

AGENDA
BOARD OF SELECTMEN
MONDAY, JULY 27, 2020
WAQUOIT MEETING ROOM
MASHPEE TOWN HALL
16 GREAT NECK ROAD NORTH
MASHPEE, MA 02649

Virtual / Remote Meeting

Broadcast Live on Local Cable Channel 18

Public Call in Number: (508) 539-1400 extension 8585

Streamed Live on the Town of Mashpee Website: <https://www.mashpeeema.gov/channel-18>

6:30 p.m. – Convene Meeting in Open Session

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES

Approval of the following: Monday, July 13, 2020 Regular & Executive Sessions

APPOINTMENTS & HEARINGS

Call in Number for Public Comment and Hearings: (508) 539-1400 extension 8585

- Public Comment
- 6:35 pm: Public Hearing: Proposed Speed Limit Change: Simon's Narrows Road
- 6:40 pm: Public Hearing: Private Signs on Town Property: Great Neck Road South – *Jacques Morin*
- Discussion and Approval of a Temporary Sign Permit: *Latour Hotel & Resorts (South Cape Resort & Club)*
- Discussion and Approval of Acceptance of the Following Resignation:
Conservation Commission, Member-at-Large (Term to Expire: June 30, 2023): *Dale McKay*
- Discussion and Approval of Appointment to the Following:
Conservation Commission, Associate Member (Term to Expire June 30, 2021): *Brian Weeden*
- Discussion and Approval of Host Community Agreement, Authorization for the Town Manager to Execute the Agreement and Authorization of Virtual Web-Based Community Outreach Meeting:
Nicholas Gomes, Esquire; Tree Beard d/b/a Soul Garden

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

1. Update, Discussion and Possible Action Relative to COVID-19
2. Discussion and Approval of Change of Scope of Route 151 Corridor Improvement Project: *Catherine Laurent*

NEW BUSINESS

1. Discussion and Approval of Fiscal Year 2021 Dispatch Contract: *Fire Chief Thomas Rullo*
2. Discussion and Certification of Hiring Process of Police Officer – Zachary Good: *Police Chief Scott Carline*
3. Discussion and Approval of Temporary Beach Parking and Access Restrictions
4. Discussion and Approval of Pole Relocation at Great Hay Road:
Pole Hearing Held on July 27, 2020 – 8:30 am: *Assistant Town Manager Wayne Taylor*
5. Discussion and Possible Action on Draft #1 of the October 19, 2020 Town Meeting Warrant

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

LIAISON REPORTS

TOWN MANAGER UPDATES

EXECUTIVE SESSION

ADJOURNMENT

MASHPEE TOWN CLERK

JUL 23 2020

RECEIVED BY: *SW*

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MINUTES

Approval of the following: Monday, June 29, 2020 Regular & Executive Sessions

APPOINTMENTS & HEARINGS

Call in Number for Public Comment and Hearings: (508) 539-1400 extension 8585

- Public Comment
- Discussion and Approval of Acceptance of the Following Resignations:
 - Environmental Oversight Committee - Member-at-Large: *Dale R. McKay* (Term Expires: June 30, 2021)
 - Mashpee Inclusion and Diversity Committee – Member-at-Large: *Lynne Waterman* (Term Expires: June 30, 2022)
 - Affordable Housing Committee – Members-at Large: *Walter “Bud” Abbott, Jr.; Berkley Johnson* (Terms Expire: June 30, 2021)
- Discussion and Approval of Appointment to the Affordable Housing Committee: Members-at-Large: *Melinda Baker, Noelle Pina* (Terms Expire June 30, 2021)

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

1. Update, Discussion and Possible Action Relative to COVID-19
2. Discussion and Approval of Change of Scope of Route 151 Corridor Improvement Project: *Catherine Laurent*
3. 2020-2021 Board of Selectmen Liaison Assignments

NEW BUSINESS

1. Certification of Police Officer Hiring Process of Kristian Oberg, Todd Bazarewsky: *Police Chief Scott Carline*
2. Request for End of Year Appropriation Transfer- \$1,600 from Town Clerk F/T Clerical Salary to Elections Overtime Wages: *Town Clerk Deborah Dami*
3. Discussion and Approval of Pole Relocation at Intersection of Cotuit Road and Main Street:
Pole Hearing Held on July 8, 2020 – 8:30 am: *Assistant Town Manager Wayne Taylor*
4. Town Manager's 2020-2021 Goals and Objectives

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

LIAISON REPORTS

TOWN MANAGER UPDATES

EXECUTIVE SESSION

Strategy Discussion Relative to Pending Litigation Regarding Gooseberry Island: Matthew Haney, Trustee of Gooseberry Island Trust and SN Trust vs. Zoning Board of Appeals and Town of Mashpee: Barnstable Superior Court CA #1972CV00012, Pursuant to M.G.L., C. 30A, §21 (a) (3), with the Chair Declaring that an Open Meeting may have a Detrimental Effect on the Litigating Position of the Town.

ADJOURNMENT

Board of Selectmen
Minutes
July 13, 2020

Present: Selectman John J. Cotton, Selectman Thomas F. O'Hara, Selectman Carol A. Sherman,
Selectman Andrew R. Gottlieb, Selectman David W. Weeden
Town Manager Rodney C. Collins
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Cotton at 6:30 p.m.
Mashpee Town Hall, Waquoit Meeting Room

This is a virtual/remote meeting with all parties acknowledging attendance.

MINUTES

Monday, June 29, 2020 Regular & Executive Sessions:

Motion made by Selectman Sherman to approve the Regular and Executive Session minutes of Monday, June 29, 2020 as presented.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

APPOINTMENTS & HEARINGS

Public Comment: - None at this time.

Discussion and Approval of Acceptance of the Following Resignations:

Environmental Oversight Committee - Member-at-Large: Dale R. McKay (Term Expires: June 30, 2021):

Correspondence was received from Dale R. McKay dated July 2, 2020 resigning from the Environmental Oversight Committee effective immediately.

Motion made by Selectman Gottlieb to accept the resignation of Dale R. McKay with regrets sending a letter of appreciation to Mr. McKay for his service to the Town of Mashpee.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

Board of Selectmen
Minutes
July 13, 2020

APPOINTMENTS & HEARINGS

Discussion and Approval of Acceptance of the Following Resignations: (continued)

Mashpee Inclusion and Diversity Committee – Member-at-Large: Lynne Waterman
(Term Expires: June 30, 2022):

The Board of Selectmen was in receipt of a letter of resignation from Lynne Waterman dated July 7, 2020 resigning from the Mashpee Inclusion and Diversity Committee effective July 7, 2020.

Motion made by Selectman Sherman to accept the resignation of Lynne Waterman from the Mashpee Inclusion and Diversity Committee effective July 7, 2020 with regret sending a letter of appreciation to Ms. Waterman for her service to this committee.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

Affordable Housing Committee – Members-at Large: Walter "Bud" Abbott, Jr.; Berkley Johnson
(Terms Expire: June 30, 2021):

Correspondence was received from Walter "Bud" Abbot, Jr. dated June 26, 2020 resigning from the Affordable Housing Committee effective July 15, 2020. Additional communication was received from Berkeley Johnson resigning from the Affordable Housing Committee effective on the Board of Selectmen's acceptance.

Motion made by Selectman Sherman to accept the resignations from Walter "Bud" Abbott and Berkley Johnson from the Affordable Housing Committee with regrets sending a letter of appreciation to the individuals for their dedication and service to the Town of Mashpee.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

Board of Selectmen
Minutes
July 13, 2020

APPOINTMENTS & HEARINGS

Discussion and Approval of Appointment to the Affordable Housing Committee: Members-at-Large: Melinda Baker, Noelle Pina (Terms Expire June 30, 2021):

The Board of Selectmen was in receipt of (2) letters of interest from Melinda Baker and Noella Pina seeking appointment to the Affordable Housing Committee with resumes attached for the Selectmen review. The requirement to be interviewed prior to appointment was waived by the Board of Selectmen due to the ongoing pandemic. Selectman John J. Cotton acknowledged the integrity of the individuals seeking appointment.

Motion made by Selectman Weeden to appoint Melinda Baker and Noelle Pina to the Affordable Housing Committee as Members-at-Large with terms to expire on June 30, 2021.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes

Selectman O'Hara, yes

Selectman Sherman, yes

Selectman Gottlieb, yes

Selectman Weeden, yes

Opposed, none

OLD BUSINESS

Update, Discussion and Possible Action Relative to COVID-19:

Town Manager Rodney C. Collins indicated the Town of Mashpee at present is holding firm with 62 reported cases to date. There are no recent confirmed cases.

Unless there is an objection from the Board of Selectmen advisory committees will be allowed to conduct meetings at the Mashpee Town Hall using the same format as the Board of Selectmen requiring facial coverings and social distancing during the respective meetings. The public will be required to call-in to solicit comment. There was no objection as the Board approved policy at the last meeting relative to Operating Protocols during the ongoing State of Emergency.

With safety improvements to be installed it is expected the Mashpee Town Hall would open soon by appointment only.

The Town Manager and the Board of Selectmen Chair met with the School Superintendent and School Committee Chair last week to review the planning process associated to the opening of the schools. Meetings will be held regularly to review the progression of the safety measures. The Department of Public Works will provide assistance in this challenging process.

Discussion and Approval of Change of Scope of Route 151 Corridor Improvement Project: Catherine Laurent:

At the last meeting the Board of Selectmen reviewed the Route 151 Corridor Improvement Project including encroachments and change of scope. The Board of Selectmen authorized the issuance of a License to Enter and Use Real Property identified as Route 151 for the encroachments within the public highway. The Board also voted to authorize the reduction of the project limits associated to the Route 151 Corridor Improvement project, and to task the staff to further review funding alternatives to provide additional monies to meet the current and projected deficit to include the wastewater component; design and piping which may realize a cost savings.

Board of Selectmen
Minutes
July 13, 2020

APPOINTMENTS & HEARINGS

Discussion and Approval of Change of Scope of Route 151 Corridor Improvement Project: Catherine Laurent: (continued)

In reviewing this matter with the Town's consulting engineer GHD, Inc. Catherine Laurent, Director of Public Works indicated delaying the project by one year would compromise the Transportation Improvement Plan (TIP) funding. The project which began in 2013 is expected to receive \$21 million in TIP funding over the next three years. The Town is planning on moving forward with the project bid in 2021 with construction anticipated to begin in the fall of 2021. In concern, Ms. Laurent indicated the TIP project schedule is comprised of federal and state funding sources. If the Town does not move forward as scheduled, the funding eligibility for this project may be compromised for the Town of Mashpee and for other Cape road projects slated for improvement.

In terms of the \$21 million dollar project, \$11 million is estimated to be earmarked to the project in year one with \$5 million in year two and \$5 million in year three of the project scope. The \$11 million is specific to Mashpee in fiscal year 2021, and the entire region could potentially delay projects in que. Ms. Laurent indicated the topic of wastewater was previously discussed by the Board of Selectmen last August and it was decided the Town was not going to pursue the wastewater initiative to remain on track for the corridor project in 2021-2023.

In an effort to save taxpayer funds and in support of the wastewater initiative to design and install piping to alleviate sewer delays and the future disruption of the subject road area there was strong consideration to request an opinion from the Department of Transportation with respect to this regard.

It may be possible to obtain funding for sewerage that would offset the budget reductions associated to the project. Currently, the project is estimated to cost \$32.5 million. This creates a large gap and deficit as the Town has been notified by Mass DOT that additional funding is not available.

Town Manager Rodney C. Collins recommended the Board of Selectmen postpone action until the Town has had the opportunity to review this matter with the Mass DOT.

It was noted the proposal may require a TIP amendment. However, the road plans would basically remain the same with added sewer design including pump stations that may be required.

The Board of Selectmen agreed to take this discussion under advisement to revisit at the next meeting.

2020-2021 Board of Selectmen Liaison Assignments:

The Board of Selectmen reviewed the updated 2020-2021 Liaison Assignment List designated by the Chair each year following reorganization. The following assignments were modified;

Selectman David W. Weeden – Finance Committee Liaison

Selectman John J. Cotton – Native American Affairs Committee

Board of Selectmen
Minutes
July 13, 2020

NEW BUSINESS

Certification of Police Officer Hiring Process of Kristian Oberg, Todd Bazarewsky: Police Chief Scott Carline:

The Board of Selectmen reviewed communication from Police Chief Scott Carline regarding the Hiring Process for the candidates; Todd Bazarewsky and Kristian O'Berg for the position of full-time police officer(s).

Based on the results of the oral board examination and physical agility examination, the two candidates were selected for an appointing authority interview. As a result of the interview process the candidates were provided with a conditional offer of employment pending additional investigations and examinations as required. All portions of the hiring process were successfully completed.

Town Manager Rodney C. Collins re-affirmed that all phases of the entry level selection process have been completed in accordance with the Hiring Process of the Town of Mashpee.

Motion made by Selectman Gottlieb to certify the Hiring Process for the appointment of Todd Bazarewsky and Kristian O'Berg to the position of full-time police officer(s).

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

Request for End of Year Appropriation Transfer- \$1,600 from Town Clerk F/T Clerical Salary to Elections Overtime Wages: Town Clerk Deborah Dami:

Due to the unfortunate death of former Selectman John J. Cahalane and unanticipated election there is a need to transfer funds to the Elections Overtime Wages. The End of Year Appropriation Transfer in the amount of \$1,600 is requested as follows;

Transfer FROM Account – Town Clerk F/T Clerical Salary
Transfer TO Account – Elections Overtime Wages

The Finance Committee approved the transfer on this date unanimously as required by M.G.L.

Motion made by Selectman Gottlieb to approve the End of Year Appropriation Transfer in the amount of \$1,600 from the Town Clerk F/T Clerical Salary Account to the Elections Overtime Wages Account.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

Board of Selectmen
Minutes
July 13, 2020

NEW BUSINESS

Discussion and Approval of Pole Relocation at Intersection of Cotuit Road and Main Street:
Pole Hearing Held on July 8, 2020 – 8:30 am: Assistant Town Manager Wayne Taylor:

A Public Pole Hearing was held on July 8, 2020 to address the request of Verizon New England, Inc. and NStar Electric Company d/b/a Eversource Energy to relocate (1) jointly owned pole 1/39 on Main Street at Cotuit Road necessary for new road construction. There was no public comment. Work is anticipated to be completed in approximately 7 weeks.

Motion made by Selectman Gottlieb to approve Verizon New England, Inc. and NStar Electric Company d/b/a Eversource Energy Petition/Plan #MA2020-19 to relocated (1) JO pole 1/39 as referenced.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

**Selectman Cotton, yes
Selectman Gottlieb, yes**

**Selectman O'Hara, yes
Selectman Weeden, yes**

**Selectman Sherman, yes
Opposed, none**

Town Manager's 2020-2021 Goals and Objectives:

The Board of Selectmen reviewed the Town Manager's Goals and Objectives for 2020-2021. The goals and objectives as identified focus on several priorities, recent developments and a continuation of work-in-progress and other housekeeping issues. Of note is the modernization of business practices to enhance the professional appearance and visibility of staff members conducting customer service in the field.

Goals and objectives also include the initiation of the Harbor Management Plan, a comprehensive plan which would include the study of moorings and docks. The Plan does not include a possible marina.

Motion made by Selectman Gottlieb to adopt the Town Manager's 2020-2021 Goals and Objectives as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

**Selectman Cotton, yes
Selectman Gottlieb, yes**

**Selectman O'Hara, yes
Selectman Weeden, yes**

**Selectman Sherman, yes
Opposed, none**

TOWN MANAGER UPDATES

A total of (9) draft articles have been submitted for the October Town Meeting with 2 petition articles carried over from the spring Town Meeting.

The Board of Selectmen directed the Town Manager's Office to prepare a certificate of recognition to a Mashpee citizen reaching her 100th birthday. A small celebration is planned in Mashpee Commons on Thursday.

Board of Selectmen
Minutes
July 13, 2020

EXECUTIVE SESSION

Motion made by Selectman Gottlieb to adjourn Open Session at 7:16 p.m. for the purpose of;

Strategy Discussion Relative to Pending Litigation Regarding Gooseberry Island: Matthew Haney, Trustee of Gooseberry Island Trust and SN Trust vs. Zoning Board of Appeals and Town of Mashpee: Barnstable Superior Court CA #1972CV00012, Pursuant to M.G.L., C. 30A, §21 (a) (3), with the Chair Declaring that an Open Meeting may have a Detrimental Effect on the Litigating Position of the Town.

**The Board will not reconvene In Open Session upon the conclusion of Executive Session.
Motion seconded by Selectman Sherman.**

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes
Selectman Gottlieb, yes

Selectman O'Hara, yes
Selectman Weeden, yes

Selectman Sherman, yes
Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen

Board of Selectmen
Minutes
July 13, 2020

ADJOURNMENT

Motion made by Selectman Gottlieb to adjourn at 7:44 p.m.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Cotton, yes

Selectman O'Hara, yes

Selectman Sherman, yes

Selectman Gottlieb, yes

Selectman Weeden, yes

Opposed, none

Respectfully submitted,

Kathleen M. Soares

Secretary to the Board of Selectmen

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

The Mashpee Board of Selectmen will conduct a public hearing on a proposed change of the speed limit on Simon's Narrows Road from thirty (30) miles per hour to twenty-five (25) miles per hour. Said hearing will be held on Monday, July 27, 2020 at 6:35 p.m. in the Waquoit Meeting Room at Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649. Residents are invited to attend the hearing or email their questions/comments in advance to bos@mashpee.ma.gov. If the Mashpee Town Hall is still closed to the public due to the COVID-19 pandemic, interested parties may call (508) 539-1400 extension 8585 to participate in the public hearing.

Per Order of
Mashpee Board of Selectmen

John J. Cotton, Chairman
Thomas F. O'Hara, Vice Chairman
Carol A. Sherman, Clerk
Andrew R. Gottlieb
David W. Weeden



**TOWN OF MASHPEE
BOARD OF SELECTMEN
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Per Order of
Mashpee Board of Selectmen

John J. Cotton, Chairman
Thomas F. O'Hara, Vice Chairman
Carol A. Sherman, Clerk
Andrew R. Gottlieb
David W. Weeden

July 10, 2020

TOWN OF MASHPEE
BOARD OF SELECTMEN
PUBLIC HEARING NOTICE

Pursuant to Section 174-52(D) of the Mashpee Zoning Bylaws: **Private Signs on Town Property**, the Board of Selectmen will hold a public hearing on **Monday, July 27, 2020 at 6:40 PM** to consider a request made by Jacques Morin, Trustee, Ockway Highlands Realty Trust LLC to erect a free-standing routed sign within the fifty (50) foot road layout of Great Neck Road South and on the corner of Blue Castle Drive. The proposed sign is intended to identify the Ockway Highland's subdivision located between Blue Castle Drive and Degross Road. Copies of the proposal are on file in the Office of the Town Manager.

Please be advised, if the Mashpee Town Hall is still closed to the public due to the COVID-19 public health emergency the public may participate in the following manner:

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TOWN OF MASHPEE
BOARD OF SELECTMEN
PUBLIC HEARING NOTICE

Per order of
The Mashpee Board of Selectmen
John J. Cotton, Chairman
Thomas F. O'Hara, Vice Chairman
Carol A. Sherman, Clerk
Andrew R. Gottlieb
David W. Weeden

July 17, 2020

Per order of

The Mashpee Board of Selectmen

John J. Cotton, *Chairman*

Thomas F. O'Hara, *Vice Chairman*

Carol A. Sherman, *Clerk*

Andrew R. Gottlieb

David W. Weeden

Pursuant to Section 174-52(D) of the Mashpee Zoning Bylaws: **Private Signs on Town Property**, the Board of Selectmen will hold a public hearing on **Monday, July 27, 2020 at 6:40 PM** to consider a request made by Jacques Morin, Trustee, Ockway Highlands Realty Trust LLC to erect a free-standing routed sign within the fifty (50) foot road layout of Great Neck Road South and on the corner of Blue Castle Drive. The proposed sign is intended to identify the Ockway Highland's subdivision located between Blue Castle Drive and Degross Road. Copies of the proposal are on file in the Office of the Town Manager.

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Ockway Highlands Realty Trust, L.L.C.

Jacques N. Morin, Trustee

P.O. Box 1726 Mashpee, MA 02649

June 25, 2020

Board of Selectmen
16 Great Neck Road North,
Mashpee, MA 02649

Dear Board Members,

I am writing to request approval from the Board for the placement of an identification sign for Ockway Highlands subdivision off Great Neck Road South.

We appeared before the Design Review Committee in 2019 for review of the intended sign for this subdivision. The Committee approved the design with a condition of first obtaining approval from the Board of Selectmen for the placement sign at the outer edge of the 50 foot road layout of Great Neck Road South. [Committee approval attached].

Our intention is to install a beautiful carved sign with a nautical look and navy blue background color. An identification sign is critical for would be purchasers and for reflecting the quality, character and identity of the homes within the subdivision being built. This signage type is seen along Great Neck Road reflecting the quality of the neighborhoods located off this way.

Part of our commitment, although not part of this request, is to also work with surrounding neighbors to clean up the mail boxes and the entrance surrounding them by installing one bank of adjoining mail boxes on one structure made of white Azek components in addition to cleaning up the adjacent ground area surrounding them. This will be further discussed with the Mashpee Post Office.

In today's economy we need all the help we can get to create a sense of community and to associate buyers with the beautiful homes and the development we are creating. As such, we hope the Board will give favorable consideration to our request.

Thank you,

Best regards,
Jacques Morin, Trustee
Ockway Highlands Realty Trust, L.L.C.



Plymouth Sign Co., Inc. Since 1956

63 OLD MAIN ST. S. YARMOUTH, MA. 02664
(508) 398-2721 (508) 760-3130 Fax
e-mail: plysigncom@capecod.net

CUSTOMER

DATE:

LOCATION:

REVISIONS:



PERMIT No.

MATERIALS

OCKWAY_POST_SKT

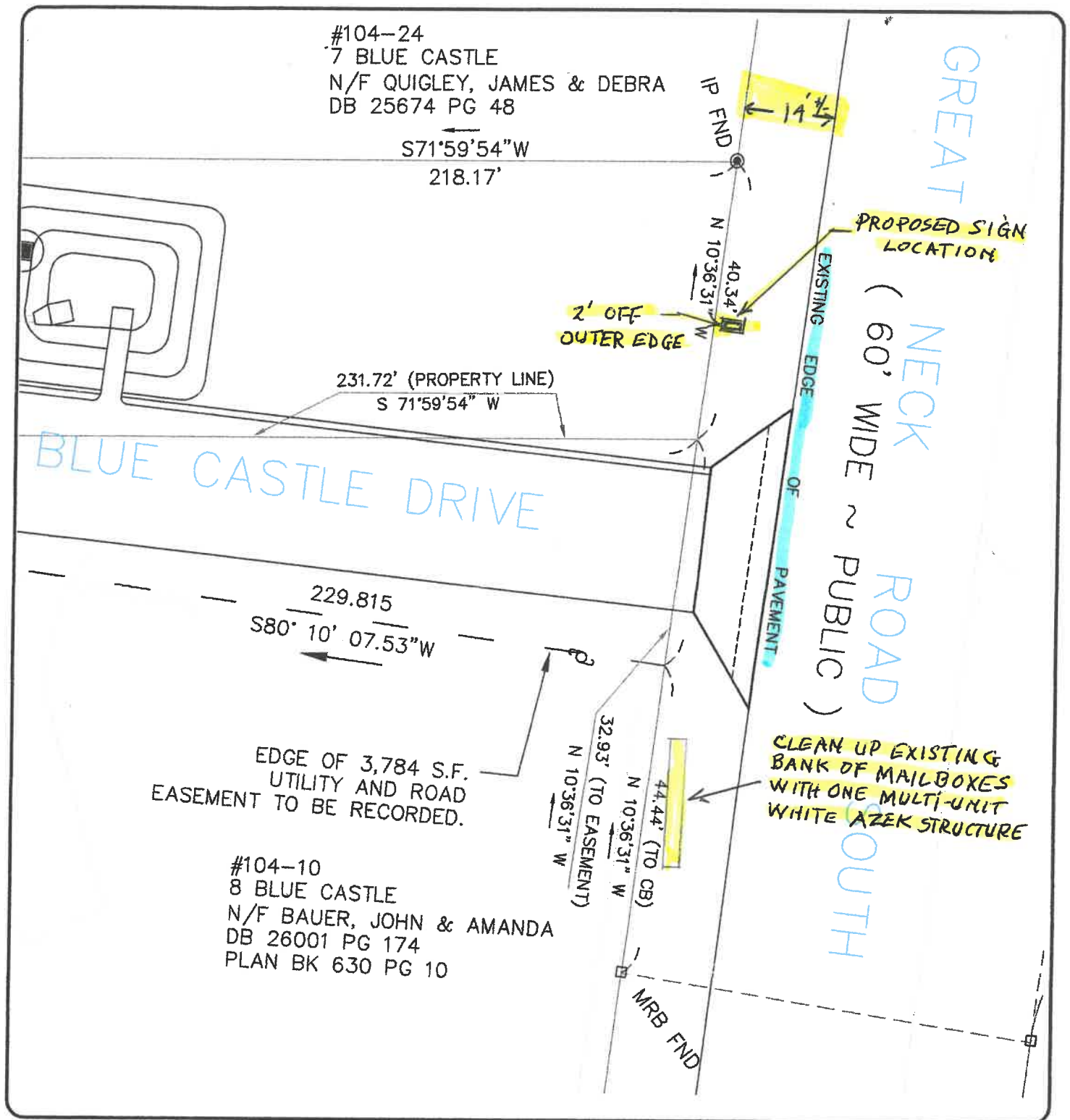
DRAWN BY JSP

APPROVED BY


P.O.

SCALE

This is an original unpublished drawing, created by Plymouth Sign Company, Inc. It is submitted for your personal use in connection with the project being planned for by Plymouth Sign Company, Inc. It is not to be shown to anyone outside your organization, nor is it to be used, reproduced, copied or exhibited in any fashion whatsoever. All or any parts of this design (excepting registered trademarks) remain property of Plymouth Sign Company, Inc. Charge for design without permission of Plymouth Sign Company, Inc. is \$500.00.



SHEET TITLE

Project Name BLUE CASTLE DRIVE SKETCH PLAN FOR SIGNS		Prepared for BAYBERRY BUILDERS		Fig. No. —
 CAPE & ISLANDS ENGINEERING CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING <i>INCORPORATED</i>		SUMMERFIELD PARK 800 FALMOUTH ROAD, SUITE 301C MASHPEE, MA 02649 (508) 477-7272 www.CapeEng.com email: info@CapeENG.com	Scale 1"=20'	Date 5/30/19
		Project Name BLUE CASTLE DR —		



Town of Mashpee

16 Great Neck Road North
Mashpee, Massachusetts 02649

**Minutes of Meeting of
Design Review Committee
Held Tuesday, June 4, 2019
Mashpee Town Hall Popponesset Meeting Room**

Design Review Committee Members Present: Charlie Maintanis, Jonathan Furbush, Joe Cummings, and Miles Peters.

Jonathan called the meeting to order at 8:34 am.

Business name: Ockway Highlands LLC

Project Address: Corner of Blue Castle Drive & Great Neck Rd. South

Owner/Agent: Jacques Morin

Architect/Engineer: Plymouth Sign Co.

Requests: 15 sq. ft. sign, 44" Wide by 48" High

Mr. Jacques Morin represented himself for the sign request to be situated in front of Blue Castle Drive for the Ockway Highlands fourteen (14) lot subdivision. He said the sign will be good quality, and consistent with the neighborhood. He had photographs of the area to show the committee where the sign location would be situated. He spoke to Evan Lehrer, Town Planner who recommended he speak to the Design Review committee because it's a requirement of the Special Permit that is with the Planning Board. Mr. Morin will also submit a request to the Selectmen for their approval. The sign location will be within the subdivision at the cross section of Carriage Road and Blue Castle, as well as the entrance to Blue Castle Drive. He mentioned he would also like to install some white fencing. He said he spoke to Catherine Laurent, DPW Director regarding the new signage as well.

Jonathan wanted to confirm the location of the signs. He asked Mr. Morin if he was requesting any variances for the size of the signs. Jonathan also wanted to know the maximum allowed height for the sign.

Charlie said the requirement is 15 ft., as stated in the bylaw Section 174-50 (E) (1).

Mr. Morin said that the road sign is typically on Town property because they want it close to the street. He said there's an intersection in the middle of the subdivision where Carriage Road meets Blue Castle, and he would like to install one post with both street names. He said he spoke to Catherine about how those should be set.

Charlie asked if there will be street access off Degraass Road. He asked if there will be a sign at that end. Mr. Morin said; yes. The street signs are within the purview of the DPW.

**Minutes of Meeting of
Design Review Committee
Held Tuesday, June 4, 2019
Mashpee Town Hall Popponesset Meeting Room**

Charlie asked if there will be any illumination for the sign. Mr. Morin thought maybe solar. Charlie said you have to be careful with neighbors regarding light spillage. Street signs whether on public or private property are under the DPW requirements.

Miles reviewed the printout of the Ockway Highlands sign, and thought the color did not depict the navy color as mentioned. He thought the design within the sign was not centered. He asked what materials would be used for construction. Mr. Morin said it's a 2 inch quarter wooden board; the white lettering is routed and painted. The background of the water, ship, and sand is actual real sand blown into the sign, and painted. It's a two-sided sign.

Motion:

Jonathan made a motion to accept the project as presented with the following suggestions;

- The Developer shall consult with Catherine Laurent, DPW Director for the location of the street signs for Blue Castle Drive and Carriage Road.
- The Developer shall receive permission from the Selectmen for the Ockway Development sign, and consult with Catherine Laurent, DPW to discuss the setback requirement for pedestrian traffic, and the street noting (§174-54 (B)).
- The design of the Ockway Highland sign to be symmetrically centered on both sides.
- The Developer must discuss any illumination of the sign with the Building Department.
- The Developer must ensure that the homeowner's association adhere to the maintenance of the sign in perpetuity as in the bylaw §174-53.

Joe Cummings second. Jonathan approved, Miles opposed. The sign passed with a 2-1 vote.

Business name: Four Square Development, LLC

Project Address: 31 Mercantile Way

Owner/Agent: Four Square Development, LLC

Representative: Attorney, Kevin Korrane

Architect/Engineer: Down Cape Engineering/Giampietro Architects

Requests: 9,972 sq. ft. Industrial Building, Contractor Bays.

Dan O'jala, with Down Cape Engineering represented the request for the project. The site is in the industrial zone, and the building is consistent with the other buildings in the area. The entrance to the lot will be on the west side, and is a big



TOWN OF MASHPEE

Design Review Application

RECEIVED
MAY 15 2019

Date of Review: June 4, 2019

Print

Project Address: CORNER Blue Castle Drive & Great Neck Road - South

Business Name: Ockway Highlands L.L.C.

Owner/Agent: JACQUES N. MORIN Tel No. 508-776-2953

Email: jmorin²@comcast.net Fax: ---
jmorin2@comcast.net

Architect/Engineer: Plymouth Sign Tel No. ---

Email: --- Fax: ---

Zone: R3 Number of Building(s): Existing: N/A Proposed: N/A

Project would be described as: ☒ Sign(s) ☐ Cluster development ☐ Office ☐ Automotive
☐ Commercial ☐ Wholesale ☐ Industrial ☐ Institutional ☐ Medical Office ☐ Auto Body Shop
☐ Change of USE ☐ Other: ---

Describe Proposed Use(s) or changes**: MAIN ENTRY IDENTIFICATION SIGN

Sq. Footage for proposed new building ---

Sq. Footage for proposed Sign 15 s.f.

Cape Cod Commission Approval required YES ☐ NO ☒ If YES, date of Approval: ---

**If necessary, you can attach a separate sheet which describes the project in more detail.

SEE - **DECISION**

☐ Recommend

☐ Not Recommend





DATE: 07-14-2020

Chairman John Cotton

Honorable Board of Selectmen

On May 5, 2019 the following residents Ernest & Gloria Virgilio 7 Blue Castle Drive, Hugh & Margaux Barns 8 Blue Castle Drive and Michael Burrridge 19 Blue Castel Drive sent a letter to Mashpee Town Manager Rodney Collins and the Board of Selectmen regarding a sign the developer of Ockway Highlands plans to request approval from the Board of Selectmen to build and install at the intersection of Blue Castle Drive and Great Neck Road South.

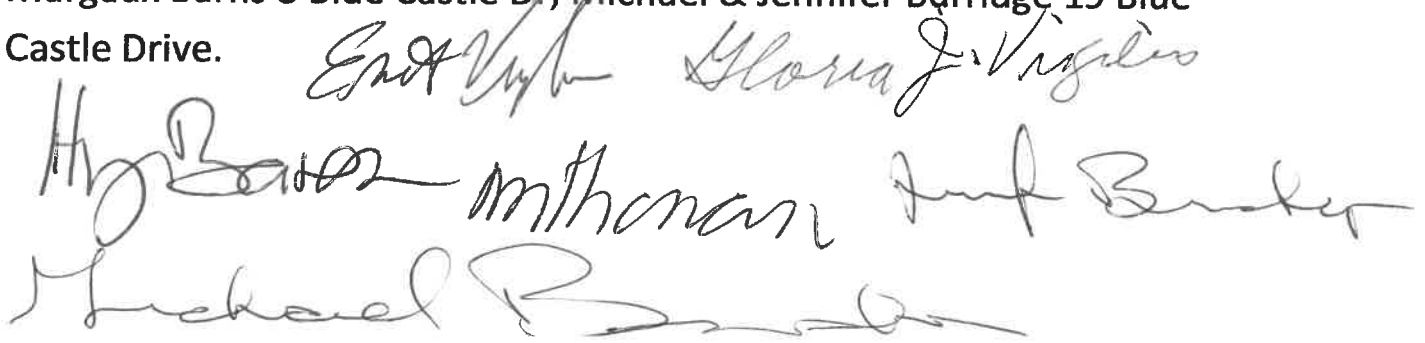
The start of Ockway Highlands Development is several hundred yards from the intersection of Great Neck Road South and the beginning of Blue Castle Drive.

Here again is a developer encroaching on Town Property to advertise these homes for free. Let alone what we are and will be putting up with for years during building these homes and during the selling period.

We also want to make it very clear we are not an association and we will never be a part of an association. Blue Castle Drive is a private road and we intend to keep it that way.

WE DO NOT WANT ANY SIGN AT BLUE CASTLE DRIVE AND GREAT NECK ROAD SOUTH INTERSECTION.

Thank you, Signed: Ernest & Gloria Virgilio 7 Blue Castle Dr, Hugh & Margaux Barns 8 Blue Castle Dr, Michael & Jennifer Burrridge 19 Blue Castle Drive.

The block contains five handwritten signatures. From top to bottom, they are: Ernest Virgilio, Gloria J. Virgilio, Hugh Barns, Michael Burrridge, and John Cotton. The signatures are written in dark ink and are somewhat cursive and overlapping.

DATE: 06-05-2019

Mashpee Town Manager Rodney Collins

The Honorable Board of Selectmen

Recently my wife Gloria was approached by the Ockway Highlands Development Owner/Builder. He asked my wife to have her husband call him regarding a sign the developer plans to place at the intersection of Blue Castle Drive and Great Neck Road South.

The area the developer plans to erect this sign IS NOT THE DEVELOPMENT PROPERTY. This property is Town Owned Property and abuts the property of the Virgilio's, Burrridge's and Barns Blue Castle Dr.

We would like to kindly request the Board of Selectmen DO NOT approve the placement of the sign or any other work at the entrance of Blue Castle Drive and Great Neck Road South.

Thank you,

Ernest Virgilio, Gloria Virgilio, Michael Burrridge, Jennifer Burrridge, Hugh Barns, Margaux Barns. Blue Castle Drive Mashpee Ma.

CC/

Building Commissioner Michael Mendoza

D.P.W. Director Catherine Laurent

Town Planner Evan Lehrer

MEMORANDUM

To: Ms Terry Cook Administrative Assistant Town of Mashpee

From: Ernie Virgilio ; - Mashpee Ma 02649

Date: 07-14-2020

Subject: Sign Hearing Blue Castle Drive and Great Neck Road South

Ms Cook,

Please except the signed letter from the Virgilio's, Barn's and Burrridge's home owners and residents of Blue Castle Drive Mashpee Ma.

We ask that Ernie Virgilio represent us if and when there is a public hearing request for a sign on TOWN PROPERTY at the intersection of Blue Castle Drive and Great Neck Road South.

We also would like to kindly ask if we could be officially notified regarding the place and time of a public hearing.

Thank you.



TOWN OF MASHPEE

OFFICE OF SELECTMEN

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone - (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: July 23, 2020

TO: Rodney C. Collins, Town Manager and
Honorable Members of the Board of Selectmen

FROM: Stephanie A. Coleman, Administrative Secretary

RE: Temporary Sign Permit Application – Latour Hotel & Resorts (South Cape Resort & Club)

Description

Discussion and approval of the Temporary Sign Permit Application submitted by Rosaleen Cassidy, General Manager, on behalf of Latour Hotel & Resorts.

The application is for one (1) 2' x 3' sign located at 950 Falmouth Road to the left of the South Cape Resort & Club sign.

Stephanie Coleman

From: Rosaleen Cassidy
Sent: Monday, July 13, 2020 5:10 PM
To: Stephanie Coleman
Cc: Terrie Cook
Subject: Re: Temporary Sign Permit Application
Attachments: sign.JPG

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hi Stephanie:

Please see attached. This would be placed at the entrance to the left of the resort sign.

Thanks for your help:)

L A T O U R

Rosaleen Cassidy | General Manager
Southcape Resort & Club

(P) 508.477.4700 (F) 504.477.1478
950 Falmouth Road
Mashpee, MA 02649
www.Latourhotelsandresorts.com

From: Stephanie Coleman <SColeman@mashpeema.gov>
Sent: Monday, July 13, 2020 4:28 PM
To: Rosaleen Cassidy
Cc: Terrie Cook <tmcook@mashpeema.gov>
Subject: Temporary Sign Permit Application

Good Afternoon,

Our office has received your temporary sign permit application however the location of the sign(s) was not listed. At your earliest convenience please email the description of the location(s) of the sign(s) as well as a sketch or picture of the proposed signage.

If you have any questions please contact our office.

Thank you.

Stephanie Coleman | Administrative Secretary
Office of the Town Manager
16 Great Neck Road North, Mashpee, MA 02649
Office: 508.539.1401 | Fax: 508.539.1142
Email: scoleman@mashpeema.gov

It's Time for Housekeeping that
Really Keeps House.



SUNHOSPITALITY
RESORT SERVICES

**NOW HIRING
HOUSEKEEPERS**

PLEASE CALL:

508.477.4700 Ext. 160



TOWN OF MASHPEE

OFFICE OF SELECTMEN

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone - (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: July 23, 2020

TO: Rodney C. Collins, Town Manager and
Honorable Members of the Board of Selectmen

FROM: Stephanie A. Coleman, Administrative Secretary

RE: Conservation Commission Member Dale McKay - Letter of Resignation

Description

Discussion and acceptance of the resignation of Dale McKay from the Mashpee Conservation Commission, term to expire June 30, 2023.

Background

Correspondence was received on July 15, 2020 from Dale McKay expressing his decision to resign from the Conservation Committee as a Member-at-Large.

Terrie Cook

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Mashpee MA
<cmsmailer@civicplus.com>
Sent: Wednesday, July 15, 2020 3:06 PM
To: Terrie Cook
Subject: [Town of Mashpee MA] ConCom resignation (Sent by Dale McKay,

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello tcook,

Dale McKay has sent you a message via your contact form
(<https://www.mashpeeema.gov/user/1933/contact>) at Town of Mashpee MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.mashpeeema.gov/user/1933/edit>.

Message:

Mashpee Town Board of Selectmen &
Mashpee Conservation Commission

Mr. Gottlieb;

Due to a decision my wife and I recently made to move out of Mashpee, expected to be effective by the end of this month, I reluctantly tender my resignation from the Mashpee Conservation Committee.

Regards, Dale

Dale McKay



TOWN OF MASHPEE

OFFICE OF SELECTMEN

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone - (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: July 23, 2020

TO: Rodney C. Collins, Town Manager and
Honorable Members of the Board of Selectmen

FROM: Stephanie A. Coleman, Administrative Secretary

RE: Appointment of Brian Weeden to the Conservation Commission

Description

Discussion and approval of the appointment of Brian Weeden to the Conservation Commission as an Associate Member, term to expire June 30, 2021.

Background

At their meeting on Thursday, July 9, 2020 the Mashpee Conservation Commission voted to recommend appointing Brian Weeden to the Conservation Commission as an Associate Member.

Recommendation

For your reference attached is correspondence from Conservation Agent Drew McManus and Mr. Weeden's letter of interest.



Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649*

Conservation Commission

7/10/2020

TO: Mashpee Board of Selectmen

FROM: Drew McManus
Mashpee Conservation Agent

RE: Endorsement of Brian Weeden for Associate Conservation Commissioner

Dear Chairman Cotton and Members of the Mashpee Board of Selectmen,

On Thursday, July 9th, 2020 the Mashpee Conservation Commission unanimously voted to endorse the application of Brian Weeden to become an Associate Member of the Conservation Commission. The Commission met with Brian during their zoom public meeting on July 9th. We are excited to have Brian on board and to have representation of the Mashpee Wampanoag Tribe on the Conservation Commission.

Respectfully submitted on behalf of the Mashpee Conservation Commission

-Drew McManus

Conservation Agent

Terrie Cook

From: Brian Weeden
Sent: Monday, July 13, 2020 4:45 PM
To: Terrie Cook
Cc: Stephanie Coleman
Subject: Re: Conservation Commission Appointment

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Kutâputush (Thank You), Terrie!

Ahapây (Humbly),
Brian Weeden

Sent from my iPhone

On Jul 13, 2020, at 4:37 PM, Terrie Cook <tmcook@mashpeema.gov> wrote:

Good Afternoon Brian:

You will be on the July 27, 2020 Board of Selectmen Agenda for appointment as an associate member to the Conservation Commission.

Terrie M. Cook | Administrative Assistant to the Town Manager
Town of Mashpee
16 Great Neck Road North, Mashpee, MA 02649
Office: 508.539.1401 | Fax: 508.539.1004

<image001.png> *"Preserving public trust and providing professional services."*

Notice: This communication is intended for the listed recipient only. If you have received this in error, it may be unlawful and prohibited to retain, reproduce or disseminate this message. Please reply to sender if you have received this message in error and delete it with any attachments.

Warning: The content of this message and any response may be considered a Public Record pursuant to Massachusetts General Law.

From: Brian Weeden [mailto:
Sent: Monday, July 13, 2020 4:35 PM
To: Stephanie Coleman
Cc: Terrie Cook
Subject: Re: Conservation Commission Appointment

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Just wanted to send you this on my personal email Incase the other email did not make it.

Hope all is well with you and the family!

Kutâputush,
Brian Weeden

Sent from my iPhone

Begin forwarded message:

From: Brian Weeden
Date: June 11, 2020 at 4:13:19 PM EDT
To: Stephanie Coleman <SColeman@mashpeeema.gov>
Cc: Terrie Cook <tmcook@mashpeeema.gov>
Subject: Conservation Commission Appointment

Chuh Stephanie,
Just wanted to send my L.O.I for the Conservation Commission, please let me know if you need an updated resume. I might have my old one on file from when I was appointed to the Historical Commission.

Kutâputush,
Brian Weeden

<image001.jpg>

Sent from my iPhone



Tree Beard Inc., d/b/a Old Soul Gardens
319A Union Street
New Bedford, MA 02740

July 15, 2020

Town of Mashpee Selectboard
Andrew Gottlieb, Select Board Chair
16 Great Neck Road
North Mashpee, MA 02649

**Re: Request for meeting to execute Host Community Agreement
for Marijuana Establishment at 800 Falmouth Road, Unit 104-E and
authorization for a virtual Community Outreach Meeting.**

Dear Selectboard Members:

Please find this correspondence as a request to be placed on the Selectboard Agenda for an upcoming public meeting to execute a Host Community Agreement for a marijuana establishment located at 800 Falmouth Road, Unit 104-E. We seek licensure to conduct marijuana product manufacturing, transportation, and delivery. This request is to supplement the informational papers submitted to the various town officials including the Selectboard on January 2, 2020. Additionally, attached please find the Cannabis Control Commission's new policy authorizing virtual Community Outreach Meetings. I request a vote to authorize Tree Beard Inc., to perform a virtual Community Outreach Meeting in order to present the project to the public and to obtain feedback. I respectfully request the earliest date possible of Monday, July 27, 2020, and if time restrictions prevent such a meeting then the next earliest date.

Tree Beard appreciates your time and we will diligently reciprocate our efforts as we move our charter forward to grow indispensable economic and social empowerment through recreational cannabis in our region. Our proposal is to provide the Town with all allowable payment under law for the privilege of becoming community partners. Please feel free to contact me with questions and scheduling of any meetings. Thank you for your time and consideration.

TREE BEARD, INC.

/s/Nicholas A. Gomes

By: Nicholas A. Gomes, Esq.

Title: Chief Legal Officer

Phone: 508-264-2530

cc: Town Planner, Town Manager



Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone (508) 539-1400*

Memorandum

From: Town Planner Evan Lehrer

To: Town Manager Rodney Collins
Board of Selectmen

Subject: Tree Beard dba Old Soul Gardens Host Community Agreement July 27, 2020 Selectmen Meeting

Tree Beard representatives Jeff Pepi and Attorney Nick Gomes established a dialogue with the Planning Department in December 2019 to discuss their intention to operate a marijuana establishment involving marijuana product manufacturing, delivery, and transportation at 800 Falmouth Road. Delivery Licenses became available from the Cannabis Control Commission in May 2020. Tree Beard is the first applicant for this use in the Town of Mashpee. The Board of Health Regulation restricting the sale of marijuana does not prohibit delivery but states that, "Permits for delivery to locations other than a Marijuana Establishment shall be issued after further guidance from the Cannabis Control Commission."

Following preliminary discussions Tree Beard representatives met with Town staff from building, fire, police, planning, and health. As the proposed delivery and transportation licenses are very low impact operations, staff had no issues so long as state regulations are strictly adhered to with regard to storage and security. We have learned that the most challenging aspect of product manufacturing are code related issues do to the use of volatile compounds in the extraction process, particularly with ethanol or butane. Tree Beard does not propose any extraction at the proposed location and is essentially seeking to establish a commercial kitchen to manufacture products using extracts produced at alternate locations.

At this time there are no issues that staff have identified that would cause any hesitation to enter into a Host Community Agreement with Tree Beard.

Evan Lehrer, MPA

Town Planner

Town of Mashpee

16 Great Neck Road North

Mashpee, MA 02649

elehrer@mashpeema.gov

(508) 539-1400 x 8521



TREE BEARD INC.,
d/b/a
OLD SOUL GARDENS

Recreational Craft Cannabis Establishment

Who is Old Soul Gardens? - Independent Economic Empowerment Craft Company

- Jeffrey G. Pepi, President
- Job Roach, Chief Operations Officer
- Hans Doherty, Chief Marketing Officer
- Joshua R. Craig, Master Cultivator
- Daphney Bosscoit-Williams and Leona Leaver,
Directors of Transportation/Delivery
- Nicholas A. Gomes, Esquire, Chief Legal Counsel

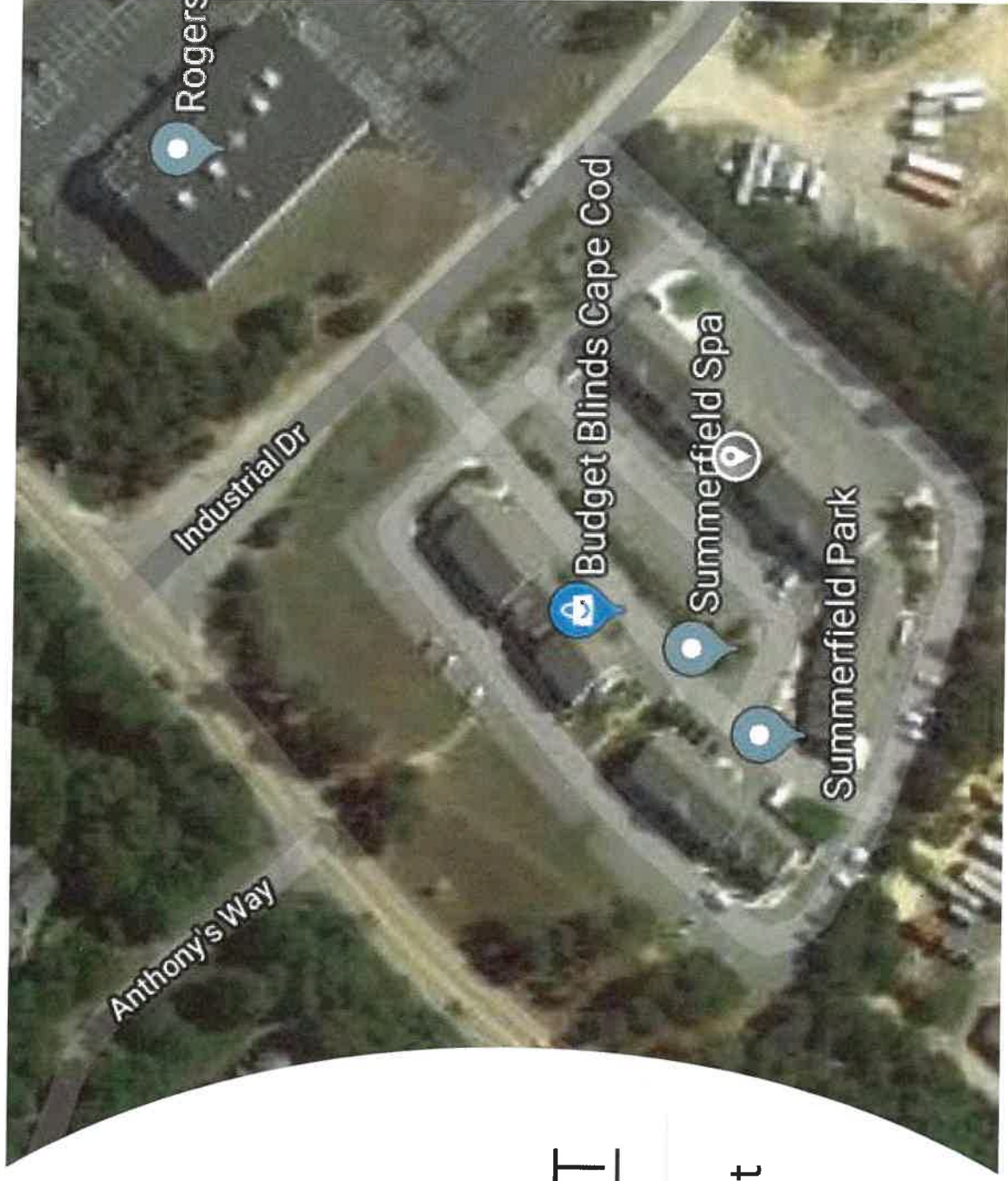
Old Soul Gardens- Lifted Life

- Old Soul Garden's "Lifted Life" philosophy is influenced by the natural properties of cannabis to provide wellness and enjoyment to the individual. Old Soul's products allow our clients to flourish and promote an optimistic vibe so they can savor in the moment of their lives. Simply put, we provide ***only the best craft quality cannabis products*** ranging from flowers from our very own strains, to our hand-crafted concentrates, infused products, and oils.



LOCATION OF THE PROPOSED ESTABLISHMENT

800 Falmouth Road, Unit
104E



LOCATION OF THE PROPOSED ESTABLISHMENT

- Conveniently located off Route 28
- Secluded Secure Location
- Close to Emergency Services
- Fits with nearby commercial businesses



TYPES OF LICENSES AT THE PROPOSED MARIJUANA ESTABLISHMENT

CANNABIS CONTROL COMMISSION LICENSES TREE BEARD SEEKS:

- Marijuana Product Manufacturer; (Extraction and Creating infused products)
- Third Party Marijuana Transporter; (Transportation of cannabis to other licensed establishments)
- Marijuana Deliverer (Delivery of cannabis to consumer's home)



**mcr
labs**

**THE
COMMONWEALTH
CANNABIS COMPETITION
2018**



**PEANUT
POWDER
& GREASE**

**CONCENTRATE WINNERS
1ST PLACE**

**90W BANANA CREAM LIVE ROSIN
MISSION HILL MELTS**

2ND PLACE

**GRAPE STRAWNANA
INDEPENDENT EXTRACTS**

3RD PLACE

**BIG SMOOTH
OLD SOUL GARDENS LLC**



Test report: Flower #12
Client: Commonwealth Cannabis Competition
Client contact: info@mcr-labs.com
Strain: **Flower**
Sample Type: **Flower**
Batch: **N/A**
Analyst: **LC**
Authorization: **MK**
Product ID: **S18-15007**
Receipt Date: **9/4/2018**
Test Date: **9/5/2018**



Cannabinoid Profile

Cannabinoid	%
THC	24.3%
CBD	Not detected
CBN	Not detected
THCa	24.3%
CBDa	Not detected
Δ-8 THC	Not detected
CBGa	0.5%
THCv	Not detected
CBDv	Not detected
CBC	0.1%
Total Cannabinoids	26.20%
Max THC	22.61%
Max CBD	Not detected



Percentage data represents weight percentage of sample as received by MCR Labs.
THCa is converted to THC by heat. To find the maximum theoretical amount of THC in a sample, we add the amount of THC present in the sample to the amount of THCa that can be created from THCa by the formula:
$$\text{Max THC} = \text{THC} + \text{THCa} \times 0.877$$

The maximum theoretical amount of CBD in a sample is calculated from CBD and CBGa in a similar fashion.
This report and all information herein shall not be reproduced, except in its entirety, without the expressed consent of MCR Labs. Results may vary. Results are only for the samples supplied to MCR Labs.



Test report: Concentrate #6
Client: Commonwealth Cannabis Competition
Client contact: info@mcr-labs.com
Strain: **Concentrate**
Sample Type: **Concentrate**
Batch: **N/A**
Analyst: **MS**
Authorization: **MK**
Product ID: **S18-15035**
Receipt Date: **9/4/2018**
Test Date: **9/9/2018**



Cannabinoid Profile

Cannabinoid	%
THC	92.3%
CBD	Not detected
CBN	Not detected
THCa	92.3%
CBDa	Not detected
Δ-8 THC	Not detected
CBGa	0.4%
THCv	Not detected
CBDv	Not detected
CBC	0.3%
Total Cannabinoids	97.20%
Max THC	85.15%
Max CBD	Not detected



Percentage data represents weight percentage of sample as received by MCR Labs.
THCa is converted to THC by heat. To find the maximum theoretical amount of THC in a sample, we add the amount of THC present in the sample to the amount of THCa that can be created from THCa by the formula:
$$\text{Max THC} = \text{THC} + \text{THCa} \times 0.877$$

The maximum theoretical amount of CBD in a sample is calculated from CBD and CBGa in a similar fashion.
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ingredients - make these systems ideal for nutraceutical as well as confectionery manufacturers.

Based on Baker Perkins' proven cooking and ServoForm™ depositing technology, all units have the same specifications as the production-scale equivalent for precise scale-up. The systems handle the same range of products that can be made on a high output depositor, including jellies and gummies, hard candies, lollipops, toffees and caramels.

Clear, simple control systems help operators achieve full production quickly, reliably and with minimum waste. Hygienic design, stainless steel construction and programmed washout cycles allow quick and thorough cleaning for fast changeover and there is easy access for maintenance.

Cooking

JellyCook™ Batch Cooker

A flexible batch weighing, mixing and cooking system for pectin and gelatin confectionery syrups



Turbofilm™ Mini

Continuous Cooker

A compact unit for the continuous cooking of syrups for soft confectionery (pectin, gelatin or blends) or hard candy.



Depositing

ServoForm™ Mini Depositor

A semi-automatic depositing system suitable for either production operations or experimental and development work.



FRED Manual Depositor

A laboratory-scale depositor that delivers single deposits of product into hand-held moulds.



OVERVIEW OF MANUFACTURING LICENSE

- Small batch: Handmade infused products. Gummies, Jellies, Lollipops, Chocolates, and Baked Goods.
- No solvent extraction: No extraction processes requiring butane, propane, or co2.
- Full Lab Testing: All infused products are sent for laboratory testing of THC and containments.
- Design: Infused products are designed to indicate presence of THC
- Packaging: Child-proof packaging that indicates presence of THC



210
CAVITIES



OVERVIEW OF DELIVERY AND TRANSPORT LICENSES

- Low Impact: General Public will not come to our location.
- Low Traffic: Vehicles are on the road during the day and majority of pick-ups will be from other establishment locations.
- Safe Parking: The property lends itself to safe parking in rear of building.
- Design: Secure vehicles with electronic audio/visual/gps recording for every stop and transaction. Drivers will not have any money on them as transactions are pre-paid.

OVERVIEW OF SECURITY PROCEDURES

- Security, Surveillance, and Alarm Components: Tree Beard Inc. will have a commercial grade electronic security surveillance system that is designed to prevent and detect diversion, theft or loss of marijuana or unauthorized intrusion. Two independent companies will monitor the surveillance feed in accordance to State law. A live feed will be sent to the police department. Exterior + Interior CCTV
- Secure Access: Not open to the public and visitors are limited to necessary visits such as State and Town officials and industry-specific agents. Key-Card access for secure entry points.
- Onsite Security Personnel: Full-time security during hours of operation.

SECURITY 935 CMR 500

Tree Beard Inc.

- Outside Perimeter: The outside perimeter of Tree Beard Inc. shall be sufficiently lit to facilitate surveillance and safe ingress and egress for customers and the public.
- Third Party Security Audits. Tree Beard Inc. shall annually obtain at its own expense, a security system audit by a vendor approved by the Commission.
- Development of New Safeguards: Tree Beard Inc.'s commitment to security includes an intent to progressively evolve its security requirements and training to fit the present needs of its operation.

SECURITY 935 CMR 500

Tree Beard Inc.

- Employee Safety: The construction of the Tree Beard Inc. facility will be designed so as to provide safety to its employees and a means of immediately activating a silent alarm in the event of encountering crime or other danger. The security team will have a physical presence in the entrance of the secured area so as to prevent and deter crime.
- Storage of Finished Products: All finished marijuana products shall be secured in a locked vault to prevent diversion, theft and loss. All safes, vaults, and any other equipment or areas used for the production, cultivation, harvesting, processing or storage of marijuana products shall be kept securely locked and protected from entry, except for the actual time required to remove or replace marijuana. All locks and security equipment shall be kept in good working order. Keys shall be prohibited from being left in door locks and in a location accessible to persons other than specifically authorized employees. Security measures, such as combination numbers, passwords or electronic or biometric security systems shall be used on the property and only shared with specifically authorized employees.

SECURITY 935 CMR 500

Tree Beard Inc.

- Loitering Prevention:. All individuals on the premises will be closely monitored and flagged for loitering and other unpermitted behavior. Any individuals found loitering or engaging in unpermitted behavior shall be respectfully warned of the offending behavior and removed from the premises by security.
- Waste Disposal: All aspects of the waste disposal shall be monitored to ensure marijuana in excess of the quantity required for normal, efficient operation under 935 CMR 500.105, and marijuana waste shall be processed into a mixture rendering the cannabis unusable for its intended purpose and recycled through composting at solid waste facility compliant with 310 CMR 16.

DIVERSION PREVENTION

Tree Beard Inc.

- Incident Reporting:
- (a) Tree Beard Inc. shall notify appropriate law enforcement authorities and the Commission of any breach of security immediately and, in no instance, more than 24 hours following discovery of the breach. Notification shall occur, but not be limited to, during the following occasions:
 - discovery of discrepancies identified during inventory;
 - diversion, theft or loss of any marijuana product;
 - any criminal action involving or occurring on or in the property;
 - any suspicious act involving the sale, cultivation, distribution, processing or production of marijuana by any person;
 - unauthorized destruction of marijuana;
 - any loss or unauthorized alteration of records related to marijuana;
 - an alarm activation or other event that requires response by public safety personnel or security personnel privately engaged by Tree Beard Inc.;
 - the failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last more than eight hours; or
 - any other breach of security.

March 15, 2020

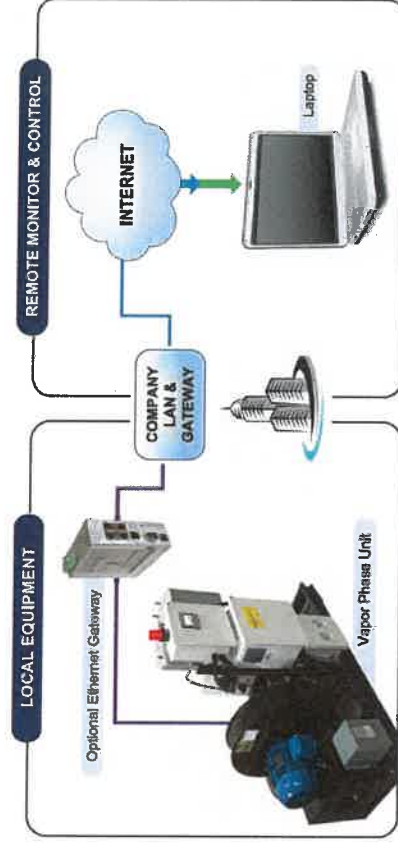
This letter serves to notify Tree Beard Inc that OMI Industries, Inc. is the sole provider and manufacturer of Ecosorb products and the Vapor Phase Unit. OMI's Ecosorb formulation is the only odor chemical in the market that does not use nonylphenol and nonylphenol ethoxylates. OMI Industries has been successful in mitigating cannabis odors in the US and many countries around the world. Our Ecosorb CNB-100 chemical is designed specifically to treat Cannabis Odor. We have engineered delivery systems that are optimal for the dispersion of our chemistry. No other organization offers these particular products that you are in need of.

Kind Regards,

Brian Hayes
Brian Hayes
Eastern States Sales
OMI Industries
224-283-2007

ODOR CONTROL

Tree Beard Inc.



OMI
INDUSTRIES

One Corporate Drive, Suite 100
Long Grove, IL 60047, USA
Phone: 800.662.6367 Fax: 847.304.0989
www.omi-industries.com

NOISE REMEDIATION

Tree Beard Inc.

- Noise: The proposed uses will create minor noise, if any, and will not cause a nuisance.
- Remediation: The unit will be designed with noise softening technology so as to prevent noise from escaping the manufacturing area.

COMMUNITY PARTNERS

- Responsible Team: Experienced Operators with existing CCC and Municipal approval including stringent background checks and application process
- Community Impact Fee: Total allowable impact fee of 3% gross revenue
- Economic Empowerment: Expedited and Priority CCC Application Review- Delivery Exclusivity
- Positive Impact Plan: Plan to promote local community through training, grants, peer groups,
- Diversity Plan: Plan to promote equity among minorities, women, veterans, people with disabilities, and people of all gender identities and sexual orientation
- Economic Development: Our investment and community partnership will collaterally affect local economy with increased jobs, opportunities, and revitalization of vacant lot.
- Oversight: Complete State and Municipal oversight of licensing and permitting. Let's work together to increase

TIMELINE

- Host Community Agreement- July 2020
- Community Outreach Meeting- August 2020
- Cannabis Control Commission Provisional License
October 2020
- CCC Architectural Review – December 2020
- Local Licensing and Permitting- January 2021
- Construction- January-Feb 2021
- Final License CCC- June 2021
- Commencement of Operations- July 2021

(DRAFT COPY FOR DISCUSSION PURPOSES ONLY)

**TOWN OF MASHPEE AND
TREE BEARD INC. HOST COMMUNITY AGREEMENT FOR THE
SITING OF A
MARIJUANA PRODUCT MANUFACTURING,
TRANSPORTATION AND DELIVERY
RECREATIONAL MARIJUANA ESTABLISHMENT IN
THE TOWN OF MASHPEE**

This Host Community Agreement (the "Agreement") entered into this day of _____, 2020 by and between the Town of Mashpee, acting by and through its Town Manager, with a principal address of 16 Great Road North, Mashpee Massachusetts 02649 (hereinafter the "Town") and Tree Beard Inc., a Massachusetts Corporation with a principal office address of 319A Union Street, New Bedford, MA 02740 (hereinafter ("Company")).

WHEREAS, Company wishes to locate a licensed Marijuana Product Manufacturing Establishment, Marijuana Transporter Establishment, and a Marijuana Delivery Establishment in the Town at 800 Falmouth Road, Unit 104-E (Assessors Parcels 88/2/104E) (hereinafter the "Establishment") in accordance with Chapter 55 of the Acts of 2017 (the "Act"), G.L. c. 94G, and regulations promulgated by the Cannabis Control Commission ("CCC") pursuant thereto, and such approvals as may be issued by the Town in accordance with its Zoning Bylaw and other applicable Bylaws and regulations, as such may be amended;

WHEREAS, Company, notwithstanding any tax exempt status to which it may now, or in the future, be entitled, intends to pay all local taxes attributable to its operation, including sales taxes, real estate and personal property taxes on the space and facilities within which the Establishment is located;

WHEREAS, Company desires to be a responsible corporate citizen and contributing member of the business community of the Town, and intends to provide certain benefits to the Town over and above typical economic development benefits attributable with similar new manufacturing and retail concerns locating in the Town;

WHEREAS, the parties intend by this Agreement to satisfy the provisions of 935 CMR 500, et seq. and of G.L. c.

94G 53(d), as established in the Act, applicable to the operation of the establishment of Marijuana Establishments in the Town;

NOW THEREFORE, in consideration of the provisions of this Agreement, the Company and the Town agree as follows:

1. Community Impact

The Town anticipates that, as a result of the Company's operation of the Establishment, the Town will incur additional expenses and impacts upon its road system, infrastructure, law enforcement, inspectional services, permitting services, administrative services and public health services, in addition to potential additional unforeseen impacts upon the Town. Accordingly, in order to mitigate the financial impact upon the Town and use of Town resources, the Company agrees to annually pay a community impact fee to the Town, in the amounts and under the terms provided herein (the "Annual Payments").

2. Annual Payment

In the event that the Company obtains a Final License or Licenses, or such other licenses and/or approvals as may be required, for the operation of the Establishment in the Town from the Massachusetts Cannabis Control Commission (the "CCC"), or such other state licensing or monitoring authority, as the case may be, and receives any and all necessary and required permits and licenses of the Town, and at the expiration of any final-appeal period related thereto, said matter not being appealed further, which said permits and/or licenses allow the Company to locate, occupy and operate the Establishment in the Town, then the Company agrees to provide the following Annual Payment for each year this Agreement is in effect; provided, however, that if the Company fails to secure any such other license and/or approval as may be required, or any of required municipal approvals, the Company shall reimburse the Town for its legal fees associated with the negotiation of this Agreement.

- a) Company shall make Annual Payments in an amount equal to three percent (3%) of gross revenue from marijuana and marijuana product wholesale sales, transport, and delivery at the Establishment. In the first year of operation, the Annual Payment shall be paid in multiple monthly installments representing 3% of the gross sales for the preceding month. The first year's payments shall be made one month from the notice of commencement of operations from the Cannabis Control Commission. The balance of the Annual Payment shall be due no later than twelve (12) months after the opening date (the "Opening Date.") and shall represent 3% of gross annual revenue.
- b) In the second, third, fourth and fifth years of operation: 3% of the gross marijuana and marijuana products sales at the Establishment in each year of operation shall be paid in two (2) six (6) month segments; the first, covering the first six (6) months of the operating year, measured annually from the Opening Date, shall be paid within two hundred ten (210) days of the commencement of the year of operation and the balance, covering the second six (6) months of the operating year, to be paid within thirty (30) days after the end of the year of operation.
- c) With regard to any year of operation for the Establishment which is not a full calendar year, the applicable Annual Payments shall be pro-rated accordingly.

3. Dedication of Payments.

Company shall make the Annual Payments set forth in Paragraph 2, above, to the Town of Mashpee. While the purpose of the Annual Payments is to assist the Town in addressing any public health, safety, and other effects or impacts the Establishment may have on the Town and on municipal programs, services, personnel, and facilities, the Town may expend the Annual Payments at its sole and absolute discretion. Notwithstanding the Annual Payments, nothing shall prevent the Company from making additional donations from time to time to causes that will support the Town, including but not limited to local drug abuse prevention/treatment/education programs.

4. Other Local Payments

Company anticipates that it will make purchases of water, and sewer (if available) from local government agencies. Payment of any Mashpee Water and Sewer District or other governmental agency assessments, fees and charges relating to services provided to the Establishment are separate and distinct from the payment obligations established by other provisions of this Host Community Agreement. Company will pay any and all fees associated with the local permitting of the Establishment. If the Town receives other payments from the Company or from the Department of Revenue or any other source, including but not limited to taxes imposed by an act of the legislature of the Commonwealth of Massachusetts, or a mandate from the Town for said payments, the amounts due from the Company to the Town under the terms of this Agreement shall not be reduced by the amount of such other payments.

It is, further, acknowledged by the Company that in the event the Town adopts, by local option, the additional local 3% tax on the retail sale of marijuana or marijuana products pursuant to G.L. c. 64N, § 3, as of the effective date of said tax, said tax, if applicable to any such retail sales made at the Establishment, shall be paid as a local tax in addition to any other payments stipulated herein.

5. Community Outreach, Education and Prevention Programs

The Company shall annually endeavor to support and/or work in conjunction with a non-profit entity or entities approved by the Board of Selectmen for the purpose of promoting drug abuse prevention/ treatment/education programs. The education programs shall be held in Mashpee and those communities adjacent to Mashpee. Prior to the selection of a non-profit entity program for this purpose, the Company will review its intentions with the Town, acting through its Town Manager and Chief of Police to ensure that the proposed programming is consistent with community needs. The Company shall report to the Town Manager at the close of each year the nature and extent of its engagement in or support for such programs.

6. Annual Filing

Company shall notify the Town when the Company commences sales at the Establishment and shall submit annual financial statements to the Town on or before May 1st in each year of operation, which shall include certification of itemized gross sales for the previous calendar year, and all other information required to ascertain compliance with the terms of this Agreement, in addition to a copy of its annual filing as a non-profit, if any, to the Massachusetts Office of Attorney General. Upon request, the Company shall provide the Town with the same access to its financial records (to be treated as confidential, to the extent, allowed by law) as it is required by the Commonwealth to obtain and maintain a license for the Establishment. Company shall provide the Town with evidence that the financial records submitted to the Town are the same documents provided to and used as the basis for determination of sales tax payments to the Massachusetts Department of Revenue.

The Company shall maintain its books, financial records and any other data related to its finances and operations in accordance with standard accounting practices and any applicable regulations and guidelines promulgated by the Commonwealth of Massachusetts. All records shall be retained for a period of at least seven (7) years.

7. Re-Opener/Review

In the event that the Company enters into a host community agreement for a Marijuana Establishment with another municipality in the Commonwealth of Massachusetts that contains terms that are superior to what the Company agrees to provide the Town pursuant to this Agreement, then the parties shall reopen this agreement and negotiate an amendment resulting in benefits to the Town equivalent or superior to those provided to other municipality.

8. Local Taxes

At all times during the Term of this Agreement, property, both real and personal, owned or operated by the Company shall be treated as taxable, and all applicable real estate and personal property taxes for the property shall be paid either directly by the Company or by its landlord, and neither the Company nor its landlord shall object to or otherwise challenge the taxability of such property and shall not seek a non-profit exemption from pay such taxes. Notwithstanding the foregoing, (i) if real personal property owned, lease or operated by the Company is determined to be non-taxable or partially non-taxable, or (ii) if the value of such property is abated with the effect of reducing or eliminating the tax which would otherwise be paid if assessed at fair cash value as defined in G.L. c 59, 538, or (iii) if the Company is determined to be entitled or subject to exemption with the effect of reducing or eliminating the tax which would otherwise be due if not so exempted, then the Company shall pay to the Town an amount which when added to the taxes, if any, paid on such property, shall be equal to the taxes which would have been payable on such property at fair cash value and at the otherwise applicable tax rate, if there had been no abatement or exemption; this payment shall be in addition to the payment made by the Company under Section 2 of this Agreement.

9. Community Support and Operational Obligations

a. Local Vendors

To the extent such practice and its implementation are consistent with federal, state, and municipal laws and regulations, the Company will make every effort in a legal and non-discriminatory manner to give priority to local businesses, suppliers, contractors, builders and vendors in the provision of goods and services called for in the construction, maintenance and continued operation of the Establishment.

b. Employment

Except for senior management staff, and to the extent such practice and its implementation are consistent with federal, state, and municipal laws and regulations, the Company shall use good faith efforts to hire Town residents.

c. Approval of Administrator

If requested by the Town, the Company shall provide to the Town, for review and approval, the name and relevant information, including but not limited to the information set forth in 105 CMR 725.030 relative to Registered Medical Marijuana Dispensary Agents, or such other state regulations, as the case may be, of the person proposed to act as on-site Administrator of the Establishment. The submittal shall include authorization and all fees necessary to perform a criminal history (CORI) check or similar background check. The Town, through its Town Manager, shall consider such

information for approval within thirty (30) days following submittal to determine, in consultation with the Mashpee Police Chief, if the person proposed is of suitable character to act as on-site Administrator.

d. Educational Programs

Company shall provide staff to participate in a reasonable number of Town-sponsored educational programs on public health and drug abuse prevention, and to work cooperatively with other Town public safety departments not mentioned in the Agreement.

e. Traffic Mitigation

If the Town Manager and/or the Police Chief shall determine that operation of the Establishment has caused or is substantially contributing to unsafe or inconvenient vehicular or pedestrian traffic conditions in the vicinity of the Establishment, said Town Manager or Police Chief may request, and the Company shall implement, such traffic mitigation or control measures, including, but not limited to, use of detail officers, implementation of pre-scheduled customer appointments, or other such reasonable measures as may be required to minimize such traffic impacts.

f. Odor/ Noise Mitigation

The Company further agrees that it will implement the following mitigation measures at the Establishment, subject to the review and approval of the Mashpee Board of Health:

1) A proposed odor mitigation plan, including odor mitigation equipment specifications and floor plans indicating the proposed locations of odor mitigation equipment. Odor mitigation equipment shall be state-of-the-art equipment to the extent commercially practicable. Such odor mitigation plan shall be subject to peer review by a qualified marijuana odor mitigation consultant designated by the Board of Health.

2) A proposed noise mitigation plan for any mechanical equipment proposed for the cultivation/product manufacturing processes at the Establishment. Noise mitigation equipment shall be state-of-the-art to the extent commercially practicable. The noise mitigation plan must document compliance with applicable Massachusetts Department of Environmental Protection standards and any local Bylaws, regulations or requirements regulating ambient noise generated by commercial or manufacturing establishments.

10. Town Support

The Town agrees to submit to the CCC, or such other state licensing or monitoring authority, as the case may be, certification of compliance with applicable local bylaws relating to the Companies application for a License to operate the Establishment where such compliance has been properly met, but it makes no representation or promise that it will act on any other license or permit request, including, but not limited to any Special Permit or other application for zoning relief submitted by the Company, in any particular way other than by the Town's normal and regular course of conduct and in accordance with their rules and regulations and any statutory guidelines governing the same. The Town agrees to use reasonable efforts to work with Company, if approved, to assist the Company with its community support and employee outreach programs.

This Agreement does not affect, limit, or control the authority of Town boards, commissions, and Departments to carry out their respective powers and duties to decide upon and to issue, condition, or deny, applicable permits and other approvals under the statutes and regulations of the Commonwealth, the General and Zoning Bylaws of the Town, or applicable regulations pertaining to those boards, commissions, and departments, or to enforce said statutes, Bylaws, and regulations. The Town, by entering into this Agreement, is not thereby required or obligated to issue such permits and approvals as may be necessary for the Establishment to operate in the Town, or to refrain from enforcement action against the Company and/or the Establishment for violation of the terms of any such permits and approvals or said statutes, Bylaws, and regulations.

11. Establishment Security

- a. Company shall maintain security at the Establishment at least in accordance with the security plan presented to the Town and Approved by the CCC, or such other state licensing or monitoring authority, as the case may be. In addition, the Company shall at all times comply with all applicable laws and regulations regarding the operations of the Establishment and the security thereof. Such compliance shall include, but will not be limited to: providing hours of operation; after-hours contact information and access to surveillance operations; and requiring Establishment agents to produce their Agent Registration Card to law enforcement upon request.
- b. To the extent requested by the Town's Police Department, and subject to the security and architectural review requirements of the CCC, or such other state licensing or monitoring authorities, as the case may be, the Company shall work with the Town's Police Department to determine the placement of exterior security cameras to provide an unobstructed view in each direction of the public way(s) on which the Establishment is located.
- c. Company agrees to cooperate with the Town's Police Department, including but not limited to periodic meetings to review operational concerns, security, delivery schedule and procedures, cooperation in investigations, and communication with the Police Department of any suspicious activities at or in the immediate vicinity of the Establishment, and with regard to any anti-diversion procedures.
- d. To the extent requested by the Town's Police Department, the Company shall work with the Police Department to implement a comprehensive diversion prevention plan to prevent marijuana and marijuana product diversion, such plan to be in place prior to the commencement of operations at the Establishment. Such plan shall include, but is not limited to, (i) training the Company employees to be aware of, observe, and report any unusual behavior in authorized visitors or other Company employees that may indicate the potential for diversion; and (ii) utilizing seed-to-sale tracking software to closely track all inventory at the Establishment.

- e. Company shall promptly report the discovery of any of the following circumstances to the Town's Police within twenty-four (24) hours of the Company becoming aware of such circumstance: diversion of marijuana; unusual discrepancies identified during inventory; theft; loss and any criminal action; unusual discrepancy in weight or inventory during transportation; any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport; any suspicious act involving the sale, cultivation, distribution, processing, or production of marijuana by any person; unauthorized destruction of marijuana; any loss or unauthorized alteration of records related to marijuana, or dispensary agents; an alarm activation or other event that requires response by public safety personnel; failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last longer than eight hours; and any other breach of security.

12. Improvements to the Establishment Site

Company shall make capital improvements to the site at which the Establishment is located such that the property will be consistent with the look and feel of the Town, and be of construction standards at least at the quality of other nearby businesses, Company agrees to comply with all laws, rules, regulations and orders applicable to Establishment, such provisions being incorporated herein by reference, and shall be responsible for obtaining all necessary licenses, permits, and approvals required for the performance of such work.

13. On-site Consumption

Company agrees that, even if permitted by statute or regulation, it will prohibit on-site consumption of marijuana or marijuana-infused products at the Establishment, except for quality control measures conducted in accordance to company policy and procedure.

14. Term and Termination

This Agreement shall take effect on the day above written, subject to the contingencies noted herein. This Agreement shall continue in effect for so long as the Company operates the Establishment or any similar Marijuana Establishment within the Town, or five (5) years from the date of this Agreement, whichever is earlier. At the conclusion of the term of this Agreement, the parties shall renegotiate a new Host Community Agreement in accordance with the then current prevailing regulations and laws, as such regulations and laws may be amended or replaced. In the event the Company no longer does business in the Town or in any other way loses or has its License revoked by the Commonwealth, this Agreement shall become null and void; however, the Company will be responsible for the prorated portion of the Annual Payment due as under section 2 above. The Town may terminate this Agreement at any time for cause. "Cause" in this Agreement shall mean: (i) an intentional act of fraud, embezzlement, theft, or any other material violation of law that occurs during or in the course of Company's operations within the Town of Mashpee; (ii) intentional damage to the company's assets; (iii) intentional disclosure of the company's confidential information contrary to the company's policies; (iv) breach of Company's obligations under this Agreement; (v) intentional breach of any of company's policies; (vi) the willful and continued failure by the Company to substantially perform the duties for the company (other than as a result of incapacity due to physical or mental illness); or (vii) willful conduct by Company that

is demonstrably and materially injurious to the company, monetarily or otherwise. For purposes of this paragraph, an act, or a failure to act, shall not be deemed willful or intentional, as those terms are defined herein, unless it is done, or omitted to be done, by the Company in bad faith or without a reasonable belief that the Company's action or omission was in the best interest of company. Failure to meet performance standards or objectives, by itself, does not constitute "Cause."

15. Failure to Commence Operation and/or Relocation

This Agreement shall be null and void in the event that the Company shall (i) fail to commence operation of the Establishment in the Town within three (3) years of the execution of this Agreement, or (ii) relocate the Establishment out of the Town. In the case of relocation out of Town, an adjustment of the Annual Payment due to the Town hereunder shall be calculated based upon the period of operation within the Town, but in no event shall the Town be responsible for the return of any payment already provided to it by the Company. If, however, the Establishment is relocated out of the Town prior to the second anniversary of the date of this Agreement, the Company shall pay the Town as liquidated damages an amount equal to ten thousand dollars (\$10,000) in consideration of the expenditure of resources by the Town in negotiating this agreement and addressing community impacts.

16. Governing Law

This Agreement shall be governed in accordance with the laws of the Commonwealth of Massachusetts and venue for any dispute hereunder shall be in the courts of Barnstable County.

17. Amendments/Waiver

Amendments, or waivers of any term, condition, covenant, duty or obligation contained in this Agreement may be made only by written amendment executed by all signatories to the original Agreement, prior to the effective date of the amendment.

18. Severability

If any term or condition of the Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced. Further, the Company agrees it will not challenge, in any jurisdiction, the enforceability of any provision included in this Agreement; and to the extent the validity of this Agreement is challenged by the Company in a court of competent jurisdiction, the Company shall pay for all reasonable fees and costs incurred by the Town in enforcing this Agreement.

19. Successors/Assigns

This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. The Company shall not assign, sublet or otherwise transfer rights nor delegate its obligations under this Agreement, in whole or in part, without the prior written consent from the Town, and shall not assign any of the monies payable under this Agreement, except by and with the written consent of the Town and shall not assign or obligate any of the monies payable under this Agreement, except by and with the written consent of the Town.

20. Headings

The article, section and paragraph headings in this Agreement are for convenience of reference only, and shall in no way affect, modify, define or be used in interpreting the text of this Agreement.

21. Counterparts

This Agreement may be signed in any number of counterparts all of which taken together, each of which is an original, and all of which shall constitute one and the same instrument, and any party hereto may execute this Agreement by signing one or more counterparts.

22. Signatures

Facsimile signatures affixed to this Agreement shall have the same weight and authority as an original signature.

23. Entire Agreement

This Agreement constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

24. Notices

Except as otherwise provided herein, any notices, consents, demands, request, approvals or other communications required or permitted under this Agreement shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, and will be effective upon receipt for hand or said delivery and three days after mailing, to the other Party at the following addresses:

To Town: Rodney C. Collins
 Town Manager
 Town of Mashpee
 16 Great Neck Road North
 Mashpee, MA 02649

To Company: Nicholas A. Gomes, Esquire
Chief Legal Officer
Tree Beard Inc.,
319A Union Street
New Bedford, MA
02740

25. Retention of Regulatory Authority

By entering into this Agreement, the Town does not waive any enforcement rights or regulatory authority it currently hold over any business activity in the Town.

26. Third Parties

Nothing contained in the Agreement shall create a contractual relationship with or a cause of action in favor of any third party against either the Town or the Company.

In witness whereof, the parties have hereafter set faith their hand as of the date first above written.

TOWN OF MASHPEE,

TREE BEARD INC.,

Rodney C. Collins
Town Manager

Nicholas A. Gomes, Esquire
Chief Legal Officer



Issued: April 27, 2020
Effective: April 28, 2020

Administrative Order No. 2

Applicants for licensure pursuant to 935 CMR 500.000
Applicants for licensure pursuant to 935 CMR 501.000

ADMINISTRATIVE ORDER ALLOWING VIRTUAL WEB-BASED COMMUNITY OUTREACH MEETINGS M.G.L. c. 94G, M.G.L. c. 94I, and 935 CMR 500.00 and 501.000

The Cannabis Control Commission (Commission), acting through its Executive Director, issues this administrative order (Administrative Order No. 2) in response to Governor Charles D. Baker's *Declaration of a State of Emergency to Respond to COVID-19*¹ issued on March 10, 2020 (Executive Order No. 591), and *Order Extending the Closing of Certain Workplaces and the Prohibition on Gatherings of More than 10 People*² amended on March 31, 2020, a.k.a Covid-19 Order No. 21 (Essential Services and Revised Gatherings Order) and in accordance with M.G.L. c. 94G, M.G.L. 94I, and 935 CMR 500.000 and 501.000. Under the Governor's orders, it is in the interest of the public health, safety and welfare to practice social distancing and limit gatherings.

The Commission, acting through its Executive Director, has determined that the requirement that an applicant hold an in person Community Outreach Meeting required by 935 CMR 500.101(1)(a)(9) or 935 CMR 501.101(1)(a)(9) and Guidance for Applicants on Community Outreach, would cause applicants undue hardship and risk public health, safety and welfare given the limitation of gatherings in accordance with the Governor's Essential Services And Revised Gatherings Order. Therefore, so long as Governor Baker's March 10, 2020 Order that a State of Emergency remains in place, a Community Outreach Meeting conducted in accordance with this order shall be deemed compliant for the purposes of submitting an application for licensure.

The Commission, acting through its Executive Director, hereby **ORDERS** as follows:

1. Applicants may hold a Community Outreach Meeting via virtual, web-based means. The technology, including public interaction capabilities, shall be tested at least once prior to the date of the meeting.
2. The applicant shall follow all accessibility requirements, including the Americans with Disabilities Act (ADA) Accessibility Guidelines. This shall include, but is not

¹ <https://www.mass.gov/executive-orders/no-591-declaration-of-a-state-of-emergency-to-respond-to-covid-19>

² <https://www.mass.gov/doc/march-31-2020-essential-services-extension-order/download>

limited to, closed captioning. The applicant may wish to liaise with the host community's ADA coordinator.

3. The applicant shall obtain approval in writing from the Contracting Authority or Authorized Representative of the host community for a virtual Community Outreach Meeting.
4. The applicant shall ensure full notice of the meeting in accordance with 935 CMR 500.101(1)(a)(9) or 935 CMR 501.101(1)(a)(9).
5. The applicant shall provide in the notice instructions on how to join and participate in the meeting. The applicant may wish to provide instructions in any language common to the host community.
6. The applicant shall accept questions submitted in advance, which the applicant shall respond to during the meeting. The applicant shall detail how to submit questions in the notice.
7. The applicant shall post on a publicly accessible website all meeting materials at least 24 hours in advance of the meeting.
8. The applicant shall enable communication that allows for engagement, questions and other interaction between the applicant and residents of the host community.
9. The applicant shall designate a meeting moderator, that individual shall not be associated with the applicant but may be associated with the host community. The moderator shall allow any meeting participant to offer questions or comments and allow for follow-up questions.
10. The applicant shall submit to the Commission the number of participants attending the meeting.
11. The applicant shall submit to the Commission a recording of the meeting as an attachment to their license application.
12. The applicant shall submit a recording of the meeting to the host community in a form or manner conducive for replay on local cable access or other broadcast means at the host community's discretion.
13. With the exception of holding an in-person meeting, the applicant shall comply with all other requirements of 935 CMR 500.101(1)(a)(9) or 935 CMR 501.101(1)(a)(9) and Guidance for Applicants on Community Outreach.

Administrative Order No. 2 shall take effect on April 28, 2020, at 12:00pm.

Administrative Order No. 2 shall remain in effect until the rescission or modification of Executive Order No. 591 or the date the Commission rescinds or amends this order, whichever occurs first. The Commission may amend or modify this order as applicable.

Failure to comply with the above conditions may result in disciplinary action against the applicant, including but not limited to, denial of licensure.

Nothing herein should be construed as precluding or limiting the Commission's authority to take additional administrative action to protect the public health, safety, and welfare.

Questions about this order may be directed in writing to the above address, by phone (774-415-0200) on Monday – Friday from 9:00 A.M. – 5:00 P.M. or email at Commission@cccmass.com.

Signed this 27th day of April 2020:

Commonwealth of Massachusetts Cannabis Control Commission



Shawn Collins
Executive Director





TOWN OF MASHPEE

Fire Department

20 Frank Hicks Drive

Mashpee, Massachusetts 02649

Telephone – (508) 539-1454

MEMORANDUM

Date: July 23, 2020

TO: Rodney C. Collins, Town Manager
Board of Selectmen

FROM: John F. Phelan, Deputy Fire Chief

RE: Barnstable County Sheriff's Office Dispatch Contract

Description: The PSAP and Radio Dispatch System is to be operated by the Sheriff. All Mashpee Fire Department 911 emergency calls will be answered by the Mashpee Primary PSAP located at the Sheriff's Office Communications Center, as well as the seven digit fire department emergency, for call processing and dispatching over Mashpee Fire frequencies. The Town of Mashpee shall maintain the ability, within the Mashpee Police Department Dispatch Center, to serve as a back-up fire department dispatch system.

Background: This is the standard annual contract for the services provided by the BCSO Dispatch Center.

Recommendation: Combined Fee for Fire Dispatch and CMED for Fiscal Year 2021 of \$116,624.08 is what the expected costs and Fire Chief Thomas Rullo recommends approval.

Pros and Cons: The Department is required to have a third party dispatching services as we do not have the ability to manage or staff our own PSAP. I will always continue to evaluate other cost effective dispatching options which meet the needs of our community.

**Conditions and Operating Policies for the
Operation of a Communications Center
for the Town of Mashpee
by the Barnstable County Sheriff's Office**

The intent of this agreement is to describe the mutual responsibilities of the Barnstable County Sheriff's Office and the Town of Mashpee in the cooperative operation of a primary fire department dispatch system. This agreement shall cover the period from July 1, 2020 through June 30, 2021, and shall renew on an annual basis unless cancelled by either party. Each year the parties shall agree to a new annual fee for fire dispatch and CMED and update the attached fee addendum.

The policies and procedures regarding the operation and administration of the Sheriff's Communications Center is the responsibility of the Sheriff. With regard to all other policies and procedures concerning public safety within the Town of Mashpee, they are the responsibilities of the Town of Mashpee.

The Primary Public Safety Answering Point (PSAP) and Radio Dispatch System is to be operated by the Sheriff. All Mashpee Fire Department 911 emergency calls will be answered by the Mashpee Primary PSAP located at the Sheriff's Office Communications Center, as well as the seven digit fire department emergency number, for call processing and dispatching over Mashpee fire frequencies. The Town of Mashpee shall maintain the ability, within the Mashpee Police Department Dispatch Center, to serve as a back-up fire department dispatch system.

The Sheriff is responsible for all operational aspects of the Communications Center, including the answering of emergency telephone traffic and the dispatching of fire apparatus for the Town of Mashpee.

The Dispatch System shall operate in the following manner:

- I. Fire/EMS calls for service are to be answered at the Sheriff's Office Communication Center. The primary responsibility for the operation and procedures used by the Primary PSAP remain with the Sheriff's Office in accordance with the State 911 Department.
- II. Primary responsibility for answering and dispatching for the Mashpee Fire Department placed on the (508) 477-1234 Fire Department seven (7) digit emergency line, lies with the Sheriff's Office Communications Center.

Any long distance charges will be billed to the Town of Mashpee, not the Caller.

Emergency calls that are received by the Mashpee Police Department for fire or ambulance via telephone or radio, shall be transferred directly to the Barnstable Sheriff's Office Communications Center.

- III. A seven (7) digit, non-published, local (Mashpee) telephone number shall be established for use by fire department personnel for the purpose of recall information, etc. Any long distance charges will be billed to the Town of Mashpee, not the Caller.
- IV. Radio communications for the Mashpee Fire Department shall be broadcast over the regional 800 radio system and simulcast over 33.68mhz from the main base station located at the Mashpee Police Headquarters by means of remote control circuits. The simulcast equipment shall be the responsibility of the Town of Mashpee".
- V. The Town of Mashpee Fire Department shall be responsible for providing and maintaining a Fire Department Policies and Procedures Manual as it relates to dispatching, call processing and related issues for the Mashpee Fire Department at the Sheriff's Office Communications Center.
- VI. In the event of telephone line failure or technical difficulty (equipment failures, natural disasters, storms, etc.) that render the Sheriff's Office Communications Center unable to provide dispatch services, the Mashpee Fire Department shall assume all responsibilities of fire dispatch for the Town, using in-house resources, at no expense to the Sheriff's Office. Once the problem has been resolved, dispatch operations shall resume at the Sheriff's Office.
- VII. An annual fee to provide the fire dispatch services as outlined in the addendum to this agreement, shall be assessed to the Town of Mashpee. The fee to be paid quarterly, will be in effect on July 1, 2020 to June 30, 2021.

The Duties and Responsibilities of the Sheriff shall include the following:

- 1) Receipt Fire/Rescue related emergency 911 calls from the Primary PSAP and the radio dispatch of same. If it is necessary to provide the caller with pre-arrival instructions, the telecommunicator at the Sheriff's Office will be available to stay on the line with the caller to provide this service.
- 2) Receipt of Fire/Rescue emergency calls on the (508) 477-1234 fire emergency line and the radio dispatch of the same.
- 3) Processing of fire department radio traffic to emergency responses by the Fire Department.
- 4) The "Toning Out" of manpower recall.
- 5) Receipt of non-emergency fire department traffic on an unpublished telephone line for manpower recall, run times, etc., for the purpose of maintaining department operations.

- 6) Monitor the activity of all fire department vehicles.
- 7) Maintain a log of all fire department vehicle activities.
- 8) Monitor and act upon Mutual Aid requests for Town of Mashpee.
- 9) Provide the 1800 radio tone test.
- 10) Notify other public/safety service agencies, utilities (Gas, Power, DNR, etc.), upon request of the Fire Department.
- 11) Monitor and dispatch fire alarms received by telephone, from commercial alarm monitoring firms for properties in the Town of Mashpee. This applies to the testing of all fire alarms. All testing will be performed with the approval and coordination of the Mashpee Fire Department.
- 12) The establishment of a conflict resolution committee. The purpose of the committee is to address and resolve any and all problems or discrepancies that may occur between the Barnstable County Sheriff's Office and the Town of Mashpee Fire Department during the scope of this agreement. Each agency is responsible for appointing members to the committee for representation.

This agreement may be canceled for any reason by either party, by providing written notice of not less than 90 days. The Town will reimburse the Barnstable County Sheriff's Office for any installation and equipment expenses that were incurred in the implementation of the Primary PSAP and Dispatch System at the Sheriff's Office for the Town of Mashpee. Staffing policies, daily operating procedure and administrative management of the Sheriff's Office Communications Center shall be the sole responsibility of the Sheriff and/or his designee.

CMED

Provide a communications link (patch), using the CMED (Centralized Medical Emergency Direction) radio system, for fire department ambulances transporting patients to the hospital.

For the **SHERIFF'S OFFICE**

James M. Cummings, Sheriff

Date

For the **MASHPEE BOARD OF SELECTMEN**

Date

Date

Date

Date:

Date:

ADDENDUM

Fire Dispatch and CMED Services Fee Structure

July 1, 2020 through June 30, 2021

Combined Fee for Fire Dispatch and CMED for Fiscal Year 2021

\$116,624.08 TOTAL

TOWN OF MASHPEE POSITION APPOINTMENT/REAPPOINTMENT REQUEST

Effective: September 1, 2016

JOB TITLE: Police Officer DEPARTMENT: Police

EMPLOYEE: Zachary Good UNION/UNIT: MA COP Local 324
Unit A

STATUS: Regular Full-time ☒ Temporary Full-time ☐ Temporary Part-time ☐
Standard Part-time ☐ Non-Standard Part-time ☐ Seasonal ☐

LABOR GRADE: N/A STEP: 1 RATE OF PAY: \$28.3096 Per Hour
Per Week \$55,108.07 Per Year/Base

I attest that this position was posted and/or advertised through the following:

Existing Eligibility List ☒ Town Posting ☐ Local Employment Opportunity ☐
Regional/State/National Opportunity ☐ Other Posting ☐

I also attest that all policies and procedures of the Town have been satisfied regarding this appointment, including: application review ☒ written examination ☒ oral interview ☒ appointing authority interview ☒
physical agility exam ☒ medical examination ☒ psychological examination ☒ comprehensive background investigation, including a CORI check ☒ or other _____

I further attest that the search and initial screening for this position was based upon minimum requirements, knowledge, skills, abilities, essential functions and responsibilities outlined in a job description approved by the Town Manager. (Attach job description) I further attest that the employee's driver's license status, if applicable to the position, was verified.

[Signature]
Human Resources Director Signature

7/21/2020
Date

I request this appointment/promotion to be effective on: July 31, 2020

[Signature]
Appointing Authority Signature

7-22-20
Date

This position may be filled upon confirmation and/or certification of this selection process, if a full-time new employee; or compliance with Town policies and procedures, if a promotion.

Town Manager Signature

Date

Chairman of Board of Selectmen (or Designee) Signature

Date

Review of Appointment and Certification of Selection Process

Copies To: White – Human Resources Canary – Town Clerk Pink – Town Manager

"Serving with pride and integrity"



Scott W. Carline
Chief of Police

MASHPEE POLICE DEPARTMENT
19 Frank Hicks Drive
Mashpee, Massachusetts 02649

Emergency • Dial 911
Police Priority • (508) 477-1212
Patrol Services • (508) 539-1480
Detectives • (508) 539-1484
Records • (508) 539-1488
Administration • (508) 539-1486
Fax • (508) 539-1412
www.mashpeepd.com

RECEIVED

JUL 22 2020

MEMORANDUM

Human Resources Department

To: Town Manager Rodney Collins
From: Chief of Police Scott W. Carline *SWC*
Reference: Entry Level Police Officer Zachary Good Process Certification
Date: July 22, 2020

An entry level police officer hiring process was initiated and posted on November 27, 2017 with an examination filing deadline of December 18, 2017. Candidates applying for the position of police officer were required to submit a town application to the Town of Mashpee Human Resources Department. The entry level police officer process consisted of the following:

1. A written examination.
2. A physical agility test.
3. A law enforcement oral board examination.
4. An appointing authority interview with the Chief of Police.

A written examination was conducted at the Town of Mashpee Senior Center on January 25, 2018, administered by the Town of Mashpee Human Resources Department and members of the Mashpee Police Department. Those receiving a passing score of 70% or higher were eligible to continue in the process while those under a 70% were eliminated.

On January 27, 2018, a physical agility testing process was conducted following the National Cooper Standards at the Mashpee High School, again, administered by the Town of Mashpee Human Resources Department and members of the Mashpee Police Department. Those that passed the physical agility testing were invited to an oral board examination.

On February 21, 22 and 23, 2018, the Oral Board Examinations were conducted at the Mashpee Police Department. The oral board consisted of the following members; Lieutenant Olivier Naas (chair), Sergeant Bryan Burke, Officer Christopher Giuca, Officer Matthew Koch (Union member) and Human Resources Director Kim Landry.

The candidates were asked a series of uniformed questions focusing on work ethic, dedication, competence and past experience. Candidates were also rated on possessing knowledge, skills and abilities to perform the general duties and essential functions of the position of police officer. Specifically, candidates were rated on appearance, training, communication skills, judgment; poise; pride; motivation; responsibility; general knowledge; and overall fitness for the position.

On March 12, 2018 and March 20, 2018 appointing authority interviews were conducted in my office. Present for these interviews were myself and Captain Thomas Rose.

Once the entire process was completed an eligibility list was established. This eligibility list took effect once the first candidate was sworn into office as a Mashpee Police Officer and remains in effect for two years from that date. Officer Daniel Girard was sworn in on September 10, 2018 which would extend the eligibility list to September 10, 2020.

On December 31, 2019, candidate Zachary Good, the next person on that eligibility list, was given a conditional offer of employment from that eligibility list which has now been exhausted. From there he successfully completed the remainder of the hiring process which consisted of a thorough background investigation, medical exam and psychological exam.

Due to the Governor's order regarding the coronavirus (Covid-19), Massachusetts Police Academies were placed on hold and we have been on standby waiting to get Mr. Good into a police academy. Mr. Good has been on a wait list for the Plymouth Police Academy as well as the Cape Cod Police Academy. On July 15, 2020 I was advised by the Plymouth Police Academy Director that Mr. Good would be accepted into the Plymouth Police Academy with a start date of August 3, 2020.

Police Officer Candidate Zachary Good resides in Norwell, MA and possesses a Bachelor of Arts Degree in Criminal Justice from St. Anselm's College in Manchester N.H.

I affirm that all phases of the entry level selection process have been completed consistent with all policies and procedures established by the Town of Mashpee and its police department and that the process has been monitored by the Department of Human Resources. I would respectfully request the certification of the selection process with appointment of Zachary Good to the position of full-time police officer.

"Preserving public trust, providing professional services"

Rodney C. Collins
Town Manager
508-539-1401
rccollins@mashpeema.gov



Office of the Town Manager
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

MEMORANDUM

To: Board of Selectmen
From: Town Manager Rodney C. Collins
Reference: John's Pond Area Parking and Access
Date: July 23, 2020

Since this past weekend (July 18-19), we have received 34 complaints regarding the conditions of John's Pond area parking and access thereto.

I have attached the e-mails and phone messages. All have been returned. It is fair to say that residents are extremely frustrated because of the volume of people arriving early on weekends and how some are diminishing their quality of life. From vehicular congestion to unreasonable noise to unsanitary conditions to public urination to a lack of respect for private property, the problems have multiplied and requires immediate action.

Based upon reports from the Recreation Department and the numerous complaints, I suggest two solutions.

1. Expand no parking restriction on Hooppole Road, Back Road and immediate listed roads on a temporary and emergency basis until a public hearing can be conducted and a permanent restriction could be adopted in August.
2. Due to COVID-19 and the limitations on crowds, it is recommended that beaches be limited to "residents only" during staff hours. Residents shall be considered a permanent or summer resident.

Temporary Beach Parking and Access Restrictions (Per Order of the Board of Selectmen dated July 27, 2020)

A. In accordance with applicable provisions of the Town of Mashpee Charter, Bylaws, G.L. c. 90, §20A, and any other enabling authority, the Board of Selectmen, in consideration of the COVID-19 State of Emergency declared by the Governor on March 10, 2020 and the related Advisories and Guidances issued by State authorities, hereby adopts the within temporary beach parking and access restrictions. Said restrictions are deemed necessary due to recently observed overcrowding and congestion at John's Pond and other Town beaches (collectively, the "Town Beaches") in order to regulate, on a temporary basis, the size of gatherings at said Town Beaches for the purposes of preserving and maintaining the public health, safety and welfare and effectively regulating vehicular parking on roads in and around said Town Beaches during the COVID-19 pandemic.

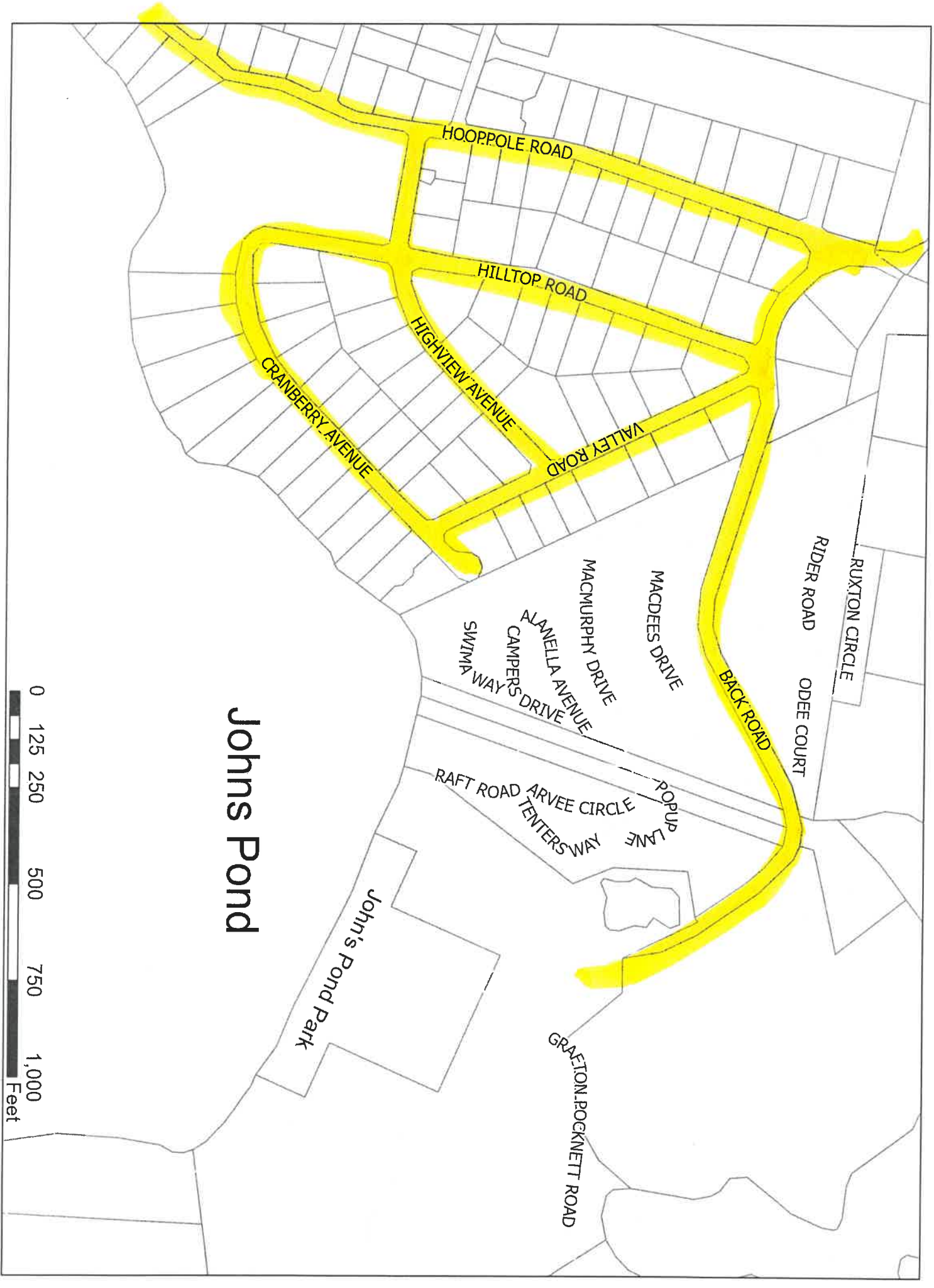
Accordingly, it is hereby ordered:

- 1) Any other order, rule or regulation concerning parking adopted by the Board of Selectmen notwithstanding, no operator of any vehicle shall park or stand the same on any portion of any street or road leading to John's Pond, specifically; Back Road, Cranberry Avenue, Highview Avenue Hilltop Road, Hoophole Road and Valley Road and as designated by the signs containing the words "NO PARKING", which signs shall be placed on such roads or portions thereof pursuant to and for the duration of this temporary restriction. The Chief of Police and or his designees, are authorized and directed to place and erect temporarily, or cause to be so placed and erected, such signs on any such portion of any road subject to this temporary restriction.
- 2) Access to Town Beaches shall be restricted to Mashpee residents, members of the Mashpee Wampanoag Tribe, and those with vehicle disability plates or placards and/or current Town Beach permits during the term of this temporary restriction. This beach access restriction is intended to advance the interests of the afore-mentioned Advisories and Guidances by preventing large gatherings at and overcrowding of the Town Beaches during the COVID-19 State of Emergency. All persons authorized to access said Beaches during this temporary restriction will be expected to comply with all recommended COVID-19 safety measures, including appropriate social-distancing and wearing of face masks when social-distancing is not possible, while on the Town Beaches.

These temporary restrictions shall commence on July 28, 2020, and shall remain in effect until rescinded by the Board of Selectmen or until the State of Emergency declared by the Governor is terminated, whichever occurs first.

The Chief of Police and/or his designees are authorized to enforce these temporary restrictions by the issuance of citations and/or removal of non-compliant vehicles or persons in accordance with applicable laws and regulations.

So Ordered.



HOOP POLE ROAD

HILLTOP ROAD

HIGHVIEW AVENUE

CRANBERRY AVENUE

VALLEY ROAD

BACK ROAD

RUXTON CIRCLE

RIDER ROAD

ODEE COURT

MACDEES DRIVE

MACMURPHY DRIVE

ALABELLA AVENUE

CAMPERS DRIVE

SWIMA WAY

POP LANE

ARVEE CIRCLE

TENTER'S WAY

RAFT ROAD

GRAFTON ROCKNIETT ROAD

John's Pond Park

Johns Pond





Town of Mashpee
BOARD OF HEALTH
16 GREAT NECK ROAD NORTH
MASHPEE, MASSACHUSETTS 02649
(508) 539-1426 * Fax (508) 477-0496
boh@mashpeema.gov



Public Health
Prevent. Promote. Protect.

MEMORANDUM

To: Rodney C. Collins, Town Manager
cc: Brian Baumgaertel, Chairman, Board of Health
From: Glen E. Harrington, C.H.O., Health Agent *GEH*
Date: July 24, 2020
Re: Johns Pond Town Beach

This memo was prepared as a follow-up to the discussion with department heads regarding the reported activities at John Pond Town Beach. Per your explanation, 33 complaints have been received. The Board of Health office received two complaints from residents along Back Road in regards to the parking. You also explained that large gatherings, noise, littering, public urination and defecation have been reported.

I have reviewed the proposal prepared by Counsel to provide a temporary parking ban on streets leading to Johns Pond Town Beach. I fully support measures to eliminate the parking issue along Back Road and neighboring side streets. It is my opinion that limiting the amount of walk-in visitors to the beach/picnic area will help deter the overcrowding, lack of social distancing, noise, littering and public health hazards.

It is paramount during this public health emergency for the public to understand that the Town is responsible for limiting unrestricted gatherings and providing a safe space for public recreation.

If you have any questions or comments, please do not hesitate to contact our office.

COMPLAINTS RE: JOHN'S POND

UPDATED LIST JULY 24, 2020

1. 7/20/20 Director Mary Bradbury, Recreation (E-Mail/Summary)
2. 7/20/20 Mike Cannata (E-Mail/Outlining problems and proposed solutions; provided photos)
3. 7/20/20 Shari Blakeman (Telephone)
4. 7/20/20 Pat Ramsay (Telephone)
5. 7/20/20 Frank and Joan O'Donnell (Telephone)
6. 7/20/20 Laurie Oteria (Telephone)
7. 7/20/20 "Boe" Inglis (Telephone)
8. 7/20/20 Janet Malloy (Telephone)
9. 7/19/20 Dwight Pfundtsein (E-Mail)
10. 7/19/20 Michael Barry (E-Mail)
11. 7/20/20 Jeremiah Walsh (E-Mail)
12. 7/20/20 Miguel Franco (E-Mail)
13. 7/20/20 Tristan and Todd Kelley (E-Mail)* (Also called)
14. 7/20/20 Donna, Briarwood Resident (E-Mail)
15. 7/20/20 Chip Harris (E-Mail)
16. 7/20/20 David Greenlaw (E-Mail)
17. 7/20/20 Tony Menengas (E-Mail)
18. 7/20/20 Armando Arzuaga, Jr. (E-Mail)
19. 7/20/20 Miguel and Jennifer Garcia (E-Mail)
20. 7/20/20 Dawn Rigby Walsh (E-Mail with letter; also sent one to Director Bradbury)
21. 7/20/20 Brianna English (E-Mail)
22. 7/20/20 Doreen Way (E-Mail; also sent one to Director Bradbury)
23. 7/20/20 Debra Orlando (E-Mail)
24. 7/20/20 Laura Barrows (E-Mail)
25. 7/20/20 Brad and Pam King (E-Mail)
- ★ 26. 7/22/20 Courtney Goldman (E-Mail)
27. 7/22/20 Mary Pierce (E-Mail)
28. 7/22/20 Amanda Robitaille (E-Mail)
29. 7/22/20 Jean P. (E-Mail to Director Bradbury)
30. 7/22/20 Donna Hines (E-Mail to Director Bradbury)
31. 7/22/20 Doreen Machado (E-Mail)
32. 7/22/20 Kristen Ferguson (E-Mail)
33. 7/22/20 Eileen Wilson (E-Mail)
34. 7/23/20 Alberta and John Quill (E-Mail)
35. 7/23/20 Delores Filleti-Nemet and Chris Nemet (Letter)
- ★ 36. 7/24/20 Vickie Piacentini (E-Mail)

Rodney C. Collins

From: Mary K. Bradbury
Sent: Monday, July 20, 2020 11:28 AM
To: Rodney C. Collins
Subject: Beaches this past weekend

Manager Collins,

Per our phone conversation earlier;

The weekend was extremely busy at South Cape and John's Pond.

South Cape parking lot was full, people were impatient and rude.

John's pond was busy on Saturday and overflowing on Sunday with walk-ins.

On Sunday there were approximately 90 cars parked along Hooppole and Back Road. Police determined that they were legally parked and out of the way.

We had approximately 200 people on the hill, grilling and not adhering to social distancing despite repeated reminders from myself and staff.

The parking lot was about 1/3 full.

We restricted any more walk ins at 1:30 as it was getting too full. Unfortunately, there was a misunderstanding with the gate and they turned 2 residents away. That was clarified and residents, tribe, etc. were allowed. Police responded to a call from us about a escalating argument. They later responded to two 911 calls that originated in the area. We were unable to determine if anyone called, we swept the area and no one was in distress.

Harbor master responded twice to pontoon boats near the swimming area and reckless operation of jet skis in the cove area beyond the fish ladder.

Mike Canata stopped me and let me know that he would be in touch with you and the selectman today. He is "disgusted with the invasion ", ruining our environment, "illegals from off cape", etc. I just listened.

Cars and trucks with boat trailers are parking along the road to the state boat ramp, not in the lot and on both sides before the gate attendants.

Two women from the tribe mentioned that David Weeden was having a meeting this Tuesday about the beaches. They asked if I was going. That was the first I heard of it.

Attaquin was the quietest, least problematic of all the beaches.

I have my phone and can answer if you need more information or clarification on anything.

Thank you,
Mary

Rodney C. Collins

From: [REDACTED]
Sent: Monday, July 20, 2020 12:45 PM
To: Rodney C. Collins
Subject: Re: Johns Pond Park

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Rodney,

Thanks for the reply. I really think putting a couple of 14-16 year olds controlling access and delivering messaging is really placing them in a very bad and perhaps even dangerous place.

I am afraid they will encounter an agitated non-resident demanding access and perhaps be harmed or worse.

We can not allow that to happen to these young folks.

Obviously, the Water tower Portion of Back Road, that is the new parking/shuttle area as evidenced by the 40-50 vehicles parked there this weekend.

However, this will then overflow i to the Briarwood Neighborhood. Perhaps some engagement with the Briarwood Association would be helpful. Some are already starting to post no parking around their properties.

There are apparently some guests in the campground who are in possession of golf carts and have been using same along Back road to act as the shuttle to the beach.

Perhaps the gate for the beach needs to be moved and/or secured to more tight hours keeping many non residents from getting in the lot before town representation arrives.

I do not claim to know the answers but this seems to be a self propagating issue that is escalating at an exponential rate weekend by weekend.

What we are seeing flies in the intent of the agreement in terms of preservation of conservation land.

This is spiraling in a direction that may be unrecoverable unless the town asserts it's right to control access up to and including returning funds to the state and withdrawal from the agreement.

Thanks for your time.

Mike

> On Jul 20, 2020, at 9:20 AM, Rodney C. Collins <rccollins@mashpeema.gov> wrote:

>

> Mr. Barry,

>

> It sounds to me like this situation is out of control. Yes, it is a "social media" hot spot. The Town will need to control this through parking restrictions, stickers and tow vehicles. The problem (as I see it) is the agreement that the Town entered into with the state regarding Johns Pond many years ago. We shall do whatever we lawfully can in order to restore the peace, comfort and quality of life to your neighborhood.

>

>

> Rodney C. Collins | Town Manager

> Town of Mashpee

> 16 Great Neck Road North, Mashpee, MA 02649

> Office: 508.539.1401 | Fax: 508.539.1004

>

>

>

> "Preserving public trust and providing professional services."

>

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> Warning: The content of this message and any response may be considered a Public Record pursuant to Massachusetts General Law.

>

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>

>

> -----Original Message-----

> From: Mike c

> Sent: Sunday, July 19, 2020 1:17 PM

> To: Rodney C. Collins <rccollins@mashpeema.gov>

> Subject: Johns Pond Park

>

> WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

>

> Sir,

>

> I have never seen anything like this.

>

> 100 plus non resident vehicles on Back Road (x avg of 3 people per vehicle) and in Briarwood.

>

> 400 people on Conservation Land/Town Beach per Mashpee Police Estimate.

>

> Grills, litter, alcohol bottles, high volume music. Not one town beach sticker can get in lot. Grandparents can not go to beach on weekends with grandchildren.

>

> Sir. Today. I have never seen anything like this. This must be a social media invite thing.

>

> This is something like I have never seen.

>

> Respectfully,

>

> Michael Barry

> Pinecrest ave

Rodney C. Collins

From: Mike <...@...>
Sent: Monday, July 20, 2020 12:51 PM
To: Rodney C. Collins
Subject: Meeting

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Rodney I can make myself available anytime this week just checking with some other residence that wish to attend. A little difficult lining up everyone's schedule. I will keep you posted

Sent from my iPhone

Rodney C. Collins

From: Mary K. Bradbury
Sent: Wednesday, July 22, 2020 3:56 PM
To: Rodney C. Collins
Subject: Additional issues at John's Pond

Manager Collins,

The following additional incidents were reported by staff arriving at John's Pond on Monday morning;

1. Human feces was observed in the parking lot near the gate area. The staff members, with the help of DPW cleaned it up and disposed of it. This is the second such occurrence. There have been unconfirmed reports of human feces in the conservation area immediately adjacent to the John's Pond entrance.
2. The port-a-potty was overflowing and leaking sewage/waste out of the unit into the parking lot.
3. Despite reminders of "no open containers", "no glass bottles", the trash barrels were filled with large amounts of glass bottles. Trash was left behind throughout the picnic and parking lot areas.

Mary

Mary K. Bradbury | Recreation Director
Recreation Department
520 Main Street, Mashpee, MA 02649
Office: 508.539.1416 | Fax: 508.419.1161



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Rodney C. Collins

From:
Sent: Monday, July 20, 2020 9:30 PM
To: Rodney C. Collins
Subject: Johns pond beach meeting issues

WARNING! EXTERNAL EMAIL: This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Rodney

thank you kindly for touching base and taking seriously the issues before the property owners. The beaches are being destroyed and a complete degradation of the quality of life for the taxpayers and residents that live on the lakes is in full swing. They are so overrun by non residents and non taxpayers from as far away as connecticut and new hampshire. However most are from areas such as new bedford, dedham, roxbury, etc. I know there were multiple police calls there this sunday one of which was you due to your beach staff being physically threatened by a large group of unruly individuals. You could refer to your police logs for details. I also know Johns pond beach is not the only one afflicted. Wakeby has the same problems.

SoNumber one... SUNDAY is the by far the worst day. Saturdays are moderately bad. So if you had only one day to step up things I would pick Sunday

Here is the list of problems that have let the beach(s) get out of control:

1. The beach is grossly overcrowded. The lot is not at capacity yet the beach is grossly over capacity.
2. The above is due to a Massive illegal parking effort by non residents. They don't have a sticker therefore the park everywhere on all the side streets and roads in the Briarwood neighborhood. In peoples front yards and along all the roadways. Hilltop, back road, ashumet road, pincrest ave, etc.....and at the briarwood association beach Many of them are by the Otis Base water tower on Back Road. I videoed and counted 88 cars just in that one location. (i sent you the video). My guess is there were a total of over 400 people on the beach and well over 120 cars strewn about the neighborhood. They then walk or carpool with one car and shuttle them down the beach where they simply "walk" on with no legitimate access sticker. They also Block the gate at the moody pond road on the left just before the beach attendant with 6 to 8 cars. This cannot be blocked for emergency vehicle access.
3. Alcohol, Grills, smokers and glass bottles and excessive loud music on the beach. This is not allowed by the town bylaw AND under the conservation terms of the state grant agreement in question. It is is posted on signage on site. The agreement explicitly says "conservation property for use passive recreation"
4. Unregistered jetskis and boats (not all but some) being launched at the state ramp off Hoophole Rd. Vehicles with no trailers parked at this very same ramp. Also jetski trailers literally stacked one on top of the other to maximize the amount of craft launched. It is posted onsite by the state that "Vehicles without trailers attached cannot park and will be towed" This is so only legitimate registered craft ONLY launch AND recover from the ramp. The site is not to be used as a "beach" parking lot or a place to then shuttle more people by boat to and from the beach. This is how its currently being used. They have gone so far as trying to push launch jet skis over my personal property and my association beach off algonquin which is private property belonging to the paying association. I have thrown them off.
5. Swim area buoys are much closer to shore than years past and not pulled all the way across to the woods line as prior. There is a total disregard for watercraft inside the swim area. These are out of town boaters and not property owners that live on the lake. They pick up and drop-off people from the beach by bring the craft inside the swim area.
6. The beach gate is not being locked at night in a timely manner so all the illegally parked cars in the neighborhood are retrieved and brought down to the beach JUST AFTER the gate attendant leaves around 4. From 4 till after dark the lot is

full of cars with no stickers and boat and jetski trailers and lots of mayhem (no trailers are allowed in the beach lot) I think the gate should be locked at 4 and opened by the attendant in the morning.

7. Fishing in the fish ladder area where its posted no fishing

8. Reckless operation of watercraft primarily jet skis by non residents. Running at high rates of speed spinning around throwing occupants off the craft and riding way too close to swimmers and other craft and a complete disregard for who's around them and Cutting off other boats. We have already had accidents and they were not residents that live on the lake involved. So How many more do we need? Jet ski operation after 7 is prohibited but not being enforced well enough.

9. Complete disregard for a conservation area with Excessive trash left by all these people and urine in bottles and feces left in the parking lot and on the woods line. Just so sad.

So that's about the gist of it. I think the remedy I believe is this:

First and foremost I believe you have a get out of "jail free card" so to speak with the Covid 19 thing to shut down all beaches to town resident only., period no exception. Our surrounding towns have already done it. You have every right to limit crowd size as a matter of public health. I see this as an immediate fix short term to then allow time for a longer term solution.

Remaining ideas are as follows:

1. Its mostly a total lack of enforcement. The Gate attendants need to restrict access to only permitted people and they need to stick to it. they can't be Lax. We should not allow "walk ons" without a permit. My association beach uses BOTH a sticker for the car AND a laminated beach pass which you must have on your person or you are ejected. The police need to more patrols and enforcement of the beach rules of no glass bottles no booze, no loud music, no open fires etc. No exceptions or throw them off. The police don't want to deal with things during this terrible political time we live in. I totally understandThe poor guys have been vilified when in my opinion they are heros. Nonetheless they need to ratchet up.

2. The selectman voted last may no parking on back road when this problem began. It only got posted down by the beach portion of back road So the net effect was it just pushed them back a few hundred feet. ALL of Back road to the falmouth town line needs posting so the police can ticket and tow. In the short term maybe we use the "temporary police order" no parking signs you use for the fireworks on 151 in the summer till we get signs. All the parking in and around the briarwood neighborhood.....I don't know how you stop that. I don't think its financially feasible to "sign the world" so I think we have to think about how to do that. Maybe you have an idea but I know the residents are not happy.

3. The harbormaster or better yet a state EPO officer at the ramp to check registrations before the even get in and enforce the no parking unless you are launching a boat rule.

Heres Another consideration I bet no one thought ofthe lake can be poisoned by bad algae from all these out of state and town boats. I know when I have taken my boat to NH you cannot launch without a hull inspection at the ramp by a state officer for Milfoil. A bad age that is infecting the lakes and being transported on boat hulls lake to lake.

4. The harbormaster Needs to push out swim buoys and stretch them all the way across to the woods line. They need to enforce it with vigor and step up enforcement on the water of reckless driving and swim area infractions or were gonna have an ugly accident.

At the end of the day the taxpayers own that beach and all the acreage behind it per the deed which says explicitly its deeded to "the inhabitants of Mashpee" Their right to use it and peacefully enjoy all its beauty trumps any non residents right to abuse it and completely degrade the quality of life of those that live on it. I believe the town and its officials have a duty to act to preserve this right.

I have been on that lake for the better part of 48 years and I'd like my children and grandchildren to enjoy the same.

Thank you
Kind Regards
Mike Cannata

Rodney C. Collins

From: Mike
Sent: Tuesday, July 21, 2020 9:01 AM
To: Rodney C. Collins
Subject: Parking on back rd

WARNING! EXTERNAL EMAIL: This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

[Download Attachment](#)
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Click to Download

IMG_3563.MOV
0 bytes

Sent from my iPhone

PHONE CALL

FOR	Rodney	DATE	7/20/20	TIME	10:45 AM
M	Pat Ramsing				
OF					
PHONE		CELL			
MESSAGE Compliment about John's Pond Beach - drop off 6 beers - Park all over Hoophole + Beach Road - loud music, Signed Crowds - None					
<input checked="" type="checkbox"/> TELEPHONED <input type="checkbox"/> RETURNED YOUR CALL <input checked="" type="checkbox"/> PLEASE CALL <input type="checkbox"/> WILL CALL AGAIN <input type="checkbox"/> CAME TO SEE YOU <input type="checkbox"/> WANTS TO SEE YOU					

PHONE CALL

FOR	Rodney	DATE	7/20/20	TIME	10:45 AM
M	Tristan				
OF	Hoophole Rd				
PHONE		CELL			
MESSAGE No parking stickers for John's Pond - many cars parked along Hoophole Road! many people Congregating tents / music Signed over recording. 1 time					
<input checked="" type="checkbox"/> TELEPHONED <input type="checkbox"/> RETURNED YOUR CALL <input checked="" type="checkbox"/> PLEASE CALL <input type="checkbox"/> WILL CALL AGAIN <input type="checkbox"/> CAME TO SEE YOU <input type="checkbox"/> WANTS TO SEE YOU					

PHONE CALL

FOR	Rodney	DATE	7/20/20	TIME	9:20 AM
M	Sherry Blakeman				
OF					
PHONE		CELL			
MESSAGE John's Pond Beach → Concerns lot is only one gate full / no residents dropped off + pickup					
<input checked="" type="checkbox"/> TELEPHONED <input type="checkbox"/> RETURNED YOUR CALL <input checked="" type="checkbox"/> PLEASE CALL <input type="checkbox"/> WILL CALL AGAIN <input type="checkbox"/> CAME TO SEE YOU <input type="checkbox"/> WANTS TO SEE YOU					

PHONE CALL

FOR Rodney Wayne DATE 7/20/20 TIME 1:45 AM

M Frank 3000 O'Donnell

OF _____

PHONE _____

MESSAGE Parking on resident

lawns blocking the

road. No parking stickers

crowding the beach

SIGNED Stephane

☒ TELEPHONED

☐ RETURNED YOUR CALL

☐ PLEASE CALL

☐ WILL CALL AGAIN

☐ CAME TO SEE YOU

☐ WANTS TO SEE YOU

PHONE CALL

FOR Rodney DATE 7/20/20 TIME 1:47 AM

M Laure Oterid

OF _____

PHONE _____

CELL _____

MESSAGE Non-Resident parking

John's pond

SIGNED Stephane

☐ TELEPHONED

☐ RETURNED YOUR CALL

☐ PLEASE CALL

☐ WILL CALL AGAIN

☐ CAME TO SEE YOU

☐ WANTS TO SEE YOU

PHONE CALL

FOR Rodney DATE 7/20/20 TIME 1:50 PM

M Jo "Boe" Trugus

OF _____

PHONE _____

CELL _____

MESSAGE John's Pond Boel

Parking all over place

Social distancing not

practiced. Loud music

drills everywhere / no reason

SIGNED Stephane

☒ TELEPHONED

☐ RETURNED YOUR CALL

☐ PLEASE CALL

☐ WILL CALL AGAIN

☐ CAME TO SEE YOU

☐ WANTS TO SEE YOU

PHONE CALL

FOR Rodney DATE 7/20/20 TIME 4 PM

M Jadett Wellog

OF _____

PHONE _____

CELL _____

MESSAGE Returned to John's Pond

Parking all over place

out of control crowd

staff was very helpful

SIGNED Terre

☒ TELEPHONED

☐ RETURNED YOUR CALL

☒ PLEASE CALL

☐ WILL CALL AGAIN

☐ CAME TO SEE YOU

☐ WANTS TO SEE YOU

Rodney C. Collins

From: Dwight Pfundstein
Sent: Sunday, July 19, 2020 12:44 PM
To: Rodney C. Collins; Wayne E. Taylor
Subject: Johns Beach access problem

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello Gentlemen,

I was just refused entry to Johns Pond parking lot despite the parking lot being at 25% full. The attendant politely explained that this was due to the large number of non residents who parked on the main road and walked in or were dropped off. The areas by the picnic tables were over run with people no masks no social distancing. It looked like a scene on TV Gloucester town beaches had the same problem and the Mayor enforced resident only parking and no drop off.

I'd like you to consider no parking signs on the main road that connects to Back Road and add signage drop off not allowed.

I know the attendant called police to help with the situation today but I think changes need to be implemented to ensure a safe and fun summer.

Best Regards
Dwight Pfundstein

Sent from my iPhone

Rodney C. Collins

From: Mike c
Sent: Sunday, July 19, 2020 1:17 PM
To: Rodney C. Collins
Subject: Johns Pond Park

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Sir,

I have never seen anything like this.

100 plus non resident vehicles on Back Road (x avg of 3 people per vehicle) and in Briarwood.

400 people on Conservation Land/Town Beach per Mashpee Police Estimate.

Grills, litter, alcohol bottles, high volume music. Not one town beach sticker can get in lot. Grandparents can not go to beach on weekends with grandchildren.

Sir. Today. I have never seen anything like this. This must be a social media invite thing.

This is something like I have never seen.

Respectfully,

Michael Barry

Rodney C. Collins

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Mashpee MA
<cmsmailer@civicplus.com>
Sent: Monday, July 20, 2020 9:07 AM
To: Rodney C. Collins
Subject: [Town of Mashpee MA] Johns Pond Beach (Sent by Jeremiah Walsh,

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello rccollins,

Jeremiah Walsh has sent you a message via your contact form
(<https://www.mashpeeema.gov/user/86/contact>) at Town of Mashpee MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.mashpeeema.gov/user/86/edit>.

Message:

Good morning,

After this weekend I'm sure you're overwhelmed with complaints regarding Johns pond beach, I just wanted to add mine. My wife and I live a yesterday was the craziest I've ever seen since buying our home in 2008. There were hundreds of vehicles parked up and down the street with people being shuttled back and forth to the beach, we even witnessed a car full of people towing a jet ski trailer (with no jet ski) with three people balancing on the trailer. We had to tell people they couldn't park in front of our house only to have them park in front of the neighbors houses (with out permission). We called the Police department and logged a complaint with them as well, the Officer we spoke with said they were limited as to what they could do as far as ticketing vehicles (not posted). The Police Departments presence was very noticed throughout the day and much appreciated; however, I still didn't want to leave my house for fear of what I would return to.

Beyond the traffic and congestion nightmare these crowds pose a huge health concern, garbage everywhere, human feces in the woods/water, and no regard for any sort of social distancing.

Temporary no parking signs up Back Rd beyond the water towers and in front of any wooded/undeveloped lots would help to limit available parking. As a tax paying town resident I'd like to be able to use the town beach without crowds of non-residents trashing it.

Thank you for your time,

Respectfully,

Jeremiah Walsh

Rodney C. Collins

From: Miguel Franco <----->
Sent: Monday, July 20, 2020 9:49 AM
To: Rodney C. Collins
Subject: Mashpee Briarwood

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Mr.Collins

As a director and representative of our beloved town of mashpee, one would say or feel comfortable approaching you and or your staff regarding any issues that may arise no matter How big or small. Don't get me wrong, I don't envy your position at all however, you did take an oath to provide guidance to include protect all fellow citizens that reside here in Mashpee.

I am fully aware that there are other things to be concerned with however, when a person is personally approached in a fashion of a personal threat, one needs to put themselves in their shoes. I'm not going to bore you with my personal military experiences involving confrontation however, preventive measures are and should be applied. We can not afford to lost anyone or anything over policy.

As a home owner I have had to put objects and or post makers in front of my property just to insure that no one other than family have room to park. Trust me, they don't have that issue in Boston, If a vehicle is in the way of a home owner, the vehicle is simply towed. I do understand That there are a few more moving parts to deal with however, I would ask that you come on over and see for yourself. Seeing is believing.

This issue started last year and now it's gotten twice as big. Next season this issue has the potential to increase three times.

Again,

I don't envy your position.

To side on The area of safety, you could never lose.

It's time to take action for the good of all involved.

I'm sure you have heard it all regarding what and how to do this. My experience in implementing safety measures are far more complicated for your divisions to handle.

Here we are doing more with less.

Your resources have much less to pull from never mind rely on.

Something so big can be handled very efficiently if you truly put your mind to it.

Good luck!

Signed/

Mashpee resident.

Military vet (Ret)

Sent from my iPhone

Rodney C. Collins

From: Todd Kelley <
Sent: Monday, July 20, 2020 1:10 PM
To: Rodney C. Collins
Subject: Parking problems on Hooppole

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello, my name is Tristan Kelley and I live at On the weekends we are having difficulty with a parking problem on Hooppole and other neighborhood roads. The Johns pond town beach parking lot is about a mile from my home and the vehicles without stickers are parking on the streets. The cars are on lawns and are on both sides of the road. This is making much of Hooppole and Back rd a one lane street. It is very dangerous for driving. Also it is now unsafe to go for walk/run because there is no place but the middle of the road open. On Sunday I was trying to leave the neighborhood with our boat and could barely make it thru the road to leave. There are jet ski trailers and cars everywhere. This has been going on for many summers but it has been increasing worse this summer and this weekend was horrible. Never mind the gatherings of people in the beach picnic area, definitely not social distancing. I'm not kidding close to 100 people together in this time of covid 19. But my main concern right now is the unsafe road conditions, before there's an accident or somebody gets hit by a car.

Thank you

Tristan Kelley

Sent from my iPhone

Rodney C. Collins

From: Donna ·
Sent: Monday, July 20, 2020 1:15 PM
To: Rodney C. Collins
Subject: Johns pond town beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good Afternoon,

I am writing with great concern over the amount of people that try to park in front of my home and all over our Briarwood Neighborhood. My husband and I have to put barriers up in front of our house in order for our own adult children to come and visit and have a place to park! The amount of people at that beach is totally unsafe during this pandemic as well! There are cars all up and down the streets and groups of people walking to the pond. We were out in our boat yesterday rode by the pond the parking lot was not even half full but there were at least 3-400 people on that beach. This is certainly not social distancing and totally unsafe!

Signed Mashpee Briarwood Resident

Sent from my iPhone

Rodney C. Collins

From: Chip Harris <
Sent: Monday, July 20, 2020 2:13 PM
To: Rodney C. Collins

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello I live on in Mashpee the parking situation on back road on the weekend is not safe I almost got hit going around cars on side of road also I heard lot at town beach was not full and attendants had to turn permitted residents away due to overcrowding I sincerely hope there's a way to resolve this safety issue thank you why not limit people to Mashpee residents only

Rodney C. Collins

From: David Greenlaw
Sent: Monday, July 20, 2020 2:20 PM
To: Rodney C. Collins
Subject: John's Pond Town Beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good afternoon Mr. Collins,

I am writing this email to communicate to you and yours how aggravated those of us in the Briarwood-Mashpee community are with the influx of out of town beach goers and their vehicles. A couple of years ago the town banned day parking in the beach parking lot, and in doing so, pushed what was a town problem into our neighborhood. On any given Saturday or Sunday, we have cars up and down our neighborhood streets, parking anywhere there is an unguarded spot. To make matters worse, they are coming up and down my street (at speed, most likely out of frustration.

The attempt by the town to deter day visitors to the beach has not worked. If anything, the numbers have increased. The beach is crowded and loud and between that and the vehicle parking issue, it is clear that these people care not about our neighborhood. I can tell you, as a resident, the last place I would go is to that beach.

This is our town. We pay taxes for these amenities that are over run with out of towners. Now that we've seen how successful cancelling the day passes was, in my opinion there is only one option and that is to close the beach to non residents and enforce it. This problem is not just ours, and is prevalent in other towns also.

Also, for your information, I and others have called the police complaining about the vehicle traffic and have been told that as long as emergency vehicles can get through there is nothing they can do. If you insist on letting this continue, how about putting town enforced parking regulations in effect in our neighborhood instead of stopping at the intersection of Back Road and Valley.

Ever since the ban on day parking was instituted, the quality of our life in this neighborhood has been degraded and it is not our problem. It is the town's. Please act to fix this.

--

David Greenlaw

Rodney C. Collins

From: Tony Menengas
Sent: Monday, July 20, 2020 2:43 PM
To: Rodney C. Collins
Subject: Problems with johns pond public beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Please start enforcing or create parking laws regarding johns pond public beach. People are parking up and down the road and I front of residences.

Sent from my iPhone

Rodney C. Collins

From: Armando Arzuaga Jr.
Sent: Monday, July 20, 2020 3:05 PM
To: Rodney C. Collins
Subject: Fwd: John's Pond Public Beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Sent from my iPad

Begin forwarded message:

From:
Date: July 20, 2020 at 2:47:42 PM EDT
To: rccollins@mashpeema.go
Subject: John's Pond Public Beach

This past Saturday I visited the beach for a relaxing Saturday afternoon. It turned to be anything but!!! Several people thought it would be perfectly fine to paddle around on full size wooden paddle boards in the Swimming area narrowing missing small children splashing in the water. In addition , people were also kayaking in the swimming area with full size kayaks. It was an accident waiting to happen. No one were wearing masks during all these activities, even though social distancing was not observed. I am also concerned about the large crowd of people picnicking, cooking and drinking and not observing social distancing, nor wearing masks. People are parked on the side of the road , where it clearly states " No Parking, Tow Away zone". I paid for my parking sticker to enjoy the privilege of the facilities. It seems to me people come in droves and park illegally , does not observe the COVID safety rules and have absolutely no regard for common sense , like paddling around small children not caring about causing injuries. This is a health hazard for all of us and absolute irresponsible, especially in a time like this. Sincerely, Annette Arzuaga

Sent from my iPhone

Rodney C. Collins

From: Garcia Miguel
Sent: Monday, July 20, 2020 3:05 PM
To: Rodney C. Collins
Subject: Johns Pond Public Beach Parking Issue in Brairwood

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good Afternoon Mr. Collins,

I hope this email find you and your family well.

We live in Briarwood and have recently noticed many cars parking in our neighborhood to go to the Johns Pond Town Beach. We prefer that they do not park in front of our properties and occasionally leave their liter behind. If these cars do not do not have beach stickers they should purchase one to park in the beach lot.

Thanks for you attention in this matter and let us know if you have any questions.

Miguel and Jennifer Garcia

Mashpee, MA

Rodney C. Collins

From: cmsmailer@civicplus.com on behalf of Contact form at Town of Mashpee MA
<cmsmailer@civicplus.com>
Sent: Monday, July 20, 2020 4:16 PM
To: Rodney C. Collins
Subject: [Town of Mashpee MA] John's Pond (Sent by Dawn Rigby Walsh,
Attachments: 2020_7-20_letter_to_town_of_mashpee.pdf

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello rccollins,

Dawn Rigby Walsh) has sent you a message via your contact form
(<https://www.mashpeeema.gov/user/86/contact>) at Town of Mashpee MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.mashpeeema.gov/user/86/edit>.

Message:

Hello Rodney:

Please see the attached letter with respect to John's Pond regarding the parking issue and non-resident beach use - I hope the town understand our issues with the current situation and can reach a quick solution! I also sent this letter to Mary Bradbury in the Recreation Department.

Thank you for your time!

Dawn Rigby Walsh, Esq.

GLYNN LAW OFFICES

49 LOCUST STREET
FALMOUTH, MA 02540
(508) 548-8282
(508) 548-0020 (fax)

Suzanne Fay Glynn
email: sfg@glynnlawoffices.com

Paul C. Glynn
email: pcg@glynnlawoffices.com

Dawn Rigby Walsh
email: drw@glynnlawoffices.com

July 20, 2020

Good afternoon:

I am sure the Town of Mashpee offices have been filled with complaints lately, especially after this weekend, regarding the Town Beach on John's Pond in Mashpee. I do not want to seem rude or pestering; however, I feel that this issue regarding parking and non-resident beach use has gotten extremely out of hand, and I feel that it is only fair that the town hear each and every complaint.

My husband and I have enjoyed living in the neighborhood and having the beach so close by. However, every weekend during the past few summers, a mass of non-residents completely take over the beach and neighborhood. They all seem to be friends or know one another; however in speaking with some, they are all from off-Cape and do not speak English very well. They arrive early in the morning and do not leave until sundown, so very few residents, if any, are able to use the beach. They park all over the neighborhood and on Back Road by the water tower. It must have been over 100 cars yesterday, parked on both sides to the amount that only one car could pass through on the double lane road. From there, it is over half a mile to walk to the beach. They start knocking on our door early in the morning, trying to park on our lawn to get closer to the beach. While they sometimes just park on our lawn without asking, if we are home, we tell them we do not want them to park in our yard. It's to a point that we truthfully feel uneasy to leave the house during the day, as they get aggravated or are just that inconsiderate and throw garbage along our yard throughout the day.

Once the attendants leave at 4:30, they move all their cars down to the beach area. They driving through the neighborhood and the Otis Trailer Campground way over the speed limit with music blasting. We have also seen them shuttling people in the back of their trucks, or with people sitting in the trucks of cars with their feet hanging out. It's only a matter of time before someone is hurt or causes a drunk driving accident. We ventured down there during 4th of July and there was zero percent social distancing. We just have to look up the road and see the mass of cars parked to know we won't be able to use the beach.

It has gotten so abhorrent, that we contacted the police department and spoke with an Officer yesterday who explained there's only so much they can do, as they are allowed to park where they are not 'no parking signs'. The office suggested that we write to the Town as this is an issue that really needs to be addressed, so that they can enforce new restrictions. The police were back and forth all day, and we appreciated they were trying to help the situation. We feel sorry for the poor town employees and attendants that have to deal with the mess, not to mention we walk our dogs in the woods in that area and there is human feces and trash through-out the woods.

The size the parking lot is meant for the proper capacity for that beach area, and that is without all of the new suggestions pertaining to social distancing and COVID regulations. I hope there's a way to extend the no-parking areas or better yet, to limit the number of non-residents trying to use the beach. It is the most unfortunate part of our residency that although we pay taxes each year to the Town, we have no chance to enjoy beach right down the road except for a few summer days a year when this group does not come down. We never know what it's going to be like. I really hope enough of the neighborhood residents have voiced their frustrations about this for some changes to be made.

Thank you very much for your time.

Sincerely,

A handwritten signature in black ink that reads "Dawn Rigby Walsh". The signature is written in a cursive, flowing style with a large initial "D".

Dawn Rigby Walsh

Rodney C. Collins

From: Brianna English
Sent: Monday, July 20, 2020 5:51 PM
To: Rodney C. Collins
Subject: Fwd: Mashpee Sticker

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good Afternoon,

I'm not sure who to voice my concerns to about this but yesterday, Sunday July 20, I was turned away from Johns Pond. I am a Mashpee resident, a tax payer and I paid for a sticker. I don't understand why people are allowed to park on back road and Hoopole and walk on the beach who are not Mashpee residents and who do not pay for a sticker but as a tax paying resident, I can not. This is getting out of hand. Also there is no social distancing being practiced. There are more than 10 people to a group, heck there are more than 20 people to a group. I just don't understand who the rules apply to here and its really upsetting I'm not allowed to use the beach I pay for.

Please advise on where to go from here.

Thank you ,
Brianna English

On Mon, Jun 22, 2020, 12:08 PM Town of Mashpee <no-reply@townhall247.com> wrote:

Hi Brianna,

Your order has been accepted! Your stickers will be mailed out to you beginning June 1, 2020 to the mailing address that you indicated at the time of purchase. We are unable to honor any mailing addresses different from the one that we have currently on file.

Thank you,

Deb Dami

Mashpee Town Clerk

Rodney C. Collins

From: Doreen Way
Sent: Monday, July 20, 2020 5:52 PM
To: Rodney C. Collins
Subject: Fwd: Johns Pond beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Sent from my iPhone

Begin forwarded message:

From: Doreen Way
Date: July 19, 2020 at 12:56:54 PM EDT
To: ddami@mashpee.ma.gov
Subject: Johns Pond beach

To whom it may concern,

Hello I need to know who to contact about a problem down at Johns pond beach. I live up the road and am a Mashpee resident and I was not allowed on the beach today because of the amount of people. However, I have a beach sticker and am a resident of Mashpee and the majority of the people there who were allowed on the beach are not. They are walking on and partying with way more people than state mandate allows for pandemic rules. What is the most infuriating is that these people come from off Cape and are allowed to park on our roads and walk on our beaches and party and leave messes while we are not even allowed on now. This needs to be addressed and I would like to know who it is I need to speak with?

Please advise.

Thank you, Mashpee resident

Sent from my iPhone

Rodney C. Collins

From: DEBRA ORLANDO
Sent: Monday, July 20, 2020 6:04 PM
To: Rodney C. Collins
Subject: Johns pond beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

I am writing with a concern I have over the parking , beach goer issues that have become a big problem at Johns pond town beach . I have lived in Briarwood for over 30 years and the parking issue and all the "walk in " beach goers " has really gotten out of control . There are cars parked up both sides of back road, people parking in front of houses up the side streets ... I have a residential beach sticker yet couldn't get into the parking lot , not because the parking lot was full , but because the beach was wall to wall filled with all the walk ins that don't want to pay to park.. not to mention going down the following day after this weekend and there was litter everywhere. I know it's been an issue for a while in this neighborhood but it seems like the problem is way out of control.. I'm hoping the town can make some changes to resolve some of these issues.

Thankyou

Sent from my iPhone

Rodney C. Collins

From: Laura Barrows
Sent: Monday, July 20, 2020 9:22 PM
To: Rodney C. Collins
Subject: Johns Pond Beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

We have lived in the Briarwood neighborhood since 2000

Johns Pond Beach has been such a beautiful place to relax and enjoy nature. The new playground and picnic area have made things even better. Last year we started to observe many non residents at the beach. It was much busier than in previous years. The parking lot wasn't full, but the beach and picnic areas were. There were many cars parked along Back Road and throughout the neighborhood. This happened on the weekends, especially on Sundays. This year, 2020, the number of cars and non residents has increased. In the mornings, by 7:30 am the beach is already busy. Several cars park in front of gate, blocking access to Johns Pond Conservation area. Cars are driving to the parking lot and unloading passengers and belongings. The cars drive back to park along Back Road or in the neighborhood. The usually quiet Back Road is now very busy and unsafe to walk along, due to cars parking on both sides. You have to walk in the street. Sunday afternoon, July 19 there were 86 cars parked along Back Road. They were parked on both sides on the road. Our concerns are for the safety of everyone. The posted signs regarding social distancing are not being followed. People joke saying it's a big Covid-19 party. It's not a laughing matter. Local residents with beach stickers are turned away, not because of lack of parking in the lot, because there are too many people occupying the Johns Pond beach. The beach, playground and roads are littered with trash after these gatherings. Please take actions to rectify this situation. The action we would like to see implemented is to place no parking signs along Back Road. Cars in violation should be ticketed and towed. Additionally a limit should be placed on the amount of people walking into the beach.

Thank you for your help in this matter.

Reginald Barrows

Laura Barrows

Sent from my iPhone

Rodney C. Collins

From: Brad King
Sent: Monday, July 20, 2020 9:24 PM
To: Rodney C. Collins
Subject: Mashpee town beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Dear Mr. Collins,

I'm writing about a situation that has been getting worse year by year & even worse week by week this year. My wife & family went to the town beach on John's Pond. We were turned away as the beach was full to capacity. I was confused, there were only about 25 cars in the parking lot. I walked in to check it out and found about 400 people cooking bbq swimming, drinking & partying. We have been residents of Mashpee since the early 1990s. My concern as a resident, taxpayer & permit holder, is that we can't go to a town facility because it's full to capacity by non paying residents. Most people are walk in. Several years ago, the campground complained & had no parking signs installed along back road. Now the problem is flowing into our neighborhood. Not only can we not use our beach, but we have non residents parking in front of our houses so they can walk into the town of Mashpee beach for free.

In my option, the town beach should be a town beach. This is especially important during this time of Covid 19 when social distancing is most import to protect our residents.

Thank you for your attention in this matter.

Kind Regards,
Brad & Pam King

Mashpe MA 02649

Sent from my iPhone

Rodney C. Collins

From: goldman
Sent: Wednesday, July 22, 2020 7:02 AM
To: Rodney C. Collins
Subject: Back Road

WARNING! EXTERNAL EMAIL: This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Town of Mashpee

Every summer back road is lined with vehicles to walk to the beaches, John's pond and town beach, and every year it gets worse and worse. The tail end of vehicles are sticking out into the roads so you have to stop to let cars go by and people parking inches from the fire hydrants, all of this is unsafe for so many reasons.

The dangerous parking up and down back road are unsafe as is, there is no social distancing happening at ALL, the parking lot is empty but beach is full beyond capacity. Everytime we are out on the water, you cant even see a foot of sand it's so busy, and no-one is masked at all. We travel on back road everyday living off of it, and I have many friends and family who live on hoopshole and ashumet and they have to place signs up so they stop parking on the properties. I totally understand trying to get to the beach with friends and family but not if it's taking advantage of the town and all the families that work hard to stay safe and healthy. I hope there is something that can be done, no parking signs etc.

Thank you for your time,

Courtney Goldman

Rodney C. Collins

From: Mary Pierce
Sent: Wednesday, July 22, 2020 2:36 PM
To: Rodney C. Collins
Subject: Johns Pond Beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Dear Mr. Collins,

I have complained to the police twice on Sunday evenings about the noise coming from the town beach on Johns Pond. I am a seasonal resident at Johns Pond Village (Campground). I also understand that the trash left in the town park is a problem. The parking on Back Road near Hooppole Road has been a problem as well.

I have a few suggestions that may help:

- 1) No parking on Back Road or Hooppole Road (Enforced with towing)
- 2) When the parking lot at the beach is full do not allow any more people into the park
- 3) No walk-ins to the town beach (unless they can prove they live within walking distance)
- 4) Closing the gate at dusk and reopening at 9:00 am everyday
- 5) Have a police presence for the next few weekends

I realize that there is a cost to the town to do many of the above. But in the long run, it may save the park and the costs to cleanup.

Sincerely,
Mary Pierce

Mashpee, MA 02649

Natick, MA 01760

Rodney C. Collins

From: amanda considine
Sent: Wednesday, July 22, 2020 2:56 PM
To: Rodney C. Collins
Subject: Johns Pond beach / picnic area

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hi there,

I was wondering if there is anything being done about the overcrowding of our town beach & picnic area on weekends. I am a resident at Johns Pond Village, Over the past few weeks there have been upwards of 50+plus cars parking all along the base road and back road, with a lot of out of state & town people walking down our road to access the town beach. I believe they are able to access the entire beach / picnic area without paying since they are allowed to simply walk in. The music is very loud & some of the vehicles speed & race up and down the road. I think it is dangerous allowing so many out of town people to be in the picnic area with our children and no supervision.

Thank you,
Amanda Robitaille

Rodney C. Collins

From: Mary K. Bradbury
Sent: Wednesday, July 22, 2020 3:58 PM
To: Rodney C. Collins
Subject: Fw: [Town of Mashpee MA] Beach access with sticker. (Sent by Jean P.)

Mary K. Bradbury | Recreation Director
Recreation Department
520 Main Street, Mashpee, MA 02649
Office: 508.539.1416 | Fax: 508.419.1161



Notice: This communication is intended for the listed recipient only. If you have received this in error, it may be unlawful and prohibited to retain, reproduce or disseminate this message. Please reply to sender if you have received this message in error and delete it with any attachments. Warning: The content of this message and any response may be considered a Public Record pursuant to Massachusetts General Law.

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com> on behalf of Contact form at Town of Mashpee MA <cmsmailer@civicplus.com>
Sent: Monday, July 20, 2020 7:15 PM
To: Mary K. Bradbury <MBradbury@mashpeema.gov>
Subject: [Town of Mashpee MA] Beach access with sticker. (Sent by Jean P.,

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello mbradbury,

Jean P. has sent you a message via your contact form
(<https://www.mashpeema.gov/user/417/contact>) at Town of Mashpee MA.

If you don't want to receive such e-mails, you can change your settings at
<https://www.mashpeema.gov/user/417/edit>.

Message:

Hi Ms. Bradbury. I hope you are the correct person to contact for this issue. I own property in Mashpee and also purchased a beach sticker from the Town. Yesterday, at approx. 12pm, my family and I went to John's Pond Park (3 of us in total). Unfortunately, we were turned away due to the park having reached it's maximum capacity. The parking lot, however, had about 10 cars parked in the lot. This tells me there were 10 groups of people with the appropriate beach sticker. The rest of the people there were obviously not Mashpee residents who walked in to the beach. As always, there were many, many cars parked along the road leading to the pond and several cars were actually

parked in a small nook right by the actual entrance of where the beach attendant tent stands. The beach did have a lot of people using it, but, these people were not Mashpee residents. In normal times, this would not have been an issue and we would not have been turned away, but, due to COVID19, I understand and appreciate the need to control the number of people in a particular area. Having said that, I see there are attendants at the entrance. I see there are lifeguards on hand. I see the trash containers, the sanitary facility and the general well kept appearance of the pond/park. Since approximately 90% of the people who used the beach yesterday were non-residents and we who are tax payers and have purchased a sticker were not allowed in, it seems our tax dollars and revenue from the beach stickers are carrying the financial burden for non-Mashpee residents to have free access (while they park their cars on the street at no charge) to the beautiful amenities offered in the town of Mashpee. Is there a solution to this problem or is the Town going to continue to allow non-residents full free use of beaches while residents are turned away during the pandemic? I would appreciate your response and any insight you have to offer. Hope you are well and staying safe. Thank you!

Rodney C. Collins

From: Mary K. Bradbury
Sent: Wednesday, July 22, 2020 3:58 PM
To: Rodney C. Collins
Subject: Fw: [Town of Mashpee MA] Johns Pond (Sent by Donna Hines, ...)

Mary K. Bradbury | Recreation Director
Recreation Department
520 Main Street, Mashpee, MA 02649
Office: 508.539.1416 | Fax: 508.419.1161



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From: cmsmailer@civicplus.com <cmsmailer@civicplus.com> on behalf of Contact form at Town of Mashpee MA <cmsmailer@civicplus.com>
Sent: Monday, July 20, 2020 3:29 PM
To: Mary K. Bradbury <MBradbury@mashpeema.gov>
Subject: [Town of Mashpee MA] Johns Pond (Sent by Donna Hines,

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Hello mbradbury,

Donna Hines () has sent you a message via your contact form (<https://www.mashpeema.gov/user/417/contact>) at Town of Mashpee MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.mashpeema.gov/user/417/edit>.

Message:

Concerned about non resident parking on entrance roads to Johns Pond. Non residents being allowed to walk in before Mashpee residents with beach stickers allowed to park. Yesterday, the parking lot was only one quarter full and I was refused entrance because of the crowds on the beach, picnic areas and woods. After seeing the crowd, I would not have entered anyway. Looked like a breeding ground for COVID. No masks, no social distancing and large groups together. Can anything be done.

Rodney C. Collins

From: Doreen Machado
Sent: Wednesday, July 22, 2020 5:03 PM
To: Rodney C. Collins
Subject: Town Beach Mashpee John's Pond

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Town Manager

I've been at Otis Village for almost 20 years and over the past few years the Town of Mashpee's public beach is getting worse and worse. It's completely out of control.

Sunday 7/19/20 by 7am the music was so loud I thought it was a Radio Station and I called the police to see what time the beach opened. . I took a quick drive over to the public beach and cars were parked on the side of road

By Moody's pond already and in the parking lot. Tents, people and music coming off the beach and the grassy area and it was not even 7:30 am.. No Town employees were there and the gate had been left open

Once again. By mid-morning the street Hooppole and Back Rd had 50 to 75 cars parked along the airbase area.

This beach is not being monitored or maintained. There is food , garbage and human waste being left everywhere. The wooded area is being used as a public bathroom with toilet paper etc. being left behind.

As a seasonal resident of Mashpee, I have to pay to get a beach sticker and sometimes to park. Why are all these people from out of town getting to use the same area for free and then be allowed to be this disruptive and dirty.

I think this beach area needs to be addressed. I can't believe that the Town and the Board of Health is allowing this to continue.

I appreciate your time and any efforts that could be done to resolve this ongoing beach area.

Thank you

Doreen Machado, CASR

Rodney C. Collins

From: Kristen Ferguson
Sent: Wednesday, July 22, 2020 5:33 PM
To: Rodney C. Collins
Subject: Johns pond beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good afternoon,

I am a resident of John Pond Village. We are having a huge problem with the influx of Massachusetts Tax paying citizens using the town beach and spilling over onto our private beach. On the first bad weekend 6/27. 72 cars on Hoophole and Back Rd. I phoned police they responded. Next day I called back the police and asked what is going to be the plan with the holiday weekend coming. Was told that as long as emergency vehicles can pass that the cars would be able to park there. Also called Recreation Dept. asked how many life guards on duty was told usually 2. Told the Rec Dept. That is not enough. These people are not watching there kids. I sit at beach and just watch. I also grabbed the Harbor master on patrol the next day and asked what the plan is for all the jet skis this year parking and temporarily mooring there boats by the herring run. (which was fixed in front from erosion from jet ski owners tromping on the banks of the pond.) Was told they are keeping an eye on it. So now we come to last Sunday 7/19 I got up early 7 am went for a sit at my private beach. Imagine my surprise that at 0715 the music starts blasting from down at the town beach that is attached to our private beach. I just went home. When I left my house at 830am there where 20 cars already parked in Hoophole Rd and Back Rd. When I arrived home at 12 there where 82 cars parked on Hoophole and Back Rd. And probably another 40 in the Briarhood neighborhood. There is NO SOCIAL DISTANCING and no MASKS. They are leaving trash I picked up garbage along my roads and at the beach (dirty diapers, beer bottles and caps etc) Please please put no parking signs on our roads, a police detail needs to be at the parking lot during the hours from 7- to closing of the beach. If they don't want to social distance then they have to leave. I think we need to solve this by using the COVID-19 guidelines. Only 10 people per spot. Put posts on beach where people will sit to be far enough away from ea other. Once full then no one else is allowed to come to beach. No walking o to beac Until a spot opens. These beach goers are going early staying late. We also need to LOCK the gate at night. I am willing to volunteer to lock gate at night. Only have gate open when someone is sitting there.

I hope this helps resolve this problem that just seems to be getting worse.

Thanks
Kristen Ferguson

Mashpee, Ma

Sent from Yahoo Mail for iPhone

Rodney C. Collins

From:
Sent: Wednesday, July 22, 2020 9:55 PM
To: Rodney C. Collins
Subject: Johns Pond public beach

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Good Evening,

I am writing to you with the hope that something can be done by the town to manage the situation at the Johns Pond public beach. I have been a seasonal resident of Johns Pond Otis Trailer Village for over 7 years. I have always enjoyed my summer stays in the lovely, family friendly town of Mashpee. That is until this summer. I routinely walk my dogs down Back Road several times a day. I have noticed that many of the no parking signs were laying on the side of the road during the month of June. I thought this had to be vandalism and was disappointed. Now I understand why they were knocked down.

Lately, there are at least 50 cars parked on the road on the weekends with numerous people walking down to the public beach. This weekend the cars stretched all the way to the fenced in area of Otis. This is crazy to me. Not only is it a security threat for Otis base but a dangerous hazard for people walking or biking the road. This past weekend really made me angry when I had to yank my dogs out of the way of a speeding car to avoid being hit. I don't understand why all of these cars aren't being ticketed to possibly deter the parking. The town loses quite a bit of beach parking revenue from all of these people who are unwilling to pay for parking. I can barely get by the cars jammed in front of the wooded area before the public beach.

This is beyond a nuisance, it is dangerous to be a pedestrian. It is also dangerous because of the COVID pandemic to have the number of people that are at the beach. They have begun trespassing on our Campground's private beach. We pay quite a bit of money to the campground to be able to feel secure and comfortable there. Something has to be done. Please at least come out on a Saturday and Sunday and take a look at this dangerous situation. Thank you for your time.
Eileen Wilson

Sent from my iPhone

Rodney C. Collins

From: ALBERTA & John QUILL
Sent: Thursday, July 23, 2020 8:37 AM
To: Rodney C. Collins
Subject: John's Pond

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Dear Mr. Collins,

My husband and I have enjoyed our camper at John's Pond since 2006. At that time, a resident sticker was required to park at John's Pond.

At some time after 2006 day passes were available for \$15.00/car. People abused the privilege of being able to enjoy this lovely area for the day.

Trash barrels were overflowing, open alcohol use was rampant, fires were burning in the wooded area between the campground beach and the Mashpee beach, and the parking lot was full on weekends. On a warm weekend in July of 2016, we observed that not only was the beach overrun with folks not following beach rules but no employees were at the gate checking stickers/collecting the daily fee. Also, there was not one lifeguard.

We reported this behavior to Mashpee management only to be told that "these people have a right to be here." They did, but they should have had to pay the daily fee and observe beach rules. Believe me, it was a total free-for-all at the beach. Open drunkenness, bringing jet skis onto the beach, etc.

Finally, in 2018 day passes were discontinued but the precedent had been established. People parked on Hooppole Road and dropped off their gear at the beach.

John's Pond is a lovely spot for families to enjoy in the summer. Unfortunately, past disregard for beach rules has caused a serious problem.

Suggestions: 1. Gate should be locked on Friday and Saturday evening and not opened until the folks checking stickers arrive.

2. No parking on Hooppole Road. If possible, a police officer is needed to enforce no parking. Also no parking on Back Road. There are some no parking signs on Back Road but folks park off the road into the wooded area.

Alberta and John Quill

Mashpee, MA

Delores Filleti-Nemet

Mashpee, Ma.02649

July 23, 2020

To whom it may concern,

Please allow this letter to serve as our complaint of discernment against the residents of the Mashpee area, particularly the residents on or around the Johns pond area/town beach.

We have contacted the authorities on numerous occasions over the last couple of month and have not received any response or direction in what to do about the unauthorized use of the town beach and its facilities.

As you are aware the residents are required to pay taxes, purchase beach passes, follow boater's rules and regulations and refrain from causing harm or injury to persons, places and things. Collectively we have adhered to all of these rules and regulations and we take pride in our community.

With that being said I've highlighted some of our safety/monetary concerns:

Non-resident or beach pass holders arriving to the town beach before 6:30 am they are dropping off large groups of people (no social distancing) water crafts, jet skis, boats, then parking on both sides of the streets from the town beach down to the water tower. When the beach pass holders arrive there is no place for them to park.

Defecating and changing in the woods/sanitation concerns

Dumping hot charcoal /fire concerns

Trash and uneaten food is being left on the beach and the barbecue area/disease and rodent concerns

Cars, boat trailers, Jet ski trailers are parked and being pushed into the woods; this is blocking cyclist, dog walkers and others from safely using the area for recreation purposes./safety concerns

Residents have been approached on numerous occasions asking if we could drive them to the beach offered money and when they were told no they become belligerent./security concerns

Boaters have driven into the swim area (Sunday the 19th of July there was a pontoon boat in the swim area just cruising) this is not unusual, Jet ski drivers are younger adolescents and are not following boaters rules , traveling extremely close to kayakers, spraying boaters and pulling up to the private docks./danger concerns

Music/ fireworks are so loud in the mornings and evenings that our older residents and pets, along with anyone who suffers from PTSD are suffering immensely./health concerns

Ignoring private property signs and when approached (Saturday the 11th of July) the adults stated "we will leave now but we will be back in an hour on your beach, and there is nothing you or anyone else can do.

Personal property has to be closely monitored due to the fact that many kayaks and other smaller things have gone missing and or destroyed.

Loitering has become an every weekend concern.

Before I close this letter I wanted you to know that it has become unsafe, uncomfortable and dangerous to all persons who reside/ vacation, in the Mashpee/Johns pond area. We feel that it has become a form of discrimination for residents/vacationers to pay for beach use, pay taxes and abide by rules.

Respectfully

Delores Filleti-Nemet

Chris R. Nemet

Rodney C. Collins

From: Vickie Piacentini
Sent: Thursday, July 23, 2020 12:42 PM
To: Rodney C. Collins
Subject: Back Road, Mashpee, MA public beach
Attachments: ltr to mashpee regarding beach.docx

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system. DO NOT CLICK on links or attachments unless you are absolutely certain the content is safe.

Sir/Madam, attached is my letter with concerns with the public beach on Back Road, Mashpee, MA.

Thank you.

Vickie Piacentini

Richard and Vickie Piacentini

Mashpee, MA

To whom it may concern,

Please allow this letter to serve as our complaint of discernment against the residents of the Mashpee area, particularly the residents on or around the Johns pond area/town beach.

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As you are aware the residents are required to pay taxes, purchase beach passes, follow boater's rules and regulations and refrain from causing harm or injury to persons, places and things. Collectively we have adhered to all of these rules and regulations and we take pride in our community.

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Loitering has become an every weekend concern.

Before I close this letter I wanted you to know that it has become unsafe, uncomfortable and dangerous to all persons who reside/ vacation, in the Mashpee/Johns pond area. We feel that it has become a form of discrimination for residents/vacationers to pay for beach use, pay taxes and abide by rules.

Respectfully,

Richard and Vickie Piacentini

W0# 2320591



385 Myles Standish Blvd
Taunton, MA 02780

June 11, 2020

Town of Mashpee
Board of Selectmen
16 Great Neck Road North
Mashpee, MA 02649

Dear Board of Selectmen,

Attached is a petition MA2020-25 for VERIZON NEW ENGLAND, INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY to relocate two jointly owned poles 300/2 & 300/3 on Great Hay Rd North in the Town of Mashpee, Massachusetts as shown on the attached plan.

Would you kindly consider this petition and return the executed copies.

Yours truly,

A handwritten signature in cursive script that reads "Daryl Crossman".

Daryl Crossman
Manager Rights of Way
(774) 409-3191 - Office
daryl.crossman@verizon.com - Email

2020 JUL -6 PM 1:52

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

June 11, 2020

To the Board Selectmen

in **MASHPEE**, Massachusetts

VERIZON NEW ENGLAND INC. and NSTAR Electric Company D/B/A Eversource Energy request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners. along and across the following public way or ways:

Great Hay Road North:

Relocation of one (1) JO pole 300/2, on the easterly side of Great Hay Road North to a point 11' easterly from its existing location, and relocate one (1) pole 300/3 on the easterly side of Great Hay Road North to a point 9' easterly from its existing location.

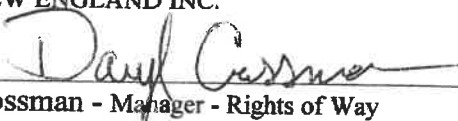
This pole placement is necessary for to accommodate the town requested road widening.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. **MA2020-25**
Dated **April 10, 2020.**

Also, for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By 
Daryl Crossman - Manager - Rights of Way

Dated this 11 day of JUNE, 2020

NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

By 
Right of Way Representative

Dated this 24 day of June, 2020.



PETITION PLAN

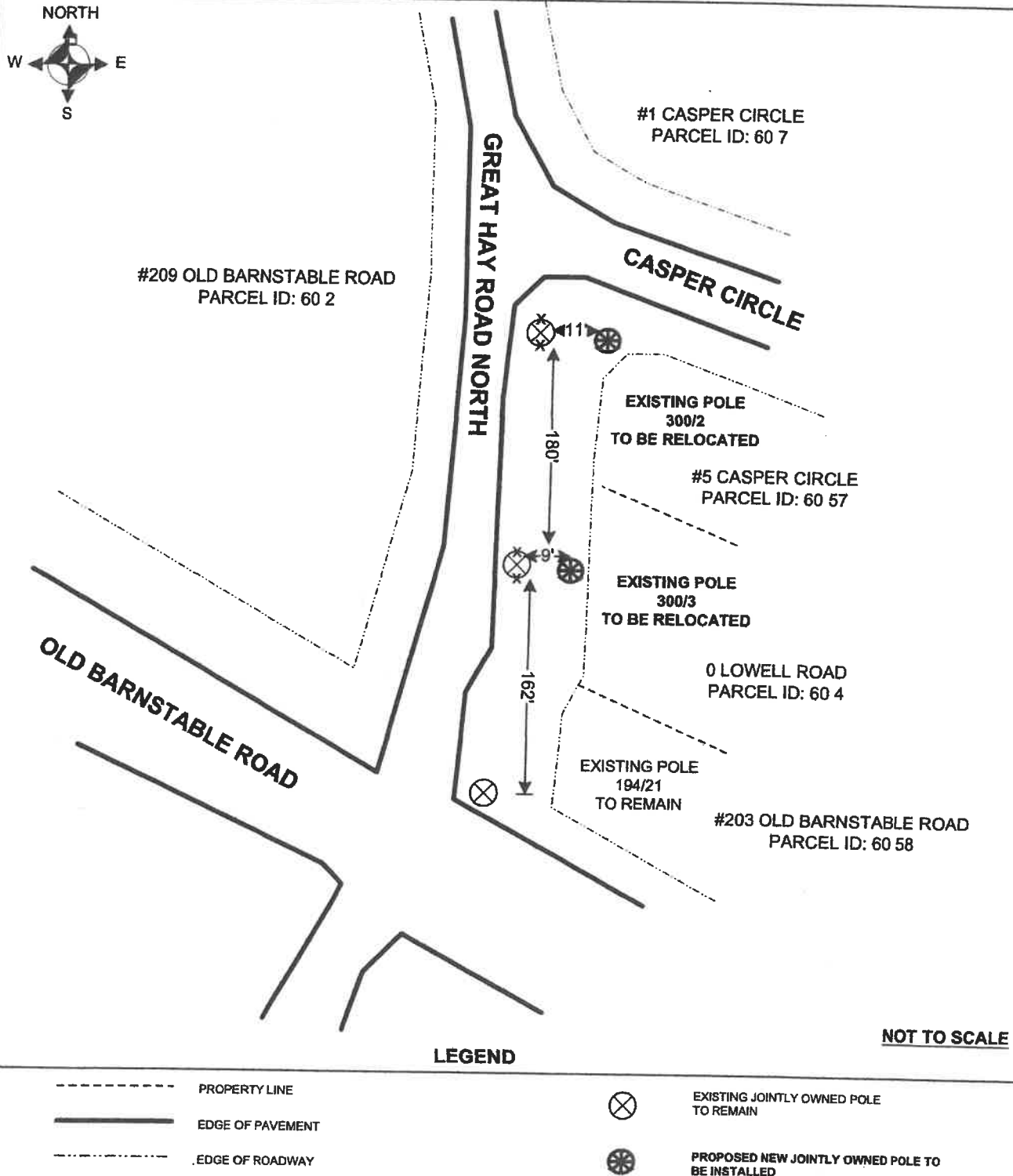
MUNICIPALITY MASHPEE

VZ. N.E. INC. NO. MA2020-25

VERIZON NEW ENGLAND, INC AND
NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

DATE : APRIL 10, 2020

SHOWING PROPOSED RELOCATION OF TWO EXISTING POLES ON GREAT HAY ROAD NORTH



ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Board of Selectmen of the Town of MASHPEE, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY, d/b/a EVERSOURCE ENERGY 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 anchors guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way or ways hereinafter referred to, as requested in petition of said Companies dated the 10th day of April, 2020.

Great Hay Road North:

Relocation of one (1) JO pole 300/2, on the easterly side of Great Hay Road North to a point 11' easterly from its existing location, and relocate one (1) pole 300/3 on the easterly side of Great Hay Road North to a point 9' easterly from its existing location.

This pole placement is necessary for to accommodate the town requested road widening.

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-VZ N. E. Inc. No. **MA2020-25** in a package Dated **April 10, 2020** - filed with said petition.

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

Great Hay Road North
2 JO poles to be relocated

Also, that permission be and hereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires 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 MASHPEE, Massachusetts held on the _____ day of _____ 2020.

Selectmen's Clerk

We hereby certify that on _____ 2020, at _____ o'clock _____ m., at the _____ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY 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.

Board of Selectmen of the Town of MASHPEE, 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 for the Town of MASHPEE, Massachusetts, on the _____ day of _____ 2020, 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 MASHPEE

OFFICE OF SELECTMEN

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone - (508) 539-1401
bos@mashpeema.gov

Abutter's Letter

July 13, 2020

Mashpee Affordable Housing Trust
16 Great Neck Road North
Mashpee, MA 02649

Re: Notice of Pole Hearing – July 27, 2020 – 8:30 am
South Cape Meeting Room, Mashpee Town Hall

Notice is hereby given that a Public Pole Hearing (Pole Relocation) will be held at 8:30 a.m. on Monday, July 27, 2020 in the South Cape Meeting Room at Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA. This hearing will address a request of Verizon New England, Inc. and NStar Electric Company dba Eversource Energy, Petition/Plan #MA2020-25 dated April 10, 2020 from Verizon New England, Inc. and NStar Electric Company (dba Eversource Energy) proposing to relocate one (1) JO pole 300/2, on the easterly side of Great Hay Road North to a point 11' from its existing location, and relocate one (1) pole 300/3 on the easterly side of Great Hay Road North to a 9' point from its existing location.

This relocation is necessary to accommodate town requested road widening.

If Town Hall remains closed on July 27, 2020 due to the Covid – 19 pandemic, abutters may participate in the hearing by calling (508)539-1449.

Sincerely,

Terrie M. Cook
Administrative Assistant to the Town Manager

Encls: Petition Plan Map

**TOWN OF MASHPEE
MASHPEE HIGH SCHOOL
500 OLD BARNSTABLE ROAD
MASHPEE, MA 02649
ANNUAL TOWN MEETING
MONDAY, OCTOBER 19, 2020**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 19th day of October 2020 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

Article_

To see if the Town will vote to rescind the authority to issue the following un-issued balances of authorized bonds or notes pursuant to the votes adopted under the following articles to the extent not previously exercised, or take any other action relating thereto.

Submitted by the Town Treasurer

Town Meeting	Article #	Balance	Purpose
May 2, 2016	9	\$605,856.00	Chapter 90 / 2017
May 1, 2017	19	\$602,807.00	Chapter 90 / 2018
May 4, 2015	28	\$100,186.35	Saddleback Road
May 1, 2017	36	\$ 22,299.00	Emma Oakley Mills -Roadway
October 17, 2017	30	\$ 3,170.35	Windsor Way Roadways

Explanation: This article is for the purpose of rescinding loans authorized for capital projects that have been completed. This will enable the Town Accountant to remove the un-issued balances.

The Board of Selectmen recommends approval of Article _ by a vote of

The Finance Committee recommends approval of Article _ by a vote of

Article_

To see if the Town will vote to appropriate and transfer pursuant to the provisions of M.G.L. Chapter 44B, §6 to Reserve from the FY 2021 estimated Community Preservation revenues, the following amounts:

\$161,393	10% for Open Space/Recreational Purposes
\$161,393	10% for Historic Preservation Purposes
\$161,393	10% for Affordable Housing Purposes
\$1,089,748	to the FY 2021 Community Preservation Fund Budget for Appropriation Reserve as recommended by the Community Preservation Committee,

or take any other acting relating thereto.

Submitted by the Community Preservation Committee

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Explanation: This article is required annually to set aside the 10% Reserves of the estimated Community Preservation Funds for Open Space/Recreation Purposes, Historic Preservation Purposes and Affordable Housing Purposes and to fund the Budget for Appropriation Reserve. The total FY21 appropriation to the 10% Reserves and Budget for Appropriation Reserve is \$1,573,927.

Placesavers Contract Settlements:

Article _

To see if the Town will vote to appropriate and transfer the sum of \$_____ from revenue available for appropriation to fund the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit A – Administrators, effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit A – Administrators for Fiscal Year 2021.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to appropriate and transfer the sum of \$_____ from revenue available for appropriation to fund the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit B – Administrators, effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit B – Administrators for Fiscal Year 2021.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to appropriate and transfer the sum of \$_____ from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A; effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A for Fiscal Year 2021.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to appropriate and transfer the sum of \$_____ from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B; effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B for Fiscal Year 2021.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to appropriate and transfer the sum of \$28,000 from the Waterways Improvement Fund to the Engineering/Permitting/Dredging and Associated Expense Account for the purpose of performing Channel Dredge Surveys for the 1916 Channel and the Popponesset Inner Channel. (Highlighted may be eliminated)

Submitted by the Waterways Commission

Explanation: This will provide funds for services for items such as the Channel Dredge Surveys for the 1916 Channel and the Popponesset Inner Channel that will no longer be included in the standard Barnstable County Dredge Contract.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to adopt the following in the Town of Mashpee Bylaws:

The purchase by the Town of Mashpee 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, as but no later than July 1, 2021. (Proposed date)

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 Mashpee residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.

Submitted by the Board of Selectmen

Explanation: Plastic bottles are a by-product of the fossil fuel industry; they do not biodegrade and can last forever. Their production emits toxic waste into the air, and chemicals from plastic can leach into our

beverages. After plastics are discarded, they pollute the air via incineration, contaminate groundwater through landfills, as well as harm to our oceans, beaches, roadways, and wildlife. Recycling is of little help and does not eliminate or reduce our dependence on plastic. The hazardous effects of plastics are far more costly than indicated by price. They affect our immediate and long-term well-being.

The rationale for this Municipal Plastic Bottle Ban rests on the assumption that government is established to protect the welfare of the people it governs. Plastic bottles are made of non-renewable fuels, leach chemicals into consumables and never biodegrade. Plastic bottles impact environmental health and longevity of other species who may ingest plastics as food.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article_

To see if Mashpee will join towns across Cape Cod in an effort to respond to a shared sense of climate emergency, based on data and warning from the scientific community. Across Cape Cod, many acknowledge that climate change is a dire threat to our well-being that demands immediate attention. Passage of the article will indicate that the residents and government of Mashpee are committed to expeditiously reducing net greenhouse gas emissions to zero by further reducing energy consumption as well as by supporting and instituting efforts to wisely manage our land, biodiversity, and natural resources to reduce the town's vulnerability to climate change, or take any other action thereto.

Submitted by the Board of Selectmen

Explanation: Because of threats to our health, safety, and economic security, Mashpee's communities, service organizations, government representatives, officers, and departments have already taken many leading steps toward mitigating the environmental conditions that cause decreasing biodiversity, global warming, melting ice sheets, rising sea levels, acidifying oceans, damaging storms, intensifying heat waves, and raging fires, but CO2 levels in Earth's atmosphere have already risen above the acceptable 350 ppm to 415 ppm. As a member of 350 Cape Cod, this petitioner urges Mashpee's residents, communities, elected representatives, and town employees to join in spirit and action with the residents of other Cape Cod towns to prudently facilitate this article's objectives.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to appropriate and transfer the sum of \$28,000 from the Cemetery Reserve Receipt Account to the FY21 Cemetery Operating Expense Account, or take any other action relating thereto.

Submitted by the Cemetery Commission

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Explanation: This article will transfer funds collected from the sale of cemetery plots in Great Neck Woods Cemetery to the expense budget for use for purchase of additional columbariums for interment of cremated remains.

The Board of Selectmen recommends approval of Article_ by a vote of
The Finance Committee recommends approval of Article_ by a vote of
Article_

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain a portion of a certain parcel of lands identified as follows:

SEE SPREADSHEET FOR SPECIFIC PROPERTIES

as shown on a plan entitled ... dated ... prepared by Stantec Consulting Services Inc. for road and utility purposes, to authorize the Board of Selectmen to raise and appropriate, borrow or transfer from available funds any sum that may be necessary for such purchase or taking, and further, to authorize the Board of Selectmen to execute any agreements, documents or instruments necessary to effect said acquisition upon such terms and conditions as they deem to be in the best interest of the Town, or take any other action relating thereto.

Submitted by the Department of Public Works

Explanation: This article authorizes the acquisition of a portion of the properties, temporarily or permanently, for completion of the Route 151 Corridor Improvement Project. The project limits are James Circle to the Frank E. Hicks Drive/Job's Fishing Road intersection. Improvements will include:

- Extension of the existing multi-use path on the north side of the road from Old Barnstable Road to James Circle;
- Construction of a sidewalk on the south side of the road from Job's Fishing Road to Winslow Drive;
- Reconfiguration of intersection/upgrade of traffic signals at Old Barnstable Road and at Frank E. Hicks Drive/Job's Fishing Road;
- Provision of left turn lanes at Algonquin Ave and a center turn lane from Ninigret Ave to Old Brickyard Rd;
- Improvement of drainage along the corridor;
- Repaving of the road.

Construction of the project is scheduled from 2021 – 2023 (stopping seasonally during the summer months). Construction is being funded through State and Federal monies.

The Board of Selectmen recommends approval of Article_ by a vote of
The Finance Committee recommends approval of Article_ by a vote of

Article_

To see if the Town will vote to amend Chapter 106, Section 8 of the General Bylaws as follows:

Replace the language in Subsection C.2. with the following:

- c. A determination shall be made by the Committee that the application may be approved, that the application may be approved subject to certain specified conditions or changes, that the application shall be denied for certain specified reasons or that additional specific information is required. Unless an extended review period is agreed to in writing by the applicant failure to make said determination within 21 days shall be considered an approval with no conditions or changes.
- d. Any decision of the Committee shall be filed thereafter with the Building Inspector and recorded with the Town Clerk. In those cases where the Committee is acting in an advisory capacity to the Planning Board or Zoning Board of Appeals regarding a Special Permit application, the Committee shall forward its determination forthwith to said Board. The determination of the Committee will not substitute for, or otherwise eliminate the need for, any permits required under other provisions of the chapter or required from the departments or Boards represented by the members of the Committee.

Submitted by the Planning Board

Explanation: This article is a housekeeping article that will update the Town's plan review procedures relative to most management practices for stormwater for compliance with its MS4 General Permit issued by the Environmental Protection Agency.

The Board of Selectmen recommends approval of Article _ by a vote of
The Finance Committee recommends approval of Article _ by a vote of

Article _

To see if the Town will vote to amend Section 174-27.2 Stormwater Management as follows:

- A. For any new residential or non-residential development or redevelopment requiring either subdivision approval, a Special Permit, plan review under the provisions of §174-24.B., or a Building Permit for a building over one thousand (1000') square feet in area a system of stormwater management and artificial recharge of precipitation shall be required which is designed to achieve the following purposes: prevent untreated discharges to wetlands and surface waters, preserve hydrologic conditions that closely resemble pre-development conditions, reduce or prevent flooding by managing the peak discharges and volumes of runoff, minimize erosion and sedimentation, not result in significant degradation of groundwater, reduce suspended solids, nitrogen, phosphorous, volatile organics and other pollutants to improve water quality, and provide increased protection of sensitive natural resources, and encourage stormwater Low Impact Development (LID) planning and development strategies to the extent feasible.
- B. These standards may be met using the following or similar best management practices:
 - 1. For compliance with the Performance Standards of this By-Law, the design of treatment and infiltration practices must meet the current Massachusetts Department of Environmental Protection's Stormwater Management Standards and document compliance based on the Stormwater Handbook as amended, or other federally or State approved BMP design guidance. Projects must also comply with the Post-Construction Stormwater Management Requirements of the current Small MS4 General Permit, whichever is more stringent, using appropriate Stormwater Best Management Practices

2. For new single or two-family residences, recharge shall be attained through site design that incorporates natural drainage patterns and vegetation in order to maintain pre-development stormwater patterns and water quality to the greatest extent possible. Stormwater runoff from rooftops, driveways and other impervious surfaces shall be routed through vegetated water quality swales, as sheet flow over lawn areas or to constructed stormwater wetlands, sand filters, organic filters and/or similar systems capable of removing nitrogen and phosphorous from stormwater.
3. For new subdivision roadways or for lots occupied or proposed to be occupied by uses other than single or two-family homes, a stormwater management plan which; (a) utilizes site planning and building techniques including LID planning and development strategies, such as minimizing impervious surfaces and disturbance of existing natural areas, pervious reserve or overflow parking areas, multi-level buildings, parking structures, "green roofs" and storage and re-use of roof runoff, to minimize runoff volumes and the level treatment required to reduce contaminants, (b) minimizes erosion and runoff from disturbed areas during construction and (c) provides for the following:
 - i. Artificial recharge or precipitation to groundwater through site design that incorporates natural drainage patterns and vegetation and through the use of constructed (stormwater) wetlands, bioretention facilities, vegetated filter strips, rain gardens, wet (retention) ponds, water quality swales, organic filters or similar-site-appropriate current best management practices capable of removing significant amounts of nitrogen and other contaminants from stormwater. Said stormwater treatment facilities shall be designed and sized to retain up to the first inch of rainfall from their catchment area within the area designed for nitrogen treatment, before any overflow to subsurface leaching facilities and otherwise meet the Stormwater Management Standards and technical guidance contained in the Massachusetts Department of Environmental Protection's *Stormwater Management Handbook*, as amended, or State-approved BMP guidance, whichever is stricter Volumes 1 and 2, dated March 1997, for the type of use proposed and the soil types present on the site. Such runoff shall not be discharged directly to rivers, streams, other surface water bodies, wetlands or vernal pools. Except for overflow from stormwater treatment facilities as described above and when there are no other feasible alternatives, dry wells shall be prohibited.
 - ii. Except when used for roof runoff from non-galvanized roofs and for runoff from minor residential streets, all such wetlands, ponds, swales or other infiltration facilities shall be preceded by oil, grease and sediment traps or forebays or other best management practices to facilitate control of hazardous materials spills and removal of contamination and to avoid sedimentation of treatment and leaching facilities.
 - iii. All such artificial recharge systems shall be maintained in full working order by the owner(s) under the provisions of an operations and maintenance plan approved by the permitting authority to assure that systems function as designed.
 - iv. Infiltration systems shall be located so that no part of any leaching system is located less than one hundred (100) feet from drinking water wells. Any infiltration basins or trenches shall be constructed with a three (3') foot minimum separation between the bottom of the leaching system and maximum groundwater elevation.
 - v. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of MS4GP part 2.3.6.a.ii.4(a) – (c)fully.

C. The Building Inspector shall require the submission of sufficient plans and specifications to demonstrate the location and nature of proposed stormwater facilities for development under subsection B (1) and shall require their implementation. For development and redevelopment under subsection B (2), the permitting authority shall require the submission of sufficient plans and specifications to demonstrate the location, nature, operation and effectiveness of the proposed stormwater management facilities and practices and shall require their implementation and maintenance, including provisions for deed restrictions and other implementing provisions, as a condition of approval of the proposed development.

No permit may be approved for a development unless the permitting authority determines in writing that the proposed system of stormwater management and artificial recharge will achieve the purposes described in Subsection A.

Submitted by the Planning Board

Explanation: This article is a housekeeping article that will update the Town's stormwater management practices for compliance with its MS4 General Permit issued by the Environmental Protection Agency.

The Board of Selectmen recommends approval of Article by a vote of

The Finance Committee recommends approval of Article by a vote of

Article_

To see if the Town will vote to amend Section 174-41.F Driveway Design as follows:

F. Unless alternate paving is approved by the permitting authority, all parking areas and driveways shall be constructed on a base of not less than eight (8") inches of dense-graded crushed stone or reclaimed asphalt or (12") twelve inches of good binding gravel or other suitable road base material meeting the Massachusetts Standard Specification M 1.03(b), all of which shall be properly shaped and compacted. Subsoil shall be clear of all roots, peat or similar spongy material, clay or other such unsuitable material and shall be excavated and replaced with solid fill as necessary to support the finished surface. All parking areas and driveways required to meet the minimum parking space requirements of §174-39 shall be paved with a minimum of three (3") inches of bituminous concrete, type I, consisting of one and three quarters (1-3/4") inches of binder course and one and one half (1-1/4") inches of surface course, both properly compacted by a ten-ton roller. Where additional overflow parking areas are proposed, the base shall be constructed as above, but alternate materials or grass may be used as a finished surface if approved by the permitting authority"

Submitted by the Planning Board

Explanation: This Warrant Article would update the minimum standards for material thickness of new and redeveloped driveways consistent with engineering best practices today. This article would increase the minimum thickness of the paved surface to a total of three (3) inches from two and one half (2.5) inches of bituminous concrete. The minimum binder course of pavement would increase one quarter (0.25) inches to one and three quarters (1.75) inches and the minimum surface course would increase one quarter (0.25) inches to one and one quarter (1.25) inches. The article further clarifies the standards for suitable base material by citing the Massachusetts Standard Specifications.

The Board of Selectmen recommends approval of Article_ by a vote of

The Finance Committee recommends approval of Article_ by a vote of

Article _

To see if the Town will vote to add the following clause B.6 to Mashpee General Bylaw Chapter 170 §6-B:
6. The use of Personal Watercrafts , including jet-ski watercrafts, surf jet watercrafts, and wet bike watercrafts is prohibited on Ashumet Pond, or take any other action relating thereto.

Submitted by the Department of Natural Resources

Explanation: This Article will add a paragraph to the Town of Mashpee bylaw Chapter 170 §6-B prohibiting the use of Personal Watercraft on Ashumet Pond. The Town of Falmouth has a bylaw with similar wording and the Commonwealth of Massachusetts will not enforce the Falmouth bylaw unless Mashpee has a similar bylaw. The Falmouth and Mashpee town line goes through Ashumet Pond with most of the pond in Mashpee.

The Board of Selectmen recommends approval of Article_ by a vote of
The Finance Committee recommends approval of Article_ by a vote of

THIS CONCLUDES THE BUSINESS OF THE ANNUAL TOWN MEETING

DRAFT #1 OCTOBER 19, 2020 ANNUAL TOWN MEETING

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 14th day of September in the year two thousand and twenty.

Per Order of,
Board of Selectmen

John J. Cotton, Chair

Thomas F. O'Hara, Vice-Chair

Carol A. Sherman, Clerk

Andrew R. Gottlieb

David W. Weeden