plan.

Development Schedule

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

Final application due to DHCD by May 16, 2018.

DHCD requires project to close and proceed to construction within 12 months of receiving award letter.

List of Attachments

Attachment A – One Stop 2000 Affordable Housing Finance Application

Attachment B project Schedule

Attachment C--resumes of development team/ list and description of affordable housing projects completed by applicant

Attachment D – Map and photo of project site.

Attachment E – letter of reference from Bank.

Attachment F-Timeline of project to date.

Submit one electronic copy to carla.feroni@falmouthmass.us

and (6) hard copies to:

Carla Feroni, Housing Coordinator, Town of Falmouth, 59 Town Hall Square, Falmouth, MA 02540

FALMOUTH AFFORDABLE HOUSING FUND

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

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

LETTER OF INTENT

Submit one electronic copy to Carla Feroni, Housing Coordinator, Carla.feroni@falmouthmass.us.

PROJECT NAME: Gifford Workforce Housing

PROJECT LOCATION: 587 Gifford Street Falmouth

APPLICANT(S) NAME/ORGANIZATION: Falmouth Housing Corporation

CONTACT PERSON: Linda Clark, President

Mailing Address: 704 Main Street Falmouth MA 02540

Telephone Number: 508 540 4009 (o); 508 524 1229 (cell)

Email Address: lclark@falmouthhousing corp.org

PROPERTY OWNERSHIP (Name of legal property owner): Falmouth Housing Corporation

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

DEVELOPMENT TEAM: Attach resumes and a description of affordable housing projects completed by the applicant.

PROJECT SUMMARY: (e.g., Project program, number and type of units, size of site, new construction or rehab, etc.) What community need is this project planned to address as identified in *the Town of Falmouth Housing Demand Study & Needs Analysis (2014)* and *the Update of Housing Needs and Demand Analysis 2017*?

Ten one bedroom units (first phase of 20 unit project) on 1.19 acres, new construction, all 50% + 80% AMI.

Community need: "Just about everyone interviewed for this housing study (Town of Falmouth Housing Demand and Needs Analysis) --32 people knowledgeable about housing conditions in Falmouth--said the town's most critical need is suitable, low cost rental housing for young workers."

HISTORIC RESOURCE: Is the property located in a local historic district and/or listed on the State Register of Historic Places? No

State designation can be checked at mhc-macris.net.

BUDGET: Attach a letter of reference from at least one banking institution.

AMOUNT OF FUNDS REQUESTED \$750,000

TOTAL FUNDS FROM OTHER SOURCES \$1,300,000 (requested)

TOTAL COST OF PROPOSED PROJECT \$ 2,530,000

PROJECT STATUS: What level of planning has already been undertaken to evaluate the potential development opportunity?

- Met with Holmes and McGrath engineers re septic, parking, environmental factors;
- Met with Valle Group construction company re cost estimates;
- Consulted with Davis Square Architects re design;
- Met with Sari at Board of Appeals re modification of existing 40B Comprehensive Permit;
- Contacted and corresponded with DHCD re proposed development application.

TIMELINE: Please provide a schedule of tasks and timeline for completion.

Final application due to DHCD/Masshousing Community Scale Housing Initiative May 16, 2018.

If you have any questions, please contact Carla Feroni at (508) 495-7344 or by email to Carla.feroni@falmouthmass.us. Thank you for your interest in the Falmouth Affordable Housing Fund.

SELECTMEN'S MEETING – May 7, 2018

BOARD OF SELECTMEN REAPPOINTMENTS

**INSPECTOR OF ANIMALS
1-YEAR TERMS**

<u>NAME</u>	<u>TERM EXPIRES</u>
Philip G. Lang	4/30/19
Daniel J. Donahue	4/30/19
Jessica Gow	4/30/19
Jenna Correia	4/30/19

Re-appoint member to Board of Registrars:

<u>NAME</u>	<u>TERM EXPIRES</u>
-------------	---------------------

Kathleen Mortensen	4/1/20
--------------------	--------

Diane Davidson

From: Michael Palmer <mpalmer@falmouthmass.us>
Sent: Friday, April 06, 2018 4:03 PM
To: Diane Davidson; 'Julian Suso'; smoran@falmouthmass.us
Subject: Board of Registrars
Attachments: Board of Registrar's Notice.docx

Hello Diane,

Every year in February or March the BOS needs to request from the Town Committees a list persons to replace the term of the person who is expiring from the Board of Registrars. Kathleen Mortensen's term of the Board of Registrars will expired in April. She has indicated her desire to be appointed to another term. I have attached a draft letter to the Chairman of the Democratic Town Committee..

MGL 51 Sec.15 Appointment of Registrars In February or March in every year one registrar shall be appointed for the term of three years, beginning with April first. Registrars are appointed by the Board of Selectmen from a list submitted by the town committees of the two leading political parties. If no list is submitted within 45 days of the party chairman being notified, appointments may be made without reference to the list. The Board of Registrars in all towns is a four member board of which one member is the town clerk. The other three members are appointed in a manner to maintain equal representation of the two leading political parties.

Regards,

Michael

Michael Palmer, CMC/CMMC
Falmouth Town Clerk
mpalmer@falmouthmass.us
508-495-7353



Diane Davidson

From: Linda Peters <lpeters.fc@gmail.com>
Sent: Monday, April 30, 2018 10:11 AM
To: Diane Davidson
Subject: 'Game Today' sign permit request

Dear Diane,

We are seeking new sign permits for our 'Game Today' A-frame signs at the following locations (permission of owners has been obtained):

1. Home of Rob Blomberg (559 Woods Hole Rd., Woods Hole)
2. Smitty's Ice Cream (326 East Falmouth Highway, E. Falmouth)
3. Waquoit Grain & Feed (411 Waquoit Highway, E. Falmouth)
4. Admiralty Inn (51 Teaticket Highway, E. Falmouth)
5. Seafood Sam's (356 Palmer Ave., Falmouth)
6. Back gate of Guv Fuller park on Dillingham, Falmouth
7. Kinlin Grover (10 County Rd., North Falmouth)
8. Johnson Home, Inc., (143 Palmer Ave., Falmouth)
9. West Falmouth Market (623 Rt. 28-A, Falmouth)

The proposed signs would be put out on game days (22 total days from 6/12 to 8/2 plus a few more if we make the playoffs) by the businesses.

Please let me know if you need any further information.

Best,
Linda Peters
Vice President & Clinic Administrator
(413) 535-9978
LPeters.FC@gmail.com

SEASONAL LICENSE RENEWALS FOR 2018

**BOARD OF SELECTMEN'S MEETING
May 7, 2018**

LODGING HOUSE (\$35)

The Captain's Manor Inn, 27 Main Street, Falmouth

SECOND HAND DEALERS (\$25)

Harmony Hut, 105 Spring Bars Road, Falmouth

Uncle Bill's Country Store, 412 North Falmouth Highway, North Falmouth

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, MARCH 26, 2018
SELECTMEN'S MEETING ROOM
TOWN HALL

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

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

OPEN SESSION

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)(3) – Collective bargaining update on fire union negotiations. 3. M.G.L. c.30A s.20(a)(6) – Status/update on potential purchase of Lyberty Green Project site-none. 4. Ballymeade water case 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; Mr. Patterson, aye; Ms. English Braga, aye; Chairman Moran, aye; Mr. Jones, aye.**

2. Open Session reconvened at 7:05 p.m. by Chair Moran.

3. Pledge of Allegiance

4. Proclamation:

Eagle Scout – Mason Drummey

Mr. Brown read the proclamation in the packet as a motion. Second Mr. Jones. Vote: Yes-5. No-0.

Mr. Drummey explained his project, he worked on trails on northern end of Long Pond, cleaned trails and made them accessible.

5. Recognition

Efforts of Town Hall in implementing more communication and community access to what occurs at Town Hall and daily running of government were recognized.

Two locals participants in Paralympics curling team representing our country.

6. Announcements-none.

7. Public Comment

Marc Finneran commented that when he reviewed the Town Manager's contract, he had questions and they were not allowed at the time. He compared the pay of the Town Manager to the pay of the governor, MA law states the governor cannot make more than a certain amount, but the Town Manager is paid more. Mr. Finneran believes this to be excessive because in the last two reviews, the Town Manager scored 2 out of a possible 4. Mr. Finneran also commented that on review of the hydrant progress, they are not maintained and the system has not been properly flushed in 23 years, he things the review was inaccurate; the hydrants are just being painted, not taken apart.

8. Vote to Affirm Appointment of Health Agent

Mr. Suso recommended Scott McGann as Town Health Agent. Mr. McGann addressed the BOS, described his priorities, automation, streamline, more efficiency.

Mr. Brown motion to affirm the appointment. Second Mr. Jones. Vote: Yes-5. No-0.

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses

- a. Approve Application for Special One-Day All Alcohol Liquor License – British Beer Company – Outdoor Beer and Oyster Festival – 263 Grand Ave. – Sunday, 5/20/18
- b. Approve Application for One-Day Sunday Entertainment License – British Beer Company – Outdoor Beer and Oyster Festival – 263 Grand Ave. – Sunday, 5/20/18
Rob Lowen, General Manager of the BBC, described the event to bring local folks together to have event on property, include breweries, fisherman, and bands together on their property.

Mr. Jones motion approval of items a and b. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. Approve Application for Livery/Limo License – NeveRest LimoVan Services, LLC – 38 Village Common Drive
Caleb Austrum, owner/operator, his wife Marilyn is the owner/manager, they have a single vehicle. The business address is 33 Village Common Drive, not 38 Village Common Drive. They have one company client, he moves their clients.

Mr. Jones motion approval. Second Mr. Brown. Vote: Yes-5. No-0.

2. Administrative Orders

- a. Vote to Approve Easement to the Town of Falmouth from Falmouth Boardsailing and Beach Club, Inc. to Facilitate Re-Construction for the Salt Pond Inlet on Surf Drive
Mr. Suso explained this is needed to move forward with planned maintenance activity.

Peter McConarty, DPW Deputy Director

Explained the area, cleaned out inlet from East side, there's a wooden structure frame, looking to rebuild and clean it out from west side and need this to access their equipment and clear out sediment.

Mr. Jones motion to approve. Second Ms. English Braga. Vote: Yes-5. No-0.

- b. Vote to Retroactively Approve Transmittal of Letter to Cape Cod Commission in Support of EDIC, related to Tech Park

Ms. English Braga motion approval of the letter already sent. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. Vote to Authorize Expenditure from Conservation Commission Donation Account for Municipal Vulnerability Program Expenses not to Exceed \$1800.00
Mr. Suso noted this relates to the Saturday event with workshop on coastal resiliency.

Jennifer McKay, Conservation, explained the workshop, this is for the luncheon supplied to participants at the Seacrest. There will be a listening session on 5/8/18 for the general public. The space was donated by the Seacrest.

Mr. Jones motion to authorize expenditure. Second Ms. English Braga. Vote: Yes-5. No-0.

- d. Authorize Grant Application to Fund a Herring Brook Study
Amy Lowell, Town Wastewater Superintendent, request for permission to apply for a grant to fund first portion of a water quality study for Herring Brook, between the two portions of Old Silver Beach. This grant could help support this work and reduce funding needed at a later date. Herring Brook was listed as one of the water bodies that require total maximum daily load assessment. About \$35,000 would be provided by this grant and the cost share between the Town and Buzzards Bay Coalition.

Mr. Jones motion to authorize. Second Mr. Brown. Vote: Yes-5. No-0.

- e. Authorize Letter to Eversource in Opposition to Herbicide Spraying for Vegetation Management
Mr. Suso provided background, organization in opposition regularly, in the past the BOS has taken action to advise the state against allowing such activity to go forward. A draft letter is in the packet.

Mr. Brown motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

- f. Authorize a Letter of Support for Cape Cod Commission in Seeking MassHousing Funding for a Regional Housing Preference Survey
Mr. Suso was contacted by Heather Harper asking if the Town is interested in supporting this initiative and, if so, the interest of the town would be included.

Mr. Jones motion to draft a letter of support. Second Mr. Patterson. Vote: Yes-5. No-0.

- g. Vote to Retroactively Authorize Transmittal of Application to State Dept. of Housing and Economic Development to Establish One/More Opportunity Zones in Falmouth
Mr. Suso explained that this is based on federal designation as well with the purpose of encouraging financial investment in development in certain areas, presented to the EDIC and the EDIC was interested in exploring that. EDIC suggested the Town consider applying for it. This was also discussed generally at the Planning Board Meeting, they were less enthusiastic about pursuing it. Deadline is today to attempt to qualify, Mr. Suso filed the paperwork with the state subject to concurrence of the BOS. Senator Demacedo brought it to the EDIC attention. There is still time to consider it, it is a tax credit formula used to attract developers and could be potential job creation/development.

Mr. Brown suspects the Planning Board hesitant because they are reaching out regarding zoning for this area and maybe ahead of the horse. He likes it.

Ms. English Braga supports the opportunity.

Ms. English Braga motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

3. Special Events

Recurring - Recommended:

- a. Daffodil Days – Spohr Gardens – Fells Road Closure – Saturdays, 4/21/18 & 4/28/18
b. Woods Hole May Festival – Woods Hole Community Association – Taft Playground & Ball Park – Saturday, 5/26/18
c. Butterfly Garden Day – Spohr Gardens – Fells Road Closure – Saturday, 7/29/18
d. Falmouth Farmers Market – Marina Park – Thursdays, 5/24/18 – 10/11/18 & 11/20/18

Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

- e. Falmouth Art Market – Falmouth Cultural Council – Marina Park (bandshell side) – Thursdays, 6/7 – 8/30/18
f. Sunday Worship – John Wesley United Methodist Church – Surf Drive Beach & Parking Lot – Sundays, 7/1/18 – 9/2/18 (except 7/15 & 8/19)
g. Falmouth 4th of July Fireworks – Falmouth Heights Beach and Ball Field – Wednesday, 7/4/18

Mr. Jones motion to approve items a-c, e-g. Second Mr. Patterson. Vote: Yes-5. No-0.

New - Recommended:

- a. Cape Cod Cycle Classic – Habitat for Humanity – Canal to Shining Sea Bike Path to Canal – Sunday, 9/23/18
b. Outdoor Beer & Oyster Festival – British Beer Company – 263 Grand Ave. – Sunday, 5/20/18

Ms. English Braga motion approval of items a and b. Second Mr. Patterson. Vote: Yes-5. No-0.

- c. Wedding Ceremony – Levy – Surf Drive Beach (children's swim area) – Saturday, 6/9/18

Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

- d. Wedding Ceremony – Allen-Sturtevant – Megansett Beach – Saturday, 9/29/18

Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

- e. Wedding Ceremony – Maggiore – Falmouth Heights Kite Field – Saturday, 9/15/18
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

PUBLIC HEARINGS

7:30 p.m.

1. Wetlands/Dock Hearing – James and Erica Milligan - 59 Childs River Road, E. Falmouth – Childs River SM read the public hearing notice in the packet.

Kevin Klauer, attorney with Ament Klauer Law Firm representing applicants.

This was heard 2/12/18, approved with certain conditions, he requested reconsideration on:

1. Restriction of dock to use of one boat. The boat will use the entire dock, occasional dinghy to be used, preference is to eliminate this restriction or have language of temporary usage of a small boat will not be violation.
2. Out piling shown on the plan, that is there for docking applicants' boat. The tie off to that out piling is needed for the design.

Chair Moran asked if he received 53 Child River, East Falmouth letter with concern that the redesign from original design has it extending into river by 17 feet, could impede their ability to dock/undock their boat. The request is for the BOS to take this into consideration should the pier extension be granted.

Attorney Klauer told the BOS he had not received a copy of that.

Attorney Klauer addressed the concerns, the applicant does not have a sailboat moored. It sounds like the mooring for sailboat was off someone else's property. The dock is out an additional 17 feet into the water to make sure boat in appropriate amount of water.

Mr. Jones asked what the current configuration of the boat is.

Matt Costa, Cape and Islands Engineering explained where the boat is and why the 17 foot extension. Applicant will work with the neighbors. Harbor master wants the out piling removed, but it was integral to the design, he suggested it be removed but they do not want it approved and the commission approved it that way. A larger T would have more impact, but they could come up with it.

The harbormaster recommended removal of the out piling, if the BOS decided this was part of the condition of approval. Attorney Klauer noted they would need to redesign the dock because it will not work without the out piling; 40 foot boat but only 20 foot T, so it was designed parallel to shore as suggested by the Conservation Commission.

Mr. Brown noted if 40 foot boat was attached previously, only a portion on the dock. According to Attorney Klauer, they pulled the boat in along the length of the dock. It was not long enough.

Jay Milligan, applicant, said he understands the mooring they talk about, it slides around over the years; may be the mooring moving around. The mooring could be relocated safety away so it is not a problem.

James Milligan, 59 Childs River Rd, explained his residence, the mooring, and the neighbor's dock. The mooring is off their property, that mooring has creped, so where it is positioned now, it can block the neighbor depending on the tide. The mooring needs to be moved back to where it was.

Public comment in favor: none.

Public comment against: none.

Mr. Patterson noted a recommendation from the Conservation Commission to get the boat out further so it does not impact the bottom. Makes sense to have the piling out there for secure mooring.

Ms. English Braga motion to close the hearing. Second Mr. Patterson. Vote: Yes-5. No-0.

Ms. English Braga noted a piling that leaves space is less than an obstruction than a longer dock. If the Conservation Commission or harbormaster was really concerned, it would require redesign. This is a decent solution.

Mr. Brown said the plan makes sense, he would like to check with the harbormaster to see if they are missing anything and if they can ensure they can move that mooring into the correct place.

Chair Moran believes best evidence at this hearing is what they should be deciding on.

Ms. English Braga noted the problematic mooring does not have to do with this project, can bring to attention of the harbormaster. Mr. Patterson agreed. Mr. Jones agreed, if the harbormaster had recommendation to not have the out piling, this is what he said, to have an out piling 11 feet away from the dock with boat there is not a problem, but without a boat it could be a problem. Mr. Jones is leaning towards going with the harbormaster's recommendation and no findings from Conservation Commission that they took this into consideration.

Mr. Suso suggested he and Mr. Johnson Staub could reach out to the harbormaster tonight.

Mr. Patterson motion to table the hearing to get feedback from the harbormaster by 9 p.m. or earlier this evening. Second Mr. Jones. Vote: Yes-5. No-0.

Ms. English Braga stated that if the harbormaster was concerned, he would have been present or clarified.

Mr. Patterson is concerned because they are looking at an opinion rather than something based in regulation. He is inclined to approve the application that includes the mooring piling.

Mr. Patterson motion to approve to include condition that the piling has a reflective component around circumference to be more visible at night and with transient use for another boat. Second Ms. English Braga. Vote: Yes-5. No-0.

7:45 p.m. BUSINESS

1. Presentation – Green Communities/Stretch Code – Seth Pickering, Mass Dept of energy resources DOER

Seth Pickering presented a PowerPoint presentation on the Green Communities program partnering with MA Cities and Towns, the presentation is in the packet. They provide grants up to \$20 million annually to qualifying communities to fund energy efficiency initiatives, renewable energy, and innovative projects. He reviewed the 216 communities who adopted the stretch code to date. Explained the green communities designation and grant program, amounts, and formula.

Mr. Pickering explained the difference between the new Base Code and new stretch code.

Automated online applications are not required to participate.

Chair Moran suggested Mr. Suso give Mr. Pickering the precinct meeting information and suggested Mr. Pickering attend if he is able.

Ms. English Braga suggested the presentation be made available to Town Meeting Members or posted on the Town website.

Marc Finneran commented that there was inequity here, one builder noted most houses are being built by the current code and are so tight people are opening windows. Costs are much larger, foam insulation may rot the roof after twenty years, oil furnaces are more than they were quoted, and many areas in Town do not have access to gas. People are not in favor of this because of the diminished returns and higher costs.

2. Report/Discussion on Participating in Opioid Litigation Class Action – Frank Duffy

Attorney Duffy stated there is addiction epidemic, some communities are taking action by participating in actions to recover the damages they incur. Damages to communities where they live, fraudulent scheme to manufacture their products; they are supposed to monitor the products, monitor spikes, locate/suspend sale. Pharma failed in this duty and it is an act of negligence. Estimated 50-80% of addiction starts with people using legally prescribed opioid drugs, this has burdened every community and incurred significant costs. Purpose of litigation is to recoup the costs. There is no cost to join, but still a cost in Town employees collecting some information. Reviewed costs, including healthcare, health benefit plans, workers

compensation, maintenance and development of first responders, crime and related expenses, town and school level, homelessness, maintaining public spaces and dealing with individuals.

Options available:

1. Rely on state Attorney General to act on behalf of the communities. This has not occurred yet, damages would be sought for the state.
2. File lawsuit on behalf of the Town; each town files it's own lawsuit. Reviewed criteria for class action suit. 2 approaches:
 - a. Enlist to join multi district litigation, individual lawsuits filed and consolidated in US district court in Ohio. These are being handed with one judge, one courtroom, that judge is forcing parties to mediation. Have proposal from law firms that would do this work for Falmouth on 25% contingency fee, no fee unless successful recovery. Town needs to identify and prove it's own damages.
 - b. Town files claim in your own state, in State court. Theory is that you will force defendant to stand for trial before a local jury that may be more inclined to hear the plea of local communities in their award of damages. Subject to mediation. 25% contingency fee, no fee unless recovery.

Attorney Duffy and Mr. Suso could interview groups and come to the BOS with recommendation. The BOS feels that would be best.

Attorney Duffy will find out if distributors may be included as well.

3. Report – Recreation Committee
Robert Brown, Recreation Committee
Thanked the Commodores for putting the project for Article 40 together and hopes the voters will support it. Other projects include the all purpose field, inclusion playground.

Walter Cronin, Recreation Committee, feels moving the field to the FHS is overdue. The outfield never recovers from the football season and is one of the worst fields in the Cape Cod Baseball League. They have been looking at this for over a year and a half, they have considered health, cost analysis, and supports artificial turf. Mr. Cronin asked about who would bring up the cost analysis at Town Meeting, according to Mr. Suso the Finance Committee will bring it up on Town Meeting floor.

Mr. Brown is in favor of the artificial turf and noted the need for a policy, enforcement, and policies.

4. Interview, Vote and Appoint Committee Member – Board of Health

Benjamin Van Mooy is looking for the opportunity to get involved in Town governance, water quality is major public health issue. He has been familiarizing himself to septic design. Reviewed his experience, familiar working in regulatory framework.

Mr. Brown motion to appoint Mr. Van Mooy to a term ending 6/30/20. Second Mr. Jones. Vote: Yes-5. No-0.

5. Application for Commercial Shellfish License – Louis Romiza
Louis Romiza requested the BOS to reinstate commercial shellfish license he gave up in 2009 due to health. Shellfish counsel wrote letter of nonsupport due to the number of permits and how they should be issued when the commercial licenses drops below 50.

Ms. English Braga asked if there is a waiting list for permits. According to Mr. Suso, the number set at 50 and affirmed at that time there have been no vacancies come up. When below 50, there will be availability for applicants.

Mr. Brown said that there are more than 50 originally held, they could keep them if they had them. Last year the BOS reinstated one that had lapsed. Mr. Jones is inclined to grant the reapplication of this license. Ms. English Braga understands a long history of shell fisherman, Mr. Romiza has done this for 33 years, had a health situation, and she is inclined to agree with Mr. Jones in this instance.

Mr. Jones motion to reinstate the license. Second Mr. English Braga. Vote: Yes-5. No-0.

6. Approve Request for Waiver of Special Event Permit Fee – Falmouth Art Market
Mr. Patterson motion approval to the extent they can waive the fees. Second Ms. English Braga. Vote: Yes-5. No-0.

7. Discuss and Vote to Consider a Dog Hearing Decision Appeal Request as Timely Filed
Mr. Suso explained that following the policy the BOS established, the hearing was in the fall, and tonight's discussion is regarding the rules of procedure regarding appealing the decision from dog hearing. There was question about whether calendar days or business days applied to appeal process. It was clarified by FPD Captain Reid, but asked if the BOS would consider an appeal of the decision made. Does the BOS want to entertain an appeal to the decision made last fall.

Ryan Jeglinsky was present and told the BOS that Captain Reid sent an email regarding the time for a written request. On 11/21/17 he said to send the letter before 11/26/17 to submit a written request. The date of the original decision was 11/16/17. Mr. Jeglinsky was told to come to a meeting, his whole neighborhood was there with stories, and he had no witnesses or time to prepare his statement to the FPD Chief. According to Mr. Jeglinsky, he called the office on Monday, thought he had to send a written letter into the BOS and it would take more than ten days. He believes things would be different if he had another hearing.

Chair Moran asked Attorney Duffy what standard was to look at this question of granting an extension. Attorney Duffy noted it is within the BOS discretion to consider this appeal because it is a policy, not a bylaw. Standard would be for good cause shown. There was a ten day opportunity, fell during the Thanksgiving holiday week, he had 1.5 days to respond, and it would have negated this problem if he had responded.

According to Captain Reid, Mr. Jeglinsky showed up at the original hearing on 10/26/17 and got it rescheduled to 11/16/17.

The BOS reviewed the emails in the packet.

Ms. English Braga motion to deny the request. Second Mr. Jones. Vote: Yes-5. No-0.

8. Request for Sign Variance for Water Station Locations – Refill Reuse Falmouth
Mr. Brown disclosed he is a member on the Board of Falmouth Water Stewards

Alan last name unknown, member of Falmouth Water Stewards
Explained the basis, bring water refill reuse water stations, reduce litter, improve the environment, inspire others to refill/reuse. Reviewed PowerPoint presentation. Operate nonwinter months and reviewed locations. Funding raised through sponsorship, grants, received a grant from Falmouth Road Race. They can raise the money and promote ideas, but not construct it. Steve Rafferty committed to installing and taking ownership of these and uses Falmouth water. Sites proposed include Peg Noonan Park, and Falmouth Heights Ball Field. Have the road race logo on the main street location is preferred because they have been around a long time, Peg Noonan park is a priority.

Mr. Brown noted the Historic District commission was concerned about presence of it in the area, came up with canvas cover, the Town will shut them off and on seasonally. Water Quality Stewards would maintain on voluntary basis.

Mr. Jones motion to approve the sign variance at the locations. Second Mr. Brown. Vote: Yes-5. No-0.

9. Request for Sign Variance – Off-Premise Promotional Signs – Falmouth Rotary Club Pancake Breakfast
Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

10. Request for Sign Variance – Off-Premise Promotional Signs – Falmouth Commodores Baseball Clinics
Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

11. Live Survey Follow-Up

Mr. Johnson Staub posted an update to the executive summary and written comments received after the 2/2/18 event. Posting meeting packets idea has been initiated. Holding another live survey more focused on a couple of topics, increase use of social media to inform community on news and events, consider online survey to assess modes of communication and participation.

Many of these suggestions have been acted upon. The BOS would like to get more social media going, having another live survey that has a different focus in addition to one that summer residents may participate in and illicit new ideas and information. Making communication a regular thing so people know how to participate and want to participate.

Mr. Jones suggested changing the format to smaller groups. The BOS discussed having breakout sessions that address similar topics and then come together.

Mr. Brown and Ms. English Braga will assist Mr. Johnson Staub with the next live survey. Look at comments and think about how to get to greater conversation about sense of place, Mr. Patterson likes the idea of a sense of place.

12. Update on RFP Process for Lyberty Green

Attorney Duffy updated the BOS, November Town Meeting Article 25 was to take by eminent domain the property owned by the Faye family where there is a proposed chapter 40B affordable housing development. The BOS recommended indefinite postponement because the Town cannot use eminent domain for 40B housing. An amendment from the floor to that article which authorized the BOS to negotiate a purchase of the property and appropriated \$100,000 for due diligence the Town may incur. The amendment passed. Town is subject to chapter 30B Uniform Procurement Act, which directs how communities procure real estate. The town concluded the need to comply with it, according to the MA Inspector General's Office (IGO) none of the exceptions apply to this situation. The IGO enforces the Uniform Procurement Act. The Town was directed to comply with Chapter 30B. The first requirement was an appraisal, next step is a request for proposals for land upon which to build affordable housing, they cannot specify specific property in the RFP. If we have a deal, will then have to go in front of Town Meeting to purchase it. Mr. Suso drafted the RFP, met with Attorney Duffy and Finance Director Jennifer Petit, it is ready to go. Plan is to issue the RFP, then request proposals be submitted sometime in May. It is open and public, there is a process to evaluate the proposals, then enter negotiations phase. If successful, looking at Town Meeting approval in November, closing late 2018-2019, if the acquisition is successful, they will need to identify what to use the property for and prepare an RFP for developer to come in and develop the property.

If sufficient cash to buy it, it can be done; the cost is unknown at this time. Given the insight, based on the appraisal, a debt exclusion will likely need to be considered.

13. Approve 2018 Seasonal License Renewals:

ALL ALCOHOL RESTAURANT

Falmouth Raw Bar, 56 Scranton Ave.
Falmouth Pier 37 Boathouse, 88 Scranton Ave.
held

Landfall Restaurant, 9 Luscombe Ave.
Quick's Hole Taqueria, 6 Luscombe Ave.
Shuckers, 91A Water Street

Mr. Jones motion approval, except the held item. Second Mr. Patterson. Vote: Yes-5. No-0.

ALL ALCOHOL CLUB

Seacoast Shores Association, 7 Farview Lane
Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

COMMON VICTUALLER

Falmouth Pier 37 Boathouse, 88 Scranton Ave.
held

Falmouth Raw Bar, 56 Scranton Ave.
Landfall Restaurant, 9 Luscombe Ave.
Quick's Hole Taqueria, 6 Luscombe Ave.
Seacoast Shores Association, 7 Farview Lane

Mr. Jones motion approval, except the held item. Second Mr. Patterson. Vote: Yes-5. No-0.

ENTERTAINMENT

Falmouth Pier 37 Boathouse, 88 Scranton Ave.
Held.

Falmouth Raw Bar, 56 Scranton Ave.
Landfall Restaurant, 9 Luscombe Ave.
Quick's Hole Taqueria, 6 Luscombe Ave.
Seacoast Shores Association, 7 Farview Lane

Mr. Jones motion approval, except the held item. Second Mr. Patterson. Vote: Yes-5. No-0.

SUNDAY ENTERTAINMENT

Falmouth Pier 37 Boathouse, 88 Scranton Ave.
Held.

Falmouth Raw Bar, 56 Scranton Ave.
Landfall Restaurant, 9 Luscombe Ave.
Seacoast Shores Association, 7 Farview Lane
Mr. Jones motion approval, except the held item. Second Mr. Patterson. Vote: Yes-5. No-0.

Held Falmouth Pier 37 Boathouse renewals due to discussion during prior hearings. The BOS reviewed current conditions and applied for Hours proposed 11 a.m.-1 a.m., all patrons out by 1:30 a.m.

The BOS noted got their attention, their plan could be successful and the BOS is inclined to try it for a year. Other actions can be taken if there are problems and with sanctions hanging over their head by the BOS and ABCC. The BOS does not want to be punitive, want to manage safety and volume.

Ms. English Braga motion approval of all Boathouse licenses. Second Mr. Patterson. Vote: Yes-5. No-0.

14. Minutes of Meetings:

Public Session

March 12, 2018

Mr. Brown motion approval with edits. Second Ms. English Braga. Vote: Yes-5. No-0.

Executive Session

March 12, 2018

Session 1

Mr. Patterson motion approval and release. Second Ms. English Braga. Vote: Yes-5. No-0.

Session 2

Mr. Patterson motion approval and not release. Second Ms. English Braga. Vote: Yes-5. No-0.

Session 3

Ms. English Braga motion approval and release. Second Mr. Patterson. Vote: Yes-5. No-0.

Session 4

Mr. Patterson motion approval and not release. Second Ms. English Braga. Vote: Yes-5. No-0.

Session 5

Mr. Patterson motion approval and not release. Second Ms. English Braga. Vote: Yes-5. No-0.

15. Individual Selectmen's Reports

Mr. Brown:

Meeting regarding information about the New Bedford/Martha's Vineyard Ferry; Martha's Vineyard is looking into packaging their waste in shrink wrap packages to manage over the summer and store, ship when they can.

Attended Municipal Preparedness Meeting

Mr. Patterson:

Attended Finance Committee, School Committee, and Community Preservation Committee meetings.

Ms. English Braga:

Attended the student event Saturday on gun safety.

16. Review of Town Manager's Report-none.

17. Review and/or Discuss Correspondence Received-none.

Mr. Jones motion to adjourn at 10:46 p.m. Second Ms. English Braga. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

Minutes for April 23, 2018 still being prepared.

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: May 4, 2018



- The Board will convene at 6:30PM in executive session on Monday evening to hear a report/update on Wind turbine litigation as well as review a proposed settlement on an employment-related claim.
- The Board will consider a number of varying housekeeping items under your Summary of Actions – Administrative Orders. Most are self-explanatory and/or have further information included in your Board packets. To select a few for comment – I am asking for authorization to file a grant application for MVP Grant Program funding to include both the MVP assessment (Town Meeting funded) as well as two resiliency projects among a number discussed by/with the Coastal Resiliency Committee; I am also asking for Selectmen approval of a letter in support of the Marine Biological Laboratory's pursuit of State Environmental Bond Bill funding for repair/replacement of a seawall at Waterfront Park.
- Selectmen are being asked to review/approve an application for \$750,000 from the Falmouth Affordable Housing fund in support of an affordable housing development by the Falmouth Housing Corporation at 587 Gifford Street. With the able assistance of Housing Coordinator Carla Feroni, this has been reviewed and discussed internally with our housing working group and is being recommended for approval.
- On Wednesday, I was joined by Su Moran and Tom Bott at a meeting with representatives of MBL and WHOI to discuss some facility issues of common concern. This included the matter of the deteriorating seawall at Waterfront Park in Woods Hole.
- As a reminder, our Annual Police Memorial Ceremony is scheduled to begin at 10AM on Tuesday, May 15 (National Police Memorial Day) at the existing Police Memorial in front of the Police Station. As you will note, by a coincidence of the calendar, this is also municipal election day.
- Work continues on the long-awaited reconstruction of the Police Department access, parking and circulation area on the side of and behind the Police Station. Public Works is undertaking this important public safety project which will greatly enhance safety and accessibility for all aspects of

police functions. If you are able to attend the Police Memorial Ceremony, you may wish to take a brief look at these improvements. Completion is anticipated later this summer.

- The Town Archive initiative which I have been working on with the very able leadership of Town Clerk Michael Palmer is moving forward quite well. The majority of the long-standing (and some outdated) records located in the large Town Hall space below the Selectmen's Meeting Room have now been sorted, boxed and some scanned and disposed according to existing State records guidelines. The sorted and boxed records which are to be retained are now being relocated to the new Town Archive location in the vacated Long Pond Water Building. As this process moves to successful closure, this will free-up a significant portion of the much-needed Town Hall space identified for the expanded, centralized permitting function. Upon the further completion of the Town Hall ESCO Phase 2 hvac improvements, we will be in the long-awaited position of taking the next important step in this Town Hall office reorganization initiative. Stay tuned.
- Personnel Director Denise Coleman and I are working with the Falmouth Commodores in setting a "Town of Falmouth Employee" evening for an upcoming Commodores game, final date yet to be forthcoming. Their annual schedule of 22 home games begins on June 13. Play ball!