

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**

**AGENDA**

**MONDAY, APRIL 22, 2019 – 7:00 P.M.**

**SELECTMEN'S MEETING ROOM**

**TOWN HALL**

**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

**7:00 p.m. OPEN SESSION**

- a. Call to Order
- b. Pledge of Allegiance
- c. Proclamations
  - a. Arbor Day – April 30, 2019
  - b. Art Week – April 26 – May 5, 2019
- d. Recognition
- e. Announcements
  - a. Notification of one-year moratorium by Board of Health on Glyphosate
- b. Public Comment

**7:15 p.m. SUMMARY OF ACTIONS**

1. Licenses
  - a. Approve Application for a One-Day Wine & Malt Liquor License – Coast Fest – Bandshell/ Marina Park – Saturday, 8/3/19
  - b. Approve Application for a One-Day Wine & Malt Liquor License – Barnstable County Agricultural Society, Harvest Fest – Cape Cod Fairgrounds – Saturday, 9/28 and Sunday, 9/29/19
  - c. Approve Application for Nine, One-Day All Alcohol Liquor Licenses – Falmouth Theatre Guild – Highfield Theater – Friday, Saturday and Sunday, May 3, 4, 5, 10, 11, 12, 17, 18 and 19, 2019
  - d. Approve Application for a Motor Vehicle Class II License – Excel Auto Repair and Sales, 94 East Falmouth Highway, East Falmouth
2. Administrative Orders
  - a. Approve Eversource Petition to Install One New 4” Conduit and Two Hand Holes on Hudson Street, South of Lake Leaman Road for Service to 48 Hudson Street
  - b. Vote to Support House Bill No. 2881 and Senate Bill No. 452S Seeking a 5-Cent Deposit on Nip Bottles
  - c. Vote to Approve Application to Massachusetts Dredging Program for a 2019 Massworks Grant in the amount of \$20,000 to Dredge Green Pond Channel
  - d. Vote to Approve License from the Town of Falmouth to Allow Eagle Scout Candidate Sam Mack of Boy Scout Troop 42 to Construct a Trail near the Falmouth Dog Park
  - e. Approve Warrant for Annual Town Election on May 21, 2019
  - f. Approve Expenditure from Historical Commission Account for Temporary Planning Intern
  - g. Approval of Donation Funds for Senior Center Stone Veneer
  - h. Vote to Adopt and Execute Orders of Taking for Winthrop Drive and Capt. Davis Lane
3. Special Events  
Recurring - Recommended:
  - a. Cinco de Mayo Woods Hole – Quicks Hole and Landfall Restaurant - Luscombe Avenue, Woods Hole – Sunday, 5/5/19
  - b. Woods Hole May Festival – Woods Hole Community Association – Taft Playground and Ballpark, Woods Hole – Saturday, 5/25/19
  - c. Pedal to Parcels – The 300 Committee – Bike Tour of Conservation Lands in Falmouth – Sunday, 6/2/19
  - d. Falmouth Art Market – Falmouth Cultural Council – Marina Park (bandshell side) – Thursdays, 6/13 – 8/29/19
  - e. Beach Worship Services – John Wesley United Methodist Church – Surf Drive Beach and Parking Lot – Sundays, 6/30 – 9/1/19 (except 7/14 and 8/18)
  - f. Autumn Escape Bike Trek – American Lung Association – Ride through Falmouth, stop at Surf Drive Beach – Friday, 9/27/19
  - g. British Beer Company Beer & Oyster Festival – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 6/2/19

New – Recommended:

- a. Walk for HOPE – Housing Assistance Corp – Village Green Start/Finish, Walk on Sidewalks – Sunday 6/2/19
- b. Falmouth Kids Day of Play – Falmouth Rotary Club – Mullen-Hall School – Saturday, 6/8/19
- c. British Beer Company Road Race Beer Garden – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 8/18/19
- d. Wings for Falmouth Families Carnival – Wings for Falmouth Families – Marina Park, Tuesday, 8/20/19
- e. Beach Wedding Ceremony – Insogna – Falmouth Heights Beach – Saturday, 8/3/19
- f. Beach Wedding Ceremony – Curran – Surf Drive Beach – Saturday, 8/10/19

**PUBLIC HEARINGS**

**7:30 p.m.**

1. Flow Neutral Bylaw – Evaluation of Request for Variance – Falmouth Commodores – Ray Paltz Building, Guv Fuller Field, 744 Main Street, Falmouth (Parcel 39 21 001 000), Continued from February 25, 2019

**7:45 p.m.**

2. Flow Neutral Bylaw – Evaluation of Request for Variance – Holmes and McGrath, Inc. – 24 Spencer Baird Road, Woods Hole (Parcel 49A 06 000D 044), Continued from February 25, 2019, March 11, 2019

**8:00 p.m.**

3. Wetland Hearing – Thomas Dmytryck – Remove licensed float and install a new pile-supported pier and pile-supported boat lift in Eel Pond, located at 53 Madeline Road, East Falmouth (continued from March 25, 2019 to April 22, 2019 at 7:30 p.m.)

**8:15 p.m.**

4. Water Rate Hearing (continued from March 25, 2019 to April 22, 2019 at 7:45 p.m.)

**8:20 p.m.**

5. Application for Transfer of a Wine and Malt Liquor License, Common Victualler License, and Automatic Amusement License – New England Authentic Eats, LLC. d/b/a Papa Gino's, 56 Davis Straits, Falmouth
6. Application for Transfer of Wine and Malt Package Store License – Wild Harbor General Store, Inc. d/b/a Wild Harbor General Store, 200 Old Main Road, North Falmouth

**8:30 p.m. BUSINESS**

1. Woods Hole Oceanographic Institution (WHOI) Update – Colin Reed and Mark Abbott
2. Interview, Vote and Appoint Committee Members:
  - a. Cable Advisory Committee – Robert Mascali, Diane Jemmott, Jay Zavala
  - b. Energy Committee – Matthew Patrick
  - c. Human Services Committee – Lawrence Langer, Ph.D.
  - d. Zoning Board of Appeals – Gerald Potamis, James Morse
3. Aquaculture Plan Presentation
4. Falmouth Affordable Housing Fund:
  - a. Vote Falmouth Affordable Housing Fund Guidelines
  - b. Falmouth Affordable Housing Fund Overview
  - c. Authorize Expenditure of up to \$12,000 for Legal and Financial Assistance Expenses
  - d. Presentation and Vote Fund Request from Northstar Place LLC for 123 Brick Kiln Rd., East Falmouth
5. Vote to Approve Request for Waiver of Special Event Permit Fee:
  - a. Falmouth Farmer's Market
  - b. Falmouth Art Market
  - c. John Wesley United Methodist Church Sunday Beach Worship

6. Approve 2019 Annual/Seasonal License Renewals:

**Lodging House License**

Elizabeth Hathon, 165 N. Falmouth Highway, N Falmouth  
Woods Hole Passage, 186 Woods Hole Road, Falmouth  
Inn on the Sound, 313 Grand Avenue, Falmouth

**Second-Hand Dealer License**

Cape Cod Gold & Silver Coin, 424 Main Street, Falmouth  
Cash Point, 350 East Falmouth Highway, East Falmouth  
Falmouth Service Center d/b/a Hand in Hand Thrift Shop, 141 Sandwich Road, East Falmouth  
Falmouth Stamp & Coin, 11 Town Hall Square, Falmouth  
Fay's Gallery, 556 Main Street, Falmouth  
Hannoush Jewelers, 352 Main Street, Falmouth  
Home Again, 93 East Falmouth Highway, East Falmouth  
St. Vincent de Paul Thrift Shop, 18A Davisville Road, East Falmouth  
Uncle Bill's Country Store, 412 N Falmouth Hwy, North Falmouth  
Village Lamp Repair Shoppe, 628 West Falmouth Highway, West Falmouth

**Bowling Alley License**

Ryan Family Amusements, 23 Town Hall Square, Falmouth

7. Discussion of Make-up and Structure of a Poor House Working Group

8. Minutes of Meetings:

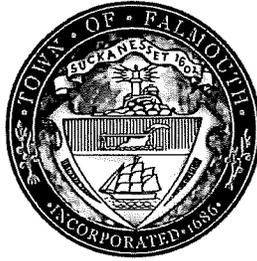
- a. Public Session – November 19, 2018; March 25, 2019; April 8, 2019; April 9, 2019
- b. Review of Executive Session Minutes and Vote to Release

9. Individual Selectmen's Reports

10. Town Manager's Report

11. Review and/or Discuss Correspondence Received

Susan L. Moran, Chairman  
Board of Selectmen



## PROCLAMATION

**WHEREAS:** The Town of Falmouth benefits from the graceful canopy of tree limbs that shade us from the blazing summer sun, purify our air of contaminates, provide a peaceful respite from the ordinary world, and generally beautify our community; and

**WHEREAS:** The Town has been recognized by a National Program and is known far and wide as a "Tree City"; and

**WHEREAS:** The Falmouth Tree Warden, Falmouth Garden Club, Falmouth Public Schools and Falmouth Beautification Council recognizes the aesthetic value of the beautiful trees of Falmouth by organizing a day to celebrate the purity and strength exemplified by a statuesque tree and all living green things; and thereby honor the trees of Falmouth by singing songs, sharing thoughts and teaching more about the value of our trees; and

**NOW, THEREFORE, WE,** Susan L. Moran, Megan English Braga, Douglas H. Jones, Samuel H. Patterson and Douglas C. Brown as Selectmen of the Town of Falmouth, do hereby **PROCLAIM**, Tuesday, April 30, 2019 as:

### **ARBOR DAY**

**IN WITNESS WHEREOF,** We have hereunto set our hands and caused the Great Seal of the Town of Falmouth to be affixed this day, Monday, April 22, 2019.

\_\_\_\_\_  
Susan L. Moran, Chairman

\_\_\_\_\_  
Samuel L. Patterson

\_\_\_\_\_  
Megan English Braga

\_\_\_\_\_  
Douglas C. Brown

\_\_\_\_\_  
Douglas H. Jones

\_\_\_\_\_  
BOARD OF SELECTMEN



## PROCLAMATION

WHEREAS: ArtWeek is an award-winning creative festival celebrating the richness of arts, cultural, and creative communities throughout Massachusetts including Falmouth with many free events that are hands-on, interactive, and offer behind-the-scenes access to the creative process and creative economy;

WHEREAS: ArtWeek is celebrated in Falmouth as well as over 125 other communities representing every region across the state including Greater Boston, North of Boston, South of Boston, Cape Cod and the Islands, Central Massachusetts, and Western Massachusetts;

WHEREAS: ArtWeek is a unique nonprofit community program of the Boch Center and Highland Street Foundation, and is supported by an expansive network of statewide, regional, and local media partners who have donated more than \$2.8 million in pro bono advertising to-date, creating a salute to the vital economic impact of the Commonwealth's creative treasures including a spotlight on Falmouth;

WHEREAS: ArtWeek applauds Falmouth as a creative community and celebrates the diversity of cultural and creative assets available to those who live, work, play, and visit here;

WHEREAS: ArtWeek celebrates the power of arts, culture, and creativity to strengthen Falmouth's education system, build a robust and creative workforce, support community health and wellness, and create a strong community;

WHEREAS: ArtWeek in Falmouth is part of making creative history by driving record-breaking growth this year across the state, serving as an affordable and accessible place for people of all ages and socio-economic backgrounds to uniquely explore and express their creativity since over 70% of events are free;

WHEREAS: ArtWeek in Falmouth is what makes the "Bay State's Most Creative Festival" so special, providing increased access to creative experiences and equitable participation while building a better connected, inclusive and resilient Commonwealth;

NOW THEREFORE, We, Susan L. Moran, Megan English Braga, Douglas H. Jones, Samuel H. Patterson and Douglas C. Brown as Selectmen of the Town of Falmouth, do hereby PROCLAIM April 26 – May 5, 2019 as,

### ARTWEEK FALMOUTH

IN WITNESS WHEREOF, we have hereunto set our hands and caused the great seal of the Town of Falmouth to be affixed this day, Monday, April 22, 2019.

\_\_\_\_\_  
Susan L. Moran, Chairman

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Samuel H. Patterson

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Megan English Braga, Vice Chairman

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Douglas C. Brown

\_\_\_\_\_  
Douglas H. Jones

FALMOUTH BOARD OF SELECTMEN



# Falmouth Health Department

Falmouth Town Hall • 59 Town Hall Square • Falmouth, Massachusetts 02540

(508) 495-7485 • Fax (508) 548-4290

health@falmouthma.gov

## DECISION OF THE FALMOUTH BOARD OF HEALTH

April 12, 2019

The following is the decision of the Board of Health regarding Glyphosate (a.k.a. Round-up) voted and approved on April 8, 2019

*Finding that there is an increasing body of scientific evidence that glyphosate at environmentally relevant concentrations poses risks to human health, juries in two recent trials have found that glyphosate caused non-Hodgkin's lymphoma in both a non-licensed (Edwin Hardeman V. Monsanto) and licensed applicator (DeWayne Johnson V. Monsanto) of glyphosate, and a recent study clearly showed that glyphosate at environmentally relevant concentrations may cause harm to bees, which are critical to maintaining a healthy and productive environment (Motta et al., 2018, Proceedings of the National Academy of Sciences).*

*The Falmouth Board of Health issues a moratorium on the use of glyphosate by employees of the Town on Town-controlled properties and by any other individuals or entities on Town-controlled properties.*

*The moratorium will become effective immediately and remain in effect until March 31, 2020. The moratorium on glyphosate may be lifted at an earlier date if the Board of Health concludes that the benefits of glyphosate to the Town outweigh the risks.*

*Variations from the moratorium for specific uses of glyphosate will be considered on a case-by-case basis by the Board of Health; those requesting a variance may contact the Health Department and request to be placed on the agenda of any regularly-scheduled meeting of the Board of Health.*

*During the period of the moratorium, the Board of Health will conduct a broad examination of pesticide use by the Town to evaluate risks and explore adopting safer alternatives to those pesticides in current use. The Board requests that interested stakeholders participate in a working group to ensure a broad representation of views.*

Note that this moratorium only affects town-owned property including, but not limited to, parks, schools, fields, town buildings, the golf course, farm/agricultural land and property under the jurisdiction of the Conservation Commission. This decision does not include the use of Glyphosate- based products on private property or retail sales in Falmouth.

The Board of Health has a provision for granting variances to use Glyphosate. If you wish to seek a variance to use Glyphosate please contact me so I can get you on their agenda.

Additionally, the Board wishes to put together a working group for alternatives to Glyphosate and all pesticides/herbicides in use on town-owned property. Those interested in being a part of the groups please reach out to me.

Any questions feel free to contact me at any time.

Regards,

Scott – Health Agent

2019

# License Alcoholic Beverages

19-27-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 Crooked Coast, LLC d/b/a Coast Fest

Falmouth Bandshell

West side of Falmouth Harbor, Scranton Avenue

On the following described premises:

Falmouth Bandshell as approved by Special Events Permit

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 3rd day of August 2019 until the 3rd day of August 2019, unless earlier suspended, cancelled or revoked.

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

4:00 - 10:00 pm

Organizers are required to work with the detail division (Sgts. Karl and Loewen) to ensure that proper safety, security and traffic measures are in place. All safeguards and conditions that were met in the past including contacting the Falmouth Fire Department regarding safety and security must be met. In addition:  
1. Alcoholic beverages served on the premises must remain on the premises. 2. Rope off area where alcohol will be sold and consumed.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 22nd day of April 2019

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Licensing Board

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

2019

# License Alcoholic Beverages

19-7-AA

Fee:

75

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

## Special License For The Sale Of All Alcoholic Beverages

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

To Be Drunk On the Premises

To Falmouth Theatre Guild

Highfield Theatre  
58 Highfield Drive  
Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

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

This license is valid from the 3rd day of May 2019 until the 5th day of May 2019, unless earlier suspended, cancelled or revoked.

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

Friday-Saturday 6:30 - 9:30 pm; Sunday 1:00 - 4:00 pm

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

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 22nd day of April 2019

\_\_\_\_\_

\_\_\_\_\_

Licensing Board

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

2019

# License Alcoholic Beverages

19-8-AA

Fee:

75

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

## Special License For The Sale Of All Alcoholic Beverages

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

To Be Drunk On the Premises

To Falmouth Theatre Guild

Highfield Theatre  
58 Highfield Drive  
Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

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

This license is valid from the 10th day of May 2019 until the 12th day of May 2019, unless earlier suspended, cancelled or revoked.

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

Friday-Saturday 6:30 - 9:30 pm; Sunday 1:00 - 4:00 pm

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

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 22nd day of April 2019

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\_\_\_\_\_

Licensing Board

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

2019

# License Alcoholic Beverages

19-9-AA

Fee:

75

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

## Special License For The Sale Of All Alcoholic Beverages

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

To Be Drunk On the Premises

To Falmouth Theatre Guild

Highfield Theatre  
58 Highfield Drive  
Falmouth, MA 02540

On the following described premises:

Highfield Theater, 58 Highfield Drive, Falmouth

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

This license is valid from the 17th day of May 2019 until the 19th day of May 2019, unless earlier suspended, cancelled or revoked.

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

Friday-Saturday 6:30 - 9:30 pm; Sunday 1:00 - 4:00 pm

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

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 22nd day of April 2019

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\_\_\_\_\_  
\_\_\_\_\_  
Licensing Board

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



Number:  
021-CLII

Fee  
\$75.00

The Commonwealth of Massachusetts  
Town of Falmouth

This is to certify that  
Excel Auto Repair & Sales  
94 East Falmouth Hwy  
East Falmouth MA 02536  
is hereby granted this

Used Car Dealer's License - Class II  
to Buy and Sell Second-Hand Motor Vehicles

In accordance with the provisions of Chapter 140 of the General Laws with amendments thereto the above named entity is hereby licensed to buy and sell second-hand motor vehicles at the above located premises described as follows:

Full service gas station and sale of second-hand motor vehicles.  
No more tha 9 vehicles to be displayed on premises. Compliance  
Bd. Of Appeals Special Permit #88-98

Valid from: April 22, 2019

Valid until: December 31, 2019

By order of The Falmouth Board of Selectmen

April 22, 2019

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



# Town of Falmouth

Department of Public Works - Engineering Division

416 Gifford Street, Falmouth, MA 02540  
Office: 508-457-2543, Fax: 508-548-1537

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: March 22, 2019

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

**Subject: Eversource – Petition to install 2 hand holes and 38'± of 1-4" underground conduit**

A petition was submitted by Eversource to install 2 hand holes and 38'± of 1-4" underground conduit under Hudson Street to provide service to #48 Hudson Street.

The Engineering recommendation is to approve the request as submitted on Plan No. 2311278, W/O #2311278, dated February 14, 2019.

***Eversource Reminder: All Street Openings require a permit obtained from the Engineering Office.***

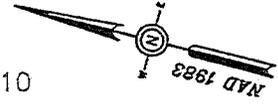
Thank you,

Nicholas Croft  
Engineering Technician  
DPW Engineering Division

#55

Plan to accompany petition of **EVERSOURCE ENERGY**  
to install 38'± of 4" conduit  
for new underground service at #48 Hudson St.

#47



### LEGEND

- ⊕ Proposed Hand Hole
- ⊕ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Proposed Pole
- Existing Pole
- ⊕ Pole with Riser
- Ⓜ Proposed Multitap
- Ⓜ Proposed Manhole

PARCEL ID: 46 00F 000 011  
49 HUDSON STREET  
N/F  
JOHANSON ALLAN R  
JOHANSON KARI G

PARCEL ID: 46 00F 000 010  
47 HUDSON STREET  
N/F  
MOODY TRUSTEE LAWRENCE J  
MOODY TRUSTEE JUDITH

APPROX. 285'± TO  
LAKE-LEAMAN ROAD

GRASS

GRASS

EDGE OF PAVEMENT

EDGE OF PAVEMENT

1-4" PVC CONDUIT LF=38'±

EVERSOURCE  
TO INSTALL  
HANDHOLE #H6

EDGE OF PAVEMENT

GRASS

## HUDSON ST

GRASS

PARCEL LINE

PARCEL LINE

PARCEL ID: 46 00G 000 022  
56 HUDSON STREET  
N/F  
MULLEN RICHARD J  
MULLEN LINDA R.

PARCEL ID: 46 00G 000 021  
52 HUDSON STREET  
N/F  
MACKEN JR TRUSTEE DAVID E  
MACKEN TRUSTEE KELLY E

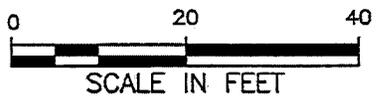
PARCEL ID: 46 00G 000 020  
48 HUDSON STREET  
N/F  
FODERA CIRO  
FODERA MARIA A

PARCEL LINE

PARCEL LINE

#52

#48



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR BY RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

### MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES  
BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	2311278
Ward #	
Work Order #	2311278
Surveyed by:	N/A
Research by:	PG
Plotted by:	BP
Proposed Structures:	GC
Approved:	A DEBENEDICTIS
P#	

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of HUDSON ST, FALMOUTH

Showing PROPOSED CONDUIT & HANDHOLE LOCATION

Scale	1"=20'	Date	FEBRUARY 14, 2019
SHEET	1 of 1		



50 Duchaine Blvd  
New Bedford, MA 02745

February 22, 2019

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

Select board:

Enclosed is a petition for **1** proposed conduit location(s) on **Hudson Street, Falmouth, Massachusetts.**

This proposed location(s) is required to accommodate new underground service. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval.

Very truly yours,

A handwritten signature in black ink that reads "Donna Rosa".

Donna Rosa  
Right-of-Way  
Representative

DR:dh  
Enclosures

**PETITION FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Falmouth, Massachusetts

**FEBRUARY 14, 2019**

To the Board of Selectmen of **Falmouth**, Massachusetts

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) requests permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:-

**HUDSON STREET, South of Lake-Leaman Road  
WO# 2311278**

**One (1) 4" Conduit**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed substantially in accordance with the plan filed herewith marked Plan No. **2311278**, Dated **FEBRUARY 14, 2019**.

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

By..........  
Right-of-Way Representative

**FORM OF ORDER FOR  
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

IN BOARD OF SELECTMEN FOR THE TOWN OF Falmouth, Massachusetts:

ORDERED:

Notice having been given and a public hearing held, as provided by law, the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company dated the 14 day of FEBRUARY, 2019.

All construction under this order shall be in accordance with the following conditions:-

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. **2311278**, Dated **FEBRUARY 14, 2019**, filed with said petition. The following are public ways or parts of ways under, along and across which the cables above referred to may be installed under this order:-

**HUDSON STREET, South of Lake-Leaman Road  
WO# 231278**

**One (1) 4" Conduit**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 22<sup>nd</sup> day of April, 2019.

\_\_\_\_\_  
Clerk of Selectmen.

\_\_\_\_\_  
Massachusetts \_\_\_\_\_, 2019.

Received and entered in the records of location orders of the Town of \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_.

Attest:

\_\_\_\_\_  
Town Clerk

(over)

We hereby certify that on March 21, 2019, at 2:00 o'clock, P M., at Falmouth a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) for permission to install and maintain underground cables, conduits, manholes and fixtures and described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate, (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

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Selectmen of the Town of **Falmouth**  
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and recorded with the records of location orders of said Town Book, \_\_\_\_\_ Page \_\_\_\_\_.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk.

exceptional efforts to clean up Bay State communities.

Nominations for this year's awards will be accepted at <https://keepmassbeautiful.org/news-events/massachusetts-cleancommunity-awards.html> until April 26. Awards will be presented at a gala May 16 at the NonProfit Center in Boston.

Meanwhile, state Rep. Randy Hunt, R-Sandwich, has refiled a bill (House No. 2881) in the Massachusetts House that seeks to add a 5-cent deposit on nip bottles. A companion bill (Senate No. 452S) has been filed in the Senate by Sen. Sal DiDomenico, D-Everett.

To support the bill: 1. Contact your state legislators. Visit [https:// malegislature.gov](https://malegislature.gov) to find your House and Senate legislators and to track the bill's progress.

2. Encourage your local Select Board or Town Council to issue a proclamation of support.

3. Visit [Change.org](https://change.org) and sign the petition posted by Keep Massachusetts Beautiful, a nonprofit group.

**Kraft trying hard to evade justice**



**Diane Davidson**

---

**From:** Gregg Fraser  
**Sent:** Thursday, April 04, 2019 11:48 AM  
**To:** Diane Davidson  
**Cc:** Julian Suso; Gregg Fraser  
**Subject:** Emailing: scan201904040018.pdf  
**Attachments:** scan201904040018.pdf

Hello Diane,

Attached is the Massworks Dredge application. All that is needed now is the BOS vote and I can complete and file it.

This is for a \$20,000 grant to dredge the Green Pond Channel. The town's 50% match has already been funded.

Thank you,  
Gregg

Your message is ready to be sent with the following file or link attachments:

scan201904040018.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

**Massachusetts Dredging Program**  
2019 GRANT APPLICATION

**Please Note:** Spell check is not available on this application due to the form's protected properties. Please review your responses for typos and spelling errors prior to submission. Applicants may wish to type answers in a separate Word document first, and copy and paste later.

**SECTION I. PROJECT SUMMARY**

1.1 Applicant Municipality (Public Entity): Town of Falmouth

1.2 Applicant CEO Name and Title: Julian Suso, Town Manager

1.3 Legal Address: 59 Town Hall Square

1.4 City: Falmouth      1.5 State: MA      1.6 Zip Code: 02540

1.7 Applicant Contact Name and Title: Gregg Fraser, Harbormaster

1.8 Contact Email: gregg.fraser@falmouthma.gov

1.9 Contact Phone: 508-457-2550

1.10 Project Name: Green Pond Channel

1.11 Is this a joint application between two or more municipalities?  
 Yes       No

1.12 If yes, please list the additional municipalities participating in this application. In addition, please attach a statement of collaboration from each of these municipalities.

Click here to enter text.

1.13 Please choose the category that best matches the project's *principal goal*:

- Commercial Fishing/Boating
- Recreational Boating
- Public Safety
- Coastal Resiliency

1.14 Please indicate what other program goals, if any, are supported by the project: (Check all that apply.)

- Commercial Fishing/Boating
- Recreational Boating
- Public Safety
- Coastal Resiliency

1.15 Please provide a brief description of the project (150 words or less).

The Barnstable County dredge will be utilized to dredge the inlet and interior channel. (16) The disposal area is permitted for west of the inlet on the Acapesket Improvement Association Beach (17) or Pyne Trustees Beach (26).

**SECTION II. HARBOR INFORMATION**

2.1 Harbor Name – Please provide the name of the harbor associated with the project:

Green Pond , East Falmouth

2.2 Does the project support a Designated Port Area (DPA)?

Yes       No

2.3 If yes, please provide the name of the DPA:

Click here to enter text.

2.4 Please provide current counts for the following facilities, infrastructure, and associated jobs. Information should be specific to the harbor named above. Applicants are expected to be as accurate as possible.

Type of Facility/Infrastructure	No. Publicly Owned	No. Privately Owned	Total (Public + Private)	No. of Jobs
Moorings (All)	15	161	176	N/A
Commercial-Use Moorings only	15		15	N/A
Transient/Visitor-Use Moorings only				N/A
Slips (All)	92	4	96	N/A
Commercial-Use Slips only				N/A
Transient/Visitor-Use Slips only				N/A
Landings/Wharfs		1		N/A
Piers		1	1	N/A
Boat Ramps	1	1	2	N/A
Marinas		2	2	10
Boatyards	0	1	1	5
Yacht Clubs		1	1	2
Other:				
Other:				
Other:				

2.5 Please indicate which, if any, of the following land uses are present along the harbor's waterfront.

Developed Waterfront Characteristic / Growth Strategy	
Public beach	<input type="checkbox"/>
Park/Trail	<input type="checkbox"/>
Maritime center/museum or similar	<input type="checkbox"/>
Downtown center	<input type="checkbox"/>
Retail/Restaurant business area	<input type="checkbox"/>
Mixed-use zoning	<input type="checkbox"/>
Commercial zoning by-right	<input type="checkbox"/>

**SECTION III. PROJECT DESCRIPTION**

3.1 Please provide the following details for the project: (Type "N/A" if not applicable.)

Dredging Method (hydraulic, mechanical, etc.)	Hydraulic
Anticipated Dredge Volume (cubic yards)	4000
Anticipated Dredge Footprint (square feet)	28000
Anticipated Beach Nourishment Footprint (square feet)	
Authorized Depth (MLW)	-6
Dredge Depth to be Achieved by Project (MLW)	-6
Over Dredge Depth (MLW)	-7

3.2 Has the Public Entity received a dredging grant from the Commonwealth in the last five fiscal years, including the current fiscal year?

Yes       No

3.3 Project Site – Please briefly describe the area(s) to be dredged and the disposal/nourishment area(s) to be used.

Eel River Extension & Falmouth Inner Harbor

3.4 Has the Project Site been dredged in the last five years, including the current fiscal year?

Yes       No

3.5 Please describe when the Project Site was last dredged and how the work was financed. This question is **required** for all applicants, regardless of when the Project Site was last dredged.

Eel River Extension 2017, Falmouth Inner Harbor 2013

3.6 Please indicate the allowable dredging/construction period for the project.

July 1 through January 14th annually

3.7 Will dredging occur entirely within public tidelands?

Yes       No

3.8 If no, please describe the ownership situation and how the Public Entity will obtain rights to complete the project in the upcoming dredging/construction season?

Click here to enter text.

3.9 Project Need, Scope, and Benefits – Please describe the need for the project, the scope of work to be completed, and the benefits to be generated. Please include in this description the extent to which shoaling has reduced the available depth (MLW) in the Project Site.

The Green Pond Inlet and channel areas are dredged frequently due to annual and storm related shoaling that occurs there. Green Pond has a fairly large number of larger power boats and deep draft sailboats on private moorings and in town and private slips. Without the town dredging, many of these boats would not be able to safely navigate in and out of the harbor. Shoaling typically creates depths between 2.5-4 feet in a channel that is supposed to be -6 MLW.

3.10 In the table below, please indicate if the project meets or exceeds any of the thresholds for MEPA review set forth in 301 CMR 11.03. In addition, please indicate if an ENF and/or EIR is required.

MEPA Threshold		ENF Required?	EIR Required?
<input type="checkbox"/>	Land	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	State-listed endangered or threatened species or species of special concern	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Wetlands, waterways, and tidelands	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Water	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Wastewater	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Transportation	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Energy	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Air	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Solid and hazardous waste	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Historical and archaeological resources	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Areas of critical environmental concern (ACEC)	<input type="checkbox"/>	<input type="checkbox"/>

3.11 Have all required ENFs and/or EIRs been filed for the project?

- Yes       No       N/A

3.12 In the table below, please indicate which permits are required for the project, whether these permits have been secured, and if not secured, when the Public Entity expects to secure them.

Required Permit	Secured?	Filing Date (Actual or Anticipated)	Issue Date (Actual or Anticipated)
<input checked="" type="checkbox"/> Local Order of Conditions	<input checked="" type="checkbox"/>		2/23/17
<input type="checkbox"/> MEPA – EEA Secretary's Certificate	<input type="checkbox"/>		

<input type="checkbox"/>	DEP Superseding Order of Conditions	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	DEP Chapter 91 Waterways	<input checked="" type="checkbox"/>		8/2/12
<input checked="" type="checkbox"/>	DEP 401 Water Quality Certification	<input checked="" type="checkbox"/>		4/26/12
<input type="checkbox"/>	DEP Water Management Act	<input type="checkbox"/>		
<input type="checkbox"/>	Board of Underwater Archaeological Resources Review	<input type="checkbox"/>		
<input type="checkbox"/>	CZM Federal Consistency Review	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Army Corps of Engineers Section 10 / 404	<input checked="" type="checkbox"/>		4/28/14
<input type="checkbox"/>	Other:	<input type="checkbox"/>		
<input type="checkbox"/>	Other:	<input type="checkbox"/>		
<input type="checkbox"/>	Other:	<input type="checkbox"/>		

3.13 Please attach all *issued* permits from 3.12 above. Please include all plans or drawings associated with these permits.

3.14 Please provide an anticipated project schedule/timeline.

Milestone	Start Date	End Date
Design/Engineering		complete
Permitting		complete
Bidding/Contracting		n/a
Start Dredging	Oct/Nov 2019	N/A
25% Dredged	N/A	
50% Dredged	N/A	
75% Dredged	N/A	
Dredging Complete	N/A	
Post-Dredge Survey		

**SECTION IV. BUDGET AND FUNDING SOURCES**

4.1 Please provide a breakdown of the project budget. Please note the following:

- The total grant request cannot exceed 50% of the total project budget.
- All match funds must originate from non-state sources.
- Match funds cannot include pre-construction costs incurred *prior* to the last three fiscal years, including the current fiscal year.
- If awarded a grant, the Public Entity will be required to provide proof that all match funds have been secured and/or spent.

Spending Category	Grant Request	Match Funds	Budget = Grant Request + Match Funds	Source of Match Funds Specify Municipal, Federal, and/or Private.	Date Secured Use Actual or Anticipated.
Surveying/Testing	N/A				
Design/Engineering	N/A				
Permitting	N/A				
Bidding/Contracting					
Mobilization					
Dredging	20000	20000	40000	01-295-6023	11/2016
Material Management					
Construction Admin.					
Other:					
Other:					
Other:					
<b>TOTALS</b>	20000	20000	40000		

4.2 All grants require a non-state match equal at least 50% of the total project budget. Is this match currently secured?  
 Yes       No

4.3 Briefly describe the source(s) of the non-state match. Please indicate who appropriated, awarded, or donated these funds and when. If the match is not yet secured, please describe the anticipated source(s) of the funds and the anticipated timeframe for securing them.

Town meeting article 20, November 2016

**SECTION V. SUPPORTING THE BLUE ECONOMY**

**COMMERCIAL FISHING/BOATING**

5.1 Does the harbor support commercial fishing? (Do *not* include aquaculture in this questions.)  
 Yes       No

5.2 If yes, please describe the harbor's commercial fishing operations. If available, please provide landing information (species, pounds, value, etc.).

Boat ramp is used by commercial shellfishermen and rod & reel permit holders. (Office of Fishing and Boating ramp)

5.3 Does the harbor support aquaculture?  
 Yes       No

5.4 If yes, please describe the harbor's aquaculture operations. If available, please provide acreage and landing information (species, pieces, value, etc.).

Town upweller and Green Pond is one of two contaminated oyster relay locations that support the towns municipal propagation program. Oysters are relayed into the pond for later harvest.

5.5 Does the harbor support commercial boating (charter boats, shipping vessels, cruise boats, etc.)?  
 Yes       No

5.6 If yes, please describe the harbor's existing commercial boating activities.

Click here to enter text.

5.7 Please provide current vessel counts, draft ranges, and job estimates for the following types of commercial vessels operating in the harbor. Information should be specific to the project harbor only. Applicants are expected to be as accurate as possible.

Type of Commercial Vessel	No. Operating in Harbor	Draft Range (ft.)	No. of Jobs
Commercial Fishing Boats ( <i>excluding</i> charter/head boats)	15	1-3	20
For-Hire Fishing Boats (charter boats, head boats, etc.)			
Tour Boats (harbor cruises, whale watches, etc.)			
Ferries			
Other:			
Other:			
Other:			

5.8 Will the project improve conditions and/or enhance opportunities for commercial fishing/boating?

Yes       No

5.9 If yes, please explain. Applicants should consider the barriers currently facing commercial fishing/boating in the harbor and how these barriers will be mitigated or removed as a result of the project.

The commercial fishing vessels using the harbor are typically shallow draft. However, Green Pond Marina has numerous larger draft vessels that fish offshore for Tuna species. Those vessels would not be able to safely transient the channel without town dredging.

**RECREATIONAL BOATING**

5.10 Does the project support access to a state boat ramp?

Yes       No

5.11 Does the project support access to a municipal boat ramp?

Yes       No

5.12 If "yes" was answered for either 5.10 or 5.11 above, please describe the number of public parking spaces available at the ramp(s). In addition, please specify what number of these spaces currently accommodate boat trailer parking. *Please Note: In this context, public parking is defined as parking for the general public, whether free of charge or by permit/pay-for-use. Do NOT count parking spaces reserved for residents only.*

Green Pond Boat Ramp, 15 trailer spots, 5 vehicle only spots and one handicap spot. Parking is free first come first serve.

5.13 Will the project support an increase in the number of moorings or slips in the harbor?

Yes       No

5.14 If yes, please describe how many moorings and/or slips will be added and where. In addition, please indicate whether these new moorings and/or slips will be publicly or privately owned.

Click here to enter text.

5.15 Will the project support an increase in the number of *transient/visitor* moorings or slips in the harbor?

Yes       No

5.16 If yes, please describe how many of these moorings and/or slips will be added and where. In addition, please indicate whether these new moorings and/or slips will be publicly or privately owned.

Click here to enter text.

5.17 Will the project support the revitalization or sustainability of a downtown, community, or recreational waterfront in the harbor?

Yes       No

5.18 If yes, please explain. Please include a summary of existing businesses associated with the waterfront (shops, restaurants, hotels, etc.) as well as any public spaces (beaches, parks, trails, etc.).

Click here to enter text.

**PUBLIC SAFETY**

5.19 Has shoaling resulted in one or more boating incidents in the harbor?

- Yes       No

5.20 If yes, please explain the number, timing, and nature of any incidents. In addition, please explain how the project will prevent such incidents from occurring in the future.

Several Sailboats have grounded within the channel

5.21 If no incidents have occurred *but are likely to occur* given existing conditions, please use this space to explain the existing risks and how these risks will be addressed by the project. Skip this question if 5.20 is answered above.

Click here to enter text.

5.22 Will the project increase public safety responsiveness in the harbor?

- Yes       No

5.23 If yes, please explain. If available, please include examples of how shoaling in the harbor has prevented public safety officers from responding to boating incidents or other harbor-related incidents in a timely and effective manner.

Click here to enter text.

5.24 Please provide current vessel counts and draft ranges for the following types of public safety vessels that commonly operate in the harbor. Information should be specific to the project harbor only. Applicants are expected to be as accurate as possible.

Type of Public Safety Vessel	No. Operating in Harbor	Draft Range (ft.)
Harbormaster Boats	0	
Fire Boats	0	
Police Boats (if different from harbormaster boats)	0	
MA Environmental Police Boats	0	
U.S. Coast Guard Boats	0	
Other:		
Other:		
Other:		

**COASTAL RESILIENCY**

5.25 Does the project include beach nourishment?

Yes       No

5.26 If yes, please describe the benefits that this nourishment will provide.

Beach renourishment will enhance the popular Acapesket Improvement Association Beach to the west of the inlet

5.27 Will the project enhance wetland resources in the harbor?

Yes       No

5.28 If yes, please explain.

Click here to enter text.

5.29 If applicable, please explain how the project will improve water quality and what benefits this improvement will have on the community's coastal resources.

Restricted water flow could adversely affect the "flushing" of any of Falmouth's south facing inlets.

5.30 Is the harbor included on the Massachusetts Department of Environmental Protection's 303(d) list of impaired water bodies?

Yes       No

5.31 Has the Public Entity been designated an MVP community through the Commonwealth's Municipal Vulnerability Preparedness (MVP) Program?

Yes       No

5.32 If yes, will the project advance a goal or objective identified in the Public Entity's MVP Plan?

Yes       No

5.33 If yes, please explain.

Click here to enter text.

**SECTION VI. PREPARING FOR SUCCESS**

6.1 Does the Public Entity have a 10-year comprehensive permit for dredging and dredged material disposal?  
 Yes       No

6.2 If yes, when does the permit expire?

April 2022

6.3 Does the Public Entity have any local or state-approved plan that identifies dredging as a goal or objective? Examples may include a coastal resources management plan, a waterfront revitalization plan, a dredging maintenance plan, or a Municipal Harbor Plan (HMP) or DPA Master Plan.

Yes       No

6.4 If yes, please provide both the plan name and a URL link to access the document.

Click here to enter text.

6.5 Will the project directly support an increase in either harbor-dependent jobs or commercial vessels operating in the harbor?

Yes       No

6.6 If yes, please attach supporting letters of commitment from private partners. Please use the table below to summarize the number of jobs or vessels to be added based on these letters.

Number of full-time jobs to be created:	
Number of part-time jobs to be created:	
Number of commercial vessels to be added:	

6.7 Will the project support "piggyback dredging" or subsequent dredging projects undertaken by private parties for commercial or recreational purposes?

Yes       No

6.8 If yes, please attach supporting letters of commitment from private partners.

6.9 Does the Public Entity have a municipal waterways fund that supports dredging activities?

Yes       No

6.10 If yes, please explain all sources of revenue for this fund (launch fees, mooring fees, boat excise tax revenue, annual appropriations, etc.).

100% of the mooring fees and 50% of the Vessel Excise Tax fees

6.11 Please provide information regarding any additional municipal funds dedicated to harbor or waterway activities. Examples may include a harbor fund or enterprise fund. Type "N/A" if not applicable.

n/a

6.12 Please provide totals from the previous two fiscal years (July 1 to June 30) related to the following types/sources of revenue. Totals should reflect revenue from all harbors and waterways within the municipality.

Type/Source of Revenue	FY17 Total 07/01/16 to 06/30/17	FY18 Total 07/01/17 to 06/30/18
Moorings	265000	270000
Slips	480000	495000
Launches		
Boat Excise Tax	20000	210000
Waterways User Fee		
Other:		
Other:		
Other:		

6.13 Please provide the Public Entity's current schedule of fees related to harbor and waterway activities. Applicants can either type the fee schedule below, provide a URL link for the fee schedule, or indicate "See attached" and submit the fee schedule as an attachment to this application.

See attached

6.14 Has the Public Entity increased any of its harbor/waterways fees in the last five fiscal years, including the current fiscal year?  
 Yes       No       N/A

6.15 If yes, please briefly describe the increase(s).

Wharfage fees increased for 2019 \$2.00/foot, transient wharfage fees increased .50/foot in June and Sept.

6.16 Please describe how the Public Entity, if awarded funding, will plan for future maintenance dredging. As part of your answer, please specify the life expectancy of the proposed project (i.e., when will the Project Site next require maintenance dredging).

Town meeting annually appropriates dredging money in the November Annual Town meeting as a capital expenditure.

**SECTION VII. CERTIFICATION OF AUTHORIZATION**

7.1 Preparer Name and Title – Please provide the name and title of the person preparing and submitting this application:

Gregg Fraser - Harbormaster

7.2 Does the Public Entity require a vote of an executive body to authorize the submission of this application?  
 Yes       No

7.3 If yes, please attach a certified copy of this vote.

7.4 If no, is the Preparer authorized to submit this application on behalf of the Public Entity, either by virtue of an executive position (CEO, CFO, etc.) or as a designee of an executive officer?  
 Yes       No

7.5 Certification:

By dating and submitting this application, the Preparer (see 7.1 above) certifies that he/she is duly authorized to submit this application on behalf of the Public Entity. He/she further acknowledges that the information provided herein will be relied upon by the Commonwealth to decide whether to award a capital grant and that the Commonwealth reserves the rights to take action against the Public Entity or any other beneficiary of such a grant if any of the information provided is inaccurate, misleading, or false.

The Preparer hereby certifies under the pains and penalties of perjury that the answers submitted in this application, and any attachments submitted in support thereof, are true, accurate, and complete.

Date of Submission: \_\_\_\_\_

[No Signature Required]



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

April 28, 2014

Regulatory Division  
CENAE-R-  
NAE-2010-145

Greg Fraser  
Harbormaster  
Town of Falmouth  
180 Scranton Avenue  
Falmouth, Massachusetts 02540

Dear Mr. Fraser:

In accordance with your request, the Department of the Army permit number NAE-2010-145, issued on December 27, 2012, that authorized annual dredging and beach nourishment in Falmouth, Massachusetts is hereby modified. This amendment is to dredge two new sites, approximately 28,000 square feet in Green Pond Channel to -6 feet mean low water (MLW) with beach nourishment on Acapesket Association Beach and Pyne Trustees Beach. Additionally, about 50,000 square feet of dredging is authorized in Waquoit Channel to -5 feet MLW with beach nourishment on South Cape Beach in Mashpee. This work is located in the town of Falmouth and Mashpee, and is described on the enclosed plans entitled "TOWN OF FALMOUTH COMPREHENSIVE PERMIT FOR DREDGING & BEACH NOURISHMENT" on 7 sheets, and dated "11-9-11" and sheets 2, 4, and 5 revised on "8/12/13" and "4-17-13".

The conditions of the original permit remain in full force and effect.

In addition we add the following special conditions:

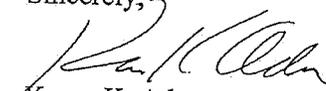
1. The attached spill/storm notification form will be submitted within 30 days of any incident that involves the spill of contaminants that may affect the sediment in any of the dredge areas; or a storm event that may have substantially changed the beach structure as described in the Corps permit. These forms will be sent to the U.S. Army Corps of Engineers, New England District, Marine Analysis Section, 696 Virginia Road, Concord, MA 01742.
2. There shall be no dredging in Waquoit Bay between January 15 and June 30 of any year to avoid impacts to winter flounder sensitive life stages, and anadromous fish spawning and migration.
3. There shall be no dredging in Green Pond Channel between January 15 to June 15 of any year to avoid impacts to winter flounder sensitive life stages, and anadromous fish spawning and migration.

Also, this authorization requires that you notify us before beginning the work and that you allow us to inspect the project. Thus, you must complete and return the Work Start Notification Form prior to each dredging event as required by condition #5.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

If you have any questions, please contact John Sargent of my staff at (978) 318-8026.

Sincerely,

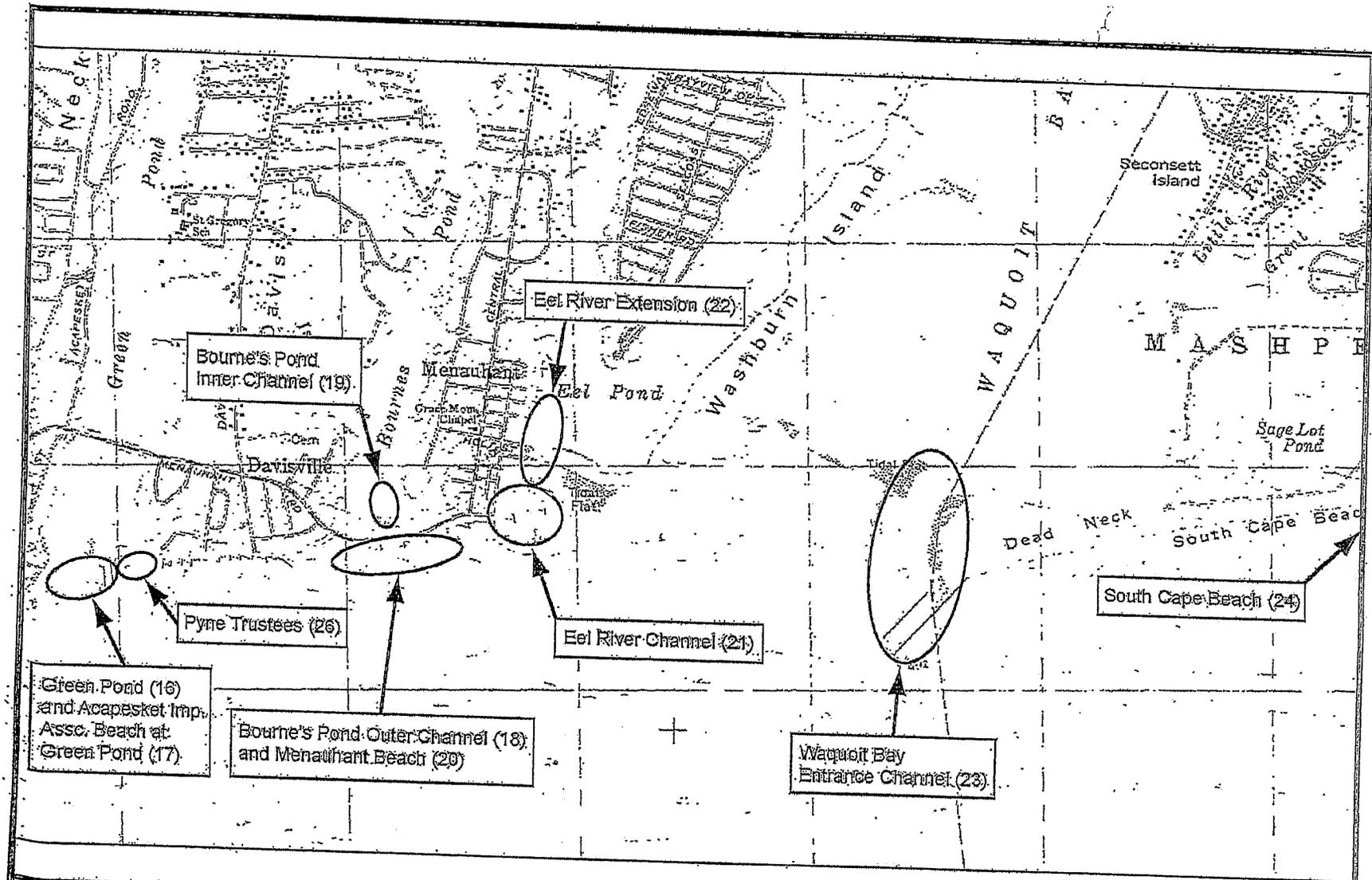


Karen K. Adams  
Chief, Permits and Enforcement Branch  
Regulatory Division

Enclosure

cc:

Lynn Fraker, Town of Falmouth, 180 Scranton Avenue, Falmouth, Massachusetts 02540,  
[captlynn@yahoo.com](mailto:captlynn@yahoo.com)  
Ed Reiner, U.S. EPA, Region 1, Boston, Massachusetts, [reiner.ed@epa.gov](mailto:reiner.ed@epa.gov)  
Robert Boeri, Coastal Zone Management, Boston, Massachusetts, [Robert.Boeri@state.ma.us](mailto:Robert.Boeri@state.ma.us)  
Louis Chiarella, Assistant Regional Administrator for Habitat Conservation, National Marine  
Fisheries Service, [lou.chiarella@noaa.gov](mailto:lou.chiarella@noaa.gov)  
Elizabeth F. Kouloheras, DEP SERO, Wetlands and Waterways, Lakeville, Massachusetts, c/o  
[lisa.ramos@state.ma.us](mailto:lisa.ramos@state.ma.us) (DEP File No.X238551)  
Marck Kasprzyk, Town of Falmouth Conservation Commission, [concom@falmouthmas.us](mailto:concom@falmouthmas.us)



  
**WOODS HOLE GROUP**  
 87 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536  
 TELEPHONE: (508) 540-8099 FAX: (508) 540-1001  
 Vineyard Sound East Locs.dwg

Town of Falmouth  
 Comprehensive Permit for  
 Dredging & Beach Nourishment  
 Locs: Vineyard Sound East

APPLICATION BY:  
 TOWN OF FALMOUTH  
 TOWN: FALMOUTH  
 COUNTY: BARNSTABLE  
 STATE: MA

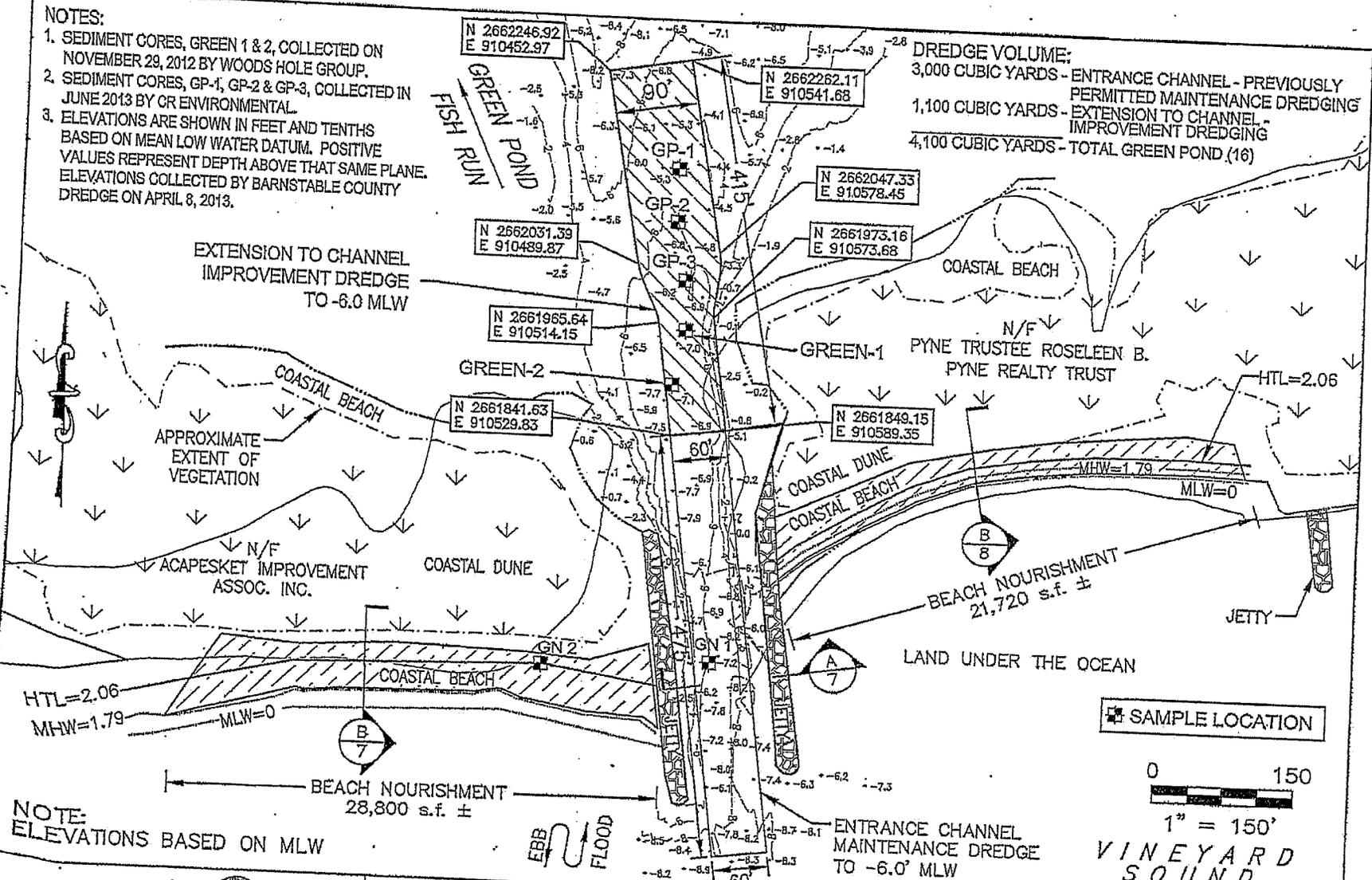
SHEET 1 OF 7  
 DATE: 11-9-11  
 REVISED:

**NOTES:**

1. SEDIMENT CORES, GREEN 1 & 2, COLLECTED ON NOVEMBER 29, 2012 BY WOODS HOLE GROUP.
2. SEDIMENT CORES, GP-1, GP-2 & GP-3, COLLECTED IN JUNE 2013 BY CR ENVIRONMENTAL.
3. ELEVATIONS ARE SHOWN IN FEET AND TENTHS BASED ON MEAN LOW WATER DATUM. POSITIVE VALUES REPRESENT DEPTH ABOVE THAT SAME PLANE. ELEVATIONS COLLECTED BY BARNSTABLE COUNTY DREDGE ON APRIL 8, 2013.

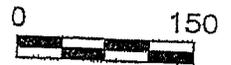
**DREDGE VOLUME:**

- 3,000 CUBIC YARDS - ENTRANCE CHANNEL - PREVIOUSLY PERMITTED MAINTENANCE DREDGING
- 1,100 CUBIC YARDS - EXTENSION TO CHANNEL - IMPROVEMENT DREDGING
- 4,100 CUBIC YARDS - TOTAL GREEN POND (16)



**NOTE:**  
ELEVATIONS BASED ON MLW

☒ SAMPLE LOCATION



1" = 150'  
**VINEYARD SOUND**

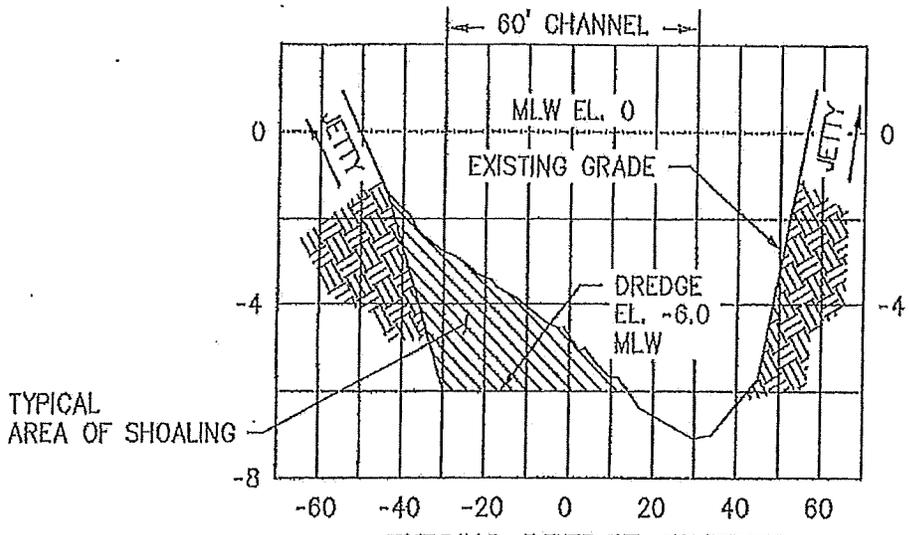


81 TECHNOLOGY PARK DRIVE EAST FALMOUTH, MA 02536  
TELEPHONE: (508) 540-8080 FAX: (508) 540-1001

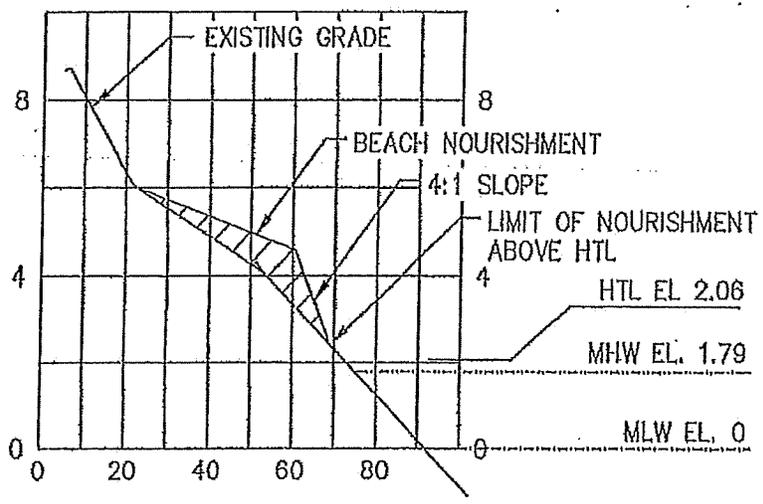
**TITLE:**  
Revised Green Pond (16) Dredging  
Acapesket Assoc. Beach (17)  
Pyne Trustees Beach (26)  
Nourishment

**APPLICATION BY:**  
TOWN OF FALMOUTH  
**TOWN:** FALMOUTH  
**COUNTY:** BARNSTABLE  
**STATE:** MA

**SHEET 2 OF 7**  
**DATE:** 11/9/11  
**REVISED:** 8/12/13



**(A)**  
**7**  
**TYPICAL DREDGE SECTION**  
 HORIZONTAL SCALE: 1" = 40'  
 VERTICAL SCALE: 1" = 4'



**(B)**  
**7**  
**TYPICAL BEACH NOURISHMENT SECTION**  
 HORIZONTAL SCALE: 1" = 40'  
 VERTICAL SCALE: 1" = 4'

NOTE:  
 ELEVATIONS BASED ON MLW

 <small>61 TECHNOLOGY PARK DRIVE, EAST FALMOUTH, MA 02539          TELEPHONE: (508) 510-9232 FAX: (508) 510-1001</small>	<b>TITLE:</b> Green Pond (16) Acapesket Assc. Beach (20) <i>Typical Sections</i>	<b>APPLICATION BY:</b> TOWN OF FALMOUTH	SHEET 3 OF 7
		<b>TOWN:</b> FALMOUTH <b>COUNTY:</b> BARNSTABLE <b>STATE:</b> MA	DATE: 11-9-11 REVISED:

Amendment July 2018



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

July 30, 2018

Raymond Jack  
Falmouth Department of Public Works  
416 Gilford Street  
Falmouth, MA 02540

Re: **401 WATER QUALITY CERTIFICATION – Amendment 7**  
Application for BRP WW 07, Major project dredging Comprehensive

At: various waterways, harbors, salt pond, FALMOUTH and MASHPEE

401 WQC Transmittal No: X238551  
Chapter 91 Permit No: 13266  
Wetlands File No: SE 025-4278  
ACoE Application No:

Dear Mr. Jack:

The Department has reviewed your amendment request for the Falmouth Comprehensive 401 Water Quality Certification (WQC) as referenced above from your consultant, GHD Inc. The request is to include a newly created area (Land under Ocean) as a result of widening the entrance channel of Bourne Pond and expanded area of the inner channel as part of the Menauhant Road Bridge replacement (see attached plan).

In accordance with the provisions of Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 *et seq.*), MGL c.21, §§ 26-53, and 314 CMR 9.00, it has been determined there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law.

This letter serves as Amendment 7 of the 401 Water Quality Certification, DEP Transmittal No X238551 and Chapter 91 Permit No: 13266. All other conditions of the Chapter 91 Permit and Water Quality Certification remain in effect. Failure to comply with the Project's certification is grounds for enforcement, including civil and criminal penalties, under MGL c21 §42, 314 CMR 9.00, MGL c.91, 310 CMR 9.00, MGL c.21A §16, 310 CMR 5.00, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.  
TTY# MassRelay Service 1-800-439-2370  
MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

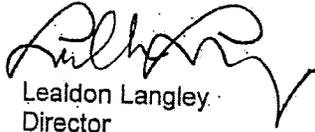
Printed on Recycled Paper

401 Water Quality Certification, Amendment 7, Town of Falmouth Comprehensive WQC for dredging and nourishment  
performed at various locations  
Chapter 91 Permit No. 13266

WQC Transmittal No: X 238551  
Page 2 of 4

If you have questions on this decision, please contact Ken Chin at 617-348-4084.

Sincerely,



Lealdon Langley  
Director  
Wetlands and Wastewater Program

Ccc:

Barbara Newman, Regulatory/Enforcement Division, U.S. Army Corps of Engineers, 696 Virginia Road,  
Concord, MA 01742-2751  
Robert Boeri, CZM, 251 Causeway Street, Suite 800, Boston, MA 02114  
Eileen Feeney, DMF, 1213 Purchase St., 3<sup>rd</sup> floor, New Bedford; MA 02740-6694  
Michael Stroman, DEP Boston Office  
David Hill, Jim Mahala, DEP SERO  
Falmouth Conservation Commission, 59 Town Hall Square, Falmouth, MA 02540  
Jefferson Gregg, GHD Inc., 1545 Lyannough Road, Hyannis, MA 02601

## Appendix

### Summary of Previous Issued Amendments

Amendment No. 6: Extend the term of the comprehensive 401 WQC to April 26, 2022.

Amendment No. 5: To include 802 feet of Eel River Channel from Station 15+80 to 23+82 of improvement dredging. The estimated dredge volume is 1,700 yd<sup>3</sup> to a depth of -4 feet Mean Low Water (MLW). The dredged material will be beneficially reused as beach nourishment material at the Washburn Island's outer beach and Nantucket Sound-facing shoreline, at the request of the Waquoit Bay National Estuarine Research Center (WBNERR), a facility of the Division of Parks and Forests, Department of Conservation and Recreation (DCR). Time-of-Year (TOY) restrictions are listed in Table 5.

Amendment No. 4: Allow additional 50 feet of dredging to the outlet channel of Little Pond. The estimated dredge volume is 37 yd<sup>3</sup>. The dredged material will be beneficially reused for beach nourishment at Bristol Beach or other locations authorized under this Certification.

Amendment No. 3: Additional 415 feet of dredging from the entrance channel into Green Pond (i.e. embayment) is allowed. The estimated dredge volume is approximately 1100 yd<sup>3</sup>. Five samples were collected for gradation analysis and the results showed that the sediment samples contained less than 0.4 percent of particles passing the 200 sieve. The dredged material will be used as nourishment material above the High Tide Line (HLT) on Acapesket Association Beach (17) or Pyne Trustees Beach (25).

Amendment No. 2: Table 5 - Summary of Key Species and Required Time-of-Year (TOY) Restrictions

Project Site	Dredge/ Fill	Winter Flounder 1/15 to 5/31	Diadromous Alewife 4/1-6/15 Blueback 4/1- 6/30 Perch 4/1-6/15	Horseshoe Crab Dredge 5/1- 6/30 Fill 5/1-7/31	Shorebirds 4/1-8/31	Combined TOY
Green Pond (16)	D	Yes	Alewife	Yes	No	1/15-6/30
Bourne's Pond - Outer Channel (18)	D	No	No	Yes	Yes	4/1-8/31
Eel River Entrance Channel (21)	D	No	No	Yes	Yes	4/1-8/31
Eel River Extension (27) Sta 3+80 to 8+87	D	No	No	Yes	Yes	4/1-8/31
Eel River Extension (22)(27) Sta 8+87 to 15+80	D	Yes	Alewife, White Perch	Yes	Yes	1/15-8/31

Amendment No. 1: One time TOY incursion for Inlet Channel to Great Pond (14), Green Pond (16) & Falmouth Inner Harbor (8) and Eel River Approach & Inlet Channel (21, 22, 27).



HEREBY CERTIFY THAT THESE PLANS WERE PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

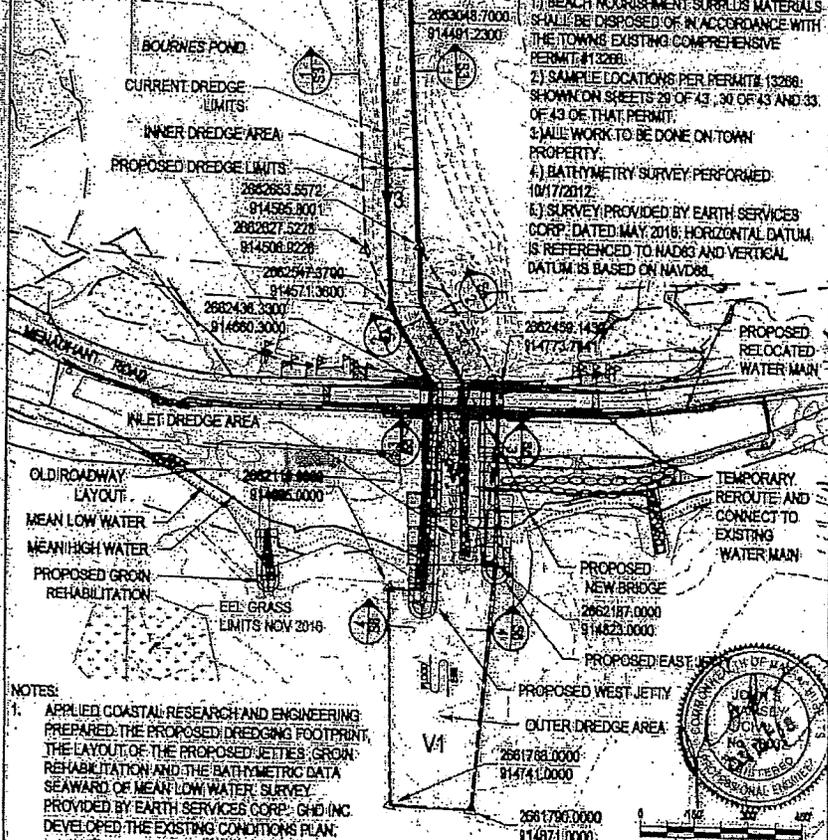
**PERMIT NO. 13266**  
 Approved by Department of Environmental Protection  
 Date: July 30, 2018

*J. G. King*  
 03/16/18  
*M. J. Smith*  
 3/17/18

DATE

EXISTING STATE DREDGING AND BEACH NOURISHMENT PERMITS - CHAPTER 91 PERMIT # 13266 DEP. WOC. 174074000 DEP. WOC. 174231607

DREDGE VOLUMES			
FOOT	BLANK	7.500	75.250
DREDGE VOL (CU YD)	2,268	4,500	4,230



NOTES:  
 1) BEACH NOURISHMENT SURPLUS MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE TOWN'S EXISTING COMPREHENSIVE PERMIT #13266.  
 2) SAMPLE LOCATIONS PER PERMIT #13266 SHOWN ON SHEETS 29 OF 43, 30 OF 43 AND 33 OF 43 OF THAT PERMIT.  
 3) ALL WORK TO BE DONE ON TOWN PROPERTY.  
 4) BATHYMETRY SURVEY PERFORMED 10/17/2012.  
 5) SURVEY PROVIDED BY EARTH SERVICES CORP. DATED MAY 2018. HORIZONTAL DATUM IS REFERENCED TO NAD83 AND VERTICAL DATUM IS BASED ON NAVD83.

NOTES:  
 1. APPLIED COASTAL RESEARCH AND ENGINEERING PREPARED THE PROPOSED DREDGING FOOTPRINT, THE LAYOUT OF THE PROPOSED JETTIES, GROW REHABILITATION AND THE BATHYMETRIC DATA SEAWARD OF MEAN LOW WATER. SURVEY PROVIDED BY EARTH SERVICES CORP. GHD INC. DEVELOPED THE EXISTING CONDITIONS PLAN.



**DREDGE PLAN**  
 SCALE 1"=300'

EXISTING PERMIT DREDGE VOL = 5,200 CU YD  
 PROPOSED PERMIT DREDGE VOL = 11,000 CU YD  
 TOTAL ADDITIONAL DREDGE VOL = 5,800 CU YD

GHD LATEST REVISION: 09/17/17 PERMITS WATERWAYS PERMIT PLANS ACCORDING TO PETITION OF TOWN OF EASTMOUTH, MASSACHUSETTS, MENEMHANT ROAD BRIDGE REPLACEMENT PROJECT

**BETA** 115 Pleasant Park South, Suite 100, Easton, MA 01924, Tel: 508-833-1100, Fax: 508-833-1101

DATE: 09/17/17 SHEET: 2 OF 17



**MARINE AND ENVIRONMENTAL SERVICES DEPARTMENT  
ANIMAL CONTROL**

Pick-up Fee	\$25.00
Pick-up Fee, subsequent time in same calendar year	\$35.00
Care and Custody Fee	\$15.00
Care and Custody Fee, subsequent time in same calendar year	\$25.00
No. I.D. Tag or Microchip Identifying Owner	\$5.00
Dead Animal Disposal, Up to 49 Lbs.	\$25.00
Dead Animal Disposal, 50 Lbs. and Over	\$50.00

**MARINE AND ENVIRONMENTAL SERVICES DEPARTMENT  
HARBOR MASTER / WATERWAYS**

MOORINGS

Private (minimum fee \$100.00)	\$45.00 +2.00/ft.
Commercial Yacht Club	\$140.00
Commercial / Boatyard	\$225.00
Demand / Late Fee	\$50.00
Mooring Tackle Removal Fee	\$100.00
Permit Reinstatement	\$50.00
Wait list application fee*	\$10.00
Wait list renewal fee, deadline March 15 <sup>th</sup> *	\$10.00
(*See chapter 269-3A (3) & (6))	
Mooring Permit Transfer/Change Fee	\$100.00

SLIPS / WHARFAGE

Transient Slips (per day rates):

(July & August: Nights 1-14 regular rate, 15-22 double rate, 23 plus triple rate)

(July & August: maximum stay is 30 nights)

(30 foot minimum shall apply in July & August)

April & May	\$1.00/ft
June	\$1.50/ft
July 1 <sup>st</sup> to August 31 <sup>st</sup>	
Less than 71'	\$3.00/ft.
72' to 99'	\$3.50/ft.
100' or larger	\$5.00/ft.
September	1.50/ft
Oct & Nov	\$1.00/ft
Transient processing transaction fee	\$3.50/each
Power Charges (for transient)	
30 amp cord/110V	\$20.00/day
50 amp cord/220V	\$40.00/day
100 amp cord	\$90.00/day

Seasonal Slips (April 15<sup>th</sup> to Nov. 15<sup>th</sup>)

Wait list application fee\* \$10.00  
 Wait list renewal fee, deadline March 15<sup>th</sup>\* \$10.00  
 (\*See chapter 231-6)

Main Marina & Davis Floating Dock Section:

Resident \$157.00/ft.  
 Non-Resident \$180.00/ft.

Charter Boat Section:

Resident \$157.00/ft.  
 Non-Resident \$180.00/ft.  
 R23 & R24 10% discount

Green Pond:

Resident  
 Non-Resident \$143.00/ft.  
 (No parking space provided) \$164.00/ft.

Power Charges (Seasonal Slips All Areas):

30 amp/110V (Less than 30') \$100.00 for the season  
 30 amp/110V \$300.00 for the season  
 50 amp/220V \$850.00 for the season  
 100 amp per cord \$1,950.00/season

Simpson's Landing (Loading and Unloading Area Only):

Contract rate (yearly) \$1,000.00  
 Fueling Truck (yearly) \$2,500.00

Tide's Bulkhead (Loading and Unloading Area):

Contract rate (yearly)  
 Fueling Truck (yearly) \$1,000.00  
 Transient Commercial Fishing (monthly) \$2,500.00  
 \*No passengers for hire \$250.00

Eel Pond Dock Outhauls:

Contract April 15<sup>th</sup> to Nov. 15<sup>th</sup> \$300.00

Great Harbor Woods Hole Commercial Fishing Dock (Year Round):

Transient Dockage / per night \$ .50/ft.-min. \$30.00/night  
 Annual rate for self propelled \$20.00 / ft. - Resident  
 Annual rate for self propelled \$40.00/ft. - Non-Resident  
 Loading and Unloading \$600.00/month or \$4,500.00/yr.  
 Per load over one ton \$100.00/load  
 3 hour tie-up (crew change, loads under one ton) No Charge  
 \*No passengers for hire or sailboats.

**MARINE AND ENVIRONMENTAL SERVICES DEPARTMENT**  
**SHELLFISHING LICENSES**

---

Commercial	\$300.00
Commercial, Full-Time Student	\$150.00
Non-Resident Recreational	\$100.00
Resident/Tax Payer Recreational	\$30.00
Senior Resident	\$6.00
Replacement of Lost Permits	\$5.00

**Recreation Committee**  
**Town of Falmouth**  
April 17, 2019

Board of Select  
59 Town Hall Square  
Falmouth, MA 02540

Re: "Trail at Dog Park" Eagle Scout Project by Sam Mack

Dear Board:

On March 13, 2019, the Recreation Committee had the pleasure to meet Falmouth Boy Scout Sam Mack at our monthly meeting. Sam presented his proposed "Trail at Dog Park" Eagle Scout project to the Committee with the hopes we would vote our recommendation for the Board of Select to approve.

The Committee listened to Sam and his supporters of the project which included Barbara Schneider and asked questions. The Committee discussed Sam's project and voted unanimously their recommendation to the Board of Select to approve this project on Town of Falmouth land. The Committee was impressed with Sam and his project which should enhance the Town's Dog Park on Brick Kiln Road.

Sincerely,



Robert A. Brown  
Recreation Committee



*Town of Falmouth*  
**Warrant For  
 Annual Town Election  
 MAY 21, 2019**

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: Jon DeMello Senior 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 21st OF MAY 2019, 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:**

BOARD OF SELECTMEN	ELECT TWO	3 YEAR TERM
TOWN CLERK	ELECT ONE	3 YEAR TERM
TRUSTEE OF PUBLIC LIBRARY	ELECT TWO	3 YEAR TERM
TRUSTEE OF PUBLIC LIBRARY	ELECT ONE	2 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 2	ELECT ONE	1 YEAR TERM
PRECINCT 3	ELECT NINE	3 YEAR TERM
PRECINCT 3	ELECT ONE	1 YEAR TERM
PRECINCT 4	ELECT NINE	3 YEAR TERM
PRECINCT 5	ELECT NINE	3 YEAR TERM
PRECINCT 5	ELECT ONE	1 YEAR TERM
PRECINCT 6	ELECT NINE	3 YEAR TERM
PRECINCT 6	ELECT ONE	1 YEAR TERM
PRECINCT 7	ELECT NINE	3 YEAR TERM
PRECINCT 8	ELECT NINE	3 YEAR TERM
PRECINCT 8	ELECT ONE	2 YEAR TERM
PRECINCT 9	ELECT NINE	3 YEAR TERM

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 Historical Commission

59 Town Hall Square, Falmouth, MA 02540

Telephone: 508-495-7440 Fax: 508.495.7443 email: [planning@falmouthma.gov](mailto:planning@falmouthma.gov)

### Memo

To: Julian Suso, Town Manager; Peter Johnson Staub, Assistant Town Manager  
From: Corey Pacheco, Assistant Town Planner  
Date: April 10, 2019  
Re: Historical Commission Research Intern – BOS Agenda April 22, 2019

---

Dear Julian,

The Falmouth Historical Commission (FHC) is in need of a knowledgeable historic researcher with experience in historic buildings to assess the Town of Falmouth's List of Significant Buildings (FLSB). This project will evaluate approximately 650 structures listed on the FLSB to assess if the listed buildings still meet the criteria of the Code of Falmouth Chapter 107 Demolition. Section 2 Definitions. Significant Building. The researcher will determine whether the buildings should remain on the list; recommendations will be presented to the Historical Commission for final determination.

The FLSB was created in 1993, some buildings have been significantly altered since that time, or have been demolished. The Commission would like to validate whether all the current listed buildings should remain. The researcher will reference the Code of Falmouth Chapter 107 Demolition (bylaw creating demolition delay process); the List of Significant Buildings; the Massachusetts Cultural Resource Information System (MACRIS) and Form B surveys for buildings on the list; the Secretary of the Interior's Standards for the Treatment of Historic Properties, specifically the National Register Bulletin: How to Apply the National Register Criteria for Evaluation. In addition, on line tools such as the Town of Falmouth GIS system, Google Maps, etc. would be utilized. Some field research would be required particularly for buildings for which the Form B is incomplete or does not have a clear photo. It is anticipated that one individual would take approximately 100 hours to complete the project with a rate of \$25 dollars per hour or \$2,500.00. The anticipated start date is May 2019 with an anticipated end date of September 2019. Oversight of the project would be coordinated through the Town of Falmouth's Planning Department and FHC Commissioners.

Ideally, the candidate would have a bachelor's degree in architecture, historic preservation, history, architectural history, or similar. Access to a car would be required as well for any field research. Good computer and research skills are a must.

The name of the fund is **Falmouth Historic Commission**. The balance in the account is **\$21,037.00**.

**The account and expense line item:**

24-691-4690-5120 Salary & Wages Temporary

# Historical Commission Research Intern

Summer 2019

# Project

- To review the current houses on the List of Significant Buildings to evaluate whether they should remain or be removed.
- Utilizing a variety of available tools such as existing Form B's in Macris, GIS, Google Map, site visits, etc.
- Utilizing research guidelines provided by the Historical Commission, The Sec. of the Interior, and Planning Department.
- All final decisions to be made by the Historical Commission

# Why?

- The List of Significant Buildings identifies significant historic homes OUTSIDE historic districts.
- The List of Significant Buildings is required by the Demolition Delay Bylaw.
- The List has not been updated for over 20 years. It contains 650 listings.
- Houses could change due to demolition or alteration. They do not have historic district oversight
- The HC anticipates adding more houses as result of the Historical Inventory Survey.
- Planning Dept. support is short handed due to an open position.

# List of Significant Buildings

- Currently 650 listings
- From the survey, 268 new Form B's for homes built before 1900 are being created (outside HD)
- Pre 1900 Inventory per Survey
  - Teaticket 19
  - Waquoit 48
  - Hatchville 25
  - Woods Hole 133
  - East Falmouth 67
  - North Falmouth 87
  - West Falmouth 126
  - Falmouth Village 215
  - Total 720
- 1600: 5, 1700:100, to 1870: 293, to 1899: 322

# Requirements & Cost

- A degree in architecture or architectural history, historic preservation, or similar
- Computer and research skills
- Car
- Estimated time 100 hours @ \$25/hr. = \$2500
- Historical Commission earmark account current has over \$20K balance.



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

---

**TO:** Board of Selectmen  
**FROM:** Peter Johnson-Staub, Assistant Town Manager  
**SUBJECT:** Donation funds for Senior Center Stone Veneer  
**DATE:** April 19, 2019

At a meeting on April 16<sup>th</sup>, the Senior Center Building Committee met with staff and the project architect and owner's project manager to review the project budget and proposed change orders. We are pleased to report that the project remains on time and on budget. One of the items discussed is a stone veneer which was included in an early design but removed prior to the bid as part of our value engineering to ensure bids came in under budget. The stone veneer is preferred primarily for aesthetic reasons but we are advised it should also wear better than the cement board alternative. As shown in the attached renderings, the stone veneer would be applied to the first floor only.

The additional cost of this stone veneer is \$59,000 and a decision is required now to avoid construction delay. The staff recommendation based on available contingency and remaining work to be done is that the stone veneer be approved and paid from funds in a Senior Center donation account. The Building Committee concurs and recommends approval of this proposed use of donated funds.

We seek approval of the Board of Selectmen to expend donated funds for this purpose.

CC: Senior Center Building Committee

# With Stone Veneer



June 4, 2018

# Without Stone Veneer

4'-0"



OWNER:

## TOWN OF FALMOUTH

Board of Selectmen  
Council on Aging  
Senior Center Building Committee

OWNER'S  
PROJECT MANAGER:

**P<sup>3</sup>**  
PROJECT PLANNING  
PROFESSIONALS, Inc.

ARCHITECT:

**bh+a**  
BARGMANN HENDRIE  
+ ARCHETYPE, Inc.

CONTRACTOR:

**G.V.W., Inc.**

8'-0"

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

TOWN OF FALMOUTH  
BOARD OF SELECTMEN

**ORDER OF TAKING  
FOR THE LAYOUT OF  
Winthrop Drive (West Side)**

We, Susan L. Moran, Megan English Braga, Douglas C. Brown, Doug Jones, and Samuel H. Patterson as duly elected and qualified SELECTMEN of the Town of Falmouth, acting for and on behalf of said town, under the provisions of Chapters 79 and 82 of the Massachusetts Laws and in accordance with the provisions of Article 16 of the Town Meeting held in said Falmouth on April 8, 2019 (a copy of which is annexed hereto as **Exhibit A**), and by virtue of every other power, having complied with all preliminary requirements prescribed by law, **DO HEREBY ADOPT AND DECREE THIS ORDER OF TAKING** and do hereby take by eminent domain for public purposes, an easement for the layout of **Winthrop Drive (West Side)**, as a town way in the land described herein.

**I. DESCRIPTION.** The descriptions are set forth in **Exhibit B** attached hereto. See also plans recorded herewith.

**II. INTEREST TAKEN.** An easement for all purposes for which roads and ways are commonly used in the Town of Falmouth, including all drainage, slope and turning easements as shown on said plans. This taking shall not disturb any existing easements of record to public utility companies nor claim any interest in the personal property of said utility companies.

**III. NAMES OF OWNERS.** A list is attached hereto as **Exhibit C**.

**IV. PURPOSE.** For the laying out of **Winthrop Drive (West Side)** as a Town way.

**V. DAMAGES AWARDED.** None.

**VI. TREES AND STRUCTURES.** Trees and structures, including any streetlights, are not included in the taking and may remain undisturbed. Periodic pruning of trees will be permitted to prevent encroachment into the layout or other hazards.

**VII. BETTERMENTS ASSESSED.** This taking was made under the Betterment Act and the abutting property owners have been assessed by the Board of Selectmen 100% of the cost of the improvements to be made or **\$194.10** per linear foot of frontage eligible for betterment as listed in **Exhibit D** attached hereto.

Any party claiming to have been damaged by said taking may file a complaint for assessment of damages in the Superior Court within three (3) years from the date of the right to damages becomes vested.

IN WITNESS WHEREOF, the said Town of Falmouth has caused its corporate seal to be affixed hereto and these present to be executed by its Board of Selectmen, duly authorized this \_\_\_ day of April 2019.

**TOWN OF FALMOUTH**  
**By its BOARD OF SELECTMEN**

\_\_\_\_\_  
Susan L. Moran, Chairman

\_\_\_\_\_  
Megan English Braga, Vice Chairman

\_\_\_\_\_  
Douglas C. Brown

\_\_\_\_\_  
Doug Jones

\_\_\_\_\_  
Samuel H. Patterson

**COMMONWEALTH OF MASSACHUSETTS**

**BARNSTABLE, SS.**

**, 2019**

Then appeared Susan L. Moran, Chairman of the Falmouth Board of Selectmen and acknowledged that the foregoing instrument is her free act and deed.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

EXHIBIT A

ARTICLE 16  
AND THE VOTE THEREON AT  
THE ANNUAL TOWN MEETING  
CONVENED IN FALMOUTH, MASSACHUSETTS  
April 8, 2019

**ARTICLE 16:** To see if the Town will vote to accept the doings of the Board of Selectmen in the laying out the following listed roads according to plans on file with the Town Clerk for taking as a public way under the Betterment Act:

<u>Road</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Width</u>
Winthrop Drive	Seacoast Shores Blvd	Edgewater Dr West	770.7'	40'
Captain Davis Lane	Davisville Road	Dead End	1096'	40'

Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Monday, April 8, 2019 the Town voted Article 16 as printed.

A TRUE COPY ATTEST



MICHAEL PALMER, TOWN CLERK  
FALMOUTH, MASSACHUSETTS

EXHIBIT B

*Metes and Bounds Description*

**WINTHROP DRIVE – WEST**

- POB At the most northerly and easterly corner of Winthrop Drive West and the westerly side line of Seacoast Shores Boulevard, said corner being S 28°-30'-20" E, 207.50 feet from a concrete bound (held) at the most southerly and easterly corner of Bayside Drive and westerly sideline of Seacoast Shores Boulevard.
- Thence S 28°-30'-20" W, 40.00 feet to the most southerly and easterly corner of Winthrop Drive West and the westerly sideline of Seacoast Shores Boulevard.
- Thence N 61°-29'-40" W, 777.40' feet to the most southerly and westerly corner of Winthrop Drive West and the easterly sideline of Edgewater Drive West.
- Thence by a curve to the right with a radius of 4,760.00 feet and a length of 40.56 feet, a chord direction of N 38°-00'-35" E, and a chord distance of 40.56 feet to the most northerly and westerly corner of Winthrop Drive West and the easterly sideline of Edgewater Drive West.
- Thence S 61°-29'-40" E, 770.70 feet to the POB.

Winthrop Drive West is predominately a 40 foot wide layout.

Winthrop Drive West is approximately 774 feet in length.

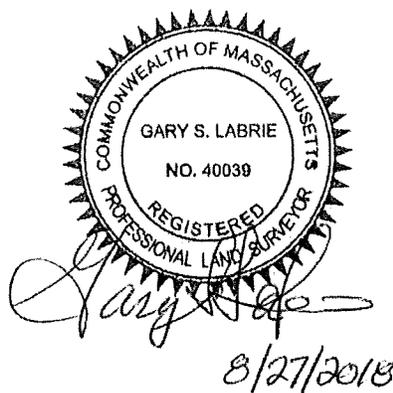
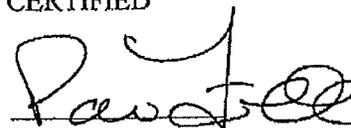


Exhibit C  
List of Abutters

**WINTHROP DR WEST SIDE**

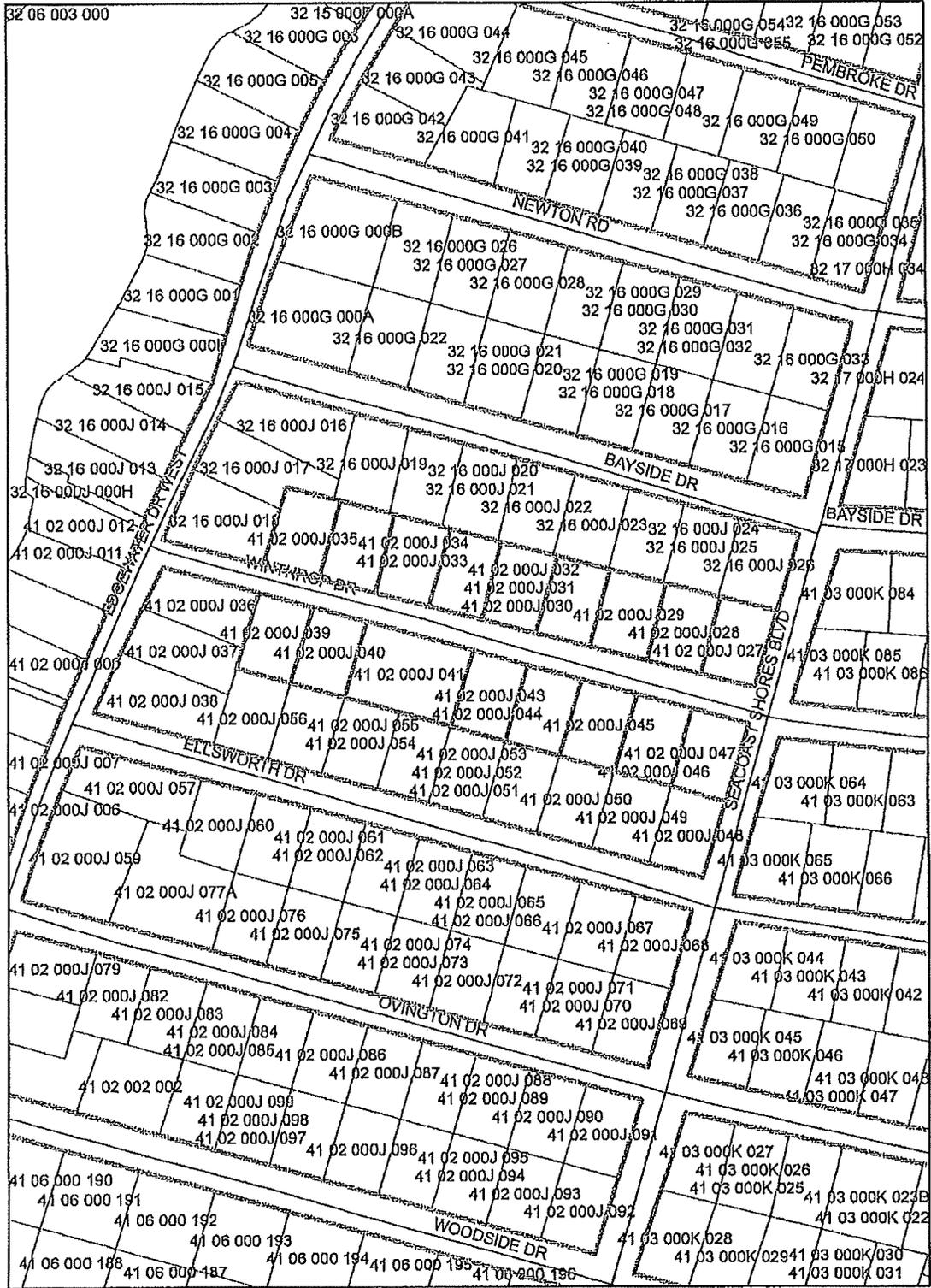
CERTIFIED

A handwritten signature in black ink, appearing to read 'Patricia A. Favulli', written over a horizontal line.

Patricia A Favulli  
Director of Assessing  
Town of Falmouth  
AUGUST 10, 2018

24 WINTHROP DR AKINS THOMAS J AKINS KAREN S 38 CARDINAL CT BRAintree, MA 02184	41 02 000J 031 LUC: 101	255 SEACOAST SHORES BLVD ONEILL JOHN J ESTATE OF 180 WOODLAND RD C/O J G & MARJORY ONEIL ADMN SOUTHBOROUGH, MA 01772-2038	41 02 000J 027 LUC: 101
8 WINTHROP DR ANDERSON SANDRA L 8 WINTHROP DR E FALMOUTH, MA 02538-6655	41 02 000J 035 LUC: 101	33 WINTHROP DR PERINITY J PERINI JENNIFER L 33 WINTHROP DR E FALMOUTH, MA 02538-6654	41 02 000J 046 LUC: 101
12 WINTHROP DR DEGABRIELE DENNIS M DEGABRIELE ROSE V 12 WINTHROP DR E FALMOUTH, MA 02536-6655	41 02 000J 034 LUC: 101	28 WINTHROP DR PIERCE COLLEEN E PIERCE ADAM F 28 WINTHROP DR EAST FALMOUTH, MA 02536	41 02 000J 030 LUC: 101
1 WINTHROP DR DESOTOMAYOR TRUSTEE VICTORIA A V A D 2008 LIVING TRUST 25 GLENHAVEN RD WEST ROXBURY, MA 02132-5130	41 02 000J 038 LUC: 101	20 WINTHROP DR SCHOUler DUANE L 15 PROVIDENCE ST TEATICKET, MA 02536-7642	41 02 000J 032 LUC: 101
32 WINTHROP DR DEWAR PATRICIA A PO BOX 772 E FALMOUTH, MA 02536-0772	41 02 000J 028 LUC: 101	16 WINTHROP DR TEIXEIRA MARY L 21 BAYSIDE DR EAST FALMOUTH, MA 02536	41 02 000J 033 LUC: 101
23 WINTHROP DR FITZGERALD DENNIS C FITZGERALD ROBERTA 78 ROCK GLEN RD MEDFORD, MA 02155	41 02 000J 043 LUC: 101	7 WINTHROP DR THEIRRIEN ALFRED G THEIRRIEN JEAN F 7 WINTHROP DR EAST FALMOUTH, MA 02538-6654	41 02 000J 039 LUC: 101
29 WINTHROP DR HOLCOMB ROBERT L HOLCOMB PHYLLIS 29 WINTHROP DR E FALMOUTH, MA 02536	41 02 000J 045 LUC: 101	11 WINTHROP DR TURNER JOHN S TURNER KIMBERLY S 11 WINTHROP DR E FALMOUTH, MA 02538-6654	41 02 000J 040 LUC: 101
4 WINTHROP DR HT HOLDINGS LLC 44 HANSON LN HOLLIS CENTER, ME 04042	32 16 000J 018 LUC: 101	281 SEACOAST SHORES BLVD VOLPE GLENN D VOLPE SHAILEEN D 16 TIMBERLINE RD MILLIS, MA 02054	41 02 000J 047 LUC: 101
17 WINTHROP DR LAURORA MASSIMO LAURORA CYNTHIA 11 WINTER LN FRAMINGHAM, MA 01702	41 02 000J 041 LUC: 101	25 WINTHROP DR WILLWERTH TRUSTEE ROBERT F WILLWERTH TRUSTEE LINDA A 25 WINTHROP DR E FALMOUTH, MA 02536	41 02 000J 044 LUC: 101
30 WINTHROP DR MCHUGH ROBERT F MCHUGH CAROL F 29 WHEELER CIR CANTON, MA 02021	41 02 000J 029 LUC: 101		

# WINTHROP DR WEST



**Exhibit D**  
**List of Betterments**

Estimated cost: \$253,296  
 Frontage eligible for betterment: 1,305 linear feet  
 Estimated cost per linear foot: \$194.10

Address	Parcel ID	Owner	Linear Feet of Frontage	Betterment Estimate
4 Winthrop Dr	32 16 000J 018	HT HOLDINGS LLC	118.2	\$0
24 Winthrop Dr	41 02 000J 031	AKINS, THOMAS J AKINS, KAREN S	72.5	\$14,072
8 Winthrop Dr	41 02 000J 035	ANDERSON, SANDRA L	72.5	\$14,072
12 Winthrop Dr	41 02 000J 034	DEGABRIELE, DENNIS M DEGABRIELE, ROSE V	72.5	\$14,072
32 Winthrop Dr	41 02 000J 028	DEWAR, PATRICIA A	72.5	\$14,072
23 Winthrop Dr	41 02 000J 043	FITZGERALD, DENNIS C FITZGERALD, ROBERTA	72.5	\$14,072
29 Winthrop Dr	41 02 000J 045	HOLCOMB, ROBERT L HOLCOMB, PHYLLIS	72.5	\$14,072
17 Winthrop Dr	41 02 000J 041	LAURORA, MASSIMO LAURORA, CYNTHIA	145	\$28,144
30 Winthrop Dr	41 02 000J 029	MCHUGH, ROBERT F MUHUGH, CAROL F	72.5	\$14,072
255 Seacoast Shores Blvd	41 02 000J 027	ONEIL, JOHN J ESTATE OF	72.5	\$14,072
33 Winthrop Dr	41 02 000J 046	PERINI, TY J PERINI, JENNIFER L	72.5	\$14,072
26 Winthrop Dr	41 02 000J 030	PIERCE, COLLEEN E PIERCE, ADAM F	72.5	\$14,072
20 Winthrop Dr	41 02 000J 032	SCHOULER, DUANE L	72.5	\$14,072
16 Winthrop Dr	41 02 000J 033	TEIXEIRA, MARY L	72.5	\$14,072
1 Winthrop Dr	41 02 000J 036	DESOTOMAYER, TRUSTEE VICTORIA A	124.9	\$0
7 Winthrop Dr	41 02 000J 039	THEIRRIEN, ALFRED G THEIRRIEN, JEAN F	72.5	\$14,072
11 Winthrop Dr	41 02 000J 040	TURNER, JOHN S TURNER, KIMBERLY S	72.5	\$14,072
261 Seacoast Shores Blvd	41 02 000J 047	VOLPE, GLENN D VOLPE, SHAILEEN D	72.5	\$14,072
25 Winthrop Dr	41 02 000J 044	WILLWERTH, TRUSTEE ROBERT F WILLWERTH, TRUSTEE LINDA A	72.5	\$14,072

**Total Estimate: \$253,296**

THIS PLAN WAS COPIED FROM PLANS OF RECORD.  
 PLAN REFERENCES:  
 BOOK 171 PAGE 123  
 BOOK 312 PAGE 81  
 BOOK 124 PAGE 5

THE RECORD IS ALL



PLAN OF LOTS TAKEN UNDER THE BETTERMENT ACT  
 BY ORDER OF BOARD ADORERS

*[Handwritten signatures]*  
 [Illegible names]

VOID UNDER ARTICLE 10, SECTION 1, CHAPTER 112, PUBLIC LAWS OF THE STATE OF NEW YORK

LEGEND  
 [Illegible text]

TOWN OF KALAMOUTH  
 PLAN OF WATKINS DRIVE(S)

AS SHOWN BY THE  
 RECORDS OF THE TOWN

DATE OF THE PLAN

YOUNG & ASSOCIATES, INC.  
 ENGINEERS AND ARCHITECTS  
 100 WEST 42ND STREET  
 NEW YORK, N.Y. 10018



COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

TOWN OF FALMOUTH  
BOARD OF SELECTMEN

**ORDER OF TAKING  
FOR THE LAYOUT OF  
CAPTAIN DAVIS LANE**

We, Susan L. Moran, Megan English Braga, Douglas C. Brown, Doug Jones, and Samuel H. Patterson as duly elected and qualified SELECTMEN of the Town of Falmouth, acting for and on behalf of said town, under the provisions of Chapters 79 and 82 of the Massachusetts Laws and in accordance with the provisions of Article 16 of the Town Meeting held in said Falmouth on April 8, 2019 (a copy of which is annexed hereto as **Exhibit A**), and by virtue of every other power, having complied with all preliminary requirements prescribed by law, **DO HEREBY ADOPT AND DECREE THIS ORDER OF TAKING** and do hereby take by eminent domain for public purposes, an easement for the layout of Captain Davis Lane, as town ways in the land described herein.

**I. DESCRIPTION.** The descriptions are set forth in **Exhibit B** attached hereto. See also plans recorded herewith.

**II. INTEREST TAKEN.** An easement for all purposes for which roads and ways are commonly used in the Town of Falmouth, including all drainage, slope and turning easements as shown on said plans. This taking shall not disturb any existing easements of record to public utility companies nor claim any interest in the personal property of said utility companies.

**III. NAMES OF OWNERS.** A list is attached hereto as **Exhibit C**.

**IV. PURPOSE.** For the laying out of **Captain Davis Lane** as Town ways.

**V. DAMAGES AWARDED.** None.

**VI. TREES AND STRUCTURES.** Trees and structures, including any streetlights, are not included in the taking and may remain undisturbed. Periodic pruning of trees will be permitted to prevent encroachment into the layout or other hazards.

**VII. BETTERMENTS ASSESSED.** This taking was made under the Betterment Act and the abutting property owners have been assessed by the Board of Selectmen 100% of the cost of the improvements to be made or \$14,731 per lot eligible for betterment as listed in **Exhibit D** attached hereto.

Any party claiming to have been damaged by said taking may file a complaint for assessment of damages in the Superior Court within three (3) years from the date of the right to damages becomes vested.

IN WITNESS WHEREOF, the said Town of Falmouth has caused its corporate seal to be affixed hereto and these present to be executed by its Board of Selectmen, duly authorized this \_\_\_ day of April 2019.

**TOWN OF FALMOUTH**  
**By its BOARD OF SELECTMEN**

\_\_\_\_\_  
Susan L. Moran, Chairman

\_\_\_\_\_  
Megan English Braga, Vice Chairman

\_\_\_\_\_  
Douglas C. Brown

\_\_\_\_\_  
Doug Jones

\_\_\_\_\_  
Samuel H. Patterson

**COMMONWEALTH OF MASSACHUSETTS**

**BARNSTABLE, SS.**

**, 2019**

Then appeared Susan L. Moran, Chairman of the Falmouth Board of Selectmen and acknowledged that the foregoing instrument is her free act and deed.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

EXHIBIT A

ARTICLE 16  
AND THE VOTE THEREON AT  
THE ANNUAL TOWN MEETING  
CONVENED IN FALMOUTH, MASSACHUSETTS  
April 8, 2019

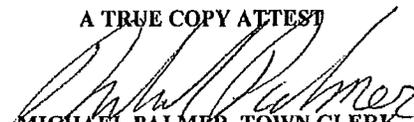
**ARTICLE 16:** To see if the Town will vote to accept the doings of the Board of Selectmen in the laying out the following listed roads according to plans on file with the Town Clerk for taking as a public way under the Betterment Act:

<u>Road</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Width</u>
Winthrop Drive	Seacoast Shores Blvd	Edgewater Dr West	770.7'	40'
Captain Davis Lane	Davisville Road	Dead End	1096'	40'

Or do or take any other action on this matter. On request of the Board of Selectmen.

**VOTED:** By a unanimous vote, a quorum being present on Monday, April 8, 2019 the Town voted Article 16 as printed.

A TRUE COPY ATTEST

  
MICHAEL PALMER, TOWN CLERK  
FALMOUTH, MASSACHUSETTS

**Exhibit B**  
**Written Description for**  
**Captain Davis Lane**

A certain forty foot wide roadway in Falmouth known as Captain Davis Lane, more particularly described as follows:

Beginning at a point on the easterly sideline of Davisville Road, a public way, and the northwest corner of lot 20 as shown on the plan recorded in the Barnstable County Registry of Deeds at Plan Book 213 Page 131, said lot also known as 422 Davisville Road, said point of beginning being N 16°37'40" E 31.44 feet from a stone bound located on said easterly sideline of Davisville Road,

thence running N 16°37'40" E 90.07 feet by said easterly sideline of Davisville Road to a point on Captain Davis Lane, the northerly sideline of which is described by the next five courses,

thence turning 180° and running 40.24 feet by a curve to the left having a radius of 25.00 feet to a point,

thence running S 75°35'45" E 684.01 feet to a point,

thence running 134.26 feet by a curve to the right having a radius of 207.69 feet to a point,

thence running S 38° 33'30" E 67.11 feet to a point,

thence running 46.60 feet by a curve to the left having a radius of 138.89 feet to a point being the east end of the northerly sideline of Captain Davis Lane,

thence turning and running 209.16 feet by a non-tangent curve to the right having a radius of 40.00 feet - said curve being the cul-de-sac at the east end of Captain Davis Lane - to a point at the east end of the southerly sideline of Captain Davis Lane, said southerly sideline being parallel to and forty feet distant from the northerly sideline, and described by the next five courses,

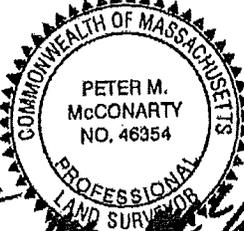
thence turning and running 65.00 feet by a non-tangent curve to the right having a radius of 178.89 feet to a point,

thence running N 38° 33'30" W 67.11 feet to a point,

thence running 108.40 feet by a curve to the left having a radius of 167.69 feet to a point,

thence running N 75° 35'45" W 687.51 feet to a point,

thence running 38.30 feet by a curve to the left having a radius of 25.00 feet to the point of beginning.

  
*Peter M. McConarty*  
*11/2/18*

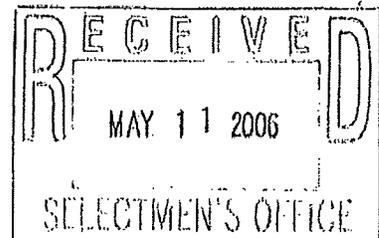
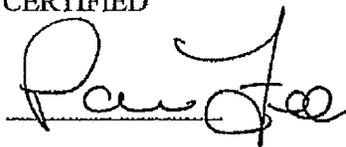


Exhibit C  
List of Abutters

**CAPTAIN DAVIS LN**

**CERTIFIED**

A handwritten signature in black ink, appearing to read "Patricia Favulli", written over a horizontal line.

Patricia A Favulli  
Director of Assessing  
Town of Falmouth  
AUGUST 10, 2018

37 CAPTAIN DAVIS LN ANDERSON CHRISTIN A 10 ROBERTS DR SCITUATE, MA 02068	40 12 020 014 LUC: 101	50 CAPTAIN DAVIS LN LOHNES FRANK G 50 CAPTAIN DAVIS LN E FALMOUTH, MA 02538-7011	40 12 020 011 LUC: 101
27 CAPTAIN DAVIS LN BARR LAWRENCE D 27 CAPTAIN DAVIS LN E FALMOUTH, MA 02538-7011	40 12 020 016 LUC: 101	17 CAPTAIN DAVIS LN MARAGNI MARK LESHO LYNNE 81 BABCOCK ST UNIT 3B BROOKLINE, MA 02446	40 12 020 018 LUC: 101
11 CAPTAIN DAVIS LN CHASE TAMI A 15 KATIE CT BRIDGEWATER, MA 02324	40 12 020 019 LUC: 104	45 CAPTAIN DAVIS LN MARCO TRUSTEE LINDA LINDA MARCO REVOC LIV TRUST 45 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02536	40 12 020 013 LUC: 101
21 CAPTAIN DAVIS LN COGSWELL PHYLLIS V 21 CAPTAIN DAVIS LN E FALMOUTH, MA 02538-7011	40 12 020 017 LUC: 101	34 CAPTAIN DAVIS LN MCVAY ANN S PO BOX 188 FALMOUTH, MA 02541-0188	40 12 020 007 LUC: 101
49 CAPTAIN DAVIS LN COLMAN JR FREDERICK W COLMAN GLENS ELLEN 46 WILDWOOD DR NEEDHAM, MA 02492	40 12 020 012 LUC: 101	14 CAPTAIN DAVIS LN QUINN JOHN D QUINN ELIZABETH A 14 CAPTAIN DAVIS LN E FALMOUTH, MA 02538	40 12 020 003 LUC: 101
31 CAPTAIN DAVIS LN CONLON JEFFREY J CONLON ELIZABETH M 31 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02538	40 12 020 015 LUC: 101	46 CAPTAIN DAVIS LN SHAW JOHANNA PO BOX 836 OSTERVILLE, MA 02665	40 12 020 010 LUC: 101
28 CAPTAIN DAVIS LN DUNN JR JOHN J DUNN HELEN F 28 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02538-7011	40 12 020 008 LUC: 101	410 DAVISVILLE RD TINSLEY KEVIN J TINSLEY JOAN M 45 LAMPLIGHTER DR SHREWSBURY, MA 01545	40 12 020 001 LUC: 101
8 CAPTAIN DAVIS LN HOFFER DONALD L HOFFER PATRICIA 8 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02538-7011	40 12 020 002 LUC: 101	38 CAPTAIN DAVIS LN VOGEL TRUSTEE WENDY L WENDY L VOGEL FAMILY TRUST 38 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02536	40 12 020 008 LUC: 101
18 CAPTAIN DAVIS LN KELLY THOMAS P KELLY SHEILA A 18 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02538	40 12 020 004 LUC: 101	40 CAPTAIN DAVIS LN WOODCOME LAWRENCE A WOODCOME KAHLEEN M 40 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02536	40 12 020 009 LUC: 101
24 CAPTAIN DAVIS LN KELLY THOMAS P KELLY SHEILA A 18 CAPTAIN DAVIS LN EAST FALMOUTH, MA 02538	40 12 020 005 LUC: 101	422 DAVISVILLE RD WUNDERLY MARTIN ALEXANDER SPIVAK AMANDA C 422 DAVISVILLE RD EAST FALMOUTH, MA 02536	40 12 020 020 LUC: 109

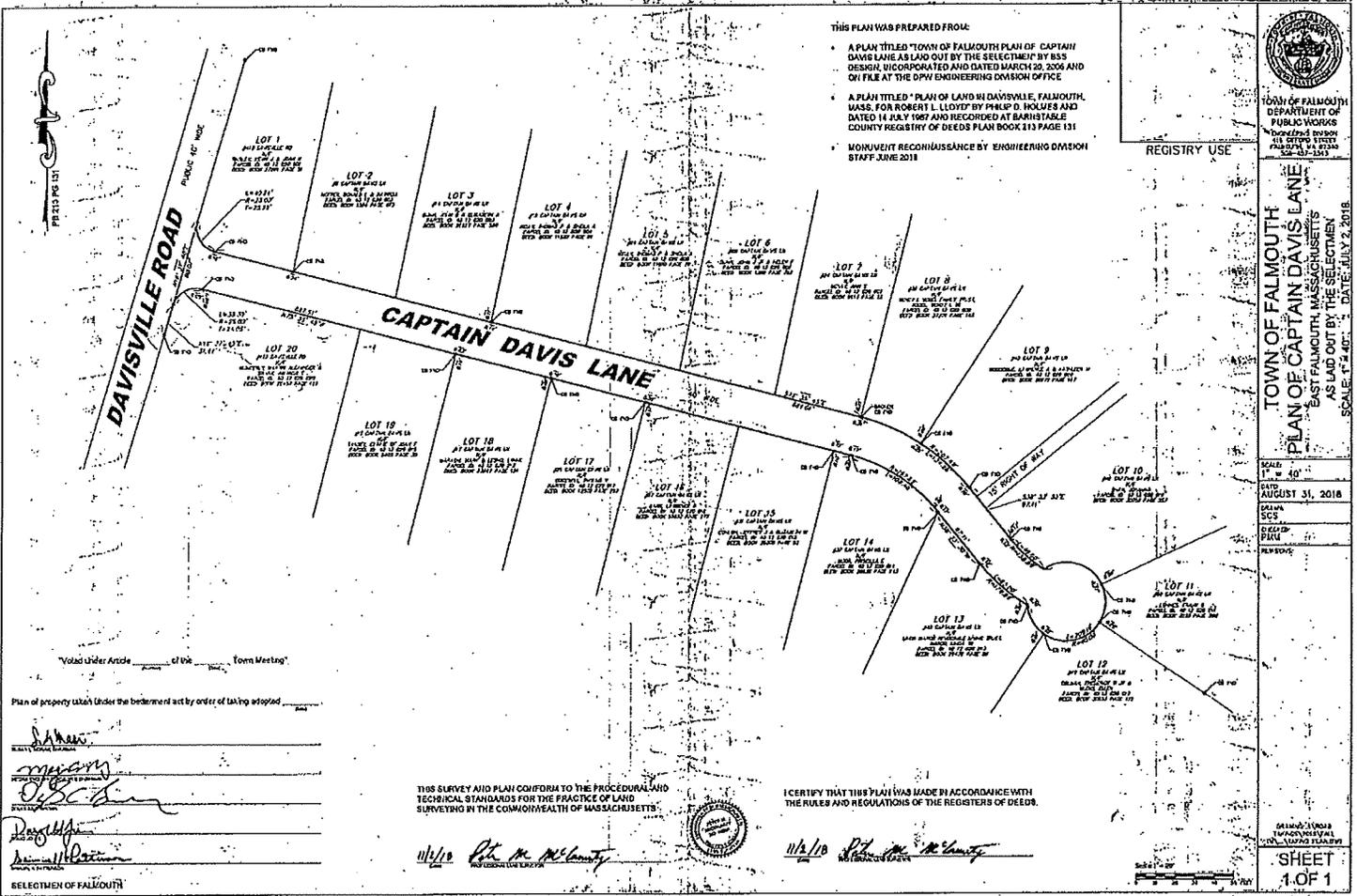


**Exhibit D**  
**List of Betterments**

Estimated cost: \$265,155  
 Lots eligible for betterment: 18  
 Estimated cost per lot: \$14,731

Address	Parcel ID	Owner	Betterment Estimate
27 Captain Davis Ln	40 12 020 016	BARR, LAWRENCE D	\$14,731
21 Captain Davis Ln	40 12 020 017	COGSWELL, PHYLLIS V	\$14,731
49 Captain Davis Ln	40 12 020 012	COLMAN JR, FREDERICK W COLMAN, GLENS ELLEN	\$14,731
31 Captain Davis Ln	40 12 020 015	CONLON, JEFFREY J CONLON, ELIZABETH M	\$14,731
28 Captain Davis Ln	40 12 020 006	DUNN JR, JOHN J DUNN, HELEN F	\$14,731
8 Captain Davis Ln	40 12 020 002	HOFFER, DONALD L HOFFER, PATRICIA	\$14,731
18 Captain Davis Ln	40 12 020 004	KELLY, THOMAS P KELLY, SHEILA A	\$14,731
24 Captain Davis Ln	40 12 020 005	KELLY, THOMAS P KELLY, SHEILA A	\$14,731
50 Captain Davis Ln	40 12 020 011	LOHNES, FRANK G	\$14,731
17 Captain Davis Ln	40 12 020 018	MARAGNI, MARK LESHO, LYNNE	\$14,731
45 Captain Davis Ln	40 12 020 013	MARCO, TRUSTEE LINDA LINDA MARCO REVOC LIV TRUST	\$14,731
34 Captain Davis Ln	40 12 020 007	MCVAY, ANN S	\$14,731
37 Captain Davis Ln	40 12 020 014	ANDERSON, CHRISTINA	\$14,731
14 Captain Davis Ln	40 12 020 003	QUINN, JOHN D QUINN, ELIZABETH A	\$14,731
46 Captain Davis Ln	40 12 020 010	SHAW, JOHANNA	\$14,731
11 Captain Davis Ln	40 12 020 019	CHASE, TAMI A	\$14,731
36 Captain Davis Ln	40 12 020 008	VOGEL, TRUSTEE WENDY L WENDY L VOGEL FAMILY TRUST	\$14,731
40 Captain Davis Ln	40 12 020 009	WOODCOME, LAWRENCE A WOODCOME, KAHLEEN M	\$14,731
410 Davisville Rd	40 12 020 001	TINSLEY, KEVIN J TINSLEY, JOAN M	\$0
422 Davisville Rd	40 12 020 020	WUNDERLY, MARTIN ALEXANDER SPIVAK, AMANDA C	\$0

**Total Estimate: \$265,155**



THIS PLAN WAS PREPARED FROM:

- A PLAN TITLED "TOWN OF FALMOUTH PLAN OF CAPTAIN DAVIS LANE AS LAID OUT BY THE SELECTMEN" BY B.S. DENNIS, INCORPORATED AND DATED MARCH 20, 2006 AND ON FILE AT THE DPW ENGINEERING DIVISION OFFICE
- A PLAN TITLED "PLAN OF LAND IN DAVISVILLE, FALMOUTH, MASS. FOR ROBERT L. LLOYD" BY PHILIP D. HOLMES AND DATED 14 JULY 1967 AND RECORDED AT BARNSTABLE COUNTY REGISTRY OF DEEDS PLAN BOOK 113 PAGE 131
- MONUMENT RECOGNIZANCE BY ENGINEERING DIVISION STAFF JUNE 2018



TOWN OF FALMOUTH  
DEPARTMENT OF  
PUBLIC WORKS  
115 STATE STREET  
FALMOUTH, MASS. 01905  
(508) 833-1313

REGISTRY USE

TOWN OF FALMOUTH  
PLAN OF CAPTAIN DAVIS LANE  
EAST FALMOUTH, MASSACHUSETTS  
AS LAID OUT BY THE SELECTMEN  
SCALE: 1" = 40'  
DATE: JULY 2, 2018

SCALE: 1" = 40'  
DATE: AUGUST 31, 2018  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
REVISIONS:

SEAL OF THE REGISTER OF DEEDS  
SHEET  
1 OF 1

Plan of property taken under the bedament act by order of taking adopted \_\_\_\_\_

[Signatures of Selectmen]

SELECTMEN OF FALMOUTH

THIS SURVEY AND PLAN CONFORM TO THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

11/2/18 [Signature]



I CERTIFY THAT THIS PLAN WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

11/2/18 [Signature]

On Wednesday, April 3, 2019 the Town Manager's Internal Working Group for Special Events met to review and discuss the applications listed on the agenda. The applicants were invited to the meeting to discuss the details of their special events.

All conditions are listed on the front of each special event permit.

Town Manager's Internal Working Group for Special Events

\*Revised Agenda

Selectmen's Meeting Room

Wednesday, April 3, 2019

9:30 a.m.

9:30 a.m. Convene

Review applications for special events:

Recurring:

1. Cinco de Mayo Woods Hole – Beth Colt, Quicks Hole and Don Estes, Landfall Restaurant – Luscombe Avenue and Parking Lot at Quicks Hole, Woods Hole – Sunday, 5/5/19
2. Woods Hole May Festival – Megan Zottoli, Woods Hole Community Association – Taft Playground and Ball Park, Woods Hole – Saturday, 5/25/19 (Rain Date Sunday, 5/26/19)
3. Pedal to Parcels – Lucy Helfrich, The 300 Committee – Bike tour of conservation lands in Falmouth – Sunday, 6/2/19
4. Falmouth Art Market – Jane Parhiala, Falmouth Cultural Council – Marina Park (Bandshell Side) – Thursdays, 6/13 – 8/29/19
5. Beach Worship Services – Rev. Rebecca Mincieli, John Wesley United Methodist Church – Surf Drive Beach and parking lot – Sundays, 6/30 – 9/1/19 (except 7/14 and 8/18)
6. 35<sup>th</sup> Annual Autumn Escape Bike Trek – Paul Curley, American Lung Association – Ride through Falmouth, stop at Surf Drive Beach – Friday, 9/27/19
7. \*BBC Beer & Oyster Festival – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 6/2/19

New:

1. Walk for HOPE – Deanna Bussiere, Housing Assistance Corporation – Village Green Start/Finish – Walk on sidewalks – Sunday, 6/2/19
2. Falmouth Kids Day of Play – Bobbi Richards, Falmouth Rotary Club – Mullen-Hall School – Saturday, 6/8/19
3. ~~SPAGNE Falmouth Road Race After Party~~ – Andrew Vacca, Spina Bifida Association of Greater New England – Kite Field Corner of Clinton Ave. and Grand Ave. – Sunday, 8/18/19 **Organizer to re-apply with new location.**
4. Bands for Badges – Boyd DeMello, Bands for Badges, Inc. – Cape Cod Fairgrounds – Saturday, 8/24/19 **Approved by Working Group and scheduled for approval by BOS on 5/6/19 agenda.**
5. Wedding Ceremony – Gina Insogna – Falmouth Heights Beach – Saturday, 8/3/19
6. \*BBC Post Falmouth Road Race Beer Garden – British Beer Company – BBC/Seaside Inn Property Parking Lot – Sunday, 8/18/19
7. \*Wings for Falmouth Families Carnival – Nancy Thrasher, Wings for Falmouth Families – Marina Park, Tuesday, 8/20/19

Schedule next working group meeting: July \_\_\_\_, 2019 at 9:30 a.m.

Adjourn.



**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Cinco de Mayo Woods Hole

**NAME** Elizabeth Colt, Quicks Hole / Don Estes, Landfall Restaurant

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

**EVENT DAY & DATE** Sunday, May 5, 2019

**RAIN DATE** None.

**EVENT LOCATION** Luscombe Avenue, Woods Hole

**EVENT TYPE** Cinco de Mayo Food and Music Event

**SET-UP/BREAK-DOWN TIME** 12:00 / 7:00 **EVENT HOURS** 2:00 p.m. – 6:00 p.m.

**NUMBER OF ATTENDEES** 300 **# OF VEHICLES** \_\_\_\_\_

**ADDITIONAL DETAILS** Closure of Luscombe Avenue. Special one-day wine and malt liquor license. Sunday entertainment (two live bands). Staff will be stationed at the public entry areas to check for proper I.D. and to be sure alcohol does not leave the licensed premise area. Servers are TIPS certified. Food will be provided by Quicks Hole.

**CONDITIONS:**

1. Must use removable barriers at each end of Luscombe Avenue for emergency vehicle access.
2. Organizers to have staff posted at barriers on each end of Luscombe Avenue and at entrance/exit of alcohol contained area.
3. Contact detail sergeant in advance of event to schedule a police detail at the Steamship Authority end of Luscombe Avenue.
4. No use of tents for outside cooking.

**PERMIT FEE** \$200.00 **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Woods Hole May Festival

**NAME** Woods Hole Community Association, Megan Zottoli

**MAILING ADDRESS** P.O. Box 327, Woods Hole, MA 02543

**EVENT DAY & DATE** Saturday, May 25, 2019

**RAIN DATE** Sunday, May 26, 2019

**EVENT LOCATION** Taft Playground & Ball Park, Woods Hole

**EVENT TYPE** Fair with games, may pole, dancing

**SET-UP/BREAK-DOWN TIME** 8:00 a.m./4:00 p.m. **EVENT HOURS** 10:00 a.m. – 3:00 p.m.

**NUMBER OF ATTENDEES** 50+ **# OF VEHICLES** 2

**ADDITIONAL DETAILS** Annual Woods Hole May Festival – Community Event with May pole, craft stands, games, food, strolling fiddlers – fundraiser for non-profit Woods Hole Community Association. Parking off-site by arrangement with WHOI.

**CONDITIONS:**

1. Event organizer to provide a list of all food vendors to the Health Department and to direct all food vendors to Health Department to apply for temporary permit and arrange for inspections.
2. Contact Building Department for Tent Permit.
3. Contact the Police Department and the DPW for assistance, if needed.
4. Event organizers to police the field and playground following the event to ensure that no litter or debris is left behind.

**PERMIT FEE** waived **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT NAME** Pedal to Parcels

**NAME** The 300 Committee Land Trust

**MAILING ADDRESS** 157 Locust Street, Falmouth, MA 02540

**EVENT DAY & DATE** Sunday, June 2, 2019

**RAIN DATE** None.

**EVENT LOCATION** Start and Finish at Tony Andrews Farm

**EVENT TYPE** Guided bicycling tour of selected conservation lands in Falmouth

**SET-UP ARRIVAL TIME** \_\_\_\_\_ **EVENT HOURS** 9:30 a.m. – 12:00 p.m.

**NUMBER OF ATTENDEES** 35-40 **# OF VEHICLES** 20-25

**ADDITIONAL DETAILS** Route attached. Small lawn signs at conservation area stops.

\_\_\_\_\_

**CONDITIONS:**

1. Organizers to contact detail sergeant 30 days prior to the event to coordinate proper safety and security measures.
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 provided that no litter or damage has occurred)

**BOARD OF SELECTMEN:**

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THE 300 COMMITTEE LAND TRUST PRESENTS

# Pedal to Parcels

*tour de Falmouth*

Sunday, June 2, 2019

• 9:30 AM



Pump up your tires, hop on your bike and tour 16 parcels of protected open space along a 16 mile-loop. Meet land stewards and learn about spectacular places in Falmouth that you will want to come back and explore.

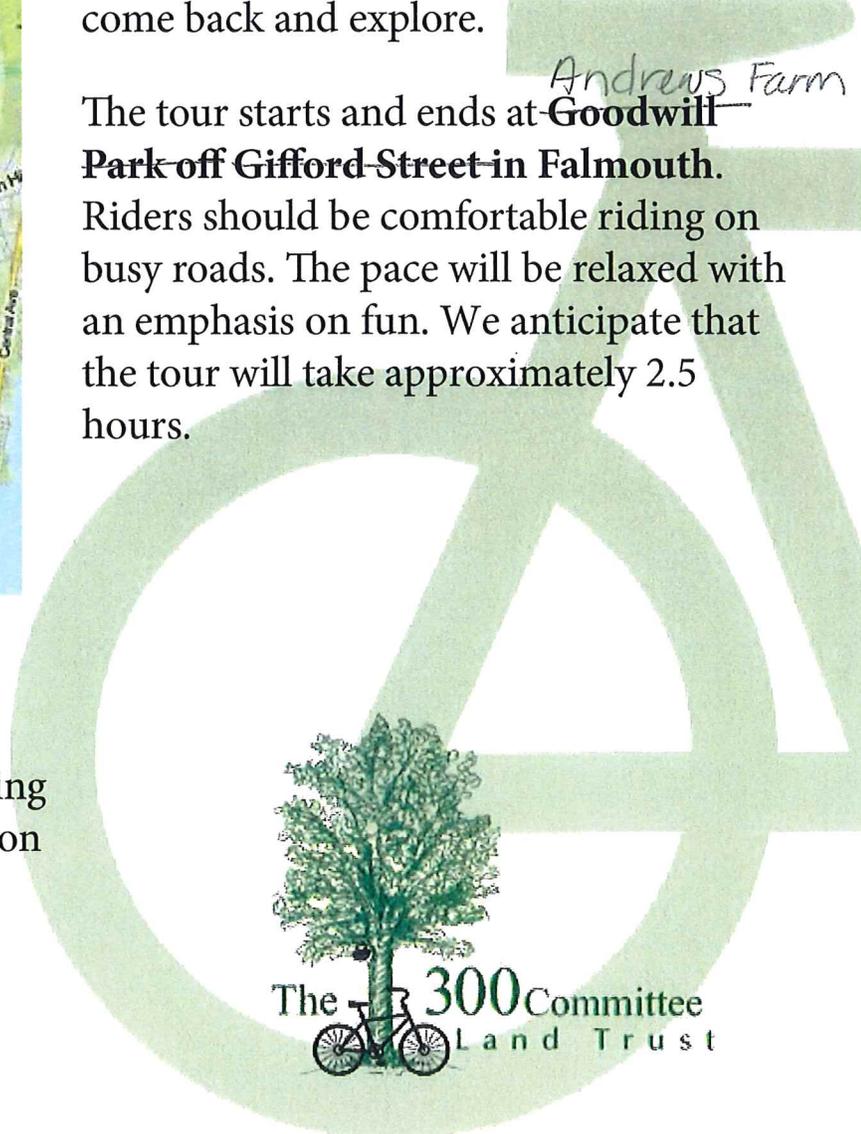
*Andrews Farm*

The tour starts and ends at **Goodwill Park off Gifford Street in Falmouth.** Riders should be comfortable riding on busy roads. The pace will be relaxed with an emphasis on fun. We anticipate that the tour will take approximately 2.5 hours.

## Registration and more info

Please register by emailing [saveland@300committee.org](mailto:saveland@300committee.org) or calling (508) 540-0876. For more information visit The 300 Committee website at [www.300committee.org](http://www.300committee.org).

**Don't forget your helmet!**





**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Falmouth Art Market

**NAME** Falmouth Cultural Council, Jane Parhiala

**MAILING ADDRESS** 59 Town Hall Sq., Falmouth, MA 02540

**EVENT DAY & DATE** Thursdays: June 13 – August 29, 2019

**RAIN DATE** None.

**EVENT LOCATION** Marina Park (Bandshell Side)

**EVENT TYPE** Art Market – Craft Sales

**SET-UP/BREAK-DOWN TIME** 10:00 / 6:00 **EVENT HOURS** 12:00 p.m. – 5:00 p.m.

**NUMBER OF ATTENDEES** 20 -25 **# OF VEHICLES** 20-25 vendors

**ADDITIONAL DETAILS** Use of electricity at bandshell for music. Use of restrooms at Harbormaster office for vendors. Tents and chairs.

**CONDITIONS:**

1. Vendors to drop off and shuttle to/from Gus Canty Recreation Center parking lot.
2. Four spaces available for vendor parking on grass area behind Bandshell.
3. Vendor parking plaques will be placed on vendors' vehicles.
4. Assigned location for parking vendor vehicles.
5. Contact Inspectional Services Department for permit for tents over 400 sq. ft.
6. All areas to be checked for cleanliness following event.

**PERMIT FEE** 12 days x \$200/day = \$2,400.00 **FILING FEE** \$10.00

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

**BOARD OF SELECTMEN:**

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**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT NAME** Sunday Worship Services

**NAME** Rev. Rebecca Mincieli, John Wesley United Methodist Church

**MAILING ADDRESS** 270 Gifford Street, Falmouth, MA 02540

**EVENT DAY & DATE** Sundays, June 30, 2019 – September 1, 2019 (except 7/14 and 8/18)

**RAIN DATE** None.

**EVENT LOCATION** Surf Drive Beach and Parking Lot

**EVENT TYPE** Sunday Worship Services

**ARRIVE/DEPART** 7:15 a.m./8:15 a.m. **EVENT HOURS** 7:30 a.m. – 8:00 a.m.

**NUMBER OF ATTENDEES** 30+ **NUMBER OF VEHICLES** 15+

**ADDITIONAL DETAILS** \_\_\_\_\_

**CONDITIONS:**

1. A Beach Department employee will open the gate to Surf Drive parking lot at 7:15 a.m. to allow parishioners into the lot to park and then will let the group out at 8:15 a.m. and lock the gate when everyone has exited the lot.

**PERMIT FEE** \$600.00 (8 days x \$75.00/day) **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

**NAME** Paul Curley, Route Manager

**MAILING ADDRESS** American Lung Association of the Northeast  
260 West Exchange St., Suite 102B, Providence, RI 02903

**EVENT DAY & DATE** Friday, September 27, 2019

**RAIN DATE** None.

**EVENT LOCATION** Bike Path, pass through town, rest stop at Surf Drive Beach

**EVENT TYPE** 35<sup>th</sup> Annual Autumn Escape Bike Trek

**SET-UP ARRIVAL TIME** 8:00 a.m. **EVENT HOURS** 10:00 a.m. – 2:00 p.m.

**NUMBER OF ATTENDEES** 300 **# OF VEHICLES** 4

**ADDITIONAL DETAILS** Use of Surf Drive Beach bathhouse. 10 x 10 tent to cover water and snacks at Surf Drive Beach.

**CONDITIONS:**

1. Observe Bikeways Committee bike path rules, attached.
2. Organizers to police area following the event for litter and cleanliness.
3. No markings on pavement.
4. Contact Falmouth Police Department Detail Sergeants two weeks prior to event to discuss public safety measures.
5. Contact Building Department in advance of the event for tent permit and to schedule inspection.
6. Contact Health Department to determine if temporary food permit is required.

**PERMIT FEE** \$200.00 **FILING FEE** \$10.00

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

**BOARD OF SELECTMEN:**

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**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Outdoor Beer & Oyster Festival

**NAME** British Beer Company, Rob Loewen, General Manager

**MAILING ADDRESS** 263 Grand Avenue, Falmouth, MA 02540

**EVENT DAY & DATE** Sunday, June 2, 2019

**RAIN DATE** Sunday, June 9, 2019

**EVENT LOCATION** Parking Lot behind British Beer Company and Seaside Inn Private Property

**EVENT TYPE** Outdoor Beer & Oyster Festival

**SET-UP ARRIVAL TIME** \_\_\_\_\_ **EVENT HOURS** 12:00 noon – 6:00 p.m.

**NUMBER OF ATTENDEES** 100-200 max. **# OF VEHICLES** \_\_\_\_\_

**ADDITIONAL DETAILS** One-day liquor license and entertainment license (two small bands) for outdoor area. Security personnel will be stationed at the three public entry areas to check for proper I.D. and issue wristbands. No person under 21 will be admitted to event. Servers are TIPS certified. 10x10 tents for breweries. Shucking station servers Serve Safe certified.

**CONDITIONS:**

1. *Per Fire Department: Organizer to ensure that in the event of rain, should patrons seek shelter inside the BBC, the permitted occupancy is to be maintained to avoid overcrowding.*
2. *Event organizer to provide a list of food vendors to the Health Department and to direct all food vendors to Health Department to apply for a temporary permit and arrange for inspections.*

**PERMIT FEE** \$200.00 **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT NAME** Walk for HOPE

**NAME** Housing Assistance Corp., Deanna Bussiere

**MAILING ADDRESS** 460 West Main St., Hyannis, MA 02601

**EVENT DAY & DATE** Sunday, June 2, 2019

**RAIN DATE** None.

**EVENT LOCATION** Sidewalks – Start and Finish at Village Green

**EVENT TYPE** Fundraiser walk for HAC's services and programs

**SET-UP/BREAK-DOWN** 12:00 p.m./5:00 p.m. **EVENT HOURS** 2:00 p.m. – 5:00 p.m.

**NUMBER OF ATTENDEES** 50 - 75 **# OF VEHICLES** None

**ADDITIONAL DETAILS** Route attached. Participants to walk on sidewalks; where there are no sidewalks, walk in small groups on the side of the road. Wait for traffic to stop at intersections. Water stops along route. Support vehicle circling route to pick up walkers for emergency purposes.

**CONDITIONS:**

1. Organizers to police route after event to be sure no litter or debris left behind.
2. No markings on pavement.
3. Contact Inspectional Services Department 30 days prior to event for permit and inspection of tents in excess of 400 sq. ft.

**PERMIT FEE** \$200.00 **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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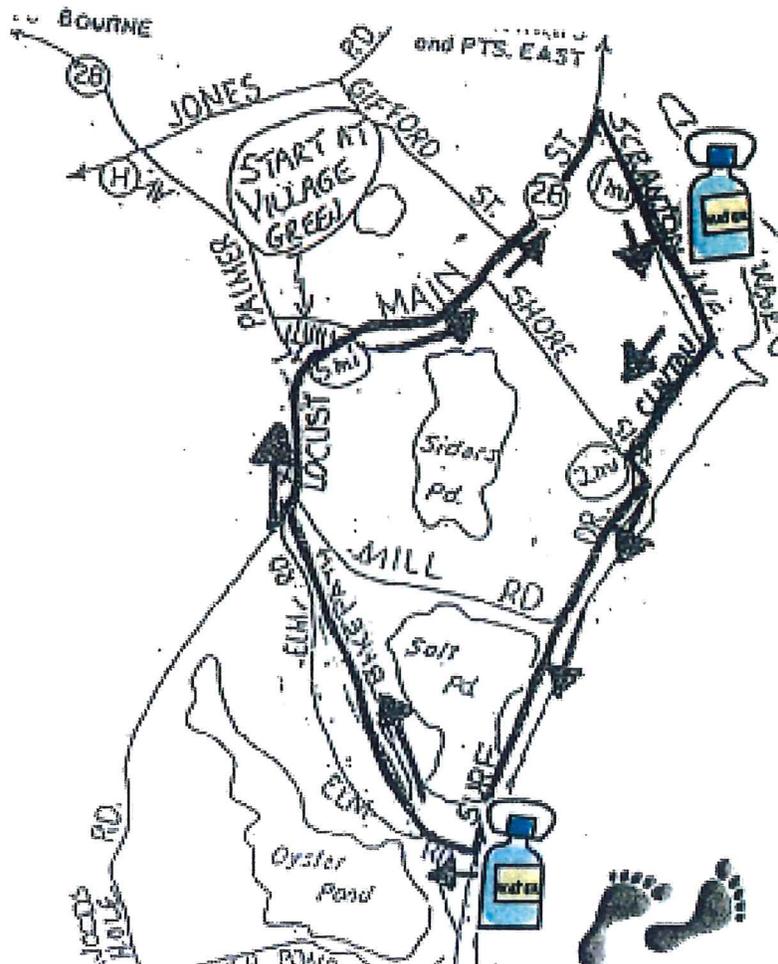


## Housing Assistance Corporation's Walk for HOPE Route Starting Point: Town Green, Falmouth

Start from the Falmouth Village Green, onto Main St.; then right on **Scranton Ave.**; right onto **Clinton** and follow to **Shore St.**; take a left onto shore for a short distance and turn right onto **Surf Dr.**; then turn right on **Elm Rd.** where you take the bike trail until it crosses **Locust** taking a right and ending at the **Village Green.**

### Day of Walk:

- Registration begins at 1:00 and walk starts at 2:00.
- Please start with the group and stay with the group.
- The route is marked.
- Please walk on sidewalks, where there are no sidewalks, please walk in small groups on the side of the road.
- Wait for traffic to stop at intersections.
- Water stops along the route.
- We will have a support vehicle circling the route to pick up walkers for emergency purposes.



**Thank you for supporting Housing Assistance Corporation!**  
HAConCapeCod.org



**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Post Falmouth Road Race Beer Garden Event

**NAME** British Beer Company, Rob Loewen, General Manager

**MAILING ADDRESS** 263 Grand Avenue, Falmouth, MA 02540

**EVENT DAY & DATE** Sunday, August 18, 2019

**RAIN DATE** None.

**EVENT LOCATION** Parking Lot behind British Beer Company and Seaside Inn Private Property

**EVENT TYPE** Outdoor Beer Garden Event

**SET-UP ARRIVAL TIME** \_\_\_\_\_ **EVENT HOURS** 12:00 noon – 6:00 p.m.

**NUMBER OF ATTENDEES** 100-200 max. **# OF VEHICLES** \_\_\_\_\_

**ADDITIONAL DETAILS** One-day liquor license and entertainment license (lightly amplified band so as not to interfere with Road Race event) for outdoor area. Security personnel will be stationed at the three public entry areas to check for proper I.D. and issue wristbands. No person under 21 will be admitted to event. Servers are TIPS certified. 10x10 tents for breweries. Shucking station servers Serve Safe certified.

**CONDITIONS:**

1. Per Fire Department: Organizer to ensure that in the event of rain, should patrons seek shelter inside the BBC, the permitted occupancy is to be maintained to avoid overcrowding.
2. Event organizer to provide a list of food vendors to the Health Department and to direct all food vendors to Health Department to apply for a temporary permit and arrange for inspections.

**PERMIT FEE** \$200.00 **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

EVENT NAME Kids' Day of Play

NAME The Rotary Club of Falmouth, Bobbi Richards

MAILING ADDRESS P.O. Box 293, Falmouth, MA 02541

EVENT DAY & DATE Saturday, June 8, 2019

RAIN DATE None.

EVENT LOCATION Mullen-Hall School, 130 Katharine Lee Bates Road

EVENT TYPE International event for interactive and fun activities for families

SET-UP/BREAK-DOWN \_\_\_\_\_ EVENT HOURS 11:00 a.m. – 4:00 p.m.

NUMBER OF ATTENDEES \_\_\_\_\_ # OF VEHICLES \_\_\_\_\_

ADDITIONAL DETAILS Inaugural event. No-fee play stations and Carousel of Light to provide rides at no charge. Booths for vendors that sell family-oriented wares.

**CONDITIONS:**

1. Organizers to provide Health Department with a list of food vendors and to direct all food vendors to Health Department to apply for a temporary permit and arrange for inspections.
2. Contact Inspectional Services Department 30 days prior to event for permit and inspection of tents in excess of 400 sq. ft.

PERMIT FEE \_\_\_\_\_ FILING FEE \_\_\_\_\_

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

**BOARD OF SELECTMEN:**

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**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Wings for Falmouth Families Carnival

**NAME** Wings for Falmouth Families, Nancy Thrasher

**MAILING ADDRESS** P.O. Box 843, Falmouth, MA 02541

**EVENT DAY & DATE** Tuesday, August 20, 2019

**RAIN DATE** None.

**EVENT LOCATION** Marina Park (Bandshell Side)

**EVENT TYPE** Carnival

**SET-UP/BREAK-DOWN TIME** 3:00 / 8:00 **EVENT HOURS** 4:00 p.m. – 7:00 p.m.

**NUMBER OF ATTENDEES** 50 **# OF VEHICLES** 25

**ADDITIONAL DETAILS** Use of electricity at bandshell for music (D.J.) and food trucks. Use of public restrooms at Harbormaster office. Games. No entry fee.

**CONDITIONS:**

1. Provide the Health Department with a list of food vendors and direct all food vendors to Health Department to apply for a temporary permit and arrange for inspections.
2. Contact Inspectional Services Department for permit for tents over 400 sq. ft.
3. All areas to be checked for cleanliness following event.

**PERMIT FEE** \$200.00 **FILING FEE** \$10.00

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

**BOARD OF SELECTMEN:**

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WINGS FOR FALMOUTH  
FAMILIES is hosting an Old-  
Fashioned Carnival at Marine Park,  
sponsored by Rockland Trust

Requested Date: Tuesday, August 20, 2019 (available per Rec. Dept.)

Fee: This is a free event. Wings is hosting to raise our name  
recognition in the local community.

Time: 4-7 (set up from 3-4, clean up from 7-8)

Games:

Doughnuts on string	Tug of War
Egg Toss	Sack Races
Rubber Duck Pond	Ring Toss
Dunk Tank	Bounce House
Face Painting/Tattoos	Apple Bobbing

Food:

Wings for Falmouth Families would like to invite Food Trucks to  
the event. There is no entry fee and all proceeds would be retained by  
the owners of the food trucks.

Entertainment:

Sister Spin (Cheryl Atherton) has been invited to be the DJ for  
the event.

Contacts: Nancy Thrasher/Nanette Davidson - event co-chairs

508-274-6111/508-264-0709

Kristin Shearer - President - Wings for Falmouth Families- 508-274-5875

[www.wingsforfalmouth.org](http://www.wingsforfalmouth.org) for more information about our mission



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

**NAME** \_\_\_\_\_ *Gina Insogna* \_\_\_\_\_

**MAILING ADDRESS** \_\_\_\_\_ *50 Richardson St., Winchester, MA 01890* \_\_\_\_\_

**CEREMONY DAY & DATE** \_\_\_\_\_ *Saturday, August 3, 2019* \_\_\_\_\_

**LOCATION** \_\_\_\_\_ *Falmouth Heights Beach* \_\_\_\_\_

**SET-UP ARRIVAL TIME** \_\_\_\_\_ *4:00 p.m.* **CEREMONY HOURS** \_\_\_\_\_ *4:30 p.m. – 5:30 p.m.* \_\_\_\_\_

**NUMBER OF GUESTS** \_\_\_\_\_ *20-30* **NUMBER OF VEHICLES** \_\_\_\_\_ *None – group transport* \_\_\_\_\_

**TIME NEEDED FOR PARKING VEHICLES** \_\_\_\_\_ *None.* \_\_\_\_\_

**ENTERTAINMENT** \_\_\_\_\_ *None.* \_\_\_\_\_

**CONDITIONS:**

1. Consumption of alcoholic beverages prohibited on Town beaches and parking areas.
2. Public parking is on a first come first serve basis.

**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)*

**BOARD OF SELECTMEN:**




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

**NAME** Kathleen Curran

**MAILING ADDRESS** 27 O'Brien Way, Dedham, MA 02026

**CEREMONY DAY & DATE** Saturday, August 10, 2019

**LOCATION** Surf Drive Beach

**SET-UP ARRIVAL TIME** 4:30 pm **CEREMONY HOURS** 6:00 pm – 8:30 pm

**NUMBER OF GUESTS** 15-20 **NUMBER OF VEHICLES** 6-8

**TIME NEEDED FOR PARKING VEHICLES** 6:00 pm to 8:30 pm

**ENTERTAINMENT** None.

**ADDITIONAL DETAILS:** Photography.

**CONDITIONS:**

1. No alcoholic beverages to be consumed on the premises.
2. Parking is on a first come first serve basis.

**PERMIT FEE** \$300.00 **FILING FEE** \$10.00

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

**BOARD OF SELECTMEN:**

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**FLOW NEUTRAL BYLAW**  
**ADJUSTED GUIDELINES TO BOS FOR WAIVER/VARIANCE CONSIDERATION**

Presented to BOS for Discussion Purposes 6-4-18

Suggested Process:

1. BOS receives confirmation from Board of Health that proposed development *can* be accommodated with an on-site Title 5 system as well as confirmation from wastewater superintendent that sufficient capacity exists in the treatment facility.
2. BOS holds Public Hearing on proposed development.
3. Priority areas for waiver/variance consideration:
  - Economic Development. Wastewater connections that will provide significant year-round economic benefit to the Falmouth community. This should be documented with supporting data on employment, revenue generated, taxes paid, etc.
  - Affordable Housing. Wastewater connections that address affordable housing goals as described in the Local Comprehensive Plan and Housing Production Plan. In the case of a project subject to the MGL Ch. 40B comprehensive permit process, the Zoning Board of Appeals assumes the power of the Board of Selectmen and grants or denies the waiver/variance request.
  - Mixed Use Development in Business Redevelopment Zone. Wastewater connections which include mixed commercial use on the lower level with residential units above. This is consistent with the zoning bylaw and the Local Comprehensive Plan envisioned by the Planning Board for the eastern portion of the Main Street corridor.
  - Municipal Use.

Note: Process above adopted by Falmouth Board of Selectmen on 6-4-18

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Selectmen of the Town of Falmouth will hold a public hearing on Monday, February 25, 2019 at 8:05 p.m. in the Selectmen's Meeting Room, Town Hall, Falmouth, MA on the application of the Falmouth Commodores for a wastewater flow variance under Chapter 180, Section 56 of the Code of Falmouth, the so-called Flow Neutral By-law, for a concession stand at the Ray Paltz Building at Guv Fuller Field at 744 Main Street in said Falmouth (parcel 39 21 001 000).

Per Order of Board of Selectmen

*Publication date: Friday, February 15, 2019, Falmouth Enterprise  
Account #: 2056*



# TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS, WASTEWATER DIVISION

416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540

TELEPHONE (508) 457-2543

AMY LOWELL  
WASTEWATER SUPERINTENDENT

Date: February 22, 2018

To: Board of Selectmen

Re: Request for Variance Under the Flow Neutral Bylaw  
Ray Paltz Building (Falmouth Commodores' Concession Stand), 790 Main St  
Sewer Capacity Determination

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A variance has been requested under section §180-56 of the Town's Flow Neutral Bylaw for the Ray Paltz Building (the Falmouth Commodores' concession stand behind the Gus Canty Center), 790 Main St. The Falmouth Commodores are proposing to modify the building to provide restrooms and limited food service and have requested a sewer connection.

Peak wastewater flow from the proposed concession facility is conservatively estimated to be approximately 2,225 gallons per day, based on the existing field seating capacity of 445 seats and 5 gallons per day per seat (Title 5 estimate for a public park type facility). Average daily wastewater flow is expected to be a fraction of that number due to extremely limited use of the facility in the off-season.

The proposed development is within an existing sewer service area and the parcel abuts an existing gravity sewer main on Main Street. A sewer connection plan will need to be prepared for review by the Wastewater Division – if possible, the building should have its own connection to the sewer main in the street (a separate lateral).

One of the two preconditions for the Board of Selectmen to grant a variance to the flow constraints of the Flow Neutral Bylaw is that "Sufficient capacity exists...as determined by the Wastewater Superintendent."

Taking into account wastewater flow from existing sewer service areas, projected flow from the new Little Pond Sewer Service Area (after all service area properties are connected), and the flow from the other currently proposed projects in sewer service areas, sufficient sewer system capacity exists to allow the proposed connection.

## Julian Suso

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**From:** Scott McGann <scott.mcgann@falmouthma.gov>  
**Sent:** Wednesday, February 13, 2019 12:22 PM  
**To:** Julian Suso; 'Peter Johnson-Staub'; Amy Lowell  
**Cc:** Diane Davidson  
**Subject:** flow neutral bylaw referral

On February 11, 2019 the Board of Health heard a flow neutral bylaw referral for the Ray Paltz Building (concession stand) at the rec center at 790 Main St. The Falmouth Commodores are working towards having food service and restrooms in that building requiring the need to tie into sewer.

The Board of Health voted a positive referral that a Title 5 septic system could be cited on the property for the proposed project.

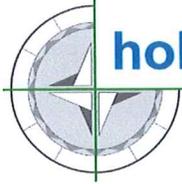
Any questions, feel free to reach out to me at any time.

Regards, Scott

Scott McGann, R.S.  
Health Agent/ Director  
Falmouth Health Department  
59 Town Hall Square  
Falmouth, MA 02540  
508-495-7485  
<http://www.falmouthmass.us/273/Health-Department>

## **Ray Paltz Building at Guv Field Improvement Project – Exhibit F**

1. The Club intends to complete renovations/construction to the building in order to bring it into compliance with the Falmouth Health Code Standards for utilization as a concession stand that will require running water and sewer access. Additional use would include storage space for excess merchandise and other Club materials.
2. Club will be responsible for securing a separate contract (not as part of the Town's contract) with a company to tie-in the sewer system from the senior center to the Building, including any necessary drainage, installation of a grease trap, or pump, if required. Every effort will be made to avoid conflict with the senior center area. Time is of the essence due to the current Senior Center construction site status that will significantly reduce costs to the Club. The expenses under the separate contract for tie-in from the Senior Center sewer connection to the Building will be the responsibility of the Club.
3. The Town agrees to restore electricity to the Building that was severed when the Senior Center foundation was excavated.
4. The estimated date of the Building construction initiation will be approximately March 2020.



**holmes and mcgrath, inc.**

**civil engineers and land surveyors**

205 worcester court • suite a4 • falmouth, ma • 02540

508-548-3564 • 800-874-7373 • fax 508-548-9672

jjohnson@holmesandmcgrath.com



June 11, 2018

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

Dear Selectmen:

RE Request for a Continuance  
For a Public Hearing on the request for a Variance of the  
Flow Neutral Bylaw for Sewer Service Areas  
For the proposed renovation of the house at  
24 Spencer Baird Road, Woods Hole  
Falmouth, MA

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The continued public hearing for the above referenced Variance Request is scheduled for Monday, March 11, 2019. Please accept this letter as a request to continue the public hearing on the above referenced Variance Request to **Monday, April 22, 2019**. The owners need more time to consider recent submissions.

Please call or write if you have any questions or need more information.

Sincerely

Holmes and McGrath, Inc.

Michael B. McGrath, PE, PLS

Cc: 24 Spencer Baird Road Nominee Trust  
William Roslansky

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Selectmen of the Town of Falmouth will hold a public hearing on Monday, February 25, 2019 at 7:45 p.m. in the Selectmen's Meeting Room, Town Hall, Falmouth, MA on the application of Holmes and McGrath, Inc. for a wastewater flow variance under Chapter 180, Section 56 of the Code of Falmouth, the so-called Flow Neutral By-law, for a proposed renovation to add three (3) additional bedrooms to an existing single family house at 24 Spencer Baird Road, Woods Hole in said Falmouth (parcel 49A 06 000D 044).

Per Order of Board of Selectmen

*Publication date: Friday, February 8, 2019, Falmouth Enterprise  
Account #: 2056*

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### TOWN OF FALMOUTH NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Selectmen of the Town of Falmouth will hold a public hearing on Monday, February 25, 2019 at 7:45 p.m. in the Selectmen's Meeting Room, Town Hall, Falmouth, MA on the application of Holmes and McGrath, Inc. for a wastewater flow variance under Chapter 180, Section 56 of the Code of Falmouth, the so-called Flow Neutral By-law, for a proposed renovation to add three (3) additional bedrooms to an existing single family house at 24 Spencer Baird Road, Woods Hole in said Falmouth (parcel 49A 06 000D 044).

Per Order of Board of Selectmen

February 8, 2019



# TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS, WASTEWATER DIVISION  
416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540  
TELEPHONE (508) 457-2543

AMY LOWELL  
WASTEWATER SUPERINTENDENT

Date: March 4, 2019

To: Board of Selectmen, Town Manager

cc: William Roslansky; Holmes and McGrath

Re: Flow Neutral Bylaw Notes – Continued Hearing 24 Spencer Baird

---

The Board of Selectmen's February 25<sup>th</sup> Flow Neutral Bylaw Hearing regarding 24 Spencer Baird Road was continued to March 11<sup>th</sup>. I will be out of town on March 11<sup>th</sup> and unable to attend the continued hearing. Therefore, I have prepared the following notes, following up on the discussion that occurred during the February 25<sup>th</sup> hearing.

- 1) The Board of Selectmen has some discretion with regard to granting variances under the Flow Neutral Bylaw. Section 180-56 of the bylaw says that Selectmen “**may** grant a variance” (emphasis added) if both conditions of Section 180-56 are met (i.e., if Board of Health confirms that the proposed development could be accommodated with an on-site Title V system and the Wastewater Superintendent confirms that sufficient sewer system capacity exists).
- 2) The flow neutral bylaw has a different purpose from Title 5. Title 5's stated purpose is to “provide for the protection of public health, safety, welfare and the environment.” The stated intent of the flow neutral bylaw is “to comply with the terms and conditions of the discharge permit, to manage present and future wastewater flows, to meet present and future water quality standards, and to support broader community planning objectives...”
- 3) The flow neutral bylaw allows wastewater flow to be determined based on Title 5 or on water meter data “as adjusted for seasonal occupancy.” (section 180-53). An applicant may not apply for a flow neutral bylaw variance based on an average annual flow calculated from annual water use. The basis must be Title 5 or water use numbers with an appropriate peaking factor applied. Most properties use less than their projected Title 5 flow on an average annual basis. However, the sewer must accommodate peak flow, which generally occurs for many properties in Town within the same time frame (for example on summer weekends).
- 4) The flow neutral bylaw “grandfathers” sewer parcels at whatever their existing number of bedrooms was on January 1, 2014, and it allows an increase to up to 4 bedrooms by right on parcels less than 40,000 square feet (it also allows parcels over 40,000 square feet to increase the number of bedrooms to one bedroom per 10,000 square feet of lot area by right). However, addition to a single-family dwelling that increases the number of bedrooms to more than 4 on

a lot less than 40,000 sq ft requires a variance. 24 Spencer Baird is less than 10,000 sq ft, and it is proposed that the number of bedrooms be increased from 5 to 7. The precedent is worth considering in this case. There are more than 1200 single family residential properties in the Little Pond Sewer Service Area that are less than 40,000 sq ft (most are less than 10,000 square feet) and would require the same variance if they wished to increase to more than 4 bedrooms. There are also hundreds of other single family residential properties in older sewer service areas (Woods Hole, Surf Drive area, etc) that would, now that the flow neutral bylaw is in place, need a variance to increase beyond 4 bedrooms.

- 5) The confusion during the hearing about the actual number of bedrooms at 24 Spencer Baird Road was due to the introduction of a Title 5 concept which allows that “Where the total number of rooms for single family dwellings exceeds eight, not including bathrooms, hallways, unfinished cellars and unheated storage areas, the number of bedrooms presumed shall be calculated by dividing the total number of rooms by two then rounding down to the next lowest whole number.” This is allowed under Title 5 for septic design but it does not appear to me to be appropriate as a basis for flow neutral bylaw variance decisions because of the flow management purpose of the bylaw, identified in item 2 of this memo.

# Law Office of Jonathan M. Polloni, Esq.

Office: 419 Palmer Ave.  
Falmouth, MA 02540

Mail: P.O. Box 311  
Woods Hole, MA 02543

Jonathan M. Polloni, Esq.

[pollonij@gmail.com](mailto:pollonij@gmail.com)

(508) 221-0358

April 16, 2019

Board of Selectmen  
59 Town Hall Square  
Falmouth, MA 02540



RE: Spencer Baird, Woods Hole, MA 02543  
Variance request

Dear Selectmembers,

This office represents Steven Gellis, Trustee of the 24 Spencer Baird Road Nominee Trust, owner of the property located at 24 Spencer Baird Road in Woods Hole ("Premises"). The owner is applying for a variance pursuant to section 180-56 of the sewer bylaw to exceed the maximum threshold of bedrooms. A hearing was held on February 27, and was continued to March 11 and then April 22, to permit the applicant to address questions of use of the premises. Because the bylaw clearly provides an avenue for variance approval and the applicant meets the requirements, a variance should be granted.

Mr. Gellis and his extended family use the property on a seasonal basis, from June to October, as they have since 1955. Mr. Gellis proposes to add two (2) bedrooms in the attic area, which combined with the five (5) existing bedrooms would result in a total of seven (7) bedrooms. These additional bedrooms would be used by the family's six grandchildren.

Under section 180-56, where sufficient capacity exists and the applicant has received a positive referral from the board of health, a variance can be granted. On October 5, 2018, Wasterwater Superintendent Amy Lowell attested that there is sufficient capacity taking into account current uses, planned development, and the recent extension to Little Pond Sewer Service Area. See Letter of Superintendent Lowell, Oct. 5, 2018. Then on January 16, 2019, Scott McGann, Health Agent, reported a positive referral from the Board of Health on January 7, 2019 "that a title V septic system could be sited on the property for the proposed project." See email from Scott McGann, January 16, 2019. This is all that should be required to find reason exists to grant a variance.

Looking to the language of the bylaw for guidance, section 180-56 provides as follows:

“A. The Board of Selectmen, ... may grant a variance, provided both Subsection A(1) and (2) below are satisfied:

- (1) Sufficient capacity exists in the treatment facility, as determined by the Wastewater Superintendent...
- (2) Should the Wastewater Superintendent determine sufficient capacity exists the applicant must then demonstrate, through a positive referral from the Board of Health, that a septic system for the total number of bedrooms...meeting the provisions of 310 CMR 15.000 (Title 5) without significant variances, can be sited on the parcel...

B. The Board of Selectmen may, at its sole and absolute discretion, issue a variance that in its judgment could be granted without substantially derogating from the intent or purpose of this bylaw should the applicant fail to satisfy criteria in § 180-56A(2) above.”

First, the bylaw clearly states the requirements for satisfying a variance. There must be sufficient capacity in the system to handle additional flows, and the applicant must show that a title V system designed to handle the increased bedrooms can be built. According to the Superintendent’s report to this Board in January, there is 53,000 gallons of daily capacity before meeting 80% of the discharge limit. The applicant believes the actual flow will not significantly add to existing flows from the premises. However, using the peak calculations of an additional 220 gallons per day would still leave 52,880 gallons of capacity available for other use.

Second, subsection A(2) is a significant limitation, in that it ties the grant of a variance to uses that would otherwise be available but for the sewer bylaw. Superintendent Lowell’s letter of March 4, 2019 glosses over this aspect of the bylaw when referencing the potential expansion within the LPSSA. The average lot size of lots in the LPSSA is around 7000 sq. ft., and many, if not all, of these lots involve other practical limitations such as nonconformance<sup>1</sup> that would deter owners from seeking additional bedrooms.

Third, the language of section 180-56 is arguably more permissive than that allowed for variances within the New Silver Beach Sewer Area, in section 180-46, which states:

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<sup>1</sup> “Preexisting, nonconforming structures or uses may be extended, altered or changed only by special permit from the Board of Appeals. Any such change, extension or alteration shall not be substantially more detrimental to the neighborhood than the existing nonconforming use or structure.” Falmouth Zoning Code, 240-3(c).

Board of Selectmen

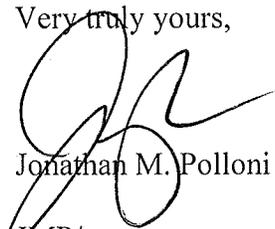
April 16, 2019

Page 3

“In case of unusual and substantial hardship, not the result of acts or omissions of the landowner, the Board of Selectmen, after a public hearing of which notice has been given by publication and posting for a minimum of two (2) weeks, may grant a variance to this part of the bylaw, provided that sufficient capacity exists and such relief may be granted without substantially derogating from the intent of purpose of this bylaw.”

Given that the Town has shown its ability to adopt stronger and more limiting language, but chose not in this instance should be afforded particular weight. Especially where the Town includes this exact language in section 180-56(B). This differentiation reinforces an intent to allow variances where appropriate, and clearly defining exactly when it should allowed. For the reasons stated above, we believe the application for a variance should be granted.

Very truly yours,



Jonathan M. Polloni

JMP/

Enclosures

Cc: Client

Stephen Gellis  
25 Kodaya Rd  
Waban, MA 02468  
617-285-0996

March 3, 2019

To the Board of Selectmen,

Questions were raised at the February 25, 2019 Board of Selectmen Meeting considering a request for a variance to flow neutral bylaws required for a proposed renovation at 24 Spencer Baird Road in Woods Hole.

We are writing to provide additional details as requested on the scope and intent of the project.

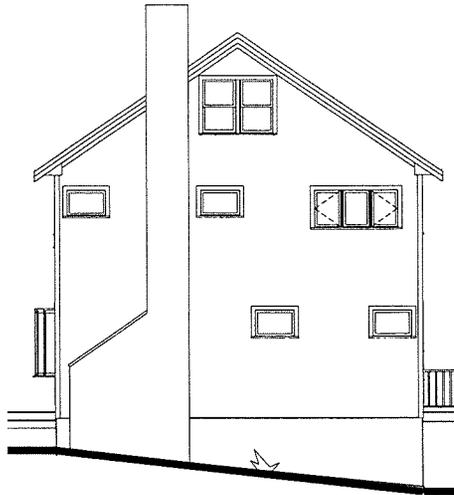
The renovation is to convert a partially finished attic space into sleeping and/or playrooms for children. This would add 2 bedrooms to the existing 5 bedroom home, which is used strictly seasonally from June to mid-October. See attached photograph and floor plans.

We have a growing family composed of three generations, including six children under the age of five, who when possible gather together at the house during the summer. It has now become difficult to accommodate our large family without additional bedroom space.

Our ties to Woods Hole began in 1933 when my father was a research assistant at the Woods Hole Oceanographic Institution. My family has summered in the town since 1955 and purchased the house in 1994. We have been involved in the Woods Hole community including the MBL Institution and the Science School. We would like this family tradition to continue for years to come.

Sincerely,

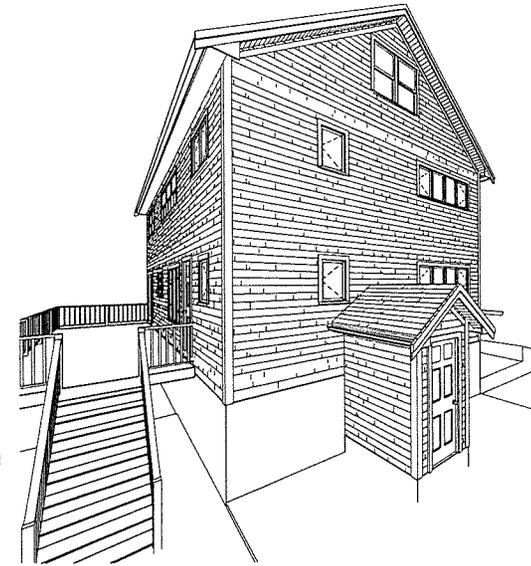
Stephen Gellis



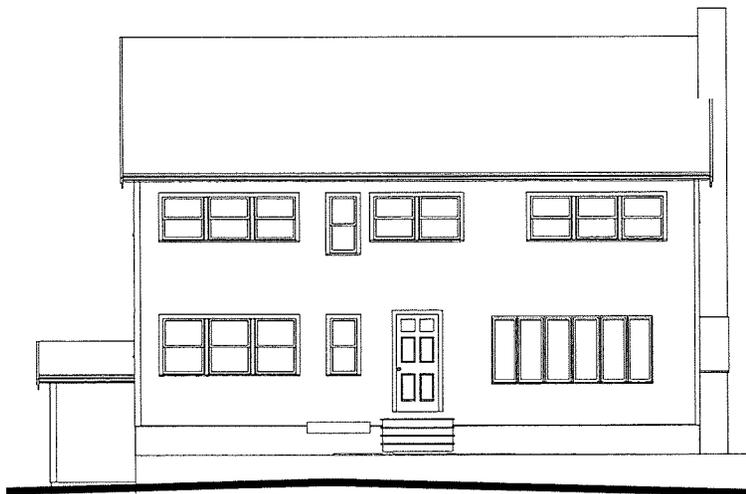
④ West - Right Elevation  
SCALE: 1/4" = 1'-0"



① South - Back Elevation  
SCALE: 1/4" = 1'-0"

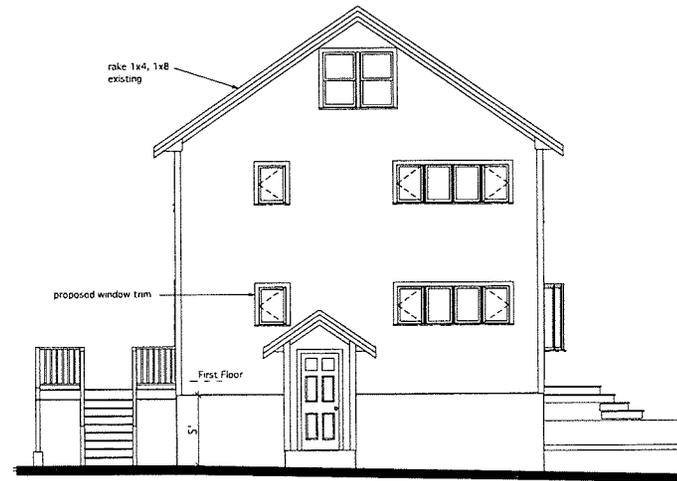


⑨ SCALE: 1/16" = 1'-0"



Right Side Elevation

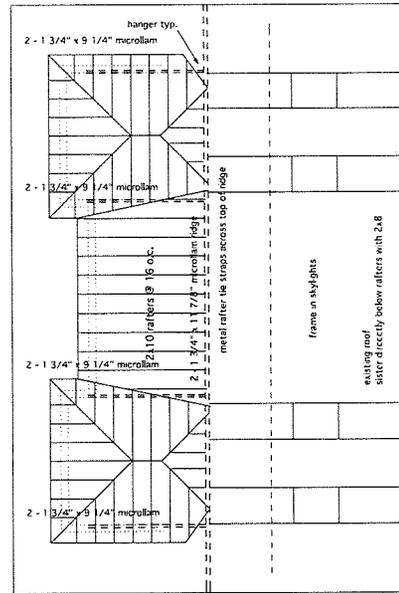
③ North - Front Elevation  
SCALE: 1/4" = 1'-0"



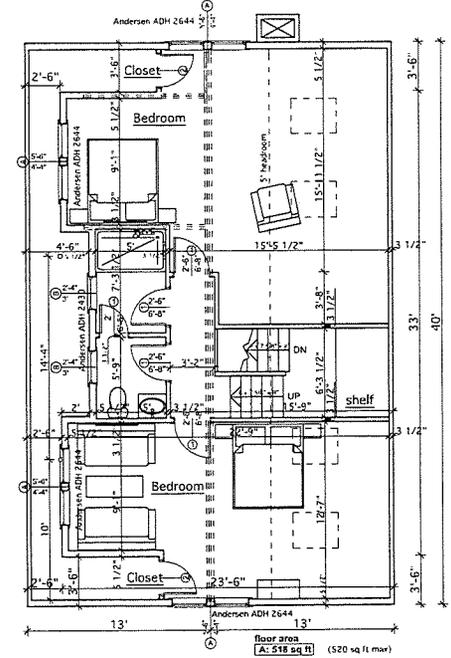
② East - Left Elevation  
SCALE: 1/4" = 1'-0"



2 South - Back Elevation  
SCALE: 1/4" = 1'-0"

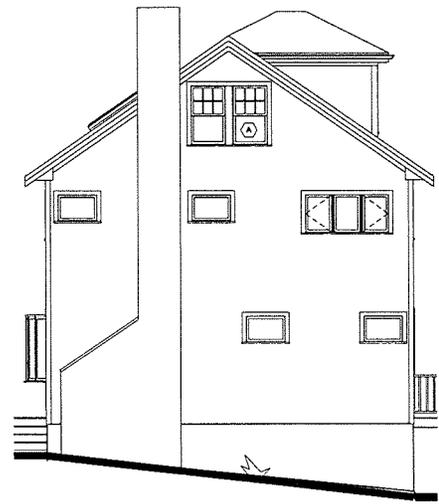


Roof Framing Plan

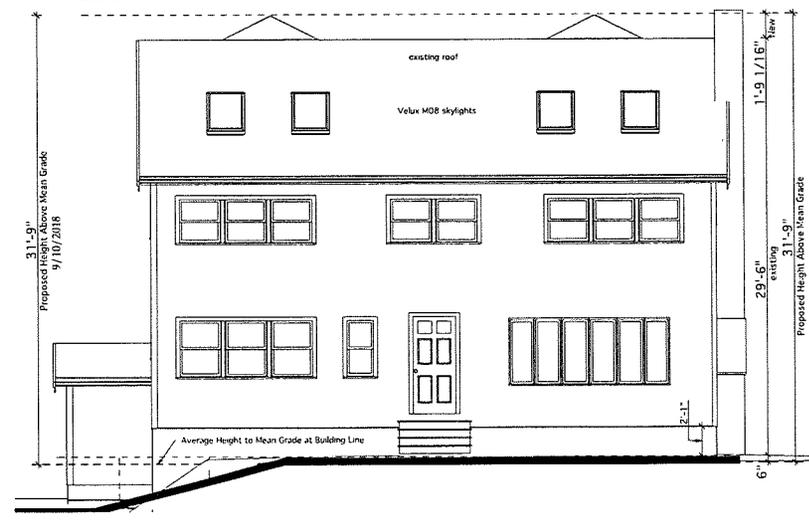


1 Third Floor Furnishing  
SCALE: 1/4" = 1'-0"

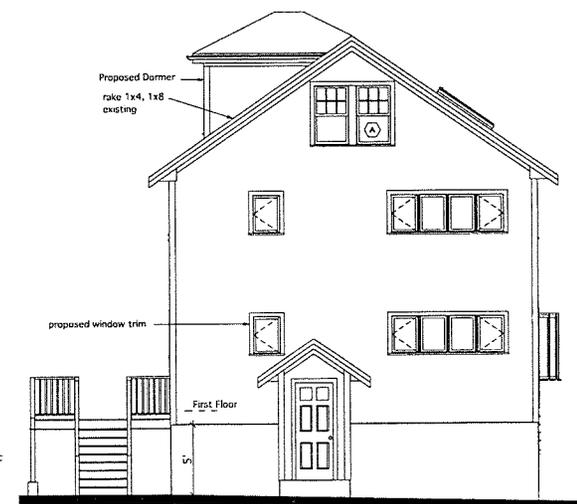
9/10/2018  
**First Floor Area 1,040**  
**Second Floor Area 1,040**  
**Third Floor Area 518 (proposed)**



5 West - Right Elevation  
SCALE: 1/4" = 1'-0"



4 North - Front Elevation  
SCALE: 1/4" = 1'-0"



3 East - Left Elevation  
SCALE: 1/4" = 1'-0"

**ARCHITECT**  
**William F. Roslansky**  
 26 Albatross Street, Woods Hole, Massachusetts, 02543  
 (508) 540-8950

**Addition**  
**Gellis Addition**  
 24 Spencer Baird Rd. Wood Hole, MA

Date: 7/26/2018 Scale: 1/4" = 1'-0"  
 Rev. Date & Type: 9/10/2018 Additive Height and Area  
 Sheet No:

**A-1**

Gellis Addition



# TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS, WASTEWATER DIVISION

416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540

TELEPHONE (508) 457-2543

AMY LOWELL  
WASTEWATER SUPERINTENDENT

Date: October 5, 2018

To: Board of Selectmen, Town Manager, Town Counsel

cc: William Roslansky, ZBA Office, Planning Office, Health Department

Re: Request for Variance Under the Flow Neutral Bylaw  
24 Spencer Baird Road  
Sewer Capacity Determination

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A variance has been requested under section §180-56 of the Town's Flow Neutral Bylaw for a proposed increase from 5 bedrooms to 7 bedrooms in the single family residence located at 24 Spencer Baird Road.

The property currently has 5 bedrooms, so it's existing Title 5 wastewater flow is 550 gallons per day. At the proposed 7 bedrooms, the Title 5 flow for the property will be 770 gallons per day.

The property is the Town's original sewer service area and was connected to the sewer system in the late 1960s.

One of the two preconditions for the Board of Selectmen to grant a variance to the flow constraints of the Flow Neutral Bylaw is that "Sufficient capacity exists...as determined by the Wastewater Superintendent."

Taking into account wastewater flow from existing sewer areas, projected flow from the new Little Pond Sewer Service Area (after all service area properties are connected), and flow from the other currently proposed projects in sewer service areas, sufficient sewer system capacity exists to accommodate this redevelopment.

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Because this is the first variance request under the Flow Neutral Bylaw made for modification to a single family residential property, I provide on the next page excerpts of the bylaw that relate to this request.

The following is the section of the bylaw that applies to modification of existing single family residences (*italics added*):

**§ 180-55 Modifications to existing parcels or changes in use in sewer service areas.**

**A. Single-family residences.**

*(1) Existing development. Modifications of an existing single-family dwelling on a parcel of 40,000 square feet or less may increase the total number of bedrooms to four (4) by right. Modifications of existing single-family residences on parcels over 40,000 square feet may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.*

*(2) New development. A single-family residence may have four (4) bedrooms by right on parcels of 40,000 square feet or less. On parcels greater than 40,000 square feet, a single-family residence may have one (1) bedroom per 10,000 square feet of lot area by right.*

*(3) Addition of bedrooms, beyond those permitted in Subsection A(1) and (2) above shall require a variance from the Board of Selectmen in accordance with § 180-56.*

Because the proposed bedroom increase is not allowed “by right” under the bylaw, a variance to is required.

The following is the section of the bylaw that governs variances (*italics added*):

**§ 180-56 Variances in sewer service areas.**

**A.** The Board of Selectmen, after a public hearing ....may grant a variance, provided both Subsection A(1) and (2) below are satisfied:

*(1) Sufficient capacity exists in the treatment facility, as determined by the Wastewater Superintendent. If sufficient capacity does not exist then no variance shall issue.*

*(2) Should the Wastewater Superintendent determine sufficient capacity exists the applicant must then demonstrate, through a positive referral from the Board of Health, that a septic system for the total number of bedrooms or nonresidential flow requested, meeting the provisions of 310 CMR 15.000 (Title 5) without significant variances, can be sited on the parcel. If the Board of Health does not make a referral within 45 days of receipt of the request, it shall be considered a positive referral.*

*B. The Board of Selectmen may, at its sole and absolute discretion, issue a variance that in its judgment could be granted without substantially derogating from the intent or purpose of this bylaw should the applicant fail to satisfy criteria in § 180-56A(2) above.*

## Scott McGann

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**From:** Scott McGann  
**Sent:** Wednesday, January 16, 2019 1:03 PM  
**To:** Julian Suso; Peter Johnson Staub  
**Subject:** flow neutral bylaw referral - 24 Spencer Baird

On January 7, 2019 the Board of Health heard a flow neutral bylaw referral for 24 Spencer Baird Road.

The Board of Health voted a positive referral that a Title 5 septic system could be cited on the property for the proposed project.

Any questions, feel free to reach out to me at any time.

Regards, Scott

Scott McGann, R.S.  
Health Agent/ Director  
Falmouth Health Department  
59 Town Hall Square  
Falmouth, MA 02540  
508-495-7485  
<http://www.falmouthmass.us/273/Health-Department>



# TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

## PUBLIC HEARING NOTICE

The Falmouth Board of Selectmen will hold a public hearing under Section 240-77 (Wetland Regulations) of the Zoning Bylaws of the Town of Falmouth on Monday, March 25, 2019 at 7:30 p.m., continued from February 25, 2019) in the Selectmen's Meeting Room, Falmouth Town Hall, on the application of Thomas Dmytryck for permission for the removal of the licensed float and installation of a new pile supported pier and pile supported boat lift located at 53 Madeline Road, East Falmouth, MA. Body of water affected is Eel Pond. Interested parties may review the file on this hearing at the Selectmen's Office.

Per Order of the  
Board of Selectmen

*Publication Dates: Friday, March 8, 2019 and Friday, March 15, 2019 – Falmouth Enterprise*

*Copy to: Abutters*

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## **TOWN OF FALMOUTH PUBLIC HEARING NOTICE**

The Falmouth Board of Selectmen will hold a public hearing under Section 240-77 (Wetland Regulations) of the Zoning Bylaws of the Town of Falmouth on Monday, March 25, 2019 at 7:30 p.m., continued from February 25, 2019) in the Selectmen's Meeting Room, Falmouth Town Hall, on the application of Thomas Dmytryck for permission for the removal of the licensed float and installation of a new pile supported pier and pile supported boat lift located at 53 Madeline Road, East Falmouth, MA. Body of water affected is Eel Pond. Interested parties may review the file on this hearing at the Selectmen's Office.

Per Order of the  
Board of Selectmen

March 8, 15, 2019

**Diane Davidson**

---

**From:** Erica Borselli <erica@falmouthengineering.com>  
**Sent:** Friday, April 19, 2019 2:37 PM  
**To:** Diane Davidson  
**Subject:** 53 Madeline Road

Dear Diane,

Please accept this email as formal request for the public hearing for 53 Madeline Rd. scheduled for Monday, April 22, 2019 be continued to the next available hearing date of Monday, May 6, 2019.

Thank you

*Regards,*

*Erica Borselli  
Falmouth Engineering, Inc.  
17 Academy Lane, Suite 2  
Falmouth, MA 02540  
508.495.1225*

[www.falmouthengineering.com](http://www.falmouthengineering.com)

**TOWN OF FALMOUTH  
BOARD OF SELECTMEN  
PUBLIC HEARING NOTICE**

As provided under Chapter 119, Section 1, of the Code of Falmouth, a Public Hearing will be held in the Selectmen's Meeting Room, Town Hall, on Monday March 25, 2019 at 8.15 p.m. to increase the water service rates in the Town of Falmouth.

Susan L. Moran, Chairman  
Board of Selectmen

*Publication Date: Friday, March 15, 2019 – Falmouth Enterprise*

*Account #: 2056*



# TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS

416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540  
TELEPHONE (508) 457-2543

## MEMORANDUM

**TO:** Board of Selectmen

**FROM:** Stephen Rafferty and Amy Lowell, Water and Wastewater Superintendents

**CC:** Town Manager, Finance Director, Public Works Director

**DATE:** 3/22/19

**RE:** Water and Sewer Rate Recommendations for FY 20, FY 21 and FY 22

---

At the last rate hearing in 2016, we requested and the Board of Selectmen voted a 17.2% increase in the water rate and a 10% increase in the sewer rate. Those rate increases were based on projected increases in the cost of operations associated with both the Long Pond Water Treatment Plant and the Little Pond Sewer Service Area.

We indicated at that time that we would evaluate the actual cost impacts of those projects and would likely return to the Board for a future rate adjustment.

We have evaluated water and wastewater division existing and projected costs and revenues, and we recommend the following water and sewer rates for FY 20-FY 22:

**Water rate recommendation: Increase 2% per year in each of the next three fiscal years.**

**Sewer rate recommendation: NO CHANGE ANTICIPATED for the next three fiscal years.**

Background regarding these recommendations is provided on the following pages, first on the water rate then on the sewer rate.

In addition, because the issue may arise in the context of the rate discussion, an Appendix is included which explains our recommendation regarding the citizen's petition related to Irrigation Meters.

## WATER RATE RECOMMENDATION BACKGROUND

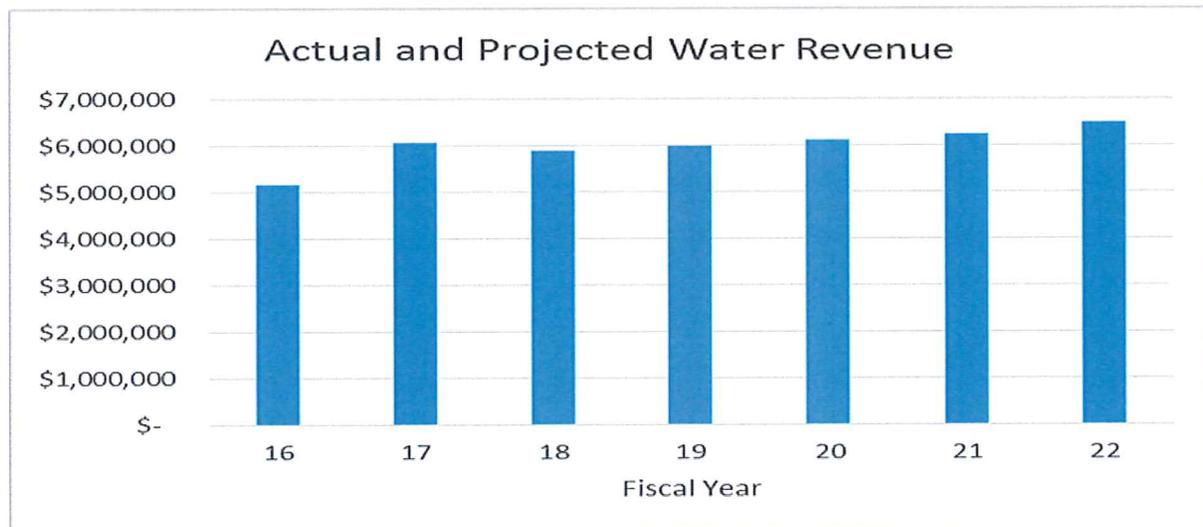
A water rate increase of approximately 2% per year is recommended for each of the next three years.

The current goal of the rate structure is to generate revenue that covers the department's direct costs, indirect costs, and a portion of the incurred debt for the water plant. Direct costs include personnel/labor and material/operating costs for items such as electricity, chemicals and ongoing maintenance of the distribution system and treatment facility. The indirect costs include the cost of insurance, fuel, vehicles, accounting, collection and IT support.

Three years ago in 2016 at the last rate hearing, we requested, and the BOS voted a 17.2% water rate increase. That increase was based on a revenue projection to recover \$1.3M per year of the anticipated debt for the new plant and the projected operating cost of the new treatment plant.

We can report that our estimate of the cost of operation of the new facility was accurate. However, our actual revenue has been lower than projected by approximately \$500,000 and water rates are only funding approximately \$800,000 of the debt obligation.

The 2% annual increase will gradually close the revenue gap.



The chart shows actual revenue for FY 16, 17 and 18. The impact of the last rate increase is seen in FY17. The proposed rate increase is shown for FY 20, 21 and 22.

A proposed motion for the Board's consideration with precise rates and percentages is on the following page.

**Motion** that effective Monday June 3, 2019  
the water rate structure shall be as follows:

**From June 3, 2019 to May 31, 2020**

Meter Size	Semi Annual Billing	Quarterly Annual Billing	% increase
5/8 inch	\$ 59.00		1.72%
3/4 inch	\$ 71.00		1.43%
1.0 Inch	\$ 113.00		1.80%
1-1/2 inch		\$ 99.00	2.06%
2.0 inch		\$ 142.00	2.16%
3.0 inch		\$ 235.00	2.17%
4.0 inch		\$ 282.50	1.99%
6.0 inch		\$ 425.00	2.16%
8.0 inch		\$ 562.50	1.90%

**Excess Rate is \$3.37/HCF, a 2.00% increase**

**From June 1, 2020 to May 30, 2021**

Meter Size	Semi Annual Billing	Quarterly Annual Billing	% increase
5/8 inch	\$ 60.00		1.72%
3/4 inch	\$ 73.00		2.86%
1.0 inch	\$ 115.00		1.80%
1-1/2 inch		\$ 101.00	2.06%
2.0 Inch		\$ 144.50	1.80%
3.0 inch		\$ 239.50	1.96%
4.0 inch		\$ 288.00	1.99%
6.0 inch		\$ 433.00	1.92%
8.0 inch		\$ 575.00	2.26%

**Excess Rate is \$3.43/HCF, a 2.00% increase**

**From May 31, 2021 to June 6, 2022**

Meter Size	Semi Annual Billing	Quarterly Annual Billing	% increase
5/8 inch	\$ 62.00		3.45%
3/4 inch	\$ 74.00		1.43%
1.0 inch	\$118.00		2.70%
1-1/2 inch		\$ 103.00	2.06%
2.0 inch		\$ 147.50	2.16%
3.0 inch		\$ 244.00	1.96%
4.0 inch		\$ 294.00	2.17%
6.0 inch		\$ 441.50	2.04%
8.0 inch		\$ 589.00	1.99%

**Excess Rate is \$3.50/HCF, a 2.00% increase**

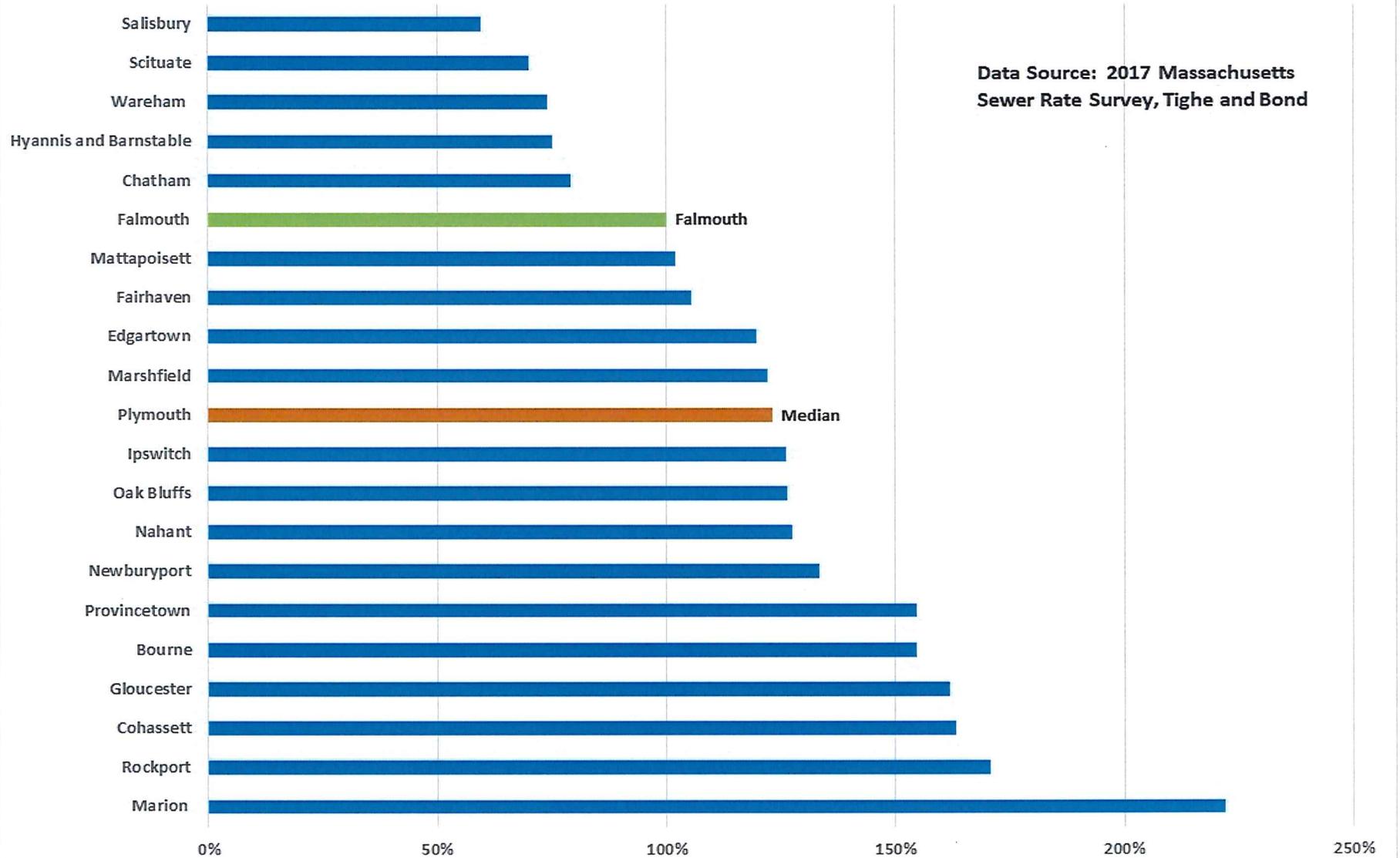
## SEWER RATE RECOMMENDATION BACKGROUND

Approximately 1400 property owners have recently been charged for sewer use for the first time for their Little Pond Sewer Service Area (LPSSA) property. Approximately 1000 other property owners were previously connected to the sewer system and have been paying the same sewer rate now paid by the LPSSA property owners.

Because sewer charges are a new expense for LPSSA property owners, and perhaps because the Wastewater Division did not do an adequate job of communicating ahead of time about what to expect, there has been some concern about the cost of sewer bills. This is the same billing structure that existing sewer customers have historically paid. Due to concern about cost to new sewer customers, it has even been suggested that the Town consider decreasing the sewer rate. Instead, it is recommended that the sewer rate be maintained as-is through FY 22 for the following reasons:

- 1) We have reviewed Wastewater Division revenue and operating cost over the years since the last rate increase and can report that at the current sewer rate, the Wastewater Division's revenue covers its annual operating budget, as projected. If the sewer rate were decreased, funds would need to be raised elsewhere, or less funding would be available for Town needs.
- 2) Falmouth's sewer rate is a reasonable rate. A customer that uses 150 gallons of water per day will be charged approximately \$490 per year for sewer and \$226 per year for water. This amounts to about \$40 per month for sewer and \$20 per month for water. In fact, 79% of LPSSA sewer customers use less than 150 gallons of water per day and so, pay less than \$40/month for sewer service. The figure on the next page shows sewer cost for a typical homeowner in other comparable Massachusetts towns (i.e. coastal small-to-medium communities) compared to sewer cost for a typical homeowner in Falmouth. A Falmouth homeowner's annual sewer cost is about **25% less than** the median annual sewer cost among these comparable towns. In other words, homeowners in most coastal communities pay more for sewer than homeowners in Falmouth do. This review is based on data provided in Tighe and Bond's 2017 Massachusetts Sewer Rate Survey.
- 3) The sewer rate was last increased (10%) three years ago in FY 16. It is recommended that the Board not increase the sewer rate in FY 20, FY 21 or FY 22. Maintaining the sewer rate at its current level until FY 23 would grant sewer customers 6 years in a row without a sewer rate increase.
- 4) Residential water and sewer customers are currently billed semi-annually. Most utilities (electric, gas, cable, etc.) bill monthly, which divides the customers' annual cost into 12 bills instead of 2. After the Town switches from its very old billing system (TopGun) to its new billing system (Vadar), the Town will be able to change to quarterly billing for all water and sewer accounts. This change from semi-annual to quarterly billing will help distribute the cost more evenly over the year.

## Homeowner Sewer Cost in Other Coastal MA Towns Compared to Falmouth Homeowner Sewer Cost (%)



**APPENDIX - IRRIGATION METER RECOMMENDATION  
(SUPPLEMENTAL BACKGROUND INFORMATION, NOT FOR 3/25/19  
PRESENTATION TO BOARD OF SELECTMEN)**

A Petitioner's Article has again been submitted for April 2019 Town Meeting proposing that property owners be permitted to install separate irrigation meters in order to reduce water/sewer bill cost. That proposal should again be rejected for the reasons summarized below:

Allowing separate irrigation meters (and decreasing the cost of irrigation) is contrary to the goal of encouraging water conservation.

- Treated water is a precious and expensive resource; the Town just constructed a forty million dollar drinking water treatment plant.
- Irrigation is a discretionary water use.
- The Commonwealth's DEP permitting of water under the water resource management act is based on no more than 65 gallons per capita per day usage.
- The Town's calculated rate in 2017 was 67 gallons per capita per day.
- As a community we need to reduce irrigation usage to come back in line with the DEP target before we would be allowed to develop any new water sources.
- There are ways of reducing irrigation water use and thereby decreasing cost: subsurface (drip) irrigation, plants that require less water.
- The state is applying increasing pressure on Towns to reduce per capita water consumption.
- Many Towns, including Mashpee, have banned spray irrigation.
- Most Towns that do allow separate meters for irrigation *charge more* per gallon for water that goes through the irrigation meter, because Towns wish to encourage conservation.

Installing an irrigation meter would not be as simple or as inexpensive as petitioners have described.

- To avoid the risk of intentional or accidental plumbing from the irrigation meter to sewer water uses, a new separate water service would be required for an irrigation meter.
- In addition, a meter pit, backflow preventer and new piping to the irrigation system would be needed, at the property owner's expense.
- Customers would be charged the minimum charge each billing period for both meters.

Allowing irrigation meters would *redistribute* water and sewer costs among customers.

- If high irrigation water users put in second meters, that would decrease sewer revenue.
- The cost of running the sewer system will remain the same; if the sewer revenue decreases, the sewer rate will have to increase to recover the lost revenue.
- If customers with irrigation meters pay less for sewer usage, then others would have to "make up the difference." The result would be to increase the sewer bill for those who do not irrigate.

For customers that do use a substantial amount of water for irrigation and wish to reduce their cost of irrigation, an irrigation well is a much better option.

- Installing an irrigation well would cost approximately \$3,500, which is likely more than the cost of the additional water service and meter pit required for an irrigation meter, but the property owner would thereafter pay nothing for water used for irrigation.
- The Board of Health recently modified regulations to reduce the irrigation well set-back requirement to 10 feet from the property line in sewer areas.

- This would reduce peak demand on the water system. Currently, landscape irrigation during summer mornings is contributing to the Town's peak water supply challenges.
- Irrigation with well water could help "clean up" groundwater; vegetation could help uptake nutrients remaining in groundwater from fertilizer and from historic septic systems.
- Irrigation with groundwater would avoid the use of highly treated drinking water for landscape watering.

## LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that New England Authentic Eats, LLC d/b/a Papa Gino's has applied for a Transfer of Ownership of a Wine & Malt Restaurant License located at 56 Davis Straits, Falmouth, MA. A hearing will be held in the Selectmen's Meeting Room, Falmouth Town Hall on Monday, April 22, 2019 at 8:20 p.m. on the above application.

### LICENSING BOARD

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

*Publication Date: April 5, 2019*  
*Account: 2056*



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth
City/Town

039000214
ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- Transfer of License
Change of Location
Change of Class
Change Corporate Structure
Change of Manager
Change of License Type
Change of Category
Pledge of Collateral
Change of Officers/Directors/LLC Managers
Change of Ownership Interest
Issuance/Transfer of Stock/New Stockholder
Change of Hours
Change of DBA

APPLICANT INFORMATION

Name of Licensee: New England Authentic Eats LLC
DBA: Papa Gino's
Street Address: 56 Davis Straits
Zip Code: 02540
Manager: Christine Couture
Type: §12 Restaurant
Class: Annual
Category: Wines and Malt Beverages
Granted under Special Legislation? No

DESCRIPTION OF PREMISES Complete description of the licensed premises

3290 sq. ft. retail restaurant, four rooms, including kitchen, prep, storage/office and dining. Seating for 72. Ground floor. One public entrance/exit. one side door and one back door. 8 am - 11 pm Monday - Saturday. Sundays 12 noon to 11 pm.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date: March 15, 2019 Time: 2:30 pm
Advertised: Yes
Date Published: 4/5/2019 Publication: Falmouth Enterprise
Abutters Notified: Yes
Date of Notice:

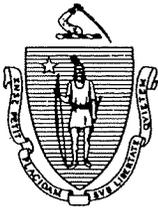
Date APPROVED by LLA: April 22, 2019
Decision of the LLA: Approves this Application

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: 00214-R5-0390
Seller Name: Papa Gino's Inc.

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**APPLICATION FOR A TRANSFER OF LICENSE**

Municipality

Falmouth

**1. TRANSACTION INFORMATION**

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type  
 (\$12 ONLY, e.g. "club" to "restaurant")

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

All assets of the former owner were sold to New England Authentic Eats LLC DBA Papa Gino's (WC Purchaser LLC prior to name change). As the new owners wish to continue operating the restaurant and continue serving beer/wine, we wish to transfer the existing beer/wine license to the new owner. The concept of the business operation will continue to be a quick-service, family style restaurant selling pizza, pasta and sandwiches with both dine-in and take out orders.

**2. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Restaurant	Wines and Malt Beverages	Annual

**3. BUSINESS ENTITY INFORMATION**

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

Current or Seller's License Number: 039000214      FEIN: 61-1905885

Entity Name: New England Authentic Eats LLC

DBA: Papa Gino's      Manager of Record: Christine Couture

Street Address: 56 Davis Straits Rd

Phone: 508-540-4024      Email: KBray@papaginos.com

Add'l Phone: 781-467-1689      Website: www.Papaginos.com

**4. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

Unit in strip center. Single floor with a main dining room with 72 seating capacity, Kitchen area, Office area, walk-in refrigerator & freezer and restrooms.

Total Sq. Footage	3,000	Seating Capacity	72	Occupancy Number	72
Number of Entrances	1	Number of Exits	3	Number of Floors	1

## New Liquor License or Transfer of Existing Retail License Checklist

Please refer to website: [www.mass.gov/abcc](http://www.mass.gov/abcc)

1. Apply for an Alcoholic Beverages License (ABCC)
2. Apply for an Alcoholic Beverages Local Retail License (ABCC)
3. Click on Local Licensing Authority- Falmouth
4. Click on necessary forms
5. Complete all forms on-line
6. Save to your computer
7. Print out and sign
8. Attach all required documents
9. Submit to Town of Falmouth ABCC forms

This application will be returned if the following documentation is not submitted:

- All ABCC forms from above #5 including Monetary Transmittal form for \$200 license fee paid online
- New or Transfer Application *as above*
- CORI Authorization Form, **notarized** for proposed Manager of Record *#6.1*
- Proof of Citizenship for proposed Manager of Record *#6.1*
- Beneficial Interest – Individual or Beneficial Interest - Organization *#6*
- Vote of Corporate Board
- Business Structure Documents: *#6*
  - o Articles of Organization, if Corporation
  - o Partnership Agreement, if partnership
  - o Business Certificate, if sole proprietor
  - o Certificate of Foreign Corporation, if applicable
- Floor Plan *#4*
- Legal Right to Occupy - Lease or Deed *#8*
- Supporting Financial Records *#10*
- Purchase & Sale Agreement *#16*

### Town of Falmouth

- A \$50.00 Filing Fee made payable to the Town of Falmouth
- A \$50.00 Advertising Fee made payable to the Town for Abutter Notification - for **NEW** license only
  - a fingerprint based-background check by the Manager of Record performed at Central Records Office at the Falmouth Police Department; submit a \$30 fee payable to the **Commonwealth of Massachusetts**
- A \$30.00 Background Check Processing fee made payable to the **Town of Falmouth**
- TIPS Certifications
- Common Victualler License - \$10 Filing fee and \$50 License fee
- Menu
- Certificate of Liquor Liability Insurance
- Food Service Establishment Permit *Pending*
- Building/Fire Certificate of Inspection *Pending*
- Hearing before the Board of Selectmen *April 22, 2019*

### Other:

- Entertainment License, Sunday Entertainment License, Automatic Amusement
- Sign Permit (Inspectional Services)
- Certificate of Doing Business (Town Clerk)
- Special Permit issued by Zoning Board of Appeals

## Phyllis Downey

---

**From:** Mel Trott  
**Sent:** Friday, March 29, 2019 1:34 PM  
**To:** Phyllis Downey  
**Cc:** Timothy Smith; Boyd Demello  
**Subject:** RE: Application for Transfer of Wine-Malt License - Papa Gino's

Good Afternoon again Phyllis,

The Fire Rescue Department is not opposed to the transfer of this license.

Mel

---

**From:** Timothy Smith <timothy.smith@falmouthfirema.gov>  
**Sent:** Friday, March 29, 2019 7:24 AM  
**To:** Mel Trott <mel.trott@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>  
**Subject:** Fwd: Application for Transfer of Wine-Malt License - Papa Gino's

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Phyllis Downey <phyllis.downey@falmouthma.gov>  
**Date:** March 28, 2019 at 15:57:58 EDT  
**To:** Reid Brian <breid@falmouthpolice.us>, Ollie Fitzpatrick <ollie.fitzpatrick@falmouthma.gov>, Rod Palmer <rod.palmer@falmouthma.gov>, Scott McGann <scott.mcgann@falmouthma.gov>, Sean Doyle <sdoyle@falmouthpolice.us>, "Tim Smith (tsmith@falmouthfire.us)" <tsmith@falmouthfire.us>  
**Subject:** Application for Transfer of Wine-Malt License - Papa Gino's

Good afternoon,

Attached please find an application to Transfer the Wine & Malt Beverage License of Papa Gino's restaurant at 56 Davis Straits, Falmouth. May we please request your feedback, if any, by Thursday, April 18, 2019. The Selectmen will review this application at their next meeting on April 22<sup>nd</sup>.

Thank you,  
Phyllis

*Phyllis Downey*

Administrative Assistant  
Office of the Town Manager & Board of Selectmen  
508-495-7325

**CORRECTION**  
**LIQUOR LICENSE HEARING**

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Wild Harbor General Store, Inc. d/b/a Wild Harbor General Store has applied for a Transfer of Ownership of a Wine & Malt Package Store License located at 198-200 Old Main Road, North Falmouth, MA. A hearing will be held in the Selectmen's Meeting Room, Falmouth Town Hall on Monday, April 22, 2019 at 8:20 p.m. on the above application.

LICENSING BOARD

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

*Publication Date: March 29, 2019*  
*Account: 2056*



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

00161-PK-0390

City/Town

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

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

APPLICANT INFORMATION

Name of Licensee: Wild Harbor General Store, Inc      DBA: Wild Harbor General Store

Street Address: 200 Old Main Road, North Falmouth 02556

Manager: Carol E Gabriel

Granted under Special Legislation?    Yes  No

If Yes, Chapter \_\_\_\_\_ of the Acts of (year) \_\_\_\_\_

\$15 Package Store    Annual    Wines and Malt Beverages

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

DESCRIPTION OF PREMISES    Complete description of the licensed premises

[Empty box for description of premises]

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA:    Date: 3/20/2019    Time: 9:30 am

Advertised: Yes  No     Date Published: 3/29/2019    Publication: Falmouth Enterprise

Abutters Notified: Yes  No     Date of Notice: n/a

Date APPROVED by LLA: April 22, 2019    Decision of the LLA: Approves this Application

Additional remarks or conditions (E.g. Days and hours): [Empty box]

For Transfers ONLY:  
Seller License Number: 00161-PK-0390    Seller Name: Roy Rowitz - Susan Rowitz

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission  
Ralph Sacramone  
Executive Director

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**APPLICATION FOR A TRANSFER OF LICENSE**

Municipality

**1. TRANSACTION INFORMATION**

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

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

Caroline E. Gabriele purchased the existing Wild Harbor General Store, in Historic North Falmouth, MA. It has operated under prior owners for 28 years. Caroline and 2 sons will operate similarly to current business. We will be open every day of the year, except Christmas and New Years Day. The store serves breakfast items, deli items, grocery, ATM, beer and wine, Lottery and has 2 full-serve gas pumps. We will be a friendly hub in our village - supplying necessary items to locals and visitors.

**2. LICENSE CLASSIFICATION INFORMATION**

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="Off-Premises-15"/>	<input type="text" value="\$15 Package Store"/>	<input type="text" value="Wines and Malt Beverages"/>	<input type="text" value="Annual"/>

**3. BUSINESS ENTITY INFORMATION**

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

Current or Seller's License Number  FEIN

Entity Name

DBA  Manager of Record

Street Address

Phone  Email

Add'l Phone  Website

**4. DESCRIPTION OF PREMISES**

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

One level; ground-floor store with 2 entrances. No inside seating/some seasonal outside seating. No customer restroom. No changes since the last approved description.

Total Sq. Footage	<input type="text" value="270,563"/>	Seating Capacity	<input type="text" value="0"/>	Occupancy Number	<input type="text"/>
Number of Entrances	<input type="text" value="2"/>	Number of Exits	<input type="text" value="3"/>	Number of Floors	<input type="text" value="1"/>



## New Liquor License or Transfer of Existing Retail License Checklist

Please refer to website: [www.mass.gov/abcc](http://www.mass.gov/abcc)

1. Apply for an Alcoholic Beverages License (ABCC)
2. Apply for an Alcoholic Beverages Local Retail License (ABCC)
3. Click on Local Licensing Authority- Falmouth
4. Click on necessary forms
5. Complete all forms on-line
6. Save to your computer
7. Print out and sign
8. Attach all required documents
9. Submit to Town of Falmouth ABCC forms

This application will be returned if the following documentation is not submitted:

- All ABCC forms from above #5 including Monetary Transmittal form for \$200 license fee paid online
- CORI Authorization Form, **notarized** for proposed Manager of Record
- Proof of Citizenship for proposed Manager of Record
- Beneficial Interest – Individual or Beneficial Interest - Organization
- Vote of Corporate Board
- Business Structure Documents:
  - o Articles of Organization, if Corporation
  - o Partnership Agreement, if partnership
  - o Business Certificate, if sole proprietor
  - o Certificate of Foreign Corporation, if applicable
- Floor Plan
- Legal Right to Occupy - Lease or Deed *see sales agreement*
- Supporting Financial Records
- Purchase & Sale Agreement

### Town of Falmouth

- \$25*  A \$50.00 Filing Fee made payable to the Town of Falmouth
- A \$50.00 Advertising Fee made payable to the Town for Abutter Notification - for **NEW** license only
- A fingerprint based-background check by the Manager of Record performed at Central Records Office at the Falmouth Police Department; submit; \$30 fee payable to the **Commonwealth of Massachusetts**
- A \$30.00 Background Check Processing fee made payable to the **Town of Falmouth**
- TIPS Certifications
- ~~Common Victualer License - \$10 Filing fee and \$50 License fee~~ *n/a*
- ~~Menu~~ *n/a*
- Certificate of Liquor Liability Insurance
- Food Service Establishment Permit
- Building/Fire Certificate of Inspection
- Hearing before the Board of Selectmen *April 22, 2019*

### Other:

- Entertainment License, Sunday Entertainment License, Automatic Amusement
- Sign Permit (Inspectional Services)
- Certificate of Doing Business (Town Clerk)
- Special Permit issued by Zoning Board of Appeals

## Phyllis Downey

---

**From:** Brian Reid <breid@falmouthpolice.us>  
**Sent:** Monday, March 25, 2019 2:05 PM  
**To:** Phyllis Downey  
**Cc:** Sean Doyle  
**Subject:** RE: Wild Harbor General Store

Hello Phyllis,  
This Department has no objection to the request to transfer the license.

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](mailto:breid@falmouthpolice.us)

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**From:** Phyllis Downey [mailto:[phyllis.downey@falmouthma.gov](mailto:phyllis.downey@falmouthma.gov)]  
**Sent:** Monday, March 25, 2019 11:32 AM  
**To:** Reid Brian <breid@falmouthpolice.us>; Ollie Fitzpatrick <ollie.fitzpatrick@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sdoyle@falmouthpolice.us>; Tim Smith (tsmith@falmouthfire.us) <tsmith@falmouthfire.us>  
**Subject:** Wild Harbor General Store

Hello,  
  
Attached please find a Transfer of Existing Retail License for Wild Harbor General Store located at 200 Old Main Road in North Falmouth by Caroline Gabriel.

Please forward any recommendations for the Selectmen's consideration at their next meeting April 22, 2019.

Thank you,  
*Phyllis Downey*  
Administrative Assistant  
Office of the Town Manager & Board of Selectmen  
508-495-7325

## Phyllis Downey

---

**From:** Douglas Decosta <ddecosta@falmouthpolice.us>  
**Sent:** Friday, March 22, 2019 2:56 PM  
**To:** Diane Davidson; Phyllis Downey  
**Subject:** Background Check- Caroline Gabriel of the Wild Harbor General Store

### **Background Check- Caroline Gabriel of the Wild Harbor General Store Manager of Alcoholic Beverage License**

March 22, 2019

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Caroline Gabriel of the Wild Harbor General Store

The department did not locate information that may disqualify this municipal license applicant.

Lieutenant Douglas DeCosta  
Falmouth Police Department  
750 Main Street  
Falmouth, MA 02540  
Office: 774-255-4527  
Fax: 508-457-2566  
[ddecosta@falmouthpolice.us](mailto:ddecosta@falmouthpolice.us)  
[www.falmouthpolice.us](http://www.falmouthpolice.us)



-----NOTICE-----

This email is intended for professional and business purposes of the Falmouth Police Department. The contents of this email message and any attachments are confidential and are intended solely for the addressee. If you are not the intended recipient please notify the sender and delete this message.

## Phyllis Downey

---

**From:** Ollie Fitzpatrick  
**Sent:** Tuesday, March 26, 2019 8:17 AM  
**To:** Phyllis Downey  
**Subject:** RE: Wild Harbor General Store

Good Morning:

If everything is staying the same no issues here

Ollie Fitzpatrick  
Assistant Zoning Enforcement Officer  
Town of Falmouth  
59 Town Hall Square  
Falmouth, MA 02540  
Phone: (508) 495-7468  
Fax: (508) 548-4290  
Email: [ollie.fitzpatrick@falmouthma.gov](mailto:ollie.fitzpatrick@falmouthma.gov)

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

**From:** Phyllis Downey  
**Sent:** Monday, March 25, 2019 11:32 AM  
**To:** Reid Brian <[breid@falmouthpolice.us](mailto:breid@falmouthpolice.us)>; Ollie Fitzpatrick <[ollie.fitzpatrick@falmouthma.gov](mailto:ollie.fitzpatrick@falmouthma.gov)>; Rod Palmer <[rod.palmer@falmouthma.gov](mailto:rod.palmer@falmouthma.gov)>; Scott McGann <[scott.mcgann@falmouthma.gov](mailto:scott.mcgann@falmouthma.gov)>; Sean Doyle <[sdoyle@falmouthpolice.us](mailto:sdoyle@falmouthpolice.us)>; Tim Smith (<[tsmith@falmouthfire.us](mailto:tsmith@falmouthfire.us)>) <[tsmith@falmouthfire.us](mailto:tsmith@falmouthfire.us)>  
**Subject:** Wild Harbor General Store

Hello,

Attached please find a Transfer of Existing Retail License for Wild Harbor General Store located at 200 Old Main Road in North Falmouth by Caroline Gabriel.

Please forward any recommendations for the Selectmen's consideration at their next meeting April 22, 2019.

Thank you,  
*Phyllis Downey*  
Administrative Assistant  
Office of the Town Manager & Board of Selectmen  
508-495-7325

## Phyllis Downey

---

**From:** Scott McGann  
**Sent:** Tuesday, March 26, 2019 4:34 PM  
**To:** Phyllis Downey  
**Subject:** RE: Wild Harbor General Store

Yes she spoke with Morgan our restaurant inspector. Mallory and I were unaware. Sorry about that.

**From:** Phyllis Downey <phyllis.downey@falmouthma.gov>  
**Sent:** Tuesday, March 26, 2019 4:25 PM  
**To:** Scott McGann <scott.mcgann@falmouthma.gov>  
**Subject:** RE: Wild Harbor General Store

Hi Scott,

Caroline Gabriel, new owner/manager of Wild Harbor General Store says she has been to your office, please see attachment.

Please let me know what steps she or I may need to take.

Thank you,  
Phyllis

**Phyllis Downey**  
Office of the Town Manager & Board of Selectmen  
508-495-7325

**From:** Scott McGann  
**Sent:** Monday, March 25, 2019 5:56 PM  
**To:** Phyllis Downey <phyllis.downey@falmouthma.gov>  
**Subject:** FW: Wild Harbor General Store

No contact made at this point.

Scott  
Falmouth Health

**From:** Mallory Langler <mallory.langler@falmouthma.gov>  
**Sent:** Monday, March 25, 2019 1:50 PM  
**To:** Scott McGann <scott.mcgann@falmouthma.gov>  
**Subject:** RE: Wild Harbor General Store

Nope, not yet

**From:** Scott McGann  
**Sent:** Monday, March 25, 2019 12:01 PM  
**To:** Mallory Langler <mallory.langler@falmouthma.gov>; Morgan Cardoso <morgan.cardoso@falmouthma.gov>  
**Subject:** FW: Wild Harbor General Store

Has contact been made?

Scott

**From:** Phyllis Downey <[phyllis.downey@falmouthma.gov](mailto:phyllis.downey@falmouthma.gov)>

**Sent:** Monday, March 25, 2019 11:32 AM

**To:** Reid Brian <[breid@falmouthpolice.us](mailto:breid@falmouthpolice.us)>; Ollie Fitzpatrick <[ollie.fitzpatrick@falmouthma.gov](mailto:ollie.fitzpatrick@falmouthma.gov)>; Rod Palmer <[rod.palmer@falmouthma.gov](mailto:rod.palmer@falmouthma.gov)>; Scott McGann <[scott.mcgann@falmouthma.gov](mailto:scott.mcgann@falmouthma.gov)>; Sean Doyle <[sdoyle@falmouthpolice.us](mailto:sdoyle@falmouthpolice.us)>; Tim Smith ([tsmith@falmouthfire.us](mailto:tsmith@falmouthfire.us)) <[tsmith@falmouthfire.us](mailto:tsmith@falmouthfire.us)>

**Subject:** Wild Harbor General Store

Hello,

Attached please find a Transfer of Existing Retail License for Wild Harbor General Store located at 200 Old Main Road in North Falmouth by Caroline Gabriel.

Please forward any recommendations for the Selectmen's consideration at their next meeting April 22, 2019.

Thank you,

*Phyllis Downey*

Administrative Assistant

Office of the Town Manager & Board of Selectmen

508-495-7325

## Town Committee Vacancies

The Falmouth Board of Selectmen has announced the following vacancies on Town committees:

Committee	Term Until	Due Date
Affordable Housing Committee (1 position)	6/30/21	
Agricultural Commission (1 position)	6/30/19	
Board of Assessors (1 position)	6/30/21	
Board of Survey (2 positions)	6/30/21	
Cable Advisory Committee (3 positions)	6/30/19, 6/30/20, 6/30/21	
Coastal Pond Management Committee (1 position)	6/30/19	
Commission on Disabilities (3 positions)	6/30/19, 6/30/20, 6/30/21	
Community Preservation Committee (1 position)	6/30/21	
Cultural Council (3 positions)	6/30/20, 6/30/21	
Energy Committee (2 positions)	6/30/20	
Historical Commission (1 alternate position)	6/30/21	
Human Services Committee (2 positions)	6/30/21	
Sign Review Committee (3 full positions, 2 alternate positions)	6/30/19, 6/30/21 & 6/30/20	
Substance Abuse Commission (1 position)	6/30/21	
Zoning Board of Appeals (1 full position, 1 associate position)	6/30/20 (Full Member) 6/30/21 (Associate Member)	3/22/19 3/22/19

Applications are available on the Town website [www.falmouthmass.us](http://www.falmouthmass.us), or in the Office of the Board of Selectmen, 59 Town Hall Square, Falmouth. Please submit applications to the Office of the Board of Selectmen.

Cable Advisory Committee

3 vacancies

- 1 term until 6/30/19
- 1 term until 6/30/21
- 1 term until 6/30/21

3 applicants:

- Robert Mascali
- Diane Jemmott
- Jay Zavala



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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Name: ROBERT MASCA LI

Address: 38 Oxbow Road Village: Teaticket ZIP: 02536

Mailing Address: SAME Village: \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident \_\_\_\_\_ (date: 4/1) / Taxpayer 7 (date: 10/2011)

Amount of time you are available to give: 10 hrs / month 2016

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

1. CABLE TV ADVISORY
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

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

Relevant affiliation and work and personal experiences \_\_\_\_\_

No relevant affiliation but watch cable TV regularly and as an attorney can assist in MANY AREAS

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

Commissioner ON Disabilities 3 years

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

As mentioned as an attorney I can assist in  
contract negotiations, regulatory review and  
compliance, administrative hearings + litigation

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	SAM PATTERSON	Selectman	[REDACTED]
2.	MEGAN English BRAGA	Selectman	[REDACTED]
3.	Michael KASPARIAN	FALMOUTH Chamber CEO	[REDACTED]

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

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

3/1/2019  
DATE

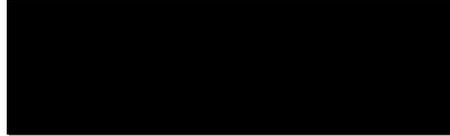
[Signature]  
APPLICANT'S SIGNATURE

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

# ROBERT P. MASCALI

---

38 Oxbow Road  
Teaticket, MA 02536



## EXPERIENCE

August 2017-Present  
Of Counsel  
Bourget Law Group, LLC

North Falmouth, MA

August 2015-Present  
Senior Consultant  
The Centers

Falmouth, MA  
Clearwater, FL

- Advises senior staff on legal and regulatory issues
- Responsible for community outreach and business development
- Authors monthly letter to clients and community partners
- Publishes regular articles of interest in bar association journals
- Active presence as organizational representative at trade shows, seminars and similar community and national events
- Liaison to various state and local bar organizations to maintain business position and develop new business relationships
- Assists in developing long term strategy for improving website presence, new products/services and product/service branding

October 2012-Present  
Member/of counsel  
Pierro Law Group, LLC

Latham, NY

- Chair, Special Needs Planning Practice Area (2012-2015)
- Provides legal advice and representation to individuals, families and financial institutions on issues dealing with special needs planning including special needs trusts, public benefits eligibility, accountings and regulatory issues
- Provides legal advice and representation to individuals and financial institutions on issues dealing with trusts and estate administration, Medicaid planning and Guardianship matters
- Currently serves as of counsel (2015-Present)

October 2009 to October 2012  
Of Counsel  
Roemer Wallens Gold & Mineaux, LLP

Albany, NY

- Provided legal advice and representation to not for profit organizations and individuals and families on issues of guardianship, estate planning, supplemental needs trusts and real property.
- Engaged in real estate, environmental, land use, general business and corporate law.

**April 2009-October 2012**  
**Counsel NYSARC Trust Services**

**Delmar, NY**

- Provided specific legal advice to NYSARC Trust Services on supplemental needs trust and related estate planning and governmental benefit issues
- Responsible for developing policy and position statements on the various different trusts operated by NYSARC Trust Services
- Reviewed and commented on proposed changes to federal and New York State statutes and regulations dealing with guardianship and supplemental needs trusts
- Responsible for developing and providing community outreach and training on supplemental needs trusts and guardianship matters
- Regularly met with Boards of Directors of member agencies on legal and regulatory issues.

**Associate General Counsel**  
**NYSARC, Inc.**

**Delmar, NY**

- Provided senior executive staff with general legal advice on such matters as guardianship, health care decisions, nonprofit governance, contracts, preferred source and related issues under the NYS Finance Law, leases, litigation, regulatory matters, low interest rate financing and issues affecting real property.
- Served as a Staff Member on the NYSARC Statewide Guardianship Committee
- Regularly met with Boards of Directors of member agencies on legal and regulatory issues

**May 1997-April 2008**  
**Managing Attorney/Deputy Counsel**

**NYS Office of Mental Retardation and Developmental Disabilities**

**Albany, NY**

- Supervised day to day activities of Office of Counsel, including seventeen staff attorneys and a support staff of five. Also responsible for overview of the Office of Regulatory Affairs Unit consisting of five employees.
- Developed strategy and advised executive level personnel on various legal problems, regulatory issues and on issues dealing with programmatic initiatives.
- Interacted with Contract Management Unit on issues dealing with preferred source, competitive bidding, procurement lobbying and miscellaneous matters under the NYS Finance Law
- Represented the agency in private negotiations and public meetings; overseeing special legal and policy projects on an "as needed" basis
- Responsible for all legal issues pertaining to the Institute for Basic Research in Developmental Disabilities (IBR), including those related to intellectual property and human subject research.
- Responsible for all legal issues pertaining to the Dormitory Authority of the State of New York.
- Responsible for legal and regulatory review of all Requests for Proposals and Requests for Qualifications or similar documents submitted to the agency.
- Served as head of Legal Administration Bureau; as such:
  - Served the function of house counsel to the agency and handled matters of a general legal nature including: guardianship, regulatory affairs, contract review,

- corporate documentation and governance (not-for-profit sector), real property and housing, zoning, environmental, trusts and estates ( including supplemental needs trusts), freedom of information requests, intellectual property, employment issues (including reasonable accommodation and disability discrimination matters) and was involved in the review and drafting of legislation
- Assisted and advised in the implementation of various policy matters including lobbying procurement guidelines, guardianship, personal and financial planning and housing opportunities for individuals with disabilities, their parents, families and advocates
  - Had supervisory responsibility for interaction with the NYS Department of Law in the representation of OMRDD in guardianship matters, human rights discrimination, Medicaid recovery filings, personal injury and property damage claims and litigation involving OMRDD
  - Developed and implemented grant application and internal control protocols and reviews for Office of Counsel.
  - Provided legal advice with respect to all transactions involving the disposition of State-owned real property, mortgages and related instruments and all aspects of bond financing and economic development through the Dormitory Authority of the State of New York
  - Had Regular interaction with various Boards of Directors of voluntary, nonprofit providers certified by the State of New York.
  - Developed core training module for members of the Boards of Directors of voluntary nonprofit providers certified by the State of New York and a system to evaluate and track the success of same.
  - Reviewed business plans submitted by voluntary nonprofit providers for possible new markets and services

**October 1995-May 1997**

**Partner**

Pirro, Collier, Cohen and Halpern

White Plains, NY

- Engaged in real estate, environmental, land use and general business and corporate law
- Interacted on a regular basis with local, county and regional economic development organizations in connection with large scale developments and possible financing, tax and other development incentives
- Managed land use review of proposed large scale developments including supermarkets, retail shopping malls, golf courses, residential and commercial sites.

**October 1993-October 1995**

**Partner**

Gioffre Gioffre and Mascali, PC

Port Chester, NY

- General practice engaged in real estate, zoning and land use law and advising in matters dealing with estates, trusts and wills and corporate matters

**October 1981-October 1993**

**Partner**

Cohen, Jason and Mascali

Scarsdale, NY

- Founding partner of general practice firm engaged primarily in real estate, land use, trusts and estates and business and corporate law
- Responsible, as managing partner, for day to day business affairs of the partnership including accounts payable and receivable and escrow account reconciliation

## EDUCATION

### St. John's University School of Law

- Juris Doctor  
Queens, NY
- Director of Research – Criminal Law Institute

### St. John's University

Bachelor of Arts – History

Queens, NY

Graduated Summa cum Laude

## MISCELLANEOUS

- Admitted to practice in New York and Massachusetts
- Member Town of Falmouth Commission on Disabilities (2016-present)
- Member Town of Falmouth Rotary Club(2016-present) President and Board member (2016-present)
- Assistant District Governor Rotary District 7950 (July 1, 2019-June 30, 2022)
- Recipient of New York State Bar Association President's Award for Pro Bono Service-2014
- Recipient of the Albany Law School Award for Pro Bono Service-2014
- Member NYS Bar Association Elder Law Section Executive Committee (2009-present)  
Co-chair of Special Needs Planning Committee (2010-present)
- Member NYS Bar Association Trusts and Estates Section (2009-present)
- Member of National Academy of Elder Law Attorneys (NAELA) (2010-present)
- President NY NAELA 2016
- Member Board of Directors of New York Chapter of NAELA and President-elect (2011-2018)
- Board Member Council of Community Services of New York State (2005-2007)
- Board Member Innovative Charitable Initiatives, Inc. (2010-2016)
- Board Member CS Plus, Inc. (2008-2010)
- Board Member Northeastern Association of the Blind Foundation, Inc. (2014-2016)
- Board Member Northern Rivers Children and Family Services (2012-present)  
Chair of Audit Committee (2012-2014); Chair of Strategic Initiatives Committee (2014-2016)
- Board Member Parsons Children and Family Center (2005-2012)  
Chair of Audit Committee (2010-2012)
- Member of the Board of Governors Wolfert's Roost Country Club (2006-2009)
- Participant in "Essentials of Public Administration" program (2006-2007)
- Member American Society of Public Administration (2006)
- Rotary Club of Scarsdale, President (1989-1991)
- Rotary International Foundation Paul Harris Recipient (1992)
- Member Judicial Screening Committee - 9<sup>th</sup> Judicial District (1992-1996)
- Candidate for Westchester County Legislature (1993)
- Admitted United States District – NY/Southern and Eastern Districts

## REFERENCES

AVAILABLE ON REQUEST



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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Name: Diane Semmott

Address: 100 Jones Road Village: Falmouth ZIP: 02540

Mailing Address: same as above Village: \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident  (date: 1965) / Taxpayer \_\_\_\_\_ (date: \_\_\_\_\_)

Amount of time you are available to give: weekly mtgs.

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

1. Cable Advisory Committee
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences worked for a local government with responsibility for cable issues including cable certificate compliance and customer service.

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

Briefly describe the particular skills you feel you will add to the committee or board: Extensive experience in government relations, representing both public and private sector clients. Have excellent problem solving skills, strong communication skills and policy analysis skills.

Three (3) References:

	Name	Title	Phone
1.	James Burfield		[REDACTED]
2.	Rita Pacheco		[REDACTED]
3.	Kathy Wessling		[REDACTED]

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

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

April 11, 2019  
DATE

Oranel Semmelt  
APPLICANT'S SIGNATURE

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

**DIANE L. JEMMOTT**



**Strengths**

Government relations, management, organizational change, policy analysis, strategic planning and implementation, positioning, and program development. Federal, state, regional and local government relations and community engagement expertise.

**Cape Jones Consulting LLC**

**President, 2005-2015**

Founder and co-owner of a professional services firm specializing in advocacy, strategic planning, positioning and community engagement. Responsibilities include business development, client services, management and operations.

Major Achievements:

- Multiple contract awards for clients
- Providing government and community relations for an international transportation client on a major project
- Management and operation of business

**Carmen Group, Washington, D.C. 1997-2005**

**Executive Vice President, 2003-2005**

Led, managed and executed government relations firm's strategic and operational plans, including client servicing, business development and organizational change. Led firm through restructuring and repositioning for expansion.

Major Achievements:

- Increased company revenue by \$3 million
- Managed all space and operational elements of firm relocation for firm of 45

**Vice President, Public Sector Practice 2000-2002**

Managed 16 staff, over twenty clients, and over \$4 million in revenue. Clients included public and private entities such as cities and counties, state departments of transportation, water and transit properties, airports, hospitals, private schools, private developers, and private corporations.

Major Achievements:

- Doubled client revenue, increase of \$2 million
- Restructured service and marketing approach
- Restructured transportation newsletter doubling revenue

**Senior Associate/Managing Associate, 1997-1999**

Represented public and private sector clients at the federal, state and local levels. Handled transportation, healthcare and economic development issues.

**Major Achievements:**

- Led effort that resulted in clarification of federal aviation reauthorization language resulting in savings of millions of dollars annually for Airports Authority
- Managed effort that resulted in approval of three full funding grant agreements for single transit property
- Managed effort for hospital coalition that resulted in federal Balanced Budget Act language correction providing \$9 million annually
- Secured over \$90 million in tax increment financing and exemptions and waivers for significant development project in the District of Columbia

**Metropolitan Washington Airports Authority, Alexandria, VA 1992-97**

**Manager, Governmental Affairs**

Advocated for Airports Authority before federal, state and local governments, executive branch agencies, and community groups. Issues included land use, transportation, federal and state funding, governance and airport operations. Achieved formula funding from the Commonwealth of Virginia. Defeated attempts by Congress to mandate changes to governance, operations and labor policies.

**Arlington County, Arlington, VA 1986-92**

**Assistant to the County Manager, Legislative Affairs (1988-92)**

**Chief, Citizen and Consumer Affairs (1986-92)**

Represented county before the state legislature, local government and regional groups, executive branch agencies, and legislative study committees. Issues included taxing authority, land use and transportation.

Managed Citizen and Consumers Office responsible for taxicab and cable issues, and resolving complaints against county businesses and county services. Managed a 27% increase in case volume and achieved same day response to all consumer inquiries.

Developed strategy, coordinated and directed response of county to community to restore public confidence in a \$250 million construction project.

**Education**

B.A. History, College of the Holy Cross, Worcester, MA



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION APPLICATION FORM

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Name: Jay Zavala

Address: 28 Wheelhouse Cir. Village: Hatchville ZIP: 02536

Mailing Address: Same Village: → ZIP: →

Telephone: [Redacted] Email: [Redacted]

How long have you been a Resident 042008 (date: ) / Taxpayer 061996 (date: )

Amount of time you are available to give: 15 hours per month +

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

1. Cable Advisory
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Relevant affiliation & work & personal experiences Former contract negotiator, DoD contract officer, Falmouth Cape Cod Commission Rep., FEDIC member, member FCTV

Town offices held in Falmouth or elsewhere and dates of years served: Falmouth Cape Cod Commission Rep 2003-2009; Charter Rev Committee 2008?; FEDIC 2014-2016

Briefly describe the particular skills you feel you will add to the committee or board: Committee collaborative member; contract management, negotiations experience; leadership and attention to details.

Three (3) References:

Name	Title	Phone
1. Deb Rogers	E.D./CSO	[REDACTED]
2. Jeff Oppenheim	Atty.	[REDACTED]
3. M. Kasperman	P/CSO	[REDACTED]

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

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

04/15/2019  
DATE

[Signature]  
APPLICANT'S SIGNATURE

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

Energy Committee

2 vacancies

- 1 term until 6/30/20
- 1 term until 6/30/20

1 applicant:

- Matthew Patrick



**TOWN OF FALMOUTH  
BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM**

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Name: Matthew C. Patrick

Address: 24 Collins Rd. Village: Wagvoit ZIP: 02536

Mailing Address: PO Box 3252 Village: Wagvoit ZIP: 02536-3252

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a  Resident 38 yrs (date: ) /  Taxpayer (date: 38 yrs)

Amount of time you are available to give: Ten + hours/week

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

1. Energy Committee
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? Not yet

Relevant affiliation and work and personal experiences Installed solar hot water systems 1981-1985  
Exec. Director of Cape Island Self-Reliance 1985-2000, Falmouth Rep.  
to Cape Light Compact 1997-2000, State Rep. 5 terms serving on Energy Committee

Town offices held in Falmouth or elsewhere and dates of years served: Town meeting  
Member 1995-2001 Present, Board of Selectmen 1995-2001, Water  
Quality Committee 2011-2015.

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

Knowledge of Energy Legislation 1997 Restructuring Act, Green Communities Act, Appliance Efficiency Act, Property Assessed Clean Energy Act and several other bills.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>Virginia Velcela</u>		[REDACTED]
2.	<u>Eric Turkington</u>		[REDACTED]
3.	<u>Peter Bayer</u>		[REDACTED]

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

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

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

I will read said materials if the BOS is interested in my application. I am reasonably certain that I do not have any conflicts of interest.

Virginia Velcela

Human Services Committee

2 vacancies

- 1 term until 6/30/19
- 1 term until 6/30/20

1 applicant:

- Lawrence Langer, Ph.D.



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
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Name: LAWRENCE LANGER, Ph.D.

Address: 84 MOONAKIS ROAD Village: WAQUOIT ZIP: 02536

Mailing Address: PO Box 3296 Village: WAQUOIT ZIP: 02536

Home Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident  (date: 9/15) / Taxpayer  (date: 11/99)

Amount of time you are available to give: VARIES

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

1. HUMAN SERVICES COMMITTEE
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Relevant affiliation & work & personal experiences \_\_\_\_\_

Worked AS Psychologist for many years.

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

Ø

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

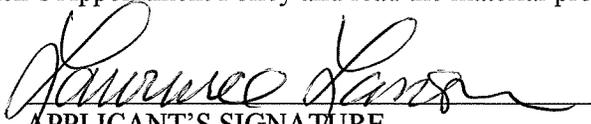
I have been a psychologist for over 40 years. During that time, I have provided counseling, administered programs, taught, & evaluated disability claims.

Three (3) References: Name	Title	Phone
1. Chris Loizides	friend	[REDACTED]
2. Jon Perlman, Ed.D.	colleague	[REDACTED]
3. Mark Cutler, MD	colleague	[REDACTED]

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

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

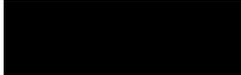
3/3/19  
DATE

  
APPLICANT'S SIGNATURE

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

**LAWRENCE LANGER**

P.O. Box 3296  
Waquoit, MA 02536

**Education and Degrees:**

Ph.D. 1975 Michigan State University, Clinical Psychology.  
M.A. 1972 Michigan State University, Clinical Psychology.  
B.A. 1969 State University of New York at Buffalo, Major: Psychology.

**Professional Experience:**

2004-2018 **Medical Consultant, Massachusetts Rehabilitation Commission, Disability Determination Services, Worcester, MA.** Adjudicate claims for Social Security Disability programs.

1978-1995, 2008-2012 **Private practice, Worcester, MA.** Psychotherapy with adults, couples and seniors, stress management, health-related issues, diagnostic evaluations.

1995-2008 **Partner, Behavioral Health Associates of Central Massachusetts, P.C., Worcester, MA.** Brief psychotherapy with adults, couples and elders. Special interest in the psychological aspects of illness.

1991-1996 **Consulting psychologist, Hahnemann Family Health Center, Worcester, MA.** Developed and provided psychological services, supervised mental health professionals, consulted to family practice faculty and staff, taught and presented at rounds.

1983-2007 **Assistant Professor, Department of Family and Community Medicine, University of Massachusetts Medical School, Worcester, MA.** Taught interviewing skills, dynamics of the doctor-patient relationship and the management of patients' psychological and family issues to family practice residents, developed and implemented behavioral science curriculum, lectured at Grand Rounds and teaching conferences.

1982-1993 **Consulting psychologist and Director of Social Service, Family Health and Social Service Center, Worcester, MA.** Supervised and directed mental health, social service and HIV outreach programs in an inner-city family practice health center. Provided brief psychotherapy to adults, couples and families; served as part of the management team, consulted with faculty and resident physicians.

1980-1987 **Assistant Professor, Department of Psychiatry, University of Massachusetts Medical School, Worcester, MA.** Supervised psychiatry residents and doctoral clinical psychology interns (APA-approved internship) in psychodiagnostics and techniques of psychotherapy, lectured at Grand Rounds and teaching conferences.

1978-1982 **Director, Human Service Center, Worcester, MA.** Organized and developed a comprehensive mental health center, provided administrative direction to multidisciplinary staff of 35, supervised staff, psychiatric residents and psychology interns, consulted to Worcester Commission on Elder Affairs.

1975-1978 **Director (promoted from staff psychologist), Nanticoke Unit, Hazleton-Nanticoke MH/MR Center, Nanticoke, PA.** Directed and supervised outpatient, partial hospitalization, day activities, emergency services and inpatient unit, organized and developed halfway house for mentally ill, provided clinical services.

1973-1974 **Staff psychologist, Beth Moser Mental Health Clinic, Jackson, MI.**

**Volunteer:**

2019 **Ombudsman for long term health care facility. Elder Care Services of the Cape and the Islands.** Assist residents in maintaining their rights within a nursing home setting.

**Professional organizations:**

American Psychological Association  
Massachusetts Psychological Association

**Licensure:**

Licensed psychologist, Commonwealth of Massachusetts

Zoning Board of Appeals

1 full member vacancy

- Term until 6/30/20

1 associate member vacancy

- Term until 6/30/21

2 applicants:

- Gerald Potamis (currently an associate member of the ZBA)
- James Morse



TOWN OF FALMOUTH  
BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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

Name/Address: Gerald C Potamis 13 Amherst Ave Falmouth Ma.02540

Telephone Home: [REDACTED] Cell [REDACTED] Email [REDACTED]

I have been a Resident of Falmouth since 2006 and a Taxpayer since 1976

Amount of time you are available to give: As needed - I am retired

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

Seeking: Permanent Position **Yes** or Alternate Position N/A

Relevant affiliation & work & personal experiences

Bachelor and Master's Degree in Civil Engineering and  
Registered Professional Engineer

Over 35 years of experience in the public sector /military service dealing  
with regulatory compliance issues

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

Falmouth Wastewater Superintendent for 8 ½ years having retired on January 9, 2016.

Town of Falmouth's representative on the Executive Committee and Technical Advisory Task Force Cape for the Cod Water Protection Collaborative

Currently serving as Alternate member of Zoning Board of Appeals (2<sup>nd</sup> year of 3-year term)

Town Meeting Member (4 years)

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

The ability to balance regulatory compliance with common sense decisions in light of inconsistent or poorly worded bylaws.

Three (3) References:

- | Name            | Title                           | Phone      |
|-----------------|---------------------------------|------------|
| 1. Ray Jack,    | Falmouth Public Works Director, | [REDACTED] |
| 2. Frank Duffy, | Falmouth Town Counsel,          | [REDACTED] |
| 3. Jay Zavala,  | [REDACTED]                      | [REDACTED] |

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

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

*Gerald C Potamis*

Gerald C Potamis

March 9, 2019



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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

Name: James T. Morse

Address: 545 W. Fal. HWY #3 Village: W. Fal ZIP: \_\_\_\_\_

Mailing Address: P.O. Box 672 Village: Falmouth ZIP: 02541

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 5 yrs (date: \_\_\_\_\_) / Taxpayer \_\_\_\_\_ (date: \_\_\_\_\_)

Amount of time you are available to give: 1 day a week / additional time w. notice.

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

- ZBA
- \_\_\_\_\_
- \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

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

Relevant affiliation and work and personal experiences Attorney 13 years with limited zoning practice. Knowledge of administrative law.

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

Town meeting member 3 yrs. PCT 6  
Town of Tisbury Beer & Wine Advisory committee - 1 yr.

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

Active listening skills. Ability to apply relevant  
case and administrative law to fact patterns.  
Commitment to public service.

List three (3) references:

	Name	Title	Phone
1.	Arne Grepstad	Hotel MGR	[REDACTED]
2.	Genevieve K. Henriquez	Attorney	[REDACTED]
3.	Layla Mustufa Daily	Business Owner	[REDACTED]

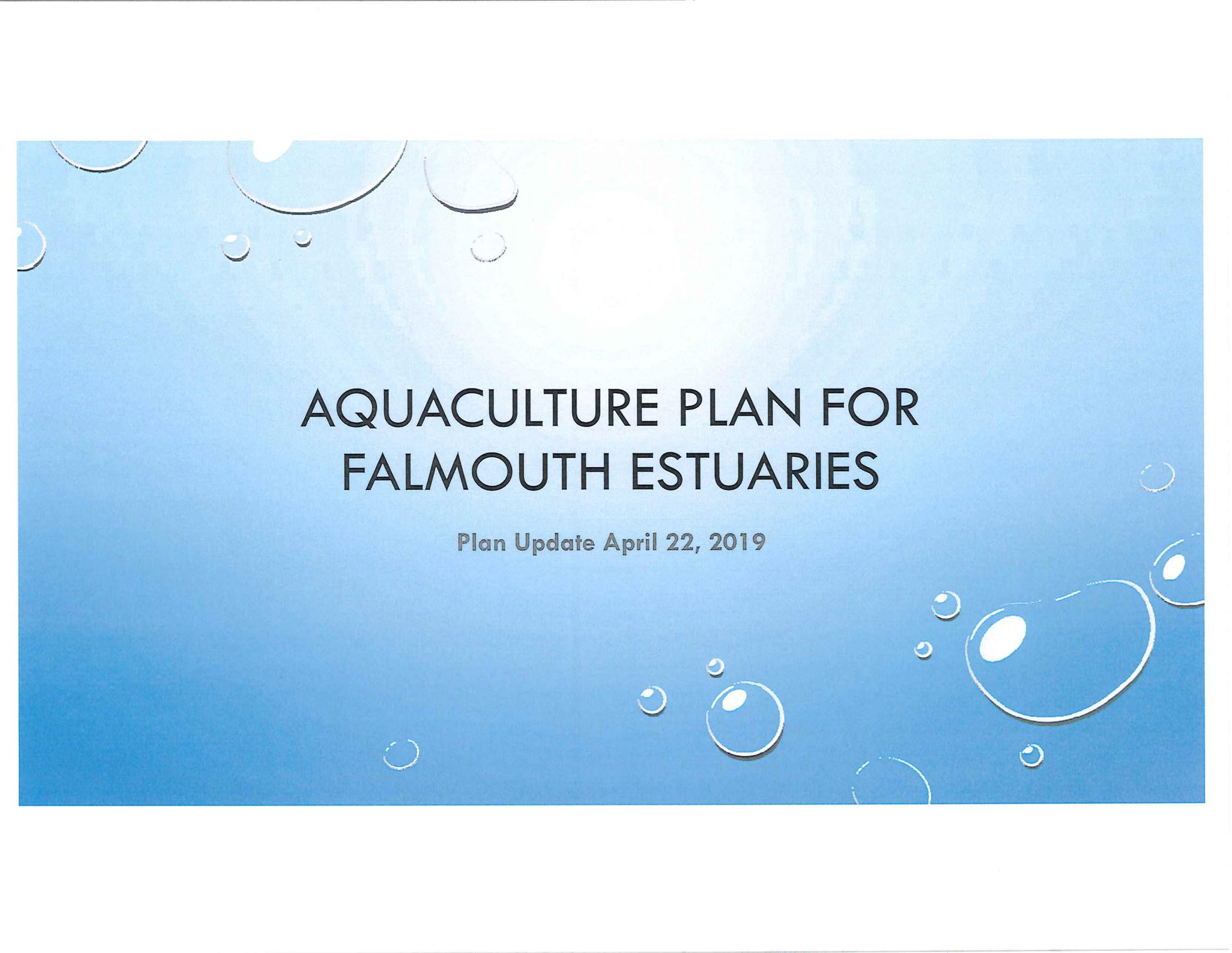
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I have received a copy of the Board of Selectmen's Appointment Policy and read the material provided.

4/16/19  
DATE

Jant. Man  
APPLICANT'S SIGNATURE

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

The background is a solid blue color with several white, realistic-looking water bubbles of various sizes scattered across it. The bubbles have highlights and shadows, giving them a three-dimensional appearance.

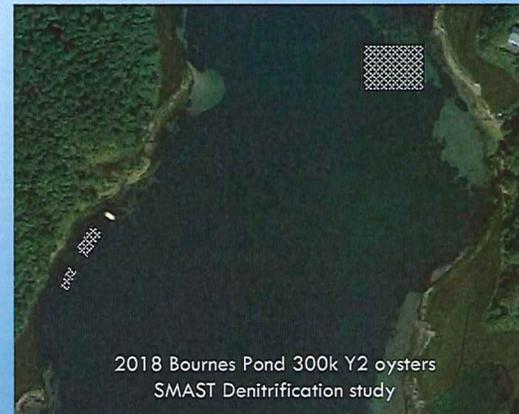
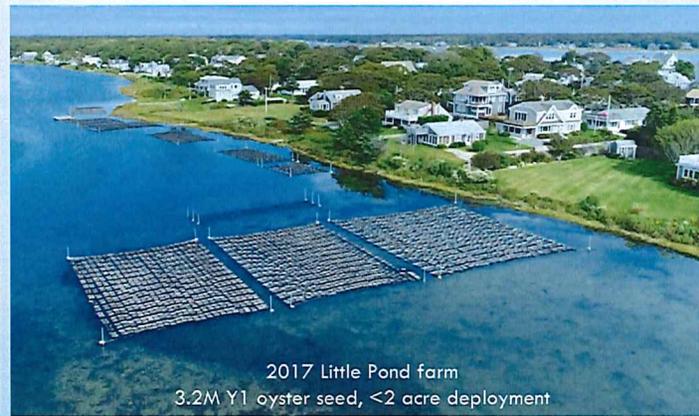
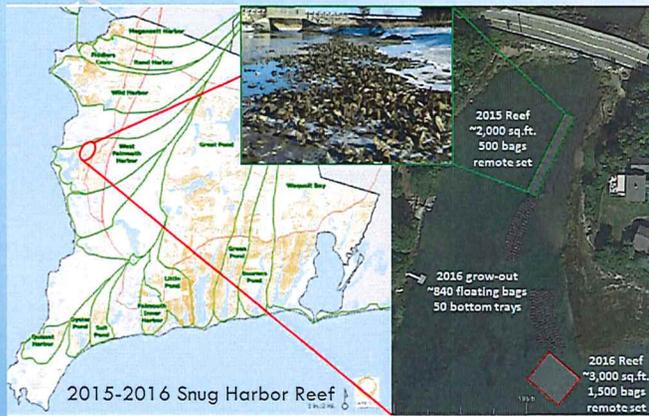
# AQUACULTURE PLAN FOR FALMOUTH ESTUARIES

Plan Update April 22, 2019

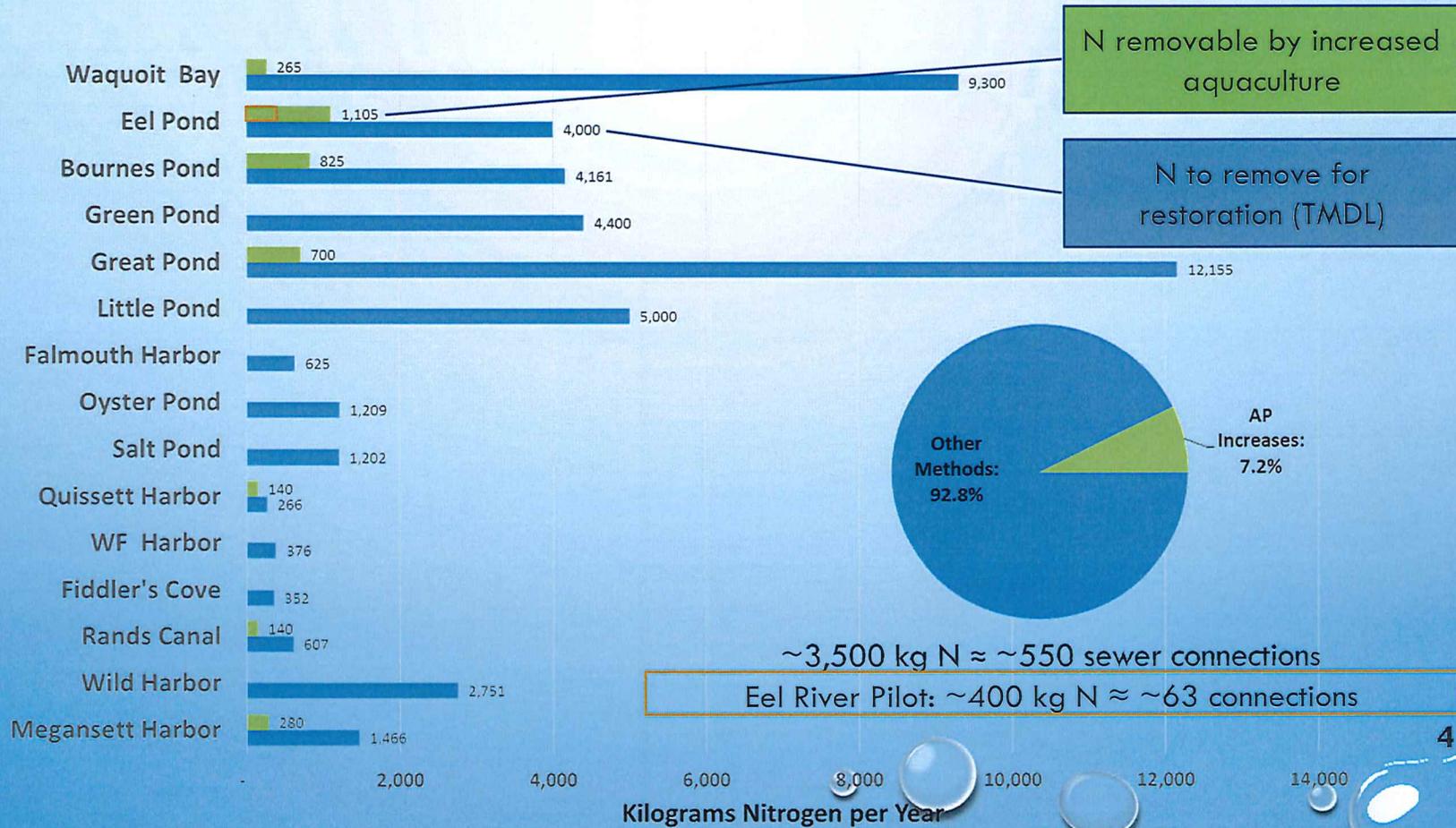
# PLAN GOALS

- **Improve water quality**
  - Nitrogen is removed from estuaries (coastal ponds) through increased shellfish propagation and harvest
- **Create a community benefit**
  - Develop a valuable community resource
  - Directly affect impaired estuaries
- **Facilitate opportunities for local aquafarmers**
  - Select and manage aquaculture sites carefully to avoid negative impacts to other parties
  - Increase propagation of shellfish to be broadcast into estuaries for wild harvest (commercial and recreational)

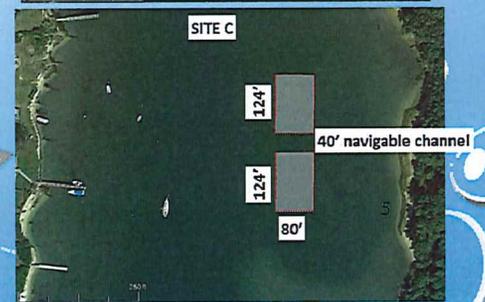
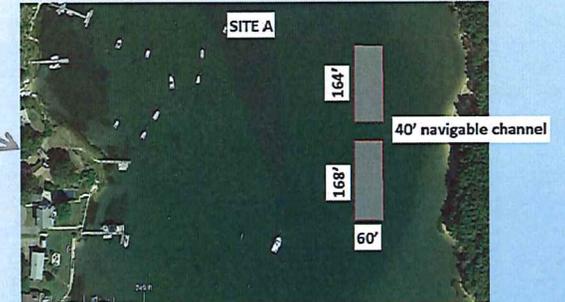
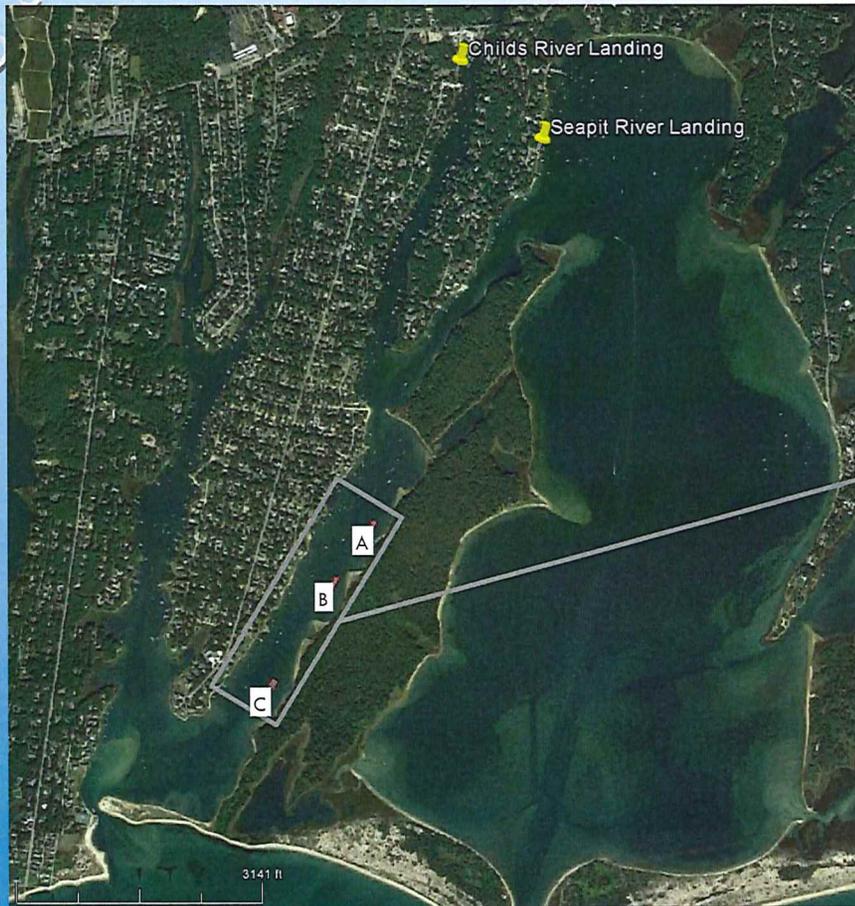
# MULTIPLE MUNICIPAL PROJECTS SINCE 2015



# PLAN DRAFTED IN 2017



# PILOT SITES SELECTED 2019



# RECOMMENDED POLICY FOR ESTUARIES

- **Town will select sites for increased aquaculture based on:**
  - Nitrogen removal and water quality considerations
  - Input from Shellfish Advisory Committee
  - Impacts to wild shellfish, navigation, swimming, boating
- **Board of Selectmen issues licenses within estuaries**
  - Initially to Shellfish Constable
  - Transfer to private growers selected through competitive process
  - License to private growers contingent on demonstration of reasonable effort to achieve nitrogen removal target
- **Applications for other sites within estuaries will not be approved**

## AQUACULTURE RESOURCE RENTAL FEES

- **Increased shellfish propagation for wild harvest**
  - Is an important component of nitrogen reduction strategy
  - Benefits recreational and commercial shell fishing interests
  - Requires funding for municipal program (seed cost)
- **Town will offer resources for rent**
  - Upwellers, field gear, bags, overwintering facilities
  - Paid after shellfish are landed (brought to market)

## NEXT STEPS

	<b>Begun</b>	<b>Completed</b>
<b>Shellfish Surveys of 3 Sites</b>	<b>March</b>	<b>Early May</b>
<b>Conservation Commission Hearing</b>	<b>May/June</b>	<b>June</b>
<b>Selectmen Fee Hearing (1st reading)</b>	<b>5/20/2019</b>	<b>6/3/2019</b>
<b>DMF Permit Applications for 3 sites (Town as applicant)</b>	<b>Mid June</b>	<b>July</b>
<b>Solicit Applications for Private Growers</b>	<b>Mid May</b>	<b>6/7/2019</b>
<b>Selectmen License Hearing (Shellfish Constable applicant)</b>	<b>6/3/2019</b>	<b>6/24/2019</b>
<b>Applications Evaluated (Staff &amp; Working Group)</b>	<b>6/7/2019</b>	<b>6/20/2019</b>
<b>Selectmen Award Licenses to Private Growers</b>	<b>June/July</b>	<b>June/July</b>

## REQUEST OF THE BOARD

- **Update to Aquaculture Plan developed by: Shellfish Constable, Assistant Town Manager, Consultant, Town Counsel, and Shellfish Advisory Committee**
- **Seek Board approval to proceed:**
  - **Adopt policy on aquaculture within the estuaries at future meeting**
  - **Licensing hearings**
  - **Fee hearing**

# FALMOUTH AFFORDABLE HOUSING FUND

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

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

## **BOARD OF TRUSTEES' FUNDING ALLOCATION GUIDELINES**

Falmouth Affordable Housing Fund monies are available on a limited basis for projects that support the Board of Trustees' Funding Priorities. The FAHF will review the housing pipeline and the target allocations and will adjust awards within the range based on expected applications and a determination of the current housing needs of Falmouth. The Trustees may allocate up to \$65,000 per unit with the specific amount to be determined based upon the review of the community benefit and the particular aspects of each project.

# 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:** April 18, 2019

**RE:** FAHF Request for BOS Approval

The Falmouth Affordable Housing Fund (FAHF) Working Group is requesting the Board of Selectmen, acting as Trustees, approve the following agenda item at their April 22, 2019 meeting.

**Motion: The FAHF Working Group is seeking Board of Selectmen, Acting as Trustees of the Falmouth Affordable Housing Fund, authorize up to \$3,000 per FAHF project for financial reviews and special counsel.**

### Background

The FAHF activity has increased measurably over the past year and as such the need for technical services support has also increased. In our efforts to complete our due diligence in vetting applications and reviewing both financial and legal documents, the FAHF Working Group has indicated that consulting services would be helpful to accomplish these tasks. The financial review would be a condition of funding for larger projects and would cover evaluation of project budgets including development costs and operating costs. The special counsel would review grant agreements and loan documents including the MassDocs prepared by the Massachusetts Housing Partnership.

The Working Group agreed at their March 20, 2019, meeting to set aside \$12,000 of FAHF funds for this purpose. My office has requested qualifications from 3 each potential consultants for financial and attorneys for the special counsel. Responses indicate fees are in the \$150 per hour range. Based on our expectation of time requirements, these reviews could range from \$600 - \$1,500. I suggest that we seek BOS authorization to expend up to \$1,500 for financial reviews and up to \$1,500 for special counsel per project. If due to the degree of project complexities, should either of these reviews require additional time, costs in excess of \$3,000 per project would require prior written approval of the Board of Selectmen as Trustees.

**Falmouth Affordable Housing Fund Overview**  
**4/18/19**

**Approved Projects**

<b>Applicant</b>	<b>Date</b>	<b>Funding Amount</b>	<b>Status</b>	
Spring Bars/ Little Pond Place	Falmouth Housing Corp Linda Clark	2016	\$750,000	Closing Date in mid-May
587 Gifford Street Workforce Housing	Falmouth Housing Corp Linda Clark	5/2/18	\$650,000	Preliminary State Funding Eligibility Letter
72 Deer Pond Single Family Home	Falmouth Housing Trust Karen Bissonnette	9/24/18	\$ 65,000	Construction Complete Disbursement Pending Documentation
Megansett Crossing Apartments	Megansett Crossing LLC. Michael Galasso	11/19/18	\$650,000	Pending State Funding
		<b>FAHF BALANCE:</b>	<b>\$670,600</b>	

## Pending Requests

### Brick Kiln Place, Northstar LLC, John DeSangro

Description:	20 Affordable Rental Units at 123 Brick Kiln Road	
Letter of Intent Received:	December 18, 2018	
Application Received:	January 22, 2019	
Amount Requested:	\$975,000	
Working Group Recommendation:	March 20, 2019	\$650,000 and additional \$325,000 subject to available funds
Community Preservation Comm. Recomm:	April 18, 2019	\$975,000
Board of Selectmen	April 22, 2019	\$_____

### Clippership Apartments, Falmouth Clippership LLC, Michael Galasso

Description:	10 Affordable Rental Units to be added to Existing 28-Unit Mixed Income Rental Complex	
Letter of Intent Received:	April 5, 2019	
Application Received:	April 18, 2019	
Amount Requested:	\$650,000	
Working Group Recommendation:	_____	\$_____
Community Preservation Comm. Recomm:	_____	\$_____
Board of Selectmen	April 29, 2019	\$_____

*Note: Mr. Galasso is seeking an expedited review due to application deadline for MassHousing grant. Working Group has not had opportunity to review this application.*

**Diane Davidson**

---

**From:** Peter Johnson Staub  
**Sent:** Friday, April 19, 2019 3:59 PM  
**To:** Diane Davidson  
**Subject:** FW: CPC Motion and vote for Brick Kiln Place

Diane,

Could you please include this message in the Selectmen Packet for 4/22/19?

Thanks,  
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 to, or from, a municipal employee or committee member is deemed a public record.*

**From:** Carla Feroni  
**Sent:** Friday, April 19, 2019 2:12 PM  
**To:** Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>  
**Subject:** FW: CPC Motion and vote for Brick Kiln Place

Peter,

I'm forwarding to you for your information the unofficial vote at last night's CPC meeting to support the HF Working Group recommendation to fund Brick Kiln Place at the \$975,000 level.

Carla

**From:** Carole Sutherland <[carole.sutherland@falmouthma.gov](mailto:carole.sutherland@falmouthma.gov)>  
**Sent:** Friday, April 19, 2019 1:44 PM  
**To:** Carla Feroni <[carla.feroni@falmouthma.gov](mailto:carla.feroni@falmouthma.gov)>  
**Subject:** CPC Motion and vote for Brick Kiln Place

Carla,

At its meeting last night, April 18, 2019, the CPC took the following action on the request for a funding recommendation for Brick Kiln Place:

Motion by Sandy Cuny: To support the Brick Kiln Place housing project at the FAHF Working Group's funding recommendation of \$975,000 Second: Bob Brown Vote: Unanimous in favor

Please let me know if you need anything further.

Carole

Carole Sutherland  
Community Preservation Coordinator  
59 Town Hall Square  
Falmouth, MA 02540  
508.495.7436  
[carole.sutherland@falmouthma.gov](mailto:carole.sutherland@falmouthma.gov)

**Board of Selectmen  
Fee Waiver Policy  
-Adopted February 11, 2016**

I. General Fee Waiver Policy (excluding Special Events Fees)

It is the policy of the Town of Falmouth to consistently and equitably implement the annual schedule of fees; however, there may arise from time-to-time unique circumstances in which fees may be waived.

Fee Waivers shall be granted by the Town Manager only as follows:

- Municipal and School Projects: Town Projects in which the procurement and solicitation documents clearly indicate in the bidding process prior to the opening of the price proposals that fees shall be waived.

Private non-profit agencies presenting a case for a unique public benefit may seek a waiver of fees subject to staff review and approval by the Board of Selectmen. These agencies should contemplate up to a two-month review and approval period. To be eligible for a waiver of fees, the private non-profit shall exhibit that it offers a unique public benefit at no charge to the public or provides a service to the Town Residents, particularly the neediest of our residents. Affordable Housing projects that are required to prepare a development pro forma to receive permits or grants will not be considered unless they provide 100% affordable housing and the development fees and profit are limited to below 20% of the project cost.

Inspection fees and fees associated with direct service or material costs will not be waived.

II. Special Events Fees and Use Charges Policy

Public amenities in the Town of Falmouth such as parks, facilities, special open spaces and public ways have been developed for the use and enjoyment of the public. Special events fees and use charges have been established with an understanding that these fees and charges relate to the cost of supporting the facility for such events. Special events may limit access to the public, may only be available to the public willing to pay a fee for the use and enjoyment of the facility/event, and for some events the general public may be prohibited from accessing the facility during the approved Special event.

## **BOS Fee Waiver Policy (continued)**

### Daily Fees:

The daily fee established shall be charged for each day the Special event has been granted use and enjoyment of the facility. Set up and break down days will be charged the daily fee.

### Recurring Events:

Recurring one-day events (more often than four times a year) will be charged the full fee for at least the first and the last day of the scheduled event. Any consideration for a waiver is as described below.

### Fee Waivers:

The Town will waive daily fees for special events sponsored by established Village associations, the Falmouth Fireworks Committee, the Falmouth Chamber of Commerce, Falmouth VIPs, Falmouth Public Schools, Falmouth Academy, or the Town of Falmouth. With the exception of School or Town events, fees will not be waived for any events that have limited public access or charge an admission fee.

Fee waivers can also be granted, upon request, by the Town Manger under the following conditions:

- An event providing broad community benefit and sponsored for charitable purposes may request a fee waiver. The Sponsor must present a letter of request including financial documentation verifying that all net event fees collected will be directed to a specific charitable purpose.

Any recurring events may be granted a discount up to 75% of the daily charge (excluding the required first and last days) upon application to the Board of Selectmen. The Board will consider the cost of maintenance of the facility, the public benefit of the event, and the public disruption caused by the event.

All events will carry any necessary insurance and supply bonds as required for the event.

Falmouth Farmers Market  
PO Box 179  
Falmouth, MA 02541

Re Falmouth Farmers' Market Fee Exemption Request for 2019

March 18, 2019

Dear Selectmen,

Falmouth Farmers' Market is respectfully submitting its Special Events Fee Waiver Request for 2019.

The Falmouth Farmers' Market is a non-profit organization with an all-volunteer board with one paid employee, our on-site Market Manager.

Over the past few years, the Market has grown into a thriving Thursday afternoon community event at Marine Park. We strive to be good neighbors and stewards of the Park while creating a space for local farms, agricultural, and food businesses can interact directly with the people eating their foods. The HIP program along with our SNAP bonus program (funded in part by the Woods Hole Foundation) have helped our neighbors in need access fresh, nutritious local fruits and vegetables straight from the farmers at our Market. We feel that the Market is a special part of the town of Falmouth and hope that you recognize this as well.

We are attaching our list of community benefits provided by the Farmers Market along with our Profit and Loss Statement for 2018. The market's operating income is based on vendor fees and the nominal profit from market bags, provided largely for our farmers' customers' convenience. The unexpected end of the Barnstable County Sheriff's Department community tent program added a large expense at the end of the year for us in 2018 when we had to pay for a rental tent (\$950) rather than use their program (\$75 + meals for set-up and take-down crew).

In the past we have paid \$200 or approximately 9% of the regular fee for the park, in addition to maintaining the Harbormaster's Office Garden (weeding, amending soil, adding plants each year). We hope that this arrangement can continue for the upcoming year.

We look forward to working with you for another successful season.

Sincerely,

Lindsey Close, President  
Falmouth Farmers' Market

**Falmouth Farmers Market Financial Report 12/31/18**

**Income**

Vendor Fees	\$7,759.00	
Misc.	\$1,458.50	
Grants	\$1,000.00	from Woods Hole Foundation for SN
Total Income	\$10,217.50	

**Expenses**

Town of Falmouth permits	\$260.00
Insurance	\$1,210.00
Payroll	\$4,499.86
EBT/SNAP fees	\$385.62
Holiday Market - tent, porta-potty	\$1,247.66
Telephone	\$779.00
Website hosting, domain fees, etc.	\$31.34
Commonwealth of MA Annual Report	\$15.00
Memberships	\$319.00
Accounting services	\$370.00
Post Office Box Rental	\$112.00
Harbormaster garden supplies	\$108.23
Misc. Marketing Supplies (Signs, etc)	\$405.71
SNAP bonus program	\$565.00
	\$10,308.42

**Total** **-\$525.92**

Available for SNAP bonus program in 2019 \$435.00

## Falmouth Farmers' Market Community Benefits 2018 - 2019

Falmouth Farmers' Market continues to broaden the benefits it brings to our community:

- Provides fresh healthy food, grown responsibly and sustainably at nearby farms, all at one location, with work and family-friendly hours. Food less-traveled is also healthier for the environment.
- Supports farmers and preserves vital farmland. Farm open-space also provides wildlife corridors and habitat.
- Promotes home cooking—now seen as the key to healthier eating and our best tool for combating obesity and diabetes.
- Encourages backyard vegetable growing with vegetable starts, free advice from farmers and the Master Gardener Program.
- Continued our strong partnership with The Falmouth Service Center: our farmers and vendors donated fresh food at the end of each market to Falmouth Service Center this season.
- Nutrition incentives:
  - SNAP (Supplemental Nutrition Assistance Program.) Continued our SNAP-bonus program. Thanks to a grant from the Woods Hole Foundation, the market was able to match up to \$10 in SNAP purchases enabling customers spending \$10 to purchase \$20-worth of fresh fruits and vegetables. This program will continue in 2019.
  - We also offered a bonus of up to \$10 for WIC (Women Infants and Children) and Senior nutrition programs.
  - Worked with farmers to educate market-goers about the Healthy Incentive Program (HIP). Launched in April 2017, the Healthy Incentives Program (HIP) provides a 100 percent incentive – a dollar-for-dollar match – for each SNAP dollar spent on targeted fruits and vegetables purchased from a farmer at farmers markets, farm stands, mobile markets, and Community Supported Agriculture (CSA) programs statewide.
- Community composting: In 2018, Compost With Me collected household food-scrap at the market for composting at Bunker Farm. One ton of methane-producing organic material was diverted from the waste-stream.
- Maintained the garden planted in 2016 at the entrance to the Harbor Master's Office, freshening it with annual flowers and replacing perennials that did not survive.

- Provided a weekly community table for outreach and education by local nonprofit organizations including Barnstable County Health Dept, Falmouth Fireworks, Farming Falmouth, Master Gardeners, Neighborhood Falmouth, WIC, Friends of the Bourne Rail Trail and Serenity Farm.
- A joyful community-strengthening meeting place: a regular event, where transactions go well beyond the exchange of dollars to the exchange of food knowledge, a shared interest in sustainable living, and mutual support. Farmers' markets have been called the The New Town Square.
- Trusted source of information on food, restaurants, stores, nearby activities in Falmouth, especially to visitors new to its harborside neighborhood.
- Empirical evidence proves that, at a minimum, for every dollar spent at a farmers market another dollar is spent at the businesses adjacent to the market. More often than not a market's economic multiplier is closer to \$3 for every dollar spent at market. (source: <http://massfarmersmarkets.org/hosting-communities/>)

As noted by Mass Farmers Markets on their web page about the benefits of hosting a farmers market in your community "... every market that has community support at multiple levels grows faster, becomes more vibrant, and achieves their goals far more effectively than those that do not." We hope that we can continue to count on the town's support!

FALMOUTH FARMERS' MARKET FINANCIAL REPORT 12/31/18

<b>Income</b>	
Vendor fees	\$7,950.00
Grants*	\$2,225.00
Misc.	\$1,929.00
<b>Total income</b>	<b>\$12,104.00</b>
<b>Expenses</b>	
Town of Falmouth permits	\$310.00
Harbor Master's Garden supplies (plants and compost)	\$214.00
Insurance	\$1,131.00
Contract services	\$5,645.00
EBT/SNAP	\$422.85
Marketing/Supplies	\$2,190.75
Commonwealth of MA Annual Report Filing Fee	\$15.00
Memberships	\$312.00
Donations	75.00
<b>Total expenses</b>	<b>\$10,165.60</b>
<b>Subtotal</b>	<b>\$1,788.40</b>
<i>Amount from WHF grant available only to double SNAP purchases in 2017</i>	\$950.00
<b>Total</b>	<b>\$838.40</b>
<b>Grants:</b>	
\$1000 from Woods Hole Foundation for doubling SNAP purchases	
\$1225 from CARE for the Cape & Islands to provide educational programming on composting and food waste	



**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

NAME Falmouth Farmers' Market

MAILING ADDRESS P.O. Box 179, Falmouth, MA 02541

EVENT DAY & DATE Thursdays, May 23, 2019 – October 10, 2019  
+ Tuesday, November 26, 2019 (Holiday Market - 11:00 – 3:00)

RAIN DATE None.

EVENT LOCATION Marina Park

EVENT TYPE Farmer's Market

SET-UP ARRIVAL TIME 10:00 a.m. EVENT HOURS 12:00 noon – 6:00 p.m.

NUMBER OF ATTENDEES ~ 100 # OF VEHICLES ~ 70

ADDITIONAL DETAILS Request access to public restrooms, water and electricity. 10x10 tents, folding chairs. Public restrooms not available 11/26/19; organizer to provide porta-potty.

**CONDITIONS:**

1. Parking Option A (attached) with rotation as recommended by the Parks Superintendent.
2. Parking on the lawn, during or immediately after a rain event, may be prohibited by the Parks Superintendent
3. The parking area is to be marked off and monitored by the Farmer's Market.
4. Parking placards are to be issued for either Marina Park Lawn or Gus Canty parking.
5. Repair and maintenance requested by the Parks Superintendent shall be undertaken immediately at the expense of the Farmer's Market.
6. Event organizers to police the area following event to ensure any litter or debris is cleared.
7. Contact Inspectional Services Department for tent permit and inspection.
8. Contact Fire Department if any cooking equipment is to be used on site.

PERMIT FEE \$4,400.00 (22 x \$200/day) FILING FEE \$10.00

DEPOSIT \$1,000.00 (Deposit refundable at conclusion of event provided that no litter or damage has occurred)

**BOARD OF SELECTMEN:**

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# TOWN OF FALMOUTH SPECIAL EVENT PERMIT

NAME Falmouth Farmers' Market

MAILING ADDRESS P.O. Box 179, Falmouth, MA 02541

EVENT DAY & DATE Thursdays, May 24, 2018 – October 11, 2018  
+ Tuesday, November 20, 2018 (Holiday Market)

RAIN DATE None.

EVENT LOCATION Marina Park

EVENT TYPE Farmer's Market

SET-UP ARRIVAL TIME 10:00 a.m. EVENT HOURS 12:00 noon – 6:00 p.m.

NUMBER OF ATTENDEES 300-500 # OF VEHICLES \_\_\_\_\_

ADDITIONAL DETAILS Request access to public restrooms, water and electricity. 10x10 tents, folding chairs. Public restrooms not available on 11/20/18.

### CONDITIONS:

1. Parking Option A (attached) with rotation as recommended by the Parks Superintendent.
2. Parking on the lawn, during or immediately after a rain event, may be prohibited by the Parks Superintendent
3. The parking area is to be marked off and monitored by the Farmer's Market.
4. Parking placards are to be issued for either Marina Park Lawn or Gus Canty parking.
5. Repair and maintenance requested by the Parks Superintendent shall be undertaken immediately at the expense of the Farmer's Market.
6. Event organizers to police the area following event to ensure any litter or debris is cleared.
7. Contact Inspectional Services Department for tent permit and inspection.
8. Contact Fire Department if any cooking equipment is to be used on site.

*Last Year (2018)*

Permit Fee reduced to \$200.00 + \$500.00 in-kind to maintain Harbormaster's Office garden.

PERMIT FEE ~~-\$2,100.00-~~ FILING FEE \$10.00

by B.O.S. on 4/2/18.

DEPOSIT \$1,000.00 (Deposit refundable at conclusion of event provided that no litter or damage has occurred)

### BOARD OF SELECTMEN:

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February 2, 2019

Dear Selectmen,

This year the Falmouth Cultural Council will be managing the Falmouth Art Market. In previous years, the coordinators have requested a waiver and we would like to do the same for this coming summer.

The Art Market is a non-profit group. Vending fees are passed on to the council in order to provide scholarships to artist and to support cultural events in the community.

We hope you will consider our request.

Thank you,  
Jane Parhiala,  
Falmouth Cultural Council member



**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT** Falmouth Art Market

**NAME** Falmouth Cultural Council, Jane Parhiala

**MAILING ADDRESS** 59 Town Hall Sq., Falmouth, MA 02540

**EVENT DAY & DATE** Thursdays: June 13 – August 29, 2019

**RAIN DATE** None.

**EVENT LOCATION** Marina Park (Bandshell Side)

**EVENT TYPE** Art Market – Craft Sales

**SET-UP/BREAK-DOWN TIME** 10:00 / 6:00 **EVENT HOURS** 12:00 p.m. – 5:00 p.m.

**NUMBER OF ATTENDEES** 20 -25 **# OF VEHICLES** 20-25 vendors

**ADDITIONAL DETAILS** Use of electricity at bandshell for music. Use of restrooms at Harbormaster office for vendors. Tents and chairs.

**CONDITIONS:**

1. Vendors to drop off and shuttle to/from Gus Canty Recreation Center parking lot.
2. Four spaces available for vendor parking on grass area behind Bandshell.
3. Vendor parking plaques will be placed on vendors' vehicles.
4. Assigned location for parking vendor vehicles.
5. Contact Inspectional Services Department for permit for tents over 400 sq. ft.
6. All areas to be checked for cleanliness following event.

**PERMIT FEE** 12 days x \$200/day = \$2,400.00 **FILING FEE** \$10.00

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

**BOARD OF SELECTMEN:**

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_____	_____
_____	_____



# TOWN OF FALMOUTH SPECIAL EVENT PERMIT

EVENT Falmouth Art Market

NAME Diane Regis

MAILING ADDRESS 8 Eldred Circle, Falmouth, MA 02540

EVENT DAY & DATE Thursdays: June 7 – August 30, 2018

RAIN DATE None.

EVENT LOCATION Marina Park (Bandshell Side)

EVENT TYPE Art Market – Craft Sales

SET-UP ARRIVAL TIME 10:00 a.m. EVENT HOURS 11:00 a.m. – 5:00 p.m.

NUMBER OF ATTENDEES 20 # OF VEHICLES 20 vendors

ADDITIONAL DETAILS Music if electricity is available. Use of restrooms for vendors. Tents and chairs.

**CONDITIONS:**

1. Vendors to drop off and shuttle to/from Gus Cauty Recreation Center parking lot.
2. Four spaces available for vendor parking on grass area behind Bandshell.
3. Vendor parking plaques will be placed on vendors' vehicles.
4. Assigned location for parking vendor vehicles.
5. Contact Inspectional Services Department to check if tent permit is required.
6. All areas to be checked for cleanliness following event.

*Last year (2018)*

Permit Fee reduced to \$300.00 (\$100 1st, \$100 last + \$100) by B.O.S. 3/26/18.

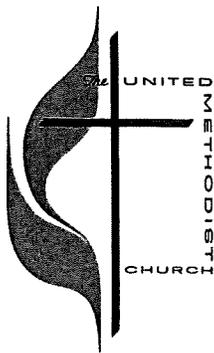
PERMIT FEE 13 days x \$100/day = \$1,300.00 FILING FEE \$10.00

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

**BOARD OF SELECTMEN:**

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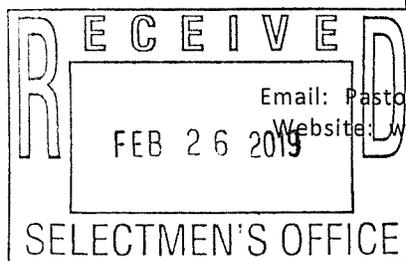
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# John Wesley United Methodist Church

270 Gifford Street  
FALMOUTH, MA 02540

Rev. Rebecca Mincieli  
Minister



Office: (508) 548-3050  
Cell: (508) 776-1374  
Fax: (508) 540-7273  
Email: PastorRebecca@comcast.net  
Website: www.johnwesleyumc.org

Special Events Internal Working Group/  
Falmouth Board of Selectmen  
Falmouth Town Hall  
59 Town Hall Square  
Falmouth, MA 02540

February 13, 2019

Dear Madams and Sirs:

On behalf of the John Wesley United Methodist Church, I am writing to ask your approval to use Surf Drive Beach again this summer to hold a brief non-denominational worship service on Sunday mornings. As we have done the previous four summers, we would gather every Sunday from 7:30am-8:00am. Due to the timing of July 4<sup>th</sup>, this year our first service would be on June 30<sup>th</sup> and run through September 1<sup>st</sup>, with the exception of the Falmouth Triathlon Sunday on July 14<sup>th</sup>, and the Falmouth Road Race on Sunday, August 18<sup>th</sup>. The services are very well attended, and people have come to anticipate their "summer church." Tourists and local alike are very appreciative of the time, the convenience and the natural beauty. And of course, they acknowledge and are grateful that the Town of Falmouth provides this opportunity.

I would also ask the Board of Selectmen for a fee waiver like we received the past three years. We were approved under the Fee Waiver Policy, where recurring events are granted a discount up to 75% of the daily charge, excluding the first and last days. I would like to apply for this discount, based on the fact that this service provides a broad community benefit, and there is no additional cost to the town, as the beach attendant is already at the beach prior to our service and we leave prior to the opening of the parking lot. We would have, again this year, a total of 8 Sundays, so with the first and last days being  $\$75 \times 2 = \$150$ , plus 75% reduction of the remaining 6 days ( $\$18.75 \times 6 = \$112.50$ ), our total would be  $\$262.50$ .

Thank you very much for your consideration. If I can provide additional information, please don't hesitate to contact me.

Very truly yours,

Rev. Rebecca Mincieli



**TOWN OF FALMOUTH  
SPECIAL EVENT PERMIT**

**EVENT NAME** Sunday Worship Services

**NAME** Rev. Rebecca Mincieli, John Wesley United Methodist Church

**MAILING ADDRESS** 270 Gifford Street, Falmouth, MA 02540

**EVENT DAY & DATE** Sundays, June 30, 2019 – September 1, 2019 (except 7/14 and 8/18)

**RAIN DATE** None.

**EVENT LOCATION** Surf Drive Beach and Parking Lot

**EVENT TYPE** Sunday Worship Services

**ARRIVE/DEPART** 7:15 a.m./8:15 a.m. **EVENT HOURS** 7:30 a.m. – 8:00 a.m.

**NUMBER OF ATTENDEES** 30+ **NUMBER OF VEHICLES** 15+

**ADDITIONAL DETAILS** \_\_\_\_\_

**CONDITIONS:**

1. A Beach Department employee will open the gate to Surf Drive parking lot at 7:15 a.m. to allow parishioners into the lot to park and then will let the group out at 8:15 a.m. and lock the gate when everyone has exited the lot.

**PERMIT FEE** \$600.00 (8 days x \$75.00/day) **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 OF FALMOUTH  
SPECIAL EVENT PERMIT**

**NAME** Rev. Rebecca Mincieli, John Wesley United Methodist Church

**MAILING ADDRESS** 270 Gifford Street, Falmouth, MA 02540

**EVENT DAY & DATE** Sundays, July 1, 2018 – September 2, 2018 (except 7/15 and 8/19)

**RAIN DATE** \_\_\_\_\_

**EVENT LOCATION** Surf Drive Beach and Parking Lot

**EVENT TYPE** Sunday Worship Services

**ARRIVE/DEPART** 7:15 a.m./8:15 a.m. **EVENT HOURS** 7:30 a.m. – 8:00 a.m.

**NUMBER OF ATTENDEES** 30+ **NUMBER OF VEHICLES** 15+

**ADDITIONAL DETAILS** \_\_\_\_\_

**CONDITIONS:**

1. A Beach Department employee will open the gate to Surf Drive parking lot at 7:15 a.m. to allow parishioners into the lot to park and then will let the group out at 8:15 a.m. and lock the gate when everyone has exited the lot.

Reduced to \$262.50 Permit Fee, by B.O.S. on 4/2/18.

*Last year (2018)*

**PERMIT FEE** ~~\$600.00~~ (8 days x \$75.00/day) **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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Samuel Patterson  
[Signature]

SEASONAL LIQUOR LICENSE and SPRING 2019 RENEWALS – April 22, 2019

**Lodging House License**

Elizabeth Hathon, 165 N. Falmouth Highway, N Falmouth  
Woods Hole Passage, 186 Woods Hole Road, Falmouth

**Second-Hand Dealer License**

Cape Cod Gold & Silver Coin, 424 Main Street, Falmouth  
Cash Point, 350 East Falmouth Highway, East Falmouth  
Falmouth Service Center d/b/a Hand in Hand Thrift Shop, 141 Sandwich Road, East Falmouth  
Falmouth Stamp & Coin, 11 Town Hall Square, Falmouth  
Fay's Gallery, 556 Main Street, Falmouth  
Hannoush Jewelers, 352 Main Street, Falmouth  
Home Again, 93 East Falmouth Highway, East Falmouth  
St. Vincent de Paul Thrift Shop, 18A Davisville Road, East Falmouth  
Uncle Bill's Country Store, 412 N Falmouth Hwy, N Falmouth  
Village Lamp Repair Shoppe, 628 West Falmouth Highway, West Falmouth 02574

**Bowling Alley License**

Ryan Family Amusements

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**MONDAY, NOVEMBER 19, 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.

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. Ch. 30A, s. 21(a)(3) – Status/Update on Insurance Claims from MIIA Legal Representative 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; Chair Moran, aye; Mr. Jones, aye.**
2. Chair Moran reconvened the open session.
3. Pledge of Allegiance
4. **Proclamation read as a motion by Mr. Jones of Gratitude to Kathleen H. Murray. Second Ms. English Braga. Vote: Yes-5. No-0.**

Shannon Hurley, Ms. Murray's sister said she loved this Town and always did.

Elizabeth Abrams, Chair Falmouth Board of Trustees addressed the BOS, Ms. Murray will be missed.

Judy Stetson, Ms. Murray was adventurous and loved to sail.

5. **Recognition**  
Ms. English Braga thanked all for participating in Town Meeting last week.
6. **Announcements-none.**
7. **Public Comment**

Jack Carol, 2 Ponds Road sent correspondence to the BOS regarding the Cape Cod Marathon and encouraged the Town Counsel to look at the course, next year will be a major course change. There are other places in Town to have it start and end.

#### **SUMMARY OF ACTIONS**

1. Licenses
  - a. **Application for Two Special One-Day All Alcohol Liquor Licenses – Falmouth Theatre Guild – Highfield Theater, 58 Highfield Drive – Friday, 12/7/18 and Saturday, 12/8/18**  
**Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.**
2. Administrative Orders
  - a. **Vote to Approve Eversource to Locate One Pole #460/25 and Remove One Pole 460/25 on Dillingham Avenue, East of Morse Pond Road due to construction of Rear Entrance on Dillingham Avenue**  
**Mr. Patterson motion approval. Second Mr. Brown. Vote: Yes-5. No-0.**
  - b. **Massachusetts Environmental Trust Grant Interpretive and Directional Signage for Coonamessett Greenway**  
Dr. Gladfelter told the BOS this for interpretive signs along the river and same grant request approved last year. A number of groups will help put these together.  
  
**Mr. Jones motion to support the signage. Second Mr. Patterson. Vote: Yes-5. No-0.**

- c. Vote to Approve Letter to the Governor in Support of Open Cape's Request to Release \$200,000 in the Approved Economic Development Bill for the Installation of High Speed Internet Service to Main Street Merchants  
Mike Galasso, EDIC, working with merchants and Chamber of Commerce on Main Street, regarding appropriate internet access to run their credit card transactions. This letter will go a long way to get the money released from that bill.

**Mr. Jones motion to approve. Second Mr. Patterson. Vote: Yes-5. No-0.**

3. Special Events

**New - Recommended:**

- a. Approve Application for Beach Wedding Ceremony – Old Silver Beach – Saturday, 6/8/19 – Couture

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

Mr. Mogardo approved this event.

**PUBLIC HEARINGS**

1. Tax Classification Hearing

Chair Moran read the hearing notice.

Patricia O'Connell, Town Treasurer/Collector, addressed the Board of Assessor's recommendations to the BOS. The choices include a split tax rate, small business exemption, open space exemption, and residential exemption. The benefit to shift to 150% of homeowners to home value of \$870,000 would be an average of \$179 for a home valued at \$483,000 but would go up considerably for businesses, to about \$2,000 per year.

The BOS noted they want a vibrant mixed community and the current tax form supports that end. Ms. O'Connell noted that we have stable businesses here and it helps them by doing the rate we do.

The BOS asked about a nonresident premium that could be paid to level the playing field since many buying second homes and there is a disparity between the cost of housing and making salary that would warrant that expense. Ms. O'Connell noted that second homeowners are paying a 1-5% personal property tax in addition to their real estate tax.

Public comment: none.

**Mr. Jones motion to continue taxes at the current rate and adopt factor rate of 1. Second Mr. Patterson. Vote: Yes-5. No-0.**

**Mr. Jones motion to reject the residential, commercial, and open space exemptions. Second Mr. English Braga. Vote: Yes-5. No-0.**

2. Application for Shade Tree Hearing – Town of Falmouth, Tree Warden – One Red Oak Tree and One Linden Tree Located at 77 Scranton Avenue

Chair Moran read the hearing notice.

Roots impeded the sidewalk and the sidewalk needs to meet ADA requirements.

James Grady, Superintendent of Highways, has met with Jeremiah Pearson, Parks Supervisor and Tree Warden, important the sidewalks are accessible. Proposing removal of tree, existing sidewalk, putting in ADA ramps and two new trees.

Trees will be replaced as determined by Jeremiah Pearson, smaller ornamental trees.

Public comment: none.

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

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

## **BUSINESS**

### **1. Discussion and Action on Proposed Host Community Agreement – Medical Marijuana**

Mr. Suso noted discussions regarding potential for this facility in Town, consistent with the MA law and Chief Dunne and Attorney Duffy have been involved. Discussed with the BOS host community agreement and the BOS authorized entering negotiations with Nature's Remedy, reached agreement on the language and is for BOS consideration and determination on how to vote regarding the potential location.

Bob Carr, President and CEO of Nature's Remedy addressed the BOS and made a PowerPoint presentation. Nature's Remedy is a MA licensed seed to sale marijuana company. John Brady, Partner, Chief Operating Officer and Mr. Carr are founders. Cultivation in Lakeville, MA. Medical dispensary is proposed at 31 Teaticket Highway. Looking for approval for host community agreement and letter of support of no opposition. Reviewed the executive management team. Licensing status reviewed, submitted applications to MA Department of Public Health (DPH), they have already received Provisional Certificates of Registration for Middlebury and Acton. Reviewed the proposed location, building needs about \$250,000 of renovation work. Described security protocols that have passed with the DPH, including cameras in the building, motion detectors, will work with the FPD to ensure they are compliant with what the FPD wants. Approved to grow, in Millbury they have been through the application process. Green initiatives described, including producing their own electricity. Reviewed the Millbury site, which is in construction. Benefits to Falmouth include 15 full time jobs, pay \$18-20 per hour, local services used, and access to safe reliable medicine. They still have to go to the DPH for registrations and certificates, community host agreement, and site plan approval still needed with the Planning Board and ascertain any necessary building permits.

John Brady, in agriculture for 40 years, described his background.

The Falmouth location will be energy star program, filling every void in the building, building will be brought up to the new energy code, triple pane glass where appropriate, heating and lighting under energy star program.

Mr. Jones noted the Town would get 3% gross sales in the first year, estimated by John Brady to be about \$6 million in sales in first full year. According to Mr. Brady, they look at themselves as socially responsible, environment people and then profits. Almost zero carbon footprint. Packaging is recyclable. Paying a living wage, they will offer \$16 an hour to start, to \$20 an hour within 6 months. They will offer medical and dental insurance for all employees in Falmouth along with a scholar scholarship program to the community.

Attorney Duffy said that Mr. Suso put together a team to negotiate the host community agreement with the FFD Chief, FPD Chief, and Mr. Suso. Tonight they are voting a letter of support of non-opposition. They have negotiated the host community agreement and reviewed highlights. Impact fee capped at 3% gross sales, time limit of 5 years. The host community agreement conforms with the statute. The Town services and departments were identified including the FPD, FFD, Department of Human Services, DPW, Inspectional Services, and School Departments; there may be unforeseen impacts that can be identified at a later time. Impact fee paid 60 days after the end of each quarter, payments related to the impacts to the Town. Any revenue from Host Community Agreement is part of general revenue, Town Meeting will have to appropriate the money in the annual budgetary process. The company also specified 1% of gross revenues to Town charities and agreed to report who the charities are. Agreed to provide staff to Town sponsored programs, maintain neat and tidy condition of operations, cooperate with any town dept with jurisdiction over them, and comply with rules and regulations. Local vendors and workers will be sought. Property and personal property subject to taxation. Should it expand, the Host Community Agreement will be renegotiated. The BOS will vote to accept this and one of the two letters.

Chief Dunne noted this became law and he has been working with the Town Manager and Town Counsel with Nature's remedy, who are highly regulated by DPH.

Attorney Duffy noted the Town has no liability, although the agreement is called a Community Host Agreement, while they host in the same degree they would be to any other business.

Mr. Jones noted if Nature's Remedy enters into another Host Community Agreement with another town, Falmouth would get the benefit of that agreement as well.

Public comment:

Mark Finneran, Precinct 6, asked about 5 year limit on the contract. Mr. Jones noted that after 5 years there would be no further agreement, it is limited by the State.

**Mr. Jones motion to approve the Community Host Agreement with Nature's Remedy. Second Ms. English Braga. Vote: Yes-5. No-0.**

**Mr. Jones motion approval of the letter of support. Second Ms. English Braga. Vote: Yes-5. No-0.**

2. Vote No Opposition or Support – Medical Marijuana

3. Interview, Vote and Appoint Committee Members

a. Cape and Vineyard Electric Coop (CVEC) Rosemary Care is a strong advocate for renewable energy, interested in being a voice for Falmouth.

**Mr. Jones motion to appoint to a term ending 6/30/19. Second Ms. English Braga. Vote: Yes-5. No-0.**

b. Commission on Disabilities – Judy McGrath

Worked serving needs of children and adults with disabilities, need to educate the public to minimize discrimination and lack of access. She believes her life experiences will help her be an asset.

**Mr. Jones motion to appoint to a term ending 6/30/19. Second Mr. Patterson. Vote: Yes-5. No-0.**

c. Council on Aging – Carol Kenney

She served before and resigned because of term limits. Volunteer attorney for over 20 years at the Council on Aging.

**Mr. Patterson motion to appoint to a term ending 6/30/21. Second Ms. English Braga. Vote: Yes-5. No-0.**

4. Board of Selectmen Acting as Trustees of Falmouth Affordable Housing Fund:

a. Megansett Crossing Presentation – Application for \$650,000 for 10-Unit Rental Housing at 676, 688 and 702 North Falmouth Highway

b. Board of Selectmen to Discuss and Consider Approval

Mr. Galasso, Megansett Crossing LLC, this was approved in 2009 as a LIP, it was redesigned after acquiring the site to change layout, approved by the BOS previously. The project includes 10 units in 5 buildings, each has 3 bedrooms and 2 bathrooms, and it is a rental project. Energy efficient, 1 car parking garage with electric car charging station, community garden for tenants, children's play area, and bus shelter for transit. It will be connected to Open Cape. Conforms to historic character of the area, have had the ZBA and community presentations, packet includes letters approving the project. The project was approved, that will be leveraged with application to the State for additional \$1 million. All units will be affordable, BOS approval will make the application to the State. Request approved by working group and community preservation committee.

The affordability is in perpetuity.

Mr. Jones thrilled it is all affordable. No money from the Town to this project.

Mr. Patterson was present for the CPC meeting and they did move to recommend. Mr. Suso noted an email came in later today.

Mr. Suso provided a note sent today, recommended expenditure vote 6-1.

Public Comment:

Marc Finneran, Precinct 6, asked if other residences along the route will be able to access Open Cape and at what cost. Chair Moran responded that they can forward that question to Open Cape.

Carla Feroni, Falmouth Housing Coordinator, explained how the working group reviewed the application. This project started in 2009 with a comprehensive permit. 100% affordable led to the working group being pleased with the application, they reviewed the numbers with Laura Schufelt, it is difficult for developer to make these projects work and unlikely it would be able to move forward without these types of subsidies. This project is worthy of the full ask amount of the funding.

**Mr. Patterson motion to approve and read the motion in the packet. Second Ms. English Braga. Vote: Yes-5. No-0.**

5. Consideration of Motion "To proceed with design on the Main Street Corridor project from Palmer Avenue to Sandwich Road and investigate potential alternative options along Route 28 from Sandwich Road to Oxbow Road".

Ray Jack, DPW Director, asked the BOS to move forward with design and evaluate potential options for the area east of sandwich road. Water main project and Route 28 transportation projects are separate projects. Water main project will begin this spring, summertime exclusion. Corridor project would be on the heels of the water main project. They have received letter from State for up to \$10 million for the corridor project, they can move forward with planning and funding project, then go in front of the Cape Cod MPO. He would like to initiate this project on that funding platform this year so they redevelop the program around April. Would go in for the year 2024, as they move through design, at 25% the BOS has to approve the project. Important for the Town to advance the project into that process he is hoping it will be at 25% by late Spring and then it would come back to the BOS. The plan would have to be acceptable by the BOS.

Mr. Suso provided an overview of the outreach to date on this project, including 3 public meetings in June, two this Fall. Accepted public comment and provided information to the consulting engineers for input. Discussions prior to that that go back over 2 years on proposal to joint meeting of the BOS and Planning Board, design consultant made initial proposal to the Main Street corridor that resulted in the current process.

Mr. Patterson asked to what extent does the water main design depend on the road layout? According to Mr. Jack, the major benefit was the surveying which was done for the two projects. Layout is not problematic. State is onboard with the water main project.

Chair Moran noted the major step that occurred during outreach is it is broken into 3 sections, Sections 1 and 2 encompassed in the BOS motion today and then section 3 would be the last.

Mr. Jack outlined phases Palmer Avenue to Falmouth Heights Road is section 1. Section 2 is Falmouth Heights Road to the School Administration Building, and section 3 is Sandwich Road to Oxbow Road. Most important is section 1 and 2 at this time, then take time to look at section 3. The utility companies will take the lead in design of underground utilities and are working on ideas.

Mr. Jack noted that at this time they will try to determine what will appear on the 25% design, looking at the roundabout, light, changing Sandwich Road and Route 28 merger.

Mr. Jones commented that potential the money from the state may be available earlier, could the road project be on the heels of the water main project and Mr. Jack believes it will be.

The BOS discussed committees for all project sections. It was determined that sections 1 and 2 have less residential impact and those interested may comment to the Section 3 committee or directly to the BOS.

The DPW has also met on site with those who had questions and this has been successful. The businesses have the Chamber of Commerce to advocate for them, those conversations are ongoing.

The BOS discussed a Transportation Committee and charge to look at this part of the project, however there has been an outcry from citizens for input committee for this project and its work needs to be done in short time.

Mr. Brown agrees with BOS committee for section 3, should there be a Town Manager ad hoc committee for sections 1 and 2. Chair Moran is satisfied with the DPW response on sections 1 and 2.

Mr. Jack noted that section 2 does not involve widening of the road.

According to Attorney Duffy, no other consideration for the BOS to form this committee. They have a purpose, limit of authority, and the BOS may want to determine when they would like the final report back.

Ray Jack noted the committee's written report by the first week in April 2019, with alternative options for Section 3.

The BOS decided to have application deadline for the committee vacancies due by 12/5/2018, interviews to be held on 12/17/18. Chair Moran noted precinct members and village associations should be sent an email regarding the accelerated deadline.

Attorney Duffy described the conflict of interest and need to designate committee members as Special Municipal Employees; they are working less than 16 hours per week and do not get paid. Abutters have a personal financial interest and the State Ethics Commission affirmed that they would have a conflict of interest. So abutters must apply to the BOS for an exemption. In an open meeting, the BOS must vote the exemption for each individual. The abutter application will be provided at the time of the application to the committee.

Public comment:

Mark Finneran, Precinct 6, suggested a survey and quantify it. Mr. Jack noted potential \$10 million, but it is for the entire cape. Chair Moran explained it is competitive process that is reviewed by a board that reviews only these types of projects, it rotates year by year. The BOS noted the information and research done by state representatives indicates we have a good chance to get the \$10 million.

Joe Lemay, Precinct 9, noted abutters are easy to identify, but everyone in Town is close to be an abutter, that needs to be incorporated into the committee. A single point of contact for the public would be helpful, he believes it should be one committee for all sections, emphasis on section 3 but if someone is concerned about another section, that one committee should be contacted. The BOS noted the BOS should be contacted.

Mr. Patterson wants to also consider the needs of the community as well as abutters.

**Mr. Jones motion to move forward with the Main Street Corridor sections 1 and 2 and determine the options for section 3. Second Mr. Patterson. Vote: Yes-5. No-0.**

6. Vote Route 28 Citizen Committee(s)

**Ms. English Braga motion to have the BOS select a committee to review Section 3 portion of the project to include 9 members selected by the BOS to section 3 portion of the project, and look to do waiver of abutters but not entirety of the committee. Committee membership will be one representative from the Planning Board, Bikeways Committee, Commission on Disabilities, and 6 members at large. Representative David Vieira will be the ex officio position and nonvoting member on the committee. Second Mr. Patterson. Vote: Yes-5. No-0.**

Chair Moran asked Peter McConarty for a sense of how most design and construction goes. Mr. McConarty explained that in the past they have worked with property owners if they are affected directly. This is different because it is a state project as well. Go through these meetings, they come back with 25%, approved with state, then move to 75%.

Chair Moran asked from section 2 there were some who live in sec 2, how would the DPW interact with them? The DPW has been doing this with comments coming in, they go to DPW and then forward to traffic consultant. Same with business owners in roundabout areas, too.

## 7. Approve 2018 Annual License Renewals

### ALL ALCOHOL RESTAURANT

41-70, 71 Water St  
Bear in Boots, 285 Main St  
British Beer Company, 263 Grand Ave  
Bucatino Restaurant, 7 Nathan Ellis Hwy  
C Salt, 75 Davis Straits  
Casa Vallarta, 70 Davis Straits  
Celestino's Restaurant, 448 N Falmouth Hwy  
DJ's Famous Wings, 872 Main St  
Falmouth Country Club, 630 Carriage Shop Rd  
Josh's at Davisville, 339 E Falmouth Hwy  
Liam Maguire's, 273 Main St  
New Peking Palace, 452 Main St  
Osteria la Civetta, 133 Main St  
Paul's Pizza, 37 Elain Ave.  
Pickle Jar Kitchen, 170 Main St  
Quarterdeck Restaurant, 164 Main St  
Quick's Hole Tavern, 29 Railroad Ave  
Simply Divine Pizza, 271 Main St.  
TGC at Sacconneset, 132 Falmouth Woods Rd  
The Flying Bridge, 220 Scranton Ave  
The Golden Swan, 323 Main St  
Water Street Kitchen, 656 Water St  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### AA CLUB

Falmouth Yacht Club, 290 Clinton Ave  
Cape Cod Curling Club, 37 Highfield Rd  
Falmouth Lodge #2380, 140 Palmer Ave  
Falmouth Rod & Gun, 203 Carriage House Rd  
Midway Trap & Skeeet, 284 Old Meetinghouse Rd  
Woods Hole Golf Club, 130 Quissett Ave  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### AA INHOLDER

Sea Crest Beach Hotel, 350 Quaker Rd  
Coonamesett Inn, 311 Gifford St  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### INNHOLDER W, M & CORDIALS

Palmer House Inn, 81 Palmer Ave  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### AA PACKAGE STORE

Falmouth Food Mart & Liq., 414 Main St  
Falmouth Wine & Spirits, 322 Palmer Ave  
John's Liquors, 729 Main St.  
Kappy's, 21 Spring Bars Rd  
North Falmouth Liquors, 362 N Falmouth Hwy  
RJ's Variety & Liquor, 174 Sandwich Rd  
Teaticket Market, 125 Teaticket Hwy  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### WINE & MALT CLUB

St. Anthony's, 28 Brick Kiln Rd  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### WM RESTAURANT

Bangkok Thai Cuisine, 291 Main St  
Crabapples, 553 Palmer Ave  
Crêpe Cod, 649 Main St  
Homeport Sushi, 316 Gifford St  
Martha's Eats, 281 Main St  
New Golden Dynasty, 25 Davis Straits  
Pizza 1 & Subs 2, 735 E Falmouth Hwy  
Seafood Sam's, 913 W Falmouth Hwy  
Steve's Pizzeria & More, 374 Main St  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### WINE, MALT, CORDIAL RESTAURANT

Country Fare, 319 Main St  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### WM PACKAGE

Holly Park Variety, 580A N Falmouth Hwy.  
Intergas, 607 Main St  
Jack & the Beanstalk, 800 Gifford St. Ext.  
Wild Harbor General Store, 200 Old Main Rd  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### BREWERY

Aquatic Brewing, 661 Main St.  
Bad Martha's, 876 E Falmouth Hwy  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### WINERY

Cape Cod Winery, 4 Oxbow Rd  
**Mr. Jones motion to approve. Second Ms. English  
Braga. Vote: Yes-5. No-0.**

### COMMON VICUALLER

41-70, 71 Water St  
Bangkok Thai Cuisine, 291 Main St  
Bear in Boots, 285 Main St  
British Beer Company, 263 Grand Ave  
Bucatino Restaurant, 7 Nathan Ellis Hwy  
C Salt, 75 Davis Straits  
Casa Vallarta, 70 Davis Straits  
Celestino's Restaurant, 448 N Falmouth Hwy  
Coonamesett Farm, 277 Hatchville Rd  
Country Fare, 319 Main St  
Crabapples, 553 Palmer Ave  
Crêpe Cod, 649 Main St  
DJ's Famous Wings, 872 Main St  
Eat Your Heart Out Café & Gourmet Market, 587 Main St  
Falmouth Country Club, 630 Carriage Shop Rd  
Falmouth Lodge #2380, 140 Palmer Ave  
Falmouth Pery's Place, LLC, 40 N Main St

Falmouth Yacht Club, 290 Clinton Ave  
 Homeport Sushi, 316 Gifford St  
 Josh's at Davisville, 339 E Falmouth Hwy  
 Liam Maguire's, 273 Main St  
 Mary Ellen's Portuguese Bakery, 829 Main St  
 Martha's Eats, 281 Main St  
 Moonakis Café, 460 Waquoit Hwy  
 New Generation Donuts, LLC, 363 E Falmouth Hwy  
 New Generation Donuts, LLC, 4 Sandwich Rd  
 New Generation Donuts, LLC, 614 Main St  
 New Generation Donuts, LLC, 634 Holly Park Rd  
 New Golden Dynasty, 25 Davis Straits  
 New Peking Palace, 452 Main St  
 Osteria la Civetta, 133 Main St  
 Paul's Pizza, 37 Elain Ave.  
 Pickle Jar Kitchen, 170 Main St  
 Pie in the Sky, 10 Water St  
 Pizza 1 & Subs 2, 735 E Falmouth Hwy  
 Quarterdeck Restaurant, 164 Main St  
 Quick's Hole Tavern, 29 Railroad Ave  
 Seafood Sam's, 913 W Falmouth Hwy  
 Simply Divine Pizza, 271 Main St.  
 Steve's Pizzeria & More, 374 Main St  
 TGC at Sacconneset, 132 Falmouth Woods Rd  
 Thai Kitchen, 258 Teaticket Hwy  
 The Flying Bridge, 11 Green Fin Cir  
 The Golden Swan, 323 Main St  
 Water Street Kitchen, 656 Water St  
 Woods Hole Golf Club, 130 Quissett Ave  
**Mr. Patterson motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**  
INNHOLDER-VICTUALLER  
 Coonamessett Inn, 311 Gifford St  
 Palmer House Inn, 81 Palmer Ave  
 Sea Crest Beach Hotel, 350 Quaker Rd  
**Mr. Patterson motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**  
ENTERTAINMENT  
 41-70, 71 Water St  
 British Beer Company, 263 Grand Ave  
 Bucatino Restaurant, 7 Nathan Ellis Hwy  
 Cape Cod Winery, 4 Oxbow Rd  
 Casa Vallarta, 70 Davis Straits  
 Coonamessett Farm, 277 Hatchville Rd  
 Coonamessett Inn, 311 Gifford St  
 Falmouth Yacht Club, 290 Clinton Ave  
 Josh's at Davisville, 339 E Falmouth Hwy  
 Liam Maguire's, 273 Main St  
 Martha's Eats, 281 Main St  
 New Peking Palace, 452 Main St  
 Pie in the Sky, 10 Water St  
 Quarterdeck Restaurant, 164 Main St

Quick's Hole Tavern, 29 Railroad Ave  
 Sea Crest Beach Hotel, 350 Quaker Rd  
 Simply Divine Pizza, 271 Main St.  
 St. Anthony's, 28 Brick Kiln Rd  
 TGC at Sacconneset, 132 Falmouth Woods Rd  
 The Flying Bridge, 220 Scranton Ave  
 Woods Hole Golf Club, 130 Quissett Ave  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**  
SUNDAY ENTERTAINMENT  
 41-70, 71 Water St  
 British Beer Company, 263 Grand Ave  
 Bucatino Restaurant, 7 Nathan Ellis Hwy  
 Coonamessett Inn, 311 Gifford St  
 Falmouth Yacht Club, 290 Clinton Ave  
 Liam Maguire's, 273 Main St  
 Quick's Hole Tavern, 29 Railroad Ave  
 The Flying Bridge, 220 Scranton Ave  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**

AMUSEMENTS  
 DJ's Famous Wings, 872 Main St  
 Falmouth Lodge #2380, 140 Palmer Ave  
 Pizza 1 & Subs 2, 735 E Falmouth Hwy  
 Sea Crest Beach Hotel, 350 Quaker Rd  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**

INNHOLDER  
 Admiralty Inn, 51 Teaticket Hwy  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**

MOTOR VEHICLE CLASS I - III  
 Braga's Auto Sales, 33 Andrews St.  
 Falmouth Pier 37, 64 Scranton Ave  
 Hatem Enterprises, 40 Davis Straits  
 Hatem Enterprises, 94 E Falmouth Hwy.  
 O'Hara Motors, 50 Spring Bars Rd  
 Sandi's Auto Sales, 45 Simpson Ln.  
 Teaticket Auto Body, 108 Trotting Park Rd  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**

VEHICLE FOR HIRE  
 K.B. Transportation, 703 Main St.  
 Webber Livery Service, 35 Old Meeting House Rd  
**Mr. Brown motion to approve. Second Ms. English  
 Braga. Vote: Yes-5. No-0.**

8. Minutes of Meetings:  
 Public Session – November 5, 2018  
**Mr. Jones motion to approve. Second Ms. English Braga. Vote: Yes-5. No-0.**

9. Individual Selectmen's Reports  
 Mr. Brown:  
 Attended the Charter Review Committee Meeting.  
 Mr. Patterson:

Attended Cape Cod Selectmen and Counselors Association meeting.  
Participated in Affordable Housing working group.  
Veteran's Day parade and memorial was inspiring.  
Attended the Community Preservation Committee meeting.  
Attended Eagle Court of Honor.

Ms. English Braga:  
Affirmative Action Committee and Town Staff hosted a film and discussion.

Mr. Jones:  
Looked into Town Meeting Petition Articles and how many signatures are needed. It is a State statute that says 10 signatures for regular Town Meeting and 100 for Special Town meeting.

10. Review of Town Manager's Report

According to Mr. Suso, the Town Meeting was a success and he was pleased to attend multiple precinct meetings with Mr. Johnson Staub and Ms. Petit. The next BOS business meeting will be 12/3/18. Town Hall and administrative offices will be closed for the Thanksgiving Holiday 11/22-23, 2018.

11. Review and/or Discuss Correspondence Received

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

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**MONDAY, MARCH 25, 2019**  
**SELECTMEN'S MEETING ROOM**  
**TOWN HALL**  
**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

1. Call to Order by Chair Moran at 7 pm.
2. Pledge of Allegiance
3. Proclamation-none.
4. Recognition

Ms. English Braga recognized passing of Christos Kanellopoulos.

5. Announcements – Open Meeting Law Training Session – March 28, 2019

The Town Counsel Office will hold a training session on 3/28/19 from 7-8pm and invite staff of each committee and committee members to attend.

Mr. Brown announced the SSA plans for the new terminal will be presented at 6pm on 3/28/19 at 6pm.

Tomorrow night the Aids Support Group information meeting at the Main Library Hermann Room at 5:30 pm.

Precinct Meetings begin this week and are open to the public.

6. Public Comment-None.

#### SUMMARY OF ACTIONS

1. Licenses

- a. Application for a New Common Victualler License – Clam Shack, 227 Clinton Avenue, Falmouth

Jim Murray, 381 Blacksmith Shop Rd., is taking over the existing business. He will run it in the manner it has been run in the past.

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

- b. Application for Renewal of a Common Victualler License – Trade Center Bowl, 89 Spring Bars Road, Falmouth

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

- c. Application for a Special One-Day Wine and Malt Liquor License, West Falmouth Library, 575 W. Falmouth Highway, West Falmouth – Saturday, 3/30/19

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

- d. Application for a Special All Alcohol Liquor License – Compassionate Care ALS – Bourne Farm – Saturday, 5/18/19

This event is not being held.

- e. Application for Special One-Day Wine and Malt Liquor License – Barnstable County Agricultural Society – Barnstable County Fair, 1220 Nathan Ellis Hwy. – 7/22/19 – 7/28/19

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

- f. Application for a Sunday Entertainment License – Barnstable County Agricultural Society – Barnstable County Fair, 1220 Nathan Ellis Hwy. – Sunday, 7/28/19

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

2. Administrative Orders

- a. Acting as trustees of the FAHF vote to authorize payment of a sum of money related to water fees for the Little Pond Place, Spring Bars Road Affordable Housing Project

Mr. Suso explained this was discussed and the BOS requested the breakdown of cost labor v. equipment for potential consideration of some portion of the cost through the Falmouth Affordability Fund. The cost is about \$3,828.

**Mr. Patterson motion to approve up to \$5,000 to support the allocation subject to approval by the CPC. Second Ms. English Braga. Vote: Yes-5. No-0.**

Mr. Jones noted that the BOS could waive the tapping fee if they cannot get funds from the CPC.

Linda Clark, Falmouth Housing Corporation, stated that the tapping fee is \$3,600 and \$1,200 if they need a police detail for a total of about \$4,800.

- b. Authorize Town Manager to sign letter to MassHousing regarding project eligibility for 40B comprehensive permit application – Wild Harbor Condominium LLC, 213 N. Falmouth Highway

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

- c. Vote to approve License Agreement for a water refill reuse station installation and maintenance in Marine Park on Water Street in Woods Hole by and between Marine Biological Lab and Town of Falmouth

Mr. Brown noted he is on the board of the Falmouth Water Stewards, no conflict of interest.

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

- d. Authorize Department of Public Works application to the MA DEP for recycling program grant

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

## **PUBLIC HEARINGS**

**7:30 p.m.**

1. Wetland Hearing – Thomas Dmytryck – Remove licensed float and install a new pile-supported pier and pile-supported boat lift in Eel Pond, located at 53 Madeline Road, East Falmouth

Chair Moran read the hearing notice.

Michael Borselli, Falmouth Engineering, represents the applicant and provided a PowerPoint presentation. The property was described. Currently a float tied onshore to a timber bulkhead, depths of less than 2 feet and float hits the bottom at low tide. Sometimes at low tide his 22 foot boat will bottom out. Plan to abandon the licensed float along the bulkhead and build a fixed pier that would allow birthing of a boat along with a lift to store the boat. During his time there during the summer, he would tie the boat on the other side of the pier. The design was to maintain safe navigational passage at the end of the pier for the neighbors. Took additional water depths and set a marker in the water where the pier would end. Water depths were reviewed on the diagram via PowerPoint. Concerns of neighbor were addressed; major concern is of their ability to safely navigate past, site meeting held Saturday and he explained that they would be able to navigate past, the water in that area is 3 ft or greater. Approval received from the Conservation Commission with an order of conditions is in the packet.

Mr. Jones asked how far you could go out into a navigation body but this is not addressed. Mr. Borselli noted the standard is 25% across a water body from low tide to low tide. On the plan that width is 80 feet. The distance from bulkhead to tip is 24 feet; it is slightly over 25%. According to Mr. Borselli, the 25% rule is Army Corp of Engineer standard for general permit, if you exceed that you need to go to them for an additional permit, which is the applicant's intention. On the plan it does not show the main channel on the west of the salt marsh island, the water depth is shallower than the area in the channel closes to the proposed dock. If forced to, they could shorten the pier and meet the 25% if the Army Corp is not convinced. The lift was discussed; Mr. Jones noted it is a huge extravagance. This was compared to a T shaped pier.

Mr. Patterson asked about reflective material used for navigation, Mr. Borselli noted they can have reflective tape on the pile and low foot lighting on the deck surface for safety.

Mr. Borselli said they could shorten it or rotate the angle point to save a couple feet without compromising use of the boat ramp.

Karen Grevian, 45 Madeline Rd., supportive of the applicant getting his dock, but concerned that if you do not come in at the highest tide, there is a narrow area, so they hug the shoreline when they come in. They cannot go out the other way, even with a smaller boat. Main concern is getting in and out of Eel River. The area where dock is proposed is narrow part of the river. Much concern is when the boat is moored there, in the 4.6 foot area, so to stay close they would be really close to the dock. Suggested having the dock redesign with lift on the other side of the pier and boat moored on the other side.

Mr. Borselli suggested continuing the hearing to give the new information some time to be vetted and maybe come with a resolution between the neighbors.

4/22 is the next regular meeting.

**Mr. Jones motion to continue the hearing to 4/22/19 at 7:30pm. Second Mr. Patterson. Vote: Yes-5. No-0.**

7:45 p.m.

2. Wetland Hearing – Clowes Easterly Limited Partnership – Reconstruction and maintenance of a 136 foot long licensed timber pier in Vineyard Sound, located at 146 Nobska Road, Woods Hole

Chair Moran read the hearing notice.

Patrick Roach handed the BOS documents. Patrick Roach, Holmes and McGrath, representing the applicant. Described the parcel, the pier is in the footprint of the existing pier. Reviewed by the Conservation Commission and MA DEP waterways, order of conditions issued by the Conservation Commission and letter of approval in support by DEP. This is a minor modification and does not require a new or amended license. Reviewed the plan via PowerPoint presentation. The applicant can then apply for their building permit.

Mr. Roach noted it is a pier for private recreational use; it is not for boating, just for water access. Construction accesses across the beach and property to deliver supplies and stockpiling, the machinery will access construction access #1.

Public comment: none.

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

**Mr. Jones motion to approval finding that this is a smaller license that what was approved in 1929, less impact than it was, and no issue with the neighbors. There is adequate construction access and this is not for boat use. Second Mr. Patterson. Vote: Yes-5. No-0.**

8:00 p.m.

3. Wetland Hearing – Robert Irving – Construct a fixed pier that will extend approximately 64 feet beyond mean high water into Green Pond, located at 358 Acapesket Road, East Falmouth

Chair Moran read the hearing notice.

Michael Borselli, Falmouth Engineering, representing the applicant. Reviewed the diagram via PowerPoint. Existing substandard dock was outlined on the diagram; the Conservation Commission approved the new fixed walkway with T. No issues with navigation and no lift. This will provide public access, shellfish survey performed, and no significant densities of shellfish. Harbormaster was okay with this plan.

There is adequate space under for walking along the beach.

This is a new owner, they were told the existing was not licensed; they advanced the plan to build a complaint pier. This is a new dock. Existing traffic described, it is located about half way up Green Pond, on the inside of the bridge, much recreational boating with many docks like this in the area. There will only be one boat.

Public Comment: none.

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

**Mr. Jones motion approval with the following findings: this is an improvement of what is currently there, Harbormaster says it does not impede the channel, appropriate pier as compared to the others in the area, complies with current standards, would also get this licensed, and putting stairs down to the salt marsh will help control erosion from people walking. Second Ms. English Braga. Vote: Yes-5. No-0.**

8:15 p.m.

4. Water Rate Hearing

Chair Moran read the public notice.

Mr. Suso noted Steve Rafferty and Amy Lowell, Finance Director Jennifer Petit, working with them and Ray Jack on analysis of water and sewer rates. It has been 3 years since there has been an increase; they said they would return to the BOS with a hearing to present recommendations, which include modest water rate increase and no increase in sewer rates. The BOS may take as advisement and act on at next meeting on 4/22/19.

Steve Rafferty reviewed a PowerPoint presentation, water and sewer rate overview, tonight they are requesting gradual water rate increase at about 2% per year the next 3 years and no sewer rate increase. Water rate covers the direct and indirect costs. The goal was to cover half the debt of the new water plant, which is about \$1.3 million. Estimated operating costs three years ago were accurate. Actual Revenue and Projected Revenue were reviewed. There are 8 different meter sizes in Town with different values, the costs were reviewed.

Motion in the packet effective June 3, 2019 was reviewed.

Mr. Jones suggested reducing the non-excess rate increase and increase the excess rate increase. He would like if exceed the excess by a little, it is a little cost, but if you are using a lot more water, have that rate very high.

According to Mr. Rafferty, they are converting to the old Top Gun System to Vader system, it will take about a year and easier to shift the rate structure around in the future. 80-82% use less than twice the minimum. Families of 4-5 are using about twice that amount. Some of the higher uses are businesses, commercial businesses in Town with good reason for higher use.

Amy Lowell, Wastewater Superintendent, told the BOS they are not proposing increase of the sewer rate for the next 3 years. 1400 property owners became connected to the sewer system recently in the LPSSA, there are about 1,000 that have been connected for many years. The Wastewater Division did not communicate well enough what the new bill would look like and because this is the first time they are seeing it, there is some concern about the sewer bills. Operating budget is on target, the revenue is covering the budget. Falmouth's rate is a reasonable, normal rate for sewer system. Showed a chart of Homeowner Sewer Cost in other Coastal MA Towns, the chart is based on data by Tighe and Bond's 2017 Sewer Rate Survey, it shows that the median is about 125% of Falmouth's annual sewer costs. Under the new billing system, the Town will be able to change to quarterly billing for all water and sewer accounts.

Mr. Jones asked if in future they can figure out how much wastewater a house produces? Ms. Lowell said that is not generally done because of difficulty of metering small wastewater flow.

Ms. English Braga asked if she has sense of average wastewater bill would be? 150 gallons per day of water use, 79% of sewer customers in Town use less than that. 150 gallons per day, \$490 per year for sewer and \$226 for year for water. That is higher than the average customer. Ms. Lowell cannot say what

the rate hike will be three years down the road, but an amount for the future may be a smaller annual increase.

Ms. Lowell said there are no plans to put solar panels out at the Wastewater Facility, but that can be considered.

Mr. Jones asked how close are we to closing out the LPSSA contract? Mr. Suso noted the Bourne Pond Bridge is part of that debt exclusion, he will need to come back to the BOS with the accurate accounting further down the road.

Mr. Patterson prefers a predictive increase over the years.

Public Comment: none.

BOS will remain open for public comment through 4/22/19 at 7:45 pm to allow timely notification to users of a potential rate increase.

The BOS asked that the presentation be put on the website.

**Mr. Jones motion to continue to April 22, 2019 at 7:45 pm. Second Mr. Patterson. Vote: Yes-5. No-0.**

**8:45 p.m.**

5. Fee Hearing – Zoning Board of Appeals – Proposed new fee for processing amendments: Amendment Fee: \$50.00  
SM read the hearing notice.

TJ Hurray, Chair Zoning Board of Appeals, Noreen Stockman Zoning Board administrator also present. There is no existing fee, rationale for proposal for the fee is that there is no hard data to backup, but there has been an uptick of requests for projects with special permits already approved. 80% of the Town falls under their jurisdiction and there is a common condition drafted in decisions including any deviation needs to go back to the ZBA for consideration. Reviews take time by staff and committee members and the reviews need the same amount of time and effort as the original project. ZBA and staff have been accommodating to applicants. Fee schedule ranges from \$150 for residential to \$225 commercial.

Noreen Stockman, Zoning Administrator, noted that they have had 4-5 requests so far this year, the process takes 3-4 months and yet still changes requested after that time. She felt it was a value to the Town to capture the additional request.

Chair Moran noted this is a service organization, sounds penalizing. According to Ms. Stockman, not for minor changes such as window/door locations, but when making major changes to their project, have plan updated, then the staff have to recognize the changes on a new document and then it goes to the registry of deeds. It is more work, you accommodate those customers in their changes and try to facilitate those who have already been through the process. It is more for a substantial change.

According to Mr. Patterson, this fee is so small that the Town's investment in accommodating folks is minor, it is reasonable. If the level of work increases, they will have to add to staff in the future.

Mr. Brown feels that they are trying to recoup for the town for the extra work, seems fair to him.

Mr. Jones noted they are getting a service and there is a charge for it, now an additional service that has a smaller charge.

Public Comment in favor:

Leonard Johnson, N. Falmouth, and most people who charge for pro services charge it based on the hour.

Public Comment against: none.

**Mr. Jones motion to close the hearing. Second Mr. Patterson. Vote: Yes-5. No-0.**

Mr. Jones motion to approve. Second Mr. Patterson. Vote: Yes-4. No-1 (Chair Moran).

8:55 p.m. BUSINESS

1. Discussion on Senior Center Staffing

Mr. Suso received a letter from Chair Counsel on Aging regarding staffing and James Vieira sought to make comments.

James Vieira, Chair Counsel on Aging, Jill Irving Bishop Senior Center Director also present.

Mr. Vieira thanked all for supporting the new senior center. Additional staffing has always been part of the discussion. They will be getting new staffing, at Spring Town Meeting there will be a Program Coordinator that will be needed. Expect to discuss more staffing including receptionist and custodial budget increase in future Town Meeting. Goal is to have evening hours at some point, community School senior oriented classes in the new building in the future. Possibility of having staffing as shared staff to help set up meeting rooms.

Mr. Patterson would like more specifics justifying the positions.

Mr. Jones would like the specifics justifying the positions to Mr. Suso. These requests should go to the Town Manager to make decisions and recommendations regarding: Personnel.

Mr. Brown asked about a flyer from the Friends of Senior Center, Mr. Vieira said they support activities at the Senior Center, they are specifying such as social spaces furnishing.

2. Final Report of Route 28 Citizens Advisory Committee

Alison Leschen, Chair Presented a PowerPoint presentation. The committee adopted the final report. The final report will be posted on the website under the BOS section.

The existing condition along this stretch was terrible; desire to improve the situation for all. The committee was appointed and had 5 Thursday evening meetings, walked the stretch Sandwich Road to Oxbow Road. Held a public presentation meeting for draft recommendations on 3/10/19. Town and Project Engineers attended every meeting. Final recommendations are in the report and posted on the BOS section of the website incorporate comments and questions from along the way. The engineer's drawings will be made available.

Reviewed the membership of the committee. Reviewed the diagram of the plan, roadway will have 11 foot travel lanes, then granite curb with 2 foot vegetative buffer, then on south side of the path there will be an 8 foot multi use path the entire length with a couple places it narrows to 6 feet. On the north side, start with 6 foot path at Sandwich Road, goes to Falmouth Lumber where it goes up to 8 feet. The intersections will be reconfigured including Maravista Ave., Sandwich Rd., ADA compliance, idea is to make it safe for non-motorized conveyances. Trees taken down will be replaced. Engineers will be working with landscape architect that can live in that difficult environment.

Other issues include connectivity, the committee and the public would like the design in both directions beyond the project scope. If the Town adopts a Complete Streets policy, more money could be accessed for similar projects. Appointment of a citizen advisory committee could be a routine part of larger projects. The working group would have input on road projects.

Mr. Jones noted the water main project begins 4/1/19, but this project will not be done for a year or two. Starting at Oxbow area and moving to the Administration Building. After Labor Day, most likely on Main Street.

Mr. McConarty noted that they have on the website is all detours, if you subscribe to the DPW website, it will send text or email about what is going on. Looking at weekly updates on Fridays.

Chair Moran suggested a future agenda item of furthering the multi-use path, ask Mr. Suso for recommendations of the committee, make up, and looking at it longer term.

Mr. McConarty noted with future planning, competing with other Towns on the Cape, want to get the planning initiative in there so Falmouth can get in there for the money.

Route 28 water main construction will be done during shoulder seasons, 4/1/19 through Memorial Day, they may request a bit longer to get to a certain point, and then after Labor Day they'll start up again.

3. Falmouth Preservation Alliance Presentation on Poor House (Edward Marks Jr. Building)

Barbara Weyand, Board Member Falmouth Preservation Alliance and Susan Shepherd Co-director

Ms. Weyand made a PowerPoint presentation of their proposal. Their mission is to preserve the Town's historic landmarks by education and action.

They proposed the plan to Town Hall in 2016, made a request for a long term lease, in return the Alliance would make a commitment to shoulder financial responsibility for full restoration and operation thereafter. Pledged adaptive reuse of the property, proposed Human Service move to existing Senior Center as a more appropriate venue.

This is a national register building.

They would like the Town to issue an RFP for the sale or lease of the building and repurpose the \$100,000 earmarked for the Poor House renovation to a makeover to the existing Senior Center as may be required. The Town would own a restored Poor house that becomes part of the revitalized east end of Main Street and that can provide visitors with a unique story about early Falmouth as part of Falmouth's heritage tourism draw and this could happen at no cost to the Town. They would like to have a committee formed.

Susan Shepherd reviewed what has been done in 2019, plan to update the first floor with no plan for full restoration of the building and ignores the burden of maintenance of the whole building. There is no track record of restoring historic municipal properties.

They organized a tour of the Poor House for the BOS and others interested. She does not understand how the building can be restored by moving Human Services into the first floor and then continuing to work on the rest of the building.

The Alliance proposal is to get a lease from the Town and make restoration and adaptive reuse possible.

Mr. Suso noted this is the third meeting in 6 weeks on this building, there has been major activity in Town Hall while the Town Hall delivered services. Full restoration of the Marks Building, if funding forthcoming, will not happen overnight. They are prepared to proceed with the modest upgrades in the existing office space already voted by Town Meeting and begun initiating that process. Human Services is only open 40 hours per week, renovation can occur at alternative hours. Letter from Human Services Director that that location is important to Human Services and the BOS affirmed Human Services going in there as well as replace the roof in kind. The Town is working with an architect and the Building Commissioner noted the building is structurally sound, renovation of the exterior can be done in appropriate manner as funds become available and rely on CPC funding. The second floor of the structure could also be restored and is consistent with what has been discussed with the BOS.

Chair Moran would like to see a citizens committee to continue the conversation and communication, plans be made available.

Ms. English Braga noted the buildings need human breath in them to maintain them and they do not need to be exclusive of one another. Significant money is needed, commitment from the Town, and what will the steps be to putting a committee together.

Mr. Patterson hopes the committee could help develop the vision.

Mr. Brown noted the roof contract in place to preserve the building. Incorporated plans to facilitate rough plumbing for second floor that would be needed to minimize disruption on the 1<sup>st</sup> floor. Mr. Suso noted that funds have been set aside, but not for what Mr. Brown just laid out, to enlarge the scope will require

additional money. The intent is to provide office space to fledgling groups and projects, he does not get why others would be prioritized and not Human Services.

Chair noted different models discussed, with municipal model restoration should move forward as long as money will allow and having a discussion.

Chair Moran suggested looking at the makeup of a small committee with quarterly meetings driven by available funds. By the next meeting maybe Town Management could come back to the BOS with suggestions.

This can be addressed at the next BOS meeting.

4. Discussion and potential vote to authorize the application for CPC grant application by DPW for bikeway extension, as requested by the Friends of Falmouth Bikeways and the Falmouth Bikeways Committee

Patricia Johnson assisted the committee to form a CPC request for funding to extend the bike path to the Falmouth town line. Reviewed the history of the bikeway, which is on property owned by the State, a 15 foot wide strip leased to the Town for 99 years. The Bikeways Committee as co applicant with the Town as the main applicant, except now all design and engineering from combination of CPC funds and positive vote on the 2019 November Town Meeting. These \$100,000 worth of funds will be used as matched funds. Bourne has filed for funding from their CPC and are seeking funds from the State as well for their rail with trail. Confident that MA DOT likes the Bourne rail project. In order to get MA DOT funding for any extension, Falmouth needs to show they are willing to connect to the Bourne rail with trail. She is trying to move this forward without the DPW, this is the first step to do it.

Tim Shea, Bikeways Committee, following up on the letter of support BOS sent regarding the rail with trail. Funding for MA DOT and DCR is dependent on the two sections Bourne/Falmouth coming together in a coordinated manner. Trying to get CPC funding for preliminary design to bring this together. Asking the Town as applicant for CPC grant to vote favorably towards that application. Reviewed PowerPoint presentation of the map to the Bourne Town Line. Photographs of the rail area were reviewed.

Peter McConarty, DPW Director, commented that he is concerned who this would be run under? In the past it has gone through the engineering department and they are at full capacity at this time. Where would this fit in on the process? The CPC is not an easy process, it is a considerable amount of work.

Mr. Shea noted Ms. Johnson is working on the CPC application and he has been in touch with an engineering firm, they are expecting an estimate which would backup their application to the CPC. With the BOS affirmative vote and signature of BOS, they can submit the application to the CPC.

JS clarified that he has a memo from Ray Jack and Mr. McConarty, DPW was not aware of this initiative until after it was on the BOS agenda. Normal process is 5 year capital plan is brought to the BOS involving infrastructure related list, this is a critical infrastructure project that the DPW needs to be heavily involved of it. BOS support endorsed Phase 1, there is still Phases 2 and 3. DPW would need to eliminate other projects to take this one on. This may be a bit premature, to go into the TIP project, need to be careful because it could compete for the Route 28 project.

Leonard Johnson said that Bourne is building first 2 phases to Monument Beach but cannot go any farther, so they will come south and then they will go north. There will still be a piece in the middle that will not be complete.

The application has to be by the Town.

Mr. Jones would be more comfortable if the DPW was putting this project forth in their 5 year plan.

CPC funds application is due by 4/17/19.

Bourne is working on the part that directly connects to Falmouth.

Mr. Suso noted the Bourne Town Manager talked only about the northern section and that was the letter that the BOS sent.

Ms. English Braga asked that we get a clear confirmation of where Bourne is at on this project, this will go to the strength of the CPC application.

The BOS requested staff gets more specific information from Bourne and look at what kind of timing.

5. Vote to Approve Request for a Waiver of Special Event Permit Fee - Run Jack Run Family Fun Run/Walk  
**Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**
6. Request for Sign Variance – On Premise and Off Premise Promotional Signage – Molly’s Parking – 2019 Summer Season  
**Mr. Patterson motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.**
7. Request for Sign Variance – Off-Premise Promotional Signs – Gosnold, Inc. – Rx Take Back Day – April 27, 2019  
**Ms. English Braga motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**
8. Request for Sign Variance – Off-Premise Promotional Signs – Falmouth Commodores Baseball Clinics – mid-April to July 29, 2019  
**Ms. English Braga motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**
9. Request for Sign Variance – Promotional/Special Event Signs – Banners on Main Street Poles – Compassionate Care ALS for Fundraising Stroll & Roll Walk – Saturday 5/11/19 – Saturday, 5/18/19

**Ms. English Braga motion to continue to April 22, 2019 BOS meeting. Second Mr. Patterson. Vote: Yes-5. No-0.**

10. Approve 2019 Annual/Seasonal License Renewals:

**All Alcohol Restaurant License**

Falmouth Raw Bar, 56 Scranton Ave., Falmouth  
Falmouth Pier 37 Boathouse, 88 Scranton Ave., Falmouth  
Landfall Restaurant, 9 Luscombe Ave., Woods Hole  
Quicks Hole Taqueria, 6 Luscombe Ave., Woods Hole  
Shuckers, 91 A Water St., Woods Hole

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

**All Alcohol Club License**

Seacoast Shores Association, 7 Fairview Lane, E. Falmouth

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

**Common Victualer License**

Florence Tea Room, 196 Crystal Springs Avenue, N. Falmouth

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

**Lodging House License**

Frederick William House, 594 Palmer Avenue, Falmouth

The Captain’s Manor Inn, 27 W. Main Street, Falmouth

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

11. Minutes of Meetings:

Public session:

January 28, 2019

**Mr. Patterson motion to approve. Second Ms. English Brag. Vote: Yes-5. No-0.**

February 25, 2019

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

March 11, 2019

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

Executive session:

December 11, 2017

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

March 11, 2019

**Mr. Patterson motion approval but not release. Second Mr. Jones. Vote: Yes-5. No-0.**

Review of executive session minutes and vote to release they've been approved and the BOS wants to move as a bundle.

**Ms. English Braga motion to release the executive session minutes as read from the packet. Second Mr. Jones. Vote: Yes-5. No-0.**

**12. Individual Selectmen's reports**

**Mr. Brown:**

Attended SSA Governors meeting, 3 designs for terminal building, he will attend Thursday nights' meeting.

Water Quality Management meeting attended.

Continue working on the handbook.

**Mr. Patterson:**

Attended the School Committee, Finance Committee, FPD induction and recognition ceremony and noted the celebration of the first female sergeant on the force.

Attended the Affordable Housing Funding Working Group.

The FHS multi use field is moving along.

Attended the Water Quality Management Committee Meeting.

MA Statehouse Joint Committee on funding education, governor proposed a budget, we would lose \$100,000 in state aid.

**Chair Moran:**

The Department of Telecommunication and Cable will hold hearing on basic service tier programming served by Comcast at 11am on 5/21/19 at Hearing Room 1E, 1000 Washington St., Boston.

**13. Town Manager's report**

**Mr. Suso attended the Water Quality Management Committee meeting**

GBW Construction work on the Senior Center is going well, the basement is essentially complete.

Water line construction, 16" water main, begin 4/1/19 beginning at Oxbow Road and going west. Total construction goal by end of spring 2020 not including final paving.

**Precinct meetings begin this week.**

**14. Review and/or discuss correspondence received**

Mr. Johnson Staub is working with Town Counsel and others on the aquaculture plan for next steps for estuaries and would like to get on 4/22/19 agenda for an update.

**Mr. Jones motion to adjourn at 11:13 pm. Second Ms. English Braga. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**

**Meeting Minutes**  
**Open Session**  
**MONDAY, APRIL 8, 2019**  
**ROOM 105**  
**LAWRENCE SCHOOL**  
**113 LAKEVIEW AVENUE**  
**FALMOUTH, MA 02540**

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

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

1. Chair Moran called the meeting to order at 6:15 p.m.
2. Discuss/Vote Motions and Reports to Town Meeting as Needed
  - a. Article 28  
Mr. Suso noted suggested recommendation for effective date on 1/1/2020. This is the hotel tax article an with input at precinct meetings since this is new and many questions. This is the increase of 1% specific to Falmouth, all state mandated changes go in effect 7/1/19.  
  
**Mr. Brown motion to delay implementation to 1/1/2020 to 1% increase. Second Mr. Patterson. Vote: Yes-5. No-0.**
  - b. Other articles  
Article 15: The Finance Committee took favorable action to recommend \$65,000 from free cash to replace the FFD bucket truck.
3. Discuss, Consider and Vote Date for November 2019 Town Meeting  
**Mr. Jones motion to approve 11/12/19 for the Town Meeting and Special Town Meeting. Second Ms. English Braga. Vote: Yes-5. No-0.**
4. Proclamation: Falmouth Chamber of Commerce 2019 Citizen of the Year Laura Lorusso Peterson  
**Ms. English Braga read the proclamation as a motion. Second Chair Moran. Vote: Yes-5. No-0.**
5. Vote to approve application for special one-day wine and malt liquor license – Woods Hole Public Library, 581 Woods Hole Rd. – Sunday, 4/14/19  
**Ms. English Braga motion approval. Second Mr. Brown. Vote: Yes-5. No-0.**
6. Vote to approve Conservation Commission application to the Municipal Vulnerability Preparedness Grant Program (MVP) for MVP Action Grant in the amount of \$350,000 for the Coonamessett River Restoration Project: Phase 2 Construction

Dr. Gladfelter noted that there has been an update and request will be \$767,000 as updated by the engineering firm.

Attorney Duffy noted that this may be approved as presented with the revised amount, if the BOS so chooses.

**Mr. Patterson motion to approve for the \$767,000 amount. Second Ms. English Braga. Vote: Yes-5. No-0.**

7. Vote to approve Coastal Resiliency Action Committee/Woods Hole Group application to the Municipal Vulnerability Preparedness Grant Program (MVP) for MVP Action Grant for Coastal Resiliency Planning for Surf Drive

Charlie McCaffrey, Coastal Resiliency Action Committee (CRAC) Chair described vulnerability study of Town assets up to 2070. This would take a section of shoreline from Trunk River to shore drive and look at town infrastructure and natural resources and make recommendations and strategies. This model will be applied to the entire Town shoreline. This will be a topic at village association meetings.

Melissa Freiteg explained that the third component is to include public outreach and education. This reflects the first recommendation from municipal vulnerability workshop from last year.

Preliminary budget numbers are \$95,000.

**Mr. Brown motion to approve. Second Mr. Patterson. Vote: Yes-5. No-0.**

8. Follow up discussion on potential vote to authorize the application for CPC grant application by DPW for bikeway extension, as requested by the Friends of Falmouth Bikeways and the Falmouth Bikeways Committee

Mr. Suso explained that since the last BOS meeting, he has reviewed available information from Bourne and they have funds for phase 1 design in Bourne and have been much emails exchanged, but no construction money voted or available. Plans to acquire it and future funding in 2024 potentially that would be for phase 1 alone, not for the additional 3 phases. Phase 1 is on a 5 year track at best; northern extension proposed for Falmouth would not be connecting to anything in Bourne until all their phases are complete. Mr. Suso suggested to the BOS that given the aggressive work program in DPW, including a number of bikeway related projects, he asks that if the BOS wants to substitute this project for 1 or more of the others he encourages that rather than add another project to the DPW projects.

Peter McConarty provided anticipated completion dates for the bikeways related projects, which is about 3 years at this time.

Leonard Johnson, Friends Falmouth Bikeways, provided a document to the BOS and noted no action will be required by the DPW for about 2 or more years and the Planning Department may be involved in this process as well.

Patty Johnson noted that Bourne has dropped the order of their because of significant issues on 2 or 3 phases. They want to do this section, which is relatively simple. This CPC grant is for money to match the grant and make application to the MA trails grant.

Chair Moran said there is an involved planning committee at the State House that appreciated the extent of the organization and planning that Bourne included continuous communities. The BOS is trying to get in line when the time comes and it is well coordinated.

Peter McConarty commented summer fiscal year 2021, which is about 2 years from now. They are on a 3 year program; someone would have to work with a designer. In the past with Bikeway projects, the previous Town Engineer and Planner worked together during planning/design and then the DPW would take it over.

Scott Lindell, noted this is a 10-year project, Bourne decided north end and make sense to combine forces in the two towns. Falmouth should do this on their timeline and need CPC funding to get going. Thereafter, it could be pushed to winter 2022, no one would push that back or take funds away.

This will come back to town meeting

**Chair Moran motion to support the CPC application. Second Ms. English Braga. Vote: Yes-2 (Chair Moran and Ms. English Braga.) No-3 (Mr. Jones, Mr. Patterson, Mr. Brown.)**

9. Minutes of Meetings: these items were tabled.

a. Public Session:

January 26, 2019

March 5, 2019

b. Review of Executive Session Minutes and ~~Vote to Release~~

10. Other Business As Needed

**Mr. Jones motion to continue this meeting to tomorrow night. Second Ms. English Braga. Vote: Yes-5. No-0.**

**Mr. Jones motion to adjourn at 6:58 p.m. Second Ms. English Braga. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**

**Meeting Minutes**

**Open Session**

**TUESDAY, APRIL 9, 2019**

**ROOM 105**

**LAWRENCE SCHOOL  
113 LAKEVIEW AVENUE  
FALMOUTH, MA 02540**

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

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

1. Chair Moran called the open session to order at 6:33 p.m.
2. Discuss/Vote Motions and Reports to Town Meeting as Needed
3. Minutes of Meetings:

Review of Executive Session Minutes and Vote to Release

**Mr. Patterson motion to approve and add the street addresses to the executive session minutes.  
Second Ms. English Braga. Vote: Yes-5. No-0.**

4. Other Business As Needed

New wording for Article 24 was shared among the BOS. Ms. English Braga noted that Mr. Heylin took the language from other Towns and it would be beneficial to look at the language around it. The document was noted to not be the entire article, just the additional information.

Attorney Duffy gave the Planning Board suggested language and they are taking the language up at their meeting now. The Planning Board may offer an amendment to the petitioners' article.

The amendment has not been presented in any official capacity.

Chair Moran noted it was suggested that there is a plan for audience folks to request a roll call vote; this puts Town Meeting in position where there is a legally questionable proposal where a roll call vote could be a set up.

The BOS discussed making a recommendation regarding article 24, it is unclear what is being proposed and is broad. There are already 2 amendments to the article, potentially a third.

**Mr. Jones motion to adjourn at 6:45 p.m. Second Ms. English Braga. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

## REPORT

TO: Board of Selectmen

FROM: Julian M. Suso



DATE: April 19, 2019

- The Board has a challenging agenda for your regular business meeting on Monday evening, convening at 7PM. Thankfully, this includes a number of “housekeeping” items, which can likely proceed with minimal fanfare.
- Among the Administrative Orders items to be considered is a recommendation from the Senior Center Building Committee to allow the use of donated funds for the purpose of adding a highly preferred stone veneer to the new Senior Center. Although this stone veneer is not a mandatory structural element, it has been strongly recommended by the Building Committee and their voted preference is to utilize donated funds for this enhanced “aesthetic” purpose. I agree with their recommendation.
- We have multiple Public Hearings, which have been continued from past meetings, as well as some new Hearings beginning at 7:30PM. This includes the Board’s hearing on the proposed 2% water rate increase. To allow reasonable time to prepare for the water billings later this year, I am asking Selectmen’s consideration of acting on this matter Monday evening.
- WHOI is scheduled to present their annual report/update to the Board.
- Peter J-S will be leading a presentation on the Town Aquaculture Plan, having developed this in collaboration with the Shellfish Committee.
- We are also presenting a time-sensitive report on the Falmouth Affordable Housing Fund.
- As a reminder, the Board will be “hosting” a second annual gathering of Town Boards and Commissions for a potluck social at the Mentor Harbor Yacht Club on Wednesday evening beginning at 5PM.
- The Board’s next regular meeting will be on Monday, April 29 for a “special” business meeting which includes two primary items: (1) a discussion with Judge Christopher Welch on the coming Falmouth Drug Court; (2) a Joint Meeting with multiple entities on the topic of Affordable Housing.
- My thanks to Jeremiah Pearson and Public Works for their extensive work during this week at adjusting and re-landscaping the extensive planted entryway welcoming all visitors to Town Hall!