

# *Town of Mashpee*

## *Planning Board*

*16 Great Neck Road North  
Mashpee, Massachusetts 02649*

### **Mashpee Planning Board Meeting Wednesday, April 4, 2018 7:00 p.m.**

**Call Meeting to Order:** 7:00 p.m. – Waquoit Meeting Room – Mashpee Town Hall  
Pledge of Allegiance

#### **Approval of Minutes**

Review and approval of February 21, 2017 Minutes

#### **New Business**

Amendment to ANR Plan, 46 Quail Run - Robb Sykes, PLS, Eastbound Land Surveying, Inc.

ANR Plan, 39 Nathan Ellis Highway - Tom Feronti, Mashpee Commons LLC

Discussion of proposed amendment to the Mashpee Zoning By-Law to add §174-17.1, Raze and Replace, at May Town Meeting

Discussion of citizen petition article to release and extinguish a 120% moderate income restriction placed at 37 Center St. (Map36, Parcel 47D)

Discussion of citizen petition article to authorize the Board of Selectmen to purchase an 80% low-income restriction placed at 37 Center Street (Map36, Parcel 47D).

Review and take action on invoice submitted by Charlie Rowley, consulting engineer to the Planning Board, for engineering services.

#### **Old Business**

Mashpee Commons Update: Tuesday Talks - 1<sup>st</sup> Mtg "Housing on the Cape"

Mashpee Commons Update: Tuesday Talks – 2<sup>nd</sup> Mtg " Infrastructure, Public Space, and Systems Planning"

Discussion of design of Country Club Lane intersection with Old Barnstable Road

Performance Bonds Needing Sign off: Peter Hopple and Amy Brown Road

Report on status of Quashnet River Footbridge Project - Site visit and footbridge location

#### **Board Member Updates**

Chairman's Report

Reports from members of Design Review Committee, Community Preservation Committee,

Environmental Oversight Committee, Historic District Commission, MMR Military Civilian Community Council and Cape Cod Commission

#### **Staff Updates**

PB Meeting Communication from staff.

#### **Correspondence**

September 2017 Discharge Monitoring Report for South Cape Village N=7.8

October 2017 Discharge Monitoring Report for South Cape Village N=5.6

November 2017 Discharge Monitoring Report for South Cape Village N=6.40

December 2017 Discharge Monitoring Report for South Cape Village N=5.10

January 2018 Discharge Monitoring Report for South Cape Village N=5.60

February 2018 Discharge Monitoring Report for South Cape Village N=8.00

#### **Waterways**

9 Tulip Shell Way – Templar Holdings, LLC

#### **Additional Topics**

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

#### **Adjournment**



March 30, 2018

Mr. Brian Petrucci, General Manager (via email)  
Southport on Cape Cod Condominium Association  
c/o The Dartmouth Group  
23 Southport Drive  
Mashpee, MA 02649

RE: Southport on Cape Cod, GWDP: 272-4  
Monthly Operations Report – February 2018

Dear Mr. Petrucci:

Enclosed please find the February 2018 Operations Reporting Package for the Southport on Cape Cod wastewater treatment facility located at 3 Southport Drive in Mashpee, MA.

Weston and Sampson Services, Inc. would like to note the following:

- Monthly effluent BOD and TSS samples, collected on February 28, 2018, were reported at 41 and 66 mg/L, respectively; the permissible limit for each parameter is 30 mg/L.
- Monthly effluent Nitrate and Total Nitrogen samples, also collected on February 28, 2018, were reported at 21 and 39.75 mg/L, respectively; the permissible limit for each parameter is 10 mg/L.
- Ongoing construction and repairs to the treatment facility are believed to be inhibiting adequate treatment. At this time, repairs to the roof have been made and process control equipment is being maintained to improve the treatment efficacy of the system.
- All other regulated effluent parameters collected during February 2018 were reported to be within permissible limits.
- Data was filed with MassDEP electronically, via eDEP. A copy of the transaction is included in this package.

If you have any questions or concerns regarding this report, or the wastewater treatment facility, please feel free to contact me at [wsscompliance@wseinc.com](mailto:wsscompliance@wseinc.com).

Regards,

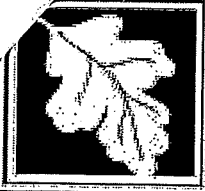
WESTON & SAMPSON SERVICES, INC.



Marianna N. Coombs signing for:

Kenneth Nugent  
Compliance Coordinator

cc: Mr. Christos Dimisioris – MassDEP (via email)  
Mr. Scott Kraihanzel – Weston & Sampson (via email)  
Town of Mashpee – Board of Health  
File – W&S/WWTF



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Groundwater Discharge Program  
**Groundwater Permit**  
DISCHARGE MONITORING REPORT

272  
1. Permit Number  
[REDACTED]  
2. Tax Identification Number  
2018 FEB MONTHLY  
3. Sampling Month & Frequency

### D. Contaminant Analysis Information

- For "0", below detection limit, or not detected, enter "ND"
- For greater than (>) or less than (<) value, enter number only and note greater than (>) or less than (<) in the Comments section.
- TNTC = too numerous to count.
- NS = Not Sampled

| 1. Parameter/Contaminant    | 2. Influent | 3. Effluent | 4. Effluent Method<br>Detection limit |
|-----------------------------|-------------|-------------|---------------------------------------|
| Units                       |             |             |                                       |
| BOD                         | 220         | 41          | 24                                    |
| MG/L                        |             |             |                                       |
| TSS                         | 180         | 66          | 2.0                                   |
| MG/L                        |             |             |                                       |
| TOTAL SOLIDS                | 680         |             |                                       |
| MG/L                        |             |             |                                       |
| AMMONIA-N                   | 46          |             |                                       |
| MG/L                        |             |             |                                       |
| NITRATE-N                   |             | 21          | 0.25                                  |
| MG/L                        |             |             |                                       |
| TOTAL NITROGEN(NO3+NO2+TKN) |             | 39.75       | 0.50                                  |
| MG/L                        |             |             |                                       |
| OIL & GREASE                |             | 2.8         | 0.5                                   |
| MG/L                        |             |             |                                       |

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If you have any questions or concerns regarding this report, or the wastewater treatment facility, please feel free to contact me at [wsscpliance@wseinc.com](mailto:wsscpliance@wseinc.com).

Regards,

WESTON & SAMPSON SERVICES, INC.



Marianna N. Coombs signing for:

Kenneth Nugent  
Compliance Coordinator

cc: Mr. Christos Dimisoris – MassDEP (via email)  
Mr. Scott Kraihanzel – Weston & Sampson (via email)  
Town of Mashpee – Board of Health  
File – W&S/WWTF



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Groundwater Discharge Program

**Groundwater Permit**  
DISCHARGE MONITORING REPORT

|                               |
|-------------------------------|
| 272                           |
| 1. Permit Number              |
|                               |
| 2. Tax identification Number  |
| 2018 FEB MONTHLY              |
| 3. Sampling Month & Frequency |

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| OIL & GREASE                |             | 2.8         | 0.5                                   |
| MG/L                        |             |             |                                       |



# MASHPEE PLANNING DEPARTMENT

## MEMORANDUM

To: Mashpee Planning Board

From: Evan Lehrer, Town Planner

Date: April 3, 2018

Re: May 2018 Town Meeting Zoning Articles

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**Citizen Petition Article to Release and extinguish a 120% low/moderate income restriction placed at 37 Center Street:**

**-AND-**

**Citizen Petition Article to Authorize the Board of Selectmen to purchase an 80% Low/Moderate Income Restriction placed at 37 Center Street:**

These articles, if approved, could have harmful impact to the integrity and preservation of the existing affordable housing stock in the Town of Mashpee. Deed restrictions are by their very nature intended to ensure that transfer of property only occurs within the conditions set by said restriction, to benefit low/moderate income individuals and families. The current owner of this property knowingly entered into a deed restricted property with income restrictions. I do not recommend favorable action of either of these proposals. Mashpee remains well off from the 10% subsidized housing inventory (SHI) and while this property is not, with a 120% restriction, included on the SHI, this could set a precedent that could place the existing SHI at risk while Mashpee and the region are starved for affordable housing stock.

### **Amend Zoning By-Law to include §174-17.1 - Raze and Replace**

The Planning Department is generally supportive of the intent of this Warrant Article but has some concerns regarding proposed language. Currently, if a property owner wishes to tear down an existing structure and build a new residence, zoning requires the new structure to comply with existing zoning regulations. As there are a large quantity of pre-existing nonconforming lots in Mashpee, this article seeks to allow a property owner to update their property so long as the nonconformity remains consistent with the original structure. Approving this amendment would allow for updates to deteriorating housing stock and increase tax assessments on under-producing properties.

I have raised concerns with the Building Official regarding the potential for existing two-family residences be torn down and replaced with single-family homes. Mashpee should be focused on increasing diversity of its housing stock and should preserve existing multifamily housing. I have also raised questions about the inclusion of a parking requirement. The Building Official states that there have been repeated issues with off street parking on these pre-existing nonconforming lots. With water quality such a prominent issue in Town, I am concerned about the construction of more impervious surface than may be necessary.





# MEMORANDUM

To: Mashpee Planning Board Members  
From: Evan Lehrer — Town Planner  
Date: March 19, 2017  
Re: May Town Meeting Zoning and Petition Articles

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Attached are three (3) Warrant Articles for the May 2018 Annual Town Meeting for the Planning Board's review. Pursuant to the agenda posted, the Board will be discussing these articles at the meeting of March 21, 2018. I will submit an administrative recommendation to the Board one week before the Planning Board makes their recommendations regarding these proposals.

### **Article 17 D3**

To see if the Town will vote to amend the Zoning Bylaws by adding a new section § 174-17.1 to read as follows:

#### **§174-17.1 Raze and Replace:**

No pre-existing, non-conforming single or two family dwelling shall be torn down and rebuilt on any lot unless there is an issuance of a Special Permit from the Zoning Board of Appeals. Such a Special Permit may be granted only if the Zoning Board of Appeals finds that any changes, extensions or alterations of the pre-existing non-conformities are not substantially more detrimental than exists prior to removal of the existing structure and that there is adequate land area to provide sufficient parking. In no case shall new non-conformities be permitted without the issuance of a Variance, or take any other action relating thereto.

Submitted by the Zoning Board of Appeals

**Explanation:** This article will clarify, under the Bylaw, the ability of the Zoning Board of Appeals to review and evaluate existing homes to be torn down and rebuilt which may or may not meet the requirements under the existing Zoning Bylaws.

### **Article 18 D3 (Petition – Purchase of Income restriction)**

To see if the Town will vote pursuant to M.G.L. ch. 40 to authorize the Board of Selectmen to purchase an 80 percent low income restriction on a real property identified as 37 Center Street, (Mashpee Assessors Map 36, Parcel 47D) using general funds, Community Preservation Act, donations, and/or other sources of revenue, and to authorize the Board of Selectmen to prepare and execute such agreements, deeds, and other instruments necessary to effect such transfer upon such terms and conditions as the Selectmen shall deem to be in the interest of the Town, or take any other action relating thereto.

Submitted by Petition

**Explanation:** The 37 Center Street condominium was built pursuant to a comprehensive permit issued under M.G.L. C. 40B. When it was sold to Ms. McBrien, a deed restriction was placed on the property limiting the resale to persons who make no more than 120 percent of the median area income. While the property was constructed under a comprehensive permit, the property does not contribute to the Town's affordable/subsidized housing inventory. The purchase of the restriction to persons who make 80 percent of the median area income would increase the Town's affordable/subsidized housing inventory by adding the property to it.

**Article 19 D3 (Petition- Release of income restriction Opinion received from Town Counsel February 26, 2018)**

To see if the Town will vote pursuant to M.G.L. ch. 40 to authorize the Board of Selectmen to release and extinguish a 120 percent moderate income restriction on a real property identified as 37 Center Street, (Mashpee Assessors Map 36, Parcel 47D) and recorded in the Land Court Department of the Barnstable Registry of Deeds as part of Document No. 1,021,017 in consideration of the payment of all funds in excess of that allowed under the resale provisions of the deed restriction to the Mashpee Affordable Housing Trust for purposes of developing affordable housing, and to authorize the Board of Selectmen to prepare and execute such agreements, deed, and other instruments necessary to effect such transfer upon such terms and conditions as the Selectmen shall deem to be in the interest of the Town.

Submitted by Petition

**Explanation:** The 37 Center Street condominium was built pursuant to a comprehensive permit issue under M.G.L. C. 40B. When it was sold to Ms. McBrien, a deed restriction was placed on the property limiting the resale price. It also requires that it be marketed first through the Housing Assistance Corporation (HAC) to persons who make no more than 120 percent of the median area income and if unable to be sold through HAC, could be sold to a "non-eligible" purchaser, but would remain subject to the restriction. HAC did not attempt to market the property as it has no "eligible" purchasers and no "non-eligible" price. While the property was constructed under a comprehensive permit, the property does not contribute to the Town's affordable/subsidized housing inventory because only properties restricted to 80 percent of the median area income qualify for the inventory. The article provides authority for the Board of Selectmen to release the restriction in exchange for Ms. McBrien providing a payment of all funds in excess of the resale price for the Affordable Housing Trust. A release of the restriction under the proposed article will provide needed funds to support affordable housing and not impact the Town's attempts to attain the ten percent affordable housing goal of M.G.L. C. 40B.



**Mashpee Planning Board  
Minutes of Meeting  
February 21, 2018 at 7:00 p.m.  
Waquoit Meeting Room, Mashpee Town Hall**

**Planning Board Members Present:** Chairman Mary Waygan, Dennis Balzarini, David Kooharian, Joe Cummings, David Weeden  
**Also:** Evan Lehrer-Town Planner, Charles Rowley-Consulting Engineer  
**Absent:** Robert (Rob) Hansen

**CALL TO ORDER**

The Town of Mashpee Planning Board meeting was opened with a quorum in the Waquoit Meeting Room at Mashpee Town Hall by the Chair, at 7:00 p.m. on Wednesday, February 21, 2018. The Chair introduced newly hired Town Planner, Evan Lehrer. Mr. Lehrer introduced himself, noting that he had grown up in Sandwich and had received an undergraduate degree in Political Science and French and graduate degree in Public Affairs. Mr. Lehrer has had a number of professional experiences working in Planning, including projects in Quito, Ecuador, and Planning Department positions in Pawtucket, RI, Central Falls and Brookline, MA. Mr. Lehrer expressed his pleasure about the opportunity to work with the Mashpee community.

**APPROVAL OF MINUTES— February 7, 2018**

**MOTION:** Mr. Balzarini made a motion to accept the minutes of February 7<sup>th</sup> as written. Mr. Kooharian seconded the motion. 4 yes, 1 abstain

**DEFINITIVE SUBDIVISION PLAN**

**Applicant:** Evergreen Energy, LLC

**Location:** 588 Main Street, Assessors' Map 19, Block 10

**Request:** Signature of Definitive Subdivision Plan for 12 lot industrial/commercial subdivision (approved November 15, 2017)

The Chair read the request. Chairman Waygan confirmed that the Covenant had been revised and submitted and was awaiting her signature. Other Board members had previously signed the plans.

**SPECIAL PERMIT**

**Applicant:** Naukabout Beer Company, LLC

**Location:** 13 Lake Avenue, Mashpee, Assessors' Map 27, Block 46

**Request:** Approval of Performance Bond for site work and landscaping

The Chair read the request. Mr. Rowley reviewed the Performance Bond for landscaping. Peter Murner, of Naukabout Beer Company, confirmed that the amount for the bond was \$45,000, which totaled 150% of the amount approved by the Planning Board. The details of the bond were coordinated with the Terrie Cook in the Town Manager's office, Town Counsel and the insurance company. Mr. Rowley stated that the bond was being held by the Town of Mashpee. Mr. Rowley confirmed that it was good until February 15, 2019, allowing a year for the work to be completed. However, the document stated that the Power of Attorney would then expire and terminate, so someone would need to monitor the situation, ensuring that the work was

completed. Mr. Murner stated his intent that the work be completed within the year, preferably before the summer, but if needed, would renew the bond. Mr. Lehrer confirmed that he would follow up with Mr. Murner and at Mr. Rowley's recommendation, Mr. Murner agreed to return to the first Planning Board meeting in June to provide an update.

**MOTION: Mr. Balzarini made a motion to have Mr. Murner back at the first meeting, June 6<sup>th</sup> at 7:10 p.m.**

Mr. Murner reported that the building had a smoldering fire, related to the installation of piping. The Mashpee Fire Department removed a two foot section from the roof and Mr. Murner has been working with both the Building Department and the Fire Department regarding proper rebuilding of the damaged section. Mr. Murner credited the Fire Department for a job well done. Inspectors have been on site to review reconstruction.

**MOTION: Mr. Balzarini made a motion to approve the Performance Bond as approved by Town Counsel. Mr. Kooharian seconded the motion. All voted unanimously.**

Mr. Murner submitted as-built plans to the Town and Mr. Rowley. Mr. Lehrer confirmed that he would be maintaining digital files of all appropriate paperwork.

#### **NEW BUSINESS**

**Planning Board 2017 Annual Report-**The Chair stated that the draft report was being reviewed and that Mr. Kooharian was drafting text regarding Mr. Fudala's work with the Town. Mr. Lehrer will edit the report.

#### **Pimlico Pond Road Issue-**

**MOTION: Mr. Balzarini made a motion to add to the agenda, by roll call vote, Pimlico Pond Road and Cotuit. Mr. Kooharian seconded the motion. Mr. Weeden-yes; Mr. Balzarini-yes; Mr. Cummings-yes; Chairman Waygan-yes; Mr. Kooharian-yes**

Mr. Balzarini referenced a prior meeting where a project proponent planned to trade a small piece of land to meet the required frontage for his parcel, located at the corner of Pimlico Pond and Cotuit Road. Last week, the project proponent received a building permit, but the owner of the small piece of land reported that she had never authorized giving him the piece of land, inquiring how he could have gotten the permit. Mr. Balzarini confirmed that the Planning Board was informed that he had received permission for the land, stamped by an engineer, and the Planning Board signed off that it was not a buildable lot, but that it met the requirement once the land was switched.

Mr. Rowley had been in discussion with Mr. Mendoza in the Building Department. Mr. Rowley confirmed that the Planning Board endorsed an Approval Not Required. Mr. Rowley explained that the Planning Board declared that the request was not a sub-division requiring a public hearing, and, as an ANR plan, made a determination about the frontage, and included a statement that combined lot 14A with 14, which in no way transferred the property from one owner to another. A deed would need to be transferred from the previous owner to the owner holding the building permit. Mr. Rowley has advised that Mr. Mendoza contact the permit holder requesting

a copy of the deed. If the deed transfer and recording did not occur, then there would be a violation. The May 17, 2017 minutes included the vote and a note added to the plans that 14A and 14 would be combined to be considered as a single lot.

## **OLD BUSINESS**

**Mashpee Commons Update-**The Chair announced that Mashpee Commons would be hosting a series of four Tuesday Talks and distributed a schedule of the events, beginning on Tuesday, March 6. The Chair requested that the dates be added to the Planning Board website and encouraged all members to attend. Mr. Lehrer will have it added to the website and also encouraged Planning Board members to attend because the talks would offer important visioning sessions to determine the future development of the site.

**Country Club Lane Intersection with Old Barnstable Road-**Mr. Rowley reported that he had spoken with Ken Marsters, who had not yet heard anything from his engineer. Mr. Rowley asked that he follow up with the engineer to find out about their progress on the areas that had been previously discussed. Mr. Rowley stated that he wanted to receive the working plan from the engineer, prior to scheduling the site visit with Mr. Balzarini and Mr. Lehrer.

**Performance Bonds Requiring Sign-Off: Peter Hopple and Amy Brown Road-**Mr. Rowley confirmed that he visited the Peter Hopple/Balfour Lane site, noting that the road appeared to be in good shape. Mr. Rowley reported that the shoulders were stable, there was no evidence of buildup on the pavement and he needed only to verify the required bounds, which Mr. Rowley would review tomorrow morning after his inspection at Ockway Highlands. Amy Brown Road was closed and could be removed from the agenda.

**Chairman's Report-**As discussed previously

**Report on Status of Greenway Project-**There would be a meeting of the Quashnet River Footbridge Subcommittee at 6 p.m. next Wednesday, February 28. Board members were invited to attend.

**Design Review Committee-**Mr. Cummings reported that the Mobil gas station had presented a request to change their sign to a digital sign. More information was needed to determine lumens of the sign but a rheostat would be added to dim the lighting as necessary. Colors at the station would be red, white and blue. Mr. Lehrer added that Plan Review had considered Mashpee Commons' addition of a 10-unit residential building. The Fire Department had expressed concern regarding the modular design of the building, but there was no recourse to deny the proposal so it was approved unanimously. This would be Mashpee Commons' final building under the Chapter 40B project, due to cost.

**Community Preservation Committee-**No meeting

**Environmental Oversight Committee-**Mr. Cummings was unable to attend.

**Historic District Commission-**No meeting

**MMR Military Civilian Community Council-Update of MMR Joint Land Use Study-**No update

**Cape Cod Commission-**Mr. Weeden announced that there would be a public hearing tomorrow regarding the Growth Incentive Zone, with minimal changes. Christine Sanatori has been named the interim Executive Director, and would be delivering the annual report at the meeting. The Chair recommended encouraging Ms. Sanatori to tour the towns to provide updates and Mr. Weeden responded that he would invite her to Mashpee.

## **CORRESPONDENCE**

- Sandwich Public Hearing Notices
- Falmouth Zoning Board of Appeals Notices
- Cape Cod Commission Proposed Zoning Amendments
- July 2017 Discharge Monitoring Report for South Cape Village N=10.7
- August 2017 Discharge Monitoring Report for South Cape Village N=5.9
- September 2017 Discharge Monitoring Report for South Cape Village N=7.8
- October 2017 Discharge Monitoring Report for South Cape Village N=5.6
- November 2017 Discharge Monitoring Report for South Cape Village N=6.40
- December 2017 Discharge Monitoring Report for South Cape Village N=5.10-Mr. Balzarini inquired about reports from Mashpee Commons and there was consensus that reports should be reviewed from all eight treatment plants in Mashpee. The Chair will follow up with Mr. Fudala regarding the reason why South Cape Village was specifically being monitored by the Planning Board and whether he had been monitoring the other plants. Mr. Cummings felt that the Board should be periodically reviewing all of the sites.

## **WATERWAYS LICENSES**

### **ADDITIONAL TOPICS**

**Blue Castle-**Mr. Rowley reported that he had conducted three drainage inspections at Blue Castle and the Ockway Highlands project, reviewing additional basins tomorrow. Mr. Morin has hired someone else to install the structures. Mr. Balzarini inquired about the grade near Degrasse but Mr. Rowley confirmed that they had not yet set the grade for the road.

### **ADJOURNMENT**

**MOTION:** Mr. Balzarini made a motion to adjourn at 7:43 p.m. Mr. Kooharian seconded the motion. All voted unanimously.

Respectfully submitted,

Jennifer M. Clifford  
Board Secretary

### **LIST OF DOCUMENTS**

- Evergreen Energy Form D Covenant
- Mashpee Commons by Design Series, Tuesday Talks
- Annual Report of the Planning Board





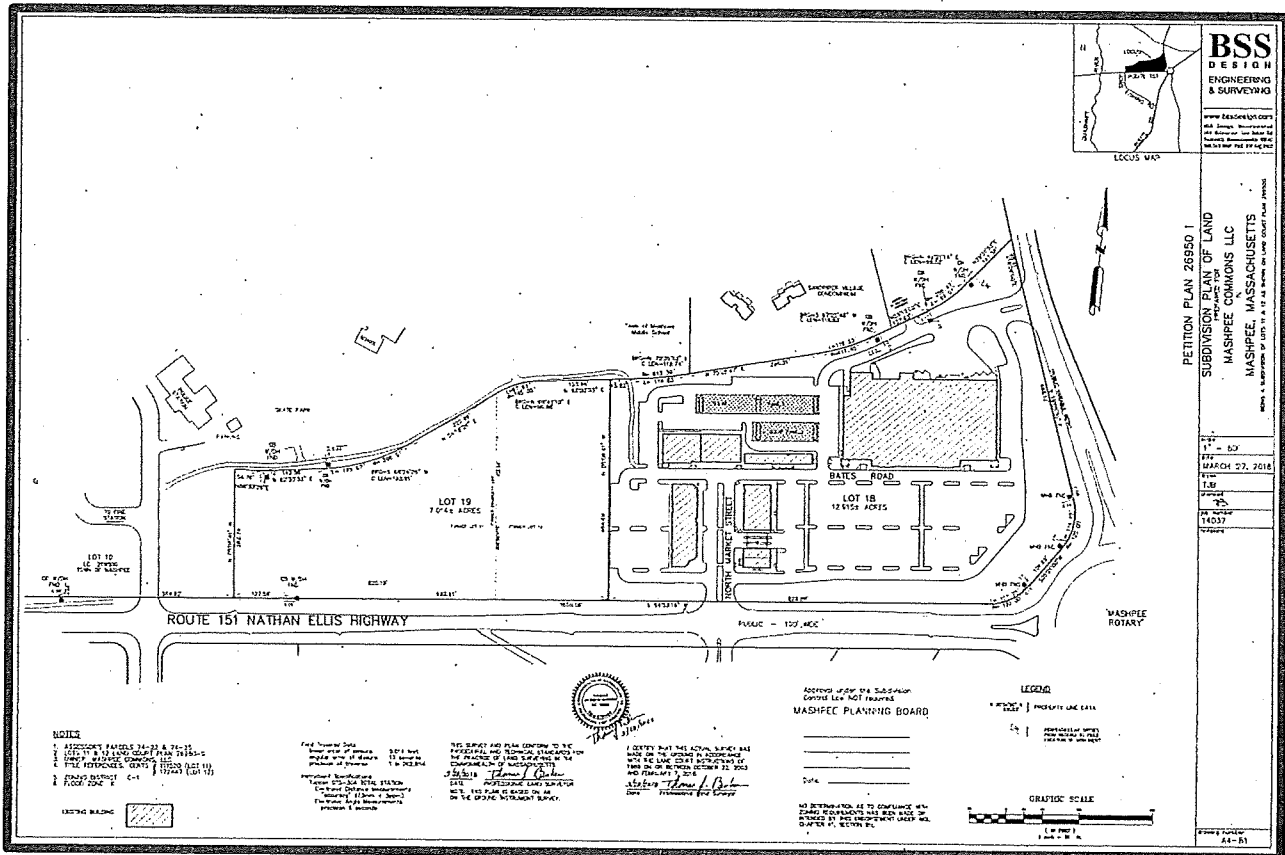


## ADMINISTRATIVE RECOMMENDATION TO THE PLANNING BOARD

# MASHPEE PLANNING DEPARTMENT

Prepared for the meeting of April 4, 2018

Plans submitted believed to not require approval under the subdivision control law seeking endorsement.



**Applicant:** Mashpee Commons LLC., 22 Steeple St., Suite 201 Mashpee, MA 02649  
**Subject Property:** 39 Nathan Ellis Highway (Parcel 74, Maps 22 and 35)  
**Zoning:** C-1  
**Frontage Minimum:** 600 ft.

### Context

Plans provided by the applicant indicate a merger of lots #11 and #12 of parcels 74-22 and 74-35 to create a 7.014 acre lot to be known as lot #19 for a mixed use commercial development with multiple buildings. This development will be an extension of the Mashpee Commons North Market to the west extending down Nathan Ellis Highway to the property line ending just to the east of Frank E. Hicks Dr. The currently developed area is primarily retail and service uses. This extension should encourage a stronger diversity of uses to encourage pedestrian activity at varying intervals throughout the day and bring vibrancy to the currently disconnected north market.

### Analysis and Recommendation

By removing the lot line bifurcating former lots #11 and #12, the applicant gives newly formed Lot #19 frontage along Nathan Ellis Highway measuring approximately 974.13 feet, exceeding the minimum required frontage of 600' by 374.13'. Nathan Ellis Highway is a public way appropriately and adequately maintained for vehicular traffic. The site has connections to necessary infrastructure. Based on the aforementioned criteria contained in these proposed plans, the Planning Board can support an endorsement of these plans as not requiring approval under the subdivision control law.



# Town of Mashpee

## Planning Board

16 Great Neck Road North  
Mashpee, Massachusetts 02649

### FORM A

#### APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: 3-28-18

To the Planning Board: The undersigned, believing that the accompanying plan of his or her property in the Town of Mashpee does not constitute a subdivision within the meaning of the Subdivision Control law, herewith submits said plan for a determination and endorsement that Planning board approval under the Subdivision Control Law is not required.

Name of Applicant Michael Cusack Phone 508 477 0718

Address P.O. Box 641 Mashpee MA

Owner, if different \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Attach copies of (a) most recent recorded deed and (b) tax bill or Assessors' certification.

Engineer or Surveyor Robb Sykes PLS Phone 508 783 8265

Address POB 442 Forestdale MA 02644

Deed of property recorded in Barnstable County Registry Book \_\_\_\_\_ Page \_\_\_\_\_

Or Land Court Certificate of Title No. 118492 + 215571

Location and description of property

#42 + #46 Quail Hollow Road

Mashpee Assessors map(s) and Block(s) 58-54 + 58-55

Signature of Owner or Quthorized Representative Michael Cusack

MASHPEE TOWN CLERK ~~HERE~~ written authorization signed by owner.

MAR 28 2018

RECEIVED BY WCD



# Town of Mashpee

16 Great Neck Road North  
Mashpee, Massachusetts 02649

## Planning Board

### Form N

#### Notice of Filing of Application with the Mashpee Planning Board

To the Mashpee Town Clerk:

This is to notify you that on March 28, 2018 an application for

☒ endorsement of a plan believed not to require approval

☐ approval of preliminary plan

☐ approval of definitive plan

was submitted to the Mashpee Planning Board at its public meeting by

Michael Casack, POB 641 Mashpee MA 02649  
Applicant name Applicant address

The land to which the application relates appears on the current Mashpee Assessors Maps as

and is generally described as located

Map 58, Parcels 54 + 55 or 42+46 Quail Hollow Rd

This notice must be submitted to the Town Clerk by delivery or by registered or certified mail, postage prepaid, along with a copy of the application and submitted plans.

Received by Planning Board on 3/28, 2018.

[Signature]

MASHPEE TOWN CLERK

for Mashpee Planning Board

MAR 28 2018

RECEIVED BY WCS

Prepared by and return to:  
Cushing & Dolan, P.C.  
Totten Pond Road Office Park  
375 Totten Pond Road, Suite 200  
Waltham, MA 02451  
Page 1 of 6

Doc:1,341,549 03-07-2018 9:05  
Ctff#:215571  
BARNSTABLE LAND COURT REGISTRY

**MASSACHUSETTS QUITCLAIM DEED**

We, JOSEPH M. CUSACK, of 347 North Main Street, Apt. 1, Columbiana, Columbiana County, State of Ohio, BARBARA J. CUSACK of 44 Prince Street, #403, Boston, Suffolk County, Commonwealth of Massachusetts, and LISA M. ARMSTRONG of 300 Commercial Street, #209, Boston, Suffolk County, Commonwealth of Massachusetts, as tenants in common,

FOR CONSIDERATION PAID AND IN FULL CONSIDERATION OF TEN DOLLARS, (\$10.00) DOLLARS,

Grant to MICHAEL CUSACK, of 11 Market Street, #641, Mashpee, Barnstable County, Commonwealth of Massachusetts, individually, with QUITCLAIM COVENANTS, the premises known as 46 Quail Hollow Road, Mashpee, Commonwealth of Massachusetts, further bounded and described as follows:

Said premises are shown as LOT 2136 ON A SUBDIVISION PLAN 11380 H (Sheet 2)

There is appurtenant to the above described Lot 2136, a right of way over Quail Hollow Road and Algonquin Avenue to Route 151, said rights to be exercised in common with all others now or hereafter lawfully entitled thereto.

Subject to easements or record and also the following restrictions:

No building or portion thereof shall be constructed or maintained upon any lot less than fifty (50) feet from the water edge or less than twenty-five (25) feet from the front road line.

No building or portion thereof shall be constructed or maintained upon any lot less than fifteen (15) feet from the rear boundary line of said road or less than ten (10) feet from

Property Address: 46 Quail Hollow Road, Mashpee, MA

either side boundary line of said lot. In case of corner lots, Henry C. LaBute, Trustee ("Trustee") of Johns Pond Trust, under a written Declaration of Trust dated October 2, 1930, and registered with the Barnstable Registry District as Document No. 228334 shall have the right to determine which is the rear boundary line of said lot.

No building except a private garage for not more than three cars shall be constructed or used on said lot for other than residential purposes. Only one one-family dwelling shall be permitted on each fifty (50) foot lot.

All specifications and plans for the construction of any building upon any lot shall be submitted to the Trustee for his approval and no construction shall be started until the Trustee shall have given his approval in writing. Such approval shall not be unreasonably withheld.

Any building so constructed shall comply with all town, State and Federal Laws and ordinances.

No trailers or tents shall be placed or kept on any lot.

The Trustee reserves the right to designate portions of the property shown on said plan as property to be used in connection with the general development and no restrictions shall be applicable to the use of any such property so designated.

The Trustee also reserves the right to release the restrictions on all lots in the event of the failure of the general development plan.

The Trustee's rights with respect to restrictions shall be assignable by him upon a general conveyance by him of a substantial portion of his remaining real estate in this development provided that the deed making such conveyance shall expressly state that the Trustee's rights with respect to said restrictions are so assigned.

The Grantor releases all rights of homestead in the premises and states under the pains and penalties of perjury that no other person, beneficiary, or entity is entitled to an estate of Homestead in the premises

Page 3 of 6

For title reference see deed dated February 19, 2018 and registered with the Barnstable County Division of the Land Court herewith.

[Signature pages to follow.]

TRANSFER CERTIFICATE OF TITLE

From Transfer Certificate No. 98289 Originally Registered September 21, 1984,  
in Registration Book 802 Page 9 for the Registry District of Barnstable County.

THIS IS TO CERTIFY that Michael Cusack, of 46 Quail Hollow Road, Post Office Box  
641, Mashpee, Barnstable County, Massachusetts 02649, is

the owner(s) in fee simple

of that land situated in Mashpee

in the County of Barnstable and Commonwealth of Massachusetts, bounded and described  
as follows:

LOT 2135

PLAN 11380-H (Sheet 2)

There is appurtenant to said land a right of way over Quail Hollow  
Road, Shorewood Road and Algonquin Avenue to Route 151, in common with all others  
now or hereafter lawfully entitled thereto.

Said land is subject to and has the benefit of the restrictions and  
reservations set forth in Document No. 123,488.

Said land is subject to the rights granted in an easement given to  
the Cape & Vineyard Electric Company et al dated October 26, 1967 being Document No.  
116,584.

And it is further certified that said land is under the operation and provi-  
sions of Chapter 185 of the General Laws, and that the title of said

Michael Cusack

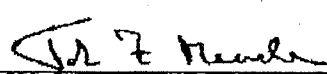
to said land is registered under said Chapter, subject, however, to any of the encum-  
brances mentioned in Section forty-six of said Chapter, which may be subsisting, and  
to any and all rights of the public in the use of Johns Pond as a Great Pond.

WITNESS, MARILYN M. SULLIVAN, Chief Justice of the Land Court,  
at Barnstable, in said County of Barnstable,

the fifteenth day of September in the year nineteen hundred

and eighty-nine, at 12 o'clock and 27 minutes.

Attest, with the Seal of said Court,

  
JOHN F. MEADE, Assistant Recorder.

Land Court Case No. 11380



# MEMORANDA OF ENCUMBRANCES ON THE LAND DESCRIBED IN THIS CERTIFICATE 118492

| DOCUMENT NUMBER | KIND      | RUNNING IN FAVOR OF                                   | TERMS                             | DATE OF INSTRUMENT<br>DATE AND TIME<br>OF REGISTRATION | SIGNATURE OF<br>ASSISTANT RECORDER | DISCHARGE |
|-----------------|-----------|---|-----------------------------------|--|------------------------------------|-----------|
| 426,512         | Attach.   | BayBank Middlesex                                     | See Doc.                          | 4/16/87<br>4/17/87 8:50a.m.                            | <i>[Signature]</i>                 |           |
| 446,889         | Execution | BayBank Middlesex                                     | See Doc.                          | 12/8/87<br>12/23/87 2:33a.m.                           | <i>[Signature]</i>                 |           |
| 447,394         | Execution | American Express Travel<br>Related Services Co., Inc. | See Doc.                          | 11/30/87<br>1/4/88 3:05p.m.                            | <i>[Signature]</i>                 |           |
| 468,395         | Execution | BayBank Middlesex                                     | See Doc.                          | 9/21/88<br>9/21/88 2:57p.m.                            | <i>[Signature]</i>                 |           |
| 628989          | BT        | Marjorie White<br>Abstract                            | Marjorie White<br>Abstract        | 11-21-89<br>11-28-89 11:00am                           | <i>[Signature]</i>                 |           |
| 647061          | TK        | Marjorie White<br>Abstract                            | ES Abstracts                      | 8-17-88<br>9-7-88 9:05am                               | <i>[Signature]</i>                 |           |
| 650031          | PD        |   | Lot 2135 94.11380-14<br>BT 628989 | 12-6-88<br>1-9-89 3:30pm                               | <i>[Signature]</i>                 |           |
| 1208400         | TK (7)    | Town of Marshpee<br>(Selectmen)                       | 2135 11380-L                      | 11-5-2012<br>12-10-2012<br>11:27                       | <i>[Signature]</i>                 |           |





# Town of Mashpee

## Planning Board

16 Great Neck Road North  
Mashpee, Massachusetts 02649

### FORM A

#### APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: March 28, 2018

To the Planning Board: The undersigned, believing that the accompanying plan of his or her property in the Town of Mashpee does not constitute a subdivision within the meaning of the Subdivision Control law, herewith submits said plan for a determination and endorsement that Planning board approval under the Subdivision Control Law is not required.

Name of Applicant Mashpee Commons LLC Phone 508-477-5400

Address 22 Steeple Street, Suite 201, Mashpee, MA 02649

Owner, if different \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Attach copies of (a) most recent recorded deed and (b) tax bill or Assessors' certification.

Engineer or Surveyor BSS Design, Inc. Phone 508-540-8805

Address 1604 Katharine Lee Bates Road, Falmouth, MA 02540

Deed of property recorded in Barnstable County Registry Book \_\_\_\_\_ Page \_\_\_\_\_

Or Land Court Certificate of Title No. 111520(Lot 11) & 172447(Lot 12)

Location and description of property

Multi-use commercial development with multiple buildings located at 39 Nathan Ellis Highway, Mashpee, MA.

Mashpee Assessors map(s) and Block(s) 74-22 & 74-35

Signature of Owner or Quthorized Representative [Signature]

Attach written authorization signed by owner.

Based on assessments as of January 1, 2017, your Real Estate Tax for the fiscal year beginning July 1, 2017 and ending June 30, 2018 on the parcel of real estate described below is as follows:

| PROPERTY DESCRIPTION |               |
|----------------------|---------------|
| 39 NATHAN ELLIS HWY  |               |
| State Class          | 323           |
| Land Area            | 15.1 AC       |
| Parcel ID            | 074-0022-0000 |
| Book/Page            | 172447/CTF    |
| Deed Date            | 03/24/2004    |
| Tax Rate per \$1,000 | \$8.92/.10    |
| Total Taxable Value  | \$19,716,000  |

Assessed owner as of January 1, 2017:

MASHPEE COMMONS LLC  
PO BOX 1530  
MASHPEE, MA 02649-1530



TOWN OF MASHPEE  
Office of the Tax Collector  
16 Great Neck Road North  
Mashpee, MA 02649

MCLLC  
(NMS)

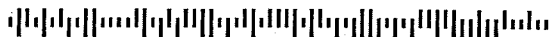
### Fiscal Year 2018 Actual Real Estate Tax Bill

MASHPEE COMMONS LLC  
PO BOX 1530  
MASHPEE, MA 02649-1530



TOWN OF MASHPEE  
Office of the Tax Collector  
16 Great Neck Road North  
Mashpee, MA 02649

### Fiscal Year 2018 Actual Real Estate Tax Bill



3794 \*\*\*\*AUTO\*\*ALL FOR AADC 028  
MASHPEE COMMONS LLC  
PO BOX 1530  
MASHPEE MA 02649-1530

THE COMMONWEALTH OF MASSACHUSETTS  
SEE REVERSE SIDE FOR IMPORTANT INFORMATION

### TOWN OF MASHPEE FISCAL YEAR 2018 ACTUAL REAL ESTATE TAX BILL

|  |
|--|
| <b>Collector of Taxes</b><br><b>Craig Mayen</b><br><b>Office Hours</b><br>Monday - Friday 8:30 AM - 4:30 PM<br><b>Telephone Numbers:</b><br>Tax Collector: (508) 539-1419<br>Assessor: (508) 539-1404<br><b>To Pay Your Bill Online:</b><br>LOG ON TO: WWW.MASHPEEMA.GOV |
|--|

| SPECIAL ASSESSMENTS |        |      |        |
|---------------------|--------|------|--------|
| DESC                | AMOUNT | DESC | AMOUNT |
|                     |        |      |        |

THIS FORM APPROVED BY COMMISSIONER OF REVENUE

### TAXPAYER'S COPY

| Bill No.                   | 6614         |
|----------------------------|--------------|
| Real Estate Tax            | \$175,866.72 |
| Community Preservation Act | \$5,276.00   |
| Water District Tax         | \$1,971.60   |
| Special Assessments        | \$0.00       |
| Exemptions/Abatements      | \$0.00       |
| Total Tax/Spec. Assess.    | \$183,114.32 |
| Preliminary Tax            | \$92,318.49  |
| Current Payments/Credits   | \$92,318.49  |
| Past Due                   | \$0.00       |
| Interest                   | \$0.00       |
| Fees                       | \$0.00       |
| 3rd Qtr. Due 2/1/2018      | \$45,397.92  |
| 4th Qtr. Due 5/1/2018      | \$45,397.91  |

### COLLECTOR'S COPY

#### 4th Quarter Payment

Return This Portion With Your Payment

|                      |                     |          |      |
|----------------------|---------------------|----------|------|
| Bill Date            | 4/1/2018            | Bill No. | 6614 |
| PROPERTY DESCRIPTION | 39 NATHAN ELLIS HWY |          |      |
| Parcel ID            | 074-0022-0000       |          |      |
| AMOUNT DUE 5/1/2018  | \$45,397.91         |          |      |

Interest at the rate of 14% per annum will accrue on overdue payments from the due date until payment is made.

To Pay Your Bill Online:

LOG ON TO: WWW.MASHPEEMA.GOV

Make Check Payable and Mail To:

TOWN OF MASHPEE  
OFFICE OF TAX COLLECTOR LOCKBOX  
PO BOX 728  
MEDFORD, MA 02155-0008

31942082018000006614200045397916

JAN 2 2018

### COLLECTOR'S COPY

#### 3rd Quarter Payment

Return This Portion With Your Payment

|                      |                     |          |      |
|----------------------|---------------------|----------|------|
| Bill Date            | 12/29/2017          | Bill No. | 6614 |
| PROPERTY DESCRIPTION | 39 NATHAN ELLIS HWY |          |      |
| Parcel ID            | 074-0022-0000       |          |      |
| AMOUNT DUE 2/1/2018  | \$45,397.92         |          |      |

Payments made after 12/7/2017 may not be reflected on this bill.

Abatement applications are due in the Assessor's office by 2/1/2018.

To Pay Your Bill Online:

LOG ON TO: WWW.MASHPEEMA.GOV

Make Check Payable and Mail To:

TOWN OF MASHPEE  
OFFICE OF TAX COLLECTOR LOCKBOX  
PO BOX 728  
MEDFORD, MA 02155-0008

31942082018000006614200045397924

MAY REMIT

FEBRUARY REMIT

Doc:961,261 03-24-2004 12:46  
Ctf#:172447  
BARNSTABLE LAND COURT REGISTRY

**QUITCLAIM DEED**

**39 Nathan Ellis Highway, Mashpee, Barnstable County MA**

MASHPÉE COMMONS LIMITED PARTNERSHIP, a Delaware limited partnership,  
with a mailing address of P.O. Box 1530, Mashpee, MA 02649

for consideration of One Dollar (\$1.00) paid

→ grants to Mashpee Commons, LLC, a Massachusetts limited liability company, having a  
usual place of business at P.O. Box 1530, Mashpee, MA 02649

*with Quitclaim Covenants*

the parcel of registered land with the buildings and other improvements thereon, situate at  
and known as 39 Nathan Ellis Highway, Mashpee, Massachusetts and shown as Lot 12  
on a plan entitled "Subdivision Plan of Land in Mashpee B.S.C. /Cape Cod Survey  
Consultants, Surveyors dated December 16, 1985" as approved by the Court, filed in the  
Land Registration Office as Plan No. 26950G.

Said Premises are conveyed together with the benefit of and subject to all easements,  
restrictions and other rights of way of record and as described or set forth in Certificate of  
Title Nos. 111520 and 132768, insofar as the same are now in force and applicable,  
including, but not limited to Declaration of Easements and Restrictions dated as of  
January 20, 1994, filed with said Registry as Document No. 605525.

Said Premises are also conveyed subject to and with the benefit of a Special Permit  
Decision of the Town of Mashpee Planning Board approved on June 16, 1993 and filed  
with said Registry District as Document No. 591205, including in particular the  
provisions of Condition 9F relative to the assumption and responsibility for the  
monitoring program described therein.

No Massachusetts Deed Excise Stamps have been affixed hereto, none being required by  
law.

For title see Certificate of Title No. 138902 and Certificate of Title No. 169988.

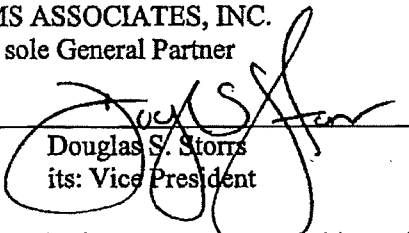
BOST1-821541-2

RETURN TO:  
ROBINSON & COLE LLP  
ONE BOSTON PLACE  
BOSTON, MA 02108  
25158-1

IN WITNESS WHEREOF, the undersigned Douglas S. Storrs has hereunto set his hand and seal as Vice-President of NMS Associates, Inc., as sole general partner of MASHPEE COMMONS LIMITED PARTNERSHIP this 15 day of March, 2004.

MASHPEE COMMONS LIMITED PARTNERSHIP

by: NMS ASSOCIATES, INC.  
its: sole General Partner

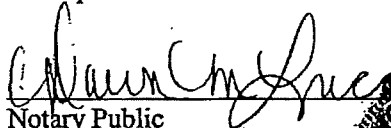
by:   
Douglas S. Storrs  
its: Vice President

For authority, see Vote recorded herewith.

STATE OF Rhode Island  
COUNTY OF Providence

March 15, 2004

Then personally appeared the above-named Douglas S. Storrs, Vice President as aforesaid, and acknowledged the foregoing to be the free act and deed of NMS ASSOCIATES, INC., as sole General Partner of MASHPEE COMMONS LIMITED PARTNERSHIP and the free act and deed of Mashpee Commons Limited Partnership, before me,

  
Notary Public  
My commission expires:

Dawn M. Luca  
Notary Public

My Commission Expires: 7-3-05



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Waterways Regulation Program  
**Chapter 91 Waterways License Application** - 310 CMR 9.00  
Water-Dependent, Nonwater-Dependent, Amendment

**X277802**

Transmittal No.

## H. Municipal Planning Board Notification

**Notice to  
Applicant:**

Section H should  
be completed and  
submitted along  
with the original  
application material.

Templar Holdings, LLC

Name of Applicant

9 Tulip Shell Way

Project street address

Little River

Waterway

Mashpee

City/Town

Description of use or change in use: License and maintain a pier, ramp and float structure including the remove existing ramp section leading to pier, rebuild decking on and maintenance of the existing 4'x39' pier and 7'x17' pier, installation of public access stairs to provide for fishing and fowling access, pursuant to 310 CMR 9.0, the Commonwealth of Massachusetts Waterways Regulations; removal of existing 4'x12' ramp and replace with a 4'x16' aluminum ramp; relocate the existing 16.4'x8.4' and 24.2'x8.4' floats, relocate one (1) 12" dia. Pile, add three (3) new 12" dia. piles and installation of a boat lift supports onto the four (4) 12" dia pilings.

**To be completed by municipal clerk or appropriate municipal official:**

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans have been submitted by the applicant to the municipal planning board."

Deborah Dami

Printed Name of Municipal Official

2/23/18  
Date

  
Signature of Municipal Official

Town Clerk

Title

Mashpee

City/Town

**Note:** Any comments, including but not limited to written comments, by the general public, applicant, municipality, and/or an interested party submitted after the close of the public comment period pertaining to this Application shall not be considered, and shall not constitute a basis for standing in any further appeal pursuant to 310 CMR 9.13(4) and/or 310 CMR 9.17.



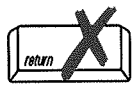
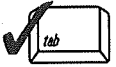


**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Waterways Regulation Program  
**Chapter 91 Waterways License Application** - 310 CMR 9.00  
Water-Dependent, Nonwater-Dependent, Amendment

**X277802**

Transmittal No.

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



For assistance in completing this application, please see the "Instructions".

**A. Application Information (Check one)**

**NOTE:** For Chapter 91 Simplified License application form and information see the Self Licensing Package for BRP WW06.

| Name (Complete Application Sections) | Check One   | Fee        | Application # |
|--------------------------------------|---|------------|---------------|
| <b>WATER-DEPENDENT -</b>             |   |            |               |
| <b>General (A-H)</b>                 | <input checked="" type="checkbox"/> Residential with $\leq 4$ units | \$215.00   | BRP WW01a     |
|                                      | <input type="checkbox"/> Other                                      | \$330.00   | BRP WW01b     |
|                                      | <input type="checkbox"/> Extended Term                              | \$3,350.00 | BRP WW01c     |
| <b>Amendment (A-H)</b>               | <input type="checkbox"/> Residential with $\leq 4$ units            | \$100.00   | BRP WW03a     |
|                                      | <input type="checkbox"/> Other                                      | \$125.00   | BRP WW03b     |
| <b>NONWATER-DEPENDENT -</b>          |   |            |               |
| <b>Full (A-H)</b>                    | <input type="checkbox"/> Residential with $\leq 4$ units            | \$665.00   | BRP WW15a     |
|                                      | <input type="checkbox"/> Other                                      | \$2,005.00 | BRP WW15b     |
|                                      | <input type="checkbox"/> Extended Term                              | \$3,350.00 | BRP WW15c     |
| <b>Partial (A-H)</b>                 | <input type="checkbox"/> Residential with $\leq 4$ units            | \$665.00   | BRP WW14a     |
|                                      | <input type="checkbox"/> Other                                      | \$2,005.00 | BRP WW14b     |
|                                      | <input type="checkbox"/> Extended Term                              | \$3,350.00 | BRP WW14c     |
| <b>Municipal Harbor Plan (A-H)</b>   | <input type="checkbox"/> Residential with $\leq 4$ units            | \$665.00   | BRP WW16a     |
|                                      | <input type="checkbox"/> Other                                      | \$2,005.00 | BRP WW16b     |
|                                      | <input type="checkbox"/> Extended Term                              | \$3,350.00 | BRP WW16c     |
| <b>Joint MEPA/EIR (A-H)</b>          | <input type="checkbox"/> Residential with $\leq 4$ units            | \$665.00   | BRP WW17a     |
|                                      | <input type="checkbox"/> Other                                      | \$2,005.00 | BRP WW17b     |
|                                      | <input type="checkbox"/> Extended Term                              | \$3,350.00 | BRP WW17c     |
| <b>Amendment (A-H)</b>               | <input type="checkbox"/> Residential with $\leq 4$ units            | \$530.00   | BRP WW03c     |
|                                      | <input type="checkbox"/> Other                                      | \$1,000.00 | BRP WW03d     |
|                                      | <input type="checkbox"/> Extended Term                              | \$1,335.00 | BRP WW03e     |



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Waterways Regulation Program  
**Chapter 91 Waterways License Application** - 310 CMR 9.00  
Water-Dependent, Nonwater-Dependent, Amendment

**X277802**

Transmittal No.

**B. Applicant Information Proposed Project/Use Information**

1. Applicant:

Templar Holdings, LLC

Name

Jean@capeeng.com

E-mail Address

234 Meadow Neck Road

Mailing Address

East Falmouth,

City/Town

508-477-7272

Telephone Number

MA

State

508-477-9072

Fax Number

02536

Zip Code

Note: Please refer  
to the "Instructions"

2. Authorized Agent (if any):

Cape & Islands Engineering, Inc.

Name

matt@capeeng.com

E-mail Address

800 Falmouth Road, Suite 301C

Mailing Address

Mashpee

City/Town

508-477-7272

Telephone Number

MA

State

508-477-9072

Fax Number

02649

Zip Code

**C. Proposed Project/Use Information**

1. Property Information (all information must be provided):

Same as above

Owner Name (if different from applicant)

Map 119 parcel 108

Tax Assessor's Map and Parcel Numbers

9 Tulip Shell Way

Street Address and City/Town

41° 33' 54.432" N

Latitude

70° 30' 42.120 W

Longitude

MA

State

02649

Zip Code

2. Registered Land ☒ Yes ☐ No

3. Name of the water body where the project site is located:

Littler River

4. Description of the water body in which the project site is located (check all that apply):

**Type**

**Nature**

**Designation**

☐ Nontidal river/stream

☒ Natural

☐ Area of Critical Environmental Concern

☒ Flowed tidelands

☐ Enlarged/dammed

☐ Designated Port Area

☐ Filled tidelands

☐ Uncertain

☐ Ocean Sanctuary

☐ Great Pond

☐ Uncertain

☐ Uncertain







---

## E. Certification

All applicants, property owners and authorized agents must sign this page. All future application correspondence may be signed by the authorized agent alone.

"I hereby make application for a permit or license to authorize the activities I have described herein. Upon my signature, I agree to allow the duly authorized representatives of the Massachusetts Department of Environmental Protection and the Massachusetts Coastal Zone Management Program to enter upon the premises of the project site at reasonable times for the purpose of inspection."

"I hereby certify that the information submitted in this application is true and accurate to the best of my knowledge."

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
/ /17  
Date

\_\_\_\_\_  
Property Owner's signature (if different than applicant)

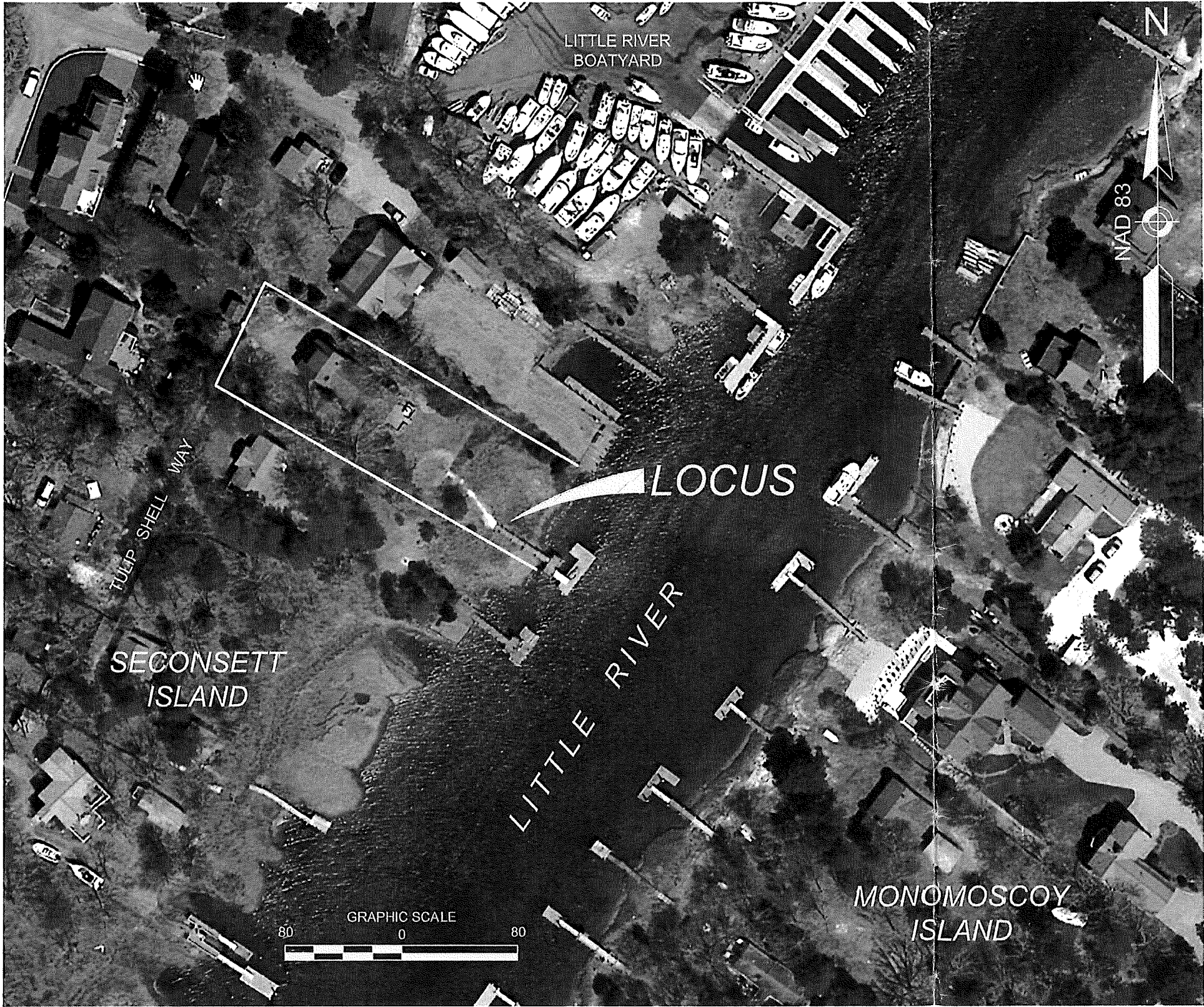
\_\_\_\_\_  
/ /17  
Date

\_\_\_\_\_  
Agent's signature (if applicable)

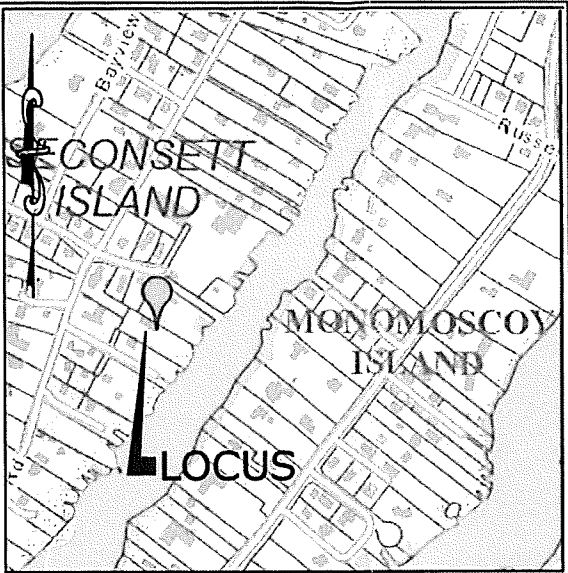
\_\_\_\_\_  
/ /17  
Date







[SOURCE: GOOGLE EARTH IMAGERY DATE 4/14/2017]



LOCUS MAP NOT TO SCALE

GENERAL NOTES

LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD 1988 DATUM.

THE SOUNDINGS SHOWN ARE WATER DEPTHS MEASURED FROM MEAN LOW WATER (MLW).

ZONING DISTRICT: R-3

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF AE(EL.11), AE(EL.13) & VE(EL.13) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C0734J, WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.

DEED REFERENCE: BK 30459 PG 112

PLAN REFERENCE: BK 62 PG 85

| Sheet List Table |                     |
|------------------|---------------------|
| Sheet Number     | Sheet Title         |
| 1                | Cover               |
| 2                | Legend Sheet        |
| 3                | Existing Conditions |
| 4                | Proposed Conditions |
| 5                | Details             |
| 6                | Boat Lift Detail    |
| 7                | Notes Sheet         |

**CAPE & ISLANDS ENGINEERING**  
CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING  
INCORPORATED

SUMMERFIELD PARK  
800 PALMOUTH ROAD, SUITE 301C  
MASHPEE, MA 02649  
(508) 477-7272 www.CapeEng.com  
email: info@CapeENG.com

Prepared for  
**TEMPLAR HOLDINGS, LLC**  
234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address  
**9 TULIP SHELL WAY**  
IN  
MASHPEE, MA 02649

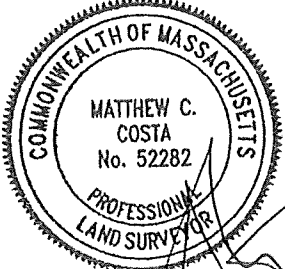
Project  
**DOCK MODIFICATION**

Drawing Title  
**COVER SHEET**

Date  
**AUGUST 9, 2017**

|              |        |                      |       |
|--------------|--------|----------------------|-------|
| DRAWN BY: JB |        | CHECKED BY: MC       |       |
| REV          | DATE   | DESCRIPTION          | CK    |
| 1            | 1/9/18 | REVISED SHEET 4 OF 7 | MC MC |
|              |        |                      |       |
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ASSESSORS PARCEL ID: 119-108-0




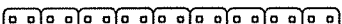


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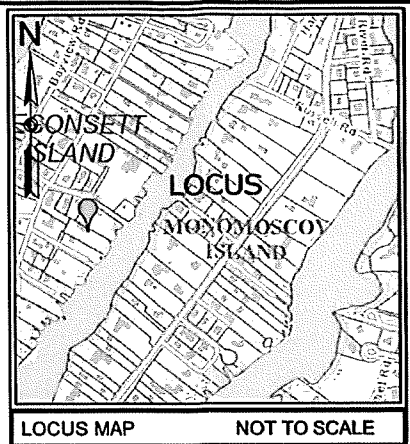
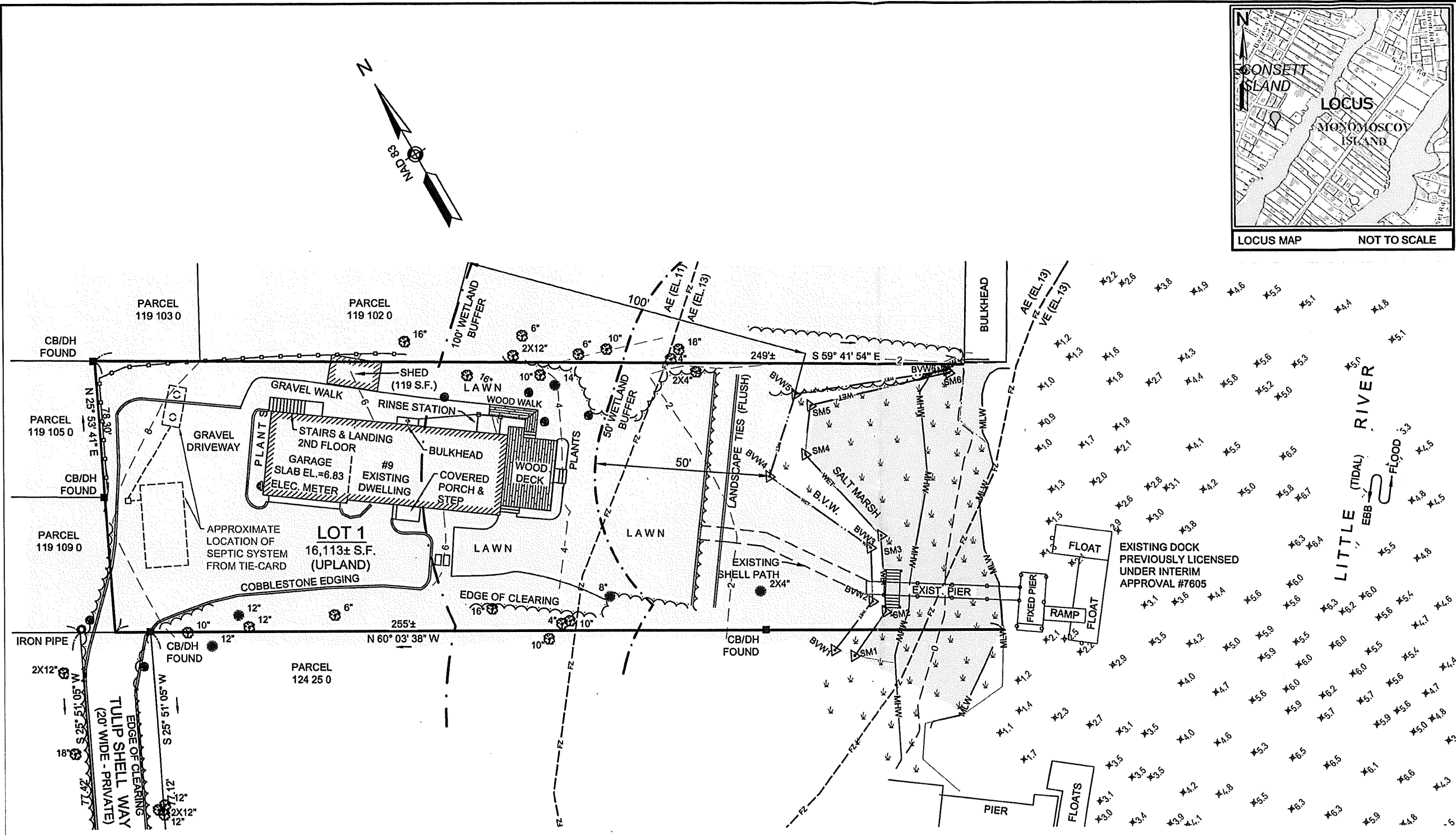
|       |       |                            |
|-------|-------|----------------------------|
| ■ CB  | ----- | CONCRETE BOUND             |
| ■ SB  | ----- | STONE BOUND                |
| ⊙ RC  | ----- | ROD CAP                    |
| ○ IP  | ----- | IRON PIPE FOUND            |
| ①     | ----- | TELEPHONE MANHOLE          |
| ①     | ----- | UNKNOWN MANHOLE            |
| ③     | ----- | CABLE TV MANHOLE           |
| Ⓜ     | ----- | METAL COVER                |
| ⚡     | ----- | HYDRANT                    |
| ⚡     | ----- | WATER SHUTOFF              |
| Ⓜ     | ----- | WATERGATE                  |
| Ⓜ     | ----- | WELL                       |
| Ⓜ     | ----- | WATER METER PIT            |
| Ⓒ     | ----- | GAS GATE                   |
| Ⓜ     | ----- | CATCH BASIN SQUARE         |
| Ⓜ     | ----- | CATCH BASIN ROUND          |
| Ⓜ     | ----- | TRAFFIC CONTROL BOX        |
| Ⓜ     | ----- | TRAFFIC SIGNAL             |
| Ⓜ     | ----- | UTILITY POLE               |
| Ⓜ     | ----- | GUY POLE                   |
| Ⓜ     | ----- | GUY WIRE                   |
| Ⓜ     | ----- | LIGHT POLE                 |
| □ EHH | ----- | ELECTRIC HANDHOLE          |
| □ THH | ----- | TELEPHONE HANDHOLE         |
| □ CHH | ----- | CABLE TV HANDHOLE          |
| □ HH  | ----- | UNKNOWN HANDHOLE           |
| Ⓜ     | ----- | SIGN                       |
| Ⓜ     | ----- | FLAGPOLE                   |
| Ⓜ     | ----- | CONIFEROUS TREE            |
| Ⓜ     | ----- | DESIDUOUS TREE             |
| Ⓜ     | ----- | TREE STUMP                 |
| Ⓜ     | ----- | SHRUB                      |
| Ⓜ     | ----- | CONIFEROUS SHRUB           |
| Ⓜ     | ----- | ELECTRIC METER             |
| Ⓜ     | ----- | SEWER CLEANOUT             |
| Ⓜ     | ----- | SEWER MANHOLE              |
| Ⓜ     | ----- | D-BOX                      |
| Ⓜ     | ----- | SEWER MANHOLE              |
| Ⓜ     | ----- | SEPTIC VENT                |
| □     | ----- | UNKNOWN HANDHOLE           |
| Ⓜ     | ----- | SEWER MANHOLE              |
| Ⓜ     | ----- | DRAIN MANHOLE              |
| Ⓜ     | ----- | LIGHT POST                 |
| ○     | ----- | POST                       |
| ■     | ----- | TEST PIT                   |
| ◇ 3.2 | ----- | SOUNDING (DEPTH BELOW MLW) |

|  |                         |
|--|-------------------------|
| — EHW — EHW —  | EXTREME HIGH WATER      |
| — MHW — MHW —  | MEAN HIGH WATER         |
| — MLLW —   | MEAN LOWER LOW WATER    |
| — MLW — MLW —  | MEAN LOW WATER          |
|  —   | TREE LINE               |
| — CATV —   | CABLE TV LINE           |
| — COM —  | COMMUNICATIONS LINE     |
| — D — D —  | DRAIN LINE              |
| — E — E —  | ELECTRIC LINE           |
| — OHW —  | OVERHEAD WIRES          |
| — OE — OE —  | OVERHEAD ELECTRIC       |
| — E/T — E/T —  | ELECTRIC/TELEPHONE      |
| — UE — UE —  | UNDERGROUND ELECTRIC    |
| — E/T/C —  | ELEC./TELE/CATV         |
| — F —  | FIRE ALARM LINE         |
| — FM —   | SEWER FORCE MAIN        |
| — G — G —  | GAS LINE                |
| — IR —   | IRRIGATION LINE         |
| — RD — RD —  | ROOF DRAIN              |
| — SS —   | SANITARY SEWER LINE     |
| — T —  | TELEPHONE LINE          |
| — OT —   | OVERHEAD TELEPHONE LINE |
| — T/C —  | TELEPHONE / CABLE TV    |
| — W —  | WATER LINE              |
|  —   | STONE WALL              |
| — WET —  | WETLAND LINE            |
| — A —  | FWR-A ZONE              |
| — B —  | FWR-B ZONE              |
| — V —  | FWR-V ZONE              |
| — FZ —   | FLOOD ZONE              |
| — CB —   | COASTAL BANK            |
|  — | BLOCK WALL              |
| — ○ — ○ — ○ —  | POST & RAIL FENCE       |
| — □ — □ — □ —  | STOCKADE FENCE          |
| — X — X — X —  | PICKET ROW              |
| — xx — xx —  | CHAINLINK FENCE         |
| — —  | GUARDRAIL               |
| — LOW —  | LIMIT OF WORK           |
|  — | HAYBALE ROW             |

SHEET: 2 OF 7







- RESOURCE AREA COLOR KEY
- LAND UNDER THE OCEAN (OPEN WATER)
  - SALT MARSH
  - B.V.W.
  - L.S.C.S.F.

**CAPE & ISLANDS ENGINEERING**  
CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING  
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email: Info@CapeEng.com

Prepared for

**TEMPLAR HOLDINGS, LLC**  
234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address

**9 TULIP SHELL WAY**  
IN  
MASHPEE, MA 02649

Project

**DOCK MODIFICATION**

Drawing Title

**EXISTING CONDITIONS PLAN**

Date

**AUGUST 9, 2017**

|              |        |                      |       |
|--------------|--------|----------------------|-------|
| DRAWN BY: JB |        | CHECKED BY: MC       |       |
| REV          | DATE   | DESCRIPTION          | CK    |
| 1            | 1/9/18 | REVISED SHEET 4 OF 7 | MC MC |

GRAPHIC SCALE

30 0 30

ASSESSORS PARCEL ID: 119-108-0

COMMONWEALTH OF MASSACHUSETTS  
MATTHEW C. COSTA  
No. 52282  
PROFESSIONAL LAND SURVEYOR

TULIPSHELLWY\_9\_CAVALLARO\_PIER2

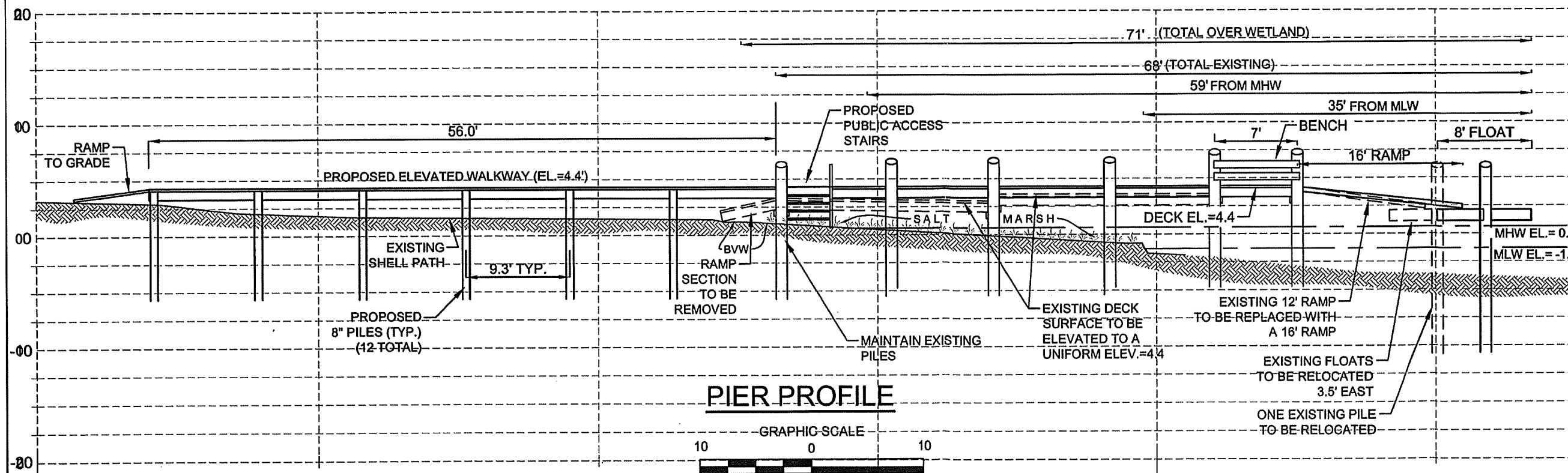
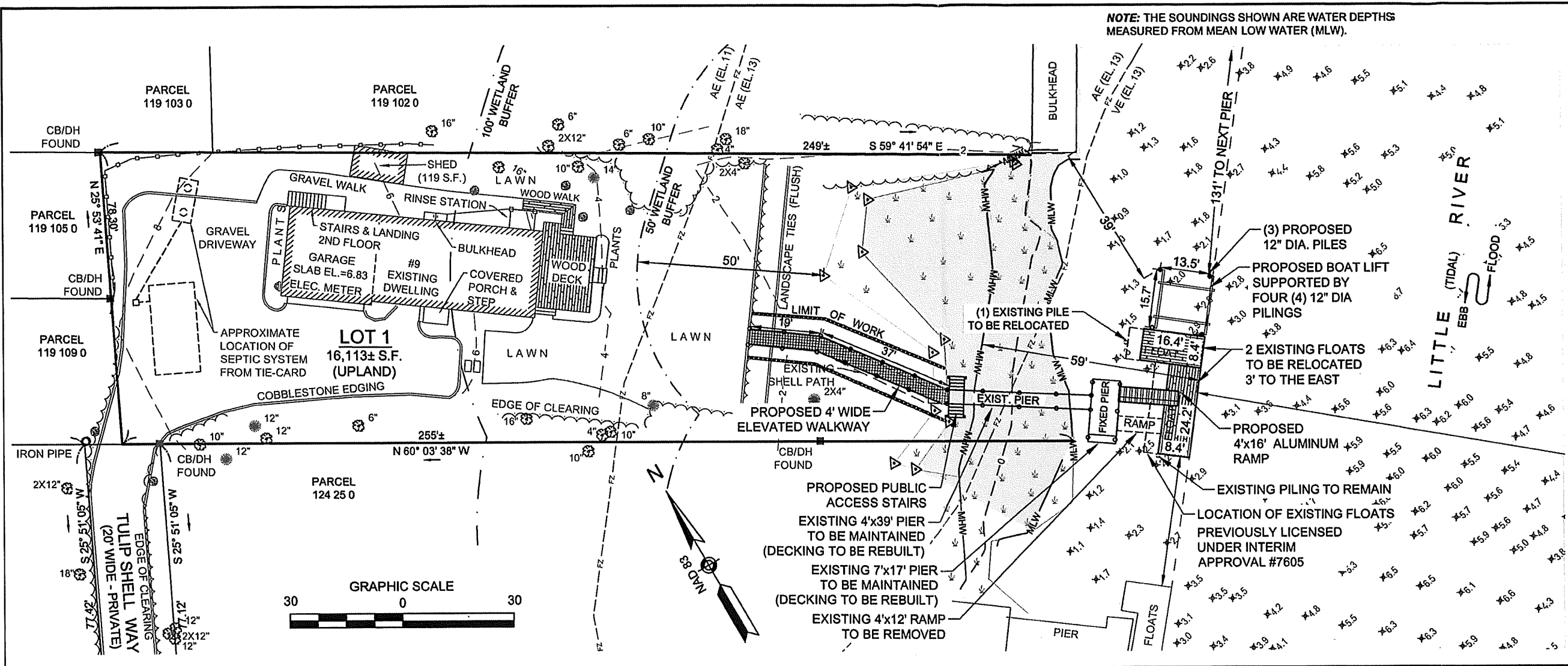
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(508) 477-7272 www.CapeEng.com  
email: info@CapeEng.com

Prepared for  
**TEMPLAR HOLDINGS, LLC**  
234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address  
**9 TULIP SHELL WAY**  
IN  
MASHPEE, MA 02649

Project  
**DOCK MODIFICATION**

Drawing Title  
**PROPOSED SITE PLAN**

Date  
**AUGUST 9, 2017**

DRAWN BY: JB CHECKED BY: MC

| REV | DATE   | DESCRIPTION     | BY | CK |
|-----|--------|-----------------|----|----|
| 1   | 1/9/18 | REVISED PROFILE | MC | MC |

ASSESSORS PARCEL ID: 119-108-0

COMMONWEALTH OF MASSACHUSETTS  
MATTHEW C. COSTA  
No. 52282  
PROFESSIONAL LAND SURVEYOR

TULIPSHELLWY\_9\_CAVALLARO\_PIER 2

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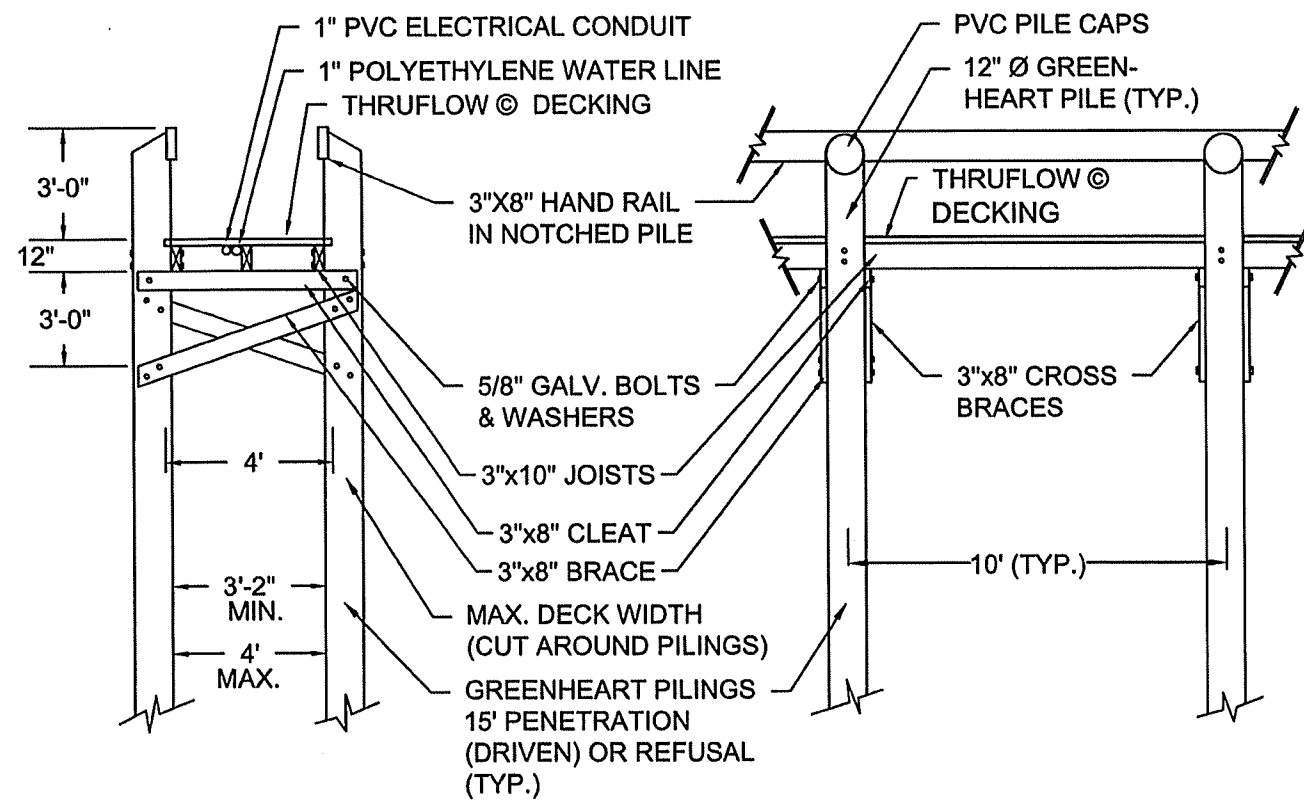
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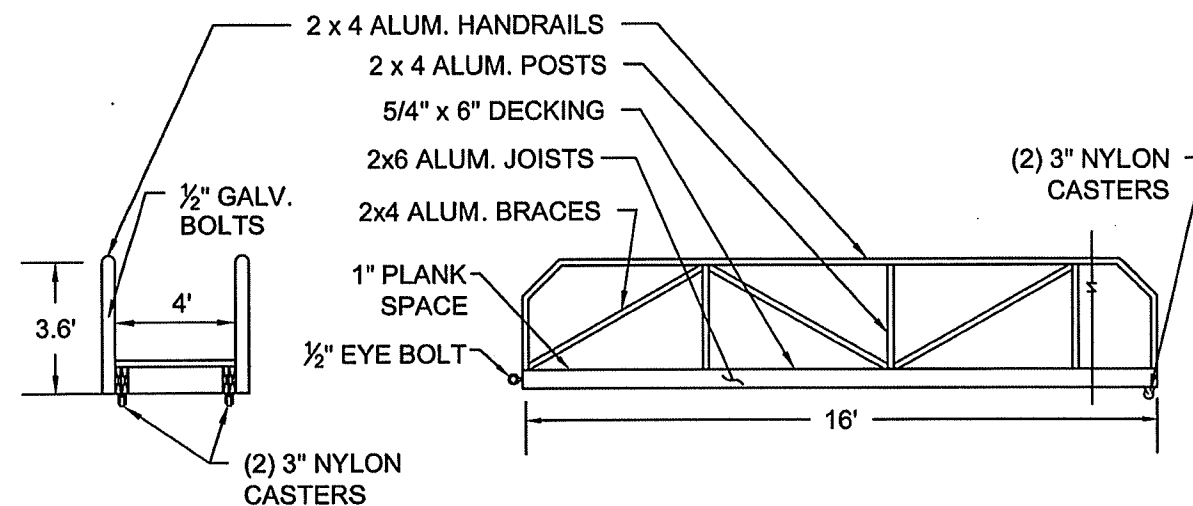
SHEET: 4 OF 7



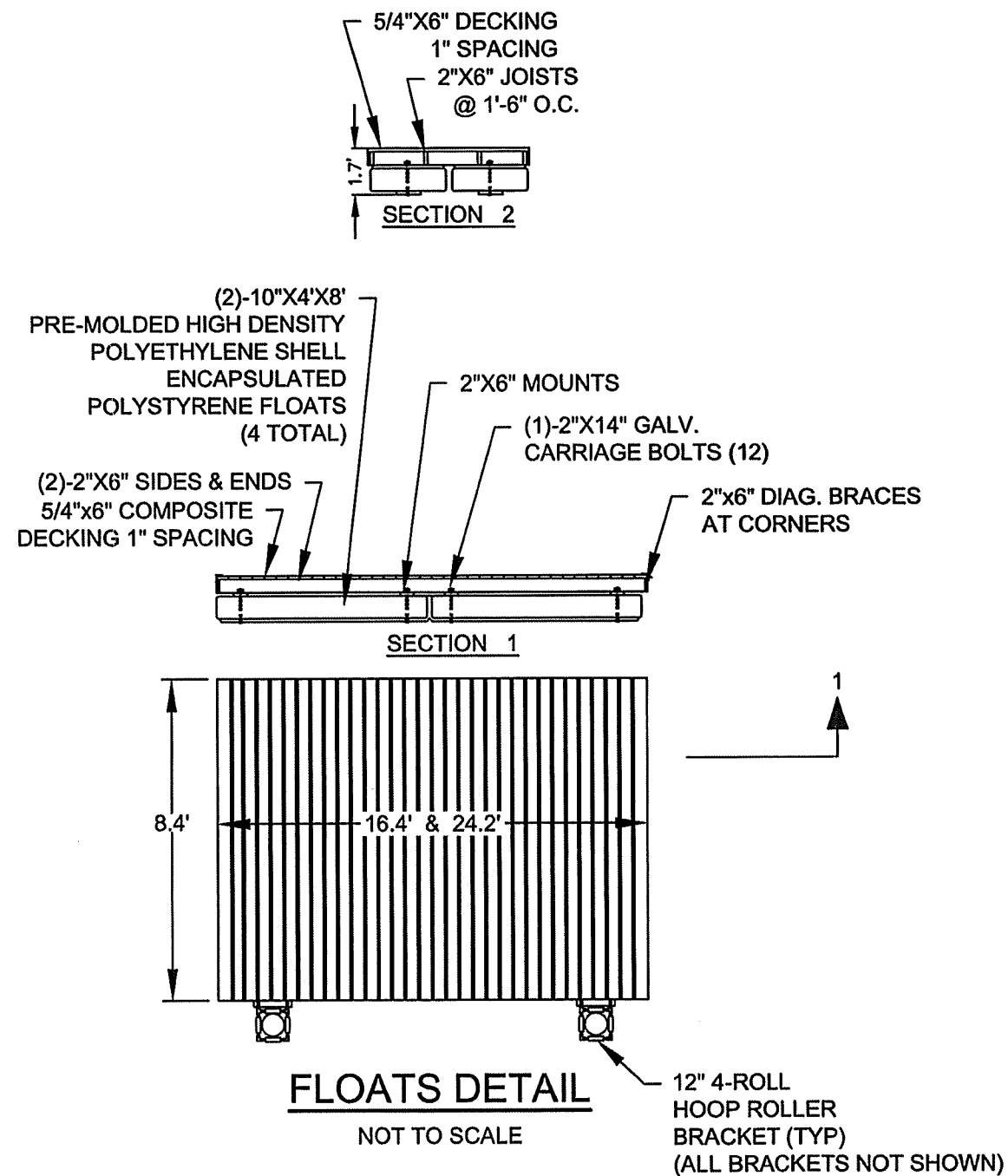




**PIER DETAIL**  
NO SCALE



**RAMP DETAIL**  
NO SCALE



**FLOATS DETAIL**  
NOT TO SCALE

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Prepared for

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234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address

**9 TULIP SHELL WAY**  
IN  
MASHPEE, MA 02649

Project

**DOCK MODIFICATION**

Drawing Title

**DETAIL SHEET**

Date

**AUGUST 9, 2017**

DRAWN BY: JB      CHECKED BY: MC

| REV | DATE   | DESCRIPTION          | CK    |
|-----|--------|----------------------|-------|
| 1   | 1/9/18 | REVISED SHEET 4 OF 7 | MC MC |

ASSESSORS PARCEL ID: 119-108-0

MATTHEW C. COSTA  
No. 52282  
PROFESSIONAL LAND SURVEYOR

TULIPSHELLWY\_9\_CAVALLARO\_PIER2

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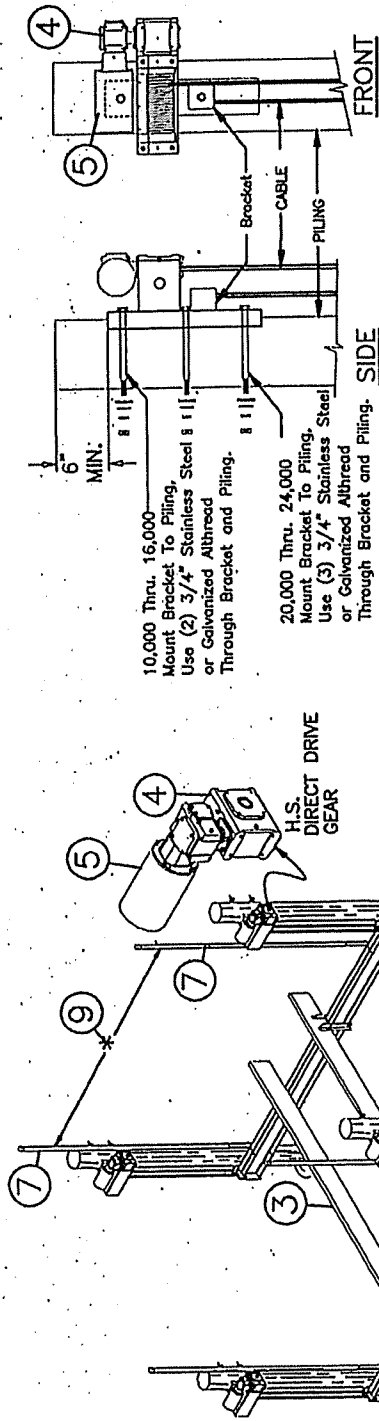
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SHEET: 5 OF 7



HURRICANE BOAT LIFTS  
BEAMLESS VERTICAL LIFTS ENGINEERING SPECIFICATIONS



| 1                   | 2                                | 3                               | 4                              | 5                          | 6                   | 7                          | 8                            | 9                |
|---------------------|----------------------------------|---------------------------------|--------------------------------|----------------------------|---------------------|----------------------------|------------------------------|------------------|
| Lift Cap.           | 2 Cables per lift<br>I-Beam Size | Cable Size<br>(STAINLESS STEEL) | Aluminum Gear Box              | Motor<br>(STAINLESS STEEL) | Required Volts/AMPS | 2\" DIA. Guide Post Height | Min. Recommended Piling Size | MAX BEAM OF BOAT |
| 10,000# DOUBLE PART | 8\"x5\"W x150\" LONG x150\" DIA  | 5/16\"x30'                      | 2\"x8\"x12\" Aluminum Housing  | 4 Each 3/4 H.P.            | 220V/25A            | 6'-6\"                     | 4 PILING/ 10\" Dia.          | * 9'-6\"         |
| 13,000# DOUBLE PART | 8\"x5\"W x150\" LONG x150\" DIA  | 5/16\"x30'                      | 2\"x8\"x12\" Aluminum Housing  | 4 Each 3/4 H.P.            | 220V/25A            | 10'                        | 4 PILING/ 10\" Dia.          | * 9'-6\"         |
| 16,000# DOUBLE PART | 10\"x6\"W x168\" LONG x168\" DIA | 5/16\"x30'                      | 3\"x10\"x12\" Aluminum Housing | 4 Each 1 H.P.              | 220V/25A            | 10'                        | 4 PILING/ 10\" Dia.          | * 11'            |
| 20,000# TRIPLE PART | 10\"x6\"W x168\" LONG x168\" DIA | 5/16\"x45'                      | 3\"x10\"x14\" Aluminum Housing | 4 Each 1 H.P.              | 220V/30A            | 10'                        | 4 PILING/ 10\" Dia.          | * 11'            |
| 24,000# TRIPLE PART | 10\"x6\"W x192\" LONG x192\" DIA | 5/16\"x45'                      | 3\"x10\"x16\" PT Wood Competed | 4 Each 1 H.P.              | 220V/30A            | 10'                        | 4 PILING/ 12\" Dia.          | * 13'            |

| Lift Capacity | RECOMMENDED PILING SIZES |       |
|---------------|--------------------------|-------|
|               | A                        | B     |
| 10,000 LB     | 120\"                    | 150\" |
| 13,000 LB     | 120\"                    | 150\" |
| 16,000 LB     | 120\"                    | 168\" |
| 20,000 LB     | 132\"                    | 164\" |
| 24,000 LB     | 162\"                    | 188\" |

A CENTER-TO-CENTER B CENTER-TO-CENTER

PILING SPACING

CUSTOM WIDTH'S AVAILABLE

THE WORK SPECIFIED HEREIN HAS BEEN DESIGNED & ALL WORK SHALL BE IN ACCORDANCE WITH STRUCTURAL PROVISIONS OF THE 5th EDITION 2014 FLORIDA BUILDING CODE.

NOTE: THIS LIFTING STRUCTURE HAS BEEN DESIGNED TO WITHSTAND WIND LOADS ASSOCIATED WITH WIND SPEEDS OF V = 180 MPH, V = 139 MPH (3 SEC. GUST) EXPOSURE 'D' WITHOUT A BOAT ON THE LIFT PER ASCE 7-10 USING ABOVE GROUND SCA/WALL METHOD, THE LIFTING STRUCTURE INCLUDING BOAT HAS BEEN DESIGNED TO WITHSTAND WIND SPEEDS OF V = 90 MPH IN EXPOSURE 'C' OR 80 MPH IN EXPOSURE 'D'. OWNER RESPONSIBLE TO REMOVE BOAT FROM LIFT DURING WINDSTORM EVENT IN EXCESS VASD AS CALULATED BELOW, PER FBC 3105.5.3 STRUCTURES DESIGNED TO BE READILY REMOVED OR REPOSITIONED DURING PERIODS OF HIGH WIND VELOCITY SHALL BE POSTED WITH A LEGIBLE AND READILY VISIBLE DECAL OR PAINTED INSTRUCTIONS TO BE THE OWNER OR TENANT TO REMOVE OR REPOSITION THE STRUCTURE OR PART THEREOF DURING SUCH PERIODS OF TIME AS ARE DESIGNATED BY THE U.S. WEATHER BUREAU AS BEING A HURRICANE WARNING OR ALERT. THE LIFT OWNER SHALL BE NOTIFIED OF THESE CONDITIONS BY THE PERMIT HOLDER, NO WARRANTY, EXPRESSED OR IMPLIED, IS CONTAINED HEREIN. VASD MAY BE CALCULATED BY THE FOLLOWING FORMULA: VASD = V 0.6 \* Vult. DESIGN OF BOAT WIND LOADING HAS BEEN PERFORMED WITH THE FOLLOWING RATIOS AS CONFIRMED BY OTHERS: B/H = 3, S/H = 0.75, FOR A Cf of 1.6 MAXIMUM WHERE H IS THE HEIGHT TO TOP OF BOAT, B IS HORIZONTAL DIMENSION, AND S IS VERTICAL DIMENSION.

CERTIFICATION OF BOAT LIFT TO EXISTING STRUCTURE AND ALL ELECTRICAL OR MECHANICAL CERTIFICATIONS ARE BY OTHERS; ENGINEER SEAL CERTIFIES ASSEMBLY OF LIFT ONLY.

THIS DETAIL IS PREPARED AS A GENERAL NON-SITE SPECIFIC MASTER PLAN SHEET DETAIL. TYPICAL FIELD CONDITIONS ARE ASSUMED IN THE DESIGN. WOOD PILES SHALL BE SEASONED WOOD WITH C-0.55 OR BETTER, SHOULD ANY SPECIFIC LOCATION DIFFER FROM THAT SPECIFIED HEREIN, OR STANDARD FIELD CONDITIONS, ADDITIONAL SPECIFIC ENGINEERING MAY BE REQUIRED AS DETERMINED BY THE BUILDING INSPECTOR AND PERMITTING CONTRACTOR. CARE SHALL BE TAKEN BY CONTRACTOR IN ALL APPLICATIONS OF THIS DETAIL. AS THIS IS NOT A SITE SPECIFIC DRAWING, IT IS THE RESPONSIBILITY OF OTHERS TO ENSURE THE INTEGRITY OF INSTALLATION TO THE HOST STRUCTURE.

ALUMINUM: 6061 T6 ALUMINUM MATERIAL: 6061 T6 ALUMINUM ALL WELDS ARE MIN. 1/4\" FULL FILLET WELD USING 5556 FILLER ALLOY. ALL WELDING MUST CONFORM TO ASC STEEL CONSTRUCTION MANUAL 13TH ED AS INSPECTED AND VERIFIED BY OTHERS. THE CONTRACTOR IS RESPONSIBLE TO INSULATE ALUMINUM MEMBERS FROM DISSIMILAR METALS TO PREVENT ELECTROLYSIS. FASTENERS

ALL ANCHORS TO BE HILTI BRAND OR MFR EQUIVALENT. ALL BOLTS SHALL BE HOT DIPPED GALVANIZED, OR STAINLESS STEEL & MEET THE REQUIREMENTS OF ASTM A304 WITH HARDENED WASHERS AND HEX NUTS. WASHERS SHALL BE USED BETWEEN WOOD & BOLT HEAD & BETWEEN WOOD & NUT WHERE GENERIC FASTENERS ARE LABELED IN DETAILS. CAPACITIES SHALL BE EQUAL TO OR GREATER THAN HILTI Kwik Bolt II OR RED HEAD THRU BOLTS. EMBEDMENT DEPTHS SPECIFIED HEREIN ARE DEPTHS INTO SOLID SUBSTRATE AND DO NOT INCLUDE THICKNESS OF STUCCO OR OTHER FINISHES.

ALUMINUM MEMBERS IN CONTACT WITH CONCRETE AND WOOD SHALL BE PROTECTED BY 'KOPERS' BITUMINOUS PAINT' OR POLYETHYLENE TAPE UHMW (ULTRA HIGH MOLECULAR WEIGHT) 11.7 mils (0.30 mm) MIN. TOTAL THICKNESS IN ACCORDANCE WITH CURRENT FLORIDA BUILDING CODE. ALL WELDS PER FLORIDA BUILDING CODE.

B&B CONSULTING ENGINEERS, INC. HAS NOT VISITED THIS JOBSITE. INFORMATION CONTAINED HEREIN IS BASED ON CONTRACTOR SUPPLIED DATA AND MEASUREMENTS. B&B CONSULTING ENGINEERS, INC. SHALL NOT BE HELD RESPONSIBLE OR LIABLE IN ANY WAY FOR ERRONEOUS OR INACCURATE DATA OR MEASUREMENTS. WORK SHALL BE VERIFIED PRIOR TO CONSTRUCTION.

B&B CONSULTING ENGINEERS, INC. SHALL BE NOTIFIED AND GIVEN AN OPPORTUNITY TO REEVALUATE OUR WORK UPON DISCOVERY OF ANY INACCURATE INFORMATION PRIOR TO MODIFICATION OF EXISTING FIELD CONDITIONS AND FABRICATION AND INSTALLATION OF MATERIALS.

ENGINEERING SEAL AFFIXED HERETO VALIDATES STRUCTURAL DESIGN AS SHOWN ONLY. USE OF THIS SPECIFICATION BY CONTRACTOR, AT, IN, INDEMNITIES & SAVES. HARMLESS THIS ENGINEER FOR ALL COSTS & DAMAGES INCLUDING LEGAL FEES & APPELLATE FEES RESULTING FROM MATERIAL FABRICATION, SYSTEM ERECTION & CONSTRUCTION PRACTICES BEYOND THAT WHICH IS CALLED FOR BY LOCAL, STATE, & FEDERAL CODES & FORM DEVIATIONS OF THIS PLAN, EXCEPT AS EXPRESSLY PROVIDED IN HEREIN, NO CERTIFICATION OR AFFIRMATIONS ARE INTENDED.

THIS SPECIFICATION SHEET GOOD ONLY AT THIS NAME AND ADDRESS  
VOID WITHOUT HURRICANE SEAL OVER NAME

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Oscar M. Bermudez, PE.  
Reg. Florida No. 55141

DATE: \_\_\_\_\_

HURRICANE BOAT LIFTS  
3301 S.E. Slater Street  
Stuart, Florida 34997  
(772)-781-2556  
Fax (772)-781-4854

B&B Engineers,  
706 S. 7th Street  
FT. PIERCE, FLORIDA 34950  
*Oscar M. Bermudez* 7-7-14

Revised: 5/19/15 SPECIFICATIONS SUBJECT TO CHANGE AT ANY TIME

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800 FALMOUTH ROAD, SUITE 301C  
MASHPEE, MA 02649  
(508) 477-7272 www.CapeEng.com  
email: info@CapeENG.com

Prepared for

TEMPLAR HOLDINGS, LLC  
234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address

9 TULIP SHELL WAY  
IN  
MASHPEE, MA 02649

Project

DOCK MODIFICATION

Drawing Title

BOAT LIFT DETAILS

Date

AUGUST 9, 2017

DRAWN BY: JB

CHECKED BY: MC

REV

DATE

DESCRIPTION

CK

1

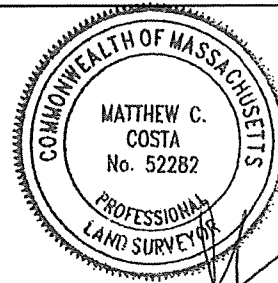
1/9/18

REVISED SHEET 4 OF 7

MC

MC

ASSESSORS PARCEL ID: 119-108-0



TULIPSHELLWY\_9\_CAVALLARO\_PIER 2

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PIER NOTES

ALL FLOATATION MATERIALS ASSOCIATED WITH NEW FLOATS SHALL BE ENCAPSULATED AND OF A TYPE APPROVED BY THE COMMISSION.

ALL PILINGS SHALL BE INSTALLED IN SUCH A WAY AS TO MINIMIZE TURBIDITY TO THE GREATEST POSSIBLE EXTENT. PILES SHOULD BE DRIVEN / VIBRATED INTO PLACE. JETTING OF PILINGS IS NOT ALLOWED.

NON-LEACHING WOOD PRESERVATIVE MUST BE USED FOR WOOD CONSTRUCTION MATERIALS.

DOCK AND FLOAT MARKING FOR FIXED PIER AND MOST SEAWARD PILE: TO INCLUDE DEP LICENSE NUMBER AND PROPERTY STREET ADDRESS. THE LETTER AND/OR NUMERALS ON ALL IDOCK AND/OR FLOATS MUST BE A MINIMUM OF THREE INCHES IN HEIGHT, AND THE LETTERING/NUMERALS BE OF CONTRASTING COLORS SO THAT THE SIGN IS EASILY SEEN FROM THE WATER. BLACK LETTERS ON WHITE BACKGROUND. SIGNS SHALL BE INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE OF COMPLIANCE. SIGNS MUST BE MAINTAINED TO BE VISIBLE THROUGHOUT THE OWNERSHIP OF THE DOCK/PIER AND FLOAT OR OWNER MAY BE SUBJECT TO ENFORCEMENT ACTIONS UNDER THE CHAPTER 172 BYLAW.

AT NO TIME SHALL FLOATS, BOATS, KAYAKS, CANOES OR ANY OTHER OBJECTS BE STORED DIRECTLY ON THE SALT MARSH, COASTAL BANK, AND BORDERING VEGETATED WETLANDS. NO FLOAT, BOAT, KAYAK OR CANOE SHALL BE DRAGGED ACROSS THE SALT MARSH OR BORDERING VEGETATED WETLAND AT ANY TIME. OFF SEASON STORAGE OF ANY PORTION OF A DOCK/FLOAT ON ANY OF THE AFOREMENTIONED RESOURCE AREAS MAY RESULT IN A FINE IN ACCORDANCE WITH THE MASHPEE CHAPTER 172 BYLAWS.

RAMPS AND FLOATS SHALL BE STORED DURING OFF-SEASON IN A SUITABLE UPLAND LOCATION. RAMPS AND FLOATS SHALL BE REMOVED IN A MANNER THAT DOES NOT IMPACT WETLAND RESOURCE AREA.

BOAT LIFT NOTES

THE PROPOSED BOAT LIFT IS SUPPORTED BY FOUR (4) 12" DIA. PILINGS AND INTENDED TO REMAIN ABOVE THE MEAN HIGH WATER MARK. THE PURPOSE OF THE BOAT LIFT IS TO KEEP A BOAT ELEVATED ABOVE THE WATER AND ELIMINATE THE NEED FOR ANTIFOULING PAINTS TO BE APPLIED TO THE BOTTOM OF THE BOAT.

BOAT LIFT SPECIFICATIONS ARE AS PER THE MANUFACTURERS DESIGN AND RECOMMENDATIONS. THE BOAT LIFT SPECIFICATIONS ARE SHOWN ON SHEET 6. ANY ALTERATIONS TO THE DESIGN SHALL BE APPROVED BY MANUFACTURER.

CONSERVATION NOTES

PRIOR TO ANY WORK COMMENCING, THE DEP FILE NUMBER SHALL BE POSTED ON A SIGN ON THE STREET SIDE OF THE LOT AND MAINTAINED IN A VISIBLE CONDITION THROUGHOUT THE PROJECT.

THE LIMIT OF WORK WILL BE INSTALLED PRIOR TO ANY WORK, EXCAVATION, CONSTRUCTION OR CLEARING OF VEGETATION, IN ORDER TO PREVENT DAMAGE TO THE INTERESTS OF THE ACT AND BYLAW. THE LIMIT OF WORK WILL CONSIST OF A ROW OF STAKED SEDIMENT STOP OR COMPOST ROLL WITH SILTATION FENCE BACKING. THE SEDIMENT STOP ROLL WILL BE REPLACED AS NECESSARY TO BE MAINTAINED IN GOOD CONDITION THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD. NO FILL WILL BE ALLOWED TO BE PLACED AGAINST THE LIMIT OF WORK AT ANY TIME. UPON COMPLETION OF ALL CONSTRUCTION AND STABILIZATION OF THE SITE, SEDIMENT STOP ROLL WILL BE REMOVED AND PROPERLY DISPOSED OF.

PRIOR TO ANY WORK COMMENCING, ADVANCE WRITTEN NOTIFICATION WILL BE PROVIDED TO THE MASHPEE CONSERVATION COMMISSION.

NO DEBRIS, EQUIPMENT OR MATERIALS WILL BE STORED, EVEN TEMPORARILY, OUTSIDE THE DESIGNATED LIMIT OF WORK AREA WITHIN THE 100 FOOT BUFFER ZONE. CONSTRUCTION STAGING SHALL BE LOCATED WITHIN DRIVEWAY AND LAWN AREAS.

THE CONSTRUCTION SITE WILL BE CLEANED DAILY TO REMOVE ANY LOOSE DEBRIS.

ALL DISTURBED AREAS WITHIN THE LIMIT OF WORK REQUIRING RESTORATION WILL BE STABILIZED TO PREVENT EROSION. STABILIZATION WILL BE DONE IMMEDIATELY FOLLOWING COMPLETION OF CONSTRUCTION.

ANY NEW LAWN AREAS WITHIN JURISDICTION SHALL BE PLANTED WITH GRASS SPECIES CONSISTING OF FESCUES AND RYES WITH BLUEGRASS VARIETIES COMPRISING NO MORE THAN 10% OF THE MIX.

FERTILIZER APPLICATIONS AND LAWN MAINTENANCE TO BE PERFORMED IN ACCORDANCE WITH CHAPTER 172 OF THE MASHPEE CODE REGULATION 31 - NITROGEN LOADING/LAWN STANDARDS..

SEPTIC SYSTEM NOTES

THE EXISTING SEPTIC SYSTEM IS A FUNCTIONING TITLE 5 SEPTIC SYSTEM AND DESIGNED FOR THREE (3) BEDROOMS AND WILL SERVICE THE PROPOSED DWELLING. THERE ARE NO OTHER PROPOSED CHANGES TO THE LEACHING FACILITY.

GENERAL NOTES

LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD 1988 DATUM.

THE SOUNDINGS SHOWN ARE WATER DEPTHS MEASURED FROM MEAN LOW WATER (MLW).

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF AE(EL.11), AE(EL.13) & VE(EL.13) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C0734J, WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.

DEED REFERENCE: BK 30459 PG 112

PLAN REFERENCE: BK 62 PG 85

ZONING NOTES

ZONING DISTRICT: R-3

MINIMUM BUILDING SETBACKS TO LOT LINES:  
40 FEET FRONT  
15 FEET SIDE/REAR  
5 FEET SIDE (SHEDS 120 S.F. AND UNDER)

MINIMUM BUILDING SETBACK TO WETLAND: 50 FEET

MAXIMUM LOT COVERAGE BY STRUCTURES: 20%

LOT COVERAGE:  
LOT AREA = 16,113± S.F

EXISTING DWELLING, DECK, & SHED  
= 2,061 S.F. (12.8%)

TOTAL LENGTH OF PIER OVER WETLAND = 70 FT.

RESOURCE AREA NOTES

TOTAL NUMBER OF 6"x 6" POSTS TO BE INSTALLED = 4 (1 S.F.)

TOTAL NUMBER OF 12" PILINGS TO BE INSTALLED = 3 (2.3 S.F.)

TOTAL NUMBER OF 8" PILINGS TO BE INSTALLED = 12 (4.2 S.F.)

TOTAL LENGTH OF PIER, RAMP AND FLOAT = 123 FT.

LENGTH FROM MEAN HIGH WATER TO END OF FLOAT = 58 FT.

LENGTH FROM MEAN LOW WATER TO END OF FLOAT = 34 FT.

LENGTH OF EXISTING PIER OVER SALT MARSH = 7 FT.

TOTAL AREA OF TEMPORARY DISTURBANCE WITHIN L.S.C.S.F.= 1,500 S.F.

TOTAL AREA OF PERMANENT DISTURBANCE WITHIN L.S.C.S.F = 4.2 S.F.


TOTAL AREA OF PERMANENT DISTURBANCE WITHIN SALT MARSH = 1 S.F.

TOTAL AREA OF PERMANENT DISTURBANCE WITHIN BVW = 0 S.F.

TOTAL AREA OF PERMANENT DISTURBANCE WITHIN LAND UNDER THE OCEAN = 2.3 S.F.

PROPERTY IS NOT LOCATED WITHIN AREA DESIGNATED AS PRIORITY HABITAT FOR ENDANGERED SPECIES AS DESIGNATED BY NATURAL HERITAGE AND ENDANGERED SPECIES (NHESP).

PROPERTY IS NOT LOCATED WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN (A.C.E.C.) AS SHOWN ON WAQUOIT BAY ACEC MAP.



CAPE & ISLANDS ENGINEERING  
CIVIL ENGINEERING - LAND SURVEYING - ENVIRONMENTAL PERMITTING  
INCORPORATED

SUMMERFIELD PARK  
899 FALMOUTH ROAD, SUITE 301C  
MASHPEE, MA 02649  
(508) 477-7272 www.CapeEng.com  
email: info@CapeENG.com

Prepared for  
**TEMPLAR HOLDINGS, LLC**  
234 MEADOW NECK ROAD  
E. FALMOUTH, 02536

Property Address  
**9 TULIP SHELL WAY**  
IN  
MASHPEE, MA 02649

Project  
**DOCK MODIFICATION**


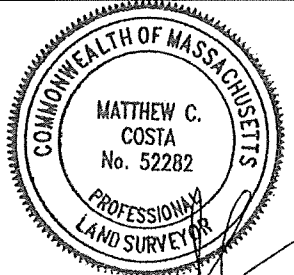
Drawing Title  
**NOTES SHEET**

Date  
**AUGUST 9, 2017**

Drawn By: JB      Checked By: MC

| REV | DATE   | DESCRIPTION          |    | CK |
|-----|--------|----------------------|----|----|
| 1   | 1/9/18 | REVISED SHEET 4 OF 7 | MC | MC |
|     |        |                      |    |    |
|     |        |                      |    |    |
|     |        |                      |    |    |

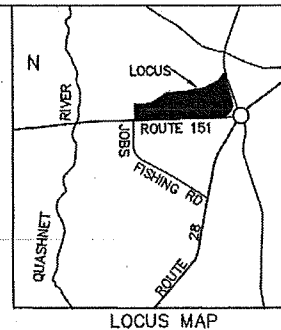
ASSESSORS PARCEL ID: 119-108-0



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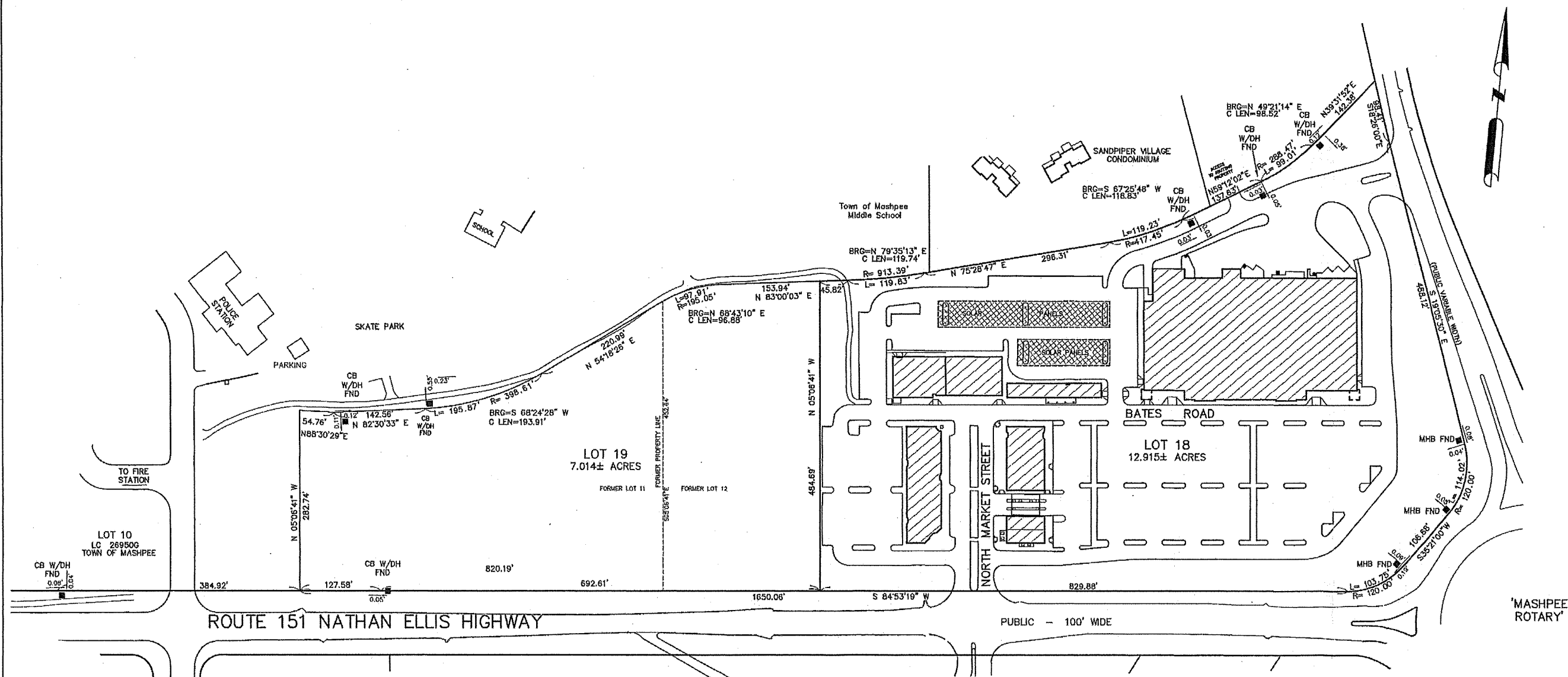
SHEET: 7 OF 7





PETITION PLAN 26950 I  
SUBDIVISION PLAN OF LAND  
PREPARED FOR  
MASHPEE COMMONS LLC  
IN  
MASHPEE, MASSACHUSETTS  
BEING A SUBDIVISION OF LOTS 11 & 12 AS SHOWN ON LAND COURT PLAN 26950G

scale  
1" = 80'  
date  
MARCH 27, 2018  
drawn  
TJB  
checked  
73  
job number  
14037  
revisions



**NOTES**

1. ASSESSOR'S PARCELS 74-22 & 74-35
2. LOTS 11 & 12 LAND COURT PLAN 26950-G
3. OWNER: MASHPEE COMMONS, LLC
4. TITLE REFERENCES: CERTS # 111520 (LOT 11) # 172447 (LOT 12)
5. ZONING DISTRICT: C-1
6. FLOOD ZONE: X

Field Traverse Data  
linear error of closure: 0.014 feet  
angular error of closure: 13 seconds  
precision of traverse: 1 in 262,854

Instrument Specifications  
Topcon GTS-304 TOTAL STATION  
Electronic Distance Measurements  
"accuracy" ±(3mm + 5ppm)  
Electronic Angle Measurements  
precision 5 seconds

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

DATE 3/29/2018 Thomas J. Benker  
PROFESSIONAL LAND SURVEYOR  
NOTE: THIS PLAN IS BASED ON AN  
ON THE GROUND INSTRUMENT SURVEY.

I CERTIFY THAT THIS ACTUAL SURVEY WAS  
MADE ON THE GROUND IN ACCORDANCE  
WITH THE LAND COURT INSTRUCTIONS OF  
1989 ON OR BETWEEN OCTOBER 22, 2003  
AND FEBRUARY 7, 2018.

DATE 3/29/2018 Thomas J. Benker  
Professional Land Surveyor

Approval under the Subdivision  
Control Law NOT required.  
MASHPEE PLANNING BOARD

Date: \_\_\_\_\_

NO DETERMINATION AS TO COMPLIANCE WITH  
ZONING REQUIREMENTS HAS BEEN MADE OR  
INTENDED BY THIS ENDORSEMENT UNDER MGL  
CHAPTER 41, SECTION 81L

**LEGEND**

N 09°34'56" W } PROPERTY LINE DATA  
336.63'

0.66' } PERPENDICULAR OFFSET  
FROM RECORD TO FIELD  
LOCATION OF MONUMENT

**GRAPHIC SCALE**

