

TOWN OF FALMOUTH
BOARD OF SELECTMEN
MONDAY, MARCH 23, 2020 – 7:00 P.M.
SELECTMEN'S MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, **the March 23, 2020 public meeting of the Falmouth Board of Selectmen shall be physically closed to the public to avoid group congregation.**

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Board of Selectmen utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Browse to the following web address: <https://zoom.us/j/168026694>
 - ii. For mobile devices (tablets and phones), please go to either 'Google Play' [Android] or the iOS 'App Store' [iPhones and iPads] and download the free program 'ZOOM'. Then click the 'join a meeting' link and type in "168 026 694". If you have not registered with Zoom you will be asked for your name and an e-mail address.
3. Applicants, their representatives and individuals required to appear before the Board of Selectmen may appear remotely and are not required to be physically present. Applicants, their representatives and individuals required to appear before the Board of Selectmen may contact the Town Manager/Board of Selectmen's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at townmanager@falmouthma.gov so that they may be displayed for remote public access viewing.

AGENDA

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamations:
 - a. Falmouth Chamber of Commerce's 2020 Falmouth Citizen of the Year – Brenda Swain
 - b. Arbor Day, April 28, 2020
 - c. National Public Safety Telecommunicators Week, April 12-18, 2020
4. Recognition
5. Announcements
6. Affirm Appointment of Public Works Director

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application for a Change of Manager of a Seasonal All Alcoholic Common Victualler License – The Landfall Restaurant, 9 Luscombe Avenue, Woods Hole
 - b. Application for Special One-Day Wine and Malt Liquor License – Barnstable County Agricultural Society – Barnstable County Fair, 1220 Nathan Ellis Highway – 7/20/20 – 7/26/20

- c. Approve Applications for One-Day Wine and Malt Liquor Licenses – Fresh Pond Holy Ghost Society - Portuguese Festivals to be located at 408 Carriage Shop Road, East Falmouth – Sunday, 5/31/20; Saturday and Sunday, 7/27/20 and 7/28/20; and Saturday, 8/15/20
- d. Approve Application for a Fortune Teller’s License for Special Events – Lance Norris

2. Administrative Orders

- a. Vote to Accept FY20 Wellness Grant from the Cape Cod Municipal Health Group in the amount of \$600.00 to the Personnel Department Grant Account
- b. Vote to Accept Donation from the Falmouth Road Race, Inc. in the amount of \$45,000 for the Fuller Field Playground
- c. Authorize Project Eligibility Letter regarding 40B Comprehensive Permit Application for Rosewood Place located on Percival Road near Teaticket Road intersection. Application proposes construction of 16 single-family, 3-bedroom houses of which 4 are proposed to be affordable.

7:30 p.m. PUBLIC HEARINGS

1. Flow Neutral Bylaw – Evaluation of Request for Variance – Ament Klauer LLP, representing Paul and Anne Rolincik – 51 Worcester Court, Falmouth (Parcel 46 00H 000 019)

7:45 p.m. BUSINESS

1. Request for Sign Variance – Off-Premise Promotional Signs – Falmouth Commodores Baseball Clinics – mid-April to July 31, 2020
2. Report/Update on Palmer Avenue Reconstruction (Queen’s Buyway Area – 1,250 feet in distance)
3. Vote to Place Override on May Municipal Election Ballot
4. Discuss/Consider Petition for Board of Selectmen to Sponsor a Non-Binding Ballot Question
5. Discussion of Upcoming Town Meeting and Elections
6. Discussion of Conduct of Future Board of Selectmen Meetings
7. Approve 2020 Annual/Seasonal License Renewals:

All Alcohol Restaurant License

Falmouth Raw Bar, 56 Scranton Avenue, Falmouth
 Landfall Restaurant, 9 Luscombe Avenue, Woods Hole
 Pier 37 Boathouse, 88 Scranton Avenue, Falmouth
 Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole
 Shuckers, 91 A Water Street, Woods Hole

Smitty’s, 326 East Falmouth Highway, East Falmouth
 Clam Shack, 227 Clinton Avenue, Falmouth

Lodging House License

Frederick William House, 594 Palmer Avenue, Falmouth
 Captain’s Manor Inn, 27 W. Main Street, Falmouth

All Alcohol Club License

Seacoast Shores Association, 7 Fairview Lane, East Falmouth

Second Hand Dealer

Fay’s Gallery, 566 Main Street, Falmouth

Common Victualler License

The Tea Room, 196 Crystal Springs Avenue, North Falmouth

Bowling Alley/Pool Table

Ryan Family Amusements, 23 Town Hall Square, Falmouth
 Trade Center Bowl, 89 Spring Bars Road, Falmouth

8. Minutes of Meetings: Public Session – March 9, 2020
9. Individual Selectmen’s Reports
10. Town Manager’s Report

Megan English Braga, Chairman
 Board of Selectmen



PROCLAMATION

FALMOUTH CHAMBER OF COMMERCE 2020 OUTSTANDING CITIZEN OF THE YEAR

Whereas: **The Falmouth Chamber of Commerce** annually acknowledges and pays tribute to a citizen of the Town of Falmouth who has made a lasting positive impact on the community through participation in a broad scope of activities and whose commitment to the town has been demonstrated by many years of service beyond his or her profession; and

Whereas: **Brenda Swain** is an exceptional citizen of the Town of Falmouth, Massachusetts and New England, well known to all for her professional accomplishments and widespread contributions to the betterment of society; and

Whereas: **Brenda Swain** is a model citizen, admired and esteemed for successfully balancing her devotion to family with years of integrity, tireless civic participation and commitment to community progress; and

Whereas: **Brenda Swain** quietly works to build a better town, to build the physical and moral fiber of our youngsters, to man the action boards and committees so vital to all our interests, to preserve Falmouth open space and to protect the values and rich character of Falmouth Cape Cod; and

Whereas: **Brenda Swain's** many accomplishments and contributions, singularly and collectively, are memorialized in the minds of those she has touched and chronicled on the pages of organizations across this town and as she continues to make a difference in the Town of Falmouth, we do herein declare that this citizen is worthy of high praise and great recognition; and

NOW, THEREFORE, WE, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran and Samuel H. Patterson, as Selectmen of the Town of Falmouth, by the authority vested in us do **PROCLAIM**

BRENDA SWAIN FALMOUTH'S 2020 OUTSTANDING CITIZEN OF THE YEAR

IN WITNESS THEREOF, We have hereunto set our hand and caused the great seal of the Town of Falmouth to be affixed.

Megan English Braga

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones



PROCLAMATION

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

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

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

NOW, THEREFORE, WE, Megan English Braga, Douglas C. Brown, Douglas H. Jones, Susan L. Moran and Samuel H. Patterson, as Selectmen of the Town of Falmouth, do hereby **PROCLAIM**, Tuesday, **April 24, 2020** as:

ARBOR DAY

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Great Seal of the Town of Falmouth to be affixed this day, Monday, March 23, 2020.

Megan English Braga, Chair

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

BOARD OF SELECTMEN



PROCLAMATION

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK APRIL 12-18, 2020

Whereas, emergencies can occur at any time that require police, fire or emergency medical services; and

Whereas, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

Whereas, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Falmouth Emergency Communications Center; and

Whereas, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

Whereas, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

Whereas, Public Safety Telecommunicators of the Falmouth Emergency Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

Whereas, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

Therefore, be it resolved that the Board of Selectmen for the Town of Falmouth declares the week of **April 12 through 18, 2020 to be National Public Safety Telecommunicators Week in the Town of Falmouth**, in honor of the men and women whose diligence and professionalism keep our community and citizens safe.

IN WITNESS THEREOF, We have hereunto set our hand and caused the great seal of the Town of Falmouth to be affixed.

Megan English Braga, Chair

Susan L. Moran

Douglas C. Brown

Samuel H. Patterson

Douglas H. Jones

LEBHERZ & LEBHERZ

Attorneys at Law

Christopher G. Lebherz

Of Counsel

Hon. George H. Lebherz, Jr. (Ret.)

(508) 548-6600

FAX (508) 457-0268

EMAIL: lebherzlaw@gmail.com

February 13, 2020

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

RE: Landfall Inc./Landfall Restaurant
Change of Manager
Proposed new Manager - Kathleen M. Estes

Dear Sir or Madam:

Enclosed please find:

1. Amendment - Change of Manager form
2. Applicants statement
3. Tips Certification Card
4. Corporate Vote
5. Application - Common victualler
6. Cori Request form
7. Payment confirmation - ABCC on line filing fee
8. Copy of passport - Kathleen M. Estes

The papers referenced above are hand delivered this date, and I am further attaching all required fees/checks to finalize the process.

It is my firm belief that Ms. Estes is a suitable person to assume the role of manager of the Landfall. I hope the Board will look favorably on this request, and I look forward to presenting with her at an upcoming public hearing.

Very truly yours,

Christopher G. Lebherz

CGL:c1

Diane Davidson

From: Christopher Lebherz <lebherzlaw@gmail.com>
Sent: Friday, March 20, 2020 2:58 PM
To: Falmouth Town Manager
Subject: Landfall - change of manager -3/23/20 hearing
Attachments: MX-2616N_20200320_141300.pdf

Dear Mr. Suso and Members of the Board:

Enclosed please find the curriculum vitae for the proposed manager Kathleen Estes. We hope the board agrees she is suitable to become the named Manager, and we will zoom in remotely Monday night.

Best wishes and good health.

Christopher G., Lebherz

Kathleen Estes

12 Highview Drive, East Falmouth MA, 02536

EDUCATION

University of New Hampshire
B.A. in Psychology
B.A. in Justice Studies

May 2013
Durham, NH

EXPERIENCE

Landfall Restaurant
Manager.

Summer 2015 -Present
Woods Hole, MA

- Run and oversee all operations including front and back of house
- Manage all hospitality details including but not limited to ordering inventory, designing & ordering staff uniforms as well as memorabilia sold to customers
- Facilitate hiring of employees and organize subsequent scheduling and management
- Schedule, as well as plan special events to improve restaurant traffic, increase sales, and meet customers needs
- Manage social media page to communicate special events
- Certified in event planning and hospitality front desk (CVENT)
- Certified Crowd manager
- Certified in Allergy awareness

Landfall Restaurant
Waitress/Bartender

Summer 2008 – Present
Woods Hole, MA

- Serve a diverse array of customers in a helpful and friendly manner to improve their overall experience
- Explain the menu, take customers orders, deliver food and drink orders for customers while trying to create a personal relationship with them in order to make their experience more enjoyable
- Collect payments, operate the cash register and manage after sales receipts
- Certified to serve alcohol from the national restaurant association (TIPS and ServSafe)
- CPR certified

Child Advocacy Center of Rockingham County
Intern

September 2012 – December 2012
Portsmouth, NH

- Engage with various people on multiple levels to complete short-term, periodic and long-term projects to a high level
- Observe forensic interviews with the interview team and learned how to analyze data effectively
- Enter police and child protective services reports using NCAtrak
- Use excel spreadsheets to coordinate victim information in the most effective and efficient manner for easy search and find processes

Landfall Restaurant
Hostess

Summer 2007-2010
Woods Hole, MA

- Greet and escort guests to their seats in a personalized and friendly manner
- Answer all questions regarding the menu, services offered to clarify any customer concerns and improve their overall dining experience
- Facilitate and organize reservations and monitor all phone correspondences

LEADERSHIP & COMMUNITY INVOLVEMENT

Woods Hole Business Association

2019-Present

-Attends monthly meeting	
Cape Cod young professionals	2019-
Present	
-Recently became a member to help connect to other community leaders	
Falmouth youth Hockey	2020
-Learn to skate instructor working with 30+ three to six year olds	
Alpha Xi Delta Fraternity	2010-2013
-Apparel Design Chair; Events Coordinator	
University of New Hampshire Synchronized Figure Skating Team	2009-2013
-USA National Competitor	
Team USA Synchronized Figure Skating	2007-2009
-Team Co-Captain	
-USA National Competitor	
-World Challenge Cup Competitor	

Change of Manager Checklist for Liquor License Holders

Step 1:

At the ABCC website: <https://www.mass.gov/alcoholic-beverages-retail-licenses> complete Change of Manager Application and save then print all pages of the application and supporting documents.

Step 2:

The following should be submitted to the Falmouth Selectmen's Office:

- All printed pages of the application from the ABCC website and supporting documents:
 - ✓• Manager Application
 - ✓• CORI Authorization
 - ✓• Vote of the Entity
 - ✓• Proof of Citizenship (Manager must be U.S. citizen)
 - ✓• Payment Receipt

- Town License fees:
 - ✓○ A Liquor License Filing fee \$10
 - ✓○ Background Processing fee \$30
 - ✓○ Common Victualler License Filing fee \$10
 - ✓○ Other license filing fees, if applicable, \$10 each

- All other licenses must be updated by completing new application; i.e. Common Victualler, Entertainment, Automatic Amusement Devices, etc. Filing fees only will apply. *State Sunday Entertainment Licenses do not require an update.*

- ✓ Proposed Manager's TIPS or other certification for serving/handling alcohol.

- ✓ Within 10 days of submitting the application, the proposed Manager must complete a background check at the Central Records Office of the Falmouth Police Department. Applicant to bring a **certified check or money order for \$30.00 payable to the Commonwealth of Massachusetts** – *background checks can take several weeks to be processed. Call 774-255-4527 for details.*

- ✓ An approval hearing before the Falmouth Board of Selectmen scheduled upon submission and review of the documents. (Manager must attend this meeting).



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth
City/Town

00072-RS-0390
ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

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

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

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter
of the Acts of (year)

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

DESCRIPTION OF PREMISES Complete description of the licensed premises

One floor: Restaurant, dining room, cocktail lounge. Outside patio, kitchen, storage.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

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

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Landfall, Inc.	Falmouth	00072-RS-0390

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Christopher Leberherz	Attorney	Leberherzlaw@gmail.com	508-548-6600

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name	Kathleen M. Estes	Date of Birth		SSN	
Residential Address	12 Highview Drive, East Falmouth, MA 02536				
Email	katie@landfallwoodshole.com	Phone			
Please indicate how many hours per week you intend to be on the licensed premises	50	Last-Approved License Manager	Donald Estes		

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* Yes No *Manager must be U.S. citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.
 Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

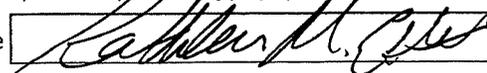
Start Date	End Date	Position	Employer	Supervisor Name
06/01/2004		Manager	Landfall, Inc.	

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature  Date 02/11/2020

CORPORATE VOTE

The Board of Directors or LLC Managers of Entity Name
duly voted to apply to the Licensing Authority of and the
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on
Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other

"VOTED: To authorize
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

Corporate Officer /LLC Manager Signature

(Print Name)

For Corporations ONLY

A true copy attest,

X Jean E. Estes
Corporation Clerk's Signature

Jean E. Estes
(Print Name)

Phyllis Downey

From: Douglas DeCosta
Sent: Wednesday, February 19, 2020 11:24 AM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- Kathleen Estes of the Landfall Restaurant (2020)

Background Check- Kathleen Estes of the Landfall Restaurant (2020) Manager of Alcoholic Beverage License

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Kathleen Estes of the Landfall Restaurant

The department did not locate information that may disqualify this municipal license applicant.

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



-----NOTICE-----

This email is intended for professional and business purposes of the Falmouth Police Department. The contents of this email message and any attachments are confidential and are intended solely for the addressee. If you are not the intended recipient please notify the sender and delete this message.

2020

License Alcoholic Beverages

20-9-WM

Fee:

175

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 Barnstable County Agricultural Society
Wendy Brown, Manager
Cape Cod Fairgrounds
1220 Nathan Ellis Highway, East Falmouth

On the following described premises:

Cape Cod Fairgrounds, 1220 Nathan Ellis Highway, East Falmouth

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

This license is valid from the 20th day of July 2020 until the 26th day of July 2020, unless earlier suspended, cancelled or revoked.

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

Dates: Monday - Sunday, July 20 - 26, 2020. Hours-Monday - Thursday 4:00 pm - 10:00 pm; Friday - Sunday Noon to 10:00 pm. Barnstable County Fair.

Per Falmouth Police Department: Put into place all safeguards and conditions that were met in past years. In addition: 1. Proof of liquor liability insurance required. 2. Alcoholic beverages served on the premises must remain on the premises. 3. Rope off area where alcohol will be sold and consumed. 4. Servers must be TIPS (or equivalent) certified.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

Phyllis Downey

From: Phyllis Downey
Sent: Thursday, March 5, 2020 1:35 PM
To: Timothy Smith (timothy.smith@falmouthfirema.gov); Falmouth Health Department (health@falmouthma.gov); Brian Reid; Sean Doyle (sean.doyle@falmouthpolicema.gov); Rod Palmer (rod.palmer@falmouthma.gov); Pamela Marshall (pamela.marshall@falmouthma.gov)
Subject: Barnstable County Fair Special One-Day License application
Attachments: Annual County Fair - Barnstable Co. Ag. Society 3.5.2020.pdf

Good afternoon,

Attached please find an application for a Special One-Day Liquor License by the Barnstable County Agricultural Society to be held at 1220 Nathan Ellis Highway on Monday – Thursday, July 20, 21, 22 and 23 from 4:00 pm to 10:00 pm and Friday, Saturday and Sunday, July 24, 25 and 26 from 12 noon to 10:00 pm.

The applicant reports no Food Service Permit is required per the Health Agent.

The following conditions were required in 2019:

Per Falmouth Police Department: Put into place all safeguards and conditions that were met in past years. In addition: 1. Proof of liquor liability insurance required. 2. Alcoholic beverages served on the premises must remain on the premises. 3. Rope off area where alcohol will be sold and consumed. 4. Servers must be TIPS (or equivalent) certified.

The Board will review this application at their meeting on March 23rd. May we please request your recommendation to the Board of Selectmen by Wednesday, March 18th?

Thank you,

Phyllis

Phyllis Downey

Administrative Assistant

Town Administration

508-495-7325

2020

License Alcoholic Beverages

20-6-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 Fresh Pond Holy Ghost Society
Portuguese Festival

408 Carriage Shop Road, East Falmouth, MA 02536

On the following described premises:

408 Carriage Shop Road, Teaticket, MA

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

This license is valid from the 31st day of May 2020 until the 31st day of May
2020, unless earlier suspended, cancelled or revoked.

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

Hours of Operation: Sunday, May 31, 2020 - 12:00 p.m. to 7:00 p.m. -
Portuguese Festival

Organizers are required to speak with the detail sergeants (Loewen and Karl) to make proper arrangements
for safety and security measures before each event.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their
official signatures this 23rd day of March 2020

Licensing Board

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

2020

License Alcoholic Beverages

20-7-WM

Fee:

50

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 Fresh Pond Holy Ghost Society
Portuguese Festival

408 Carriage Shop Road, East Falmouth, MA 02536

On the following described premises:

408 Carriage Shop Road, East Falmouth

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

This license is valid from the 27th day of June 2020 until the 28th day of June
2020, unless earlier suspended, cancelled or revoked.

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

Hours of Operation: Saturday, June 27, 2020 from 4:00 pm to 11:00 pm and
Sunday, June 28, 2020 from 12:00 noon to 7:00 pm - Portuguese Festival

Organizers are required to speak with the detail sergeants (Loewen and Karl) to make proper arrangements
for safety and security measures before each event.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their
official signatures this 23rd day of March 2020

Licensing Board

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

2020

License Alcoholic Beverages

20-8-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 Fresh Pond Holy Ghost Society
Portuguese Festival

408 Carriage Shop Road, East Falmouth, MA 02536

On the following described premises:

408 Carriage Shop Road

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 15th day of August 2020 until the 15th day of August 2020, unless earlier suspended, cancelled or revoked.

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

Saturday, August 15, 2020 4:00 pm - 11:00 pm - Portuguese Festival

Organizers are required to speak with the detail sergeants (Loewen and Karl) to make proper arrangements for safety and security measures before each event.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

Phyllis Downey

From: Thomas Bott
Sent: Thursday, February 27, 2020 1:02 PM
To: Phyllis Downey
Cc: Brian Reid; Sean Doyle; Timothy Smith; Scott McGann; Linda Kinchla; Pamela Marshall; Rod Palmer
Subject: Re: License applications - Fresh Pond Holy Ghost x3

Dear Phyllis:
No issues from Planning Dept.
TBott

Sent from TBott Town Planner FalmouthMASS iPhone

On Feb 27, 2020, at 11:29 AM, Phyllis Downey <phyllis.downey@falmouthma.gov> wrote:

Good morning,

Fresh Pond Holy Ghost has applied for three Special One-Day Licenses – Wine & Malt Beverage for Portuguese Festivals to be held on May 31, June 27 and 28, and August 15.

Organizer, William Valadao, will provide TIPS certifications for all persons handling alcohol and will contact the Health Department regarding Temporary Food Service permits. He will also contact the detail division, Sgts. Karl and Loewen, to ensure that proper safety, security and traffic measures are in place for each event.

The review of the applications by the Board of Selectmen will be scheduled for Monday, March 23, 3030 at 7:15 pm. May we please request your recommendations to the Board before Wednesday, March 18, 2020?

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

<Fresh Pond Holy Ghost August 15.20 WM One-Day app.pdf>
<Fresh Pond Holy Ghost June 27-28-20 WM One-Day app.pdf>
<Fresh Pond Holy Ghost May 31-20 WM One-Day app.pdf>

Phyllis Downey

From: Timothy Smith
Sent: Monday, March 2, 2020 10:19 AM
To: Phyllis Downey; Brian Reid; Sean Doyle; Scott McGann; Thomas Bott; Linda Kinchla; Pamela Marshall; Rod Palmer
Cc: Boyd Demello; Craig O'Malley
Subject: RE: License applications - Fresh Pond Holy Ghost x3

Phyllis,

These application were reviewed by Fire Prevention and no issues noted with these requests.

Dep. Smith

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Thursday, February 27, 2020 11:30 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Linda Kinchla <linda.kinchla@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>
Subject: License applications - Fresh Pond Holy Ghost x3

Good morning,

Fresh Pond Holy Ghost has applied for three Special One-Day Licenses – Wine & Malt Beverage for Portuguese Festivals to be held on May 31, June 27 and 28, and August 15.

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Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Number:
FT-01-20

Fee
\$50.00

The Commonwealth of Massachusetts
Town of Falmouth

This is to certify that

Lance Norris

For Use at Non-Profit Community Theater and Special Events in
Town

is hereby granted this

Fortune Teller License

M.G.L. Ch. 140 S. 185I

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires on the date below unless sooner suspended or revoked.

CONDITION: Notify the Town Manager/Board of Selectmen's Office prior to each event.

Valid from: March 23, 2020

Valid until: December 31, 2020

By order of The Falmouth Board of Selectmen

March 23, 2020

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

Diane Davidson

From: Lance Norris [REDACTED]
Sent: Tuesday, February 11, 2020 6:10 PM
To: Diane Davidson
Subject: For Selectpeople

TO THE BOARD OF SELECTPEOPLE:

I am a six-year resident of Falmouth applying for a Fortune Telling License. I have no intention at this point to open a 'shop' or give readings out of my home. At this time, I present the readings at non-profit theatres, for which I receive no pay. Currently I am preparing a show for the Barnstable Comedy Club (a community theatre) that will run from March 12 to the 29th. I do not have any other bookings at the moment but hope that will change by the summer.

Thank you for your time,

Lance Norris



Town of Falmouth

BUSINESS CERTIFICATE (DBA)

In conformity with the provisions of Chapter one hundred and ten, Section five of the General Laws of the State of Massachusetts, as amended, the undersigned hereby declare(s) that a business under the title of;

Lance Noppis (Business Name) fortune telling (Type of Business)

Is conducting business at or from the following address in the Town of Falmouth:

25 Irene Ave (Address of Business) (781) 385-9835 (Phone Number)

By the following named person(s):

Owner 1 Lance R. Noppis (Full Name) 25 IRENE AVE, East Falmouth MA (Address) (781) 385-9835 (Phone Number)
[Signature] (Signature)

Owner 2 _____ (Full Name) _____ (Address)

(Signature) (Phone Number)

Commonwealth of Massachusetts
County of Barnstable

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, to be the person whose name is signed on the preceding or attached document in my presence.

(seal)

Notary Public Signature

A certificate issued in accordance with this section of MGL shall be in force and effect for (4) four years from the date received and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless renewed.

Received Date 2/7/2024
Expiration Date 2/7/2024

Michael Palmer
Michael Palmer, Town Clerk

The General Laws of Massachusetts

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XX. PUBLIC SAFETY AND GOOD ORDER

CHAPTER 140. LICENSES

Go To:
[Next Section](#)
[Previous Section](#)
[Chapter Table of Contents](#)
[MGL Search Page](#)
[General Court Home](#)
[Mass.gov](#)

Chapter 140: Section 185I. Fortune tellers; license

Section 185I. No person shall tell fortunes for money unless a license therefor has been issued by the local licensing authority. Said license shall be granted only to applicants who have resided continuously in the city or town in which the license is sought for at least twelve months immediately preceding the date of the application. No such license shall be transferred or assigned. Unless otherwise established in a town by town meeting action and in a city by city council action, and in a town with no town meeting by town council action, by adoption of appropriate by-laws and ordinances to set such fees, the fee for each license granted under this section shall be two dollars, but in no event shall any such fee be greater than fifty dollars. Whoever tells fortunes for money unless licensed under this section shall be punished by a fine of not more than one hundred dollars.

Diane Davidson

From: Brian Reid
Sent: Friday, March 20, 2020 3:23 PM
To: Diane Davidson; Sean Doyle
Subject: RE: Application for Fortune Teller's License

Hello Diane,

I have reviewed the application. I concur that advance notification of specific events in Falmouth should be provided. 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

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

From: Diane Davidson
Sent: Friday, March 20, 2020 2:38 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>
Subject: Application for Fortune Teller's License

Good Afternoon,

Just checking to see if you have had a chance to review this request and background check on this applicant.

Thank you,

Diane

Capt. Reid,
Lt. Doyle,

We have received an application, attached, from Lance Norris for a Fortune Teller's License. He does not have a fixed location; he wants to have a license to do readings at non-profit theaters. I think it would be a good idea to place a condition on his license that he inform this office prior to each event of the event date/location.

Please let me know if there is any other information you need.

If possible, please provide a recommendation by Friday, March 20.

Thank you,



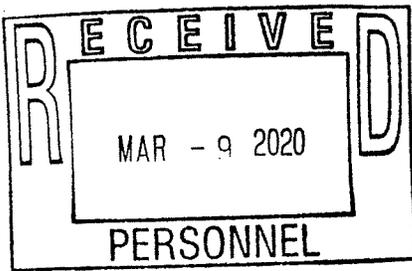
TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540
Telephone (508) 495-7320
Fax (508) 457-2573

PROCEDURE AND DOCUMENTS NECESSARY FOR THE APPLICATION OF A FORTUNE TELLER'S LICENSE

- Rec'd. ✓ 1. Application for License
- Rec'd. ✓ 2. CORI Request Form
- Rec'd. ✓ 3. Certificate of Doing Business (Sole Ownership)
- NA 4. Copy of Partnership Agreement (If Partnership), if applicable
- NA 5. Copy of Articles of Organization (If Corporation), if applicable
- NA 6. Copy of Lease or Deed of Current Residence
- NA 7. Copy of Certificate of Inspection from Building Department, if applicable
- NA 8. If not in a Commercial Zone a Special Permit must be issued by the Zoning Board of Appeals
9. Must produce proof of residency in the Town of Falmouth (can be obtained from the Town Clerk's Office)
- Rec'd. ✓ 10. \$10.00 Filing Fee
- Rec'd. ✓ 11. \$50.00 License Fee



**CAPE COD MUNICIPAL HEALTH GROUP
FY 2020 WELLNESS GRANT APPLICATION**

Instructions: Please fill out the information below and e-mail to Maggie Downey at mdowney@capelightcompact.org. Grants are awarded based upon the number of full time employees. 0-50 Employees \$150; 51-150 Employees \$250; 151-300 Employees \$400; 301-600+ Employees \$600.

UNIT NAME: Town of Falmouth

MAILING ADDRESS: 59 Town Hall Square, Falmouth, MA 02540

CONTACT'S NAME & TITLE: Kristin Nickerson, Personnel Assistant

TELEPHONE: 508-495-7330

EMAIL: kristin.nickerson@falmouthma.gov

NUMBER OF EMPLOYEES IN UNIT: 1200 (approx School and Town)

DESCRIPTION OF HOW THE FUNDS WILL BE USED (PLEASE BE SPECIFIC):

The grant money will be used for prizes and giveaways during our Benefit and Health Fairs. We are hoping to put together wellness baskets to promote wellness, as well as some fun prizes for giveaways. We are trying to educate the Town employees on what CCMHG has to offer. We are trying to focus on educating the employees.

OUTLINE PROPOSED BUDGET: The Town is looking to do a few baskets \$50 each, gift cards in value of \$25 / \$50. Maybe a big give away with left over funds.

Total Budget:

GOALS FOR THE GRANT: The goal for the grant is to promote health and wellness through out the town. Hopefully the prizes will encourage employees to attend both the health as well as the benefit fairs we have planned and become more educated with what the Town has to offer.

----- **FOR OFFICE USE ONLY** -----

Approved By: _____ **Date:** _____
Margaret Downey, Wellness Committee Chair

Amount of Grant: \$ 600 **Number of Unit's enrollees:** _____

Diane Davidson

From: Peter Johnson-Staub
Sent: Tuesday, March 17, 2020 2:36 PM
To: Julian Suso
Cc: Diane Davidson; Joe Olenick
Subject: Road Race Playground donation

Hi Julian,

Scott Ghelfi has a donation check from the Road Race for the Fuller Field playground. I'd like to have the board accept it sooner rather than later so we can proceed with procurement. I've suggested thru Joe that if we put this on the 3/23 BOS agenda, we could have Scott come to a later meeting for a public recognition of the donation given that this will be a remote only meeting. Let us know how you wish to proceed.

Thanks,
Peter

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

<http://www.falmouthmass.us>

Kindly Remember that under MA General Laws most email correspondence to, or from, a municipal employee or committee member is deemed a public record.

DRAFT

March 20, 2020

Michael Busby
MassHousing
One Beacon Street
Boston MA 02108

RE: Project Eligibility – Percival Road, East Falmouth, “Rosewood Estates”

Dear Michael Busby:

The Town has reviewed an application for Project Eligibility for Rosewood Estates located on Percival Road near the Teaticket Road intersection in Falmouth submitted by Edwin Monteiro on behalf of Eco Land Development. Town staff members met with the developer’s representatives on February 19th and visited the site with representatives of MassHousing on March 6th. The proposal consists of 16 single-family houses on 5.5 acres all of which are three-bedroom units.

The subject property abuts residential properties on both sides of the long narrow lot. The Local Comprehensive Plan (LCP) calls for “housing for all” with greater infill residential density where appropriate primarily through redevelopment in some areas and discouraging further development in others. The areas for greater density should be determined by available infrastructure, walkability, schools, and services. The Percival Road location does not meet those aspirational goals of the LCP. It is more than a mile to the nearest store to buy any basic provisions or any schools or parks. Many stretches of this 15+ minute walk do not have sidewalks.

The proposed density of this development is 2.9 units per acre which is low for a 40B development. The proposed lot coverage by buildings listed in the application is 10% and lot coverage by buildings and paving is 13%, both of which are within the By-Law limits of 20% and 40% respectively. The property is located within a Water Resource Protection District - Zone B due its proximity to the Long Pond water supply which is over 2,600 feet away at its closest point. Residential development is not prohibited in a Zone B.

To better meet the needs of the community, the Town requests that the applicant incorporate at least four one-bedroom or two-bedroom units. If necessary the total number of units could be increased to make the project financially viable. Proposing to build exclusively 3-bedroom houses does not align with the Town’s housing needs as identified in the 2018 Housing Production Plan (HPP). These houses will be sold for homeownership not rented. The HPP notes in the Priority Needs of the Town, rental housing is the most significant need. The Falmouth HPP also states that priority should be placed on units with fewer than three bedrooms which are needed to provide more opportunities for seniors, singles and individuals just beginning a family. The importance of one- and two-bedroom units is all the more critical as the vast majority of market rate housing being permitted and constructed in Falmouth (through 40B and conventional development) is three-bedroom. It should be noted that the all the proposed units (market and affordable) are of a modest size (1,400 – 1,800 square feet) which should help to moderate the cost and value of the market rate houses.

Units that are barrier-free and handicapped accessible, were also identified as a need in the Falmouth HPP. The Town requests that all units be visitable and that at least one unit be constructed accessible.

The Town requests that the developer modify the access plan to be consistent with best practices and the requirements of Falmouth Subdivision Regulations. The developer proposes to widen the section of Percival Road abutting the project to accommodate proposed water and gas lines. There is an opportunity to improve access for emergency vehicles through Harness Drive. Harness Drive, a private way, dead ends behind lots 10 and 11. By creating access to Harness Drive, the new housing could be accessed via improved, widened sections of Percival Road and Harness Drive avoiding the narrow, unpaved surface on the southeastern end of Percival. There appears to be room on the applicant's plans to shift lots 11 through 16 towards Parcel A to create a right of way from Percival to Harness Drive without losing any house lots and resulting in improved access for emergency vehicles and residents.

Finally, the Town asks that the developer mark the limit of work before clearing and preserve as many existing trees as possible. As we know, mature trees cannot be quickly replaced and provide a host of benefits including improved air quality and water quality. The units should be situated in a way that maximizes their orientation for solar panels.

We look forward to working with MassHousing, Mr. Monteiro and other applicant representatives on this housing proposal to meet the identified housing needs for the Town of Falmouth within the context of our local planning efforts.

Sincerely,

Julian M. Suso
Town Manager



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, March 23, 2020 at 7:30 p.m. in the Selectmen's Meeting Room, Town Hall, Falmouth, MA on the application of Kevin P. Klauer II, Esq. of Ament Klauer LLP on behalf of Paul and Anne Rolincik for a wastewater flow variance under Chapter 180, Section 56 of the Code of Falmouth, the so-called Flow Neutral By-law, for a proposed raze and rebuild of the existing dwelling to increase number of bedrooms from three to five at 51 Worcester Court in said Falmouth (parcel 46 00H 000 019).

Per Order of Board of Selectmen

Publication date: Friday, March 13, 2020, Falmouth Enterprise

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

Diane Davidson

From: Amy Lowell
Sent: Wednesday, February 5, 2020 10:49 AM
To: Diane Davidson; Scott McGann
Cc: Megan English Braga; Julian Suso; Peter Johnson-Staub
Subject: RE: Request for Flow Neutral Bylaw Variance - 51 Worcester Court
Attachments: 51 Worcester Ct flow neutral memo 2-5-20.pdf

Hello,
Memo attached, recommending against the variance. Please call or email with any questions.

Thank you

Amy

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

From: Diane Davidson
Sent: Tuesday, January 21, 2020 4:59 PM
To: Amy Lowell <amy.lowell@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>
Cc: Megan English Braga <megan.english-braga@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Subject: Request for Flow Neutral Bylaw Variance - 51 Worcester Court

Hi Amy and Scott,

Please provide your recommendations on the attached request for a variance to the Flow Neutral Bylaw at 51 Worcester Court. The owners, Paul and Anne Rolincik, are seeking to raze and rebuild the existing dwelling on the site, and to increase the number of bedrooms from three to five.

Thank you,

Diane

Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager & Board of 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, WASTEWATER DIVISION
416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 457-2543

AMY LOWELL
WASTEWATER SUPERINTENDENT

Date: February 5, 2020

To: Board of Selectmen, Town Manager

cc: Falmouth Health Department

Re: Flow Neutral Bylaw Variance Request – 51 Worcester Court

A variance has been requested under section §180-56 of the Town's Flow Neutral Bylaw for redevelopment of the property at 51 Worcester Court. The property is in the Little Pond Sewer Service Area and is connected to the sewer system.

As stated in a January 7, 2020 letter from the property owner's attorney, Kevin Klauer, it is proposed that the number of bedrooms in this single family residence be increased from 3 to 5 on this lot (plan attached to letter shows lot area = 17,166 square feet). The flow neutral bylaw allows single family residential properties in sewer areas to increase to 4 bedrooms by right. Five bedrooms are allowed by right *only* if the lot area is 50,000 square feet or greater (6 bedrooms if lot is 60,000 square feet etc). Increase to more than 4 bedrooms on a lot of <50,000 square feet requires a variance from the Board of Selectmen. The relevant sections of the bylaw, §180-51, §180-55 and §180-56, are included at the end of this memo.

One of the two preconditions for the Board of Selectmen to grant a variance to the Flow Neutral Bylaw is that "Sufficient capacity exists...as determined by the Wastewater Superintendent." It must be stated that sufficient sewer system capacity exists to accommodate flow from one additional bedroom. However, the overall impact of the precedent of approving a variance to allow bedrooms beyond the by-right allowance would be problematic.

The stated purpose of the flow neutral bylaw is "to comply with the terms and conditions of the discharge permit, to manage present and future wastewater flows, to meet present and future water quality standards, and to support broader community planning objectives..." There are more than 1200 single family residential properties in the Little Pond Sewer Service Area that are less than 50,000 sq ft and would require the same variance if they wished to increase to more than 4 bedrooms. There are also hundreds of other single family residential properties in older sewer service areas (Woods Hole, Surf Drive area, etc) that would, now that the flow neutral bylaw is in place, need a variance to increase beyond 4 bedrooms. If 51 Worcester Ct were allowed a variance to increase to 5 bedrooms, it would be difficult to justify not granting a variance to any other property owner in the service area that wished to exceed the by-right limit of the bylaw.

In conclusion, I recommend against granting a variance for this property because this would be a counter-productive precedent in sewer areas. It would allow an increase in flow from the sewer area beyond the planned for growth, contrary to the intent of the bylaw.

Relevant Sections of Flow Neutral Bylaw (italics added):

§ 180-51 Purpose.

The Town of Falmouth's Wastewater Treatment Facility on Blacksmith Shop Road (WWTF) has limited treatment and disposal capacity as determined by a discharge permit issued by the Massachusetts Department of Environmental Protection (DEP). *In order to comply with the terms and conditions of the discharge permit, to manage present and future wastewater flows, to meet present and future water quality standards, and to support broader community planning objectives, the Town adopts this Flow Neutral Bylaw for Present and Future Sewer Service Areas.*

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

A. Single-family residences.

- (1) Existing development. Modifications of an existing single-family dwelling on a parcel of 40,000 square feet or less may increase the total number of bedrooms to four (4) by right. Modifications of existing single-family residences on parcels over 40,000 square feet may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.*
- (2) New development. A single-family residence may have four (4) bedrooms by right on parcels of 40,000 square feet or less. On parcels greater than 40,000 square feet, a single-family residence may have one (1) bedroom per 10,000 square feet of lot area by right.*
- (3) Addition of bedrooms, beyond those permitted in Subsection A(1) and (2) above shall require a variance from the Board of Selectmen in accordance with § 180-56.*

§ 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.

Diane Davidson

From: Scott McGann
Sent: Wednesday, February 5, 2020 12:46 PM
To: Diane Davidson; Julian Suso; Peter Johnson-Staub
Cc: Amy Lowell
Subject: flow neutral bylaw - 51 Worcester Court

On January 27, 2020 the Falmouth Board of Health gave a positive referral that a Title 5 system could be sited on 51 Worcester Court in accordance with the Flow Neutral Bylaw.

Thanks, Scott

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

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

January 7, 2020

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
Redevelopment of 51 Worcester Court
Assessor's Parcel 46 00H 000 019

Dear Ms. English Braga:

I represent Paul and Anne Rolincik, the owners of 51 Worcester Court. The applicant is seeking to raze and rebuild the existing dwelling on the site in order to accommodate their growing family. In doing so, they would like to increase the number of bedrooms from three to five.

This property is part of the Little Pond Sewer District and is therefore subject to the provisions of §180-54.A. limiting by-right development to four bedrooms. As such, they are requesting a variance under the flor neutral bylaw for an increase to five. Subsequent with this request, an application is being made to the Board of Health so that they may review and approve the project, as the applicant is able to clearly demonstrate that if the property were not in the sewer district, it could be served by an on-site septic system designed for as many as **six** bedrooms without any variances from Title 5 regulations.

In many ways, the applicants are a victim of timing, as had they sought to do this prior to connecting to the sewer they could have easily established a system that would serve as many as six bedrooms. Now, they are seeking to add one above what is otherwise permitted in the district.

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.

In connection with this matter, attached are the following:

Megan English Braga, Chairman

January 7, 2020

Page 2

- 1) Copy of the letter being delivered today to Scott McGann at the Falmouth Board of Health;
- 2) "Plot Plan – Proposed House for #51 Worcester Court Prepared for Paul & Anne Rolincik in Falmouth, MA" dated December 4, 2019 and prepared by Falmouth Engineering.

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,



Kevin P. Klauer II, Esq.

KPK/

cc: Scott McGann, Health Agent
Mike Borselli, Falmouth Engineering

Falmouth Commodores Baseball Clinic Signs:

Request for off-premise promotional signs.

Locations:

1. North Falmouth Elementary School (62 Old Main Rd., North Falmouth)
2. Morse Pond (323 Jones Road, Falmouth)
3. East Falmouth School (33 Davisville Rd., East Falmouth)
4. Mullen-Hall School (130 Katharine Lee Bates Road, Falmouth)
5. Teaticket Elementary School (45 Maravista Ave. Ext., Teaticket)
6. Lawrence Middle School (113 Lakeview Ave., Falmouth)
7. Johnson Homes (143 Palmer Ave., Falmouth)
8. The Cape Cod Cooperative (660 North Falmouth Highway, North Falmouth)
9. The Cape Cod Cooperative (238 Worcester Court, Falmouth)
10. Rockland Trust (20 Davis Straits, Falmouth)
11. Rockland Trust (78 County Rd., North Falmouth)
12. Gus Canty Community Center (790 Main St., Falmouth)
13. Dean's Market (580 North Falmouth #580A, North Falmouth, MA 02556)

Length of time: Early to Mid-April through Monday, July 31, 2020.

Quantity: 13

Size: 3 square feet. Sign size is within the 8 sq. ft. maximum size.

Diane Davidson

From: Mark Ordway [REDACTED]
Sent: Friday, March 6, 2020 3:24 PM
To: Diane Davidson
Cc: Linda Peters
Subject: Falmouth Commodores Variance Request 2020 Signs

Dear Diane,

We are seeking a variance again this year for placement of off-premise signs for the purpose of advertising the Falmouth Commodores Baseball Clinics (previous requests from Linda Peters). The proposed signs would be placed at the following locations (permission of owners has been obtained):

1. North Falmouth Elementary School (62 Old Main Rd., North Falmouth)
2. Morse Pond (323 Jones Road, Falmouth)
3. East Falmouth School (33 Davisville Rd., East Falmouth)
4. Mullen-Hall School (130 Katharine Lee Bates Road, Falmouth)
5. Teaticket Elementary School (45 Maravista Ave. Ext., Teaticket)
6. Lawrence Middle School (113 Lakeview Ave., Falmouth)
7. Johnson Homes (143 Palmer Ave., Falmouth)
8. The Cape Cod Cooperative (660 North Falmouth Highway, North Falmouth)
9. The Cape Cod Cooperative (238 Worcester Court, Falmouth)
10. Rockland Trust (20 Davis Straits, Falmouth)
11. Rockland Trust (78 County Rd., North Falmouth)
12. Gus Canty Community Center (790 Main St., Falmouth)
13. Dean's Market (580 North Falmouth #580A, North Falmouth, MA 02556)

We would like to place the signs in early to mid-April and will remove them no later than July 31st (the first day of the final session offered for the clinic this summer).

Please let me know if you need any further information. Can you let me know which selectmen's meeting we will be able to get placed on the agenda?

Thanks for you once again for all your previous help.

Best,
Mark Ordway
Fan Relations Administrator
[REDACTED]



Town of Falmouth



Department of Public Works

Peter M. McConarty, P.E., P.L.S.
Interim Director of Public Works

416 Gifford Street
Falmouth, MA 02350
Cape Cod

Telephone: (508) 457-2543
Fax: (508) 548-1537
Email: peter.mcconarty@falmouthma.gov

DATE: March 19, 2020

TO: Julian M. Suso, Town Manager

FROM: Peter M. McConarty, Interim Director of Public Works

RE: Queens Buyway Early Spring Reconstruction

Public Works is preparing to reconstruct a section of Palmer Avenue located on Queens Buyway, beginning at the intersection of Palmer Avenue and North Main Street (Osborn Rugh Gallery) and ending at the easterly end of the Town Green (old Bank of America building). The total length is approximately 1,250'. As you are aware, the roadway has fallen into major disrepair and needs to be reconstructed before the busy summer season.

The project consists of:

- Upgrading drainage structures.
- Removing and resetting 400 feet of pink granite curbing along the Town Green.
- Removing 1,300 feet of concrete curb and replacing with granite curb.
- Adding 600' of granite curbing along the southerly side of Palmer Avenue from the "Coffee Obsession" to the existing sidewalk on Hewin's Street.
- Installing a splitter island at the intersection of Palmer Ave and realigning the sidewalk to reduce the length of pedestrian travel in the roadway.
- Adding a crosswalk between the "Coffee Obsession" and parking lot across street.
- Adding a crosswalk on Hewin's Street to the Town Green.
- Reconstructing a crosswalk from the First Congregational Church to the Town Green.
- Milling the roadway asphalt and adding 4" of new asphalt roadway.

The work will be performed by Lawrence Lynch Corporation with oversight by Public Works. Our goal is to have the project completed before Memorial Day. In order to achieve this, we are anticipating starting the project during the week of March 30th. The estimated construction time frame is 4-6 weeks.

Please let me know if more information is needed.

Diane Davidson

From: Diane TURCO [REDACTED]
Sent: Wednesday, March 11, 2020 2:09 PM
To: Megan English Braga; Diane Davidson; Susan Moran
Subject: short version of Pilgrim waste petition

Dear Megan,
Here is the short version of the petition question:

Shall the Town of Falmouth request the Board of Selectmen to communicate to Governor Baker and the State Legislature that the Town favors using all means available at the Plymouth Nuclear Power Plant to ensure that: (1) spent nuclear fuel be secured in better quality dry casks and hardened onsite, storage; and (2) spent fuel pool and casks be protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town?

Thank you for your time and consideration, Diane

**Public Advisory Question for the 2020 Spring Town Ballot
for increased security at the Pilgrim Nuclear Power Station on Cape Cod Bay
in order to protect the public and the environment**



Whereas, the high level nuclear waste will remain at Pilgrim for decades or more in dry casks that present safety concerns, each holding half the radioactive cesium released at Chernobyl;
Whereas, the spent fuel pool remains full and is vulnerable to terrorist attack or accident that could cause radioactive contamination rendering our communities uninhabitable;
Whereas, due to lack of proper security on the property, there has been open access beyond the posted 'No Trespassing' signs to within line-of-sight of dry casks and spent fuel pool;
Whereas, during decommissioning, the Nuclear Regulatory Commission has abdicated its responsibility to protect the public by approving exemptions requested by new Pilgrim owner Holtec for reduced offsite liability insurance, cybersecurity, and offsite emergency planning;
Whereas, safety is a human right;
Whereas, citizens of the Town of FALMOUTH find this to be an unacceptable threat to our health and safety and must be resolved in the most timely manner;
Therefore, shall the people of the Town of FALMOUTH direct the local government to communicate to Governor Baker and the State Legislature to employ all means available to ensure that: (1) spent nuclear fuel is secured in better quality dry casks and hardened onsite, storage; and (2) spent fuel pool and casks are protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town of FALMOUTH and its inhabitants and visitors?

Print Name	Signature	Print Street address
PETER L. WAASDORP JR	<i>Peter J. Waasdorp</i>	57 BECCLES ROAD
Joshua W. Altshuler	<i>Joshua Altshuler</i>	15 Mallard Way
Joseph A. JOHNSON	<i>Joseph A. Johnson</i>	82 Cokedale Ave.
Lillia Frantin	<i>Lillia Frantin</i>	114 OLD MAIN RD, N.F. 02556
Herb Edwards	<i>Herb Edwards</i>	14 OLD MAIN RD, " "
Marcia MacInnis	<i>Marcia MacInnis</i>	20 Dixon Dr. Mashpee
Demaris Kooker	<i>Demaris Kooker</i>	141 Great Pines St Mashpee
Judith G. Stetson	<i>Judith G. Stetson</i>	261 Quissett Ave. Woods Hole
Richard K. Lecture	<i>Richard K. Lecture</i>	62 Prospect St., Falmouth, MA
James B Newman	<i>James B Newman</i>	5 Buzzards Bay Ave, Woods Hole MA
		57 Beccles Rd, Falmouth

**Public Advisory Question for the 2020 Spring Town Ballot
for increased security at the Pilgrim Nuclear Power Station on Cape Cod Bay
in order to protect the public and the environment**



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Whereas, during decommissioning, the Nuclear Regulatory Commission has abdicated its responsibility to protect the public by approving exemptions requested by new Pilgrim owner Holtec for reduced offsite liability insurance, cybersecurity, and offsite emergency planning;
Whereas, safety is a human right;
Whereas, citizens of the Town of FALMOUTH find this to be an unacceptable threat to our health and safety and must be resolved in the most timely manner;
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Print Name	Signature	Print Street address
PATRIC STANTON	<i>[Signature]</i>	33 MORRIS ST. TEATICKET
SUSAN ELAN	<i>[Signature]</i>	33 MORRIS ST. TEATICKET MA
EARLE BARNHART	<i>[Signature]</i>	28 COMMON WAY HATCHVILLE MA
Lou Turner	<i>[Signature]</i>	88 Oyster Pond Rd.
DAWNA HAMMERS	<i>[Signature]</i>	326 Woods Hole Rd FALMOUTH, MA
Kathleen Stigberg	<i>[Signature]</i>	12 Solar way, E. Falmouth, MA
Hilde Malingoy	<i>[Signature]</i>	28 common way, 02536
Glenway Fripp	<i>[Signature]</i>	1 Park Rd. WotHo
Victor Troll	<i>[Signature]</i>	19 Hyatt Rd, WH
Judith Risch	<i>[Signature]</i>	24 Belvidere Rd - Falmouth

SEASONAL LIQUOR LICENSE and SPRING 2019 RENEWALS – March 23, 2020

All Alcohol Restaurant License

Falmouth Raw Bar, 56 Scranton Avenue, Falmouth
Landfall Restaurant, 9 Luscombe Avenue, Woods Hole
Shuckers, 91 A Water Street, Woods Hole
Pier 37 Boathouse, 88 Scranton Avenue, Falmouth
Quicks Hole Taqueria, 6 Luscombe Avenue, Woods Hole

All Alcohol Club License

Seacoast Shores Association, 7 Fairview Lane, East Falmouth

Common Victualler License

The Tea Room, 196 Crystal Springs Avenue, North Falmouth
Smitty's, 326 East Falmouth Highway, East Falmouth
Clam Shack, 227 Clinton Avenue, Falmouth

Lodging House License

Frederick William House, 594 Palmer Avenue, Falmouth
Captain's Manor Inn, 27 W. Main Street, Falmouth

Second Hand Dealer

Fay's Gallery, 566 Main Street, Falmouth

Bowling Alley/Pool Table

Ryan Family Amusements, 23 Town Hall Square, Falmouth
Trade Center Bowl, 89 Spring Bars Road, Falmouth

2020

00180-RS-0390

License Alcoholic Beverages

Fee: 1650

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

All Alcoholic Common Victualler Seasonal

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

To Be Drunk On the Premises

To Falmouth Raw Bar Inc. d/b/a Falmouth Raw Bar
Michael Richardi, Manager
56 Scranton Avenue, Falmouth, MA 02540

On the following described premises:

Two entrances front & rear, 3 exits front, rear and side, 2 bathrooms. Storage, prep area, take out window, bar & dining area inside, outdoor patio dining area.

This liense is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

11:00 am - 12:45 am Monday - Sunday NOTE: All glasses off tables & bar and all patrons out by 1:30 am.

BUILDING MUST BE SO INSULATED THAT ALL ENTERTAINMENT, MUSICAL OR OTHERWISE WILL NOT BE HEARD OUTSIDE THE BUILDING.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

2020

License Alcoholic Beverages

00072-RS-0390

Fee: 1650

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

All Alcoholic Common Victualler Seasonal

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

To Be Drunk On the Premises

To Landfall Restaurant (Landfall, Inc.)
Donald Estes, Manager

9 Luscombe Avenue, Woods Hole, MA 02543

On the following described premises:

One floor: Restaurant, dining room, cocktail lounge. Outside patio, kitchen, storage.

This liense is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

8 am - 1 am Weekdays; 12 NOON - 1 am - SUNDAY NOTE: All glasses off tables/bar and patrons out by 1:30pm

BULDING MUST BE SO INSULATED THAT ALL ENTERTAINMENT, MUSICAL OR OTHERWISE, WILL NOT BE HEARD OUTSIDE THE BUILDING.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

2020

License

00111-RS-0390

Alcoholic Beverages

Fee: 1650

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

All Alcoholic Common Victualler Seasonal

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

To Be Drunk On the Premises

To Falmouth Pier 37 Boathouse LLC d/b/a Pier 37
Boathouse
Conor R. McLaughlin, Mgr.
88 Scranton Avenue, Falmouth, MA 02540

On the following described premises:

One floor- Dining room, porch dining room, exterior deck, outdoor deck and bar, kitchen, storage.

This liense is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

Weekdays: 8 am - 12:45 am. Sundays: 12 pm- 1 am NOTE: All glasses off the tables/bar and patrons out by 1:30 am

BUILDING MUST BE SO INSULATED THAT ALL ENTERTAINMENT, MUSICAL OR OTHERWISE, WILL NOT BE HEARD OUTSIDE THE BUILDING.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

2020

License

00147-RS-0390

Alcoholic Beverages

Fee: 1650

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

All Alcoholic Common Victualler Seasonal

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

To Be Drunk On the Premises

To Quicks Hole, LLC d/b/a Quicks Hole Taqueria
Elizabeth Colt, Mgr.

6 Luscombe Avenue, Woods Hole, MA 02543

On the following described premises:

Two entrances/exits on Luscombe & to parking lot. Restaurant consists of 20 seats. 10'x20' deck surrounded by fencing, with a 4' space allowing for access to street & access to restaurant from the back deck area & with a seating capacity of 20 seats.

This liense is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

11am - 10pm 7 Days Note: All glasses off Tables/Bar & Patrons out by 10:30 pm

PATIO/OUTDOOR SERVICE AREA SHALL NOT BE ACCESSED FROM STREET. ALL ACCESS SHALL BE THROUGH THE ENCLOSED RESTAURANT. SERVICE IS ALLOWED TO FIVE TABLES OUTSIDE.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

2020

00076-RS-0390

License Alcoholic Beverages

Fee: 1650

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

All Alcoholic Common Victualler Seasonal

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

To Be Drunk On the Premises

To Shuckers - H & S Restaurant Group, Inc.
Lillian Strout, Manager

91A Water Street, Woods Hole, MA 02543

On the following described premises:

One room, outdoor patio, secured floating vessel.

This liense is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

8:00 am - 1 am - WEEKDAYS; 12 NOON - 1 A.M. - SUNDAYS NOTE: ALL GLASSES OFF TABLES & BAR AND ALL PATRONS OUT BY 1:30 A.M.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

2020

License

00209-CL-0390

Alcoholic Beverages

Fee: 1275

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

CLUB LICENSE - SEASONAL License to Expose, Keep for Sale, and to Sell **All Kinds of Alcoholic Beverages**

To Be Drunk On the Premises

To Seacoast Shores Association, Inc.

7 Farview Lane, East Falmouth, MA 02536

On the following described premises:

A two-story clubhouse building with a full service kitchen, dining area and deck on the second floor. The clubhouse building is fully handicapped accessible with an elevator and three entrances/exits.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from the 1st day of April 2020 until the 30th day of November 2020, unless earlier suspended, cancelled or revoked.

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

8:00 am - 12:00 am Monday - Saturday; 12:00 Noon - 12:00 am - Sundays.

Note: All glasses off tables and bar and all patrons out by 12:30 a.m.

BUILDING MUST BE SO INSULATED THAT ALL ENTERTAINMENT, MUSICAL OR OTHERWISE, WILL NOT BE HEARD OUTSIDE THE BUILDING. OFF-SITE PARKING NOT ALLOWED AT THE LOT AT WHITE'S LANDING.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 23rd day of March 2020

Licensing Board

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

The minutes of March 9, 2020 are still being prepared.

REPORT

TO: Board of Selectmen

FROM: Julian M. Suso

DATE: March 20, 2020



- As you know, we are preparing to use the Zoom Conferencing format for our “shortened” regular business meeting on Monday evening. Thank you for your efforts to become more familiar with this format, which we first piloted for use by the Conservation Commission and the ZBA earlier this week. This will necessarily be an “adaptive” work in progress, but we are guardedly optimistic that this technology will serve our fundamental purposes at least on a temporary basis.
- As I noted in an email to the Board, I am pleased to request that you affirm my appointment of Peter McConarty as Director of Public Works. We are thankful that this important process and appointment is not delayed.
- You will note that, for Monday’s meeting, the “public comment” portion of the agenda has been deleted. We have encouraged anyone who may have questions or comments to please email them to this office no later than 3PM on Monday. Any such emails received can be read by the Chair or me.
- Most items on the agenda are fairly routine and, as per usual, you will have available all background information in your Board packets.
- As a reminder, all votes of the Board should be in “roll-call” format to ensure that the Zoom Conferencing clearly demonstrates each vote cast.
- The scheduled public hearing on the request for wastewater variance under the Flow Neutral Bylaw is anticipated to include a presentation from representatives of the applicant. As you will note from Amy Lowell’s memo to you on this, she is NOT recommending approval as this proposal is absolutely contrary to the intent of the Flow Neutral Bylaw and would create a very damaging precedent for the entire Little Pond area, and greatly limiting Selectmen’s options for reasonable commercial growth if residential is to be allowed to gobble up the limited available capacity. Amy may try to “join us” in the Zoom Conference on Monday to affirm her very strong concerns in regard to this proposal.
- Your Board packet contains a memo from Peter McConarty describing the proposed safety-related improvements to the immediate Queen’s

Buyway/Palmer Ave area. With BOS concurrence, we could proceed to initiate and complete this much-welcomed improvement yet this spring.

- I won't recount in this Report the challenging workweek which we are just completing. As you are aware, there is absolutely no script for what has already occurred nor what lies ahead. I want to thank the Board for your steadfast understanding and support for the necessary actions and initiatives we have undertaken to protect the health and safety of our residents and our fellow employees. I continue to work closely with Health Agent Scott McGann and all of our Public Safety Command staff in proceeding forward, one day at a time. Be assured that we continue to review options and alternatives in preparation for the days ahead and in collaboration with other municipal, state and national resources. I am most appreciative of the diligent work of all of our colleagues in public service to the residents of Falmouth. They have responded with continued service to the public and innovated as needed to accommodate (temporary) adjustments in the working environment. All this while maintaining a positive, upbeat outlook. I am proud to be working with them.