

PAID

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ck# 17923

TOWN OF FALMOUTH  
BOARD OF SELECTMEN

APPLICATION FOR PERMIT TO DREDGE, FILL OR OTHER ALTER WETLANDS  
(As required under Section 240-77 (Wetland Regulations) of the Zoning Bylaw)

RECEIVED

JUL 12 2019

RECEIVED  
8:00 July 12, 19  
SELECTMEN'S OFFICE

To the Board of Selectmen  
Falmouth, MA

FALMOUTH TOWN CLERK

Date: July 11, 2019

The undersigned hereby applies to the Board of Selectmen as required by Section 240-77 of the Zoning Bylaws, for a permit to alter, as indicated below, the following described premises:

OWNER: Robert Sperry 134 Antlers Shore Drive East Falmouth, MA 02536  
(full name) (address)

AGENT: Falmouth Engineering, Inc. 17 Academy Ln. Falmouth, MA 02540  
(full name) (address)

APPLICANT: Same as owner  
(full name) (address)

1. Location of Property: Map 32 Section 06 Parcel 000 Lot 158

Street Name and House Number 134 Antlers Shore Drive

2. Body of water, marsh or stream affected: Eel Pond

3. Description of property and project site: 9,000 S.F. lot containing single family dwelling in a densely developed area of East Falmouth.

a. Dimensions, Acreage of total parcel: 9,000 S.F

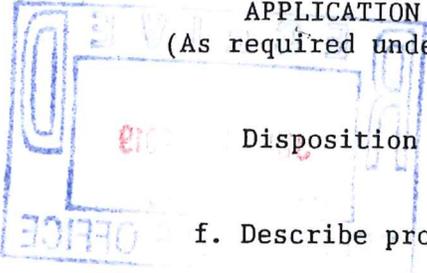
b. Length of water marsh frontage: 81'

c. Dimensions of area to be dredged: n/a Depth n/a

d. Dimensions of area to be filled: n/a

e. Volume of dredging spoil to be moved: n/a

APPLICATION FOR PERMIT TO DREDGE, FILL OR OTHERWISE ALTER WETLANDS  
(As required under Section 240-77 (Wetland Regulations) of the Zoning Bylaw)



Disposition of Spoil: n/a

f. Describe proposed riprap or bulkheading, if any: n/a

g. Other (docks, piers and etc.) Dock extending 92' beyond mean high water

h. Method (equipment to be used) for proposed work: Barge supported crane

4. Purpose of proposed work: Non-commercial docking and access to navigable waters.

5. Zoning which governs area: RC

6. Date of application for permit to dredge or fill from the Commonwealth of Mass. n/a Army Engineers n/a

7. Has a permit ever been approved or refused for this location by State, Federal or Local Authority? Order of Conditions DEP File No.25-4465

8. Remarks \_\_\_\_\_  
\_\_\_\_\_

9. Project Summary for legal notice: \_\_\_\_\_

The Applicant proposes to construct a fixed pier that will extend approximately 92 feet beyond mean high water into Eel Pond.

Owner: Robert Sperry

134 Antlers Shore Drive

East Falmouth, MA 02536

(Name & Address)

TEL #: 508.922.6490

Agent: Falmouth Engineering, Inc.

17 Academy Lane, Ste. 2

Falmouth, MA 02540

(Name & Address)

TEL #: 508.495.1225

Applicant: same as owner

(Name & Address)

TEL #:

DO NOT WRITE BELOW THIS SPACE, FOR SELECTMEN'S OFFICE USE ONLY

*APPLICATION FOR PERMIT TO FILL, DREDGE OR  
OTHERWISE ALTER WETLANDS*

Filing Under Section 240-77 (Wetland Regulations) of the Falmouth Zoning By Law

***PIER RECONSTRUCTION***  
*134 ANTLERS SHORE DRIVE*  
*EAST FALMOUTH, MASSACHUSETTS*

Prepared for:

Robert Sperry

Prepared by:



**Falmouth Engineering, Inc.**  
17 Academy Lane, Suite 200  
Falmouth, MA  
02540

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# **ATTACHMENT A - PROJECT NARRATIVE**

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## **1.0 Introduction and Project Overview**

Falmouth Engineering Inc. has filed this Notice of Intent (NOI) application on behalf of Robert Sperry, the applicant and owner of 134 Antlers Shore Drive in East Falmouth. The Applicant proposes to construct a fixed pier that will extend approximately 92 feet beyond mean high water into Eel Pond.

Included in this construction project is the placement of eight (8) 10-inch diameter piles, six (6) helical posts, support members, decking, and railings. The pier will consist of a main walkway, with a 6' by 16' "T" section at its seaward end. The project meets or exceeds all performance standards, applicable under the state Wetlands Protection Act and Falmouth Wetlands Protection Bylaw with the exception of water depth. The water depth at the mooring field is 1.0 referenced to mean low water.

Although the proposed pier does not meet the required water depth, the existing permitted pier terminates in even shallower water and is substandard to many other requirements. The proposed pier will meet or exceed all other requirements for new piers. The new pier will result in an environmental improvement by elevating the pier above the salt marsh, reducing the number of posts and providing slightly deeper water.

Unlike the existing pier, the proposed pier will be elevated to improve public access.

The application is being jointly filed pursuant to the Massachusetts Wetlands Protection Act (MWPA, M.G.L. Chapter 131, Section 40) and its implementing regulations (310 CMR 10.00) and the Falmouth Wetlands Protection Bylaw (Chapter 235 of the Code of Falmouth) and the Falmouth Wetland Regulations (FWR 10.00).

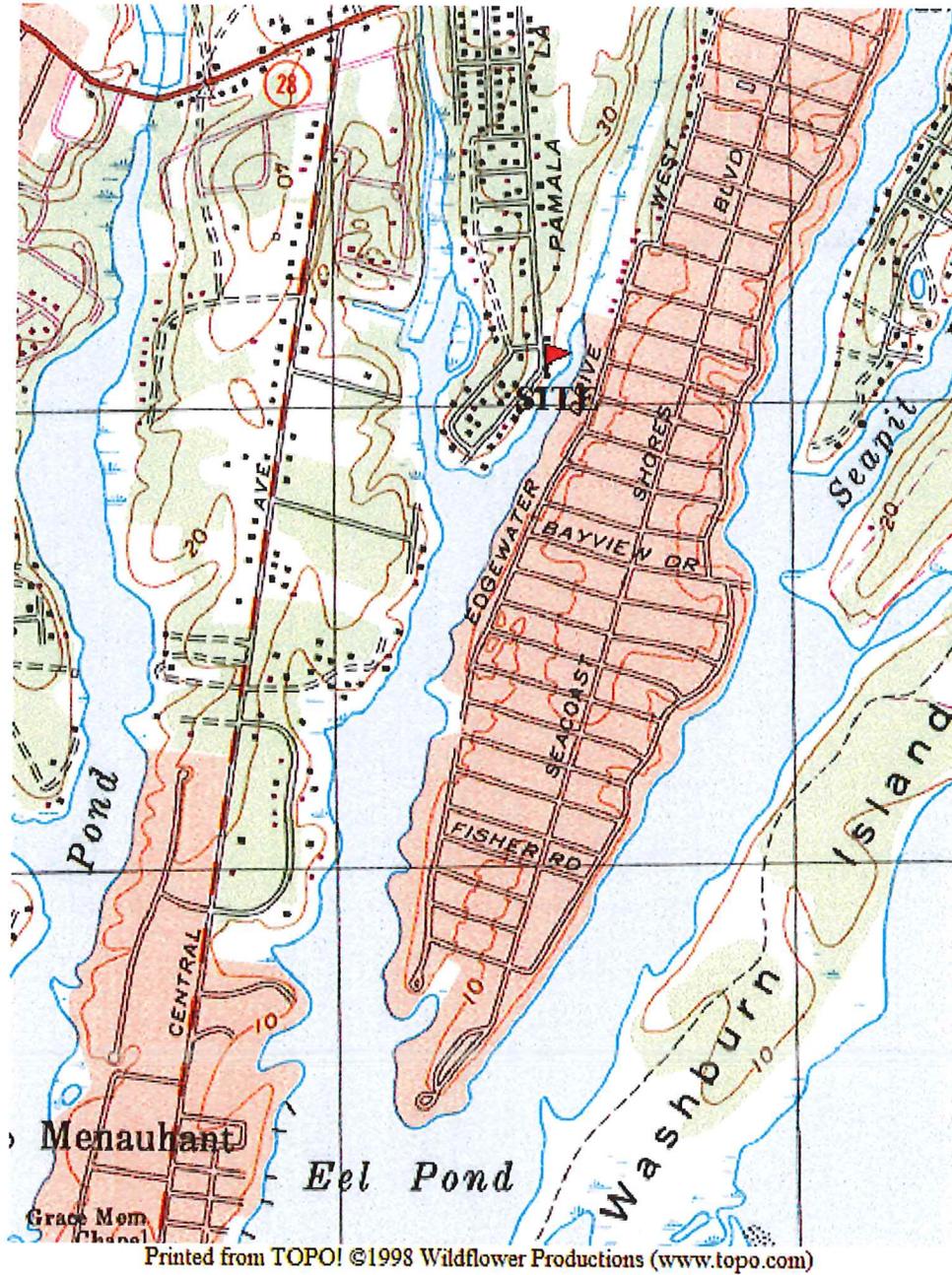
## **2.0 Existing Conditions**

The lot consists of approximately 9,000± square feet of land in a densely developed residential area of East Falmouth (refer to Figure 1-Site Location Map). A single family residence occupies the site. Other residential properties lie to the north and south of the site. There are also several docks surrounding the existing dock to be reconstructed.

Eel Pond is located directly east of the site. A moderately sloping coastal bank exists on the property. The majority of the existing coastal bank is grass area. A single family dwelling exists in the upland area of the property as shown on the plans.

2.1 *Regulated Wetland Resource Areas*

All coastal resource areas within 100 feet of the proposed project facilities have been identified and appropriately located in the field. Adjacent resource areas include land under the ocean (Eel Pond), salt marsh, coastal bank, and land subject to coastal storm flowage. The attached plan shows each of the resource areas that have been identified in the project area.



### FIGURE 1- SITE LOCATION MAP

134 ANTLERS SHORE DRIVE

EAST FALMOUTH, MA

## 2.2 *Shellfish Habitat*

Normandeau Associates performed a shellfish survey to gather data relative to the existing densities of shellfish species specified at FWR 10.34 (2) (b), and to determine sediment characteristics in the area adjacent to the proposed pier.

The results of the shellfish survey indicate that the proposed mooring field is not located within 35 feet of an area that is significant to shellfish as defined at FWR 10.34 (3). The detailed results of the survey are provided in the Shellfish Survey Report prepared for The Applicant and is provided as an attachment to this Notice of Intent.

In addition, no significant densities of shellfish were found within 50' of the mooring field, therefore no shellfish mitigation is required.

The report also determined that the substrate was mud and not viable habitat.

## 2.3 *Estimated Habitat and Protected Species*

Information published by the Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program indicates that the proposed dock construction is not located within Estimated Habitat of Rare Wetlands Habitat and Priority Habitat.

### **3.0 Proposed Project**

The project involves the reconstruction of a pier in Eel Pond. Included in this construction project is the placement of eight (8) 10-inch diameter piles, eight (8) 2" aluminum posts, supports, decking, and railings. The pier will consist of a main walkway measuring 4' wide, with a 6' by 16' "T" section at its seaward end. The project meets or exceeds all performance standards, applicable under the state Wetlands Protection Act and Falmouth Wetlands Protection Bylaw.

All pilings will be driven by a barge supported pile driver. The barge will float at all times during the pier construction.

Pier construction will take place in and above land under the ocean, salt marsh, and coastal bank. The pier will be constructed using a barge that will operate from Eel Pond. All staging, cutting, and prep work will be done on the barge or within the upland.

The elevated walkway crossing the salt marsh will be supported by aluminum posts that are fasted to the ground to helical anchors installed into the salt marsh. The helical anchors limit disturbance to the salt marsh surface by eliminating auguring holes into the salt marsh.

Instead, a small track mounted excavator will torque the helical anchors into the ground. The posts are then fastened to brackets at the salt marsh surface.

The small track mounted excavator has a low load displacement and will travel over timber or rubber mats placed on the salt marsh during the installation.

Utilizing the aluminum post system with helical anchors will allow the spacing between sections to increase from the typical 16' to 18' spacing to 25' spacing, reducing the total number of posts required.

The new walkway will also be elevated to provide 6' separation from the bottom of the stringers to the salt marsh surface in accordance with Division of Marine Fisheries recommendations. The actual deck material will be "thru-Flow decking to allow more sunlight penetration.

The combination of elevating the walkway and Thru-flow decking will greatly improve current conditions. The existing walkway is a very low profile walkway with only a 2' +/- separation for the salt marsh surface.

The elevated walkway will also conform to DEP, Division of Wetlands and Waterways requirements for public access. Public access is a public benefit that will occur as a result of the dock reconstruction.

#### **4.0 Anticipated Impacts to Resource Areas**

##### *Anticipated Impacts*

The proposed pier occupies a total area of approximately 550 square feet, of which approximately 450 square feet is seaward of mean high water. The potential impacts anticipated include those resulting from degradation of habitat as a result of shading and/or construction impacts.

The pier is proposed as an elevated structure with direct contact with the substrate only at the helical installation points. All of the proposed 10-inch diameter timber piles will be installed in land under the ocean. The pier has been designed to be minimize the number of posts installed within the salt marsh. The method of installation will be through the use of helical piles. This will further reduce the impacts to salt marsh.

The timber piles will be driven using a barge-mounted pile driver equipped with a vibratory hammer. Pile installation will directly impact approximately seven (5) square feet of land under the ocean.

### *Proposed Mitigation*

The pier limits the number of posts within the saltmarsh. To prevent shading impacts, the pier will be constructed using a decking to allow 50% ambient light penetration in areas spanning these wetland resource areas. The structure will also be elevated 6' above these wetland resource areas ensure that the potential shading impacts are effectively mitigated. The 6' elevation will also allow for public access.

## **5.0 Compliance with Applicable Performance Standards**

The Massachusetts Wetland Protection Act regulations allows for the construction of water-dependant structures within wetland resource areas provided that the design and construction of the structure is in accordance with the best available measures so as to minimize adverse effects (310 CMR 10.27(6)). The Massachusetts Department of Environmental Protection, Bureau of Resource Protection, Wetlands and Waterways Program has published specific design standards for small pile supported docks and piers (DEP, 2003), which are specifically intended to minimize adverse impacts resulting from the installation and maintenance of such structures. The proposed dock meets or exceeds each of these design standards.

Other design requirements for docks and piers are found under the Falmouth Wetland Regulations at FWR 10.16 (1) (d) (1-10) (Design Specifications and Performance Standards for Docks and Piers in Recreational Harbors) and at FWR 10.16 (1) (h)(1-7) (General Requirements and Prohibitions all Docks and Piers). Other relevant performance standards are addressed at FWR 10.34 (5) (Land Containing Shellfish).

The proposed pier satisfies each of the locally established performance standards as summarized below.

### **5.1 Design Specifications and Performance Standards for Docks and Piers in Recreational Harbors (Falmouth Wetland Regulations 10.16 (1) (d) (1-10))**

- 1 Docks shall not exceed one hundred feet in length beyond mean high tide, or one hundred feet in length beyond the landward edge of salt marsh, or otherwise prohibit or unreasonably impede legitimate passage along a beach or through navigation over the waters for recreational or aquiculture purposes;*

The proposed dock extends 92 feet seaward of the mean high water line and 100 feet seaward of. The fixed pier is elevated at least five feet above the mean high water elevation at the shoreline to permit lateral access along the waterfront. Therefore the proposed pier complies with this performance standard.

2. *To keep disturbance of the bottom minimal at all times during both construction and use, the water depth at the end of the dock shall be a minimum of three feet at the time of mean low water;*

The water depth at the end of the proposed dock is less than 3 feet at mean low water. However, the proposed dock is the reconstruction and replacement of a legally permitted and license dock with less water depth. The new dock improves water depth as well as provided other environmentally beneficial improvements.

3. *The area of the terminal "L" or "T" shape in a fixed dock, or the float, or combination thereof, shall not exceed one hundred square feet;*

The "T" section at the end of the proposed pier measures 6'-3" by 16' for a total area of 100 square feet. Therefore the proposed pier complies with this performance standard.

4. *The design and construction shall not interfere with recreational intertidal access;*

The proposed fixed pier structure is elevated a minimum five feet above the mean high water elevation to permit lateral access along the shoreline. Therefore the proposed pier complies with this performance standard.

5. *No portion of the dock or pier may be closer than ten feet from the property boundary or extended property boundary line into the intertidal and tidal zones;*

The proposed pier is located 26' from the extension of the northerly property line as compared to the current dock that provided only a 5' separation from the property line. The proposed dock is 39' from the southern property line, therefore the proposed pier complies with this performance standard.

6. *Floating docks shall be fixed by piers using a hoop roller or other approved design fastening system;*

The proposed pier is a fixed structure, and does not have any floating components. Therefore the proposed pier complies with this performance standard.

7. *The landward approach to a dock shall not harm vegetation on a coastal wetland, freshwater wetland or coastal bank (a marsh shall be crossed by a raised walkway, and coastal banks must be preserved by the use of suitable stairs);*

The pier will be accessed by a 4' wide walkway that extends from just landward of the salt marsh and over the salt marsh. No disturbance to any wetland vegetation is

proposed other than the installation of the helical anchors to support the posts. Therefore the proposed pier complies with this performance standard.

8. *An area where the float(s), if any, will be stored shall be designated on the plan;*

The proposed pier is a fixed structure, and does not have any floating components. Therefore the proposed pier complies with this performance standard.

9. *Except for floating portions of a dock, the decking surface shall not reduce normal ambient light, i.e. sunlight, by more than 50 percent over salt marsh and bordering vegetated wetland;*

Thru-flow decking will be used in all areas. Thru-flow decking allows for 50% sunlight penetration. Therefore the proposed pier complies with this performance standard.

10. *The maximum horizontal foot-candle level as measured directly below each complete lighting unit shall not exceed 0.2 foot-candles.*

Proposed lighting will not exceed two-tenths (0.2) foot-candles as measured directly beneath each unit. Therefore the proposed pier complies with this performance standard.

## **5.2 General Requirements and Prohibitions all Docks and Piers (Falmouth Wetland Regulations 10.16 (1) (h) (1-7))**

1. *No new dock or pier or extension of an existing dock or pier may be constructed in any portion of FEMA designated velocity zone (V-Zone) unless the applicant demonstrates that there will be a public benefit from the project. The commission shall weigh the potential likelihood damage and harm that any such dock or pier would cause during a storm event with the public benefit demonstrated by the applicant in determining whether the project should be allowed.*

No portion of the site is designated by FEMA as being within a velocity zone. Therefore the proposed pier complies with this performance standard.

2. *No dock or pier shall be allowed if, within 35 feet of the area designated by the applicant as the mooring field, there are significant quantities of shellfish as defined by FWR 10.34(3) and the area has been historically used for shell fishing, or has the potential for shell fishing, and the sediment provides a viable shellfish habitat (emphasis added).*

A shellfish survey has been conducted by Normandeau Associates. The results of the survey indicate that there are no significant quantities of shell fish within 35 feet of the mooring field, therefore the proposed pier complies with this performance standard.

3. *If, within 50 feet of any portion of the dock or pier, there are significant quantities of shellfish as defined by FWR 10.34 (3), or the area has been historically used for shell fishing, or has potential for shell fishing, or the sediments provide a viable habitat for shell fishing, the applicant shall provide a shellfish mitigation plan.*

A shellfish survey has been conducted by Normandeau Associates. The results of the survey indicate that there are no significant quantities of shell fish within 50 feet of the mooring field, therefore the proposed pier complies with this performance standard.

*No new, replacement, or substantial alteration of an existing dock or pier shall be permitted within fifty (50) feet of an area of eelgrass (Zostera marina).*

No eelgrass has been observed within 50 feet of the proposed pier. Therefore the proposed project complies with this performance standard.

4. *No CCA-treated materials may be used to construct a dock or pier.*

No CCA-treated materials will be used in the construction of the pier. Therefore the proposed pier complies with this performance standard.

5. *For singular ownership docks, any floating section of a dock or pier shall have a minimum water depth of three feet under all portions of the floating section of the dock or pier including times of extreme low water. This depth shall be measured as the shortest distance from any portion of the bottom of the floating section to the seabed.*

The proposed pier is an entirely fixed structure with no floating sections. Therefore, this performance standard does not apply.

### **5.3 Performance Standards for Land Containing Shellfish (FWR 10.34 (6-8))**

6. *Any project on land containing shellfish shall not adversely affect any portion of such land or marine fisheries by a change in the productivity of such land caused by:*
  - a. *Alteration of water circulation;*

The construction of the proposed pile-supported fixed pier will have negligible impact on water circulation. The piles have been spaced to the maximum extent feasible to minimize impacts to water circulation.

*b. Alterations in relief elevation;*

No alterations in relief elevation are proposed.

*c. The compacting of sediments by vehicular traffic;*

No compacting of sediments by vehicular traffic is proposed.

*d. Alterations in the distribution of sediment grain size;*

No alterations in the distribution of sediment grain size are proposed or anticipated.

*e. Alterations in natural drainage from adjacent lands;*

No changes in natural drainage patterns are proposed.

*f. Changes in water quality, including but not limited to, other than natural fluctuations in the levels of salinity, dissolved oxygen, nutrients, temperature, or turbidity, or the addition of pollutants.*

The proposed pier has been designed to avoid and potential changes in water quality through the use of non-CCA timber, and provision of adequate water depths.

*7. Notwithstanding FWR 10.34(6), projects approved by DMF that are specifically intended to increase the productivity of land containing shellfish may be permitted.*

The proposed project is not specifically intended to increase the productivity of land containing shellfish, and therefore this performance standard does not apply.

*8. Notwithstanding FWR 10.34(6) and 10.34(7), no project may be permitted which will have any adverse effect on habitat of rare species.*

Information published by the Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (Natural Heritage Atlas, 2006) indicates that the proposed pier construction is not located within Estimated Habitat of Rare Wetlands Habitat and Priority Habitat.

## **6.0 Summary**

The existing wetland resources, potential project impacts, and proposed mitigation measures associated with this pier construction project have been fully documented in the Notice of Intent submission. The project meets or exceeds all applicable performance standards and should therefore be reviewed favorable by the Falmouth Conservation Commission.

**Shellfish Survey for  
134 Antlers Shore Drive  
East Falmouth, MA**

**Prepared for:**  
Robert Sperry  
134 Antlers Shore Drive  
East Falmouth, MA 02536

**Submitted On:**  
April 19, 2019

**Submitted By:**  
Normandeau Associates, Inc.  
141 Falmouth Heights Road  
Falmouth, MA 02540

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

This report summarizes the field methods employed and results of a shellfish survey completed by Normandeau Associates, Inc. in Eel Pond at 134 Antlers Shore Drive, East Falmouth, Massachusetts on March 15, 2019. The survey was conducted to determine the presence of shellfish in support of a proposed dock application (Figure 1).

## Methods

The survey was completed by Normandeau biologists on March 15, 2019. A center transect (C) was first established beginning at a stake set in the marsh sixteen feet landward of the end of proposed dock. The transect was extended to 50 feet which is 35 feet beyond the end of the proposed structure. Eight additional transects were established parallel to the centerline, four lines each 10 feet apart to the north (N<sub>1</sub>, N<sub>2</sub>, N<sub>3</sub> and N<sub>4</sub>) and four lines each 10 feet apart to the south of the centerline (S<sub>1</sub>, S<sub>2</sub>, S<sub>3</sub> and S<sub>4</sub>; Figure 1). Sampling locations along the five center transects (N<sub>2</sub>, N<sub>1</sub>, C, S<sub>1</sub>, and S<sub>2</sub>) were spaced at five-foot intervals beginning at the edge of the marsh extending seaward. For the remaining four transects, sampling locations began 35 feet landward of the end of the proposed dock and extended seaward to 35 feet beyond the end of the proposed structure. According to FWR10.34(4)(a), the mooring field (Area A) is the area beginning 35 feet landward of the terminus of the proposed structure extending 35 feet seaward and bounded on either side 40 feet from the centerline. Area B is landward of Area A and extending out 20 feet from the centerline. Due to the large marsh located about 10 feet shoreward of the end of the dock only 77 samples were taken in Area A and 0 samples were taken in Area B. Each sample was obtained utilizing an aluminum frame enclosing one-cubic foot of the sediment. Within the frame, all material was removed and washed through a 5-mm mesh-lined basket. All samples were collected by scuba diver since water depth ranged from 2 feet at the edge of the marsh to approximately 4 feet near the end of each transect.

## Results

**Site Description:** The survey site extends generally eastward from shore encompassing a study area of approximately 7,000 square feet. The shore edge is bordered by remnant peat, saltmarsh, upland vegetation, and trees (Figure 2 and 3).

Near-shore sediments primarily consisted of loose, fine, silty sediment 1 to 2+ feet deep. The area to the south of the dock centerline, out 5 to 10 feet beyond the marsh edge, had 6 to 10 inches of soft silty sediment over buried remnant marsh.

**Shellfish:** There were no shellfish found at any of the sampling locations (Table 1, Appendix 1). Ribbed mussel shell litter was observed along the marsh margin out to about 10 feet as well as live ribbed mussels entwined in the roots of the marsh grass. No shellfish species were noted in the project area as shellfish are defined by Massachusetts Department of Environmental Protection Wetlands Protection Act Regulations. No eelgrass (*Zostera marina*) or widgeon grass (*Ruppia maritima*) were found in the sampling area.

## Significance as Land Containing Shellfish

Following Falmouth Conservation Commission guidelines under FWR 10.34(3), land containing shellfish shall be found significant to shellfish, recreation, aquaculture, and to fisheries when it has been identified in one of several ways:

**Mapped Areas** - FWR 10.34(3)(a) states that land shall be found significant to shellfish when it has been mapped by the Commission or based upon other documentation of the shellfish constable. The Town of Falmouth Coastal Resource Map, Eastern Section, indicates that the western shoreline of Great Pond where the potential project is located was designated as shellfish area in or before 1993 when the maps were compiled. It is important to note however that use of the outdated Coastal Resources Maps to determine significance of an area to shellfish has been criticized in the courts.

**Survey Results** - FWR 10.34(b)(1) relies on survey results to identify areas significant to shellfish. Areas shall be found significant to shellfish where shellfish sampling indicates a shellfish density per nine square feet greater than one quahog, one softshell clam, three oysters, or three mussels. Based on Normandeau's survey, the mean density for quahogs in Area A (0 per square foot or 0 per nine square feet) and Area B (not sampled due to marsh) were both below the standard. No softshell clams, blue mussels, razor clams, scallops, or oysters were noted inside the survey area, species which are occasionally common near shore in inland waters.

**Other Criteria** – Under FWR 10.34(3)(b)(2) when survey results indicate less than the specified number of animals outlined in FWR 10.34(3)(b)(1), the Commission shall also consider the size of the area, the historical use of the area, and the current importance or potential use of the area to recreational or commercial shellfishing. The area in general is used widely for boating activities as indicated by other docks in the area both across Great Pond and to the north and south (Figures 1 through 3).

Shellfish surveys completed in other locations where shellfish are relatively abundant indicate that quahogs and softshell clams can occur at greater densities around and under docks and piers compared with control areas adjacent to them (Hampson et al. 1999). While reasons for these findings are not clear, the results suggest that docks and piers can offer refuge from predators such as shorebirds and humans.

## Literature Cited

Hampson, G., D. White, and S. Aubrey. 1999. Lurie shellfish survey (North Bay shellfish survey for proposed Lurie dock construction). Aubrey Consulting, Inc. 8p.

Town of Falmouth. 2014. Wetland Regulations, Chapter FWR 10.00 Falmouth Conservation Commission. 181 pp. Available at <http://ecode360.com/attachment/FA1385/FA1385-FWR.pdf>.

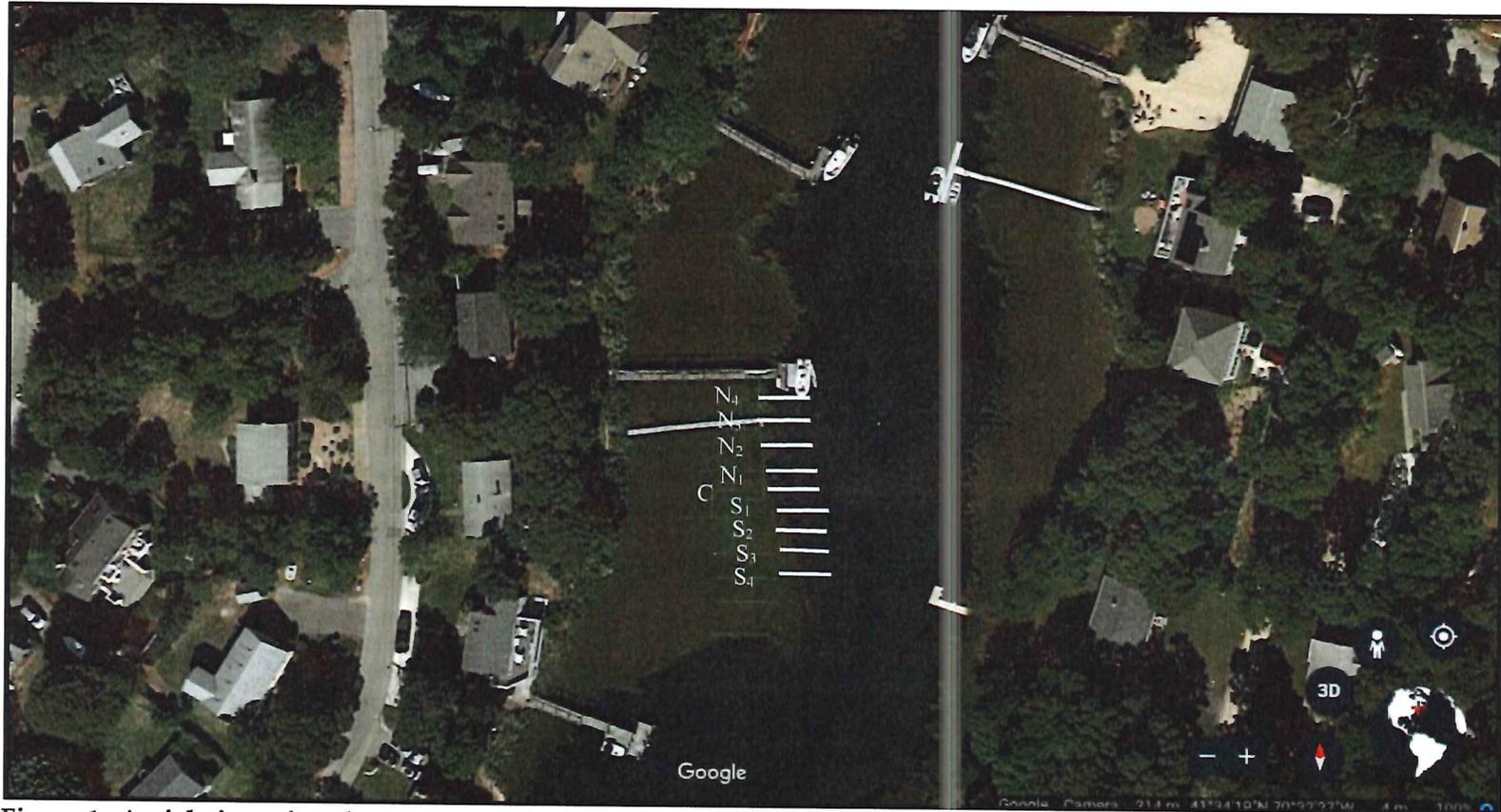


Figure 1. Aerial view of study area showing transects for the proposed dock at 134 Antlers Shore Drive, East Falmouth, MA



Figure 2. View to the north of the proposed dock site from the end of the existing dock at 134 Antlers Shore Drive.

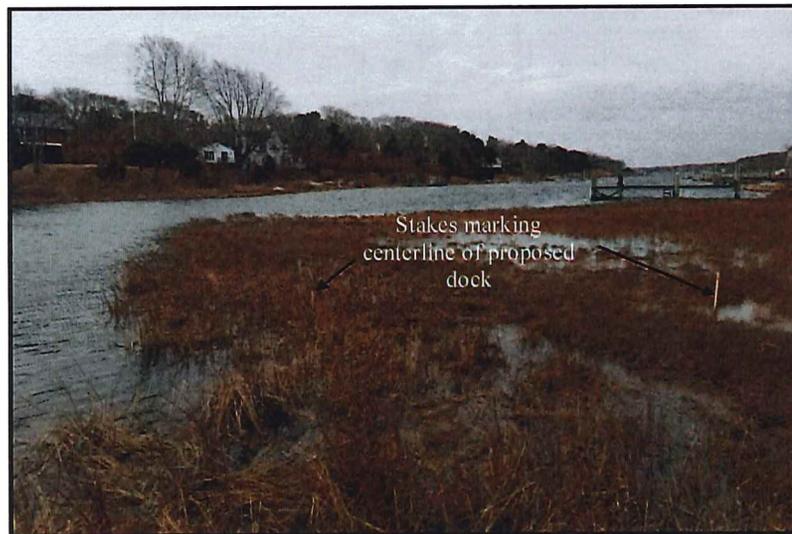


Figure 3. View to the south from the existing dock at 134 Antlers Shore Drive. Stakes visible show the centerline of the proposed dock.

Table 1. Measurements (mm)<sup>1</sup> of quahogs obtained in 77 one-cubic-foot intertidal and subtidal samples at 134 Antlers Shore Drive, Falmouth, MA, March 2019.

Distance (feet)	S <sub>4</sub>	S <sub>3</sub>	S <sub>2</sub>	S <sub>1</sub>	Center Line	N <sub>1</sub>	N <sub>2</sub>	N <sub>3</sub>	N <sub>4</sub>
0	X	X	X	X	X	X	X	X	X
5	X	X	X	X	X	X	X	X	X
10	X	X	X	0	0	0	0	0	0
15	X	0	0	0	0	0	0	0	0
20	0	0	0	0	0	0	0	0	0
25	0	0	0	0	0	0	0	0	0
30	0	0	0	0	0	0	0	0	0
35	0	0	0	0	0	0	0	0	0
40	0	0	0	0	0	0	0	0	0
45	0	0	0	0	0	0	0	0	0
50	0	0	0	0	0	0	0	0	0
<b>Totals</b> <i>0 quahogs</i>	0	0	0	0	0	0	0	0	0

<sup>1</sup>Quahogs were measured at width across the hinge at the widest point.

"X" indicates not sampled due to salt marsh at the sampling location

Area A - mooring field = 77 samples       Area B = Not sampled

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

FALMOUTH CONSERVATION COMMISSION SHELLFISH SURVEY DATA SHEET

Date: March 15, 2019

Performed by: JFB and ENR

Page 1 of 2

134 Antlers Shore Drive									
Distance from MHW (ft)	40' S4	30' S3	20' S2	10' S1	Centerline	10' N1	20' N2	30' N3	40' N4
0									
5									
10				DD	DD	DD	DD	DD	DD
15	DD	DD	DD	DD	DD	DD	DD	DD	DD
20	DD	DD	DD	DD	DD	DD	DD	DD	DD
25	DD	DD	DD	DD	DD	DD	DD	DD	DD
30	DD	DD	DD	DD	DD	DD	DD	DD	DD
35	DD	DD	DD	DD	DD	DD	DD	DD	DD
40	DD	DD	DD	DD	DD	DD	DD	DD	DD
45	DD	DD	DD	DD	DD	DD	DD	DD	DD
50	DD	DD	DD	DD	DD	DD	DD	DD	DD
<b>Total</b>	0	0	0	0	0	0	0	0	0

FWR 10.00 FALMOUTH CONSERVATION COMMISSION

Species Code

<u>Code</u>	<u>Common Name</u>	<u>Scientific Name</u>
A	Quahog	<i>Mercenaria mercenaria</i>

<u>Code</u>	<u>Bottom Characteristic</u>
X	Rocky (15%-30% cover with rocks)
Y	Very rocky (30-60% cover with rocks)
Z	Extremely rocky (>60% cover with rocks)
AA	Fine sand
BB	Medium sand
CC	Coarse sand
DD	Mud
EE	Hydrogen sulfide smell
FF	Black or dark grey layer
GG	Organic rich sediments
HH	Eelgrass



MARINE & ENVIRONMENTAL SERVICES  
TOWN OF FALMOUTH  
180 SCRANTON AVENUE, FALMOUTH, MA 02540  
TEL: (508) 457-2550 • FAX: (508) 457-2525  
TOWN MARINA TEL: (508) 457-2551

**Falmouth Wetlands – Chapter 235  
Wetlands Protection Act MGL 131:40  
Harbormaster Inspection Report**

**Applicant:** Robert Sperry  
**Date on Plan:** May 10, 2019  
**Property:** 134 Antlers Shore Drive  
**Assessors Map:** 32 06 000 158  
**Area of Impact:** Eel River West

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*Date of Inspection  
and/or Review:* Plan review May 10, 2019

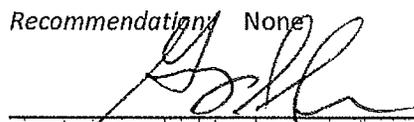
*Project Staking:* n/a

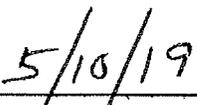
*Navigational Issues:* None observed at the time of review.

*Mooring Issues:* None observed at time of review.

*Comments:* Similar to others in the immediate neighbourhood

*Recommendation:* None

  
\_\_\_\_\_  
Gregg Fraser,  
MES Director/Harbormaster

  
\_\_\_\_\_  
Date





Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
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 City/Town

**A. General Information (cont.)**

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):  
Barnstable  
 a. County Barnstable b. Certificate Number (if registered land) 249  
 c. Book 31308 d. Page 6/26/2019
7. Dates: 5/15/2019 06/05/2019 6/26/2019  
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):  
Site Plan - Proposed Pier  
 a. Plan Title Falmouth Engineering, Inc Michael J. Borselli, P.E. Gary S. Labrie,  
 b. Prepared By R.L.S.  
05/08/2019 1"=10'  
 d. Final Revision Date e. Scale
- f. Additional Plan or Document Title \_\_\_\_\_ g. Date \_\_\_\_\_

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act:  
 Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a.  Public Water Supply    b.  Land Containing Shellfish    c.  Prevention of Pollution  
 d.  Private Water Supply    e.  Fisheries    f.  Protection of Wildlife Habitat  
 g.  Groundwater Supply    h.  Storm Damage Prevention    i.  Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

**Approved subject to:**

- a.  the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



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**B. Findings (cont.)**

Denied because:

- b.  the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c.  the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3.  Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) \_\_\_\_\_ a. linear feet

**Inland Resource Area Impacts:** Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet _____ e. c/y dredged	_____ b. square feet _____ f. c/y dredged	_____ c. square feet	_____ d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



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**B. Findings (cont.)**

**Coastal Resource Area Impacts:** Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
14. <input type="checkbox"/> Coastal Dunes	_____	_____	_____ cu yd	_____ cu yd
	a. square feet	b. square feet	c. nourishment	d. nourishment
15. <input type="checkbox"/> Coastal Banks	_____	_____		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	_____	_____		
	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	_____	_____		
	a. square feet	b. square feet		
	_____	_____		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	_____	_____	_____	_____
	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	_____	_____		
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	_____		
	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	_____	_____		
	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	_____	_____	_____	_____
	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	_____	_____	_____	_____
	g. square feet	h. square feet	i. square feet	j. square feet





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**C. General Conditions Under Massachusetts Wetlands Protection Act**

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,  

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]  
"File Number            25-4465 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



## WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

### C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
  - (1)  is subject to the Massachusetts Stormwater Standards
  - (2)  is NOT subject to the Massachusetts Stormwater Standards

**If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:**

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
  - i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
  - ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
  - iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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**C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)**

- g) The responsible party shall:
  1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
  2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
  3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
  
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

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- 20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No
2. The Falmouth Conservation Commission hereby finds (check one that applies):

- a.  that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b.  that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Falmouth Wetlands Bylaw

10.00

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

see attached



# Falmouth Conservation Commission

59 TOWN HALL SQUARE, FALMOUTH, MASSACHUSETTS 02540  
(508) 495-7445

Name: Robert Sperry  
Address: 134 Antlers Shore Dr, Falmouth, MA  
DEP OR FCC: 25-4465

## **FINDINGS:**

1. The applicant proposes to reconstruct the existing pier in different location, with added ramp, stairs and fixed tee section.
2. The new pier structure will replace a previously licensed walkway that is lower in elevation blocking light to salt marsh below, existing structure is 12 feet from property line at the closest point. New structure will be elevated at a 1.5:1 H:W ratio elevating the new pier six feet above the salt marsh to allow for greater light penetration beneath the structure and public access along shoreline.
3. The new tee section will be in slightly deeper water bringing the end of the pier from a water depth of 0.1 to 1.0.
4. Resource areas onsite and within 100 feet of the proposed structure include Salt Marsh, Land Subject to Coastal Storm Flowage (LSCSF), Coastal Bank, Bordering Vegetated Wetland, Resource Area Buffer.

## **STANDARD CONDITIONS**

1. Permission is granted to Robert Sperry, 134 Antler Shore Drive, Falmouth, MA construct and maintain a Dock & Pier according to the plans by Falmouth Engineering, Inc., dated May 8, 2019 and entitled "Site Plan-Proposed Pier" subject to the following Standard and Special Conditions.
2. This Order is issued pursuant to Mass. General Laws, Chapter 131, sec. 40, the Wetlands Protection Act and Chapter 235 of the Code of Falmouth the Wetlands Bylaw. The Wetlands By-law is more stringent than the Wetlands Protection Act as permitted by that Act. The Conservation Commission reserves the right to impose additional or other conditions to protect the Interests of the Massachusetts Wetlands Protection Act and Falmouth Wetlands Bylaw.
3. All work shall be done according to the plan of reference noted in paragraph 1. Any proposed changes will require that the applicant first obtain all necessary permits and approvals from the Conservation Commission. Any changes undertaken without obtaining approval from the

Commission are not permitted and subject to an Enforcement Order. Violations of the Wetlands Protection Act are subject to a maximum fine of \$25,000.00 per day.

4. The determinations of the Falmouth Conservation Commission are made solely to determine issues arising under the Massachusetts Wetlands Protection Act and the Town of Falmouth Wetlands By-Law, and are therefore concerned exclusively with the question whether any proposed activity will have an adverse effect on the wetlands resource interests listed in the applicable statutes, regulations, by-laws and rules. Nothing contained in this determination is intended in any way to grant to any person any title, easement or other interest in lands, public or private, and the Falmouth Conservation Commission is without legal authority to make any grant of title, easement or other property interest, or to make any determination of property interests. See Tindley v. D.E.Q.E. 10 Mass. App. Ct. 623 (1980).
5. By the acceptance and recording of this Order, the applicant hereby grants the commission and its duly authorized agents the right to enter onto the land governed by this Order to examine the project and ensure Compliance. Such visits shall be made in a reasonable manner.
6. Any work taking place prior to all administrative and legal appeal periods expiring or during the pendency of any such appeal is at the risk of the applicant and/or owner of the property. At the risk of means that should an administrative agency or court find this order and permit were granted in error all work may have to be restored to its original condition (at the time work was instituted) at the expense of the applicant and/or owner.
7. Issuance of this Order of Conditions does not relieve the applicant from obtaining all other necessary municipal, county, state or federal permits, permission or other approvals required.
8. The Conservation Commission reserves the right to impose additional or other conditions to protect the Interests of the Massachusetts Wetlands Protection Act and Falmouth Wetlands Bylaw.
9. Prior to any work commencing:
  - a. Proof of recording of this Order of Conditions including the plan of reference at the Barnstable County Registry of Deeds must be received by the Conservation Commission.
  - b. At least 10 days advance **written** notification shall be provided to the Conservation Commission.
  - c. The Town of Falmouth Conservation Commission Pier Maintenance or Construction Form for Marine Contractors (which ever applies) must be completed and returned to the Conservation Commission.
  - d. Copies of any other permits and licenses including building permit, special permit, variances, and Chapter 91 license shall be submitted to Conservation Commission.
  - e. The DEP File Number shall be posted on a sign on the street side of the lot and maintained in a visible condition throughout the project. A copy of this Order of Conditions is to be posted onsite, to be maintained in a visible location and condition

throughout the project. Copies of this Order of Conditions are also to be provided to all outside contractors, to be kept onsite during work at all times.

- f. Photographs shall be taken within 20 feet parallel to both sides of the dock alignment of any areas crossing freshwater wetlands or salt marsh. Post construction photographs shall be taken and submitted to the Conservation Commission. Any areas of wetland that have been damaged or destroyed shall be restored immediately to the satisfaction of the Conservation Commission.
10. Unless otherwise specified, all Conditions cited herein will apply to any and all Amendments to this Order of Conditions.
11. The applicant shall use all means to effectively prevent erosion into the wetland or other Resource Area and to encourage the growth of protective vegetation on ground draining into the wetlands or other Resource Areas.
12. All cuttings and debris from permitted clearing of the lot prior to construction shall be removed offsite immediately. No debris can be stored, even temporarily, in a resource area or within 100 feet of any resource area. .
13. All fill or excavated material not required to backfill and grade to the approved plan of reference shall be immediately removed offsite or to an appropriate upland location more than 100 feet from any resource area.
14. No creosote-treated wood or CCA treated wood may be used. The use of non-toxic materials is mandatory and shall be certified in writing by a professional engineer.
15. Equipment, vehicles or other objects are **not** allowed to be placed or stored on any wetland or resource area at any time.
16. Any additional work, not identified at the time this permit was granted, within the Limit of Work , in a resource area or within 100 feet of any resource area will require that the applicant first obtain all necessary permits from the Conservation Commission before proceeding with such work.
17. All work shall be done by hand or from a barge-supported crane during high tide.
18. Any barge used for this project must float at all times.
19. Piles shall be driven, not jetted.
20. All decking surfaces crossing Salt Marsh shall be constructed per design criteria per application.
21. All seasonal floats shall be stored in a predetermined upland location per application and the plan of reference.

22. All construction debris shall be removed off-site to an approved upland disposal site.
23. All disturbed areas are to be re-vegetated using either native plant species (or drought-tolerant fescues on 8-10 inches of loam). Re-vegetation is to be done immediately following completion of construction.
24. The street number and address and the DEP number of the dock approved by this Order shall be affixed to the seaward face (end) of the dock using three inch (3") digits of bright contrasting color. This number shall be maintained in clear visible condition throughout the lifetime of the dock.
25. Water lines and attached hoses shall have nozzles attached.
26. Boats shall only be tied up in those areas designated as the mooring field on the plan of reference.
27. Boats at the dock shall not be allowed to leak oil or other pollutants into the water, nor shall oil or fuel be stored on the dock or pier.
28. Motorboats shall not be run in gear while tied to the dock, since prop wash disturbs shellfish beds, stirs up sediment and causes bank erosion.
29. No Certificate of Compliance will be issued until the entire project, including landscaping, is completed and the site is permanently stabilized with vegetation.
30. Photographic evidence of winter storage location of floats or seasonal dock parts on uplands shall be presented to the Conservation Commission within one year of completion of structure.
31. This Order of Conditions will not be fully complied with unless and until a duly executed Certificate of Compliance is recorded or registered, as appropriate, in Barnstable Registry of Deeds. A request for a Certificate of Compliance must be accompanied by and "Existing Conditions" plan and Engineers written certification of compliance certifying the dock or pier has been constructed and completed in accordance with the conditions contained herein and notes any deviation from the approved plans.
32. If this dock and pier is operated in such a fashion as to cause actual damage to resource areas, including prop dredging, you may be ordered, at your expense, to remove a portion or the entire dock and pier. You have a right to hearing prior to any such order being issued.
33. The dock must be properly maintained in a safe and functioning manner. Docks and piers are coastal structures requiring continual maintenance or else lend themselves to causing significant damage to property at the time of storms. If not properly maintained docks and piers pose a significant danger to public safety. Docks and piers not properly maintained, which in the opinion the Commission have a potential of being destroyed in a storm, may be ordered removed at the owner's expense. You have a right to hearing prior to any such order

being issued.

SPECIAL CONDITIONS:

1. During the construction of the dock/pier the salt marsh shall be protected from the use of heavy machinery by mats or plates.
2. All piers if designed to be in continual use shall have adequate bubblers protecting piles during winter months.
3. The Conservation Department and the Marine and Environmental Services Department shall be notified of the date and time of construction activities utilizing a barge.
4. Only one (1) boat shall be moored to the dock at any one time. This boat shall be located in the area depicted as the mooring field on the plan of reference.
5. No trees shall be removed on the coastal bank or within the buffer to the coastal bank for the creation of the path depicted on the plan of reference.
6. Special Condition #2 and #4 shall be written into the COC and registered with and ongoing with the deed.

BARNSTABLE REGISTRY OF DEEDS  
John F. Meade, Register



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
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Provided by MassDEP:  
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**E. Signatures**

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.  
 This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

6/26/2019

1. Date of Issuance

4

2. Number of Signers

Signatures:

Elizabeth H. Glorjelt      Stephen T. DeLo  
 \_\_\_\_\_      Kevin F. O'Brien  
 \_\_\_\_\_      Jamie E. Martin  
 \_\_\_\_\_

by hand delivery on 6-26-19

by certified mail, return receipt requested, on \_\_\_\_\_

Erica Boselli  
 Date FALMOUTH ENGINEERING, INC Date \_\_\_\_\_

**F. Appeals**

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 – Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 25-4465  
 MassDEP File #  
 \_\_\_\_\_  
 eDEP Transaction #  
 Falmouth  
 City/Town

**G. Recording Information**

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

FALMOUTH  
 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

134 ANTLEYS SHORE DR.      25-4465  
 Project Location      MassDEP File Number

Has been recorded at the Registry of Deeds of:

BARNSTABLE      32139      11  
 County      Book      Page

for: ROBERT SPEARY  
 Property Owner

and has been noted in the chain of title of the affected property in:

31308      249  
 Book      Page

In accordance with the Order of Conditions issued on:

6-26-19  
 Date

If recorded land, the instrument number identifying this transaction is:

31703  
 Instrument Number

If registered land, the document number identifying this transaction is:

\_\_\_\_\_  
 Document Number

\_\_\_\_\_  
 Signature of Applicant

Form 2



Commonwealth of Massachusetts

DEP File No.

(To be provided by DEP)

City/Town FALMOUTH

Applicant John Hussey

Date Request Filed 9/26/91

### Determination of Applicability Massachusetts Wetlands Protection Act, G.L. c. 131, §40

TOWN OF FALMOUTH WETLANDS PROTECTION BYLAW

From TOWN OF FALMOUTH CONSERVATION COMMISSION Issuing Authority

To John Hussey SAME  
(Name of person making request) (Name of property owner)

Address 134 Antler Shore Dr., E. Falmouth Address SAME

This determination is issued and delivered as follows:

- by hand delivery to person making request on \_\_\_\_\_ (date)
- by certified mail, return receipt requested on October 10, 1991 (date)

Pursuant to the authority of G.L. c. 131, §40, the FALMOUTH CONSERVATION COMMISSION has considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: Street Address 134 Antler Shore Dr., E. Falmouth

Lot Number: 158

1.  The area described below, which includes all/part of the area described in your request, is an Area Subject to Protection Under the Act. Therefore, any removing, filling, dredging or altering of that area requires the filing of a Notice of Intent.
  
2.  The work described below, which includes all part of the work described in your request, is within an Area Subject to Protection Under the Act and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent.

3.  The work described below, which includes all part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject to Protection Under the Act. Therefore, said work requires the filing of a Notice of Intent:

SPECIAL CONDITIONS - SEE ATTACHED SHEET

This Determination is negative:

1.  The area described in your request is not an Area Subject to Protection Under the Act.
2.  The work described in your request is within an Area Subject to Protection Under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3.  The work described in your request is within the Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Act. Therefore, said work does not require the filing of a Notice of Intent.
4.  The area described in your request is Subject to Protection Under the Act, but since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: \_\_\_\_\_

Issued by TOWN OF FALMOUTH Conservation Commission

Signature(s) Jean A. Vieira  
Mark St. Louis Judith Blatton  
Cheryl Ann Hawver Leslie Fields  
Cameron E. St. John

This Determination must be signed by a majority of the Conservation Commission.

On this 9th day of October, 1991, before me personally appeared FALMOUTH CONSERVATION COMMISSION, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

Cheryl Ann Hawver  
 Notary Public  
 D. E. P.  
 D.N.R.

December 21, 1995  
 My commission expires

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.

The applicant, the owner, any person approved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseeding Determination of Applicability, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.

3.  The work described below, which includes all part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject to Protection Under the Act. Therefore, said work requires the filing of a Notice of Intent:  
SPECIAL CONDITIONS - SEE ATTACHED

This Determination is negative:

1.  The area described in your request is not an Area Subject to Protection Under the Act.
2.  The work described in your request is within an Area Subject to Protection Under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3.  The work described in your request is within the Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Act. Therefore, said work does not require the filing of a Notice of Intent.
4.  The area described in your request is Subject to Protection Under the Act, but since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: \_\_\_\_\_

Issued by TOWN OF FALMOUTH Conservation Commission

Signature(s) *Jan A. Vieira*  
*Charles G. ...* *Judith B. Stetson*  
*Cheryl ...* *Leslie Fields*  
*Cameron E. ...*

This Determination must be signed by a majority of the Conservation Commission.

On this 9th day of October, 1991, before me personally appeared FALMOUTH CONSERVATION COMMISSION, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed

*Cheryl Ann ...* *December 21, 1995*  
 Notary Public My commission expires  
 D. E. P.  
 D.N.R.

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.

The applicant, the owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseeding Determination of Applicability, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.

Form 2



Commonwealth of Massachusetts

DEP File No.

[Empty box]

(To be provided by DEP)

City/Town FALMOUTH

Applicant John Hussey

Date Request Filed 9/26/91

**Determination of Applicability  
Massachusetts Wetlands Protection Act, G.L. c. 131, §40**

TOWN OF FALMOUTH WETLANDS PROTECTION BYLAW

From TOWN OF FALMOUTH CONSERVATION COMMISSION Issuing Authority

To John Hussey Same  
(Name of person making request) (Name of property owner)

Address 134 Antler Shore Dr., E. Falmouth Address Same

This determination is issued and delivered as follows:

- by hand delivery to person making request on \_\_\_\_\_ (date)
- by certified mail, return receipt requested on October 10, 1991 (date)

Pursuant to the authority of G.L. c. 131, §40, the FALMOUTH CONSERVATION COMMISSION has considered your request for a Determination of Applicability and its supporting documentation, and has made the following determination (check whichever is applicable):

Location: Street Address 134 Antler Shore Dr., E. Falmouth

Lot Number: 158

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2.  The work described below, which includes all/part of the work described in your request, is within an Area Subject to Protection Under the Act and will remove, fill, dredge or alter that area. Therefore, said work requires the filing of a Notice of Intent.



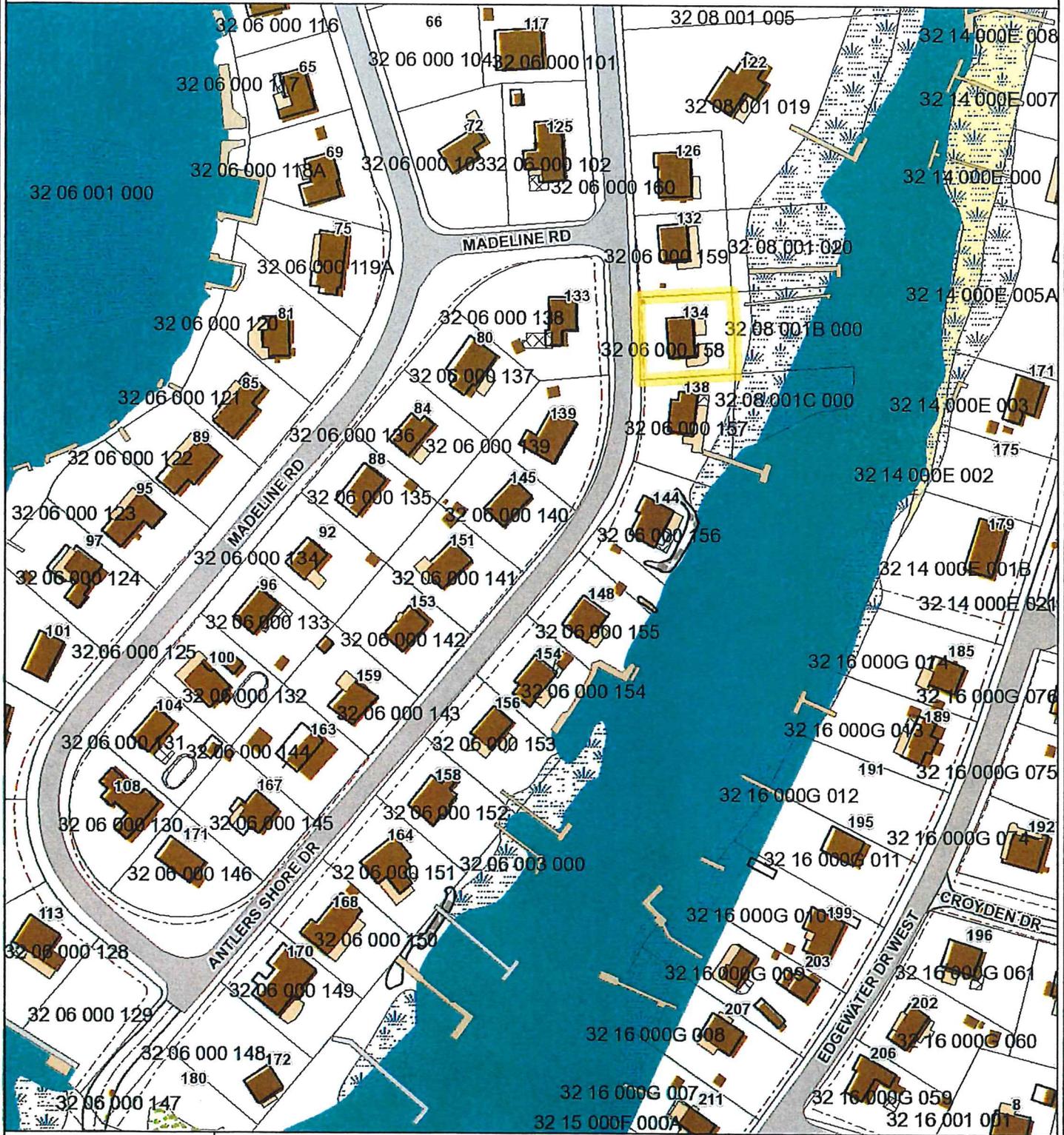
# Falmouth Conservation Commission

59 TOWN HALL SQUARE, FALMOUTH, MASSACHUSETTS 02540  
(508) 548-7611 - EXT. 255 • FAX (508) 457-2511

John Hussey  
Special Conditions

## SPECIAL CONDITIONS:

1. All work is to be done by hand.
2. All work must be done from the existing walkway - no work is allowed in the marsh.
3. The existing deck and stringers are to be re-used.
4. No work is approved to be done on the remnant "platform" at the end of the walkway.
5. Once completed, the Applicant should begin the licensing process on this walkway.



1" = 141 ft



<b>Places of Interest</b> <ul style="list-style-type: none"> <li>Police</li> <li>Fire Stations</li> <li>Golf</li> <li>Library</li> <li>Medical</li> <li>Municipal Buildings</li> <li>Other</li> <li>Schools</li> <li>Sports</li> <li>BEACHES</li> <li>BOAT RAMPS</li> <li>CCRTA Bus Stops</li> </ul>	<b>CCRTA Bus Routes</b> <ul style="list-style-type: none"> <li>Fall-Win-Spr</li> <li>WHOOSH</li> <li>Summer</li> <li>Bike Path</li> <li>Bridges</li> <li>Road Surfaces</li> <li>OTHER</li> <li>PAVED</li> <li>Cobblestone; Concrete; Ot</li> <li>Dirt; Gravel</li> <li>Shell</li> </ul>	<b>Coastal Structures</b> <ul style="list-style-type: none"> <li>Coastal Wall</li> <li>DOCK</li> <li>Groins</li> <li>Jetty</li> <li>PIER</li> <li>Revetment</li> <li>WHARF</li> </ul>	<b>Road Ownership</b> <ul style="list-style-type: none"> <li>COUNTY; TOWN</li> <li>PRIVATE</li> <li>STATE</li> </ul>
<b>Ferry Routes</b> <ul style="list-style-type: none"> <li>FALMOUTH-EDGARTOW</li> <li>FALMOUTH-OAK BLUFF</li> <li>WOODS HOLE-OAK BLU</li> <li>WOODS HOLE-VINEYAR</li> </ul>	<b>Water Features</b> <ul style="list-style-type: none"> <li>POND</li> <li>STREAM</li> <li>WETAREA</li> </ul>	<b>Vegetation</b> <ul style="list-style-type: none"> <li>BOG</li> <li>FIELD</li> <li>ORCHARD</li> </ul>	<b>Layers of Interest</b> <b>Public Lands</b> <ul style="list-style-type: none"> <li>COMMONWEALTH OF M</li> <li>TOWN OF FALMOUTH</li> <li>CONSERVATION COMMI</li> <li>UNITED STATES OF AM</li> <li>STEAMSHIP AUTHORITY</li> </ul>
<ul style="list-style-type: none"> <li>Easements</li> <li>Bldg Roof Prints</li> <li>Buildings</li> </ul>	<ul style="list-style-type: none"> <li>Decks</li> <li>Patios</li> <li>Parcels</li> </ul>		

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

## The Commonwealth of Massachusetts

No. 11465



**Whereas**, Nancy Blodgett

of -- Naples -- in the State of -- Florida --, has applied to the Department of Environmental Protection for license to -- maintain an existing pier --

and has submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon~~, has been given, as required by law, to the -- Board of Selectmen -- of the Town of -- Falmouth. --

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said

-- Nancy Blodgett --, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- maintain an existing pier --

in and over the waters of -- Eel Pond -- in the -- Town -- of -- Falmouth -- and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No.11465 (2 sheets).

License No. 11465

Page 2

The structures hereby authorized shall be limited to the following use(s): noncommercial docking and boating access to navigable waters.

This license will expire thirty (30) years from the date of license issuance. By written request of the licensee for an amendment, the Department may grant a renewal for the term of years not to exceed that authorized in the original license.

The project authorized herein has been completed in conformance with the accompanying license plan. The issuance of this license, therefore, fulfills the Licensee's obligation to obtain a Certificate of Compliance pursuant to 310 CMR 9.19.

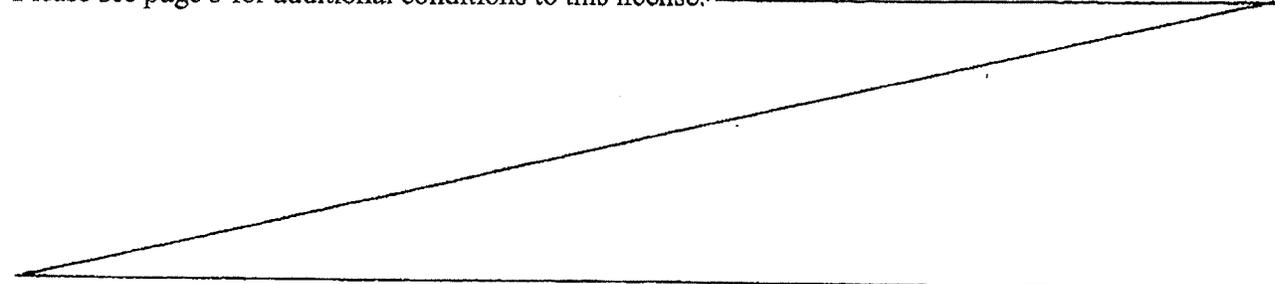
Special Waterways Conditions:

In partial compensation for private use of structures on Commonwealth tidelands, which interferes with the rights of the public to use such lands, the Licensee shall allow the public to pass on foot, for any purpose and from dawn to dusk, within the area of the subject property lying seaward of the high water mark. This condition shall not be construed to prevent the Licensee from taking reasonable measures to discourage unlawful activities by users of the area intended for public passage, including but not limited to trespassing on the adjacent private area(s) and deposit of refuse of any kind or nature in the water or on the shore. Further, the exercise by the public of free on-foot passage in accordance with this condition shall be considered a permitted use to which the limited liability provisions of M.G.L. c.21, s.17c shall apply.

In accordance with any license condition, easement, or other public right of lateral passage that exists on the subject property lying between the high and low water marks, the Licensee shall allow the public in the exercise of such rights to pass freely over, under or around all structures within such intertidal area. Accordingly, the Licensee shall place and maintain, in good repair, a public access sign on both the northerly and southerly sides of the pier authorized herein, adjacent to the mean high water shoreline. Said signs, provided by the Department, shall be posted immediately upon receipt. Nothing in this condition shall be construed as preventing the Licensee from excluding the public from portions of said structure(s) or property not intended for lateral passage.

No dredging (including, but not limited to effects of prop wash) is permitted herein.

Please see page 3 for additional conditions to this license.



Duplicate of said plan, number 11465 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Water Pollution Control.
9. This License authorizes structure(s) and/or fill on:
  - Private Tidelands. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof.
  - Commonwealth Tidelands. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, upon lands lying seaward of the low water mark. Said lands are held in trust by the Commonwealth for the benefit of the public.
  - a Great Pond of the Commonwealth. The Licensee shall not restrict the public's right to use and to pass freely upon lands lying seaward of the high water mark for any lawful purpose.
  - Navigable River or Stream. The Licensee shall not restrict the public's right to use and to pass freely, for any lawful purpose, in the waterway.
10. No restriction on the exercise of these public rights shall be imposed unless otherwise expressly provided in this license.

Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.

License No. 11465

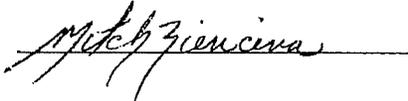
Page 4

The amount of tide-water displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Nancy Blodgett -- by paying into the treasury of the Commonwealth -- two dollars and zero cents (\$2.00) -- for each cubic yard so displaced, being the amount hereby assessed by said Department (0.0 cu. yd. = \$0.00).

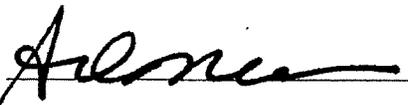
Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of Barnstable.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this 23rd day of October in the year two thousand six.

Program Chief 

Department of Environmental Protection

Commissioner 

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment into the treasury of the Commonwealth by the said -- Nancy Blodgett --

of the further sum of -- twenty-four dollars and zero cents (\$ 24.00) --

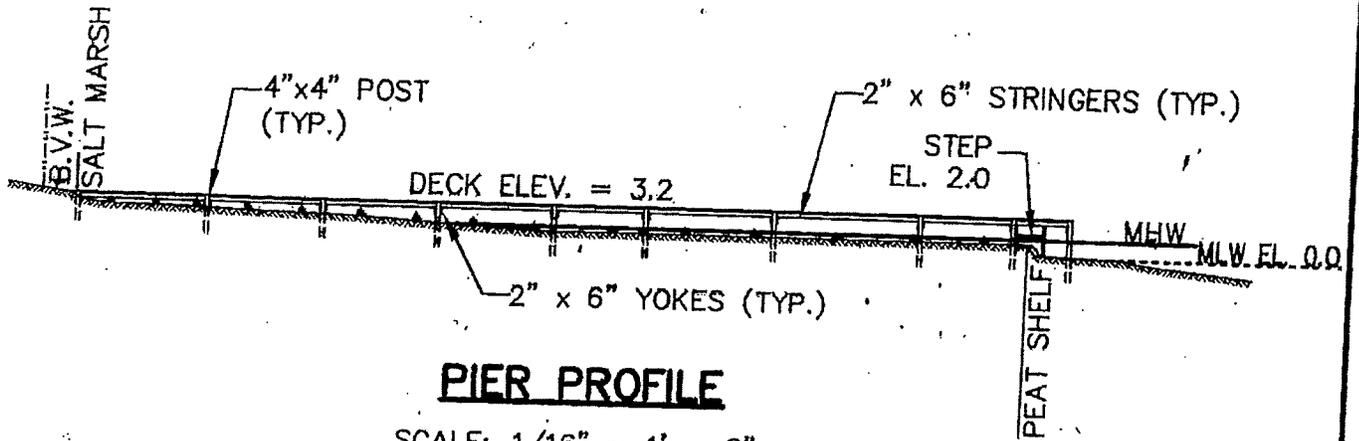
the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

BOSTON,

Approved by the Governor.

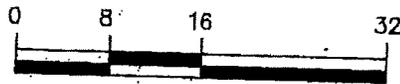
  
Governor



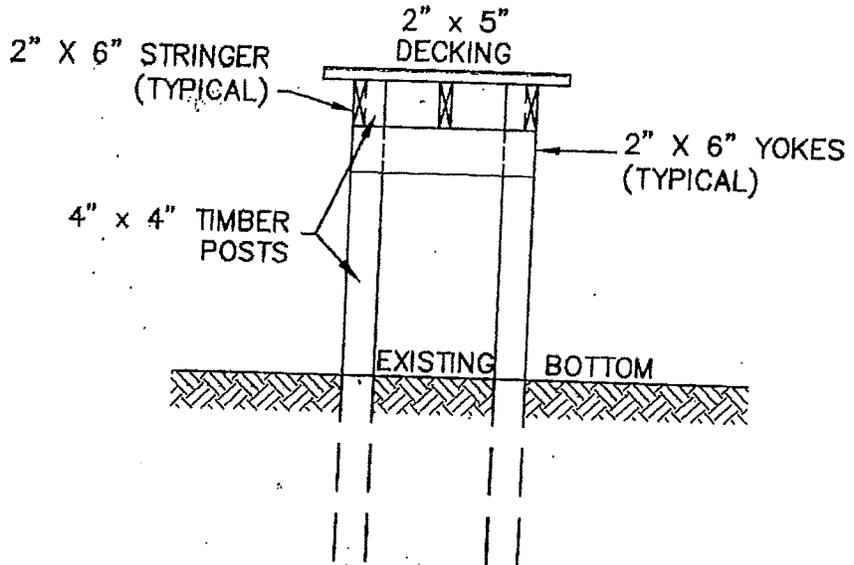


**PIER PROFILE**

SCALE: 1/16" = 1' - 0"

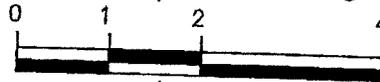


SCALE: 1/16 INCH = 1 FEET



**TYPICAL PIER CROSS-SECTION**

SCALE: 1/2" = 1' - 0"



SCALE: 1/2 INCH = 1 FEET

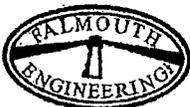
**DATUM:**

BASED ON MLW = 0.0  
ELEV. ABOVE MHW BASED ON N.G.V.D.



PURPOSE: PRIVATE RECREATIONAL USE  
PLAN ACCOMPANYING PETITION OF  
NANCY BLODGETT, 134 ANTLERS SHORE DR.  
PLAN OF EXISTING PIER  
IN EEL POND  
FALMOUTH, BARNSTABLE COUNTY, MA

PLAN BY:



101 TOWN HALL SQUARE  
FALMOUTH, MA 02540  
508.495.1225  
508.495.3229 fax

DATE: DECEMBER 29, 2005. SHEET: 2 OF 2

LICENSE PLAN NO. 11465

Approved by Department of Environmental Protection

Date: OCT 23 2006

BARNSTABLE REGISTRY OF DEEDS



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

3/22/06  
DATE

*MJ B*  
REGISTERED PROFESSIONAL ENGINEER

BOOK 613 PAGE 34

RECEIVED AND RECORDED

17th OCT 27 2006

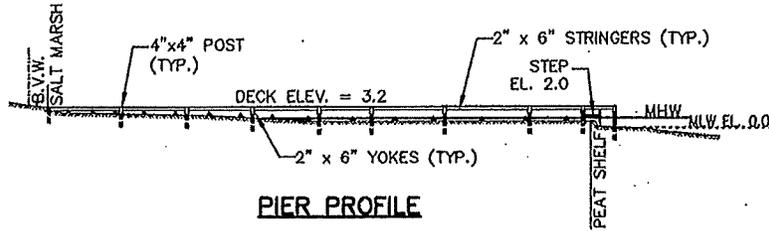
BARNSTABLE COUNTY  
REGISTER OF DEEDS  
STATE HOUSE



PURPOSE: PRIVATE RECREATIONAL USE  
PLAN ACCOMPANYING PETITION OF  
NANCY BLODGETT, 134 ANTLERS SHORE DR.  
PLAN OF EXISTING PIER  
IN EEL POND  
FALMOUTH, BARNSTABLE COUNTY, MA

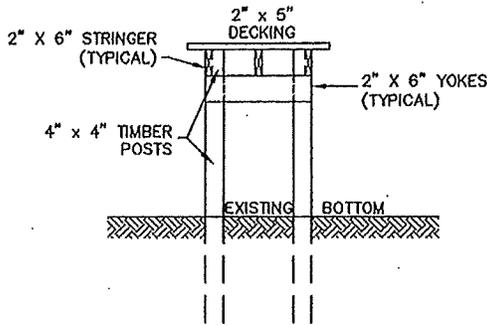
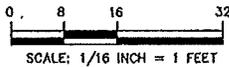
PLAN BY:  101 TOWN HALL SQUARE  
FALMOUTH, MA 02540  
508.495.1225  
508.495.3229 fax

DATE: DECEMBER 29, 2005 SHEET: 2 OF 2



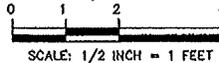
PIER PROFILE

SCALE: 1/16" = 1' - 0"



TYPICAL PIER CROSS-SECTION

SCALE: 1/2" = 1' - 0"



DATUM:  
BASED ON MLW = 0.0  
ELEV. ABOVE MHW BASED ON N.G.V.D.

LICENSE PLAN NO. 11465  
Approved by Department of Environmental Protection  
Date: OCT 23 2006



TOWN OF FALMOUTH  
59 TOWN HALL SQUARE  
FALMOUTH, MA 02540

September 8, 1995

Nancy W. Blodgett  
134 Antlers Shores Drive  
East Falmouth, MA 02536

Dear Ms. Blodgett:

After a public hearing duly advertised and held on September 5, 1995 at 8:10 P.M., in accordance with Section 4300 (Wetland Regulations) of the Zoning Bylaws, to license and maintain an existing dock, located at 134 Antlers Shores Drive, East Falmouth, the Board of Selectmen has voted approval subject to the following:

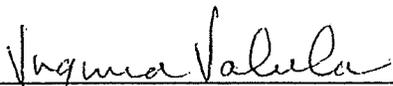
PRE-EXISTING STRUCTURE

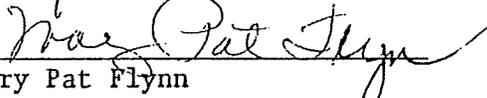
1. That all work has been done in accordance with the sketch dated September 5, 1995, submitted at the hearing.
2. Your name, phone number and S-260 should be placed on the dock. This is the number assigned to you at the hearing.
3. The dock is authorized for private non-commercial use of home occupant and guests. The dock may not be used for commercial purposes, leased, rented or otherwise let for compensation. Any change of use requires an amended application and appropriate hearing. This decision does not authorize the holder of this permit to violate any appropriate deed restrictions or property rights of others.

Nancy W. Blodgett  
Page 2  
September 8, 1995

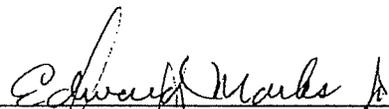
Notice is hereby given that any appeal of this decision shall be made pursuant to Section 17 of Mass. General Laws, Chapter 40A, and shall be filed within twenty (20) days after the date of filing of this decision in the office of the Town Clerk.

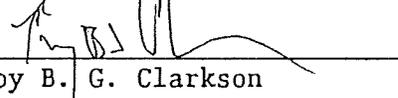
Sincerely,

  
\_\_\_\_\_  
Virginia Valiela

  
\_\_\_\_\_  
Mary Pat Flynn

  
\_\_\_\_\_  
Matthew Patrick

  
\_\_\_\_\_  
Edward Marks Jr.

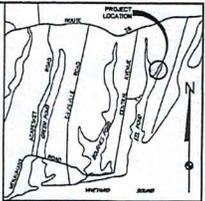
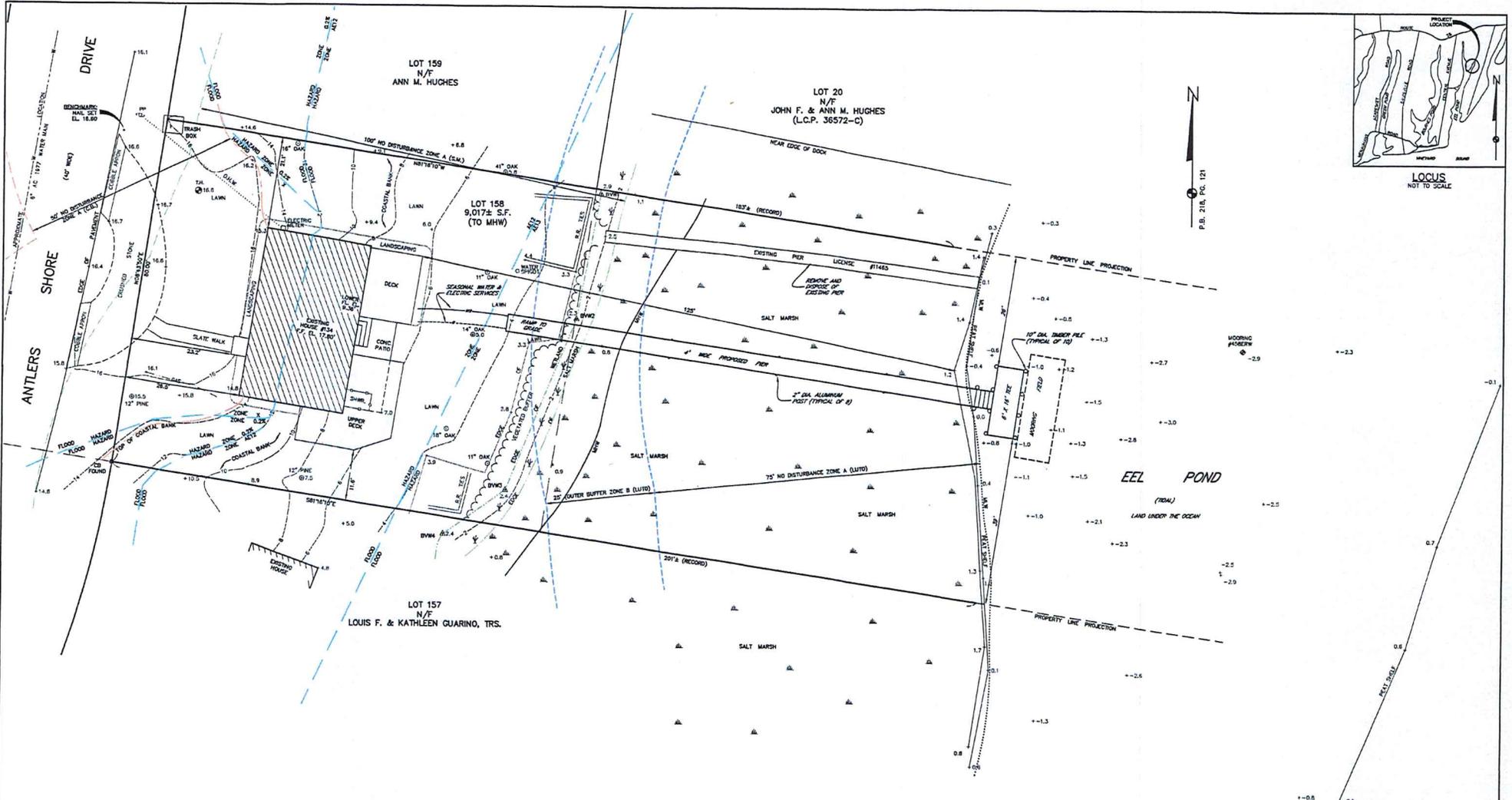
  
\_\_\_\_\_  
Troy B. G. Clarkson

BOARD OF SELECTMEN

B/lca

cc: Conservation Commission  
Shellfish Warden  
Department of Natural Resources  
Harbor Master  
Town Clerk  
Planning Board  
Building Department  
Health Department  
Abutters

**TOWN CLERK'S OFFICE**  
Falmouth, MA Sept 12 1995  
Received for Record at 9 O'Clock 4 M  
And Recorded in Vol 22 on Page \_\_\_\_\_  
*Carol S. Martin* Town Clerk

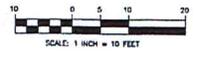


LOCUS  
NOT TO SCALE

N  
P.B. 216, PG. 121

**GENERAL NOTES:**

1. ASSESSOR'S INFORMATION: 32 06 000 158
2. FLOOD ZONES: X, 0.2% AE12 & AE13 (FEMA MAP 2500100733J)
3. ZONING DISTRICT: RC
4. WIND EXPOSURE CATEGORY: C
5. LOT COVERAGE BY:
  - A. STRUCTURES: 1,495 S.F./9,017 S.F. = 16.6% < 20%
  - B. STRUCTURES/PARKING/PAVING: 1,810 S.F./9,017 S.F. = 20.2% < 40%
6. WIND BORNE DEBRIS REGION: HIGH
7. STREET ADDRESS: ANTLERS SHORE DRIVE
8. HOUSE NUMBER: 134
9. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND SURVEY
10. ELEVATIONS SHOWN ABOVE MHW ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988.
11. ELEVATIONS SHOWN BELOW MHW ARE BASED ON MEAN LOW WATER DATUM.

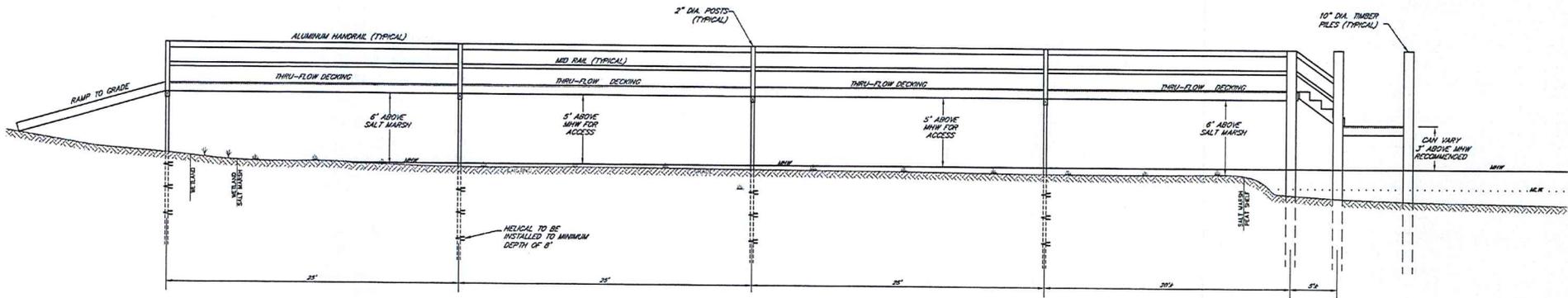


**LEGEND**

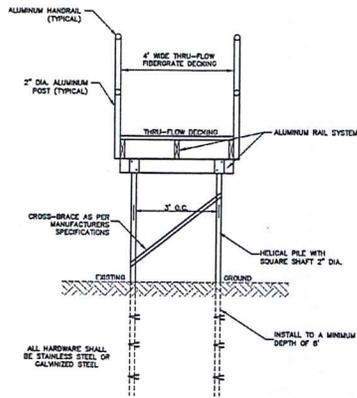
- 10--- EXISTING 2' CONTOUR
- 10--- EXISTING 10' CONTOUR
- +6.5 EXISTING SPOT ELEVATION
- +12.0 PROPOSED SPOT ELEVATION
- OK @ EXISTING TREE
- PP @ EXISTING UTILITY POLE
- CB FOUND @ CONCRETE BOUND



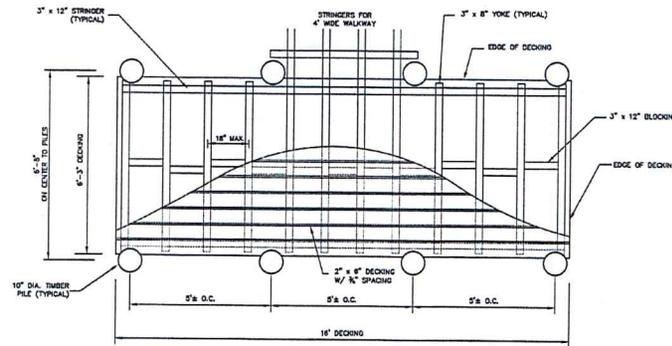
<b>SITE PLAN - PROPOSED PIER</b>	
FOR #134 ANTLERS SHORE DRIVE	
PREPARED FOR	
<b>ROBERT SPERRY</b>	
IN	
<b>FALMOUTH, MA</b>	
PLAN DATE: MAY 8, 2019	PLAN SCALE: 1"=10'
CIVIL ENGINEERING	NETLANDS PERMITTING
WASTEWATER DESIGN	COASTAL ENGINEERING
TITLE 5 PLOT PLANS	PIERS AND DOCKS
LAND USE PLANNING	COMMERCIAL/RESIDENTIAL
<small>Spring Care Club and Southampton Massachusetts</small>	
17 ACADEMY LANE, SUITE 200 - FALMOUTH, MA - 02540 - 508.465.1225	
PROJECT NUMBER: 18047	CAD FILE NAME: 18047DP [DRAWN BY: L.M./D.M.M.] SHEET 1 OF 2



**PIER PROFILE**  
SCALE: 1/4" = 1' - 0"



**TYPICAL SECTION**  
SCALE: 1/2" = 1' - 0"



**LAYOUT OF PIER TEE**  
SCALE: 1/2" = 1' - 0"

**CONSTRUCTION NOTES:**

1. ALL WOOD MATERIALS SHALL BE CUT IN THE UPLAND.
2. ALL WOOD MATERIALS SHALL BE NON CCA TREATED.
3. PILES SHALL BE DRIVEN, NOT SETTED, TO A MINIMUM DEPTH OF 15' OR REFUSAL.
4. FASTENING OF WOOD MATERIALS SHALL BE BY 3/4" BOLTS, NUTS AND LOCK WASHERS. HURDICANE CLIPS OR THRU BOLTS FOR STRINGER CONNECTION TO YOKEs OR AS INDICATED ON THE PLANS.
5. ALL LOCK LIGHTING SHALL NOT EXCEED 0.2 FOOTCANDLE (FC).

<b>PIER DETAILS</b> FOR #134 ANTLERS SHORE DRIVE <b>ROBERT SPERRY</b> IN FALMOUTH MA	
PLAN DATE: MAY 8, 2019	PLAN SCALE: AS SHOWN
CIVIL ENGINEERING WASTEWATER DESIGN TITLE 5 PLOT PLANS LAND USE PLANNING	 WETLANDS PERMITTING COASTAL ENGINEERING PIERS AND DOCKS COMMERCIAL/RESIDENTIAL
<small>Serving Cape Cod and Southeastern Massachusetts</small> 17 ACADEMY LANE, SUITE 200 - FALMOUTH, MA - 02540 - 508.495.1225	
PROJECT NUMBER: 18047   CAD FILE NAME: 18047DP   DRAWN BY: L.M./D.M.M.   SHEET 2 OF 2	



# Achievements and Priorities 2018 - 2019

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FALMOUTH HISTORICAL COMMISSION



FALMOUTH HISTORICAL COMMISSION

## Historical Commission Members

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Ed Haddad – Chairman

Christian Valle

Chris Warner

Annie Dean

Kara Foley

Lee Drescher – Alt

Open – Alt

Corey Pacheco – Planning Dept. Liaison

FALMOUTH HISTORICAL COMMISSION

## Recent History

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- The Historic Districts Commission and the Historical Commission were merged by Town Meeting vote in November 2015
- The new Historical Commission began functioning in June 2016

FALMOUTH HISTORICAL COMMISSION

## Design Guideline Updates Initiated in 2012 and updated regularly

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- Historic vs Non Historic homes allows flexibility of guidelines
- Windows: aluminum & vinyl clad allowed
- Fibrex and Ultrex windows allowed
- Solar Panels
- Fiberglass doors, gutters
- Extruded PVC deck rails, fence systems
- Synthetic decking
- Non traditional new construction

FALMOUTH HISTORICAL COMMISSION

## Streamlined Approval Process

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- 2018 Total Applications Received = 92
- Administrative Approval = 66
- Public Hearings = 26

FALMOUTH HISTORICAL COMMISSION

## Demolition Delay By Law Change

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- Successfully increased the demolition delay period for homes on the List of Significant Buildings from 6 months to 12 months.
- Aligned Falmouth with almost all towns on Cape Cod
- Offers some protection to historic homes which are outside of historic districts

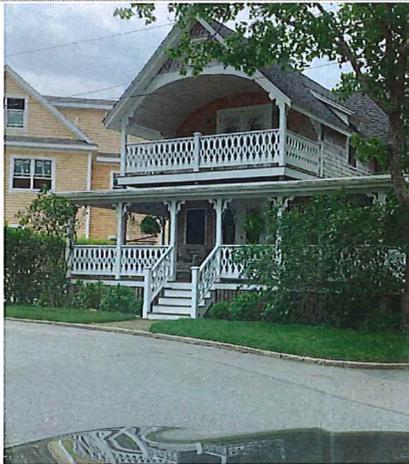
FALMOUTH HISTORICAL COMMISSION

## List of Significant Buildings

- Listing of significant historic buildings *outside* of a historic district.
- Current list includes about 650 properties
- Required for the Demolition Delay Bylaw
- Almost 300 potential new additions as a result of the Historic Inventory Survey
- Intern hired to edit the LSB and confirm the integrity of existing listings before adding new listings

FALMOUTH HISTORICAL COMMISSION

## Significant Houses Outside of Historic Districts



FALMOUTH HISTORICAL COMMISSION

## Significant Houses Outside of Historic Districts



FALMOUTH HISTORICAL COMMISSION

## This could happen on your street



FALMOUTH HISTORICAL COMMISSION

## Historic Inventory Survey

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*Falmouth has a wealth of historic buildings, spanning from the 17<sup>th</sup> century to 20<sup>th</sup> century, that are significant and worthy of documentation. All contribute to the understanding of Falmouth's historic development and sense of place.*

- Survey Completed January 2018
- Total #of pre 1965 buildings = 3,800
- Falmouth inventory in MACRIS = 1,540
- 399 new Form B's required; Phase III of Form B surveys currently in process (CPC funded)
- List of Significant Buildings being updated

FALMOUTH HISTORICAL COMMISSION

## Adjust Existing Historic District Boundaries

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- Change bylaw boundaries from arbitrary setback (100', 150', 200') to actual property line.
- 1019 HD properties in 7 historic districts
- No properties added to a historic district
  - 126 properties will be removed
- More accurately reflects the spirit of the Historic District by law
- Simplifies requirements for applicants
- Recommended by Falmouth's Local Comprehensive Plan (LCP), Historic Preservation Plan, and Cape Cod Comm. Woods Hole Planning Study

FALMOUTH HISTORICAL COMMISSION

# Adjust Existing Historic District Boundaries

Public outreach meetings: 3 Town Hall, 1 West Falmouth, 1 Woods Hole, 1 Library

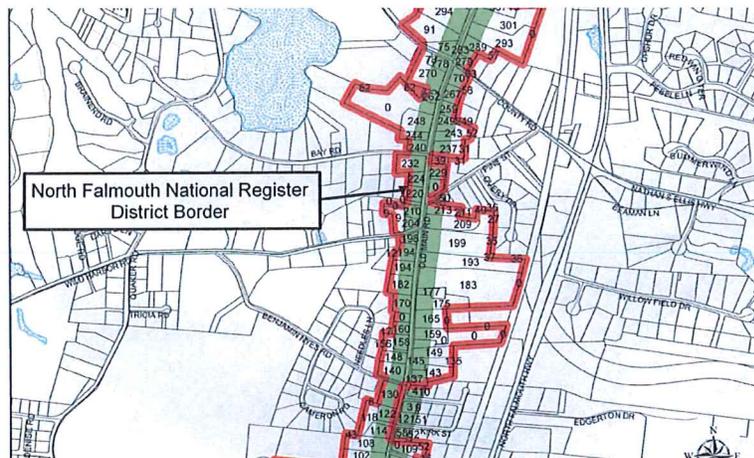
Brochure mailed to all addresses in historic districts

1019 properties within the 7 Historic Districts

- 0 properties added
- 126 properties removed
- 247 structures added: 106 primary, 141 accessory
- After adj. - 893

FALMOUTH HISTORICAL COMMISSION

The Proposed Adjusted Boundaries would closer replicate the National Register Boundaries



FALMOUTH HISTORICAL COMMISSION

## Expansion of the Woods Hole Historic District

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- Recommended in the Cape Cod Commission's Woods Hole Planning Study
- Endorsed by the Woods Hole Community Association
- Potential area extends from drawbridge to MBL Street
- Community Hall, Fire House, Candle House
- Contacted Woods Hole Business Association to discuss
- Commercial areas in N. Falmouth, W.Falmouth, ½ Woods Hole, and Falmouth Village are in a historic district.

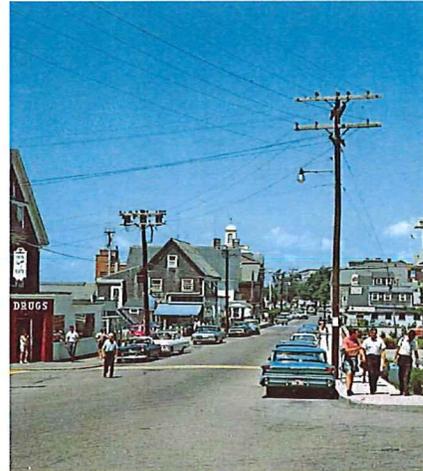
FALMOUTH HISTORICAL COMMISSION

## Water Street (beyond drawbridge)

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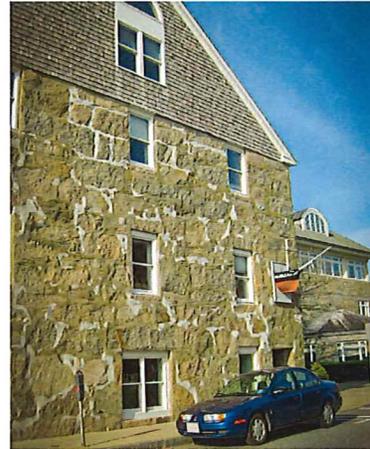


www.alamy.com - CYJ6TB



FALMOUTH HISTORICAL COMMISSION

## Water Street (beyond drawbridge)



FALMOUTH HISTORICAL COMMISSION

## What we don't want (P-Town)



FALMOUTH HISTORICAL COMMISSION

## Historic District Markers

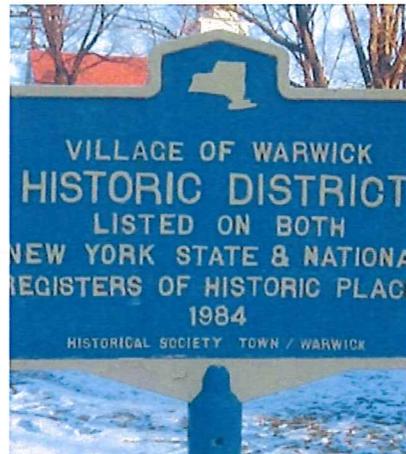
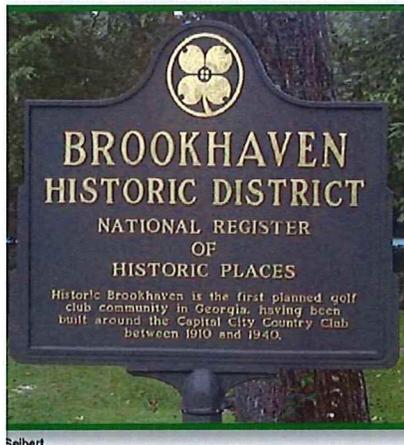
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- Designate each of the 7 historic districts
- Road signs
- Coordinated with DPW
- Important for the town to remind residents and visitors of our historic heritage
- Important for homeowners and businesses, in the districts, who are proud of their homes and value the historic heritage of their neighborhood

FALMOUTH HISTORICAL COMMISSION

## Tell Visitors we are Proud of our Heritage

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FALMOUTH HISTORICAL COMMISSION

## Other...

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- Making CPC funds available to private homeowners for the preservation of historic homes
- Poor House Advisory Committee focused on the restoration of the Poor House

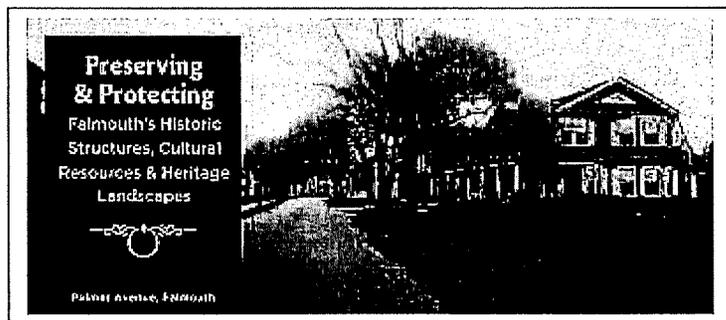
Design Guidelines can be found at [http://www.falmouthmass.us/DocumentCenter/View/4822/Falmouth-h-Guidelines\\_Final-May-2018-add-alternate-materials?bidId=](http://www.falmouthmass.us/DocumentCenter/View/4822/Falmouth-h-Guidelines_Final-May-2018-add-alternate-materials?bidId=) (Falmouthmass.us – Historical Commission – Documents – Design Guidelines)

### Are new buildings allowed in historic districts?

Most definitely, even new buildings with modern design and architectural styles are allowed. The Historical Commission does not intend the districts to be a museum. What they do try to do, however, is manage changes so that it is both respectful and compatible to the existing buildings within the district.

### Will Falmouth's Historic Districts increase in size with this change?

**No**, the number of properties which are included in the existing historic districts will not increase with this proposed bylaw change. As a matter of fact, **the number of properties in the Historic Districts will decrease with this adjustment.** What will change is that the entire property will be included in the district. As a rule, historic districts include entire houses and buildings included on a property. Under the current bylaw, the district boundary can cut through a house or exclude accessory buildings like a barn. This change will bring these exclusions into the district.



## Falmouth Historical Commission (FHC)

### Proposal to Adjust District Boundaries

The FHC is proposing to adjust the boundary line of the historic districts from the various set back boundaries drawn in 1975, to follow the actual property line of the properties already designated to be in a historic district.

When the historic districts were established through a bylaw enacted by Town Meeting in 1975, the identified districts were areas with concentrations of significant historic properties. At that time, boundary lines were defined as a set-backs from the road for each district, 100', 150' and 200'. These boundary lines did not follow property lines and any property that fell within this boundary line setback is considered to be within the historic district.

### Why the Proposed Change?

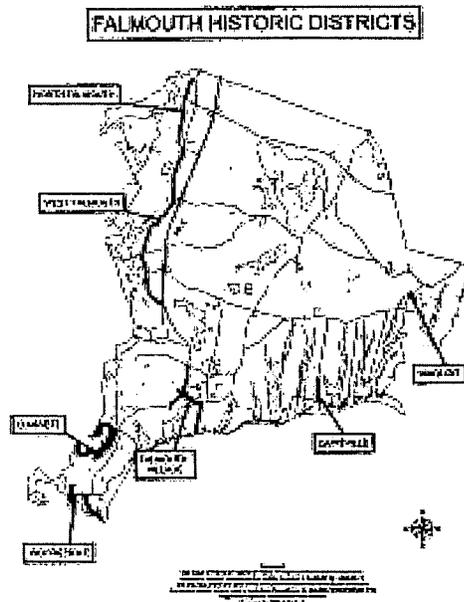
Under the current bylaw, the boundary does not take into consideration the actual property boundary and building placement, and may not include all the buildings that the bylaw intended to protect. The boundary could exclude portions of houses, and/or historic outbuildings like barns. In some cases, entire historic buildings are excluded simply because of where the building is sited. The FHC believes that this change better reflects that spirit of the 1975 bylaw, which intends to protect and preserve the historic character and appearance of these unique Falmouth villages.

## What are the benefits to enacting the proposed change in boundaries?

1. Eliminates the need for certified plot plans to show historic district boundary on the property.
2. Protects historic buildings that may be sited outside of the historic district boundary on a property.
3. Provides oversight of the historic district, which the Historical Commission believes is in line with the intent of the bylaw.
4. Will exclude properties which were included in the district only due to the setback boundary line
5. Provides consistency with all historic districts boundary lines in Falmouth

## What is a historic district?

Simply put, a local historic district is a defined area of historically, visually or culturally related properties deemed significant to the town's cultural fabric. Most often, towns create historic districts to prevent unregulated and insensitive change.



### Where are Falmouth's Historic Districts?

Falmouth has 7 designated local historic districts located in: North Falmouth, West Falmouth, Quissett, Woods Hole, Falmouth Village, East Falmouth (Davisville Rd), and Waquoit. Maps of the historic districts are available on the Historical Commission page of the town website.

## What are the benefits to the town for having historic districts?

Creating a historic district allows a town to manage change within an area of identified historic, cultural and architectural significance. These areas can provide **economic value to the town** by **increasing property values, attracting homeowners and businesses**, and as **an attraction for visitors and tourists**. Preserving old structures is also appealing to conservationists by minimizing the need for new buildings and materials. *By maintaining historic buildings, a community's heritage and history is maintained and remembered.*

## What are the benefits for a property owner to being in a historic district?

Property owners' benefit from being in a historic district in ways similar to the town. Historic districts will retain character and appeal which could result in **higher values for the homes** within the district. Historic districts guidelines also **protect homeowners from inappropriate change to adjacent or neighboring properties**. It insures that **the area that they have chosen to live will retain the character and visual appeal that attracted them there in the first place**. Buildings within historic districts may also **qualify for benefits such as tax incentives and regulation waivers that are afforded to preservation projects**.

## What does it mean to be located in a historic district?

All properties that lie within a historic district are subject to oversight by a local historic preservation commission when changes are anticipated. The changes can range from demolition to renovations. In Falmouth, the Historical Commission has that responsibility. The Falmouth Historical Commission has Design Guidelines, which it uses to review proposed changes. The amount of oversight is outlined in the Design Guidelines adopted by the town.

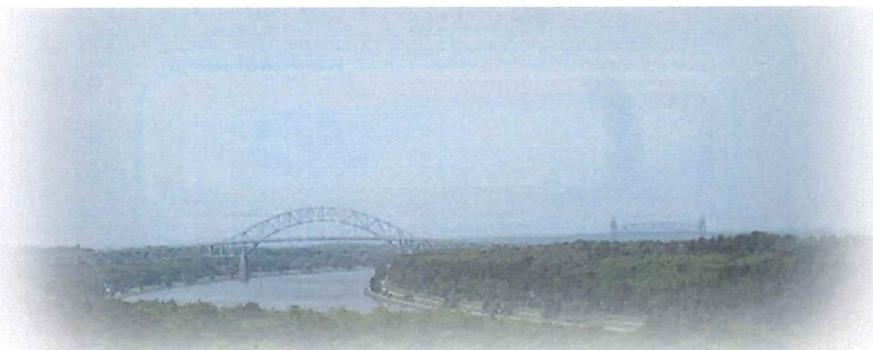
Oversight is limited to design and architectural changes visible from the public way. The review is administered by adhering to guidelines established by the commission charged with oversight.

# JBCC Shared Wastewater Management System

Executive Summary of the July 2019 Report

August 1 to August 6, 2019

Edward Leonard, PE



WRIGHT-PIERCE  
Engineering a Better Environment

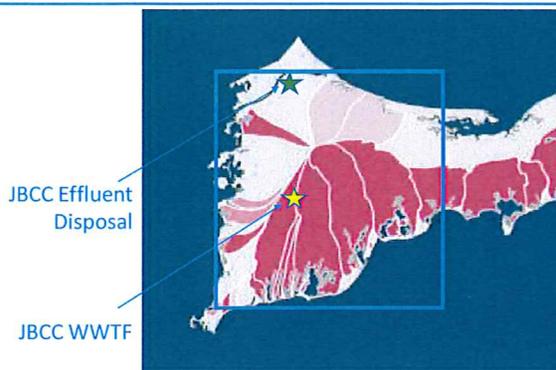
## Presentation Overview

- Regional Context
- Study Participants and Goals
- Background Information
- Candidate Plan
- Cost-Effectiveness
- Implementation Timeline and Action Items
- Discussion

WRIGHT-PIERCE  
Engineering a Better Environment

## Regional Context

- Total Maximum Daily Load (TMDL) Reports established for Nitrogen throughout Cape Cod to improve embayment water quality
- CLF Lawsuit & Settlement Agreement
- Cape Cod Commission 208 Plan Update
- Municipal wastewater management “needs” are significantly larger than “available capacity”
- The JBCC WWTF is located near the “municipal needs areas” and the JBCC Effluent Disposal site is located outside the nitrogen-sensitive areas
- The Upper Cape towns have a long history of working together



Status of TMDLs by Watershed (August 2017)  
Figure 4

- TMDL Not Required
- Draft TMDL Established
- Final TMDL Established



Source: CCC 208 Implementation Report

## Shared Wastewater Management Study

- **Participants:**
  - Bourne (2017 to 2019)
  - Falmouth (2017 to 2019)
  - Mashpee (2017 to 2019)
  - Sandwich (2017 to 2019)
  - Joint Base Cape Cod (2017 to 2019)
  - MassDevelopment (2017 to 2019)
  - Barnstable (2019 only)
- **Received comments on the 2017 Report from:**
  - Dept. of Environmental Protection
  - Cape Cod Commission
- **2017 Project Goals**
  - To identify capacity and cost information for a shared WW approach
  - To confirm interest in participation in shared WW approach
  - To outline a path forward
- **2019 Project Goals**
  - To refine the implementation plan by exploring key items identified in the 2017 effort:
    - Permitting
    - Funding and financing
    - Management entity and inter-municipal / inter-governmental agreements
    - Effluent forcemain capacity
    - Effluent disposal methods and locations

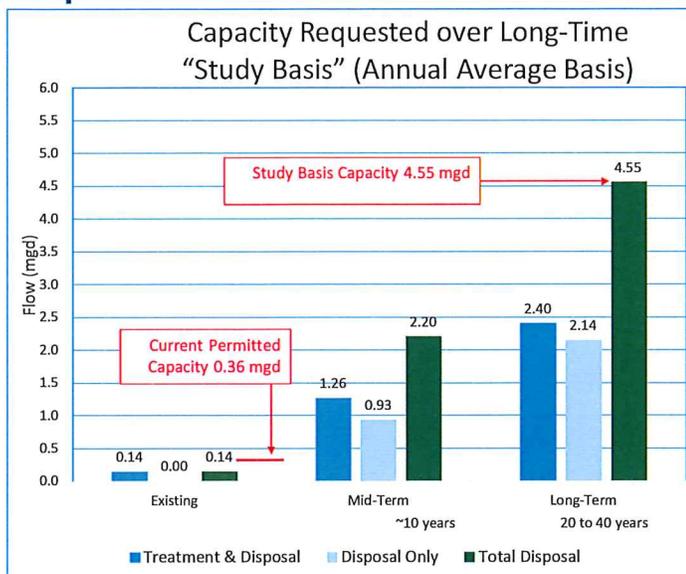


## 2017/2019 SWMS Capacity Requests

- Asked the towns and JBCC to make capacity requests for
  - Short-term, Mid-term and Long-term
  - Sewage, Septage and Effluent
- Study Basis
  - Bourne (effluent and sewage)
  - Falmouth (effluent)
  - Mashpee (sewage)
  - Sandwich (sewage)
  - Barnstable (sewage)

### Key Conclusion

- Significant capacity expansion needed to meet the identified needs



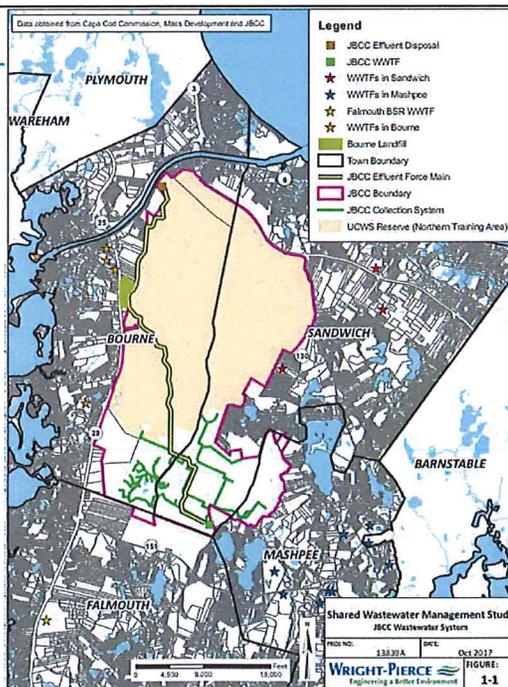
5

## JBCC Wastewater System

- Owned by US Air Force/ MA ANG
- 36 miles of sewer
- 11 Pump Stations
- 0.36-mgd WWTF, annual average (AA)
  - Current flows ~0.14-mgd, AA
- 11 miles Effluent Forcemain
- 0.36-mgd Rapid Infiltration Basins, AA

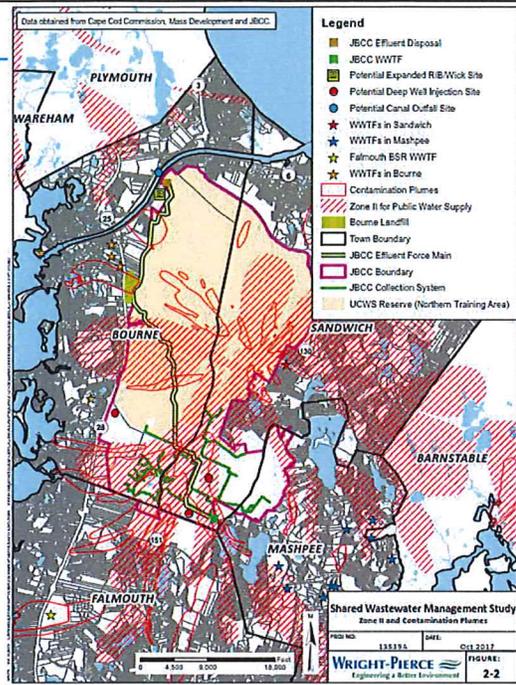
### Key Conclusions

- Adequate land available for treatment
- Effluent disposal is the principal constraint
- Without significant additional effluent disposal capacity, the potential for a JBCC SWMS is limited



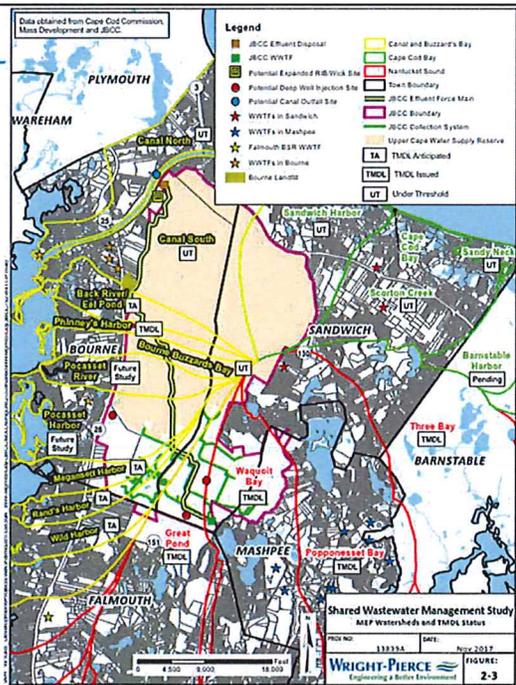
## Effluent Disposal Setting

- Zone II watershed protection areas
- Contamination plumes
- Upper Cape Water Supply Reserve/ Northern Training Area



## Effluent Disposal Setting

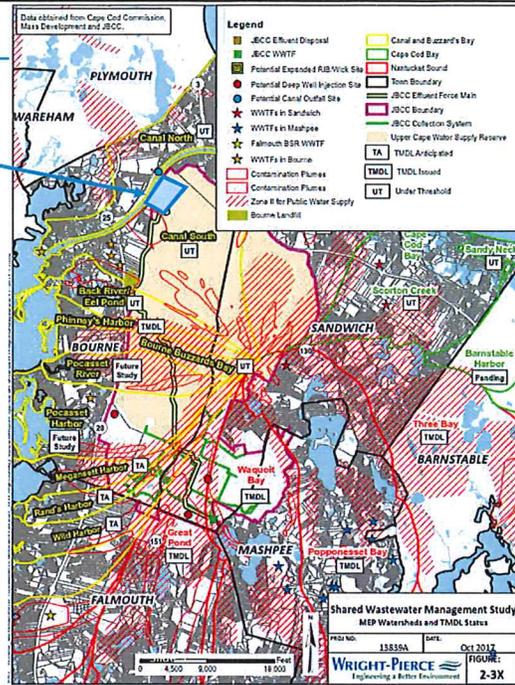
- Nitrogen-sensitive watersheds



## Effluent Disposal Setting

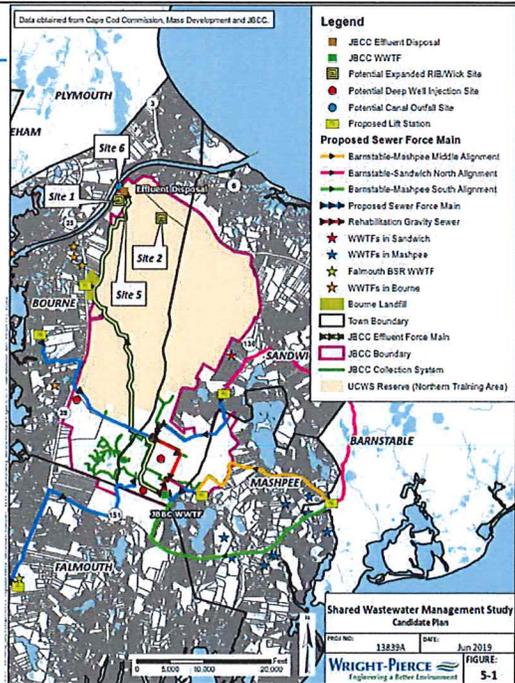
### Key Conclusions

- There is very limited land available for conventional land-based disposal.
- Four effluent disposal options were found to be technically feasible and allowed under MGL (rapid infiltration; wicks; deep well injection; Cape Cod Canal discharge).
- Continue to plan for rapid infiltration, wicks and/or Cape Cod Canal discharge. Consider effluent reuse where practicable.
- Defer consideration of deep well injection disposal into the future.
- JBCC SWMS Effluent Disposal Workshop held in May 2019 which was attended by regulators and interested stakeholders
- DEP indicated their support in a letter issued in May 2019



## Candidate Plan

- Completed an alternatives analysis in 2017 and updated the analysis in 2019.
- Candidate Plan:
  - Construct conveyances from each participating town to JBCC SWMS
  - Construct a new WWTF on JBCC
  - Construct additional transport-to-disposal piping
  - Continue effluent disposal at the existing RIB site
  - Construct new effluent disposal at a combination of Site 1, 2, 5 and/or 6.
  - Estimated capital costs in April 2019 dollars:
    - \$154M for the Upper Cape towns
    - \$229M for the Upper Cape towns plus Barnstable
    - Excludes local collection system costs (at JBCC and within individual towns)



## Cost-Effectiveness

- A key factor in evaluating a regional facility is determining whether the regional facility is cost-effective when compared to the other options a community may have.
- To facilitate this assessment, a conceptual cost allocation model was developed for the JBCC SWMS Candidate Plan. A broad assessment of cost-effectiveness was conducted for the Upper Cape towns. At the scale identified in the 2019 Report, the conclusions are:
  - The JBCC SWMS approach appears to be more cost-effective than individual town facilities
  - The JBCC SWMS approach provides sufficient advantages to warrant continued planning.
- Each participant will need to conduct its own detailed assessment of cost-effectiveness and then determine its desired level of participation.
  - It is important to note that if one participant changes its participation level (i.e., whether an increase or decrease), that change impacts the cost-effectiveness for all of the participants (i.e., better or worse). It may take several iterations in order to arrive at the final participation levels.

## Implementation Timeline and Action Items

- If a regional JBCC wastewater system is to come to fruition, it will require a concerted and multi-track effort from Federal, State and local government officials focused on the implementation action items.
  - Planning, permitting, design and construction of the JBCC SWMS could take 8 to 10 years.
- The recommended action items are to:
  - Confirm effluent disposal capacity
  - Confirm cost-effectiveness and commitment level on a town-by-town basis
  - Confirm desired implementation timeline as a group
  - Secure additional funding for planning activities
  - Facilitate a transition from the "existing condition" to the "JBCC SWMS"
- If the towns desire to continue collaborative planning efforts for this opportunity, an inter-municipal agreement would be beneficial and should be considered.

# THANK YOU

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ed.leonard@wright-pierce.com  
888.621.8156



**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: Abandoned House on Williams Hollow Way**  
**DATE: August 1, 2019**

A discussion of the abandoned house on Williams Hollow Way is included on the Board's agenda for August 5<sup>th</sup>. Williams Hollow Way is an unpaved private road off of Sam Turner Road between Chute Lane and Pondview Drive. Williams Hollow Way is listed as Crooked Pond Drive on Google Maps. Further confusing matters, the address of this 88-acre parcel owned by the Town is 50 Twin Oaks Drive. The location of this structure is shown on the attached map.

Town Meeting authorized acquisition of this property in 1987 "for municipal purposes and/or future water resource protection" under care and control of the Board of Selectmen. Since this acquisition, the property has been evaluated and Ray Jack has advised that this parcel is one of two Town-owned parcels that has real potential for development of future wells.

There is a small house on the property which was vacant for some period of time before the Town acquired the parcel. Last year our office was contacted by an area resident concerned that the property is a potential liability and a cause of some undesirable activity which prompted calls to the Police Department. A capital request to demolish the structure was then prepared and ultimately approved by Town Meeting – article 5 of November 13, 2018. In February, Michael Duffany contacted our office to ask that we hold off on the demolition and consider working with Falmouth Housing Trust or Habitat for Humanity to repurpose the structure for affordable housing. He stated that the structure is sound while acknowledging that a full rehabilitation would be required.

We discussed this request at a meeting with Julian, Ray Jack, Tom Bott, Carla Feroni, and Noreen Stockman among others. Ray expressed concern about any development of this parcel in light of the potential for future well development. It is a consensus staff opinion that this is not a good location for affordable housing. The unpaved private road is in poor condition. The house lot is isolated with poor access to public transportation and services.

As the Board is aware, the Housing Production Plan identifies rental housing as the clear priority for the creation of new housing. The Plan identifies the need for new housing units as 85% rental yet most 40b developments are producing home ownership units – unless they receive a Town and/or state subsidy. An isolated single unit is not viable for rental – property management is not cost effective. A partnership with a housing developer to repurpose this abandoned structure for home ownership will likely require the Town to bear the burden of most of the cost of the complete rehabilitation that will be required. Presently, there is no available balance in the Falmouth Affordable Housing Fund and the Board has recommended allocating an additional \$325,000, subject to future appropriation, for the second phase of the Northstar Place rental housing development permitted at 123 Brick Kiln Road.

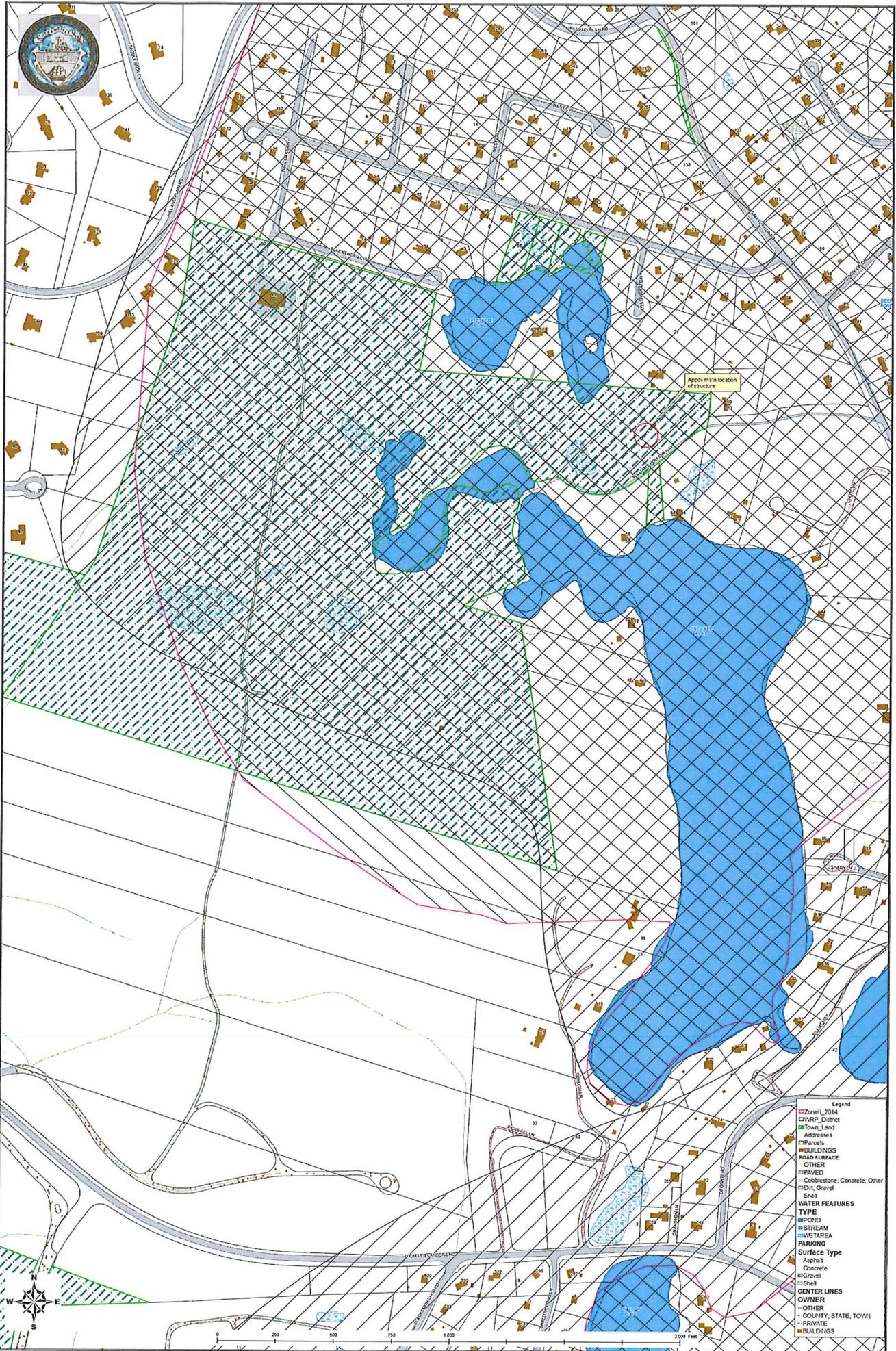
For these reasons, the staff recommendation is that the Board affirm the Town Meeting vote to proceed with the demolition of this structure.

Attachments:

- Site map
- Photographs
- Email message from Michael Duffany

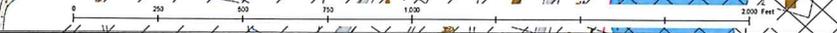
CC: Julian M. Suso, Ray Jack, Thomas Bott, Carla Feroni, Noreen Stockman

//Abandoned House Williams Hollow - BOS Memo 8-1-2019.pdf.docx



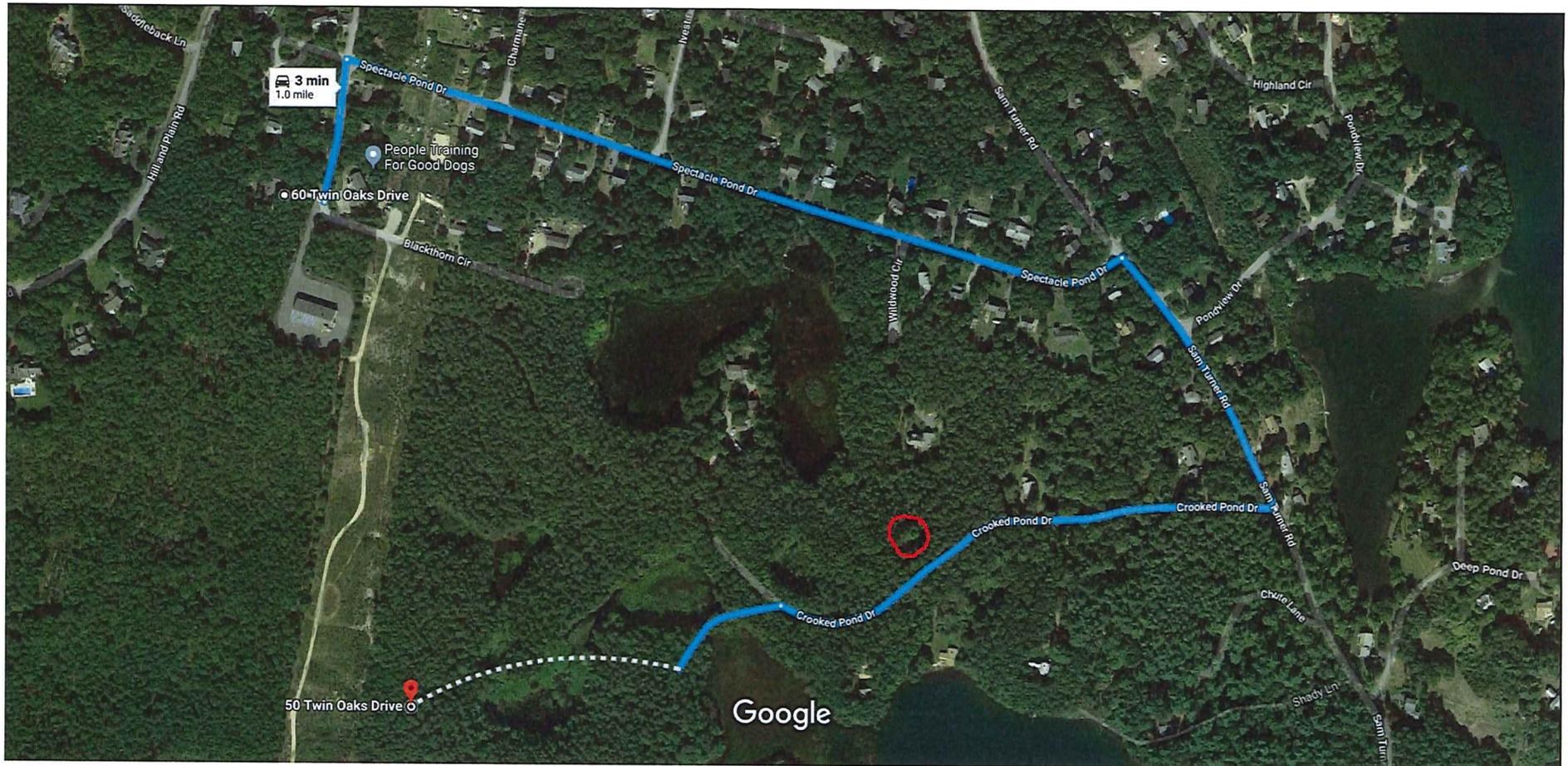
Approximate location of structure

- Legend**
- Zone11\_2014
  - CVIRP\_District
  - Town\_Land
  - Addresses
  - Parcels
  - BUILDINGS
  - ROAD SURFACE
  - OTHER
  - PAVED
    - Cobblestone, Concrete, Other
    - Dirt, Gravel
    - Shed
  - WATER FEATURES**
  - TYPE
    - POND
    - STREAM
    - WETAREA
  - PARKING**
  - Surface Type
    - Asphalt
    - Concrete
    - Gravel
    - Shed
  - CENTER LINES**
  - OWNER**
    - OTHER
    - COUNTY, STATE, TOWN
    - PRIVATE
    - BUILDINGS





60 Twin Oaks Dr, East Falmouth, MA 02536 to 50 Twin Oaks Dr, East Falmouth, MA 02536 Drive 1.0 mile, 3 min



Imagery ©2019 Google, Map data ©2019 Google 200 ft



**From:** Michael Duffany [<mailto:mike@DuffanyBuilders.com>]  
**Sent:** Thursday, February 7, 2019 9:42 AM  
**To:** Falmouth Town Manager <[townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov)>  
**Cc:** M Duffany Builders <[MDuffanyBuilders@duffanybuilders.onmicrosoft.com](mailto:MDuffanyBuilders@duffanybuilders.onmicrosoft.com)>  
**Subject:** Williams Hollow Rd

Julian and Peter,

I am writing you this morning regarding the scheduled demolition of an existing house on Williams Hollow that has fallen into disrepair. I believe this property is referred to as the Shute property. I have examined the home for structural fitness and am happy to report that this structure is very sound. It was built with some of the better lumber that was available at the time of its construction, and is rarely used today because of the cost of the species used (construction grade Fir). It needs a full rehab, but if the roof were repaired and fenestrations boarded up for now, it would allow proper time to repurpose the building for "workforce housing" or another worthy cause. It is a 2 bedroom, 1 bath structure with some incredible stone work all around. 2 working fireplaces, exterior stone steps, and a stone foundation with a walk out basement. Great candidate for the Fal. Housing Trust to run with or Habitat for Humanity to put into the Towns inventory towards our needed goal of affordable housing. This will also help us control the future implications of 40b projects being forced upon the Town. In light of the recent demolition of the structure at Peterson Farm, which I was trying to get some traction on to repurpose, I reach out to you both to let me (and others) see if this building can have a different fate. I'm happy to do a site visit and show why I think it is worth saving.

All this said, I know it is not a slam dunk to repurpose town structures like this, but there is an extreme need for this level of housing and I feel the Town can be a significant contributor toward the solution, and this would be a good starting point for the Town to test the waters.

Thank you for your consideration, Mike

**Diane Davidson**

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**From:** Peter Johnson Staub  
**Sent:** Wednesday, July 31, 2019 5:13 PM  
**To:** Benjamin Veronis  
**Cc:** Julian Suso; Diane Davidson  
**Subject:** RE: Regarding affordable housing proposal for Crooked Pond in Hatchville

Dear Mr. Veronis,

We want to let you know that this matter will be addressed at the Board of Selectmen meeting on August 5th.

We will include your below message in the Selectmen packet for the meeting. You are also welcome to attend this public meeting though we do not know whether the Chair will accept public comment on this matter. This subject will be the third item under the Business section of the agenda which is scheduled for 7:45pm.

Best Regards,  
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.

-----Original Message-----

**From:** Benjamin Veronis [REDACTED]  
**Sent:** Wednesday, July 24, 2019 10:37 AM  
**To:** Falmouth Selectmen <[selectmen@falmouthma.gov](mailto:selectmen@falmouthma.gov)>  
**Subject:** Regarding affordable housing proposal for Crooked Pond in Hatchville

Dear Falmouth Board of Selectmen committee,

My name is Ben Veronis, my family has had a home on Crooked pond for over 50 years, located at 54 Sam Turner Road.

I am writing today with regard to a plan being considered to build affordable housing on a lot at Crooked Pond, adjacent to my family home. Although we understand the ongoing need to find locations in the Falmouth area to provide affordable housing, this location is simply not suitable for this proposal.

There is no infrastructure in place to handle additional homes. There is literally not even a paved road to access the current homes let alone new ones. The home owners surrounding the pond privately fund the maintenance of the single lane dirt road that leads to the various current residences. Many/most of these were built as very modest summer homes in the 1950's and 60's and lack the infrastructure that a more modern development might incorporate. Residents also pay for tree maintenance lining the road when there is an issue with them, and privately plow the road in winter for the homes that are year round.

Building additional homes at the pond could fundamentally change the character of this neighborhood, and I would urge the committee to rethink this proposal.

Sincerely,  
Benjamin Veronis

**Diane Davidson**

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**From:** Julian Suso  
**Sent:** Thursday, August 01, 2019 2:34 PM  
**To:** Diane Davidson  
**Cc:** Peter Johnson Staub  
**Subject:** FW: Possible development of former Baker property / 54 Sam Turner Road

Diane,  
FYI. For BOS packet – “Woods Hollow Road Abandoned House.” Thanks.  
Julian

**From:** Kris Mooseker <[REDACTED]>  
**Sent:** Thursday, August 1, 2019 2:11 PM  
**To:** Falmouth Selectmen <selectmen@falmouthma.gov>  
**Cc:** Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>  
**Subject:** RE: Possible development of former Baker property / 54 Sam Turner Road

Dear Falmouth Board of Selectmen,

We understand that there are discussions underway regarding the abandoned Elsie Baker house near Crooked Pond (off Sam Turner Road), which had been approved for demolition. We are unsure if these discussions are limited to donation/renovation of the existing dwelling itself as a single affordable housing unit, or for possible multiple housing development on some larger portion of the existing acreage. While we appreciate the town’s need for affordable housing, we would argue against any such renovation or development on this property, which we believe is both unsuitable and inadvisable for multiple reasons.

We currently own a small 70-year old seasonal cottage on the border of Crooked Pond. (Mark is a biologist who has been doing summer and teaching in Woods Hole for decades). Our property is accessed via the private dirt lane which also runs along the Baker property. This is a dead end, privately maintained drive, wide enough for a single car only, and with few turnouts. Coping with upkeep and the very limited traffic in and out is already challenging for the few residents who have dwellings there. Moreover, this is a rural area with no nearby business/shopping centers, and no public transportation.

The Baker property abuts fragile wetlands and Crooked Pond which currently supplies a portion of the town’s drinking water. The property was originally purchased by the town through the efforts of the Department of Public Works and the 300 Committee Land Trust as a potential well site and as part of a permanent ground water protection land

buffer and “recharge,” (water collection and filtration) area for the Crooked Pond aquifer, maintained by the undisturbed forestation which currently exists there.

Cape Cod’s ground water is collected through an “unconfined, sole source aquifer,” and it is the single source of drinking water for the population. Along with being more easily impacted by drought than a confined aquifer, it is also extremely susceptible to contamination from land uses such as residential septic systems and lawn fertilizers and pesticides.

Forests play a vital role in maximizing both ground water quantity and purity -- by preventing erosion; by serving as natural “sponges” for the most effective collection and percolation of rainfall and snowmelt; and by filtering pollutants from the water in the soil before it reaches the aquifer.

We have been informed that the Baker property remains one of the few parcels in Falmouth that retains potential for future well development, and through its forest conservation, for clean, reliable water. We do not believe it would be in the town’s best interest to undermine, much less risk the loss of this invaluable resource.

Additionally, Crooked Pond is a coastal plains pond designated as ‘protected’ due to the endangered plant and animal species 500 feet down hill from the Baker property. Undisturbed coastal plains ponds (ponds totally supplied by ground water rather than streams flowing in and out) were once common and today are increasingly rare, largely due to the pressures of development. The Natural Heritage and Endangered Species program of the Massachusetts Department of Environmental Protection has rated Crooked Pond as one of the few top examples of a pristine coastal pond in the state. Many of the exceptionally abundant indigenous plant, bird, animal and amphibian species in and around the pond unquestionably depend on a significant buffer of forested land, both for habitat and for effective water filtration to maintain the clean and plentiful ground water which supplies the pond. (For many species -- such as frogs which have highly permeable skin – water pollution can mean extinction).

To jeopardize this unique and irreplaceable ecological site would be an immeasurable loss.

We believe that residential development of any kind or scale would be wrong for this land parcel, and would betray the original and admirably far-sighted purpose of its acquisition and preservation by the town of Falmouth.

Mark Mooseker  
Kristine Mooseker

64 Sam Turner Road, East Falmouth, MA  
and 219 Blake Road, Hamden, CT

**Diane Davidson**

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**From:** Julian Suso  
**Sent:** Friday, August 02, 2019 8:18 AM  
**To:** Diane Davidson  
**Cc:** Peter Johnson Staub  
**Subject:** FW: Re. August 5 agenda item: Williams Hollow Way property  
**Attachments:** road 3.jpg; road 2.jpg; road 4.jpg; road 1.jpg; Baker house 0.jpg; Baker house 1.jpg; baker house 3.jpg; roof corner.jpg

Diane,  
Another email for BOS packet. Thanks.  
Julian

**From:** Henrietta Trantum <[REDACTED]>  
**Sent:** Thursday, August 1, 2019 10:19 PM  
**To:** Falmouth Selectmen <selectmen@falmouthma.gov>  
**Subject:** Fw: Re. August 5 agenda item: Williams Hollow Way property

Re. Discussion of Williams Hollow Way Abandoned House on Agenda for August 5, 2019

Dear Falmouth Board of Selectmen,

I have been a resident of Williams Hollow Way for 45 years, raised my children here, built and operated the Nickelodeon Cinemas.

The Elsie Baker property is on a single lane, dead end, private, dirt road .6 miles long and 15 feet wide. The Baker property is .25 miles from Sam Turner Road. There are eight houses along the road. Five are year round, three are summer residences. We do not have a neighborhood association. We have maintained the road ourselves, dividing any costs equally. The power line is also private. We replaced the old poles three years ago. Each winter any damage from fallen trees results in several power outages of one to ten days. Three houses have generators, the others do not. William Buchanan has been plowing the road over the last ten years. The school bus stops at the end of Pondview Drive .33 miles from the Baker property. There is no public transportation available. The nearest convenience stores are in North Falmouth (3 miles) and Sandwich Road corner with Route 151 (3 1/2 miles). There are no amenities any closer.

We have provided photographs to show the current condition of the road and the house. The Baker 'house' has been abandoned since 1986. It is on an unimproved lot with no power or road access. Recently it was boarded

up following at least 25 years of destruction by squatters, vandals and coyotes as well as tree limbs that fell on the roof. It is in extremely poor condition.

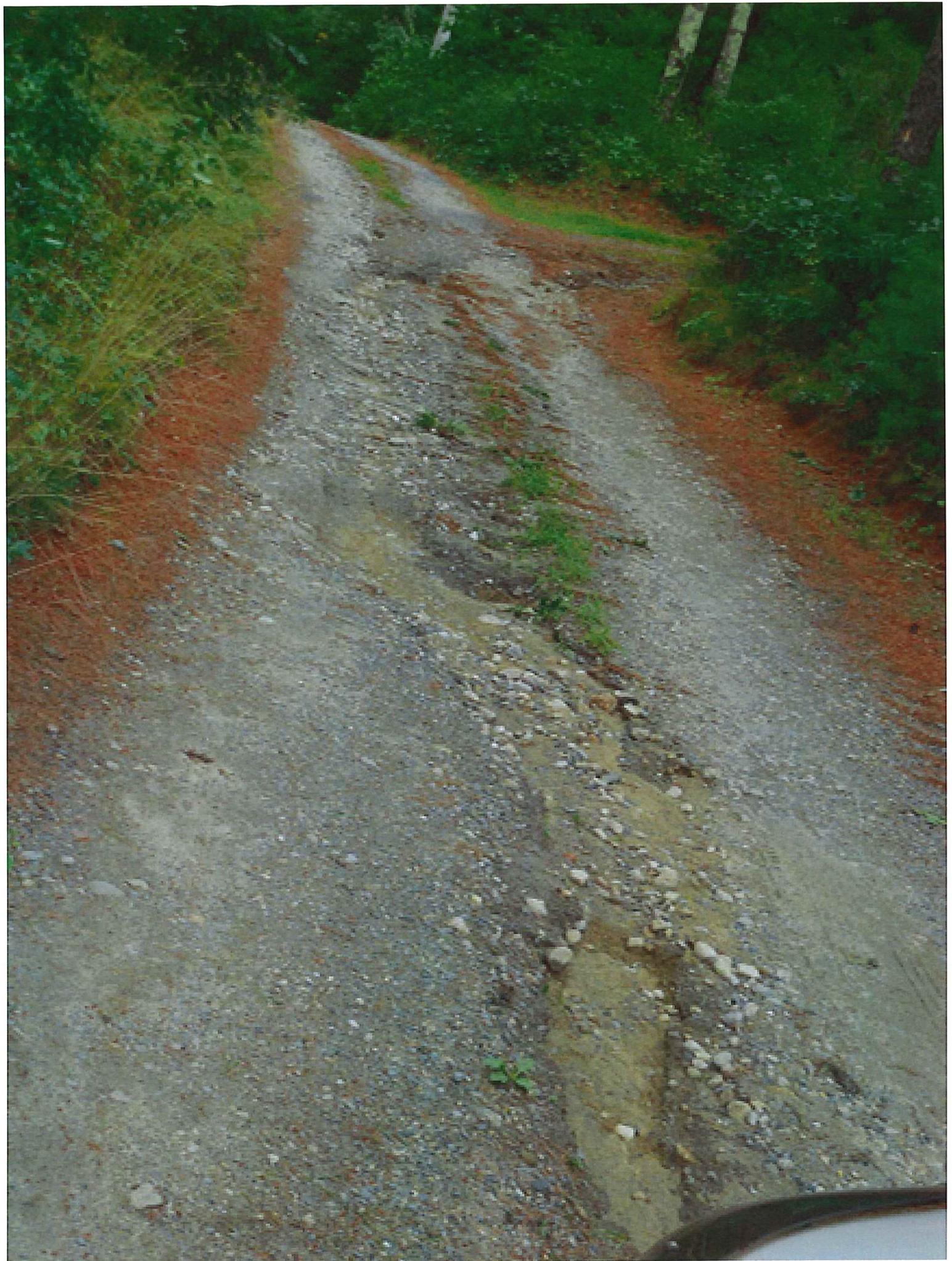
The area is zoned agricultural AA and was originally purchased by the town as a permanent well site and for ground water protection. The Crooked Pond Well provides 1/6th of the town's water. Other wells are planned for the area.

The property abuts fragile marshes and there are endangered species of plants and animals 500 feet down hill from the Baker 'house'. Crooked Pond is designated a 'protected pond' and The Natural Heritage and Endangered Species program of the Massachusetts Department of Environmental Protection has declared that Crooked Pond is a rare, if not unique example of a pristine coastal pond in the Commonwealth.

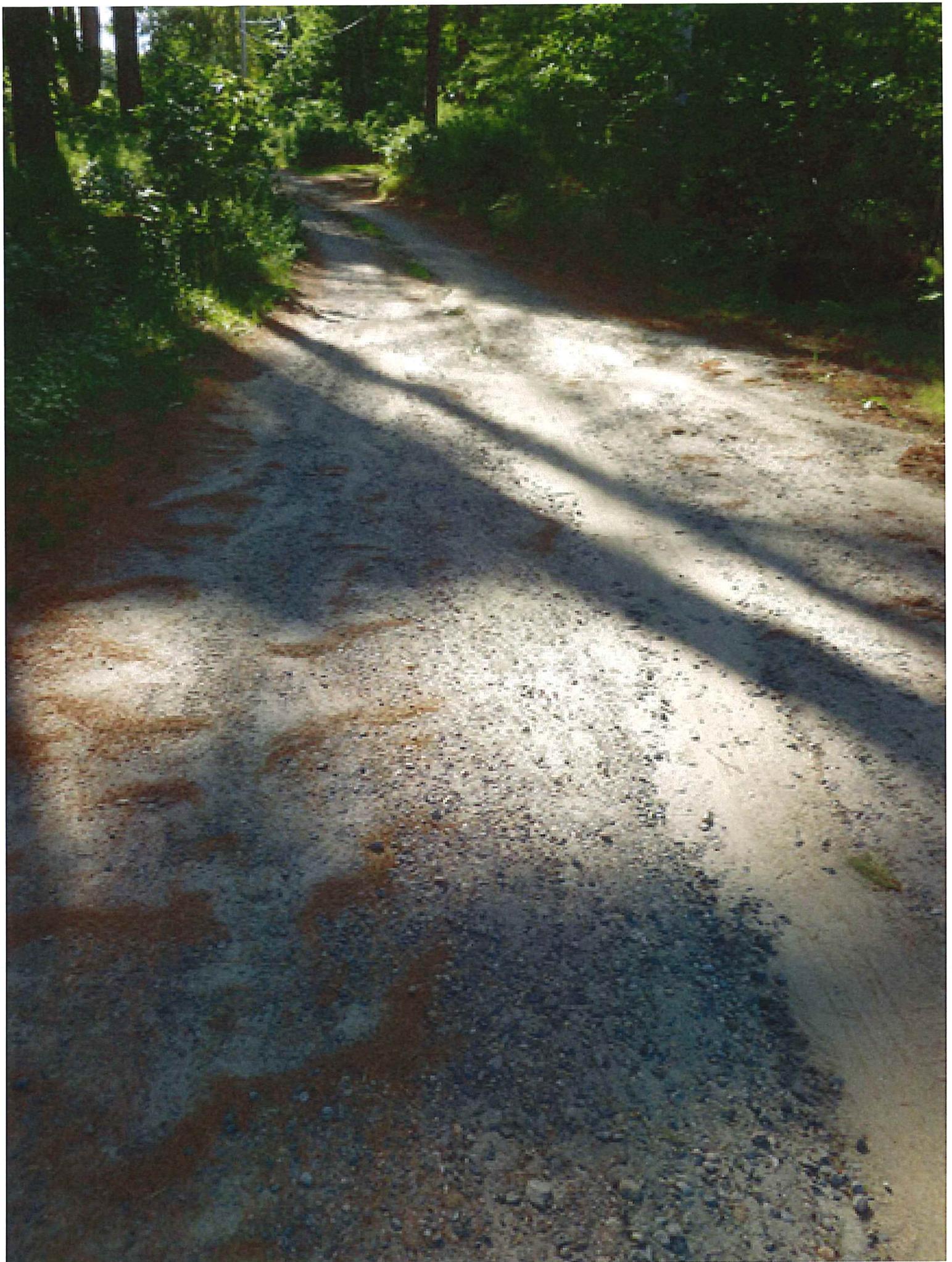
Town Meeting voted the funds to tear down what remains of the Baker house in November 2018. Surely the town can find better uses for its money than to develop this derelict property.

Respectfully,

Henrietta Tranum



















Dear Falmouth Board of Selectman,

This letter is regarding plans for the abandoned house situated on what is known as the Baker Property on a dirt lane off Sam Turner Rd.

I don't believe this will be a good choice for affordable housing because of the added costs of road and utility maintenance.

The dirt road is one lane wide and maintained by the people who live on it. In the winter it can remain unplowed for up to several days.

The power lines are private, repaired at the expense of the owners along the line and subject to the availability of the utility company. In the event of a large storm it could be weeks before power is restored.

I believe the best choice for the property would be to continue with the plan for demolition and allow it to return to its natural state as a ground water buffer.

Respectfully,

Kristine Eddy

60 Sam Turner Rd. (AKA Williams Hollow Way), East Falmouth

**Diane Davidson**

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**From:** Tom Weaver [REDACTED]  
**Sent:** Friday, August 02, 2019 4:07 PM  
**To:** Falmouth Selectmen  
**Cc:** Peter Johnson Staub  
**Subject:** Baker house on Williams Hollow Way

My name is Tom Weaver and I am a full-time resident on Williams Hollow Way in Hatchville.

Williams Hollow Way is a dead-end one-lane dirt private road. In the winter it is not uncommon for the residents to lose power and road access for multiple days.

The road is located about 300' from Crooked Pond. The nearby water filtration plant draws water from the Crooked Pond well and supplies about 1/6 of the town's water. It seems to me that the town would like to protect this valuable water source from possible contamination and runoff. The town has identified locations for more wells on the property.

The Baker house was abandoned before Falmouth bought the property in 1987. Since then the only residents of the house have been wildlife such as deer, coyotes, squirrels and various birds. The windows were been broken out long ago and the interior used by squatters and people looking for a place to party. The whole house has been exposed to the elements for many years. The house is not in good condition. Extensive work would be required to make it habitable.

Protection of the water supply and the need for more wells in the future plus the isolated location of the house would seem to make the Baker house to be not a viable candidate for rehabilitation and re-occupation.

Thanks for your consideration on this issue.

Tom Weaver

Falmouth Rotary Club Craft Fair Signs:

Request for off-premise promotional signs for Rotary Club Craft Fair at Marina Park on Saturday, August 31, 2019 and Sunday, September 1, 2019.

Length of time: August 26 – September 1, 2019

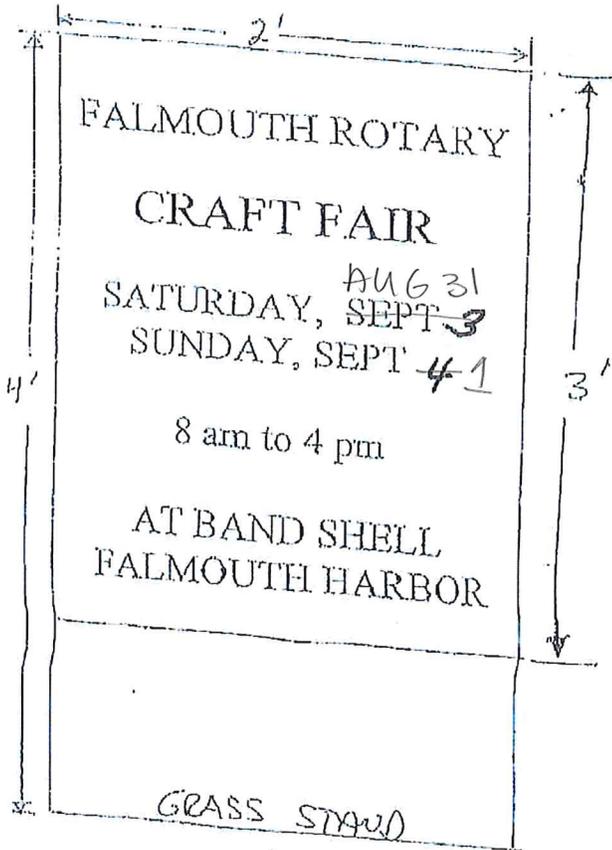
Locations:

1. Smitty's Ice Cream Shop, Rt. 28, East Falmouth
2. John Barrett Real Estate Office, Rt. 28, East Falmouth
3. Deer Run Veterinary Clinic, Rt. 28, Teaticket
4. Condos at corner of Sandwich Rd. and Brick Kiln Rd., East Falmouth
5. Corner of Scranton Ave. and Rt. 28, Falmouth
6. Suzanne Glynn's Office, Locust St., Falmouth
7. Corner Rt. 151 and Sandwich Rd., Hatchville
8. Rt. 151 by the Rt. 28 overpass, North Falmouth
9. Jack in the Beanstalk, Rt. 28A, North Falmouth
10. Crabapples Restaurant, Rt. 28, Falmouth
11. The Eatery Restaurant, 151 Sandwich Rd., East Falmouth

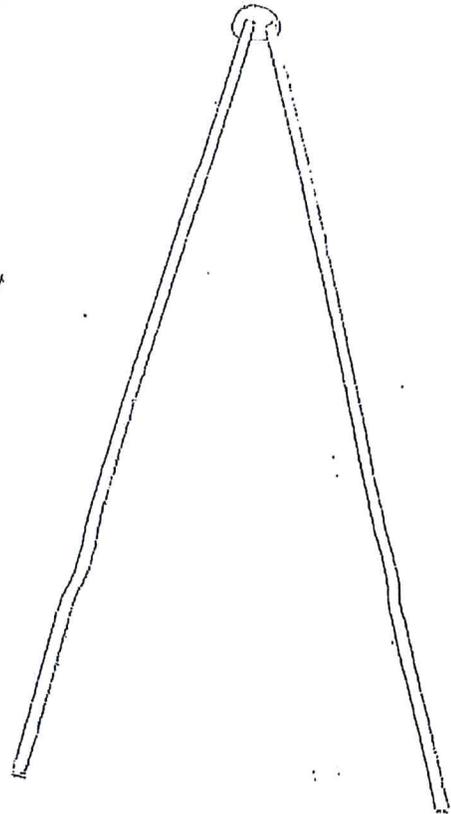
Quantity: 11

Size: (2 ft. x 3 ft.) 6 square feet. Sign size is within the 8 sq. ft. maximum size; therefore, no Sign Review Committee recommendation is needed.





FRONT &  
BACK VIEW



SIDE VIEW

JOHN P. VIDAL

Phone (508) 548-6757  
fax (508) 540-2055

P.O. Box 654  
East Falmouth, MA 01936  
e-mail: jvidal1768@msn.com

June 28, 2005

Bill Kerfont

RE: Location of Rotary Antique Fair Sandwich Board Signs

- ① Smithy's Ice Cream Shop Rt. 28 East Falmouth
- ② John Barrett Real Estate Office Rt. 28 East Falmouth
- ③ Deer Run Veterinary Clinic Rt. 28 Teaticket
- ④ Condos @ Corner of Sandwich Rd. and Brick Kiln Rd. East Falmouth
- ⑤ Corner of Scranton Ave. and Rt. 28 Falmouth
- ⑥ Suzanne Glyn's Office Locust Street Falmouth
- ⑦ Corner Rt. 151 and Sandwich Rd. Hatchville
- ⑧ Rt. 151 by the Rt. 28 Overpass North Falmouth
- ⑨ Jack In The Beansfall Rt 28A North Falmouth
- ⑩ Crabapples Restaurant Rt. 28 Falmouth
- ⑪ The Eatery Restaurant 151 Sandwich Rd. East Falmouth

8/5/19

**Veterans' Council Committee Appointments:**

<b>Organization</b>	<b>Name</b>	<b>Term Until</b>
Amvets	James (Jim) Sawyer	6/30/20



TO: Whom it may concern, Chair, Town of Falmouth Veterans Council

FROM: Lionel Hall, Commander, Falmouth AMVETS Post 70

Date: July 3, 2019

SUBJECT: New Appointee, Falmouth AMVETS, Veterans Council Representative

Dear Ahmed,

I am pleased to announce that James (Jim) Sawyer, a long time member of AMVETS Post 70, is hereby re-appointed as AMVETS Falmouth Veterans Council Representative. On this day of our Lord, the 3rd of July in the year 2019.

Jim has excellent credentials as you know. If Mr. Sawyer needs to complete any additional paperwork before he can join you. Please notify me by email or Jimmy at the next regular Falmouth Veterans Council meeting.

May God bless you and the Council's future efforts.

Sincerely,

Lionel Hall Jr.  
Commander,  
Falmouth AMVETS Post 70

**Annual Committee Reappointments**

The Building Code Board of Appeals terms are for 5 years (not the standard 3 years). I listed the term date as 6/30/22 in error (see attached reappointments made at the meeting of 6/24). The members should have been appointed to terms ending 6/30/24.

<b>Committee</b>	<b>Incumbent for Reappointment</b>	<b>Term</b>
Building Code Board of Appeals	Fred Giampietro	6/30/24
	Michael McGrath	6/30/24
	Michael Duffany	6/30/24

Thank you.

## 6.

**Annual Committee Reappointments**

The following incumbents have expressed interest in being reappointed to the following committees:

## Non-regulatory boards:

Committee	Incumbent for Reappointment	Term
Affirmative Action Committee	Patricia Oshman Megan Hanawalt	6/30/22 6/30/22
Affordable Housing Committee	Edward Curley	6/30/22
Agricultural Commission	Karen Schwalbe John Simonds	6/30/22 6/30/22
Beach Committee	Dan Shearer Margaret Mitchell	6/30/22 6/30/22
Bicycle and Pedestrian Committee	Edward Gross	6/30/22
<u>Building Code Board of Appeals</u>	Fred Giampietro Michael McGrath Michael Duffany	6/30/22 6/30/22 6/30/22
Cable Advisory Committee	Robert Mascali <i>Donna Buckley</i>	6/30/22 6/30/22
Cape & Vineyard Electric Cooperative	Rosemary Carey	6/30/22
Constable	Ronald Braga	6/30/22
Commission on Disabilities	Kathleen Haynes	6/30/22
Commission on Substance Use	Beverly Ciavola	6/30/22
Council on Aging	James Vieira	6/30/22
EDIC	<i>Brooks Bartlett</i> Christopher Simmler	6/30/22 6/30/22
Energy Committee	Rosemary Carey	6/30/22
Human Services	Ann-Beth Ostroff Barbara Sullivan	6/30/22 6/30/22
Recreation Committee	Robert Brown Michael Heylin	6/30/22 6/30/22
Shellfish Advisory Committee	Scott Lindell John Sylvia, Sr. Brian Ridgeway	6/30/22 6/30/22 6/30/22
Solid Waste Advisory Committee	Linda Davis	6/30/22
South Cape Beach Advisory Committee	Donald Clarke	6/30/22
Upper Cape Reg. Trans. Station Board	Ray Jack	6/30/20
Veterans Council Committee	Kevin Casey Robert Foos Randy Collette	6/30/20 6/30/20 6/30/20
Water Quality Management Committee	John Waterbury Thomas Duncan	6/30/22 6/30/22
*Waterways Committee	Charles Eastman Daniel Shearer	6/30/22 6/20/22

Should  
be  
6/30/24

\*Note: Contested Seats

**TOWN OF FALMOUTH**  
**BOARD OF SELECTMEN**  
**Meeting Minutes**  
**MONDAY, JULY 8, 2019**  
**SELECTMEN'S MEETING ROOM**  
**TOWN HALL**

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

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

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

1. **Call to Order by Chair English Braga at 6:30 p.m. and motioned to convene the executive session under MGL c30A,s.21 (a)(3)- To discuss strategy with respect to collective bargaining-Falmouth Police Sergeants-NEPBA Local 61 and Falmouth Firefighters Union Local 1397 because to not go into executive session could prejudice ongoing negotiations. Ms. Moran 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 item and return to Open Session after discussion. Roll call vote: Mr. Brown, aye; Mr. Patterson, aye; Chair English Braga, aye; Ms. Moran, aye; Mr. Jones, aye.**
2. Chair English Braga reconvened the open session at 7:03 p.m.
3. Pledge of Allegiance
4. Proclamation
5. Recognition  
Mr. Brown recognized the beach lifeguards at Chapoquoit Beach assisting a man in distress.  
  
Mr. Patterson recognized the Falmouth Fireworks Committee for organizing the event and Falmouth Police Department (FPD) for organizing traffic flow.
6. Announcements  
Mr. Johnson-Staub announced the Board of Selectmen (BOS) met in executive session and discussed the Falmouth Fire Department bargaining, the Town and Union have ratified the contract for fiscal years 2019-2021. Thanked all involved for bargaining in good faith.
7. Public Comment  
Joseph Strazula, sent material to the BOS regarding changes at the Chapoquoit road access.  
  
Marc Finneran, Precinct 6, thanked for taking care of posting the no trucking signs and notifying GPS to stop sending trucks down Trotting Park Road. There are stop signs in the Heights area, though none on Grand Ave. where Jericho meets Worcester Court.  
  
Betsy Gladfelter, Conservation Commission, provided an update on the Coonamessett River Project. Provided schedule of activities, Swifts crossing will finish in September, putting out bid for phase 2 in July which removes removal of dam, replacing culvert on John Parker Road, and another project.

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

1. Licenses
  - a. Approve Application for Special One-Day Wine and Malt Liquor License – Food Truck Festivals of America – Food Truck and Craft Beer Festival – Cape Cod Fairgrounds, 1220 Nathan Ellis Hwy. – Saturday, 8/10/19  
  
Leslie Lakes, event producer, told the BOS this is the 7<sup>th</sup> year doing this event.  
**Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

- b. Approve Application for Special One-Day Wine and Malt Liquor License – Climate Concert – Woods Hole Research Center, 149 Woods Hole Rd. – Saturday 7/20/19

Dave McGlinchey, Director of Government Relations WHOI, is expecting 200 people, parking accounted for.

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- c. Application for New Entertainment and Sunday Entertainment License – Bad Martha’s Farmer Brewery, Located at 876 East Falmouth Highway, East Falmouth

Kevin Klauer, Ament and Klauer Law Firm, representing Bad Martha’s. Joshua Flanders, GM of the new site was also present. Opening in a few weeks and request entertainment license to have ability to schedule daily, 1-2 musicians at any given time, late afternoon/early evenings. 12pm-9pm hours of operation, may set up inside or outside. If outside amplification, it will be directed to the building in the patio area.

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- d. Approve Application for new Second-Hand Dealer License – Calico Collections – 94 E. Falmouth Hwy. (inside Home Again Consignments), E. Falmouth

Lee Wynn, renting booth in D’s Home Again. This is divided up into booths.

**Ms. Moran motion approval. Second Mr. Brown. Vote: Yes-5. No-0.**

2. Administrative Orders

- a. Approve Eversource Energy Petition to Install one (1) 4” Conduit and one (1) Handhole 283/H5 on Cape Codder Road, East of Standish Avenue

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

- b. Execute Discharge of Mortgage, 12 Amvets Avenue, Falmouth

Mr. Suso noted recommendation from Town Counsel’s office to move forward on this.

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- c. Vote to Approve Expenditure from the Police Donation Account in the Amount of \$3,272.00 for Lettering on Hidden in Plain Sight Vehicle

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- d. Notice of Naming Request: Marina F. Andrews Community Garden; memorial boulder to be placed at Tony Andrews Farm. Per Naming Policy, Board will consider action after July 8, 2020.

**Mr. Jones motion to allow the time to start. Second Mr. Patterson. Vote: Yes-5. No-0.**

- e. Approve Annual Transfer of Funds Request for Snow and Ice  
Mr. Suso noted this is brought to the BOS annually at end of the fiscal year and is recommended.

**Chair Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- f. Affirm Letter of Retirement Request for Legislation – Police Department  
Mr. Suso explained 1 year ago incident involving shooting of Officer Dimiranda and Officer Moore, the year that followed they were involved in efforts to return to regular service, but that has not occurred, neither will return to active duty. This letter, if affirmed, would petition the legislature for special legislation to allow retirement. The FPD Chief and Mr. Suso have sent letters of support for this as appointing authority. Remains for the BOS to consider.

**Mr. Patterson motion to affirm sending the letter. Second Mr. Brown. Vote: Yes-5. No-0.**

- g. Notice of Naming Request: Rename the Falmouth Community Play Space to Evans Inclusive Play Space & Park. Per Naming Policy, Board will consider action after July 8, 2020.

Kathleen Haynes, Chair Commission on Disabilities, is concerned about the naming is that they have had to use the name when they apply for next CPC grant and needs the BOS permission to file grant in August. Need to incorporate the friends of to continue fundraising and asked how to reconcile a start date, they are using the name already.

Mr. Johnson-Staub noted that it is feasible to have nonprofit with a name that is separate and distinct matter from what is the name of the park that they formed for and fundraise for. The CPC grant can say the address and does not have to have a name to submit an app or raise funds.

Mr. Brown has been attending the meetings, Evan travels with his family to New Bedford to go to a playground, and there are not a lot of these facilities. Evan has been coming to the meetings and is inspirational and that is the reason for the name.

**Mr. Brown motion to toll the time to start. Second Ms. Moran. Vote: Yes-5. No-0.**

### 3. Special Events

**Recurring – Recommended:**

- a. Annual Neighborhood Cookout – Bayside Drive Beach – Saturday, 7/20/19

**Mr. Jones motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

**New – Recommended:**

- a. Blues & Views Concert – Bandshell at Marina Park – William Maurer – Wednesday, 8/28/19

Bill Maurer noted free concert, local performers. Partnership with Falmouth Homeless prevention program and voluntary donations at the concert. He is paying the artists out of his own pocket this year. If successful he would like to continue it next year.

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

- b. Beach Wedding Ceremony – Chapoquoit Beach – Parrelli-Dmitruk – Saturday, 5/16/20

**Mr. Patterson motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

### 7:30 p.m. PUBLIC HEARINGS

- 1. Wetland Hearing – George & Lori Andrews – Construct a fixed pier that will extend approximately 70 feet beyond mean high water into Eel Pond, located at 212 Edgewater Drive, East Falmouth

Chair English Braga read the hearing notice.

Michael Borselli, Falmouth Engineering, represented applicant and explained the project. They want to reconstruct an existing pier, ramp, and float. During title exam there was no chapter 91 license for the existing standard dock. Rebuild to today's standards, fixed, elevated above salt marsh, and public access above the fixed pier, remove floats in low water. The Conservation Commission issued notice of conditions. The plan was reviewed via PowerPoint. Harbormaster commented and saw no issues with this change. In 1991 the BOS issued a special permit but never went any further. Applied for 2 vessels.

Mr. Jones noted the south pier is about the same length, Mr. Borselli noted it is a bit smaller; less than 25%. Access stairs go to the sand. The steps will be under water at high tide. Mr. Jones would like the pier not be able to be leased, loaned, used for another use, and limited to 2 boats.

Public comment: none.

**Mr. Jones motion to close the hearing. Second Ms. Moran. Vote: Yes-5. No-0.**

Mr. Jones motion to approve with findings that this new dock is an improvement over what was there, the homeowner will need to get a license, is not affecting navigation, is in keeping with the piers near it, and limited to 2 boats at the dock. Second Mr. Patterson. Vote: Yes-5. No-0.

2. Application for a New All Alcoholic Common Victualler License – Bluefins Falmouth, Inc. d/b/a Bluefins, Located at 295 Main Street, Falmouth

Chair English Braga read the hearing notice.

Andy Baylor, owner, this is the same restaurant he has had in Chatham for 5 years, fishhouse/sushibar/hotkitchen with martini bar atmosphere.

TIPS certified for all staff, he is certified, GM is certified, and all have a lot of experience. High end adult/family kind of place. Seating at this time is indoors.

There was discussion about whether a variance will be needed for tying into the sewer. Mr. Johnson-Staub will look into that issue.

Public Comment-none.

**Mr. Jones motion to close the hearing. Second Ms. Moran. Vote: Yes-5. No-0.**

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

**Left off here: BUSINESS**

1. Report – Commission on Disabilities  
Kathleen Haynes, Chair, brought attention to the BOS list in the packet, much work that has been accomplished. A few items have not yet been done. Trucks on Main Street, possibly not have 18 wheelers using Main Street in the summer, maybe deliveries during certain hours. Curb cuts by Colonial Gas Station and Rite Aid present problems. Volunteer parking patrol, the fines go to the Commission on Disabilities and donated money to the Commodore's vertical lift. Vendor Fair was successful. Bicycle Committee cannot solve problems for people in wheelchairs/crosswalks. Ms. Haynes made a PowerPoint presentation and reviewed photographs exhibiting work needed, including the Falmouth Mall parking lot, North Falmouth School playground, Trotting Park Fields, she would like to get these improvements done.

Playground contract signed for surveying of the playground, awaiting retainer. Landscape architects are on board once the surveying is done. They will go back to the CPC for next application deadline of 8/7/19.

2. Interview, Vote and Appoint Committee Members:
  - a. Board of Assessors  
Brian Ridgeway until 6/20/22  
**Mr. Jones motion to appoint Mr. Ridgeway to a term ending 6/20/22. Second Ms. Moran. Vote: Yes-5. No-0.**
  - b. Conservation Commission  
**Mr. Jones motion to appoint Mr. Bird to a term ending 6/30/22. Second Ms. Moran. Vote: Yes-5. No-0.**

**Mr. Patterson motion to appoint Mr. Matthews to a full member position ending 6/30/22. Second Mr. Jones. Vote: Yes-5. No-0.**

**Mr. Jones motion to appoint Mr. Robbins to a full member position ending 6/30/22. Second Ms. Moran. Vote: Yes-5. No-0.**

**Mr. Jones motion to appoint Mr. Gurney to a full member position ending 6/30/20. Second Mr. Patterson. Vote: Yes-5. No-0.**

**Mr. Jones motion to appoint Mr. Walsh to an alternate position ending 6/30/22. Second Ms. Moran. Vote: Yes-5. No-0.**

- c. Historical Commission  
Kara Foley

Runs family real estate business in Falmouth, has interest in what happens in our Town. Would like to learn more about the commission and how it works. She can also educate those coming to look for property, not all understand how it works. She is both a traditionalist and innovator of Main Street, but leans more to traditional side.

Mr. Jones noted charter recommends someone from real estate background.

Term ends 2022 for 2

**Mr. Jones motion to appoint Mr. Haddad to a position ending 6/30/22. Second Mr. Patterson. Vote: Yes-5. NO-0.**

**Mr. Jones motion to appoint Ms. Foley to a term ending 6/30/22. Second Mr. Patterson. Vote: Yes-5. No-0.**

**Mr. Jones motion to appoint Ms. Drescher as alternate to a term ending 6/30/22. Second Mr. Patterson. Vote: Yes-5. No-0.**

3. Status/Update on Seasonal Parking and Related Traffic Issues

Captain Reid, FPD, this time of year parking is challenge and there were some questions/confusion about clarifications to parking bylaws. Parking regulations were not changed to street parking, clarification made approved by the BOS that clarified how on street parking has been enforced.

Chapoquoit Beach area: street no parking area, previously posted no parking, now posted no parking tow zone. No space to have a standby lane because the roadway is too narrow.

Mr. Suso noted downtown parking 3 hour limit is being enforced by summer police officers. Educational process around the post office for the 30 minutes spaces.

Captain Reid will look into whether meters recognize cars and can refuse to allow meter be used for an additional three hours.

Peg Noonan Park parking is not allowed overnight, summer officers can monitor the parking lot, but it does not have a limit during the day.

Joseph Strazula, Old Dock Road, uses Chapoquoit Beach and pointed out even though roadway is posted no parking, there has always been live parking accessing the beach. This year the sidewalk was removed, which was a surprise and roadway was made wider. This is a dead end road, access to the beach limited to residential stickers, when you go up the road, there is a turn around to go back to the beach, all these things accommodated people getting into the beach. It's turned into a problem on certain days. When the police officer comes they move those waiting along, but then people get back into line. Without considering servicing the community to access to public beach, a 30 year process was changed when sign went up with no cue sign. DPW, Beach Committee, and FPD need to work on a solution/accommodation for the reality of the situation.

Peter McConarty, DPW Director

Problems over the years with stacking and cuing lanes, people want to follow Old Silver Beach, not all beaches can do that. Last year conversations about how to improve parking at the lots, Chapoquoit Road was assessed, need 30 feet of roadway in the area, they were only getting 28.5 feet and at some point those exiting out of the road and those going in will be a conflict. Removing the sidewalk to make a stacking lane, no one really used the sidewalk, but did not make the distances. Last summer new signage no parking went up. This past week the DPW put up temporary no parking. The roadway is constricted by the guard rail and the dunes. Also have area further down Chapoquoit Road blocked off near seawall. The DPW needs unilateral lanes, so someone would have to guide if they go with Mr. Brown's suggestion of closing to one way for some time during the summer.

Captain Reid noted that during high peak, that is the period that FPD has the least ability and he has no confidence they could provide service on those peak dates. Parking attendance and residents of the island call the FPD for response.

Marc Finneran, Precinct 6, commented that the Conservation Commission is creating another problem without a solution. He thinks they should come back with a survey on what to do.

4. Presentation – Vulnerability Assessment – Woods Hole Group  
Jen McKay, Staff Liaison, explained the background of this assessment.

Elise Leduc, Woods Hole Group, presented a PowerPoint presentation with update. Reviewed the overall project and results of Task 1, results of Task 2. Reviewed diagram of present day inundation risk in the North Falmouth area. Model results were developed for present day, 2030, 2070, probability of inundation maps developed for each time horizon, depth of inundation maps will be developed. Goal is defining the risk for each assets including buildings, structures, above ground utilities, roads, bridges, recreation facilities, bike path, Trunk River sewer main, boat ramps, and coastal infrastructure. Looked at the consequence of flooding and explained the scoring of categories. Vulnerability assessment and determine critical elevations and which asset would fail to function. Roads and bridges are most at risk to sea level rise in the future. Asset summary sheets for department manages who manage these structures and buildings and visualizations will be useful for public outreach, including Mitchell Bathhouse, Green Pond Bridge, assets in Woods Hole Area. They have also looked at the natural resources, including beach, marshland. Goal to develop adaptation strategies for short and long term. Steering Committee will be crucial to refining and finalizing the recommendations. There are 2 additional Steering Committee meetings and final presentation to the BOS around October 2019 and possible to have a couple more public outreach meetings. The tech memo was provided to the BOS, any questions she can field questions after tonight. Steering Committee includes about someone from each department and Coastal Resiliency Action Committee. Final report and presentations would be ready by around October 2019. Public presentation they are scoped to do can happen earlier, they have the results but not the recommendations. Another action grant to look at the surf drive area has been put forward by the Coastal Resiliency Action Committee has been awarded.

5. Sign Variance – Informational signage to prevent storage of private boats on Town property – Conservation Department

Jen McKay, Conservation Administrator, provided the signs to discourage the storage of boats on dunes and salt marshes. This is preliminary to enforcement and work with Harbormaster and DPW to sticker with violation. She will work with the DPW on exact locations. Includes Great Bay Road area. DB noted alternative storage will need to be sought. Mr. Jones asked how many boats, possibly 30-40 boats plus. Ms. Moran noted some cannot move their boats. This presents a question for others, Mr. Brown thinks maybe some help and create some racks. If boat just on the beach, they are priority in the salt marsh because it is causing damage to the resource areas.

Chair English Braga noted there needs to be an educational component.

Mr. Johnson-Staub asked about the regulation, is there a clear regulation that can be pointed to regarding what they are violating. Ms. McKay noted it is altering a salt marsh by smothering the grass.

Mr. Jones' concern is that some people may have been doing this for 50 years, even though regulation is on the books. He would rather have stickers on the boats first, not the sign as the official step.

**Mr. Patterson motion approval to use the signs as an educational process. Second Ms. Moran. Vote: Yes-5. No-0.**

6. Status/Update on Route 28 Road Reconstruction Design Process

Ray Jack, DPW Director, provided a PowerPoint presentation. Town is not funding the overall project, section 3 reviewed by the BOS' committee, unknown the conclusion from the State through MA DOT. Section 3 was to go under redesign and will need to go back to the State for approval.

Presently consultant is redesigning section 3, and will then meet with MA DOT before the resubmittal to MA DOT for approval.

Chair English Braga noted the conversation in community that the design was voted down, but it has not been, it has been redesigned so it needs to be reviewed.

Water Main Replacement being done by CC Construction. They will resume after Labor Day, completion by Spring 2020 with final paving is expected Fall 2020. Mr. Jack reviewed pictures of the project.

Mr. Jack noted that burying the utilities would be a substantial cost.

Mr. Brown asked any indications during water line construction that burying the utilities would be possible. There are many services in place already, so would need to go under sidewalks and question of whether here is substantial room.

7. Presentation – Falmouth Stormwater Management Plan – James McLoughlin, Town Engineer  
Reviewed the Clean Water Act of 1972 via PowerPoint presentation. National Pollutant Discharge Elimination system (NPDES) program has 2 branches; individual permits and general permits. The Town is under General permits where you comply with general terms of the permit. Municipal Separate Storm Sewer System MS4 Permit is effective since July 1, 2018. Notice of Intent submitted in September 2018 and outlined compliance with 6 minimum control measures and required preparation of Stormwater Management Plan. EPA authorized discharge.

Stormwater management plan was forwarded to Mr. Suso and plan is to put the documents on the website. This is a living document, through the next 10-12 years it will be updated.

Minimum Control measures include public education and outreach, public involvement, illicit discharge detection and elimination, construction site storm water runoff, post construction management, and municipal good maintenance.

Annual report requirement including assessment of progress of those items above, outfall screening, and description of activities for the next reporting period.

They have been receiving about \$50,000 per year for consultants that help prepare these reports.

He has been at Steering Committee Meetings and he has been a proponent of short term flooding issues as opposed to the 70 year plan. Weighting the assets and vulnerability is important.

Marc Finneran, Precinct 6, commented planting plantings could reduce the expensive catch basins. Rain gardens. Is that part of the plan?

Mr. McLaughlin noted that is part of the plan, those have been implemented in White's Landing, they are easier to build and maintain, all need maintenance.

8. Sign Variance – Ashumet Valley Neighborhood Association – to place a sign at the entrance to Club Valley Drive off Sandwich Road

**Mr. Jones motion approval. Second Ms. Moran. Vote: Yes-5. No-0.**

9. Sign Variance – Temporary Off-Premise Signs – East Falmouth Village Association Annual Meeting

**Ms. Moran motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.**

10. Minutes of Meetings: none in the packet.

11. Individual Selectmen's Reports

Mr. Brown:

Attended Bikeways Committee meeting, hoping for push to get the complete streets policy in place.

Mr. Patterson:

CCRTA has new trolley running through town.  
New FHS field is about done, final concession building and bathrooms are being put in.  
Attended the Town Band Concert last week  
Fireworks display was terrific.

Ms. Moran:

Very busy weekend, lines on streets to do activities.  
Bridges over the canal, she attended meeting, applaud the state for working with the Cape Cod Chamber of Commerce and looking for design and public outreach money. Good impact on lifestyle on cape.

Chair English Braga:

Hope to think about logistics of 4<sup>th</sup> of July week and taxing for public services, maybe move some events on the calendar. Maybe some outreach to folks, maybe shift some events for congestion and public safety. Look at activities the BOS approved because the planning needs to be done now.

## 12. Town Manager's Report

Surf Drive has not been closed for event this Sunday morning event.

There are an overwhelming number of events that required police involvement on 4<sup>th</sup> of July and if the BOS is willing to have him reach out to special event organizers to encourage them to schedule the events other than the 4<sup>th</sup> of July. The Police Chief advised all available police personnel are on duty on 7/4, even with that they were overtaxed.

Thanked the Fireworks Committee and Town departments that worked together for the 4<sup>th</sup> of July weekend.

Confirmed that the inaugural meeting of Marks Building advisory meeting has been posted for 7/10/19 at 7pm in Town Hall.

Many complaints were received regarding visitors who parked where they should not during the annual arts and crafts festival. Mr. Jones inquired about talking with the SSA about opening up their lot for the art show day.

Mr. Johnson-Staub noted advertising for folks interested in aquaculture license in Eel pond and if the BOS is interested in touring the senior center while the walls are still open. The BOS is interested.

## 13. Review and/or Discuss Correspondence Received

**Mr. Jones motion to adjourn at 10:20 p.m. Second Ms. Moran. Vote: Yes-5. No-0.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

## REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: August 2, 2019

JM Suso

- Selectmen will convene in executive session at 6:30PM on Monday, August 5 to discuss a matter related to the Smyth case with Town Counsel.
- We look forward to introducing new Associate Town Counsel Irie Mullin during your “Open Session” at the beginning of your business meeting. Iris is scheduled to begin her duties on that day.
- Selectmen are being asked to approve an unusually large number of CPC applications on Monday evening (six in total – you also approved one on 7/22). The “deadline” for application submission is August 7. Keep in mind that each such application (involving Town property) must be “sponsored” by a specific Town Department as per standard CPC protocol. This, of course, has the potential to create a significant supplemental workload for the sponsoring department and I have asked that each respective department confirm their willingness to take on this additional responsibility with existing staff resources. In the case of those Town “Committees” encouraging a specific CPC application, this will understandably require patience on the part of the Committee involved going forward and the continued support of the BOS as well given these circumstances. Of course, there is no assurance that all such applications will be funded.
- Consultant Wright-Pierce will be presenting a brief power-point summary of their Final Report on the Upper Cape Towns Collaborative Wastewater Analysis with Joint Base Cape Cod. This is the culmination of the second phase of a two-phase State-funded regional collaborative analysis.
- We are encouraging a brief discussion with the Board regarding a recent inquiry received to “reconsider” funding already voted by Town Meeting for the demolition of a long-abandoned, very small residential structure located on William Hollow Road (private dirt road) and instead target this small home for a single affordable housing unit. As a reminder, this small structure was acquired as part of an 88-acre water resource area set-aside to protect groundwater resources. A recent review and analysis by all staff members involved in affordable housing has resulted in the

recommendation AGAINST this initiative and instead to proceed with the original intent – to continue to protect and preserve precious, limited acreage set-asides for groundwater resources. Under separate cover with your Board packet, you will be receiving a memo from Peter J-S summarizing the several issues in play here.

- We are continuing to work with the architect and the Town's HVAC consultant in finalizing the internal office layout for the Human Services Department to allow us to proceed to procurement and implement the long-awaited relocation of that Department to the Marks Building. I will advise the Board as soon as a final proposed layout is assembled. As you will recall, this will be routinely transmitted to Mass Historic for their review/approval in advance of moving forward. Of course, I have also affirmed to Historic Commission Chair Ed Haddad that I will share this final proposal with him as a courtesy as well. Be assured that the concept does NOT include the removal of any walls or fundamental disturbance of any items of historic significance.
- I was pleased to attend the reception and discussion regarding Little Pond Place with Lieutenant Governor Karyn Polito and newly-appointed Housing and Development Secretary Michael Kennealy on Tuesday afternoon in the conference room of Falmouth Housing Corporation offices, 704 Main St.
- As I have in the past, I am scheduled to attend the Annual Meeting of the Falmouth Heights/Maravista Association on Saturday morning, August 3.