

TOWN OF FALMOUTH
BOARD OF SELECTMEN

AGENDA

MONDAY, OCTOBER 7, 2019 – 6:45 P.M.

SELECTMEN'S MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

6:45 p.m. OPEN SESSION

6:45 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – Settlement of police officer personal injury lawsuit

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation – Community Media Day in Falmouth – October 20, 2019
4. Recognition
5. Announcements
6. Public Comment

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application for Special One-Day Wine and Malt Liquor License – Patriot Bartending Service – Touch A Truck Fundraiser – Cape Cod Fairgrounds – Sunday, 10/27/19
2. Administrative Orders
 - a. Approve Eversource Energy Petition to Install Two (2) Poles on St. Marks Road, North of Neves Way
 - b. Approve Eversource Energy Petition to Install one (1) 4" Conduit and One (1) Handhole #238/H17 on Teaticket Path, South of Seabrook Drive
 - c. Approve Historical Commission Application for CPC Funding in the Amount of \$30,000 for Phase 4 of the Historic Inventory Survey Project
 - d. Vote to Accept FY2019 Bulletproof Vest Partnership Program Award in the Amount of \$6,318.38
 - e. Vote to Accept FY2020 NARCAN Grant Award in the amount of \$9,050.00
 - f. Vote to Approve Expenditure from the Recreation Department Donation Account in the Amount of \$1,212.83 for the Purchase of Pickleball Sets
 - g. Authorize Application to State Emergency Management Agency (MEMA) for Funding to Modestly Alter the High School Gymnasium for Potential Emergency Shelter Purposes
 - h. Authorization for Request of AFCEE Funding in an Amount Not to Exceed \$4,000 for Supplies /Equipment Related to Mill Pond Initiative
3. Special Events
 - Recurring - Recommended:**
 - a. 20th Annual Chris Wetherbee Memorial Toy Run – From Eagles Hall, Buzzards Bay to the Navigator, Ashumet Rd., E. Falmouth – Sunday, November 3, 2019

7:30 p.m. PUBLIC HEARINGS

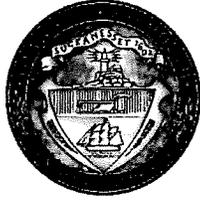
1. Flow Neutral Bylaw – Evaluation of Request for Variance – Ament Klauer LLP on behalf of Teaticket Car Wash LLC – 187 Teaticket Highway, Falmouth (Parcel 39 14 024B 000)

7:45 p.m. BUSINESS

1. Presentation on Marine Biological Laboratory (MBL) activities, strategic initiatives and five-year strategic plan development – Nipam Patel, Director

2. Steamship Authority Status Report/Update – Robert Davis
3. Republic Services Report/Update – Chris Macera
4. Request for Sign Variance – Off-Premise Signs – Gosnold, Inc. – Rx Take Back Day – Saturday, 10/26/19
5. Vote Article Recommendations for November 2019 Town Meeting
6. Further Discussion of Board of Selectmen Sub-Committee on Proposed Municipal Broadband
7. Agenda Suggestions for October 21, 2019 Proposed Joint Meeting with Planning Board
8. Minutes of Meetings:
 - a. Public Session – September 16, 2019; September 23, 2019
 - b. Review of Executive Session Minutes and Vote to Release
9. Individual Selectmen’s Reports
10. Town Manager’s Report
11. Review and/or Discuss Correspondence Received

Megan English Braga, Chairman
Board of Selectmen



Community Media Day Resolution

Celebrated annually on October 20

WHEREAS, the sharing of ideas and information helps to build common understanding and common values within a community; and

WHEREAS, access to information in today's media environment is critical for the healthy functioning of our community; and

WHEREAS, Falmouth Community Television (FCTV) provides a means for diverse communities to tell their stories, hear each other's stories, and create new stories together; and

WHEREAS, FCTV provides information to the community that is not covered by mainstream commercial media; and

WHEREAS, FCTV provides its members with the skills necessary for the creation, sharing, and consumption of knowledge and ideas through media; and

WHEREAS, FCTV is an important resource for participating in local democratic policy and processes; and

WHEREAS, FCTV connects community organizations, schools, and local governments to their constituents; and

WHEREAS, in many communities, people are not aware of the diverse and valuable programming on public, education, and government access channels or community radio channels; and

WHEREAS, communities will benefit from increased general awareness of, viewing audiences for, and creators of media content created by and for the community;

NOW, THEREFORE, BE IT RESOLVED that October 20, 2019 is hereby proclaimed as Community Media Day within Falmouth, and all people are hereby called upon to promote the importance of community media training available at the Falmouth Community Media Center, and programming available on FCTV Channels 13, 14 & 15, and through online distribution platforms; and

BE IT FURTHER RESOLVED, that Falmouth Community Television plays a vital role in the building of our community by encouraging conversations about our common interests, increasing discourse around policy issues, fostering understanding of local cultures, and sharing information to improve our lives.

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

Megan English Braga, Chairman

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

BOARD OF SELECTMEN

2019

License Alcoholic Beverages

19-56-WM

Fee:

25

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

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Patriot Bartending Services

Erik Christensen

Cape Cod Fairgrounds
1220 Nathan Ellis Hwy.
E. Falmouth, MA 02536

On the following described premises:

Cape Cod Fairgrounds, 1220 Nathan Ellis Hwy., E. Falmouth, MA 02536

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

This license is valid from the 27th day of October 2019 until the 27th day of October 2019, unless earlier suspended, cancelled or revoked.

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

10:00 a.m. - 2:00 p.m. - Touch A Truck Fundraiser

1. Proof of liquor liability insurance required. 2. Rope or fence off area where alcohol will be sold and consumed. 3. Servers must be TIPS (or equivalent) certified. 4. Contact the Falmouth Police Department Detail Sergeants well in advance of event to arrange for proper safety and security measures.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 7th day of October 2019

Licensing Board

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

Diane Davidson

From: Sean Doyle
Sent: Monday, September 30, 2019 7:28 PM
To: Diane Davidson
Subject: RE: Application for One-Day Liquor License-Touch a Truck

Good evening,

The PD has no objections to this request. However, we would ask that the organizers contact the PD detail office to ensure proper safety and security measures.

TY

From: Diane Davidson
Sent: Monday, September 30, 2019 9:20 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>
Subject: Application for One-Day Liquor License-Touch a Truck

Capt. Reid,
Lt. Doyle,

Attached please find an application from Erik Christensen of Patriot Bartending Service for a one-day wine and malt liquor license for the Touch a Truck fundraiser on Sunday, October 27, 2019 from 10:00 a.m. to 2:00 p.m. at the Cape Cod Fairgrounds. Please provide your recommendation by Friday, October 4.

Thank you.

Diane

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



Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: October 4, 2019

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install 25' of underground conduit and 1 handhole to service #93 Teaticket Path

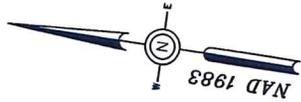
A petition was submitted by Eversource to install 25' of 1-4" underground conduit and 1 handhole (238/H17) on Teaticket Path to service #93 Teaticket Path

The Engineering recommendation is to approve the request as submitted on Plan No. 2352203, W/O #2352203, dated Sept. 4, 2019.

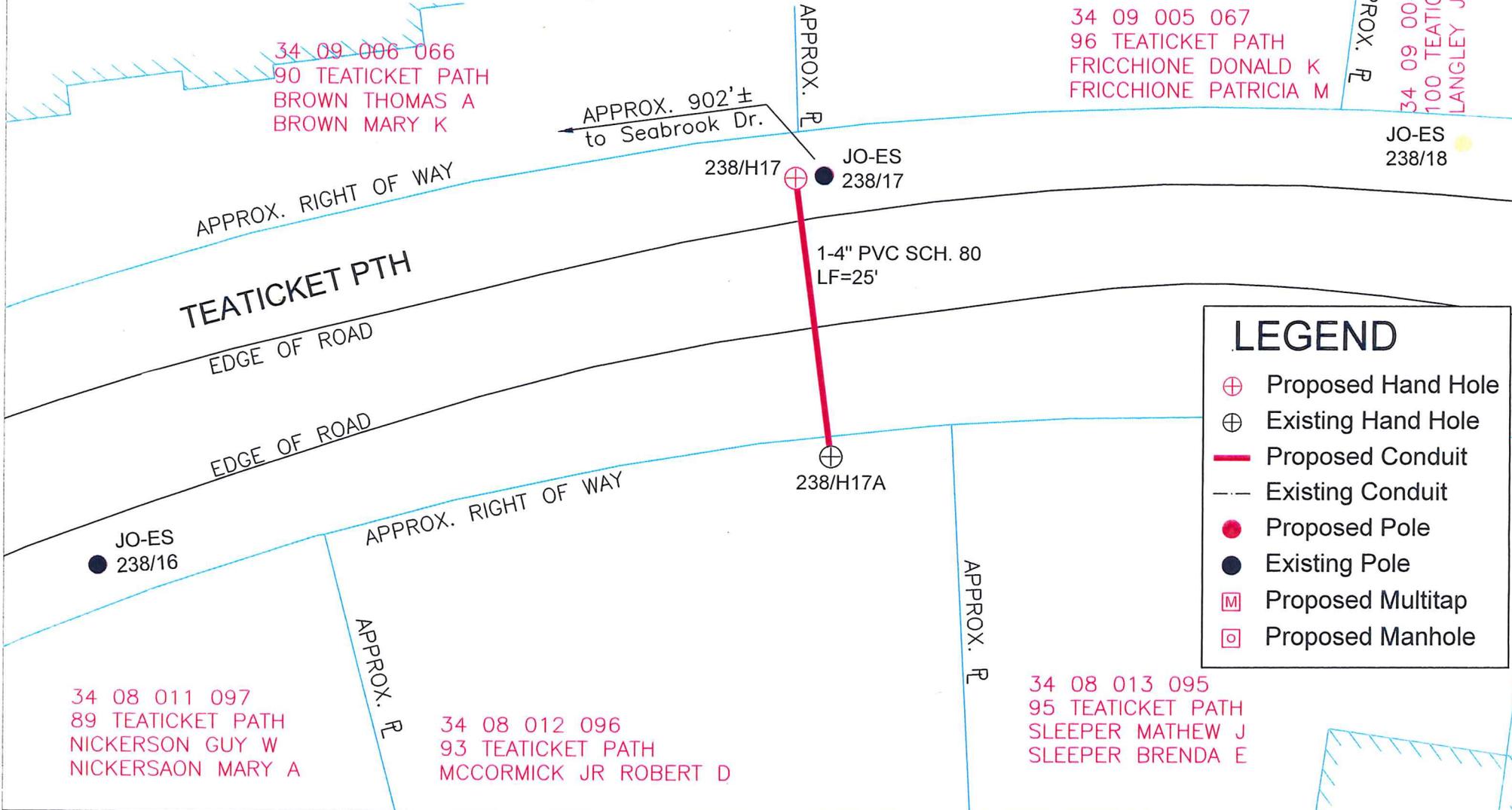
Eversource Reminder: All Street Openings require a permit obtained from the Engineering Office.

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

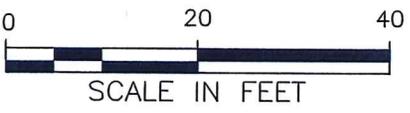


Plan to accompany petition of EVERSOURCE ENERGY
to install 25' of 1-4" conduit and handhole
238/H17 for new UG services.



LEGEND

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Proposed Pole
- Existing Pole
- Ⓜ Proposed Multitap
- Ⓚ Proposed Manhole



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

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MASS. LAW

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

Plan #	2352203	
Ward #		
Work Order #	2352203	1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Surveyed by:	N/A	Plan of TEATICKET PATH
Research by:	PG	FALMOUTH
Plotted by:	JC	Showing PROPOSED HANDHOLE AND CONDUIT LOCATION
Proposed Structures:	TL	
Approved:	A DEBENEDICTIS	Scale 1"=20' Date SEPTEMBER 4, 2019
P#		SHEET 1 of 1



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

PUBLIC HEARING NOTICE

You are hereby notified that a hearing will be held at Falmouth Town Hall in the Old Water Department Room at 2:00 p.m. on Thursday, October 3, 2019, upon the petition of NSTAR Electric Company d/b/a Eversource Energy to install One (1) 4" Conduit and One (1) Handhole on Teaticket Path, south of Seabrook Drive.

Per Order of the Falmouth Board of Selectmen

Publication Date: Friday, September 13, 2019 Falmouth Enterprise

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

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

ORDERED:

Notice having been given and a public hearing held, as provided by law, the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) be and it is hereby granted a location for and permission to install and maintain underground cables, conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company dated the 4 day of SEPTEMBER, 2019.

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

Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked Plan No. **2352203**, Dated **SEPTEMBER 4, 2019**, filed with said petition. The following are public ways or parts of ways under, along and across which the cables above referred to may be installed under this order:-

**TEATICKET PATH, South of Seabrook Drive
WO# 2352203**

**One (1) 4" Conduit
One (1) Handhole #238/H17**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 7th day of October, 2019.

Clerk of Selectmen.

Massachusetts _____, 2019.
Received and entered in the records of location orders of the Town of _____
Book _____ Page _____.

Attest:

Town Clerk

(over)

CA-104 EO REV 2-81

This form should be used by the Town Clerk to make a certified copy of the Original and mail same to:

Eversource Energy
50 Duchaine Blvd.
New Bedford, MA 02745
Attn: Donna Rosa

We hereby certify that on October 7 2019, at 7:15 o'clock, P M., at Town Hall a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) for permission to install and maintain underground cables, conduits, manholes and fixtures and described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate, (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

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Selectmen of the Town of **Falmouth**
Massachusetts

CERTIFICATE

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

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

Attest:

Town Clerk.



Town of Falmouth

Department of Public Works - Engineering Division

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

Nicholas Croft, Engineering Technician

ncroft@falmouthmass.us

Date: September 18, 2019

To: Board of Selectmen

From: Nicholas Croft, Hearing Officer

Subject: Eversource – Petition to install two new 45' Utility Poles on Saint Marks Road

A petition was submitted by Eversource to install two new 45' CL1 (JO) Poles (574/5 & 574/6) on Saint Marks Road to provide service for #115 Saint Marks Road.

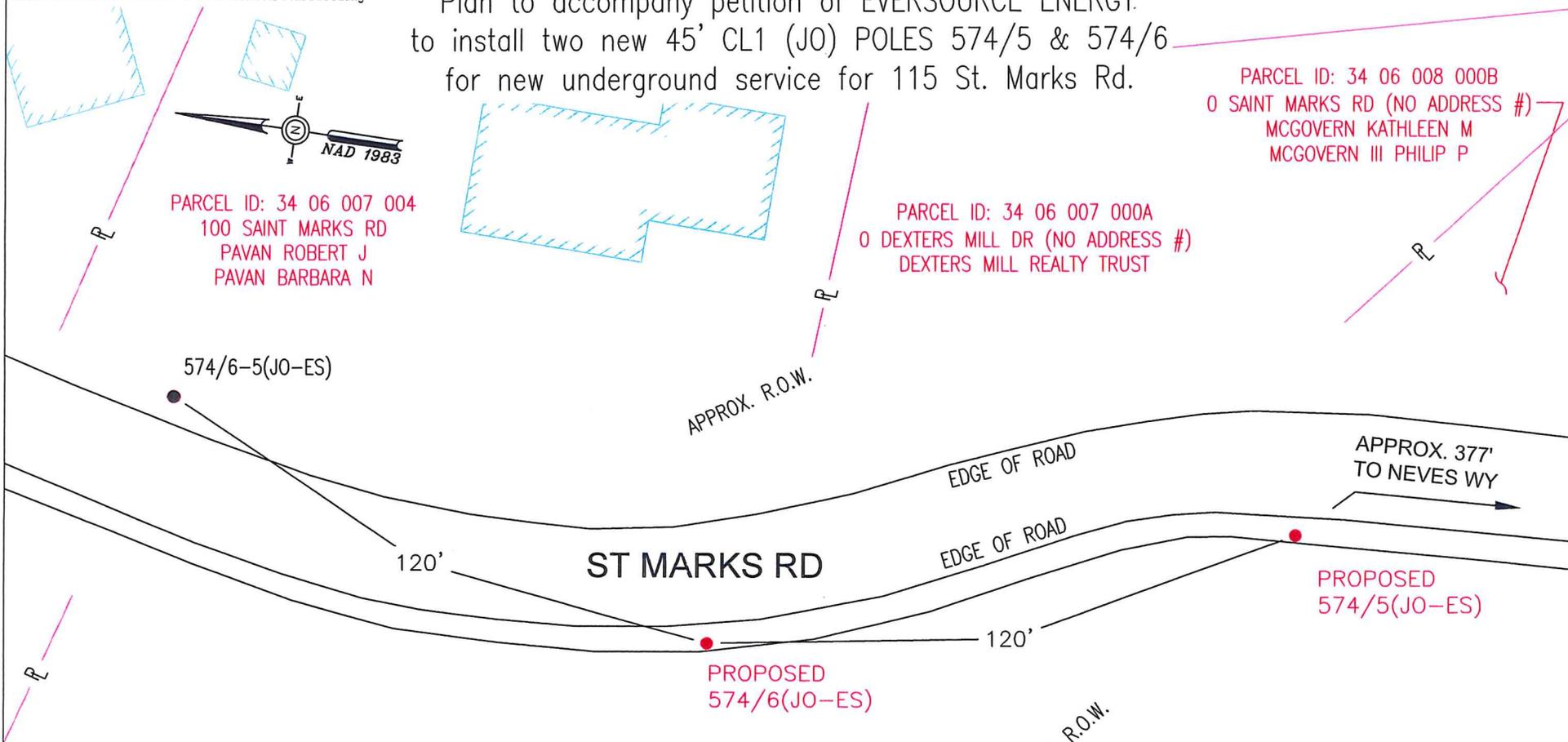
The Engineering recommendation is to approve the request as submitted on Plan No. 2345663, W/O #2345663, dated Aug. 2, 2019. At the petition hearing on September 12, 2019 the homeowner at 100 Saint Marks Road requested that Eversource straighten pole 574/6-5 in conjunction with the installation of the two proposed poles.

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

Thank you,

Nicholas Croft
Engineering Technician
DPW Engineering Division

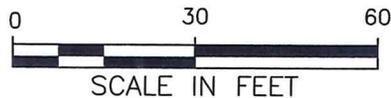
Plan to accompany petition of EVERSOURCE ENERGY to install two new 45' CL1 (JO) POLES 574/5 & 574/6 for new underground service for 115 St. Marks Rd.



LEGEND

- Proposed Pole
- Existing Pole
- Pole with Riser

PARCEL ID: 34 06 013 002
0 SAINT MARKS RD (NO ADDRESS #)
MCGOVERN KATHLEEN M
MCGOVERN III PHILIP P



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MASS. LAW

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

Plan #	2345663	<p>1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125</p>
Ward #		
Work Order #	2345663	Plan of ST MARKS ROAD
Surveyed by:	-	FALMOUTH (TEA TICKET)
Research by:	PG	Showing PROPOSED POLE LOCATIONS
Plotted by:	PG	
Proposed Structures:	TL	
Approved:	A DEBENEDICTIS	Scale 1"=30' Date AUGUST 2, 2019
P#		SHEET 1 of 1

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

In Board of Selectman of the Town of **Falmouth**, Massachusetts.

Notice having been given and a public hearing held, as provided by law.

IT IS HEREBY ORDERED:

that the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) and
VERIZON NEW ENGLAND, INC.

be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the **2** day of **AUGUST, 2019**.

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

Poles shall be of sound timber and reasonably straight, and shall be set substantially at the points indicated upon the plan marked Plan No. **2345663**, Dated **AUGUST 2, 2019** filed with said petition. There may be attached to said poles by said VERIZON NEW ENGLAND, INC. not to exceed **40** wires and **4** cables and by said NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) necessary wires, cables and fixtures

and all of said wires and cables shall be placed at a height of not less than **18** feet from the ground at highway crossings, and not less than **16** feet from the ground elsewhere.

The following are public ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:-

ST MARKS ROAD, North of Neves Way
WO# 2345663

Two (2) Poles
POLE #574/5 & 574/6

Also that permission be and hereby is granted each of said Companies to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of **Falmouth**, Massachusetts held on the 23rd day of September, 2019.


Clerk of Selectmen.

(over)

This form should be used by the Town Clerk to make a certified copy of the Original and mail same to:

Eversource Energy
50 Duchaine Blvd.
New Bedford, MA 02745
Attn: Donna Rosa

We hereby certify that on September 23 2019, at 7:15 o'clock, P M., a public hearing was held on the petition of the NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy) and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

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Selectmen of the Town of **Falmouth**
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of **Falmouth**, Massachusetts, on the _____ day of _____, 2019, recorded with the records of location orders of said Town Book, _____ Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

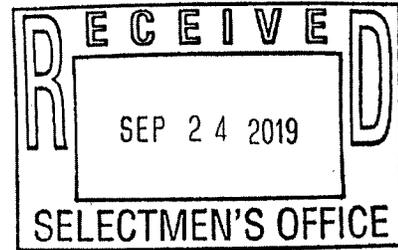
Attest:

Town Clerk.

September 24, 2019

To: Megan English-Braga

From: Ed Haddad



Re: Historical Commission's CPC application

The Commission requests the approval from the Select Board for its CPC application requesting \$30,000 for Phase 4 of our Historic Inventory Survey project. This should be the final phase to complete the project.

The Historic Inventory Survey project, which began in 2017, involves compiling a listing of all buildings in Falmouth over 50 years old. Eric Dray, a consultant who specializes in historic preservation, did the survey. This resulted in a listing of 3,800 buildings. The survey also included his recommendations for the completion of Form B surveys, which are detailed research of the historic property including architectural style and details, important residents or events associated with the building, and any changes that might have altered the original building. (Example attached). A Form B is only done on noteworthy buildings. The Form B's are also sent to MA Historical Commission to compliment the Falmouth Historic Inventory posted on their website. Although the Historical Commission already has a large file of Form B's previously done, the survey identified about 399 new Form B's which needed to be completed

Project History:

2017

Phase 1 \$30,000 Historic Inventory completed with 90 Form B's

2018

Phase 2 \$30,000 100 Form B's completed

2019

Phase 3 \$30,000 100 Form B's completed

2020

Phase 4 \$30,000 110 Form B's estimated to complete project

FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Assessor's Number USGS Quad Area(s) Form Number

49A 01 020
000

Falmouth

FAL.S,
U

FAL.1957

Town/City: FALMOUTH

Place: (*neighborhood or village*): Woods Hole

Photograph



Address: 25 Albatross Street

Historic Name: Veeder, Donald and Harriet House

Uses: Present: Institutional (MBL housing)

Original: Residential

Date of Construction: [1899-1910]

Source: Deed research, 1910 Barnstable Atlas

Style/Form: Queen Anne

Architect/Builder: Unknown

Exterior Material:

Foundation: Granite block

Wall/Trim: Wood shingles/ Wood

Roof: Asphalt shingles

Outbuildings/Secondary Structures:

One-bay garage (see Photo 3).

Major Alterations (*with dates*):

None on record.

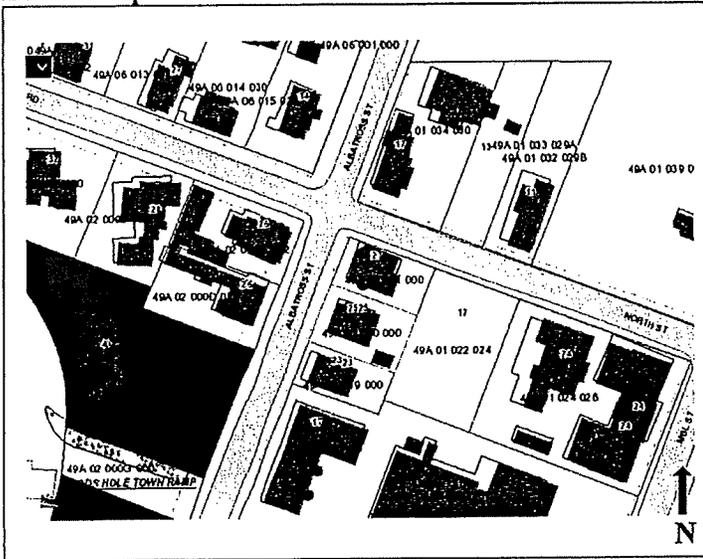
Condition: Good

Moved: no yes **Date:**

Acreage: 0.096 acres

Setting: This house is located on the east side of Albatross Street south of the intersection with North Street. The surrounding area includes a mix of modest late-19th and early-20th century houses set close to the street on small lots, and larger 20th century institutional resources. This house is also set relatively close to the street on its small lot. The parcel is landscaped with lawn and minimal foundation plantings. There is an asphalt parking area behind the house.

Locus Map



Recorded by: Eric Dray, Preservation Consultant, for

Organization: Falmouth Historical Commission

Date (*month / year*): November, 2018

INVENTORY FORM B CONTINUATION SHEET

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

FALMOUTH

25 ALBATROSS STREET

Area(s) Form No.

FAL.S, U

FAL.1957

Recommended for listing in the National Register of Historic Places.

If checked, you must attach a completed National Register Criteria Statement form.

Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.

ARCHITECTURAL DESCRIPTION:

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

This house is a good example of the Queen Anne style. The Queen Anne style, popular from ca. 1880-1910, employed different roof shapes and a variety of siding materials and patterns to create a picturesque effect. The form of this building consists of a 2 ½-story, gable-front main block with a two-story hexagonal tower on the front right corner. There is an unusual triangular bay window on the second story of the front elevation, and an unusual peaked dormer in the tower.

The building rests on a raised granite block foundation. The walls are clad in wood shingles which wrap the corners (i.e. no cornerboards). The elevations are enlivened with patterned shingles, including multiple courses of square butt-patterned shingles above a beltcourse separating the first and second stories, and all of the front gable peak above the second story.

The roof is clad in asphalt shingles (likely wood shingles originally) and has a projecting molded box cornice with partial returns across the gable ends and broad fascia boards below. A tall brick chimney rises from the roof ridge. Fenestration consists primarily of wood 2/2 and 2/1 windows set in molded frames. An open porch spans the front elevation to the left of the tower. This porch is supported by turned posts with ornamental brackets and the porch has shingled knee walls. The front entrance is located within this porch. The entrance consists of a paneled door with a square light (likely an original door) set in a flat frame.

HISTORICAL NARRATIVE

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

This western end of Woods Hole village was sparsely developed until the late-19th century. Location of the Pacific Guano Company on Long Neck, now Penzance Point, brought some development in the 1860s, and the location of the U.S. Commission of Fish and Fisheries at the west end of Water Street brought additional development in the later-19th century. Albatross Street was originally called West Street. The street was renamed to honor the name of research vessels of the National Oceanic and Atmospheric Administration, the last of which, *Albatross IV*, was decommissioned in 2008.

This house was built on land that Mary J. Norton of Falmouth conveyed in 1899 to Robert N. Veeder, also of Falmouth (Book 246/ Page 391). The parcel was identified as part of Lot 23 on the 1832 Plan of Bar Neck made for Elijah Swift that was not recorded until 1901 (see attached plan, Plan Book 23/ Page 15). The house is shown on the 1910 Barnstable County Atlas map (see attached), which would mean that Veeder built it sometime between 1899 and 1910. According to Susan Fletcher Witzell's *Walking Tour of Woods Hole Village*, the house was built in 1899. Robert had married Harriet Swift (1872-1948) in New Bedford in 1889. Robert Veeder (1869-1956) was a captain of the steam-driven boat *Phalarope* for the U.S. Fisheries. According to Witzell, Veeder and Mr. David tossed a coin to see who could buy the corner lot (Veeder lost). This house was inherited by the Veeders' son, Robert A. Veeder, and in 1960 he conveyed the house to Marine Biological Laboratory.

BIBLIOGRAPHY and/or REFERENCES

Walker, George H., *Woods Holl, Falmouth Mass. 1887*.
1910 Map, *Atlas of Barnstable County*, Boston, MA: Walker Litho. & Publishing Co., 1910.
Witzell, Susan Fletcher, *Walking Tour of Woods Hole Village*, 2008.
Barnstable County Registry of Deeds
www.ancestry.com - Vital records, US Census (1910, 1920)

INVENTORY FORM B CONTINUATION SHEET

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

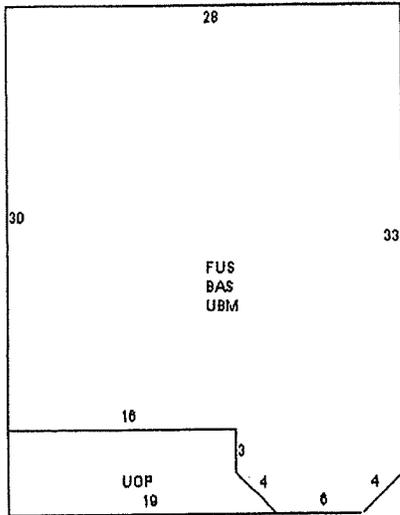
FALMOUTH

25 ALBATROSS STREET

Area(s) Form No.

FAL.S, U

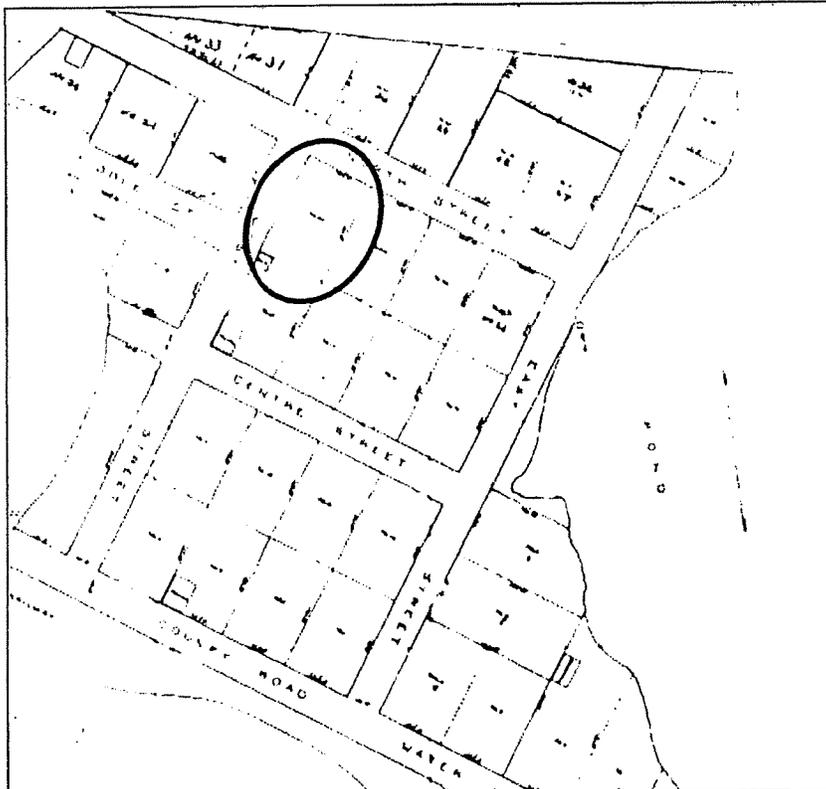
FAL.1957



Falmouth Assessor sketch.



Photo 2. View of front and left side elevations, looking southeast.



Detail from 1832 Plan of Bar Neck (Lot 23 circled).



Falmouth Police Department
Chief Edward A. Dunne

September 24, 2019

Ms. Megan English-Braga, Chairman
Board of Selectmen
Falmouth Town Hall
59 Town Hall Square
Falmouth, MA 02540

Subject: Acceptance of FY 2019 Bulletproof Vest Partnership = \$6,318.38

Dear Board of Selectmen:

We have been designated to receive an award under the Fiscal Year 2019 Bulletproof Vest Partnership Program in the amount of \$6,318.38. We are requesting that the Board of Selectmen formally accept this award.

The FY 2019 award may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2019. The deadline to request payments from the FY 2019 award is August 31, 2021, or until all available funds have been requested. We have certified that a mandatory wear policy for vests is in place for our jurisdiction, a requirement of the Bulletproof Vest Partnership Program.

Thank you in advance for your attention to this matter.

Sincerely,

Edward A. Dunne
Chief of Police



Falmouth Police Department
Chief Edward A. Dunne

October 1, 2019

Meghan English-Braga, Chairman
Falmouth Town Hall
59 Town Hall Square
Falmouth, MA 02540

Subject: Acceptance of Funding \$9,050.00
Department of Public Health – First Responder Naloxone Grant
Dates of Service: July 1, 2019 through June 30, 2020

Dear Mrs. Rose:

We have been designated to receive federal grant funds in the amount of \$9,050.00 to help fund the Fire and Police Departments with the cost of purchasing Naloxone to help victims who have overdosed on opiates. The Fire Department will be working with the Police Department (Sergeant James Cummings) to coordinate the purchases for the fire department and will be doing the reimbursement paperwork for both parties.

Enclosed, please find the voucher.

Thank you in advance for your attention to this matter.

Sincerely,

Edward A. Dunne
Chief of Police

EAD/mar

PAYMENT VOUCHER INPUT FORM



Commonwealth of Massachusetts
Office of the Comptroller

Department/Organization Name
Bureau Of Substance Addiction Services

Vendor Name and Address
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
AD001

Document ID
Trans PV Dept DPH R/Org Number PV Date Acctg Prd Budget FY 2020

Action (E) (M) E Sch Pay Date Off Liab Act

VENDOR'S CERTIFICATION
I certify that the goods were shipped or the service rendered as set forth below
[Signature]
(Please Sign In Ink)

Ref Doc ID FRSTRESPONDNARCAN000022-3

Document Total \$9,050.00 FRSTRESPONDNARCAN000022-3 Vendor Code: VC6000191790 Emp

Reference Order	LN	QTY	Description	Unit Price	Amount
			FY20 First Responder Naloxone Grant -- PV1	\$ 9,050.00	\$ 9,050.00

Reference Doc ID

LN 01	Trans CT	Dept DPH	R/Org 2359	Number	LN 01	Dept DPH	Appropriation Number: 4512-0204	Sub PP	Org 2359	S/Org	Obj P01	Prog	TY
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Proj/CI/Grc	Actv 4860	RPTG	Fund	BS Acct	Payment Reference Number FRSTRESPONDNARCAN000022-3	Description: Phase I First Responders Grant for Narcan
-------------	-----------	------	------	---------	----------------------------------------------------	--------------------------------------------------------

MSA#	Line#	Disc	Dates of Services 7/1/2019 - 6/30/2020	Quantity	Line Amount \$ 9,050.00	I/D	P/F
------	-------	------	----------------------------------------	----------	-------------------------	-----	-----

TO THE COMPTROLLER OF THE COMMONWEALTH OF MASSACHUSETTS:
I hereby certify under penalties of perjury that all laws of the Commonwealth governing disbursements of public funds and the regulations thereof have been complied with and observed.

Prepared By: _____ Title: _____
Entered By: _____ Title: _____ Date: _____

INSTRUCTIONS TO VENDORS
-Fill in shaded area
-Direct Inquires to state organization

The undersigned authorized signatory approving this document certifies that this document and any attachments are accurate and complete and comply with all applicable general and special laws and regulations.

Page _____ of _____
Phone # _____

Approved By: _____ Title: Director of A&F BSAS Date: _____

Clear All

Falmouth Recreation Department



GUS CANTY COMMUNITY CENTER

Joe Olenick

Recreation Director

Sept. 26, 2019

Dear Board of Selectman,

The Recreation Department would like to use the donation account (28-630-5630-5780) to pay for the purchase of new Pickleball nets. The new nets will be used for open Pickleball, starting on the weekends for the Falmouth community. We would like you to review and approve.

Respectfully submitted,

Handwritten signature of Joe Olenick.

Joe Olenick
Director
Falmouth Recreation Department



Anthem Sports, LLC
 2 Extrusion Dr.
 Pawcatuck CT 06379

Phone	Fax
800-688-6709	860-599-8448
www.anthem-sports.com	

Invoice

Date	Invoice #
9/13/19	259203

Bill To:
Town of Falmouth Accounts Payable 790 Main Street Falmouth, MA 02540

Ship To:	
Town of Falmouth Joe Olenick 790 Main St. Falmouth, MA 02540 774-263-3476	

P.O. Number	SO#	Terms	Order Date
	103810	Net 30	9/9/19

Anthem Part #	Description	Qty	U/M	Price	Amount
A60-601	3.0 Tournament Diller Pickleball Set	6	set	186.96	1,121.76
A60-612-YEL	Dura Fast 40 Outdoor Pickle Balls, 12pk, Yellow	1	pk	26.95	26.95
1	Shipping & Handling	1		64.12	64.12
1	Shipped On: 09/09/2019 Fedex Tracking #: 489855697426	1		0.00	0.00

Note: Anthem does not collect Sales Tax outside the state of CT

Please make checks payable to Anthem Sports, LLC
 Please write invoice number on check.

We appreciate your business!

Sales Tax (0.0%)	\$0.00
Total	\$1,212.83
Payments/Credits	\$0.00
Balance Due	\$1,212.83

Diane Davidson

From: Julian Suso
Sent: Friday, October 04, 2019 2:32 PM
To: Diane Davidson
Subject: FW: Pre Distaster Mitigation Grant Opportunity for High School Roof

From: Thomas Bott <thomas.bott@falmouthma.gov>
Sent: Friday, October 4, 2019 2:13 PM
To: Julian Suso <julian.suso@falmouthma.gov>; Lori Duerr <lduerr@falmouth.k12.ma.us>; Patrick Murphy <pmurphy@falmouth.k12.ma.us>
Cc: Jennifer Mullen <jennifer.mullen@falmouthma.gov>
Subject: Pre Distaster Mitigation Grant Opportunity for High School Roof

Dear Julian:

The Town of Falmouth is seeking funds from the FY 2019 Pre disaster Mitigation Grant to replace the glass roof on the Falmouth High School gymnasium with new materials that allow it to qualify as an emergency shelter. The Falmouth shelter is one of five on the Cape and (from past experience) one of the first three to be opened. The shelter could accommodate additional 156 guests were it not for the glass roof on the gymnasium. Nemo resulted in 304 people including 145 from outside of Falmouth.

At this point the Town needs to submit a Statement of Interest by October 11, 2019 in order to be allowed to submit an actual grant application. Only towns that have a locally adopted in FEMA approved local hazard mitigation plan in accordance with 44 CFR part 201 of the federal regulations are eligible to apply. Because of previous efforts and hard work in developing the Falmouth multi hazard mitigation plan date March 2017 we are in a position to apply for this 75% matching funding.

The grant available has a 25% match. Patrick Murphy Business Manager Falmouth School System annually sets aside funding for repairs and upgrades to the school. It is anticipated that from those funds set aside by the school system would be used towards that 25% match.

The grant was announced on September 6. The town planner participated in a webinar discussing the parameters of the grant and requirements. A Statement of Interest is required by October 11, 2019 that includes municipal support for the grant.

In the event our Statement of Interest is accepted the Town will have to provide an updated cost, as the amount of the actual request can't be determined until we have an updated estimate on the cost to replace. At this point all we have is an order of magnitude number based on a verbal estimate several years ago of \$600,000 to \$900,00. Given the high end of that very speculative amount that equates to a match of \$225,000.

I am looking forward to discussing with the Board of Selectmen at the October 7, 2019.

TBott

From: Julian Suso
Sent: Friday, October 4, 2019 9:58 AM
To: Thomas Bott <thomas.bott@falmouthma.gov>; Lori Duerr <lduerr@falmouth.k12.ma.us>; Patrick Murphy <pmurphy@falmouth.k12.ma.us>
Cc: Jennifer Mullen <jennifer.mullen@falmouthma.gov>
Subject: FW: High School Roof

Tom, Lori, Patrick,
FYI.
Julian

From: Jennifer Mullen <jennifer.mullen@falmouthma.gov>
Sent: Friday, October 4, 2019 9:45 AM
To: Julian Suso <julian.suso@falmouthma.gov>
Subject: FW: High School Roof

FYI

Jennifer Mullen
Director of Finance
Town of Falmouth
(508) 495-7364

From: Kgmichael [<mailto:kgmichael@comcast.net>]
Sent: Friday, October 4, 2019 9:11 AM
To: Jennifer Mullen <jennifer.mullen@falmouthma.gov>
Subject: Re: High School Roof

Jennifer,

The Finance Committee supports efforts to obtain MEMA grant funding to replace the Falmouth High School field house glass roof with materials that improve and enhance the capacity of the facility to be used as a regional shelter.

The Finance Committee did note the outdated cost estimate for the roof enhancements and would recommend obtaining a current cost estimate for the grant application.

Keith Schwegel
Chairman
Finance Committee

On Oct 3, 2019, at 4:22 PM, Jennifer Mullen <jennifer.mullen@falmouthma.gov> wrote:

This grant is going to Selectmen on Monday

Thanks

Jennifer Mullen
Director of Finance
Town of Falmouth
(508) 495-7364

From: Julian Suso
Sent: Thursday, October 3, 2019 3:22 PM

To: Jennifer Mullen <jennifer.mullen@falmouthma.gov>

Subject: FW: High School Roof

Jennifer,
FYI. For BOS consideration for potential MEMA grant funding.
Julian

From: Sharon Reid <sreid@falmouth.k12.ma.us>

Sent: Thursday, October 3, 2019 2:20 PM

To: Julian Suso <julian.suso@falmouthma.gov>

Cc: Diane Davidson <diane.davidson@falmouthma.gov>

Subject: High School Roof

Hi Julian.

I spoke to Lori. Please see attached letter. (I have put the original in the mail) I believe Tom Bott has taken a look at it and he thinks it will suffice for Monday's Selectman's meeting.

Please let me know if you need anything else.

Sharon Reid

Falmouth Public Schools
Executive Assistant
Office of the Superintendent
340 Teaticket Highway
East Falmouth, MA 02536
(508)548-0151 x 137

<~WRD000.jpg>

The contents of this e-mail, and any attachments, are the property of the Falmouth Public School District, and are subject to the Public Records Law, M.G.L. c. 66, Sec. 10. <20191003141220902.pdf>



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY



MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY

400 Worcester Road Framingham, MA 01702-5399

Tel: 508-820-2000 Fax: 508-820-2030

Website: www.mass.gov/mema

Charles D. Baker
Governor

Samantha C. Phillips
Director

Karyn E. Polito
Lieutenant Governor

Thomas A. Turco, III
Secretary

September 6, 2019

To Potential Hazard Mitigation Grant Applicants:

The Massachusetts Emergency Management Agency (MEMA) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) **2019 Pre-Disaster Mitigation Grant (PDM) Program, and 2019 Flood Mitigation Assistance (FMA) Program** funding. The 2019 PDM and 2019 FMA are nationally-competitive annual grant programs. **The deadline for communities to submit a REQUIRED Statement of Interest is Friday, October 11, 2019.** Massachusetts' Notice of Funding Opportunity (NOFO) is available on the MEMA Website and on COMMBUYS. FEMA will open the FY 2019 application period on September 30, 2019 and the State deadline is Monday, December 9, 2019.

These Federally-funded Hazard Mitigation Assistance (HMA) programs provide significant opportunities to reduce, minimize, or eliminate potential damages to property and infrastructure from natural hazard events. Funding for hazard mitigation plans and projects can reduce overall risks to the population, structures and infrastructure, while also reducing the reliance on taxpayer-funded federal disaster assistance for disaster recovery.

- *Who's eligible to apply?* State, tribal organizations, and local governments are eligible to apply as sub-applicants. For projects that benefit individual home or business owners, the local government must be the sub-applicant. **Multi-Hazard Mitigation Plan Requirement:** To be eligible for project grants, sub-applicants must have a locally adopted and FEMA-approved Local Natural Multi-Hazard Mitigation Plan (in accordance with 44 Code of Federal Regulations, Part 201) by the application deadline.
- *What type of work is eligible?* Projects that result in a reduction to natural hazard damage, such as: stormwater drainage and culvert improvements; floodplain and stream restoration; flood control; property acquisition; slope stabilization; infrastructure protection; aquifer storage; seismic and wind retrofits; structure elevations; emergency power generators for critical facilities; etc. For PDM and FMA this year, FEMA is prioritizing Advance Assistance, all-hazard Resilient Infrastructure projects (PDM), and Community Flood Mitigation projects (FMA).
- *How do I apply for a project?* If you are interested in applying, the first step is to submit a **Statement of Interest via the MEMA website**. Interested sub-applicants must fill out and submit a completed Statement of Interest by 10/11/2019. The Statement of Interest will include information on the potential project and allow the State to rank and select projects to invite to full sub-applications. More information on this new step in the grant process will be provided at the grant briefings and in later email correspondence. The SOI is available online at <https://www.mass.gov/service-details/pdm-fma-grants>

Region I
P.O. Box 116
365 East Street
Tewksbury, MA 01876
Tel: 978-328-1500 Fax: 978-851-8218

Region II
P.O. Box 54
12 Administration Road
Bridgewater, MA 02324-0054
Tel: 508-427-0400 Fax: 508-697-8869

Region III / IV
1002 Suffield Street
Agawam, MA 01001
Tel: 413-750-1400 Fax: 413-821-1599

- *How do I apply for a Mitigation Planning Grant?* Communities participate in the ‘Commonwealth’s Local Hazard Mitigation Planning Grant.’ This is a State application, filed on behalf of eligible cities and towns by MEMA, for funds to update an existing plan or create a new hazard mitigation plan by procuring a consulting firm, regional planning agency, or contract employee. This sub-grant will have a scope of work and budget determine by MEMA. To be considered for this Local Planning Grant under PDM, your municipality must submit a Planning Statement of Interest by October 11, 2019. More information about planning funds and sample letters of intent/funding commitment are available on our grants web page. Eligible sub-applicants (RPA’s and Communities) can apply as a sub-applicant for a local hazard mitigation planning grant separate from the ‘Commonwealth’s Local Hazard Mitigation Planning Grant’.
- *How much funding is available?* 2019 PDM has \$250 million available nationally; 2019 FMA has \$160 million available nationally. The maximum Federal share for PDM projects is \$4 million and up to \$10 million for Resilient Infrastructure Projects.
- *What is the grant application deadline?* **REQUIRED Statement of Interest is due October 11, 2019.** Statements of Interest will be submitted online. Recommended sub-application for plans, projects, and Advance Assistance State deadline for PDM/FMA: 12/9/2019. Note that the state deadline is an earlier date from the FEMA submission deadline imposed on the State.
- *Are there other conditions?* All proposed full applications for projects (not planning) must include a formal Benefit-Cost Analysis (BCA), using FEMA BCA v6.0 software (*new*), to document the project’s cost-effectiveness. Community participation in the National Flood Insurance Program (NFIP) may also be a requirement for sub-applicants and project eligibility. See Part III, Section E.1 of the FEMA Guidance for additional details.
- *How do I learn more?* Formal grant briefings are available prior to the application deadlines; RSVP’s are required. Before attending a briefing, you should familiarize yourself with the Grant Program Guidance, which can be found here: <https://www.mass.gov/hazard-mitigation-assistance-grant-programs>. All sub-applicants who are considering applying should contact your Grants Coordinator for a technical assistance meeting. This could be a visit at the project site/office or conducted via phone depending on the complexity of the project.
- *Is there a Cost Share?* Sub-applicants must commit to the non-Federal cost share; this is generally a minimum of 25% of the total estimated project cost. In-kind services are allowable as part of the non-Federal share. For some projects under the FMA grant, properties may qualify for up to 100% federal share.
- *Please note:* FEMA’s Hazard Mitigation Assistance Programs are not intended as a source of funding for repair, replacement or deferred maintenance activities, but are designed to assist sub-applicants in implementing long-term, cost-effective improvements that will reduce, minimize or eliminate risk to people and property from the effects of natural hazards. Projects that address operation, deferred or future maintenance, repairs or replacement (without a change in the level of protection provided) of existing structures, facilities, or infrastructure (e.g., dredging, debris removal, replacement of obsolete utility systems, bridge and facility repair) are not eligible mitigation grant activities. Please review the 2015 HMA Guidance on our website for a complete list of eligible and ineligible activities.

For specific inquiries:

Shelly O’Toole, Hazard Mitigation Grants Coordinator (MEMA Regions 1 & 3), 508-820-1443, Michelle.OToole@mass.gov

Dave Woodbury, Hazard Mitigation Grants Coordinator (MEMA Regions 2 & 4), 508-820-2034, David.Woodbury@mass.gov

Region I
P.O. Box 116
365 East Street
Tewksbury, MA 01876
Tel: 978-328-1500 Fax: 978-851-8218

Region II
P.O. Box 54
12 Administration Road
Bridgewater, MA 02324-0054
Tel: 508-427-0400 Fax: 508-697-8869

Region III / IV
1002 Suffield Street
Agawam, MA 01001
Tel: 413-750-1400 Fax: 413-821-1599

Massachusetts Emergency Management Agency (MEMA)

Notice of Funding Opportunity (NOFO) FY 2019 Pre-Disaster Mitigation FY 2019 Flood Mitigation Assistance Posted: September 6, 2019

Funding Availability

Through this Notice of Funding Opportunity (NOFO), the Massachusetts Emergency Management Agency (MEMA) will be accepting applications for the following federal grants:

2019 Pre-Disaster Mitigation Grant (PDM) Program
(Federal Award ID# DHS-19-MT-047-000-99);
Assistance Listings Title (formally Catalogue of Federal Domestic Assistance Number): 97.047
Amount of funding available: \$250,000,000 available nationwide

2019 Flood Mitigation Assistance (FMA) Program
(Federal Award ID# DHS-19-MT-047-00-99);
Assistance Listings Title (formally Catalogue of Federal Domestic Assistance Number): 97.029
Amount of funding available: \$160,000,000 available nationwide

Authorities and References

Section 203 of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act), as amended (Pub. L. No. 93-288) (42 U.S.C. 5133)
Section 1366 of *The National Flood Insurance Act* of 1968, as amended (Pub. L. No. 90-448) (42 U.S.C. 4104c)
Consolidated Appropriations Act, 2019 (Pub. L. No. 116-6)
Hazard Mitigation Assistance Guidance and Addendum (2015)
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR part 200

Cost Share

PDM cost share is 75% federal / 25% non-Federal.

FMA cost share varies depending on the project. Available cost shares include: 75% federal/25% non-federal, 90%/10%, and 100%/0%

Non-Federal share may include: Cash, including local, state, private cash payments (e.g. general funds, MassWorks or MVP grants, etc.), Force account labor (e.g. DPW staff salary and fringe), equipment, materials, volunteer or donated labor (or any combination thereof). In general, the non-Federal cost-share requirement may not be met with funds from other Federal agencies or federal grant programs.

Timelines

FEMA grant availability announcement date: 8/26/2019

State grant availability announcement date: 9/6/2019

State notice of funding opportunity date: 9/6/2019

State Grant Briefings: 9/19/2019 to 10/8/2019

FEMA application opening date (first date that sub-applications may be submitted): 9/30/2019

Statement of Interest deadline (for potential mitigation projects): 10/11/2019 - REQUIRED

Application Development Assistance: Begins on 10/11/2019

Sub-application final State deadline for PDM/FMA: 12/9/2019

Anticipated FEMA Funding Selection Date: 6/1/2020

Anticipated FEMA Award Date: 12/30/2020

Sub-Applicant Eligibility

Eligible sub-applicants: State agencies, Federally recognized Tribal organizations and local governments (including cities, townships, counties, and special district governments). For projects that benefit individual home or business owners, the local government must be the sub-applicant on behalf of the individuals and businesses.

To be eligible for project grants, sub-applicants (except State Agencies which are covered under the Standard State Plan) must have a locally adopted and FEMA-approved Local Hazard Mitigation Plan (in accordance with 44 Code of Federal Regulations, Part 201) by the application deadline.

OVERVIEW OF PROGRAM

Statement of Interest (SOI)

Interested sub-applicants must fill out and submit a completed Statement of Interest by 10/11/2019.

The Statement of Interest will include information on the potential project and allow the State to rank and select projects to invite to full sub-applications. More information on this new step in the grant process will be provided at the grant briefings and in later email correspondence. The SOI form is available online at <https://www.mass.gov/service-details/pdm-fma-grants>

Review & Ranking

After the SOI deadline, the Interagency Review Panel, comprised of representatives and subject matter experts from state's agencies, will convene to review and then rank the SOIs based upon PDM / FMA Project Evaluation Criteria.

Application Development and Application Submission

Sub-applicants which have SOIs that are 'recommended' by the Interagency Review Panel to continue on in the process, will be asked to create and submit a full sub-application. Applications include Hazard Mitigation Planning, Advance Assistance or Project, each described in more detail below. MEMA will provide direct technical assistance and application development guidance for the recommended sub-applications.

Sub-Grant Submission

Recommended sub-applications will submit complete applications in eGrants to FEMA for potential award and funding. MEMA will support application development as needed. Full applications for mitigation projects are required to be submitted via eGrants by December 9, 2019 at 3:00PM EST (State deadline). Sub-recipient access into eGrants is managed by the MEMA. A letter from the Chief Elected Official or Town Manager/Administrator (authorized signatory) must be submitted to MEMA before your account can be activated. A sample letter and instructions on how to register are available on our website at <https://www.mass.gov/service-details/pdm-fma-grants>

Grant Award

Following the State review, ranking and submission of HMA applications, FEMA Headquarters will review sub-applications submitted by each Applicant to ensure compliance with the HMA Guidance, including eligibility of the Applicant and sub-applicant, eligibility of proposed activities and costs, completeness of the sub-application, cost-effectiveness & engineering feasibility of mitigation projects, and eligibility and availability of the non-Federal cost share. Projects identified for further review transfer to the FEMA Regional offices for conducting EHP compliance and additional technical reviews. Upon receipt of an award for a specific grant, MEMA will notify the sub-applicant and hold a kick off meeting. All sub-applicants are

required to submit quarterly reports on both the performance and financial aspects of the grant to MEMA. Periodic site visits and meetings will occur.

APPLICATIONS

Hazard Mitigation Planning Applications

Communities participate in the 'Commonwealth's Local Hazard Mitigation Planning Grant.' This is a State application, filed on behalf of eligible cities and towns by MEMA, for funds to update an existing plan or create a new hazard mitigation plan by procuring a consulting firm, regional planning agency, or contract employee. This sub-grant will have a scope of work and budget determined by MEMA. To be considered for this Local Planning Grant under PDM, **your community must submit a Planning Statement of Interest by October 11, 2019.** Additionally, a supporting Letter of Intent and detailed budget will be required. Letters of Intent submissions for hazard mitigation planning funds must be submitted to MEMA via email by the sub-application final State deadline.

Priorities for the Commonwealth's Local Hazard Mitigation Planning Grant:

- Communities with expired LHMPs
- Communities with no approved LHMP
- Communities with approved LHMPs set to expire in 2020-2022
 - Will be ranked in order of latest to expire within that time period
- Communities who have/will be participating in the EEA Municipal Vulnerability Program (MVP)

Eligible sub-applicants (RPA's and Communities) can apply as a sub-applicant for a local hazard mitigation planning grant separate from the 'Commonwealth's Local Hazard Mitigation Planning Grant'. This grant application would be for regional groups or communities who wish to develop their own expanded scope of work, who have a unique risk or vulnerability profile, or wish to request a large federal cost share. In order to be invited to submit a full planning application, **a detailed Statement of Interest is required to be filled out by October 11, 2019.**

Communities can utilize future funding through the Municipal Vulnerability Program (MVP) towards local share for a Hazard Mitigation Plan, as long as the MVP funding is used after a state contract between the community and the state has been fully executed. Anticipated funding for this grant is expected to open at the end of September 2019. Funding is expected in January 2020.

Advance Assistance (AA) Applications

Sub-applicants may use Advance Assistance to help design, scope, and develop eligible and complete applications. This includes development of feasible project budget, survey, design, EHP compliance documentation, etc. This design work will facilitate viable projects for future grant applications. Sub-applications for Advance Assistance funding may not exceed total of \$200,000 Federal share per state. In order to be invited to submit a full AA application, **a detailed Statement of Interest is required to be filled out by October 11, 2019.**

Project Applications

Projects are eligible if they result in a reduction to future natural hazard damage, such as: stormwater drainage and culvert improvements; floodplain and stream restoration; flood control, diversion, and storage; property acquisition; slope stabilization; infrastructure protection; aquifer storage; emergency generators for critical facilities; seismic and wind retrofits; structure elevations, Community Flood Mitigation and Resilient Infrastructure projects. FEMA's Hazard Mitigation Assistance Programs are not intended as a source of funding for repair, replacement or deferred maintenance activities, but are designed to assist sub-applicants in implementing long-term, cost-effective improvements that will reduce, minimize or eliminate risk to

people and property from the effects of natural hazards. Projects that address operation, deferred or future maintenance, repairs or replacement (without a change in the level of protection provided) of existing structures, facilities, or infrastructure (e.g., dredging, debris removal, replacement of obsolete utility systems, bridges and facility repair) are not eligible mitigation grant activities. Please review the 2015 HMA Guidance for a complete list of eligible and ineligible activities. In order to be invited to submit a full application, **a detailed Statement of Interest is required to be filled out by October 11, 2019.**

All proposed project applications must include a FEMA Benefit-Cost Analysis (BCA), using FEMA BCA v6.0 software (*new*), to document the project's cost-effectiveness. BCAs must include the appropriate acceptable back-up documentation, including damage history (or expected damage analyses), rainfall calculations, detour routes, etc. Applications must meet all HMA program requirements, with all appropriate attachments including available engineering studies/design, and display strong commitment to implementation at the time of award. Community participation in the National Flood Insurance Program (NFIP) may also be a requirement for sub-applicant and project eligibility. See Part III, Section E.1 of the FEMA 2015 HMA Guidance for additional details.

Pre-Award Costs

Pre-award costs directly related to developing the PDM grant application or sub-application that are incurred within 8 months of the application period has opened but prior to the date of the grant award are allowed subject to FEMA's written approval. Please note that this is a change from previous NOFOs. Pre-award costs for PDM and FMA FY 2019 can begin on January 30, 2019.

Pre-award costs directly related to developing the sub-application may be funded through HMA as funds are available. Such costs may have been incurred, for example, to develop a BCA, to gather EHP data, for preparing design specifications, or for workshops or meetings related to development and submission of HMA applications and sub-applications. Costs associated with implementation of the activity but incurred prior to Federal award or final approval are not eligible (projects initiated or completed prior to Federal award or full approval of the project). Pre-award costs must be identified as separate line items in the cost estimate of the sub-application.

Applicants and sub-applicants who are not awarded grants or sub-awards will not receive reimbursement for the corresponding pre-award costs.

Grant Deadline

REQUIRED Statement of Interest due: October 11, 2019 (available online)

- See Statements of Interest section in this NOFO for details regarding project submissions. Emails should be sent to: mitigation@mass.gov.

Final eGrants Sub-application for projects and Advance Assistance State deadline for PDM/FMA: 12/9/2019
Note that this is a different date from the FEMA submission deadline, to allow the State time for working with sub-applicants on sub-application revisions, and time for review and ranking of the sub-applications.

Period of Performance

The Period of Performance (POP) is the period of time during which recipients of grant funds may incur costs related to the approved scope of work. The Period of Performance starts with the acceptance of the award and ends no later than 36 months. Given the complexity of the Resilient Infrastructure and Community Flood Mitigation projects, the POP starts with the acceptance of the award and ends no later than 48 months from the Funding Selection Date. Please note that this is a change from previous NOFOs. Requests for extensions to an award POP will be evaluated but will not be automatically approved. All extension requests must be submitted at least 60 days prior to the expiration of the award POP and justifications must be submitted in writing.

Summary of Requirements

- All FEMA HMA grant project applications require a Local FEMA-approved 'Multi-Hazard Mitigation Plan' at the time of the FEMA application deadline and at the time of obligation.
- A Statement of Interest (SOI) is required to allow the state to review and prioritize projects, and provide application development technical assistance.
- The cost-effectiveness of proposed projects must be demonstrated using FEMA Benefit-Cost Ratio Software (V6.0, released in July 2019); BCR must be greater than 1.0, and must include appropriate acceptable back-up documentation.
- Must be able to be permitted under Federal, State & local permit procedures including, 44CFR Parts 9 & 10 (Floodplain Management & Wetland Protection).
- If awarded a grant, all FEMA HMA programs are managed on a 'reimbursement' basis. Partial reimbursements are allowable.
- Must be able to ensure and certify all costs will be spent in accordance with 2 CFR 200; Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Supporting documentation is required to release funds. All costs must be paid, allowable, and in accordance with the approved Scope of Work.
- The final payment may be held and made after the project is 100% complete and a final inspection has been conducted by MEMA/FEMA.
- Quarterly performance and financial reporting is required.
- No additional funds are available for cost overruns; be conservative (but reasonable) in developing cost estimates.
- Standard State Contract Terms and Conditions apply.

Briefings

To assist potential sub-applicants who are considering applying for FEMA PDM or FMA funding, MEMA will be hosting a series of grant program briefings. Topics to be covered include the 2015 HMA Program Guidance, Statement of Interest and eGrants application process, 2 CFR Part 200 Super Circular, the 2015 addition of the eligibility of major flood control projects, FEMA/DHS CATEXes, potential Environmental Assessment (EA) requirements, the newly released BCA Version 6.0 software, and much more. Please see the grant briefing schedule below. Interested sub-applicants are strongly encouraged to attend one of these briefings as requirements regarding the grant programs will be described and discussed in detail. **To attend a grant briefing or for webinar log-in information, please RSVP by emailing: mitigation@mass.gov**

Briefing Schedule:

Thursday, September 19, 2019

1:00PM to 3:00PM

Webinar

(Webinar log-in information will be distributed at a later date)

Tuesday, September 24, 2019

10:30AM – 12:30PM (Library opens at 10AM)

Carver Public Library

2 Meadowbrook Way, Carver, MA

Wednesday, September 25, 2019

10:00AM – Noon

MA Department of Fire Services – Springfield Campus, Classroom 118
100 Grochmal Avenue, Springfield, MA

Thursday, September 26, 2019

1:00PM – 3:00PM

MA Department of Environmental Protection – Northeast Regional Office
205B Lowell Street, Wilmington, MA

Tuesday, October 8, 2019*

10:00PM to 12:00PM

*MEMA Headquarters –*Webinar also Available*

400 Worcester Road, Framingham, MA

(*Webinar log-in information will be distributed at a later date)

Additional Trainings

L0276 Benefit-Cost Analysis (BCA): Entry Level

Dates: Tuesday & Wednesday, October 1 & 2, 2019, 8:30AM-5:00PM (2-day course)

Location: MEMA Headquarters, Training Room, 400 Worcester Road, Framingham, MA

Space is limited. Please register for this course through the [MEMA Training Registration System \(TRS\)](#).

On July 29, 2019, FEMA announced the release of the new version of the Benefit-Cost Analysis (BCA) Toolkit, Version 6.0, available to the public, and as of the release date may be used for project applications. This 2-day course is designed as an introduction to the fundamental concepts of benefit-cost analysis (BCA). Cost-effectiveness is a key criterion for determining whether or not a hazard mitigation project is eligible for funding. To assist in assessing cost-effectiveness, the Federal Emergency Management Agency (FEMA) has developed software modules and guidance for conducting BCA of proposed projects. This course applies to and is valid for all FEMA Hazard Mitigation Assistance grant programs.

Procurement under FEMA Awards: Requirements for Recipients and Sub-Recipients When Procuring Services, Equipment, and Supplies with Funding under FEMA Grant Programs

Date: Thursday, September 26, 2019, 9:00AM-12:00PM

Location: MA DEP – Northeast Regional Office, 205B Lowell St., Wilmington, MA

Date: Friday, September 27, 2019, 9:00AM-12:00PM

Location: Hopkinton Police Department, 74 Main Street, Hopkinton, MA

Please register for one of these sessions through the [MEMA Training Registration System \(TRS\)](#).

This half-day training focuses on the requirements set forth in the Uniform Rules so that participants can identify and avoid potential violations of the Federal procurement requirements. Topics include: overview and use of contracts; procurement by tribal, state, and local governments, hospitals, institutions of higher education, and other nonprofit organizations; competition; methods of procurement; cost or price analysis; contractor bonding requirements; and contract provisions.

PDM / FMA Project Evaluation Criteria

A state interagency review panel will evaluate all eligible and complete proposals on a competitive basis. The review panel reserves the right to request additional, clarifying information from the sub-applicant during the evaluation period, and to reject any or all proposals that do not meet the goals and terms of this NOFO. The proposals will be evaluated and prioritized by the following criteria:

1. *Project Scope, Budget and Timeline.* The project adequately mitigates current hazards by providing a well-defined scope of work and level of protection above what currently exists. The project budget/cost estimate is detailed. The application demonstrates through a clear and realistic work schedule the capability of the applicant to implement and complete the project in a timely manner. This includes a plan for obtaining all required state and local environmental permitting that may be required. (0-28 points)
 2. *Benefit Cost Analysis.* A well-defined 'Benefit-Cost Analysis' (BCA) is provided with relevant supporting documentation. (0-12 points)
 3. *Commitment.* The application demonstrates commitment to complete the project and is substantiated by providing documentation of the non-federal cost share, signed support by the chief administrative official, and a description of the decision making process. (0-12 points)
 4. *Consistency with Planning.* The application details how the proposed mitigation activity is consistent with the FEMA-approved hazard mitigation plan (HMP) for the local jurisdiction. (0-8 points)
- Resiliency: Up to 40 total points
5. *Co-Benefits and Transferability.* The project will improve resilience (or ability of the system to withstand current and future hazards and disturbances) at, adjacent to, and beyond the project site through key resilience factors. The project offers opportunities for other municipalities to learn from the techniques deployed and offers a replicable approach applicable in other locations across the state. (0-12 points)
 6. *Nature-based solutions.* The project promotes utilization of nature-based solutions and provides environmental benefits. (0-10 points)
 7. *National Priorities.* The project type is consistent with the FEMA national priorities listed in the FEMA Notice of Funding Opportunity. (0-4 points)
(PDM priorities are listed in the PDM FEMA NOFO on pages 17-19. FMA priorities are listed in the FMA FEMA NOFO on pages 18-20.)
 8. *Repeat damages.* If the project is not implemented there will likely be a detrimental impact, loss of essential services, damage to critical facilities, infrastructure, and/or economic hardship. (0-14 points)

Contact Information

For general inquiries regarding the programs, please contact MEMA at: mitigation@mass.gov

For specific inquiries:

Shelly O'Toole, Hazard Mitigation Grants Coordinator, **MEMA Regions 1&3**, 508-820-1443,

Michelle.OTOole@mass.gov

Dave Woodbury, Hazard Mitigation Grants Coordinator, **MEMA Regions 2&4**, 508-820-2034,

David.Woodbury@mass.gov

Details including the grant application instructions, program guidance, and BCA Software Downloads is available in the 'Hazard Mitigation Assistance Grant Programs' section of the 'MEMA Resources for Public Officials' page, found on the MEMA website at www.mass.gov/mema.

###

Diane Davidson

From: Kristen Rathjen <krathjen@sciencewares.com>
Sent: Thursday, October 03, 2019 10:20 AM
To: Julian Suso; 'Comcast'
Cc: Diane Davidson
Subject: Addition to Oct 7th BOS agenda : AFCEE fund request

Good Morning Julian and Doug,

I was granted permission from the Conservation Commission to pursue some pilot macrophyte harvesting trials on Mill Pond ahead of the hearing on the Notice of Intent. To complete these trials this fall while there is still vegetation on Mill Pond, we would like have a request for AFCEE funds to support the purchase of some equipment for this trial added to the Oct 7th Select Board agenda. Ideally, MES would be the stewards of the funding and equipment. We have reached out to Greg Fraser on the matter and have not yet connected with him to receive a confirmation that MES is willing to support the project in this manner. If we do not receive a confirmation from Greg prior to the meeting we would request that there be a stipulation that the allocation of the funds is subject to finding a suitable department.

The breakdown of costs based on the latest quote from the supplier is:

WeedShear w/case @ \$143.94 (this is a manual cutter that it may be possible to mount to a boat for efficient harvest)
Rake Zilla (7') @ \$145.99 (this is a special floating rake for collecting cut weeds from the surface of the water)
Lake Weed Pitch Fork @ \$29.99 (this is a pitch fork for lifting collected weeds out of the water)
Boat Mounted Aquatic Mower @ \$2799 (this is a motorized cutter that is expected to cut weeds efficiently for a full scale harvest)
Parachute Pond Skimmer @ \$138.99 (this is designed to collect finer debris that the rake may miss)

With a 5% discount and shipping at \$200 the total cost would be \$3,295.

We would like to include a buffer for incidental costs that may be incurred.

Our formal request is for AFCEE funding not to exceed \$4,000 to support macrophyte harvesting pilot activities in Mill Pond.

Please let me know if we can be added to the agenda for Monday and whether you are in need of any additional information.

Thank you,

Kristen

Kristen Rathjen
Water Quality Technical Consultant
Science Wares, Inc.
87 Hamlin Ave.
Falmouth, MA 02540
cell 774-521-5053
krathjen@sciencewares.com



**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

EVENT NAME Chris Wetherbee Memorial Toy Run

NAME Tammy Baptiste

MAILING ADDRESS 152 Palmer Avenue, Falmouth, MA 02540

EVENT DAY & DATE Sunday, November 3, 2019

RAIN DATE None.

EVENT LOCATION Buzzards Bay to Navigator, Ashumet Rd., Falmouth

EVENT TYPE Fundraiser Motorcycle Ride

SET-UP ARRIVAL TIME _____ **EVENT HOURS** 8:30 a.m. – 12:00 p.m.

NUMBER OF ATTENDEES 100+ **# OF VEHICLES** 100+

ADDITIONAL DETAILS Motorcycle ride from Eagles Hall in Buzzards Bay to the Navigator at 55 Ashumet Rd., E. Falmouth. Route map attached. Charity toy drive to benefit the children of Cape Cod.

CONDITIONS:

1. Organizers to instruct riders at start of ride to keep noise level down.
2. Organizers to check the ride route to ensure that no litter or debris is left behind.

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

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

BOARD OF SELECTMEN:

Phyllis Downey

From: Brian Reid
Sent: Friday, September 13, 2019 8:14 AM
To: Phyllis Downey; Bob Shea; Boyd Demello; Bruce Mogardo; Diane Davidson; Jeremiah Pearson; Jim Grady; Joe Olenick; Julian Suso; Mel Trott; Peter Johnson Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Good Morning Phyllis,

The Police Department has no objection to the application. Please ask the applicant to contact the shift supervisor on the morning of the event so that we can offer an escort to the participants.

Thank you,

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

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From: Phyllis Downey
Sent: Wednesday, September 11, 2019 3:00 PM
To: Bob Shea <bob.shea@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Mel Trott <mel.trott@falmouthfirema.gov>; Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Cc: Phyllis Downey <phyllis.downey@falmouthma.gov>
Subject: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Good afternoon,

We have received an application for the Annual Chris Wetherbee Memorial Toy Run, please see attached application. This an annual event that took place on November 4, 2018. The Board of Selectmen is scheduled to review this application at their meeting on October 7, 2019. May we request your recommendations by Wednesday, October 2nd?

Phyllis Downey

From: Timothy Smith
Sent: Saturday, September 14, 2019 7:37 AM
To: Brian Reid; Phyllis Downey; Bob Shea; Boyd Demello; Bruce Mogardo; Diane Davidson; Jeremiah Pearson; Jim Grady; Joe Olenick; Julian Suso; Mel Trott; Peter Johnson Staub; Peter McConarty; Rod Palmer; Scott McGann; Sean Doyle
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Phyllis,
The FD has no issues with this event.
Thank you.

Timothy Smith, Deputy Fire Chief
Falmouth Fire Rescue Department
Work: (508) 495-2514
Cell: (508) 274-6410

From: Brian Reid <brian.reid@falmouthpolicema.gov>
Sent: Friday, September 13, 2019 8:14 AM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>; Bob Shea <bob.shea@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Mel Trott <mel.trott@falmouthfirema.gov>; Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Good Morning Phyllis,

The Police Department has no objection to the application. Please ask the applicant to contact the shift supervisor on the morning of the event so that we can offer an escort to the participants.

Thank you,

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

Phyllis Downey

From: Bruce Mogardo
Sent: Sunday, September 15, 2019 10:11 AM
To: Phyllis Downey
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Beach Dept has no issues with this event.

Bruce

From: Phyllis Downey
Sent: Friday, September 13, 2019 8:23 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Bob Shea <bob.shea@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Mel Trott <mel.trott@falmouthfirema.gov>; Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Thank you, we will follow up with the applicant.

Phyllis Downey

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

From: Brian Reid
Sent: Friday, September 13, 2019 8:14 AM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>; Bob Shea <bob.shea@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Mel Trott <mel.trott@falmouthfirema.gov>; Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: RE: Special Event - Chris Wetherbee Memorial Toy Run- Annual

Good Morning Phyllis,

The Police Department has no objection to the application. Please ask the applicant to contact the shift supervisor on the morning of the event so that we can offer an escort to the participants.

Thank you,

Captain Brian L. Reid
Operations Division

UPPER/MID CAPE COD

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 of the Cape Cod Chamber of Commerce

- Bourne
- Falmouth
- Mashpee
- Osterville
- Sandwich



	Limited Access Highway		One Mile
	Major Highway		
	Other Road		
	Ferry		
	Bike Trail		

TOY RUN ROUTE NOVEMBER 3, 2019

BEGIN AT EAGLES HALL, COHASSETT AVENUE, BUZZARDS BAY. TAKE A RIGHT AND THEN A LEFT ON TO MAIN STREET BUZZARDS BAY. FOLLOW MAIN STREET TO THE ROTARY AND OVER THE BRIDGE TO TROWBRIDGE ROAD IN BOURNE. TURN RIGHT ONTO TROWBRIDGE ROAD WHICH BECOMES SHORE ROAD. CONTINUE ON SHORE ROAD THROUGH MONUMENT BEACH AND POCASSETT. TAKE A RIGHT FROM SHORE ROAD ONTO TO COUNTY ROAD. AT THE INTERSECTION OF COUNTY ROAD AND 28A IN NORTH FALMOUTH GO RIGHT AND CONTINUE DOWN 28A TO BRICK KILN ROAD. TURN LEFT ON TO BRICK KILN ROAD TO SANDWICH ROAD. AT SANDWICH ROAD TURN LEFT AND CONTINUE DOWN TO ASHUMET ROAD. TURN LEFT ONTO ASHUMET ROAD AND NAVIGATOR IS ON THE LEFT.

20th Annual Chris Wetherbee Memorial Toy Run
Benefiting the Children of Cape Cod &
20 Years of Honoring Chris Wetherbee



SUNDAY, NOVEMBER 3, 2019

Registration 8:30 to 10:00 A. M.

At Eagles Hall, 30 Cohasset Avenue, Buzzards Bay

Leaving at 11:00 A.M. Sharp

****Riding to the Navigator****

******55 Ashumet Rd, East Falmouth******

******* New End Location and New Ride Route*******

Donations \$10 per person or a new unwrapped toy
(Please no stuffed animals or violent toys)

If unable to make the ride toys can be dropped off at:
Cape Cod Harley, 750 MacArthur Blvd, Pocasset, or
615 Main St., Hyannis

To Make a Donation or for more information please contact:
Tammy Baptiste @ chriswetherbeetoyrun@gmail.com or
(508)648-1025; Joe Wetherbee @ csawce2004@yahoo.com or
(508)776-4548; or Clarissa Wetherbee @ (774)392-2164



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Selectmen of the Town of Falmouth will hold a public hearing on Monday, October 7, 2019 at 7:30 p.m. in the Selectmen's Meeting Room, Town Hall, Falmouth, MA on the application of Ament Klauer LLP on behalf of Teaticket Car Wash LLC for a wastewater flow variance under Chapter 180, Section 56 of the Code of Falmouth, the so-called Flow Neutral By-law, for a car wash at 187 Teaticket Highway in said Falmouth (parcel 39 14 024B 000).

Per Order of Board of Selectmen

Publication date: Friday, September 13, 2019, Falmouth

AMENT KLAUER LLP

Attorneys at Law
39 Town Hall Square
Falmouth, MA 02540



Robert H. Ament, Esq.
Kevin P. Klauer II, Esq.
Matthew M. Terry, Esq.

Telephone (508) 540-6555
Fax (508) 457-1293
Website: www.amentklauer.com

August 21, 2019

Megan English Braga, Chairman
Board of Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Re: Request for Variance under the Flow Neutral Bylaw
Proposed carwash at 187 Teaticket Highway
Assessor's Parcel 39 14 024B 000

Dear Ms. English Braga:

I represent Teaticket Car Wash LLC, the prospective lessor and builder of a car wash to be located at 187 Teaticket Highway LLC. The applicant has received the required approvals from both the Planning Board and the Zoning Board of Appeals. The Board of Health has also reviewed and approved the project as the applicant showed that if the property were not in the sewer district, it could be served by an on-site septic system without significant variances from Title 5.

The property is on the municipal sewer, and therefore the project is subject to the "Flow Neutral Bylaw," Code of Falmouth Section 180. Under this Bylaw, which concerns the allocation of available sewer capacity, the Selectmen must approve any increase in flow exceeding ten percent above the flow permitted as of January 1, 2014, for changes to existing non-residential development, and, for new nonresidential development, any flow exceeding 100 gallons per day (GPD) per 10,000 square feet of lot area.

The existing building has seen many uses, including as a Honey Dew Donuts, a KFC, and most recently as an ice cream shop. It was permitted to be developed as a Jiffy Lube, though that development never came to fruition. The calculated flow for the permitted use is 1,050 gallons per day ("GPD"). With the allowed 10% increase that allowed gallons per day becomes 1,155 GPD. The applicant's proposed use would result in a total of 2,279 GPD being discharged into the sewer and is therefore subject to the Flow Neutral Sewer Bylaw.

The applicant intends to install a three-tank water reclamation system which captures and recycles water in use, as well as an oil-water separator in order to be sure that only appropriate materials are discharged to the sewer. Both the reclamation system and the oil-water separator would be maintained on a regular schedule and the solids from the reclamation system as well as the oil from the oil-water separation system would be pumped out by a licensed hauler and disposed of in accordance with state regulations.

Megan English Braga, Chairman
August 21, 2019
Page 2

Pursuant to Code of Falmouth Section 185-56.A., the applicant respectfully requests that the Board of Selectmen grant a variance to allow for the redevelopment of the subject properties.

The Bylaw requires that the Selectmen be satisfied that sufficient sewer capacity exists in the municipal treatment facility, as determined by the Wastewater Superintendent. Based on the past reports provided by the Wastewater Superintendent, we believe that upon your inquiry she will advise that there is sufficient capacity.

Please send the necessary referral to Amy Lowell, and please schedule this variance request for hearing by the Selectmen as soon as convenient. The Flow Neutral By-law requires hearing notification by publication and posting with the Town Clerk and on the Town website. Let us know what costs should be paid by the applicant.

Please contact me if there are questions. Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink that reads "Kevin P. Klauer II". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin P. Klauer II, Esq.

KPK/mmt

cc: Julian M. Suso, Town Manager
Scott McGann, Health Agent
Clint Kendall
Mike Borselli, Falmouth Engineering

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

Presented to BOS for Discussion Purposes 6-4-18

Suggested Process:

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

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

Chapter 180. Sewers and Septic Systems

Part 3. Service Areas and Districts

Article VIII. Flow Neutral Bylaw for Present and Future Sewer Service Areas

§ 180-56. Variances in sewer service areas.

- A. The Board of Selectmen, after a public hearing of which notice has been given by publication 1) in a newspaper of general circulation and 2) posting with the Town Clerk and on the Town website for a period of no less than fourteen (14) days prior to the date of hearing, may grant a variance, provided both Subsection A(1) and (2) below are satisfied:
- (1) Sufficient capacity exists in the treatment facility, as determined by the Wastewater Superintendent. If sufficient capacity does not exist then no variance shall issue.
 - (2) Should the Wastewater Superintendent determine sufficient capacity exists the applicant must then demonstrate, through a positive referral from the Board of Health, that a septic system for the total number of bedrooms or nonresidential flow requested, meeting the provisions of 310 CMR 15.000 (Title 5) without significant variances, can be sited on the parcel. If the Board of Health does not make a referral within 45 days of receipt of the request, it shall be considered a positive referral.
- B. The Board of Selectmen may, at its sole and absolute discretion, issue a variance that in its judgment could be granted without substantially derogating from the intent or purpose of this bylaw should the applicant fail to satisfy criteria in § 180-56A(2) above.



TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS, WASTEWATER DIVISION

416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540

TELEPHONE (508) 457-2543

AMY LOWELL
WASTEWATER SUPERINTENDENT

Date: September 20, 2018

To: Board of Selectmen, Town Manager

cc: Kevin Klauer, ZBA Office, Planning Office, Health Office

Re: Request for Variance Under the Flow Neutral Bylaw
187 Teaticket Highway – Car Wash
Sewer Capacity Determination

A variance has been requested under section §180-56 of the Town's Flow Neutral Bylaw for redevelopment of the property at 187 Teaticket Highway.

The property has been vacant for several years, with a Title 5 wastewater flow of 0 gpm. As noted in Attorney Klauer's letter dated 8/21/19, the proposed car wash is projected to discharge 2,679 gallons per day to the wastewater system.

The property is within the Town's Little Pond Sewer Service Area.

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

Taking into account wastewater flow from existing sewer service areas, flow from the Little Pond Sewer Service Area, and the flow from the other currently proposed projects in sewer service areas, sufficient sewer system capacity exists to allow the proposed development.

Including this project, when all the projects that have been granted flow neutral variances have been implemented (estimated 2022), the average annual flow to the Town's WWTF is expected to be approximately 80% of the average annual permitted discharge from the WWTF. In the Town's Comprehensive Wastewater Management Plan Update to be sent to the state in December of 2019, the Town will propose to develop an additional treated wastewater recharge option to accommodate flow from further redevelopment within the existing sewer service area as well as from further expansion of the Town's sewer collection system.

The proponent will need to apply for a sewer connection permit, and will need to provide a more detailed sewer connection plan, as well as more detailed information about the proposed water reclamation system and separator system for removing contaminants from the water before discharging to the sewer system.

Diane Davidson

From: Scott McGann
Sent: Wednesday, August 28, 2019 12:53 PM
To: Diane Davidson; Amy Lowell
Cc: Thomas Bott; Julian Suso; Phyllis Downey
Subject: RE: Flow Neutral Bylaw Variance Request - 187 Teaticket Highway

On October 19, 2018 the Falmouth Board of Health gave a positive referral that a compliant Title 5 system could be sited on this property.

Also of note: Wash water is processed and reused with a portion being discharged. The discharge is proposed to enter the Town's sewer system as opposed to on-site discharge negating the need for MADEP approval for on-site industrial waste discharge.

Scott McGann
Health Agent

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, August 28, 2019 11:07 AM
To: Amy Lowell <amy.lowell@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>
Cc: Thomas Bott <thomas.bott@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Phyllis Downey <phyllis.downey@falmouthma.gov>
Subject: Flow Neutral Bylaw Variance Request - 187 Teaticket Highway

Hi Amy, Scott,

Attached please find a letter of request for a variance under the Flow Neutral Bylaw for a proposed car wash at 187 Teaticket Highway. Also attached is a copy of a decision from the Zoning Board of Appeals granting a special permit #022-19 with conditions.

Please provide your recommendations for the Board of Selectmen on this request.

A hearing with the Board of Selectmen is being planned for Monday, September 23, 2019 at 7:30 p.m.

Thank you,

Diane

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

Diane Davidson

From: Amy Lowell
Sent: Friday, September 20, 2019 11:56 AM
To: Phyllis Downey; Diane Davidson
Cc: Thomas Bott; Julian Suso; Ashley DeMello; Melinda Maranchie; Scott McGann; Peter Johnson Staub
Subject: RE: Flow Neutral Bylaw Variance Request - 187 Teaticket Highway
Attachments: 187 Teaticket Hwy - Flow Neutral ltr 9-20-19.pdf

Hello,

Attached is the Wastewater Division's letter stating there is sufficient wastewater system capacity for the proposed redevelopment at 187 Teaticket Highway. Letter is provided for the Board of Selectmen's flow neutral bylaw variance hearing scheduled for October 7th.

The letter includes the following paragraph:

“Including this project, when all the projects that have been granted flow neutral variances have been implemented (estimated 2022), the average annual flow to the Town's WWTF is expected to be approximately 80% of the average annual permitted discharge from the WWTF. In the Town's Comprehensive Wastewater Management Plan Update to be sent to the state in December of 2019, the Town will propose to develop an additional treated wastewater recharge option to accommodate flow from further redevelopment within the existing sewer service area as well as from further expansion of the Town's sewer collection system.”

Amy

Amy Lowell
Wastewater Superintendent
416 Gifford Street
Falmouth, MA 02540
(508) 457-2543 x 3018
amy.lowell@falmouthma.gov

From: Phyllis Downey
Sent: Thursday, September 12, 2019 8:24 AM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Amy Lowell <amy.lowell@falmouthma.gov>
Cc: Thomas Bott <thomas.bott@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>
Subject: RE: Flow Neutral Bylaw Variance Request - 187 Teaticket Highway

Good morning,

FYI - This Variance Request has been rescheduled to the Selectmen's meeting on October 7th.

Thank you, Phyllis

Phyllis Downey
Office of the Town Manager & Board of Selectmen
508-495-7325



TOWN OF FALMOUTH
ZONING BOARD OF APPEALS
DECISION

SPECIAL PERMIT NO: #022-19

APPLICANT/OWNER: Green Ocean Car Wash LLC / 187 Teaticket LLC
24 Stowell Road, Winchester, Massachusetts

SUBJECT PROPERTY: 187 Teaticket Highway, Teaticket, Massachusetts

Assessor's Map: Map 39 Section 14 Parcel 024B Lot 000

DEED/CERTIFICATE: Book 30818 Page 228

SUMMARY: Special Permit granted, with conditions

PROCEDURAL HISTORY

1. On April 22, 2019, an application was filed with the Zoning Board of Appeals for a Special Permit, pursuant to Section(s) 240-51. B. (3). of the Code of Falmouth, to operate a motor vehicle service station as a car wash at 187 Teaticket Highway, Teaticket, Massachusetts (the "Premises").
2. Notice was given, as required by M.G.L. Chapter 40 A, Section 9, including notices mailed to all persons deemed to be affected thereby, as they appear on the tax list.
3. The previous Zoning Board of Appeals case for the Premises included:
 - Special Permit 77-94 in 1994 to allow renovation of a restaurant, to include a drive-thru window
 - Special Permit 146-94 in 1994 to allow change to a donut shop
 - Special Permit 11-11 in 2011 to allow a motor vehicle oil change service
 - Special Permit 38-13 in 2013 to allow retail candy sales with ice cream sales

- Special Permit 005-18 for a commercial car wash withdrawn without prejudice
4. The advertised public hearing was opened on June 13, 2019, at which hearing, relevant testimony was heard.
 5. Kevin P. Klauer II, Ament Klauer LLP, 39 Town Hall Square, Falmouth, MA appeared before the Board, representing Green Ocean Car Wash LLC / 187 Teaticket LLC , 24 Stowell Road, Winchester, Massachusetts (the "Applicant"), as to 187 Teaticket Highway, Teaticket, MA (the "Premises"). Mr. Klauer II discussed the request for special permit with the Board.
 6. The public hearing was continued to July 18, 2019, and August 1, 2019 to review a positive draft decision. Minutes of the hearing(s) are on file in the Board of Appeals.
 7. The following documents and information are on file in the office of the Zoning Board of Appeals at Town Hall, as set forth below:

Letters/E-mails from Abutters/Interested Parties

- Letter from the 300 Committee Land Trust, dated June 12, 2019 signed by Jessica Whritenour, Executive Director
- Letter from Richard Stone, dated 9 Hickory Lane, Teaticket

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

- Attorney Klauer submitted application, filing fee and addendum to project
- Attorney Klauer submitted an authorization letter, dated April 20, 2019 signed by Wallace C. Kendall, Manager of 187 Teaticket LLC
- Letter from John Feters, Engineering Manager, JE Adams Industries, dated June 9, 2019, regarding noise levels of proposed vacuums
- Email from Attorney Klauer to ZBA staff dated June 13, 2019
- Letter from Cape and Islands Engineering, dated May 22, 2019 from Raul Lizardi-Rivera, P.E. regarding Fire Departments referral
- Letter from Cape and Islands Engineering, dated May 22, 2019 from Raul Lizardi-Rivera, P.E.
- Email from Attorney Klauer dated April 24, 2019 to ZBA staff
- Letter from Attorney Klauer dated June 4, 2019 in response to the Wastewater's Superintendent questions

Letters/Referrals/E-mails from Town Departments

- Referral from the Planning Department from Planning Board staff, dated April 24, 2019 with comments – *A site plan review application has been filed with the Planning Department and will be on the May 28th PB Agenda*
- Referral from the Water Department from Greg Powers, dated April 26, 2019 with comments – *Water service needs to be upgrade [sic] either 1" or 2" service*
- Referral from Conservation, dated April 28, 2019 from Conservation Agent with no comments
- Referral from the Health Department, dated April 30, 2019 from Scott McGann, Health Agent with comments – *On October 19, 2018 the Board of Health gave a positive referral that a*

compliance Title 5 system could be located on the property. Wash water is processed and reused with a portion being discharged. That discharge will be entering the Town's sewer system. The applicant is not proposing ground discharge of wash water, which is considered industrial waste water by DEP.

- Referral from the Assessing Department, dated April 30 ,2019 from Patricia Favulli, Assessor with no comments
- Referral from the Falmouth Fire Rescue Department dated May 2,2019 from Mel Trott, Fire Prevention Officer with comments – *The Falmouth Fire Rescue Department will need the driveway on the west side and rear of the property to be at least 14 feet wide for adequate apparatus access*
- Referral from the Engineering Department to the Planning Board, dated May 10,2019 from Scott Schluter, P.E. with 3 pages of comments regarding sewage, water, parking and access, grading and drainage and general comments
- Referral from the Wastewater Division, dated May 23,2019 from Amy Lowell, Wastewater Superintendent stating that this would require a Variance from the Board of Selectmen under the Flow Neutral Bylaw and requested further information for review by the Wastewater Division
- Received Planning Board decision, dated June 21, 2019
- ZBA staff submitted previous special permits #38-13,#77-94,#146-94, #11-11, and #05-18

Plans submitted by Applicant/Applicant's Representative

- Six (6) aerial renderings submitted by Attorney Klauer, not dated or authored, Board received dated April 22, 2019 and July 13, 2019
- "Proposed Site Development Plans at 187 Teaticket Highway, Falmouth", by Cape and Islands Engineering, consisting of eight(8) sheets; 'Cover Sheet' sheet G-101, 'Existing Conditions Plan' sheet V-101, ' Demolition and Erosion Control Plan' sheet E-101, ' Site Layout Plan' sheet C-101, ' Landscape Plan' sheet L-101, 'Grading and Utilities Plan; sheet C-111, 'Construction Details Plan' sheet C-501 and ' Construction Details Plan' sheet C-502; all plans dated March 11, 2019
- "Proposed Site Development Plans at 187 Teaticket Highway, Falmouth", by Cape and Islands Engineering, consisting of eight(8) sheets; 'Cover Sheet' sheet G-101, dated March 11,2019 with a revision date of May 14,2019, 'Existing Conditions Plan' sheet V-101, ' Demolition and Erosion Control Plan' sheet E-101, ' Site Layout Plan' sheet C-101 dated March 11, 2019 with a revision date of May 14, 2019, ' Landscape Plan' sheet L-101, 'Grading and Utilities Plan sheet C-111 dated March 11, 2019 with a revision date of May 14, 2019, 'Construction Details Plan' sheet C-501 and ' Construction Details Plan' sheet C-502 dated March 11, 2019 with a revision date of May 14, 2019
- "Proposed Site Development Plans at 187 Teaticket Highway, Falmouth", by Cape and Islands Engineering consisting of eight(8) sheets; 'Cover Sheet' sheet G-101, dated March 11, 2019 with a revision date of June 11, 2019, 'Existing Conditions Plan' sheet V-101, ' Demolition and Erosion Control Plan' sheet E-101, ' Site Layout Plan' sheet C-101 dated March 11, 2019 with a revision date of June 4, 2019, ' Landscape Plan' sheet L-101 dated March 11, 2019 with a revision date of June 11, 2019, 'Grading and Utilities Plan sheet C-111 dated March 11, 2019 with a revision date

of June 11, 2019, 'Construction Details Plan' sheet C-501, and ' Construction Details Plan' sheet C-502 dated March 11 ,2019 with a revision date of May 14, 2019

- 'Proposed Site Development Plans at 187 Teaticket Highway, Falmouth' Cape and Islands Engineering consisting of eight(8) sheets; 'Cover Sheet' sheet G-101, dated March 11,2019 with a final revision date of June 19,2019, 'Existing Conditions Plan' sheet V-101, ' Demolition and Erosion Control Plan' sheet E-101, ' Site Layout Plan' sheet C-101 dated March 11,2019 with a final revision date of June 19, 2019, ' Landscape Plan' sheet L-101 dated March 11,2019 with a final revision date of June 19,2019, 'Grading and Utilities Plan sheet C-111 dated March 11,2019 with a revision date of June 11,2019, 'Construction Details Plan' sheet C-501 and ' Construction Details Plan' sheet C-502 dated March 11,2019 with a revision date of May 14,2019
- Falmouth Car Wash 187 Teaticket Highway, Teaticket, MA 02540 ' First Floor Plan' sheet A-1.0, dated March 14, 2018 drawn by Bruce Ronayne Hamilton Architects, 833 Turnpike Road, New Ipswich, NH
- (1) sheet consisting of building elevations, not dated or authored; Board date received stamp of May 1, 2019
- Aerial rendering, not dated or authored, with a Board date received of July 11,2019

Hearing:

June 13, 2019

Attorney Kevin P. Klauer II appeared before the Board, with Wallace C. Kendall, Manager of 187 Teaticket LLC, and stated that 187 Teaticket Highway, Teaticket, Massachusetts (the "Premises") is located on Route 28, and contains 24,200 square feet of area in the Business 2 zoning district. The Premises is currently improved by a single story structure that is nonconforming, due to side and rear setbacks, and a shed encroaching into the rear lot line. The lot coverage by structure/parking/paving is also nonconforming. The Applicant is proposing to replace the existing structure with a conforming commercial car wash, comprising 2,675 square feet, resulting in lot coverage by structures of 11%.

Mr. Klauer stated that changes have been made to the application which was previously before the Board last year, including a single lane of cars entering and exiting the Premises, as well as providing two bail out lanes from the cars in the que. A vehicle can bail out at the vacuum area, or a gate can be manually lifted to allow a car to bail out in the area of the payment stations. The pay stations will be automated, with a 10-foot tall awning above. An employee will provide oversight at the pay station. The width of lanes has been increased to 14 feet in width, to meet Fire Department requirements. Mr. Klauer reported that the curb cut is now further south, for improved traffic flow. A proximate utility pole will be removed. Mr. Klauer reported that the ITE manual expects 12 cars per hour, and that summer and fall would be the slowest time for a car wash business. He stated he did not have any data for cars seeking vacuuming only.

Mr. Klauer stated that water reclamation tanks will be located underground, and fed by drains in the building, to catch runoff. Oil or solids will be disposed of properly. He noted that the Applicant will require a variance from the Board of Selectmen regarding a sewer connection. Mr. Klauer reported that they have worked with the 300 Committee, to address their concerns.

Mr. Klauer anticipated two employees; one parking space will be provided for employees, and a bike rack will be installed. The hours of operation are anticipated to be 8:00 a.m. to 7:00 p.m. Solar panels are contemplated for the roof of the building.

The Board expressed concern about the adequacy of the width of the turning area exiting the car wash, and that cars exiting may swing into the incoming cars. Mr. Costa stated that the 14-foot width turning radius of the exit is adequate, and that they are providing a one-foot wide painted strip to separate exiting cars from entering cars.

The Board expressed concern about potential traffic backup, where vehicles exiting the car wash may be tied up by vehicles waiting for the vacuum, where this exit lane is shared. Mr. Klauer stated that there would be no queuing for the vacuums. Mr. Costa reported that there was a parking space where a vehicle could stage, while waiting for a vacuum.

The Board expressed concern about the amount of pavement, related to the lack of landscaping. Mr. Costa represented that the arborvitae can be maintained in a narrow area through pruning. Mr. Costa also reported that the proposed lanes would manage traffic within the site, and preferred to not reduce pavement.

The Board recommended that a vacuum be provided at the handicapped spot. They further inquired about the decibel output of the vacuums, and whether that output could be mitigated. Mr. Klauer stated he would get that information.

The Board noted a proximate traffic light (at the housing complex), and suggested that traffic could be better managed exiting with a right turn only. Mr. Klauer opined that that option would be problematic, as cars would then be looking to take the first left possible, to turn around. He indicated this would lead to a traffic problem elsewhere. Mr. Costa stated that general times of lower traffic volume, such as the winter, result in more trips through the car wash. He reported that times of highest traffic volume in the summer, are typically a slower time for the car wash.

The Board noted that it is confusing to see where the curb cut is, and whether the area could be different. Mr. Klauer stated that the curb cut is the same size as currently exists; it is just being shifted slightly. Mr. Costa reported that Mass DOT has jurisdiction for the curb cuts, and that they will file with them for the curb cut review.

The Board inquired about raised curbing on the Premises, and whether that would be assistive in keeping vehicles in proper lanes. Mr. Costa stated that there will be only Cape Cod berms installed, to keep water on the site for recycling. The rest of the area is asphalt and crushed stone.

Mr. Dugan made a motion to continue the hearing to July 11, 2019 at 6:30 p.m. Mr. Van Keuren seconded the motion; all voted unanimously for the continuation. Notice thereof was posted at the Town Clerk's office, and on the Town's website.

July 11, 2019

Attorney Kevin P. Klauer II appeared before the Board, with Wallace C. Kendall, Manager of 187 Teaticket LLC, and Matthew Costa, Cape & Islands Engineering. Mr. Klauer II submitted updated information to the Board. He pointed out that the Premises is in the Business 2 zoning district, and will constitute a lot coverage by structures of 11%, and lot coverage by structures/parking/paving of 70%.

Mr. Klauer reported that this represents a reduction in lot coverage from current conditions. He also stated that the proposal has been reviewed and approved by the Planning Board.

Mr. Klauer II reviewed the changes with the Board, which included an additional parking spot in the vacuum area, the addition of a bike rack, and provided sound information related to the vacuums. He noted that the Applicant will be replacing a dilapidated site, and exceeding minimum district setback requirements. Mr. Klauer II also stated that they worked with the 300 Committee.

In response to a Board question about gravel areas, it was reported that there will be Cape Cod berms throughout the site, and stone level with the pavement. Mr. Costa reported that crushed stone is planned in case cars drive over it, exiting the wash. Mr. Klauer II noted that the Fire Department requested that the Premises not be curbed, for access.

The Board inquired about the sufficiency of the loading zone/delivery area at 9 feet wide, noting the tight area, and the number of parking spaces. Mr. Klauer stated that only 3 parking spaces are required, but that they are providing 6 spaces (the vacuum spaces are short-term). Mr. Klauer suggested that deliveries would be made by a cargo van. The Board also inquired about placing bollards at the exit of the car wash, to prevent contact with incoming cars, and to separate lanes. Mr. Costa offered flexible bollards at the exit area of the car wash. He suggested that option would better provide for different driving abilities, in navigating the exit of the car wash. The Board also discussed more site arrows and signage, noting that an updated plan was received on July 11, 2019 (meeting date).

A motion to close the hearing was made by Mr. Foreman, and seconded by Mr. Dugan. The Zoning Administrator was directed to draft a position for the continued hearing on July 18, 2019. Notice thereof was posted at the Town Clerk's office, and on the Town's website.

July 18, 2019

The Board continued the discussion on the Decision to August 1, 2019, where the draft decision was not completed. Notice thereof was posted at the Town Clerk's office, and on the Town's website.

Findings:

The subject site, 187 Teaticket Highway, Teaticket, Massachusetts (the "Premises") is sited in the Business 2 Zoning District, the Little Pond Coastal Pond Overlay District, and the Little Pond Sewer Service Area. The Premises is nonconforming where it comprises 24,218 square feet of area, in a district requiring a minimum 40,000 square foot lot. The Premises has 108.24 feet of frontage, where the minimum required is 200 feet. The Premises has 122 feet of lot width, where the minimum in the district is 200 feet. The proposal involves construction of a single-story car wash, under By-Law Section 240-51 B. (3), which constitutes an allowed use, by special permit by the Zoning Board of Appeals, within the category of motor vehicle service stations.

The Premises has been the subject of prior Zoning Board of Appeals Decisions, as enumerated above. The Planning Board issued Site Plan Approval, by letter dated June 21, 2019. The Fire Department has required that the driveway on the west and rear be a minimum of 14 feet wide, to accommodate fire apparatus. The Wastewater Superintendent has issued a letter with conditions. The Engineering department has issued a letter with conditions, including the requirement to file with the Board of

Selectmen for a Variance from the flow neutral By-Law. The 300 Committee, representing the immediate abutter to the north of the Premises, has issued a letter commenting on the plans.

The proposal is to raze the existing nonconforming structure, which is 9.8 feet from the northerly lot line, and comprises lot coverage by structures/parking/paving of 81%, where the maximum allowed is 70%. The replacement structure will comply with all district setback requirements, being sited 29 feet from the north, 51 feet from the east, 53 feet from the south side and rear lot lines, where the minimum required setback is 20 feet. The structure will be sited 56 feet from the west (street), where 35 feet is the minimum setback from the street. The lot coverage by structures will be 11%, well below the maximum of 40% allowed. The lot coverage by structures/parking/paving will be 69%, which is below the maximum allowed of 70%, as well as a reduction from the existing 81%.

The Applicant has incorporated requests by the 300 Committee, to minimize the impact on the abutting park. The Applicant has received Site Plan Approval by the Planning Board, and has met the Fire Department request for a 14-foot wide access lane.

Wastewater will require the grant of a Variance from the flow neutral By-Law by the Board of Selectmen. Changes to the curb cut will require consent from the Massachusetts Department of Transportation.

The Applicant has provided six parking spaces in total on the Premises. There will be one space dedicated for employees, and one flex spot. The Applicant has stated that there would be only two employees, as rationale for the parking provided.

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

- A. The site is adequate in terms of size for the proposed car wash.
- B. The site is suitable for the proposed use as the property is zoned Business 2 and falls under Section 240-51. B. (3). of the Code of Falmouth, for a motor vehicle service station.
- C. The Applicant has provided lanes within the Premises for cars to que for the car wash, as opposed to lining up in the street. The Applicant intends to gain permission from Mass DOT for a change to the curb cut.
- D. The visual character of the subject property and neighborhood will be improved by the elimination of a nonconforming, dilapidated structure, and the construction of a new conforming single story building.
- E. A variance will be required by the Board of Selectmen to connect to the Little Pond Sewer Service Area.
- F. There are adequate utilities to the Premises, however, the Applicant will have to contact the Town Water Department regarding updating of water system.
- G. The proposed building reconstruction discussed and represented herein will have no effect on the supply of affordable housing in Falmouth.
- H. The Planning Board issued Site Plan Review.

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

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

NOW THEREFORE, BE IT RESOLVED, that the Zoning Board of Appeals being of the opinion aforesaid, and acting under the provisions of the Code of Falmouth, voted 4 to 1 to grant this special permit, under Section(s) 240-51 B. (3.) of the Code of Falmouth, to allow construction of a single-story car wash. This special permit shall be subject to the following conditions:

1. The construction shall be as represented to the Board, and as shown on plans submitted and reviewed by the Board, entitled as follows:
 - 'Proposed Site Development Plans at 187 Teaticket Highway, Falmouth' Cape and Islands Engineering consisting of eight(8) sheets; 'Cover Sheet' sheet G-101, final revision date of June 19, 2019; 'Existing Conditions Plan' sheet V-101, dated March 11, 2019; ' Demolition and Erosion Control Plan' sheet E-101, dated March 11, 2019; ' Site Layout Plan' sheet C-101, final revision date of June 19, 2019; ' Landscape Plan' sheet L-101, final revision date of June 19, 2019; 'Grading and Utilities Plan sheet C-111, final revision date of June 19, 2019; 'Construction Details Plan', sheet C-501, dated March 11, 2019 and ' Construction Details Plan' sheet C-502, with a final revision date of May 14, 2019
 - Falmouth Car Wash 187 Teaticket Highway, Teaticket, MA 02540 ' First Floor Plan' sheet A-1.0, dated March 14, 2018 drawn by Bruce Ronayne Hamilton Architects, 833 Turnpike Road, New Ipswich, NH
2. The Applicant shall comply with terms and conditions of the Planning Board's June 21, 2019 decision.
3. The Wastewater Superintendent issued a letter dated May 23, 2018, noting that the Premises is not currently connected to the sewer, and that a variance will be required from the Board of Selectmen, under the Town's Flow Neutral By-Law, Section 180-55. This approval shall be required prior to filing an application for a building permit. Upon approval by the Board of Selectmen, the Applicant shall meet all terms and conditions of the Wastewater Superintendent.
4. The Applicant shall comply with Town of Falmouth Engineering requirements within the May 10, 2019 Planning Board Review letter.
5. Hours of construction are limited to 7 a.m. to 7 p.m. weekdays, and 8 a.m. to 4 p.m. Saturdays. No Sunday or holiday hours, absent an emergency. All construction vehicles shall remain strictly on the subject property, and not park on abutting streets. Construction vehicles are prohibited from idling on or near the Premises, outside of construction hours. During construction, efforts shall be undertaken to minimize impacts on abutters, including securing dumpsters, stabilizing soil to guard against erosion from a rain event, and ensuring that public roadways are kept clean.
6. Hours of operation shall be 8:00 a.m. to 7:00 p.m., seven days per week.
7. In snow events of 6 inches or greater, the snow shall be removed from the Premises.
8. There shall be one designated employee parking space, and one flex parking space, for a maximum of two employees.
9. The Applicant shall contact the Town's Police Department to discuss coordination of traffic during construction. The Applicant shall provide to the Police, Building Department, and ZBA, the name and phone number of a project contact individual throughout the duration of the

construction process, to insure that any questions or concerns, including those of abutters, are timely managed.

10. The Premises shall have dark sky compliant lighting, and shall not shed lighting off the Premises, in order to not adversely impact abutters.
11. A final As-Built plan shall be provided to the ZBA. The Applicant is required to identify if there are any changes made to the approved plan, and seek proper approval, or to certify that there were no changes.
12. The Applicant shall meet the terms, conditions and requirements of the DPW Engineering and Water Division; including, but not limited to items specifically listed in a preliminary Engineering review letter dated May 10, 2019, regarding sewage, water, parking and access, grading and drainage, and general comments.
13. The Applicant shall gain approval from Mass DOT for any change to curb cuts.
14. Landscaping shall be installed as presented, and shown on plan L101, rev. dated 6-19-19. All plant materials shall be maintained in good health. Any material substantially diseased or dead shall be removed and replaced.
15. No delivery vehicles exceeding 9.5 feet in height and/or 18 feet in length, shall be permitted.
16. Any deviation, no matter how minor, from plans submitted and approved by this Board, shall be submitted to the Board for approval, prior to implementation of said change. The Zoning Administrator may make a determination as to whether the changes are minor in nature, and can be approved administratively, or whether they will require a hearing for an amendment. Changes made prior to an approval may be subject to a full hearing, and are at risk that the ZBA may deny the request, subjecting any unapproved construction be ordered undone.
17. This permit shall not take effect until a copy of the decision bearing the certification of the Town Clerk that 20 days has elapsed after the decision had been filed in the office of the Town Clerk with no appeal being filed, or an appeal has been filed within such time, is recorded in Barnstable Registry of Deeds. (Any person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.)
18. This permit shall lapse three (3) years from the date on which this decision is filed in the Town Clerk's office if a substantial use of the Special Permit has not sooner commenced except for good cause as determined by the Board of Appeals.
19. The Zoning Board of Appeals reserves the right to recall the Applicant, with such notice as the Board deems proper, to discuss unresolved matters of concern.

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

Vote: 4 to 1 to grant the Special Permit, as represented to the Board, based on the Findings stated herein, and with the above stated Conditions.



Robert B. Dugan, Zoning Board of Appeals

RECEIVED
AUG 2, 2019 PM 3:29
TOWN CLERK

Date Filed With Town Clerk

Gosnold:

Request for temporary off-premise promotional signs for National Rx Drug Take Back Day, October 26, 2019.

Locations:

1. Homeport (Gifford Street entrance)
2. Police Department, 750 Main St.
3. Fire Department, 399 Main St.
4. Senior Center, Dillingham Ave.
5. Hospital, corner of Ter Heun Dr. and Rt. 28
6. CVS, Davis Straits
7. Jack and the Beanstalk, Gifford St.
8. Gosnold, Ter Heun Dr.
9. Intersection of Rt. 28 and Jones Rd.
10. Gus Canty Recreation Center (in front)

Size: 24" x 36" (6 sq. ft.) (within sign code)

Length of time displayed: 10/16/19 through 10/26/19 (11 days)

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

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

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

DATE: 9/20/19
 STREET ADDRESS FOR PROPOSED SIGN(S): see attached
 APPLICANT NAME: Gosnold, Inc. - Elizabeth de la Cour PHONE: 508-540-6550 ext. 5460
 MAILING ADDRESS: 350 Gifford Street, Suite W10 TOWN/STATE/ZIP: Falmouth, MA 02540
 BUSINESS NAME: Gosnold, Inc.
 BUSINESS OWNER: _____ ADDRESS/PHONE: _____
 PROPERTY OWNER: _____ ADDRESS/PHONE: _____
 CONTRACTOR / SIGN COMPANY: _____
 ASSESSOR'S PARCEL ID: _____ ZONING DISTRICT: _____

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

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

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

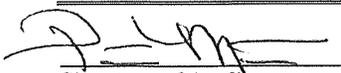
ROOF SIGN(s) § 184-37
 List number and sizes of each wall and roof sign that presently exist on building: _____
 Size of proposed roof sign is: _____ x _____ = _____ square feet.
 The wall that the sign will be above is: _____ lineal feet.

PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30
 Size of proposed sign is: 24" x 36" = _____ square feet.
 Start date: 10/16/19; End date: 10/26/19 Total number of days that the sign will be displayed: 11 days

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

OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20
The Board of Selectmen must approve all off-premise signs.
 Proposed location: _____ Size: _____ square feet.
Board of Selectmen License No.: _____ *(Note: A copy must be attached)*

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


 Signature of Applicant _____ Date 9/14/19

 Historic District Commission Date _____ or _____
 Design Review Committee Date _____

With the following conditions: _____

 Building Commissioner/Inspector Date _____
 With the following conditions: _____

Yard Sign Locations for Rx Take back Day, October 26, 2019

1. Homeport (Gifford Street entrance)
2. Police Dept. 750 Main Street
3. Fire Dept. 399 Main Street
4. Senior Center, Dillingham Avenue
5. Hospital-Corner of Ter Heun and Rt 28
6. CVS on Davis Straits
7. Jack and the Beanstalk—Gifford Street
8. Gosnold—Ter Heun Drive
9. Intersection of Rt. 28 and Jones Road
10. Gus Cnty Recreational Center (in front)

Turn in your unused or expired

RX Medication

for safe disposal

Saturday, October 26th, 10AM-2PM

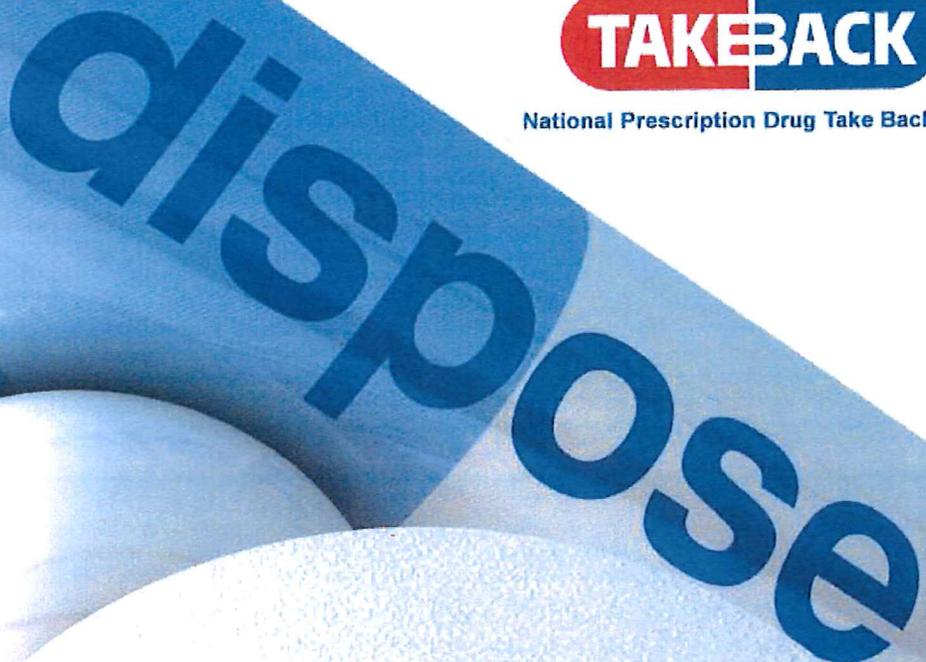
Falmouth Police Station

750 Main Street

DEA NATIONAL ^{Rx}



National Prescription Drug Take Back Day



dispose

Sponsored by:

Gosnold



The
Prevention
Partnership

FAMILY • SCHOOL • COMMUNITY • YOUTH

For more information visit these websites:

www.dea.gov

www.falmouthprevention.org

Anonymous drop off -

**No paperwork necessary.
All liquid medication must be in
sealed bottles. No need to
remove labels. Please bring all
unused or expired medication
into the Police Station.**



NOVEMBER 2019 ANNUAL TOWN MEETING

Selectmen Announce Annual Town Meeting.....	Monday, July 22, 2019
Close Warrant.....	Friday, September 6, 2019
Selectmen Vote Articles & Execute Warrant	Monday, September 16, 2019
Publish Articles Only	Friday, September 20, 2019
Petition Article Presentations	Monday, September 23, 2019
Selectmen Vote Article Recommendations	Monday, October 7, 2019
Publish Warrant with Recommendations	Friday, October 25, 2019
Town Meeting	Tuesday, November 12, 2019

Draft Board of Selectmen Article Explanations for 11/2019 Town Meeting

ARTICLE 11:

To see if the Town will vote to authorize the Board of Selectmen to LEASE, PURCHASE OR TAKE BY EMINENT DOMAIN a portion of land at 84 Main St. in Falmouth Village, for municipal purposes, now or formerly owned by Bank of America, N.A., assessors' parcel 38A 09 018 000, and being a portion of the present rear parking lot with approximately 237 feet of frontage on Katherine Lee Bates Road and containing .49 acres by estimate, to appropriate a sum of money for this purpose, to determine how the same shall be raised including borrowing and by whom expended. Or do or take any other action on the matter. On request of the Board of Selectmen.

Recommendation: That the Town vote to authorize the Board of Selectmen to negotiate the acquisition of a portion of land at 84 Main Street in Falmouth Village, now or formerly owned by Bank of America, N.A., and as further described in this article, for municipal purposes, including parking, said acquisition to be by lease or purchase and with the necessary funding to be subject to future Town Meeting appropriation.

Explanation: The acquisition of this property for off-street municipal parking is in the exploratory stages and the Board of Selectmen prefers to know whether Town Meeting approves the concept of its potential acquisition for this purpose. If acquisition is feasible, there will be an article before a future Town Meeting for authority to acquire it with the necessary funding. The Town intends to acquire the property by mutual agreement with the owner, and has no intent to take it over the objection of the owner. In many instances, the Town takes the property by eminent domain to mitigate potential title issues even when there is mutual agreement on the terms of the purchase.

ARTICLE 12:

To see if the Town will vote to authorize the Board of Selectmen to LEASE, PURCHASE OR TAKE BY EMINENT DOMAIN the parcel of land at the intersection of Worcester Court and Spring Bars Road in Falmouth, assessors' parcel 39 15 048 001B, containing .95 acres and now or formerly owned by Wilbur and Sharon Muller, for municipal purposes, to appropriate a sum of money for this purpose, to determine how the same shall be raised including borrowing and by whom expended. Or do or take any other action on the matter. On request of the Board of Selectmen.

Recommendation: That the Town vote to authorize the Board of Selectmen to negotiate the acquisition of a parcel of land at the intersection of Worcester Court and Spring Bars Road, now or formerly owned by Wilbur and Sharon Muller, and as further described in this article, for municipal purposes, including parking, said acquisition to be by lease or purchase and with the necessary funding to be subject to future Town Meeting appropriation.

Explanation: The acquisition of this property for municipal off-street parking purposes is in the exploratory stages and the Board of Selectmen prefers to know whether Town Meeting approves the concept of its acquisition for this purpose. If acquisition is feasible, there will be an article before a future Town Meeting for authority to acquire it with the necessary funding. The Town intends to acquire the property by mutual agreement with the owner, and has no intent to take it over the objection of the owner. In many instances, the Town takes the property by eminent domain to mitigate potential title issues even when there is mutual agreement on the terms of the purchase.

ARTICLE 13:

To see if the Town will vote to appropriate a sum of money to supplement the operation of the new Senior Center, and to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Board of Selectmen.

Explanation: When operating budgets were developed for FY2020 in the Fall of 2018, the Town had just awarded the contract for the construction of the new senior center. We set an ambitious schedule to complete construction in November 2020 knowing that there could be delays due to weather and other unknowns. Because of this uncertainty, we did not include the additional funds required to operate the facility in the FY2020 budget. As of the publication of this warrant book, we are pleased to report that construction is on schedule. This article provides an additional \$100,000 to operate the kitchen and cafeteria and provide for building maintenance. A small allocation is also included for a personal trainer to support use of the fitness room. This amount represents costs for half of a year. We anticipate additional staffing needs in the future but we want to expand programs slowly and only hire full-time staff when we are certain there is a long-term need.

ARTICLE 16:

To see if the Town will vote to amend Ch. 140, s. 3 of the Code of Falmouth relative to Licenses and Permits by deleting the words “for not less than a twelve month period” so the section will read as follows:

S. 140- 3. Furnishing of list by Tax Collector.

The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges (hereinafter referred to as the “Tax Collector”) shall annually furnish to each department, board, commission or division (hereinafter referred to as the “Licensing Authority”) that issues licenses and permits including renewals and transfers, a list of any person, corporation or business enterprise (hereinafter referred to as the “party”) that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

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

Explanation: Massachusetts General Law c. 40, s. 57 authorizes towns to deny, revoke or suspend permits and licenses to persons and business entities that are delinquent in paying municipal taxes, fees or other charges. When the Town first adopted this section of the MA General Law, only those persons and businesses that were past due by more than 12 months were subject to this potential denial or revocation of licenses and permits. In 2016, MA G.L. c. 40 s. 57 was amended and towns are now authorized to deny or revoke licenses of those who are delinquent on town taxes, fees or other charges for any period of time. This article would incorporate this change in state law by amending the corresponding section of the Falmouth Code.

ARTICLE 17:

To see if the Town will vote to amend the Code of Falmouth, Chapter 235, Wetlands Protection, as follows: To Section 235-3, Exceptions, add:

"E. No isolated freshwater wetland (i.e. freshwater wetland not bordering on a water body) shall be protected under this bylaw unless it has an area of at least 10,000 square feet."

Or do or take any other action on this matter. On Petition of Nathan A. Holcomb.

Explanation: This article seeks to limit the jurisdiction of the Falmouth Wetlands Bylaw such that freshwater bodies of less than 10,000 square feet would no longer be protected. The petitioner has appealed a Conservation Commission order of conditions to MA Superior Court which this bylaw change would resolve in his favor. The Conservation Commission opposes this amendment noting that small water bodies impact ground water, flood control, wildlife habitat, erosion and sedimentation control. The proposed bylaw change would apply to many properties throughout the Town.

ARTICLE 18:

To see if the Town will vote to adopt 780 CMR 115 AA of the Massachusetts State Building Code, known as the Stretch Energy Code, for the purpose of regulating the design and construction of buildings for the

effective use of energy, including any future editions, amendments and modifications thereto, to be effective July 1, 2020, a copy of which is on file with the Town Clerk, or do or take any other action on the matter. On petition of C. Grant Walker and others.

Explanation: This article proposes adoption of more stringent energy efficiency requirements for new construction of commercial and residential structures available to municipalities under the MA Building Code. The purpose of adopting this code is to reduce energy consumption thereby reducing heating costs and consumption of fossil fuels which contribute to global warming. Adopting this code is a requirement for certification with the state Green Communities program which provides grant opportunities not available to municipalities that are not certified.

ARTICLE 19:

To see if the Town will vote to authorize the Board of Selectmen to sell or convey a portion of the Town's land at 50 Twin Oaks Drive with a structure thereon, assessors' parcel 16-03-007-001, being a 88.487 acres parcel acquired in 1988 for municipal purposes and/or future water resource protection, subject to the following terms and conditions: 1) the land sold or conveyed shall be restricted for the use of a single unit of affordable housing in perpetuity; 2) the land sold or conveyed shall be the minimum amount necessary for a single family residence on the property, but not greater than 80,000 sq. ft. in area; 3) the location of the land sold or conveyed and its boundaries shall be shown on a plan to be approved by the Planning Board; 4) the sale or conveyance of the land shall not impair the use of the remainder of the Town's land for municipal water well purposes; and 5) the sale or conveyance of the land shall be subject to competitive proposals as required by G.L. Ch. 30B, the Uniform Procurement Act and such other terms and conditions as the Board of Selectmen deem appropriate to effectuate the purposes of this article. Or do or take any other action on the matter. On request of the Board of Selectmen.

Explanation: This article proposes to carve out a single house lot from an 88-acre parcel acquired in 1987 for "municipal purposes and/or future water resource protection." The land in question has a long-abandoned house on it which was to be demolished per Town Meeting approval of a capital article – article 5 of November 13, 2018. The 88-acre parcel is one of two Town-owned parcels that has been identified for future municipal water supply wells.

As a potential location for a single unit of affordable housing, the site has some challenges. It is a remote site on an unpaved private road. The utility poles that supply power along this private way are privately owned and maintained by the six households on Williams Hollow Way. We are told the house has not been occupied in over 50 years and, though it is structurally sound, the interior is gutted and will require a complete rehabilitation. The property does not have electric service, water or a septic system. It is anticipated that a developer will require the maximum per unit subsidy available from the Town (\$65,000) in order to make the project viable. Renovating this structure will not meet the Town's most acute need as identified by the Housing Production Plan which is rental housing.

ARTICLE 20:

To see if the town will vote to authorize the Board of Selectmen, acting upon a recommendation by the Planning Board, to grant a non-exclusive easement and right of way across a portion of land owned by the Town of Falmouth to Lawrence Lynch Realty Corp., its successors, assigns and lessees as follows: an easement and right-of-way to use a certain roadway or right-of-way presently existing on Lot 1 and Parcel 2 on Locustfield Road (assessors map 23 02 010 001) owned by the town of Falmouth and shown on a plan recorded in the Barnstable registry of deeds in plan book 389 page 21 for the benefit of abutting land owned by Lawrence Lynch Realty Corp. being (1) Parcel A containing 65.89 acres (assessors map 22 02 009 000) and shown on a plan recorded in said Registry in plan book 531 page 37; and (2) Parcel 3 as shown on plan recorded at Barnstable registry in plan book 389 page 21, containing 3.6 acres (assessors map 22 02 01 to 003) said easement for the purpose of providing pedestrian, vehicle, equipment and utility access to the above described Lawrence Lynch Realty Corp. parcels from Locustfield Road, together with a right to improve, repair and maintain the easement and

right-of-way, with the town reserving to itself the right to use the easement and right-of-way for all purposes for the benefit of its land, said easement and right of way to be upon such terms and conditions as the Board of Selectmen deem appropriate.
Or do or take any other action on the matter. On Petition of Gerald Lynch.

Explanation: This article authorizes the Selectmen to grant an easement to resolve a potential property access issue. Before the Town took the subject property for non-payment of taxes, Lawrence Lynch constructed and used a driveway over the subject property to access an adjacent parcel owned by Lawrence Lynch. Rather than litigate the question of whether Lawrence Lynch has a prescriptive easement over what is now a parcel owned by the Town, the parties are pursuing a negotiated agreement. A tentative agreement, subject to Board of Selectmen approval, has been outlined whereby the Town grants Lawrence Lynch an easement to continue to use the existing driveway and in return Lawrence Lynch will improve the driveway to bring it up to subdivision standards for joint use by the Town and Lawrence Lynch. This would provide both parties with access to their respective parcels without additional clearing of trees.

ARTICLE 21:

Whereas the elevated national climate of hostility toward immigrants, refugees, asylum-seekers, and many other residents and visitors, including African Americans, Latino/as, persons of color generally, LGBTQ individuals, and religious groups, particularly Jews and Muslims, has brought increased levels of hostility and violence toward members of these groups;
[The full article is not included here.] On petition of Sandra Faiman-Silva

Explanation: This article seeks to establish policies for Falmouth law enforcement and other Town officials relating to enforcement of immigration matters. Town counsel has advised that Town Meeting does not have authority to adopt law enforcement policies that are binding on the Police Department. Chief Dunne has previously published a message regarding the Department of Homeland Security – Immigration and Customs Enforcement (ICE) Secure Communities Program. This message confirms that the Falmouth Police Department has no authority to enforce federal immigration policy and affirms the Department's commitment to "...treat all we encounter with the utmost degree of respect and dignity..."

ARTICLE 22: To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Falmouth, Massachusetts as Chapter 135§ 135-1: The purchase by the Town of Falmouth of either water or any other beverage in single-use plastic bottles of any size is prohibited and the sale of water or any beverage in single-use plastic containers is prohibited on town property. Any Town department when engaged in public health and safety operations shall be exempt from this Bylaw.

Effective date: As soon as practicable but no later than September 1, 2020

In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Falmouth residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended. On petition of Christine Kircun.

Explanation: This article would prohibit the Town from purchasing beverages in single-use plastic bottles and it would prohibit the sale of beverages in single-use plastic bottles on property owned by the Town of Falmouth. Private businesses located on private property would not be subject to this ban. Approval of this bylaw would require changing or removing vending machines in municipal buildings. The food vendors that contract with the Town to sell food and beverages at Town beaches would be impacted by this bylaw. Special events held at Town parks, beaches and potentially within Town right-of-ways would also be affected.

ARTICLE 23:

The undersigned do hereby request that the Town of Falmouth designate the former John DeMello Senior Center to the Falmouth Veterans of Foreign Wars, Post #2569, as outlined in Chapter 40 Section 9 of the

Massachusetts General Laws for a five (5) year lease at \$1.00 per year. Transfer to take place when the move to the new Senior center has been completed at which time the building will be the Falmouth Veterans Service Center. On petition of Ahmed Mustafa.

Explanation:This article proposes that the "old" senior center at 300 Dillingham Ave be leased to the Falmouth VFW Post#2569. The parcel of land on which the old senior center is located consists of 1.6 acre zoned Residential C. The building is located in a Flood Zone A; it is within 100 feet of Morse Pond and within both State and Town wetland buffer zones. The senior center was constructed in 1977 and contains 4,020 square feet. The building is old and has no central air conditioning but is well maintained. The Town has not identified a need for this building. Maintaining public access to the parking would be beneficial for satellite parking for the Gus Canty Community Center, the new Senior Center and for Commodores games. It should be noted that the Veteran's Agent has stated that the mission of the Veteran's Office – connecting veterans and their families with benefits and services - is best served by the Office remaining at Town Hall.

Introductory Notes

To Whom It May Concern

From: Peter Clark, Chair, Charter Review Committee

Date: 30 September 2019

Attached are the explanations that the Charter Review Committee (CRC) is submitting to best help town meeting members understand articles 24-34 that have been proposed by our committee.

These explanations do not mirror the detailed explanations the CRC offered with our July 22 report to the Board of Selectmen; rather they summarize the proposed changes and additions without including the full context of the "Current Charter language showing proposed changes." With the article language now in its final version, showing the proposed changes seemed duplicative; but we will have PowerPoint slides available if the information is requested at Town Meeting.

The article language itself is not repeated here.

Within this Word document each explanation is on a single page, protected by an inserted page break. The font is Arial 12-point, with spacing between lines and paragraphs minimized to save space.

Thanks, Peter Clark, Chair, CRC

Article 24 Charter: Amend Use and Placement of Words, Phrases, Definitions

Explanation: General use and placement of terms: To enhance the clarity and consistency of wording, several terms are adopted throughout the Charter as shown in this Article. Note that the term "governmental bodies" does not apply to town departments or groups of employees.

Placement of "governmental bodies" in Form of Government: Citizen participation on governmental bodies (committees, boards, and other groups) is essential to the operation of town government. This amendment adds recognition of these bodies as a part of the basic form of government in C1-3.

New location of Definitions section: The Definitions section is transferred from Article IX, section C9-12 to Article I. Within that section is the adoption of "*governmental bodies*" and "*Local Comprehensive Plan.*" The "*he/his*" word usage language is no longer needed if C2-14 is amended.

Amendments for gender neutrality: In C2-14 we use the term "*watcher*" for "*watchman*", and "*a person designated by the Moderator*" to replace "*his designee.*" In C3-2E the use of "*Select Board*" in place of "*Board of Selectmen*" and use of "*member*" maintain a connection with established terminology. The new C3-2E defines the legal connection between the old and new terms.

Article 25 Charter: Amend C2-1A Representative Town Meeting

Explanation: To correct an historical inaccuracy, this article cites the correct source for the maximum number of Town Meeting members and for the process of arriving at the actual number of elected members.

Article 26 Charter: Amend C2-15 Finance Committee

Explanation: With this amendment the Finance Committee is clearly placed within the “legislative” branch of government (Town Meeting) by creating a new section, C2-15, deleting sections C8-2A and B, and moving those sections to the new C2-15. Parts A and C of C2-15 clarify member selection and allow expeditious filling of openings by the Town Meeting. Part D provides a clear Charter definition of the role of the Finance Committee. The Committee role is described further in bylaw language, but the CRC does not see a benefit in duplicating all bylaw wording in the Charter.

Article 27 Charter: Amend C3-3B Policy Leadership

Explanation: The strongest alignment of plans and integration of decision-making requires discussion between the Board of Selectmen and other governmental bodies, not only the Planning Board as in current Charter language. The current Board of Selectmen has held effective joint meetings with appropriate groups; the new Charter language encourages a continued effort of this sort. The requirement for at least two meetings with the Planning Board is stated in C4-6E(2).

Article 28 Charter: Amend C3-7H Specific Powers

Explanation: This new section creates a broad definition of the general authority of the Board of Selectmen, through a defined process, to make rules and regulations for the effective operation of Town government.

Article 29 Charter: Amend C4-6D Planning Board

Explanation: This amendment strengthens the Planning Board responsibility to recommend amendments to the Zoning bylaws and to show how the proposed changes are consistent with the Local Comprehensive Plan.

Article 30 Charter: Amend C4-7 Housing Authority

Explanation: This amendment eliminates a contradiction between the Charter and evolving state law on how the five members will be elected and appointed.

Article 31 Charter: Amend C7-2A Appointed Town Boards - Authority

Explanation: With over 40 elected and appointed governmental bodies, the new language creates a delineation of which bodies should be listed in the Charter, setting two conditions, both of which must exist. The Charter should name those governmental bodies which are mandated or authorized by the laws of the Commonwealth, and which exercise regulatory or other authority. Two additional governmental bodies are proposed for inclusion in the Charter because they fulfill both conditions: 1) The Community Preservation Committee is authorized by State law and exercises independent authority in recommending the use of Community Preservation Fund resources to Town Meeting; 2) the Economic Development and Industrial Corporation is authorized by State law and exercises independent authority in developing contracts and in accruing and managing its own funds.

Article 32 Charter: Delete C7-10, 11, 12, and 13 Appointed Town Boards

Explanation: The delineation recommended in Article 31 sets two conditions for inclusion in the Charter. Four committees currently listed in the Charter carry advisory roles to the Board as governed by C3-6C (Powers of appointment) and C7-1 (Publicizing of vacancies on town boards), but do not meet the conditions of being mandated or authorized by laws of the Commonwealth and exercising regulatory or other authority. Removal of the Recreation Committee, the Waterways Committee, the Beach Committee, and the Human Services Committee from the Charter should not change the operations of these committees. As long-standing bodies advising on areas significant to the well-being of the Town, the CRC has recommended that the Board codify their existence in bylaw language or by other means.

Article 33 Charter: Amend C7-5 Appointed Town Boards - Board of Assessors

Explanation: Members of this Board, alone among the many bodies serving the Town, must take and pass a State course within two years of appointment to continue their duties. This inhibits the ability to recruit new members and adds special value to cumulative experience. Without an active Board the Town cannot set a tax rate that meets State standards. This amendment exempts the members of the Board of Assessors from section C7-2H relative to term limits.

Article 34 Charter: Amend C9-9 Revision of Bylaws

Explanation: This amendment creates more flexible guidance on the need for and the timing of revision of bylaws to periodic review from the previous requirement of at least every five years.

* * * * *



FALMOUTH CONSERVATION COMMISSION

59 Town Hall Square, Falmouth, Massachusetts 02540

(508) 495-7445

September 23, 2019

Megan English Braga, Chairman
Board of Selectmen
59 Town Hall Square
Falmouth, MA 02540

Re: Article 17 November 2019 Annual Town Meeting

Dear Chairman English Braga,

The Conservation Commission is aware that a petitioner's article has been submitted to amend the Falmouth Wetlands Bylaw, Chapter 235, Code of Falmouth. The petitioner proposes to amend the bylaw so no inland freshwater wetland less than 10,000 square feet would be protected.

Freshwater wetlands are significant to several public interests including but not limited to, protection of public and private water supplies, protection of groundwater, storm damage prevention and flood control, protection of fisheries and wildlife habitat, and erosion and sedimentation control.

There are multiple types of freshwater wetlands within Falmouth and the Commission understands the ecological importance of each of these systems. The Commission does not agree with the petitioners reasoning and will address the article at the November 2019 Town Meeting.

Sincerely,

Jamie Mathews, Chairman
Falmouth Conservation Commission

Diane Davidson

From: Thomas Bott
Sent: Thursday, October 03, 2019 10:53 AM
To: Julian Suso; 'Patricia Kerfoot (pat@kerfeet.com)'
Cc: Megan English Braga; Peter Johnson Staub; Diane Davidson
Subject: RE: Potential Joint PB/BOS Meeting
Attachments: LCP Transportation.pdf; LCP Housing.pdf

Dear Julian:

Pat and I met this morning and offer the following list. Either topic could likely fill an entire meeting but both are timely and topical. I have attached the pertinent sections of the LCP for reference.

Planning Board Topics for Joint Meeting with Board of Selectmen:

Housing for All

1. Density
2. Affordable
- 3 40R
- 4 Sewer Capacity
- 5, Zoning Changes necessary
6. Support for Form Based Code

Transportation

1. Policies regarding parking – parking lots, expanding parking, and the movement of parking
2. Proposed Falmouth Transportation Committee
3. Truck deliveries on Main Street
4. Diversion of large vehicles from Main Street to Jones Road
5. Alternate wayfaring routes suggested
6. Shuttle options from off site parking areas

Happy to work with you and the BoS to determine the final agenda,
TBott and Pat Kerfoot

From: Julian Suso
Sent: Wednesday, October 2, 2019 9:03 AM
To: 'Patricia Kerfoot (pat@kerfeet.com)' <pat@kerfeet.com>
Cc: Megan English Braga <megan.english-braga@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Peter Johnson Staub <peter.johnson-staub@falmouthma.gov>; Diane Davidson <diane.davidson@falmouthma.gov>
Subject: Potential Joint PB/BOS Meeting

Hello Pat,

Selectmen have a “tentative” for Monday, October 21 for a Joint Meeting with the Planning Board. Do we want to compare notes on potential Joint agenda items?

Julian

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
Open Session
MONDAY, SEPTEMBER 16, 2019
HERMANN ROOM
FALMOUTH PUBLIC LIBRARY
300 MAIN STREET, FALMOUTH, MA 02540

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

Others present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Frank Duffy, Town Counsel; Ray Jack; Amy Lowell.

Water Quality Management Committee: Erick Turkington, Chair; Virginia Valiela, Vice Chair; John Waterbury; Stephen Leighton; Matt Charette; Tom Duncan; Ronald Zweig.

Planning Board, Board of Health, and Conservation Commission members present.

1. Chair English Braga called the meeting to order at 7 p.m.
2. Presentation – Water Quality Management Committee (WQMC)

Presentation by the WQMC, DPW, and GHD.

Update for the Little Pond, Great Pond, Bourne Pond, Eel River & Waquoit Bay; West Falmouth Harbor, and Oyster Pond Watershed.

Draft comprehensive wastewater management plans.

Eric Turkington introduced the WQMC members and made the presentation on behalf of the WQMC. Mr. Turkington made a PowerPoint presentation.

Falmouth has more coastal estuaries than any other Town in MA, 15 of the Town's estuaries were studied by UMass Dartmouth School of Marine Science and Technology's MA Estuaries project and were found to be impaired.

Doing these estuaries now is recommended because these are most impacted and worst off. The 2011 Town Meeting took this on and appropriated money, Oyster Pond was added to the list. The DEP added West Falmouth Harbor.

In 2011 the WQMC was created to study alternatives to sewerage and demonstration projects to see what is practical. Updating it now because the 2014 plan was to be updated within 5 years and submitted to the DEP. This draft is being presented, in the end it will go to the State level and will be the plan for the next 5 years. Looking at progress in the last 5 years and projected goals for the next 5 years and beyond.

The last 5 years included the eco-toilet demonstration project; 9 installations were made, 2 individuals subsequently replaced them. All in LPSSA were offered the option of installing an eco-toilet, no one took this option. It was clear to the WQMC that it was not ready for widespread application in Town.

Nitrogen Reduction from fertilizer bylaw initiative; passed fertilizer control law, including the 100 foot ban of an estuary. The Conservation Commission includes these restrictions as a standard part of their Order of Conditions. They also send a letter from the Division of Marine and Environmental Services to all property owners subject to this ban and is posted at all stores where fertilizer is sold.

Shellfish Aquaculture; grown over 3 million oysters from Little Pond and moved to other water bodies where they are harvested by the community. Demonstration projects in Bourne Pond and Waquoit Bay

removing nitrogen via shellfish. Moved from the experimental to the development stage. Minimum nitrogen reduction performance to be required from each grower.

Inlet widening, the flushing increases when this is done and can reduce nitrogen. In Bourne Pond 50% of the needed reduction can be done with flushing, it would be enough to not sewer the Menauhant peninsula. Project was voted 2014, all permits received, and they are ready to go. Mr. Jack trying to do this at that time as the Menauhant Road project.

Developing innovative/alternative nitrogen reducing septic systems. 25 of these systems have been installed and are now being monitored by the Barnstable County Alternative test Systems Center. Falmouth is seeking to find systems that achieve a 75% reduction of nitrogen.

Nitrogen Reduction through sewerage the Little Pond Watershed; it was the worst estuary and had smallest zone of contribution. If every house was sewerage in that zone, test the idea that taking all the nitrogen out with sewerage would achieve the result you wanted. Betterment to the homeowner is about \$435 per year, the Town charged 0% interest and spread it over 30 years. The Growth Control Bylaw came along with that, it was okay to have up to 4 bedrooms and provided a way to add bedrooms by right. The Town also required low pressure gravity pumps, provided these for free, and they have worked out. People who have these are comfortable with them. Testing before and after the sewerage, which will show how much nitrogen has been removed.

Oyster Pond compared sewerage to installing I/A's. Ideal location to test both scenarios and what the pros and cons of each will be. In the next five years they will have an answer to that question.

West Falmouth Harbor to meet TMDL without sewerage. The largest nitrogen contributor to the harbor is the Town's wastewater treatment facility. Plant upgrades in 2005 and 2016, was about 23mg/l to approaching 3mg/L. Oyster reef, shellfish relays, and the shoreline septic remediation project all contribute to the increased nitrogen removal. Harbor wide ecosystem recover will begin once the residual plume flushes out. Some increased eelgrass area was observed in 2019. If this continues, it will be the first estuary on Cape Cod to meet its TMDL.

The Next Five Years:

Great Pond has the highest nitrogen concentrations and densest development is found in and around the upper reaches of the estuary. Alternative options to be implemented include: increased shellfish aquaculture, install a permeable reactive barrier, and continue cranberry bog restoration. Sewerage is still needed.

Proposing a 2 phase approach; Phase 1 Sub Area 1: primarily residential, upper Maravista, Teaticket Path, Perch Pond, and Falmouthport. Sub Area 2 Great Harbors, Shorewood Drive. Sub Area 3 will not be done and includes lower density, portion flushes directly to Vineyard Sound, within the 100 year flood zone; concerns about sea level rise.

If the Town goes with Phase 1, additional resources will be needed.

Volume of septage being developed in the existing sewer area is a lot and increasing. The Town is under an obligation, when we reach 80% of the capacity for additional flow we have to have a plan of what we are going to do. If all current projects in the pipeline at this time come to fruition, we will be at 78%.

A third sequencing batch reactor is necessary if the Town wants to go in this direction. New Tertiary treated effluent discharge site will be needed. Currently have a discharge site at the plant, next to the plant, but would need more discharge capacity if we go forward. Seven sites were identified with three they focused in on. Depends on cost, capacity, regulators at DEP, and community has to say about it.

Looked at the Augusta Parcel 20 acres adjacent to Falmouth Lumber. This site is not appropriate and Mr. Turkington provided the reasons why including a 4 mile pipe needed and a deed restriction to treat effluent from Teaticket/Acapesket areas.

Joint Base Cape Cod site is not recommended now; future use is not expected to be resolved during the planning time frame.

Falmouth Country Club is not appropriate, reasons include distance from the wastewater treatment facility; disrupt recreational use; and nearby Town owned site nearby that has less impact.

Favorable for further study:

Site formerly known as Site 7 adjacent to the wastewater treatment facility. They are testing to confirm adequate capacity for the Teaticket/Acapesket Sewer Area.

Allen Parcel near the Falmouth Country Club is Town owned, much set aside for conservation and some for municipal use, and has adequate capacity, with a buffer zone.

Joint initiative by the Town and Buzzards Bay Coalition resulted in State law revision to allow for discharge of tertiary treated effluent in MA coastal waters. Positive experience with Boston Harbor outfall demonstrated no negative environmental impacts. This is the most expensive option. Potential discharge sites include West Falmouth and Nobska.

How can the Town pay for it:

WQMC recommending funding by the Town when old debt was paid off. The Board of Selectmen 2024 capital plan set aside \$60 million for these purposes. Town Meeting and voters need to act on this the year before, can get at 0% financing, and the Cape & Islands Water Protection Fund will be in operation.

After the next five years:

Proposed sewerage of Great Pond Second of two phases, parcels are in Great Pond and Green Pond. Remove enough nitrogen in Green Pond so little to no sewerage will be needed in Davisville.

Waquoit Bay is the most complicated, it is a three town watershed. They agreed to pursue an intermunicipal agreement with Mashpee, Sandwich, and Falmouth. Falmouth's share of the costs of ascertaining how much each town's cost will be. This is coming, but likely not in the next ten years.

Planning for the next twenty years was reviewed and a chart was presented with dates and guidelines.

Ms. Moran asked if there is a place on the Town website a list the community can reference online.

John Waterbury, Board of Health, said that the BOH has nursed people along when they knew they were going to sewer. They worked an arrangement between those entities and DEP and anticipate doing this again. If the Town begins the permitting process, the person at the counter would alert the person to being in a sensitive area. Mr. Waterbury said the project has to be identified and put a timeline on it so they can tell the person they are going to dig in Town at a certain date and can try to keep them going until that date. Did the committee look at the bang for the buck of phase 1 and 2/. Why was phase 1 chosen to do first? Some of Phase 1 will go down Main Street, nitrogen density is higher in Phase 1. Cheaper to do Phase 1 than Phase 2. Oyster Pond threshold question is it desirable to pursue the I/A option or sewer needs to be determined first and when it will get in line. There is no plant that can take it, so it is not an immediate issue. These projects going forward are sewerage because no choice between I/A and sewerage these areas. There may be a long twenty year period and seems a shame dooming them to early exit by not sewerage that area.

Tom Duncan said that the southern tips of the peninsula are direct discharge areas into Nantucket Sound. They were dropped off the list because they do not solve the WQMC problem.

Marc Finneran feels these sewerage projects are more to do with revenue stream than cleaning up the stream. I/A systems do not meet thresholds we need, but he said simple way to do that would be to incorporate urine diversion in with these systems. It is unknown what urine adds to the nitrogen loading, to not include this into the surveys he believes they are dragging their feet and does not like the way it is being paid for. Widening inlet may reduce sewerage, but widening Little Pond to 20 feet could reduce the nitrogen by 30%. Shellfish were taken away from the WQMC, sewerage from West to East and testing the shellfish from East to West. All will realize we are sewerage too much and large amount of the burden is placed on a small percentage of the community. Between now and 2024/25, he hopes the Town will find a

different way to fund this across the Town. The betterment was doubled from the original sewer project, that was then the federal and state paid 90% of the project. When the Town purchased the golf course, they were told it would be used for sewer discharge and now being told it will not be done because it is 5 miles away.

The Board of Selectmen asked to talk about the process the WQMC is looking for and any other public hearings and ways for people to share information with their committee or get further information.

Mr. Turkington noted that this is the report, there is a ten page summary they can hand out to the community. They will vote it entirely to public comment at the WQMC and will incorporate comments received from others. They have three months, which is enough time to get input. The document was posted on the WQMC website, hardcopies are available for review in the Main Library and East Falmouth Library, and Town Hall.

Mr. Turkington noted infrastructure that does not link to a specific home, all taxpayers pay it. The individual homeowner pays 70% of the cost of running the pipe down the street.

Dick Hail, Treetops on Oyster Pond, by the end of this year there will be a finalized version of this document, after that it will be the Board of Selectmen and Town Meeting addressing this, eventually to the voters. They will need to propose how it will be paid for and what they plan to do. Oyster Pond piece is on a separate track. How that decision regarding which plan will be adopted; if they go to I/A systems, they are new and there is risk. Sewers are a known quantity to the Town.

Virginia Valiela noted the process on the draft for Oyster Pond is different than the draft update of the south coast. Oyster Pond CWMP is filed, there is a formal comment period, and then the State generates its own comments, and then issue a certificate that outlines areas that need for further work/data/administration. Ultimately there will be a final CWMP for Oyster Pond and that will be the decision document. The south coast CWMP estuaries have already gone through the draft and final, they are updating after 5 years what they have done and what they believe is the next piece. They will get comments back from the State and will recommend the Great Pond water shed recommendations.

Want to solve the problem of the septic system and not deal with excessive loading we have now. The working group will meet with Treetops Association and others on 10/5/19. Mr. Turkington said now there is no immediate focus on Oyster Pond.

Mr. Patterson asked who is responsible for looking for needs looking at the WQMC and Coastal Resiliency Action Committee. Trunk River sewer pipe should be addressed as well. Who is responsible for looking at both needs and making a solution. Mr. Turkington said the pipe is Mr. Jack's immediate problem.

John Waterbury noted we are proposing to the DEP to make that work on the watershed basis, will not know if that is a feasible option until reaction from DEP.

Charlie McCaffrey, said that with sea level rise, some barriers that create these ponds may not exist which would change the nitrogen situation. There may be breaches we choose not to fill.

Chair English Braga asked Mr. Turkington to explain the process in terms of the proposal and resources available. Mr. Turkington said that there is enough capacity for the next few years before it hits the 80% mark. Before doing any new sewerage, need to answer to the State that the plant can take that much extra and where will the discharge go? Money will not be available until 2024, have time to put the package together and practically addressed.

Amy Lowell, Wastewater Superintendent, in the 10 year capital plan there is line item for wastewater treatment plant upgrades 10-19 million capital item that is ahead of the 60 million capital item. That will be presented in the next couple years.

Mr. Brown asked since it is a \$60 million capital plan, it is in the Board of Selectmen plan and it would have to go to Town Meeting and the voters before it happens. It would be within the window of opportunity and would not raise the tax rate

Chair English Braga noted it may be helpful to give a quicker reference point to look at the numbers so people can understand what they are talking about. As the public looks at this, have a sense of the timeline and funds associated so there is more of a holistic view and perhaps the Town Manager's Office could put that information on the website.

The Board of Selectmen will put on another meeting agenda for the Board of Selectmen to provide their comments.

Chair English Braga adjourned the meeting at 8:30 p.m.

Chair English Braga reconvened the meeting at 8:35 p.m.

3. Vote Articles and Execute Warrant for November 2019 Town Meeting

Mr. Jones motion to place Articles 1 through 6 on the warrant. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 7 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 8 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Patterson motion to place Article 9 on the warrant. Second Mr. Jones. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 10 on the warrant. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Patterson motion to place Article 11 on the warrant. Second Mr. Brown. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 12 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 13 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 14 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 15 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Articles 16, 17, and 18 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Articles 19 and 20 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 21 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 22 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 23 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Attorney Duffy explained that once the Charter Review Committee recommendations are turned over to the Board of Selectmen, the Board of Selectmen can decide what to do with the recommendations. The articles the Board of Selectmen put on the warrant will be sent to the AGO, if they go through that process with affirmative approval, they would be on the May ballot. Charter Review Committee articles should be considered at a November Town Meeting.

Chair English Braga noted if concerned about the length, the Board of Selectmen could defer some recommendations. Each article becomes its own question on the ballot in addition to anything else on the ballot.

Charter Review Committee Chair Dr. Clark noted they have preferences with recommendations that they feel are less urgent.

Dan Shearer asked why because if you take out 6 it will matter, if you take out a few it does not matter. He would like the Board of Selectmen to let it go as it is.

Chair English Braga asked if the Board of Selectmen has preference of numbers. Mr. Patterson questions how much people can digest on the ballot. Mr. Jones noted 23 ballot questions plus whatever else; some are straight forward, but may not be as important as the more substantive ones. The Board of Selectmen talked about their being limited to what they can do in the official articles. Mr. Brown noted the explanations will be at Town Meeting and he hopes voters will know if they do not understand, leave it blank. Chair English Braga noted the goal is to engage voter turnout and make sure they understand and engage in the process of making their voice heard. She is concerned about the length, the Board of Selectmen has the option to defer. Mr. Patterson asked if they could recommend some and hold off on the other. Mr. Jones would like to choose the 12 most important and defer 11. Mr. Patterson would like to give the option to Town Meeting. Chair English Braga noted it is the Board of Selectmen responsibility to take the recommendations, make it workable, and can make it part of Town Meeting that they understand why they are deferring. Mr. Jones noted if 23 go to Town Meeting, maybe only 16 would make it to the ballot. The practicality of Town Meeting deliberating on all 49 articles, if they are able to give that time. Town Meeting cannot vote to put an article on a subsequent meeting warrant, the Board of Selectmen does.

Ms. Moran noted that when looking at one article, you can anticipate spending an evening on that discussion.

Dr. Clark feels all have merit, they were guided by the last Charter Review Committee had 16 articles, what is passed can be abbreviated on the ballot, it does not need to be all the language on the warrant. They felt they could defer 7 articles and would not change the way the Town operates. If the Board of Selectmen is seeking to cut it in half, the Charter Review Committee would like a chance to deliberate. Of the 15 brought to Town Meeting by the last Charter Review Committee, 12 passed, 2 amended, 1 eventually passed.

Mr. Jones felt a 16/7 split would be acceptable to take those suggestions.

Mr. Patterson noted some articles could be clustered according to Dr. Clark and he would like to see them arranged that way.

Charlie McCaffrey suggested that each is separate vote, they can be grouped to make it more understandable to the voter.

Mr. Jones asked if all the wordsmithing changes be written as 1 article? Attorney Duffy said it could probably be done and the length of the ballot is unknown now, but language you see on the warrant is more detailed, the ballot will just be a summary.

Mr. Clark noted clarifying alignment of decision making and 5 different articles regarding effort for consistency for planning; 7 recommendations regarding committee functioning; this was symbolic one. Article 25 puts committees into the form of government; issues of working with the Board of Selectmen and Town Meeting moved the Finance Committee. Definition of Article 30 and organized that information. An article on gender neutrality; clarity of terminology in Article 24; accuracy of information on town meeting size by state law not bylaw that might be grouped as providing more accurate statement on how things are done. Falmouth Housing Authority membership based on State law rather than appointment by state secretary.

Ms. Moran asked if the Board of Selectmen should ask staff to organize in that manner so the Board of Selectmen can review whether to narrow the articles. Chair English Braga noted articles are published by 9/20/19 and suggested going through articles regarding substantive approval and if they will defer any.

Mr. Jones motion Articles 24, 25, 26, 29, and 31 consolidated and placed on the warrant as Article 23. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones motion to make Article 27 Article 25 and place on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Patterson motion to defer Article 28. Second Ms. Moran. Held for now.

Mr. Jones motion to make Article 30 Article 26 and place on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion that Article 32 becomes Article 27 and strike before each calendar, publish, and a and of. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to make Article 33 Article 28. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to make Article 34 Article 28. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Patterson motion to defer Article 35. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to defer Article 36. Second Mr. Brown. Vote: Yes-4. No-1. (Ms. Moran)

Ms. Moran motion to make Article 37 Article 29. Second Mr. Patterson. Vote: Yes-5. No-0.

Ms. Moran motion to defer Article 38. Second Mr. Brown. Vote: Yes-5. No-0.

Mr. Jones motion to put Article 39 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

The Board of Selectmen discussed making Articles 40 and 45 one article.

Mr. Jones motion to add Article 40 and 45 as Article 31. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to hold on Article 41 and defer Article 42 to 2020. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to defer Article 42 to 2020. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 43 as Article 33. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to place Article 44 as Article 32 on the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to hold Article 46. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Suso note that he currently brings the Board of Selectmen a ten year Capital Plan, things do not relate at all to this article, however he is concerned of whether someone is deemed significant or not can cause conflict. He believes it establishes potential traps that could result in alleged charter violations.

Mr. Jones motion to place Article 47 as Article 34 on the warrant. Second Mr. Patterson. Vote: Yes-5. No-0.

Mr. Jones motion to place Articles 48 and 49 as Articles 35 and 36 as Articles 35 and 36. Second Ms. Moran. Vote: Yes-5. No-0.

Mr. Jones motion to execute the warrant. Second Ms. Moran. Vote: Yes-5. No-0.

4. Other Business

Mr. Jones motion to adjourn at 10:30 p.m. Second Ms. Moran. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary

The minutes of September 23, 2019 are still being prepared.

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso



DATE: October 4, 2019

- Selectmen will meet at 6:45PM in executive session on Monday to review a proposed insurance-related settlement.
- The Board will be handling multiple housekeeping-related items under "Summary of Actions." Among those is a request for authorization to apply for potential MEMA grant funding to alter the High School gymnasium roof to facilitate an expanded emergency shelter. The Finance Committee has reviewed and recommended this application (as it has been an item in the Town's ten-year capital plan in the past), with the suggestion that the cost estimate be updated – which will occur. There is also a request for an amount "not to exceed \$4,000" in AFCEE funds for implementation of the Mill Pond initiative which was discussed with the Board at your last meeting.
- Selectmen will be considering a wastewater waiver request for the purpose of a car wash in Teaticket as part of the required public hearing. As the Board may be aware, this potential land use **does not** comply with any of the working guidelines, which you adopted for granting such a waiver.
- SSA Executive Director Bob Davis has been asked to speak with/update Selectmen on two issues, among others: (1) the latest on the design/re-design of the proposed Woods Hole terminal; (2) steps being taken to eliminate the temporary situation where Luscombe Avenue (at Railroad Avenue) was being blocked by trucks loading/unloading at the new, third boat slip.
- Republic Services Vice-President Chris Macera will be in attendance to discuss/answer questions from the Board on the routine provision of trash and recycling services to the Town.
- We are bringing to the Board a set of "suggested" explanations (and selected recommendations) for selected November Town Meeting articles.
- For the anticipated Joint Meeting with the Planning Board set for Monday, October 21 we will be considering agenda topic suggestions. Under separate cover with your Board packet, you are copied with some emailed suggestions from Planning Board Chair Pat Kerfoot.
- I was pleased to attend Tuesday's Finance Committee Meeting.
- I participated in interviews for the multiple Police Officer vacancies.