



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, MA 02649

Meeting of the Mashpee Planning Board

Wednesday, August 16, 2023; 7:00 PM

Waquoit Meeting Room

Mashpee Town Hall

16 Great Neck Road North

Mashpee, MA 02649

Broadcast Live on Local Channel 18

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

Call Meeting to Order

- Pledge of Allegiance

Approval of Minutes

- Review of Meeting Minutes from August 2, 2023

Public Hearings

7:10 PM

- Applicant:** Pleasantwood Homes, LLC
Location: 20 Tudor Terrace (Assessor's Map 29 Parcel 198)
Request: Applicant proposes to divide the subject Parcel comprised of approximately 6.024 acres into three building lots for single family home construction while preserving 3.021 acres as protected open space.

7:15 PM

- Applicant:** Pleasantwood Homes, LLC
Location: 20 Tudor Terrace (Assessor's Map 29 Parcel 198)
Request: Applicant is seeking approval of a Definitive Subdivision Plan of land that would create three new 40,000 sq. ft. building lots by dividing the 6.024 acre subject property. The remaining land area totaling approximately 3.021 acres is proposed for open space as required by Mashpee Zoning Bylaw. The three lots proposed obtain frontage via an extension of the existing public way called Tudor Terrace.

New Business

- Discussion of proposed amendments to Tree Bylaw and possible vote to accept those changes for submission to Select Board

Old Business

- Declaration of Default – Ockway Highlands Tripartite Agreement dated March 20, 2019
Note: Developer has satisfied all obligations secured by the Tripartite Agreement as of 8/10/2023

Board Engineer Report

- Project Reviews and Inspections

Chairwoman's Report

- Water Quality Issues



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, MA 02649

Town Planner Report

- Harbor Management Planning Committee update
- Housing Production Plan update

Board Member Committee Reports

- Cape Cod Commission, Community Preservation Committee, Design Review, Plan Review, Environmental Oversight Committee, Historic District Commission

Correspondence

- Town of Falmouth Notices
- Town of Sandwich Notices
- Cape Rail Inc. Letter 7/27/23
- DEP Notice of License Application John A & Maria Rousou and Amy Emily Nominee Trust 8/4/23

Additional Topics (not reasonably anticipated by Chair)

Adjournment

MASHPEE TOWN CLERK
AUG 10 '23 PM2:52



Town of Mashpee Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mashpee Planning Board

Minutes of Meeting

Wednesday, August 02, 2023 at 7:00PM

Mashpee Town Hall - Waquoit Meeting Room

16 Great Neck Road North

Mashpee, Ma 02649

Broadcast Live on Local Channel 18

Call-in Conference Number: (508)-539-1400 x 8585

Streamed Live on the Town of Mashpee website

<https://www.mashpeema.gov/channel-18>

Present: Chair Karen Faulkner, Mary Waygan, Dennis Balzarini, Mike Richardson, Dale Oakley, Robert (Rob) Hansen

Also Present: Evan Lehrer – Town Planner, Christopher Kirrane- Attorney for Forestdale Road, LLC, Jeffrey Dirk- Managing Partner at Vanasse & Associates

CALL TO ORDER

Chairwoman Faulkner called the meeting of the Planning Board to order at 7:00P.M. The Pledge of Allegiance was recited.

Announcement: Arden Russell made an announcement regarding the textile collection that the Environmental Coalition is co-sponsoring with the DPW. The date is August 19, 2023 from 9:00a.m. to 1:00p.m. at the Mashpee Middle High School. Textiles are now banned from trash, they are recycled, and the majority of textiles get reused. They will also be discarding household waste and hazardous materials. Items accepted will be: clothing, shoes, scarves, bags, hats, sheets, curtains, and stuffed animals. The items have to be dry and bagged. Bay State Textiles will be on site collecting all items.

APPROVAL OF MEETING MINUTES – July 19, 2023

No comments were made regarding the meeting minutes for July 19, 2023.

MOTION:

Ms. Waygan made a motion to approve the meeting minutes from July 19, 2023 as presented. Seconded by Mr. Richardson. All in favor.

PUBLIC HEARING

7:05 PM

Applicant: Cellco Partnership dba Verizon Wireless



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Location: 524 Great Neck Road North
Request: Applicant proposes to construct a 130' personal wireless service facility (cell tower) at the subject property identified above. The subject property is located within the C1 Commercial Zoning District and the Mashpee Wireless Overlay Facility District. This project triggers a mandatory referral to the Cape Cod Commission as a development of regional impact (DRI) and no deliberation by the Board will occur nor will public comment be accepted at this Public Hearing.

Mr. Lehrer commented to any abutters present that the application representative would be happy to answer questions relative to the application in the lobby.

MOTION:

Mr. Richardson made a motion to refer this to the Cape Cod Commission as a DRI. Seconded by Mr. Balzarini. All in favor.

MOTION:

Ms. Waygan made a motion that upon approval this will come back to the Planning Board. Seconded by Mr. Richardson. All in favor.

7:10PM (Continued from 06/21/2023)

Applicant: Southworth Mashpee Properties LLC
Location: 275 Quinaquisset Avenue (Map 69 Block 32)
Request: Applicant proposes to modify the Willowbend Country Club Special Permit to construct a 14-unit single family cottage community immediately contiguous to the Willowbend Golf Course. With these changes the total unit count for the Willowbend project would be increased to 287 if the Board authorizes the annexation of 275 Quinaquisset into the Willowbend Special Permit as allowed. 287 dwelling units is the maximum number of dwelling units authorized under the Special Permit. All units will be connected to and served by the existing privately owned wastewater treatment plant which serves the entire Willowbend project.

Ms. Faulkner read a letter dated August 1, 2023 addressed to Mr. Lehrer. Southworth requests both Public Hearings relating to the special permit modification be continued to Wednesday, September 06, 2023.



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

MOTION:

Ms. Waygan made a motion to continue this Public Hearing to Wednesday, September 06, 2023 at 7:30P.M. Seconded by Mr. Richardson. All in favor.

7:20PM (Continued from 07/05/2023)

Applicant: Southworth Mashpee Properties LLC
Location: Willowbend Permit Area
Request: Applicant proposes to modify the Willowbend Special Permit by amending the condition limiting the number of bedrooms allowed in the project. Currently Willowbend is allowed 853 bedrooms. Willowbend proposes to remove this condition or increase the maximum allowance.

Ms. Faulkner is looking for a motion to continue.

MOTION:

Mr. Balzarini made a motion to continue this Public Hearing on bedroom counts to September 06, 2023 at 7:40P.M. Seconded by Mr. Richardson. All in favor.

7:30PM (Continued from 07/05/2023)

Applicant: Marcello Mallegni, Forestdale Road, LLC
Location: 532 Main Street (Map 26, Block 6)
Request: The applicant requests consideration for approval of a 9 lot definitive subdivision plan of land consisting of approximately 18.05 acres located on Main Street (Route 130) between Nicoletta's Way and Echo Road.

Attorney Christopher Kirrane is present tonight representing the applicant. The traffic study has been completed. Mr. Dirk is here on behalf of the firm that completed that study. If the Board is comfortable, he would like to know if there is enough information to vote or if anything would be needed further.

Jeffrey Dirk with Vanasse & Associates is here tonight to discuss the proposed impact of this project, look at the design for access to the subdivision, and how the project would impact Rt. 130 and other intersections, and then some recommendations. They look at the development on all modes of transportation, such as pedestrians and bicycles, and the flow and safety for all involved. They are looking at average conditions but also make sure they are not creating gridlock in the peak traffic seasons. The area of study is Rt. 130 among the intersections of Nicoletta's Way, Echo Road, and Sturgis Lane. The study was done in May and it was for two days. They looked at the commuter hours between 7:00a.m.-9:00a.m. and 4:00p.m.-6:00p.m. A



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

24- hour flow profile allows validation of peak traffic. Peak morning is 7:15-8:15a.m. and peak evening commute is 4:15p.m.-5:15p.m. The volume under average conditions is 10,775 vehicles a day. Peak summer it grows another 3,000. Regarding safety and the speed of traffic, we want to make sure there is no congestive conditions that would cause speeds to lower in summer. There were 22,000 vehicles over that period of time and the majority or 85% traveled at or below 45 miles, it was between 42-43 miles per hour. They want to see that speed close to the posted speed limit when they make recommendations.

The look at the motor vehicle crashes on MassDOT, they collect data and publish it for safety assessments. They consider 5 years of crash data, 2016-2020 had no high crash locations. Echo Road had five crashes, 3 were resulted in property damages, 2 in personal injuries, and no fatalities. Safety as it relates averages to one crash per year, so it is not considered a high crash location. They look at a 7 year impact plan to allow for this Board to approve, build the project, and generate it to the road network. The Town Planner identifies projects in the area that are not yet constructed. A 1% growth rate is standard.

This area is proportionately zoned, one of the advantages in this area is the similar layout and similar lot sizes. The Assessor's Office looks at building sizes and types of buildings, the size of the buildings are 9,000s.f. on average. If there are 9 lots each at 10,000s.f. which is 90,000s.f. of building area, that is consistent with what is seen. In this area there are bays and workers come in with a truck and pick up supplies then leave for the day and come back in the evening. There is a small office area and a specialty trade contractor. If you know the type of land use and what size, they can look at data published by transportation engineers. A Specialty Trade Contractor usage found those numbers to be close on a per thousand square foot basis along with the traffic that is generated. Based on the numbers, this project would generate 884 vehicle trips on a daily basis. 442 vehicles would enter and exit. In peak hours during the one hour period in the morning the subdivision would produce 149 vehicle trips. There would be 111 vehicles entering and 38 exiting. In the evening hour there would be 174 vehicles total, with 56 entering and 118 exiting. The majority of cars will take a left to enter and right to exit.

Ms. Faulkner would like to know about that level of service and whether it will be very little delay or over capacity and she would like for him to mention road names.

Mr. Dirk stated there is a limit of acceptable traffic. Under an average month, the flow of traffic exiting Echo Road at Rt. 130 is a single lane, making a left or right turn has the same level of delay. Leaving the project, the delay is less than 10 seconds. In the evening there is a one and two second delay which is under the average. In the peak of summer, exiting Echo Rd. in the evening time, delays now increase over capacity because of the volume of cars along Rt. 130. Without the project, the cue is 5 vehicles deep, with the project the cue rises to 6 vehicles. This accounts for an increase of one vehicle. The levels of service are given letter marks. Without



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

the project, the level of service is a B. With a service of B there is a delay of 15 seconds or less. The subdivision's delays in the morning are noted at a service level of C, which is 25 seconds or less. In the evening delays are ranked an E, delays are less than 45 seconds exiting the subdivision. In summer months exiting is ranked an F during the evening only, and morning is a service of C, with less than 25 seconds of delays.

This subdivision road would operate exactly the same as Echo Road. Even if 6 cars are lined up leaving, it does not impact anything turning in. The traffic will be able to flow into the subdivision without an impeding manner. The design of the road would also help with that. At the Nicoletta's Way intersection, vehicles exiting were at 15 second delays or less. In peak summer with more traffic, the exit is serviced at level E, with 45 seconds delayed. The operating conditions for any roadway need to ensure the width is appropriate with the appropriate turning radius for vehicles turning into the subdivision.

Mr. Dirk elaborated on the sightlines based on the speed limit of 45 miles per hour. A sightline of 360ft. is the minimum. Looking to the right sight is 650ft., and in looking to the left the roadside has vegetation only allowing sight at 108ft. The vegetation would need to be cleared.

Recommendations: The subdivisions roadway design should have a minimum of 24 ft. wide with a sidewalk on the south side, as the shared path is on the west side and crosses over. Sturgis Lane and Bakers Rd. need to allow for pedestrian use to the south side. There will need to be a proper corner radius on Rt. 130 to allow tractor trailers or emergency vehicles to enter the roadway. Site line will need to be kept clear when exiting the subdivision. Offsite looking at existing deficiencies, Echo Road has a painted line for the stop sign. Nicoletta's Way stop sign should be put back behind the shared use path, not in front of said path. If a paint stop line is drawn at that location it would ensure vehicles are not blocking use of the shared use path. A safety audit produced recommendations to identify crash patterns. There will need to be a crosswalk put in. Instead of two parallel painted lines on Rt. 130, he is suggesting a striped white line crosswalk that is much more visible to stand out. He would also recommend crossing warning signs and a shared use path crossing sign. There needs to be yield warning triangles in place. He is suggesting a rectangular flashing beacon with yellow lights so bicyclists can push a button to let motorists know there are bicyclists. Solar power can be used to power the flashing beacons. These don't cost anyone money during development. He would also recommend bicycle racks be provided.

Mr. Balzarini noted this property is divided into three zones, commercial in the front, industrial in the middle, and residential in the back. He would like to know if commercial was taken into account for traffic if a restaurant were to go in to this subdivision. He also noted Sandwich is building an apartment complex that will be further down Rt. 130.



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mr. Dirk assumed this subdivision would be used as a specialty trade commercial or industrial, he noted commercial would generate less traffic. Volumes entering and exiting may be increased but overall there would be less traffic. The general use of lots would account for various commercial uses and that is built into the calculations.

Mr. Lehrer stated the residential area is required to be deeded to conservation as open space as part of a DRI, and any land uses on the westerly portion are irrelevant until the deed restriction is placed.

Ms. Faulkner asked about the transportation demand, we do not have public transport. There are 8 criteria under project access, does the project meet these? She likes the idea of securing bicycle parking in the development site.

Mr. Dirk answered that connectivity to the bike trails are important, and there is not anything in here that the site engineer wouldn't do. It's pretty standard in terms of what is being expected to accommodate.

Ms. Faulkner wanted confirmation that both on the site and Rt. 130, this plan is safe and is not going to create anything more than what is already there, that it won't be problematic.

Mr. Dirk stated this will all be put into the plan for approvals from the town. The project is not going to create congestion. There will be no significant delays that impede the traffic on Rt. 130, those delays would happen on the side streets, similar to Echo Road. Construction will not impede on traffic flow.

Ms. Waygan brought up the project access points. The project site roadway should be a minimum on 24ft. wide. She would like to know if he looked at the proposed plan to see if it was already 24ft. The fourth bullet talks about recommending a sidewalk that is 6ft. wide. She would like Mr. Dirk to explain why it's important that the sidewalk be 6ft. wide.

Mr. Dirk responded that the 24ft. minimum width should be to accommodate commercial types of traffic with mixes of trucks. The plan was not provided to him. The ADA compliance standard for sidewalks is 6ft. in width. A sidewalk with the curb gives you 6ft. This could be a low impact design with Cape Cod berm, or something similar.

Mr. Balzarini likes the idea of a flashing sign near Sturgis Lane. He would also like to see two "trucks entering" signs at least 100 feet prior to people entering the industrial park. 45 mph is fast for a truck with a trailer to be pulling out into traffic.



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mr. Oakley asked if this project is in the refuge. He also inquired if the proponent put any thought into having less new curb cuts and connecting roads that are already existing.

Mr. Balzarini stated they already tried that approach and it has not worked out for two years.

Mr. Hansen asked about the moving of the stop sign and painting stop lines before entering on Rt. 130. He would like to know how far from the roadway that stop sign will be and if you stop at the sign, by law you then proceed with caution to enter a roadway. If a stop sign is far enough back, it makes it difficult to proceed. He would like a detailed explanation of the stop line and stop sign relative to the roadway.

Mr. Dirk answered that generally there are acceptable distances. The general location is 5ft. back from the extension of the curb line. The stop sign and stop line would be set back 5ft. and it allows for proper site line. By placing the sign 5ft. back it allows for proper visibility. The shared use path allows for crossing to happen. If he stops, the front end is not sticking out through the intersection. There will be no cross walk for the project subdivision.

Mr. Lehrer stated the proposed width of the road is 24ft. for the project.

Mr. Kirrane noted if the Board would like to see those recommendations put on the plan that is not an issue.

Ms. Faulkner stated the design plans should be on the plan along with the bicycle racks and parking under transportation demand management. She likes the idea of securing bicycle parking within development sites.

Mr. Kirrane stated bike racks can be installed on individual lots, but that may be something for Site Plan Review. They can be shown on a plan but it may be better served later towards developing and Site Plan Review will have it on their radar. Every individual lot would have to go through Design Review and Site Plan Review.

Ms. Faulkner would like the certificate of compliance from the Cape Cod Commission regarding the 4 acres of open space deeded to conservation.

Mr. Kirrane will relay to his client that the Board will not take a vote unless that is done.

Ms. Waygan asked if Mr. Pesce would be available to come to the next meeting. His letter on this is dated March 28th, the only one he gave. She would like confirmation in writing that all these changes are on the plans.



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mr. Kirrane stated the Commission has to review the deed and plan. There is a heavy agenda on September 6th so he is suggesting this be continued until the second meeting in September.

PUBLIC COMMENT

Lance Lambros- He is here on behalf of Nicoletta's Way Trust. They knew and always planned there would be developments here. They are supportive and happy it's local. He and some others came to the Public Hearing last year when the Board was asking both parties to consider allowing the applicant to use Nicoletta's Way as access. The transportation engineer is here, he would just like to say that nobody disagreed about it being better to use the existing ways than allow another curb cut. They took that under advisement, hired an attorney, and gave a fair proposal. They still stand and are ready to make a deal in response to the Planning Boards request and neighbors. They are very supportive of the project. It would be better if this project was accessed on Nicoletta's Way for a bunch of reasons, but mainly safety. Other benefits would include bigger lots, develop immediately, and save money.

Arden Russell- She is an abutter to this property. She would like the town to take Nicoletta's Way and condition this subdivision to use that road. She is still concerned after hearing the traffic report about another curb cut and intersection. It does not meet section 174-40 which requires intersections to remain 200ft. from another. This impacts Sturgis Lane and Bakers Road. The Select Board policy for curb cuts has the same requirements. She is urging them to refer to the Town Planners memo from 2022, there is an issue this development does not meet. She has concerns regarding delays and congestion, which are annoying, but she is concerned about safety. The amount of activity in this small area makes it impossible to navigate an intersection to the north and south, both less than 200ft. away, and a multi crossing. It is difficult to see all these things happening at once, now add 884 vehicles to that mess. Rt.130 is the gateway into Mashpee. She asks the Board to please deny a curb cut and enforce a solution that works for the safety of the community. She thanked the Board for demanding the certificate of compliance as this parcel has not been dedicated for 20 years.

Mr. Kirrane commented that Section 174-40 does not apply because this was in existence before 1996. He doesn't want to get into Nicoletta's Way, they tried that avenue and to work with the trustees, but two private parties cannot be forced, it was attempted and it didn't work out for whatever reasons.

MOTION:

Mr. Balzarini made a motion to continue this Public Hearing to September 20, 2023 at 7:10P.M. Seconded by Mr. Richardson. All in favor.

NEW BUSINESS



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Vote to set Public Hearing date to review zoning articles submitted to the Select Board for the October 2023 Town Meeting

MOTION:

Ms. Waygan made a motion to set a Public Hearing date for the review of zoning articles for the October 2023 Town Meeting for Wednesday, September 06, 2023 at 7:10PM.

Seconded by Mr. Balzarini. All in favor.

Mr. Lehrer commented there are four articles and one petition. They will be going before the Select Board on August 7th.

OLD BUSINESS

Declaration of Default – Ockway Highlands Tripartite Agreement dated March 20, 2019

Mr. Lehrer exchanged emails with Jacques Morin regarding the traffic radar sign. Mr. Lehrer has not received a purchase order but he did indicate the model and his intent but did not produce a purchase order. He has now been given 7 business days for proof of purchase to the Town Planner. If this does not happen we will enter a default at the next meeting retroactive 7 days. In regards to movement of safety concerns, Mr. Morin has moved over 100 yards of dirt off site and the drainage issues are better.

MOTION:

Mr. Richardson made a motion to find the developer in default of the tripartite agreement in 7 business days from tonight if no proof of acquisition or purchase of a traffic radar sign is given to the Planning Department, or the Town Planner will notify the developer's bank. Seconded by Mr. Balzarini. All in favor.

PUBLIC COMMENT

Tim Dorsey- He is a resident of Blue Castle Drive going on 24 years. When he bought his home it was one acre before it was a cluster subdivision. The developer has overstayed his welcome. On Carriage Road, Mr. Morin has a foundation with a plan he submitted and the back setback shows 23ft., then he built an 18ft.x18ft. four season room with electricity, skylights, and shingled as part of the home. The Building Inspector said he would take care of it. He is in violation of the special permit. He doesn't want this to set a precedent to do the same thing. Mr. Morin is a seasoned builder, he has done this before, and the whole house is covering the property. He wanted to make the Planning Board aware of other inconsistencies going on.

Mike Ronhock- He asked how many chances this developer was going to get. He has 3 lot piles of junk and dirt. He won't be in compliance of that in 7 days. The residents can tell when someone of authority will be by to check on things because there will be some activity. He



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

would like something to be done about the storage of all his equipment. There is being fill bought from him, which is why the dirt is being moved. Conservation put pressure on him because they were called.

Mr. Lehrer noted that in two or three months' time, this neighborhood was brought from substantial incompleteness to substantial completion. This developer has been difficult for the Planning Department and the Board brought him from non-compliance to substantial performance in a positive direction. Items that were mentioned will be building code issues, such as the additions that exceed proper dimensions. He will ensure to stay on top of this.

Ms. Waygan commented they could make a violation to the Building Commissioner or go to the ZBA to appeal.

Mr. Lehrer would like a motion for the Board to submit a written complaint about the storage of materials.

MOTION:

Ms. Waygan made a motion to send a written complaint to the Building Commissioner about the storage of heavy equipment and other non-site construction materials being stored on site. The Board would like to ascertain the function related to this job site. Seconded by Mr. Balzarini. All in favor.

Mr. Lehrer will submit this on the Board's behalf. The Building Department operates on written complaints. The only active permit exists on Carriage Road and the house is already built.

CHAIRMAN'S REPORT

Water Quality Issues

Ms. Faulkner handed out a sheet of paper about the homeowners guide to turning runoff into a resource with rain gardens, rain barrels, and paver stones. Gravel driveways redirect storm water and the reduction of lawn size limits water usage and fertilizer. Excess pesticides runoff into the street and watershed. The clover lawn makes its own fertilizer.

TOWN PLANNER REPORT

Hazard Mitigation Planning Committee Public Workshop #2

Mr. Lehrer thanked those who attended. The consultant is working on a draft plan for advertising the Public Comment period. It will be available in the next two weeks. He is unsure how long it will remain open for Public Comment before submitting to FEMA for approval.

Harbor Management Planning Committee update



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Mr. Lehrer stated Natural Resources is working on the harbor management plan. He is working with Mr. Oakley on access from ancient ways to the water. There needs to be deed and title research that is required when affirming public access and rights to traverse. He is waiting on a response from the Historical Commission.

Ms. Waygan asked how the shellfish plan fits into that.

Housing Production Plan update

Mr. Lehrer had his second discussion with the Affordable Housing Committee to go over engagement, timelines, and survey questions, with hopes to host the first workshop in mid-September. It will be publicized and he will report back to the Board. Stakeholder interviews will be held with any local business owners or real estate agents for affordable housing. They will complete those interviews within the next three weeks.

BOARD MEMBER COMMITTEE REPORTS

Cape Cod Commission-

One Cape summit was held and Mr. Hansen attended, this was his fourth summit. People from all 50 communities were represented. The two main topics were affordable housing and climate impact/change. The state along with the Commission is going to merge climate change, housing, and economic development together into a task force and incubator that will initiate new ideas to tackle these problems. They have not located their facility yet, but Mr. Hansen thinks Mashpee has an excellent opportunity to solicit for this incubator space. He wrote to Buff Chace about the opportunity. It would be a big boom for Mashpee. Mr. Lehrer could locate a site for borrow or purchase.

Community Preservation Committee-

Three recommendations went to Select Board for Town Meeting Warrant, 60k for Trust and 200k for disc golf. Select Board did not vote on historic grave restorations.

Design Review-

No Meeting

Plan Review-

No Meeting

Environmental Oversight Committee-

Next meeting is August 30, 2023.

Historic District Commission-

Met last week and picked out a color chart. They gave Mr. Lehrer permission to give the final okay. They need to get a quorum. There is a pre-approved



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

historic color pallet and commercial properties require color appropriateness.

ADJOURNMENT

MOTION:

Mr. Balzarini made a motion to adjourn the meeting of the Planning Board at 8:59p.m.

Seconded by Mr. Oakley. All in favor.

Next Meeting: Wednesday, August 16, 2023 @ 7:00P.M.

Respectfully Submitted,

Christine M. MacDonald
Board Secretary

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department.

- June 2023 Discharge Monitoring Report for South Cape Village – N= 2.5
- Town of Falmouth Notices
- Town of Sandwich Notices

PUBLIC HEARING 7:10



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, MA 02649

Mashpee Planning Board Public Hearing Notice

Pursuant to Massachusetts General Laws, Chapter 40A, Section 9 and the Mashpee Zoning Bylaw Sections 174-24(C) and 174-47, the Mashpee Planning Board will hold a public hearing on Wednesday, August 16, 2023 at 7:10 PM in the Waquoit Meeting Room, at the Mashpee Town Hall, at 16 Great Neck Road North, Mashpee, MA 02649 to consider an application made by Pleasantwood Homes, LLC for approval of a special permit for a cluster subdivision of property addressed as 20 Tudor Terrace (Assessor's Map 29 Parcel 198). The Applicant proposes to divide the subject Parcel comprised of approximately 6.024 acres into three building lots for single family home construction while preserving 3.021 acres as protected open space. The Plans and submitted Application can be viewed in the offices of the Town Clerk or the Town Planner.

Submitted by
Karen D. Faulkner, Chair

Publication Dates

Friday, July 28, 2023
Friday, August 4, 2023

MASHPEE TOWN CLERK
JUL 20 '23 AM 11:08



Kevin M. Kirrane
Brian F. Garner
Christopher J. Kirrane
Jessica C. Sommer

Patricia McGauley, *of Counsel*
Elizabeth A. McNichols, *of Counsel*
Michael A. Dunning, *of Counsel*

Nicole B. Norkevicius
Christopher A. Veara

August 14, 2023

Ms. Karen Faulkner, Chairwoman
Mashpee Town Planner
16 Great Neck Road
Mashpee, MA 02649

RE: 20 Tudor Terrace
Mashpee, Massachusetts

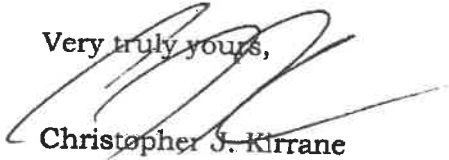
Dear Chairwoman Faulkner:

As you know, we represent the owner of the property referenced above.

It is hereby requested that the Wednesday, August 16, 2023, hearing be continued to September 6, 2023, as the applicant is unavailable on the 16th.

Additionally, on behalf of the applicant, I hereby request a 90 day extension of the 135 day time period the Board has to file its decision with the Town Clerk.

Very truly yours,



Christopher J. Kirrane

CJK:amb



Kevin M. Kirrane
Brian F. Garner
Christopher J. Kirrane
Jessica C. Sommer

Patricia McGauley, *of Counsel*
Elizabeth A. McNichols, *of Counsel*
Michael A. Dunning, *of Counsel*

Nicole B. Norkevicius
Christopher A. Veara

June 23, 2023

Mr. Evan Lehrer
Mashpee Town Planner
16 Great Neck Road
Mashpee, MA 02649

RE: 20 Tudor Terrace
Mashpee, Massachusetts

Dear Mr. Lehrer:

Enclosed for filing please find an Application for a Special Permit Modification with reference to the above-captioned property along with two checks; one in the amount of \$230.00 and another in the amount of \$2,606.00, which sums represent the filing fees.

We would ask that this matter be placed on the next available agenda.

Thank you in anticipation of your cooperation.

Very truly yours,



Christopher J. Kirrane

CJK:amb



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

APPLICATION FOR SPECIAL PERMIT

Date June 23, 2023

The undersigned hereby applies for a Special Permit from the Planning Board.

Name of Applicant Pleasantwood Homes, LLC c/o Christopher J. Kirrane, Esq. Phone 508-477-6500

Address PO Box 560, Mashpee, MA 02649

Owner, if different _____ Phone _____

Address _____

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

Deed of property recorded in Barnstable County Registry Book 34366 Page 213 or
Land Court Certificate of Title No. _____

Location and description of property Approximately 6.024 acres of residentially zoned, vacant land

at the end of the Tudor Terrace cul de sac

Mashpee Assessors Map(s) and Block(s) Map 29 Parcel 198

Zoning District(s) in which property is located R-5

How long have you owned the property Since August 9, 2021

Section(s) of the Zoning Bylaw which require the permit you seek Section 174-47

Present use of property Vacant

Proposed use of property Three lot cluster subdivision

Check one: Applicant will send notice to abutters via certified mail, with return receipt to Mashpee Planning Board, and will provide certified abutters list.

Applicant requests that Planning Department send notice to parties in interest via certified mail, and will provide labels and certified abutters list.

Signature of Owner or Authorized Representative

Attach written authorization signed by owner.

MASHPEE TOWN CLERK
JUN 23 '23 PM 1:03

PUBLIC HEARING 7:15



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, MA 02649

Mashpee Planning Board Public Hearing Notice

Pursuant to Massachusetts General Laws, Chapter 41 Section 81T and the Mashpee Rules and Regulations Governing the Subdivision of Land, the Mashpee Planning Board will hold a public hearing on Wednesday, August 16, 2023 at 7:15 p.m. in the Waquoit Meeting Room, at the Mashpee Town Hall, at 16 Great Neck Road North, Mashpee, MA 02649, to consider an application made by Pleasantwood Homes, LLC for approval of a Definitive Subdivision Plan of land that would create three new 40,000 sq. ft. building lots by dividing the 6.024 acre subject property addressed as 20 Tudor Terrace (Assessor's Map 29 Parcel 198). The remaining land area totaling approximately 3.021 acres is proposed for open space as required by Mashpee Zoning Bylaw. The three lots proposed obtain frontage via an extension of the existing public way called Tudor Terrace.

Plans may be reviewed in the offices of the Town Clerk or Town Planner at Mashpee Town Hall.

Submitted by

Karen D. Faulkner, Chair
Mashpee Planning Board

Publication dates:

Friday, July 28, 2023
Friday, August 4, 2023

MASHPEE TOWN CLERK
JUL 20 '23 AM 11:08



Kevin M. Kirrane
Brian F. Garner
Christopher J. Kirrane
Jessica C. Sommer

Patricia McGauley, *of Counsel*
Elizabeth A. McNichols, *of Counsel*
Michael A. Dunning, *of Counsel*

Nicole B. Norkevicius
Christopher A. Veara

August 14, 2023

Ms. Karen Faulkner, Chairwoman
Mashpee Town Planner
16 Great Neck Road
Mashpee, MA 02649

RE: 20 Tudor Terrace
Mashpee, Massachusetts

Dear Chairwoman Faulkner:

As you know, we represent the owner of the property referenced above.

It is hereby requested that the Wednesday, August 16, 2023, hearing be continued to September 6, 2023, as the applicant is unavailable on the 16th.

Additionally, on behalf of the applicant, I hereby request a 90 day extension of the 135 day time period the Board has to file its decision with the Town Clerk.

Very truly yours,

Christopher J. Kirrane

CJK:amb



Kevin M. Kirrane
Brian F. Garner
Christopher J. Kirrane
Jessica C. Sommer

Patricia McGauley, *of Counsel*
Elizabeth A. McNichols, *of Counsel*
Michael A. Dunning, *of Counsel*

Nicole B. Norkevicius
Christopher A. Veara

July 26, 2023

Mr. Evan Lehrer
Mashpee Town Planner
16 Great Neck Road
Mashpee, MA 02649

RE: 20 Tudor Terrace
Mashpee, Massachusetts

Dear Mr. Lehrer:

Enclosed for filing please find an Application for Approval of Preliminary Plan with reference to the above-captioned property.

We would ask that this matter be placed on the next available agenda.

Thank you in anticipation of your cooperation.

Very truly yours,



Christopher J. Kirrane

CJK:amb



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

APPLICATION FOR SPECIAL PERMIT

Date June 23, 2023

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Signature of Owner or Authorized Representative

MASHPEE TOWN CLERK
JUN 23 '23 PM 1:03

Attach written authorization signed by owner.



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

Date July 27, 2023

To the Planning Board: The undersigned herewith submits the accompanying Definitive Plan of property located in Mashpee, Massachusetts, for approval as a subdivision as allowed under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land of the Planning Board in the Town of Mashpee.

Name of Subdivider Pleasantwood Homes, LLC Phone 774-238-0852

Address 10 Pleasantwood Drive, Forestdale, MA 02644

Owner, if different _____ Phone _____

Address _____

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

Engineer or Surveyor Cape & Islands Engineering, Inc. Phone 508-477-7272

Address 800 Falmouth Road, Suite 301C, Mashpee, MA 02649

Deed of property recorded in Barnstable County Registry Book 34366 Page 213

or Land Court Certificate of Title No. _____

Location and description of property 6.025 acre undeveloped parcel located at the end of Tudor Terrace known as 20 Tudor Terrace

Mashpee Assessors Map(s) and Block(s) Map 29 Parcel 198

Signature of Owner or Authorized Representative _____

Attach written authorization signed by owner.

A list of names and addresses of the abutters of this subdivision, as appearing on the most recent tax list, is attached.

MASHPEE TOWN CLERK
JUL 27 '23 PM 2:34

Preliminary Subdivision Plan

Rough Draft Drawing or Sketch - Mandated in commercial areas, optional in residential areas. Not a recordable plan.

Key: 17699

Town of Mashpee - Fiscal Year 2023

11/29/2022 2:35 pm SEQ #: 11,896

CLASS	1300	CLASS%	100	DEV LAND	
PMT NO		PMT DT		TY	7
DESC	CYCLICAL REV				
AMOUNT		INSP	09/29/2008	BY	TMM
BN ID		BN		1st	100
CARD					100

CURRENT OWNER		PARCEL ID		LOCATION	
PLEASANTWOOD HOMES LLC 10 PLEASANTWOOD DR FORESTDALE, MA 02644		29-198-0		20 TUDOR TER	
CD	T	AC/SF/JUN	Area	Inf-1	Inf-2
L	S	40,000	RSN	1.00	1.00
A	A	3,339	RSN	1.00	1.00
N	A	1,768	RSN	1.00	1.00
D					

ADJ BASE	SAF	Topo	Lpi	VC	CREDIT AMT	ADJ VALUE
207,000	1.00	1.00	R02	1.00		190,080
12,500	1.00	1.00	R02	1.00		41,740
567	1.00	1.00	TWP	1.00		1,000
TOTAL						189,300

ASSESSED	CURRENT	PREVIOUS
LAND	232,800	189,300
BUILDING	0	0
DETACHED	0	0
OTHER	0	0
TOTAL	232,800	189,300

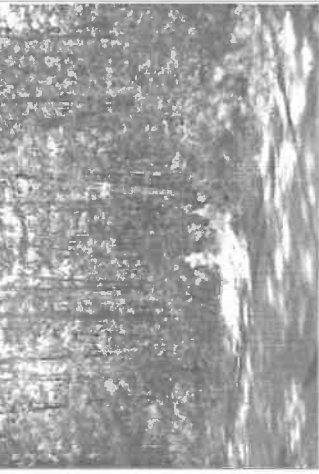


PHOTO 09/29/2008

BLDG COMMENTS

BLDG MODEL	CD	ADJ	DESC	MEASURE LIST REVIEW
YEAR BLT	SIZE ADJ	DETAIL ADJ	OVERALL	
NET AREA				
\$NLA(RCN)				
CAPACITY	UNITS	ADJ		

ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	RCN
TOTAL RCN								
CONDITION ELEM								

EFF. YR/AGE	
COND	
FUNC	
ECON	
DEPR	
RCNLD	

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NOT AN OFFICIAL COPY

QUITCLAIM DEED

NOT AN OFFICIAL COPY
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DANIEL E. MARSTERS, TRUSTEE OF DJM REALTY TRUST, u/d/t dated February 15, 2008, registered with the Barnstable County Registry District of the Land Court as Document No. 1,083,488, of 10 Pleasantwood Drive, Forestdale, MA 02644

For consideration of **LESS THAN ONE HUNDRED AND NO/100 DOLLARS (\$100.00) PAID**

Grant to **PLEASANTWOOD HOMES, LLC**, of 10 Pleasantwood Drive, Forestdale, MA 02644

WITH QUITCLAIM COVENANTS

The land with the buildings and improvements thereon in Mashpee, County of Barnstable, Commonwealth of Massachusetts, and described as follows:

Being shown as **LOT 2** on a plan of land entitled "Plan of Land located in Mashpee – Mass. Prepared for Rudolf E. Deas, Scale: 1" = 60 ft., Date: December 1, 2003, by Ferreira Associates, 161A Worcester Court, Falmouth, Mass. 02540" recorded with the Barnstable County Registry of Deeds in Plan Book 587, Page 72.

The Grantor hereby ratify and confirm that the property is vacant land and that there are no persons or parties entitled to the homestead protection pursuant to M.G.L. ch. 188 in and to the property conveyed.

For title see deed dated March 31, 2021, and in the Barnstable County Registry of Deeds in Book 33973, Page 225.

PROPERTY ADDRESS: 20 TUDOR TERRACE, MASHPEE, MA 02649

NOT
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OFFICIAL
COPY

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COPY

Executed as a sealed instrument this 5th day of August, 2021.
NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

DJM REALTY TRUST



DANIEL E. MARSTERS, TRUSTEE

COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

On this 5 day of AUGUST, 2021, before me, the undersigned notary public, personally appeared **DANIEL E. MARSTERS, TRUSTEE AS AFQRESAID**, and proved to me through satisfactory evidence of identification which was, DANIEL E. MARSTERS to be the person whose name is signed on the preceding document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief, and acknowledged to me that he signed it voluntarily and for its stated purpose.




Notary Public:
My Commission Expires:

NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY

TRUSTEE CERTIFICATE

NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY

I, DANIEL E. MARSTERS, TRUSTEE OF DJM REALTY TRUST, u/d/t dated February 15, 2008, and registered with the Barnstable County Registry District of the Land Court as Document No. 1,083,488, of 10 Pleasantwood Drive, Forestdale, MA 02644, state the following:

1. I am fully authorized under the terms of the Trust to conduct solely the herein referenced transaction;
2. I have been authorized by all of the beneficiaries (none of whom are minors, incompetent, or a corporation) to transfer the property located at 20 Tudor Terrace, Mashpee, MA 02649 for a sale price of less than \$100.00 to Pleasantwood Homes, LLC;
3. I am the sole and current Trustee of the Trust;
4. The Trust is in full force and existence;
5. There are no other alterations or amendments to said Trust and there are no facts which constitute conditions precedent to acts by the Trustee or are in any other manner germane to affairs of the Trust.

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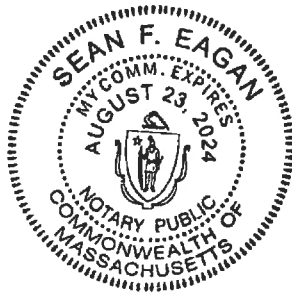
NOT AN OFFICIAL COPY Signed under the pains and penalties of perjury 5th day of August, 2021.

[Signature]
DANIEL E. MARSTERS, TRUSTEE

COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

On this 5 day of AUGUST, 2021, before me, the undersigned notary public, personally appeared the said DANIEL E. MARSTERS, TRUSTEE AS AFORESAID, and proved to me through satisfactory evidence identification, which was on his neck and acknowledged to me that he signed it voluntarily and for its stated purpose and that he signed the foregoing instrument in his free act and deed.



[Signature]
Notary Public:
My commission expires:

NOT AN OFFICIAL COPY

QUITCLAIM DEED

NOT AN OFFICIAL COPY

DANIEL E. MARSTERS, TRUSTEE OF DJM REALTY TRUST, u/d/t dated February 15, 2008, registered with the Barnstable County Registry District of the Land Court as Document No. 1,083,488, of 10 Pleasantwood Drive, Forestdale, MA 02644

For consideration of **LESS THAN ONE HUNDRED AND NO/100 DOLLARS (\$100.00) PAID**

Grant to **PLEASANTWOOD HOMES, LLC**, of 10 Pleasantwood Drive, Forestdale, MA 02644

WITH QUITCLAIM COVENANTS

The land with the buildings and improvements thereon in Mashpee, County of Barnstable, Commonwealth of Massachusetts, and described as follows:

Being shown and numbered 9, 11, 13, 15 & 18 Tudor Terrace and 1 Sheffield Place, and shown as **LOTS 38, 39, 40, 41, 42 AND 13** respectively on a plan of land entitled "Spring Hill West, Plan of Land in Mashpee, Massachusetts for Spring Hill Realty Trust, Scale: 1" = 100', date: October 1, 1988 (rev. January 9, 1989 and October 19, 1989); Baxter and Nye, Inc., Registered Land Surveyors & Civil Engineers, Osterville, Massachusetts", which plan is recorded in the Barnstable County Registry of Deeds in Plan Book 467, Pages 88-90.

The Grantor hereby ratify and confirm that the property is vacant land and that there are no persons or parties entitled to the homestead protection pursuant to M.G.L. ch. 188 in and to the property conveyed.

For title see deed dated March 31, 2021, and in the Barnstable County Registry of Deeds in Book 33973, Page 227.

PROPERTY ADDRESS: 9, 11, 13, 15, 18 TUDOR TERRACE, MASHPEE, MA 02649 & 1 SHEFFIELD PLACE, MASHPEE, MA 02649

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Executed as a sealed instrument this 5th day of August, 2021.
NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

DJM REALTY TRUST

Daniel E. Marsters, Trustee
DANIEL E. MARSTERS, TRUSTEE

COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

On this 5 day of August, 2021, before me, the undersigned notary public, personally appeared DANIEL E. MARSTERS, TRUSTEE AS AFORESAID, and proved to me through satisfactory evidence of identification which was, Daniel E. Marsters to be the person whose name is signed on the preceding document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief, and acknowledged to me that he signed it voluntarily and for its stated purpose.



[Signature]
Notary Public:
My Commission Expires:

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C I A L
C O P Y

TRUSTEE CERTIFICATE

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A N
O F F I C I A L
C O P Y

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A N
O F F I C I A L
C O P Y

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Signed under the pains and penalties of perjury 5th day of August, 2021.


DANIEL E. MARSTERS, TRUSTEE

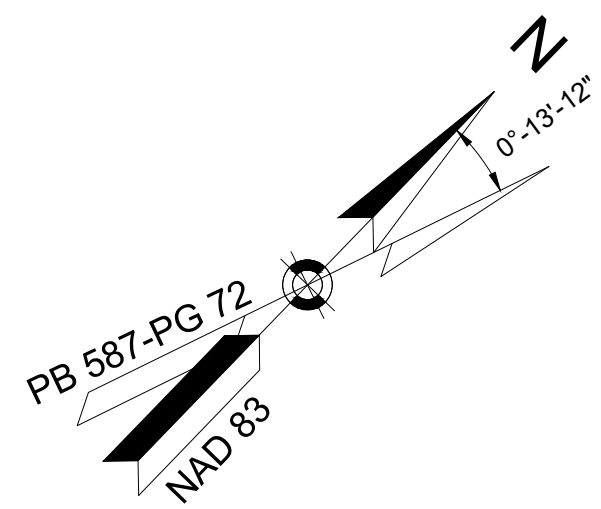
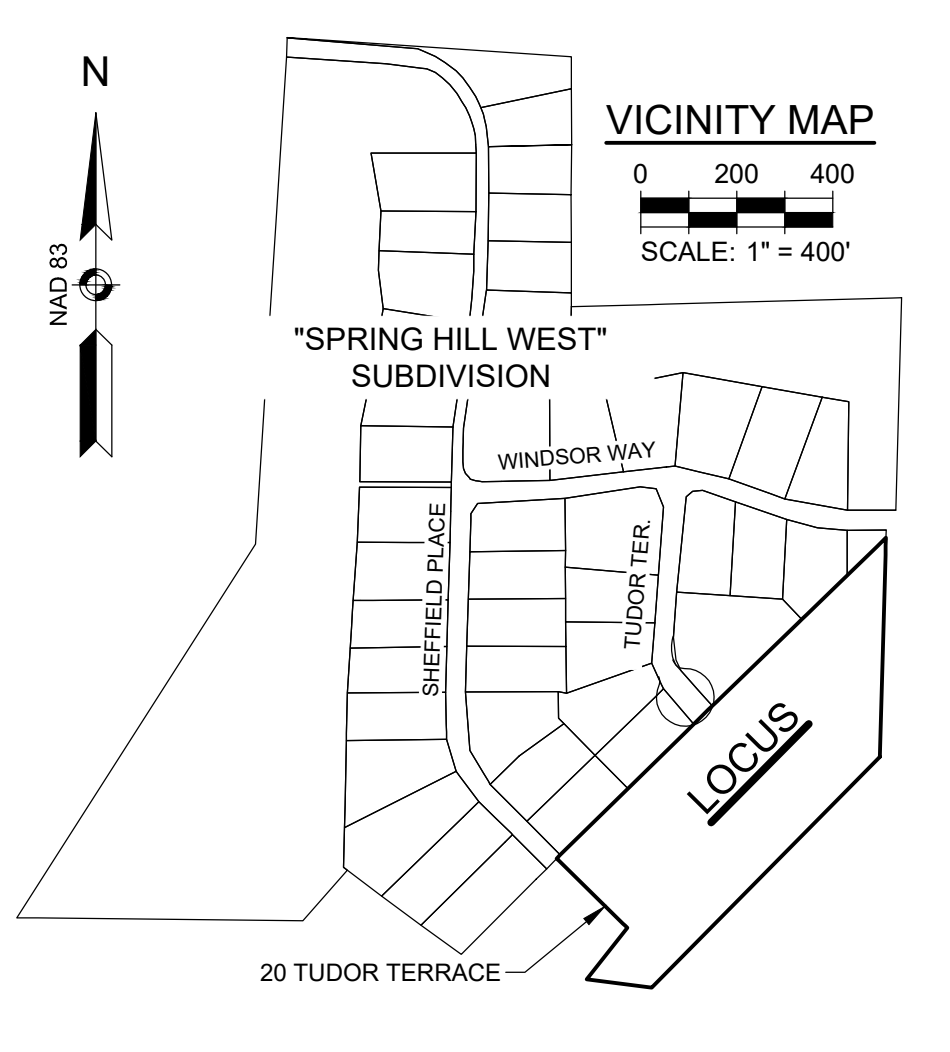
COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

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Notary Public:
My commission expires:



APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

MASHPEE PLANNING BOARD

DATE APPROVED: _____

DATE SIGNED: _____

FOR REGISTRY USE ONLY

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

 MATTHEW C. COSTA P.L.S. DATE

I CERTIFY THAT THIS PLAN AND SURVEY CONFORMS TO THE ETHICAL, PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

 MATTHEW C. COSTA P.L.S. DATE

I HEREBY CERTIFY THAT THIS PLAN WAS MADE IN ACCORDANCE WITH THE MASHPEE SUBDIVISION REGULATIONS, WITH LAND COURT STANDARDS OF ACCURACY AND THAT THE PERMANENT POINTS SHOWN ON THE PLAN ARE IN EXISTENCE ON THE GROUND.

 MATTHEW C. COSTA P.L.S. DATE

GENERAL NOTES

LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD 1988 DATUM. COORDINATE SYSTEM USED IS THE MA-MAINLAND COORDINATE SYSTEM, DATUM: NAD 83, UNITS: U.S. SURVEY FEET.

ZONING DISTRICT: R-5

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF MINIMAL FLOOD HAZARD ZONE X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C058J, WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.

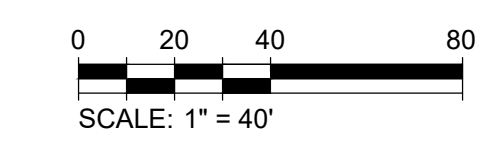
THIS LOT IS LOCATED WITHIN A DEP APPROVED ZONE II WELLHEAD PROTECTION AREA.

THIS LOT IS NOT MAPPED WITHIN A MESA NATURAL HERITAGE AND ENDANGERED SPECIES AREA.

DEED REFERENCE: BOOK 34366 PAGE 213

PLAN REFERENCE: BOOK 587 PAGE 72
 BOOK 467 PAGE 89
 BOOK 669 PAGE 39

OWNER: DANIEL E. MARSTERS
 PLEASANTWOOD HOMES, LLC
 10 PLEASANTWOOD DRIVE
 FORESTDALE, MA 02644



NOTICE
 THIS PLAN MAY NOT BE ADDED TO, DELETED FROM, OR ALTERED IN ANY WAY BY ANYONE OTHER THAN CAPE & ISLANDS ENGINEERING, INC.

UNLESS AND UNTIL SUCH TIME AS AN ORIGINAL (RED) STAMP APPEARS ON THIS PLAN NO PERSON OR PERSONS, MUNICIPAL OR PUBLIC OFFICIAL, MAY RELY UPON THE INFORMATION CONTAINED HEREIN, AND THIS PLAN REMAINS THE PROPERTY OF CAPE & ISLANDS ENGINEERING, INC.

COPYRIGHT (C) BY CAPE & ISLANDS ENGINEERING, INC. ALL RIGHTS RESERVED

DATE	DESCRIPTION	BY	CHK
PREPARED FOR:	DANIEL E. MARSTERS PLEASANTWOOD HOMES, LLC 10 PLEASANTWOOD DRIVE FORESTDALE, MA 02644		

PROJECT:
20 TUDOR TERRACE
 MASHPEE, MASSACHUSETTS

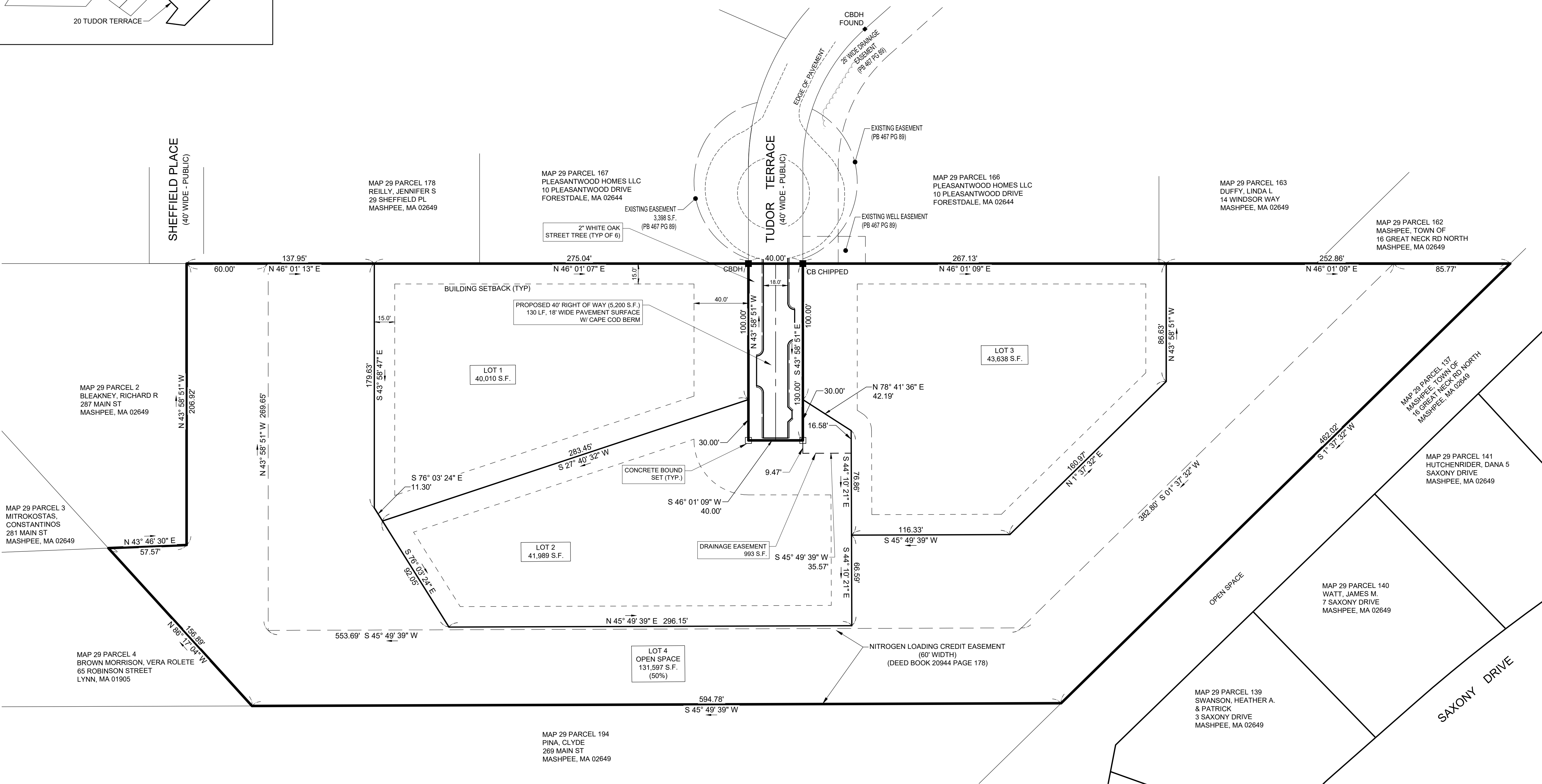
SHEET NO.: 1 OF 1 DATE: APRIL 24, 2023

DRAWN BY: MD CHECKED BY: MC

PREPARED BY:
CAPE & ISLANDS ENGINEERING

SUMMERFIELD PARK
 800 FALMOUTH ROAD SUITE 301C 508.477.7272 PHONE
 MASHPEE, MA 02649 508.477.9072 FAX www.CapeEng.com

DRAWING TITLE:
DEFINITIVE SUBDIVISION PLAN
TUDOR TERRACE



LEGEND

■ CB	CONCRETE BOUND FOUND
□	CONCRETE BOUND TO BE SET
■ SB	STONE BOUND
● RC	ROD CAP
○ IP	IRON PIPE
(xxxx)	DISTANCE TO SETBACK

CLUSTER FORMULA

TOTAL AREA =	6.024 AC.	(262,434 S.F.)
NO WETLANDS		
TOT. AREA OF ROADS =	0.119 AC.	(5,200 S.F.)
USEABLE LAND =	5.905 AC.	(257,234 S.F.)
TOTAL LOTS SHOWN - 3 LOTS		
TOTAL AREA OF LOTS	2,884 A.C.	(125,637 S.F.)
TOTAL OPEN SPACE	3,021 A.C.	(131,597 S.F.)
PERCENTAGE OPEN =	51.1 %	
ROADWAY LENGTH =	130 L.F.	
ROADWAY WIDTH =	40 L.F.	

LAND SPACE REQUIREMENTS

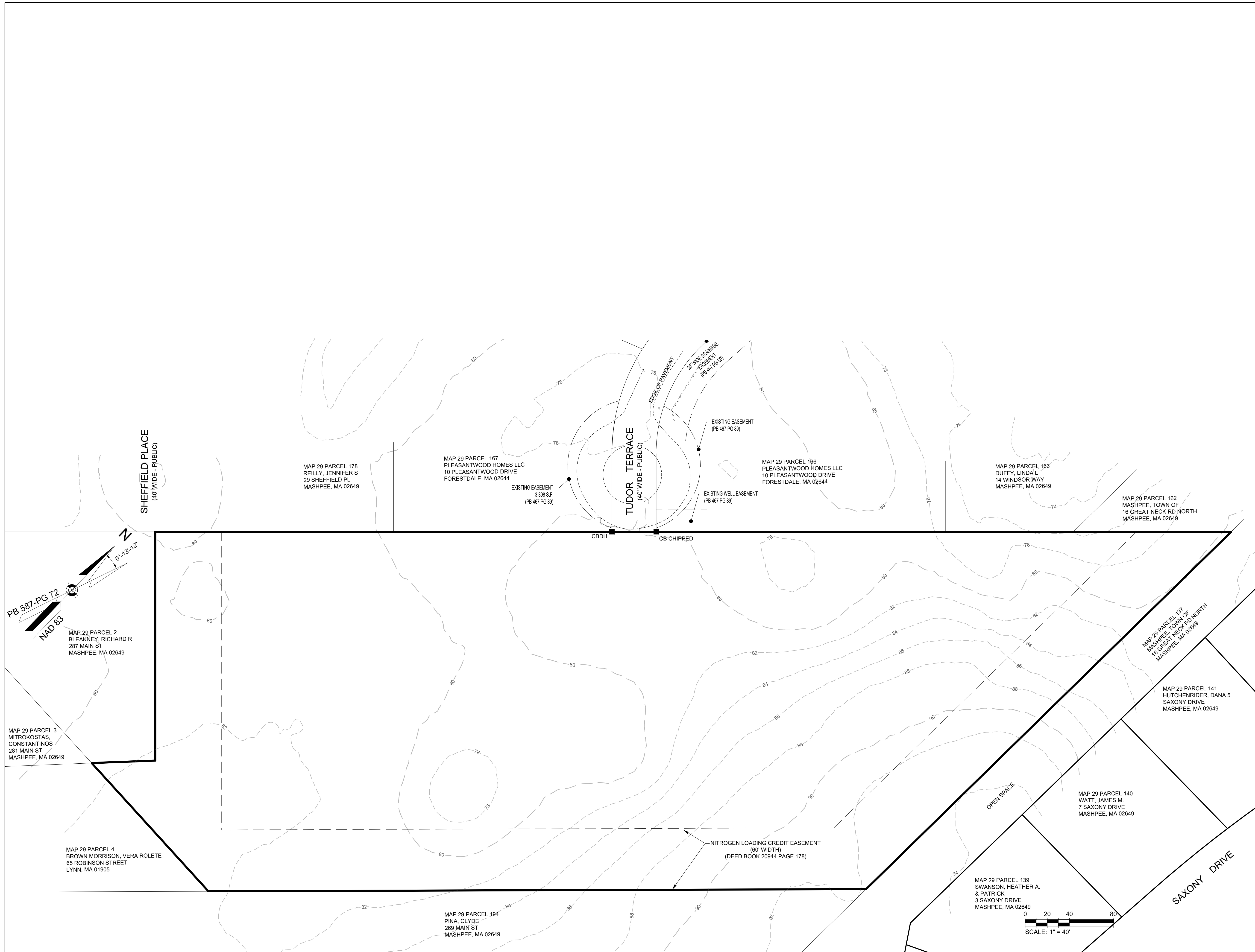
MINIMUM LOT SIZE =	40,000 S.F.
MINIMUM LOT FRONTAGE =	100 FT
MINIMUM BUILDING SETBACK TO LOT LINES	
FRONT YARD =	40 FT
SIDE YARD =	15 FT
REAR YARD =	15 FT
MAXIMUM BUILDING HEIGHT =	35'
MAXIMUM STORIES =	2 1/2 STORIES
MAXIMUM % OF LOT COVERAGE =	20%

THIS PLAN IS SUBJECT TO COVENANT DATED _____ AND ATTACHED HERETO.

CLERK'S CERTIFICATION

THIS IS TO CERTIFY THAT TWENTY (20) DAYS HAS ELAPSED SINCE THE NOTICE OF APPROVAL FROM THE PLANNING WAS RECEIVED AND RECORDED AND THAT NO NOTICE OF APPEAL HAS BEEN FILED IN THIS OFFICE.

 MASHPEE TOWN CLERK DATE



GENERAL NOTES
 LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD 1988 DATUM. COORDINATE SYSTEM USED IS THE MA-MAINLAND COORDINATE SYSTEM, DATUM: NAD 83, UNITS: U.S. SURVEY FEET.

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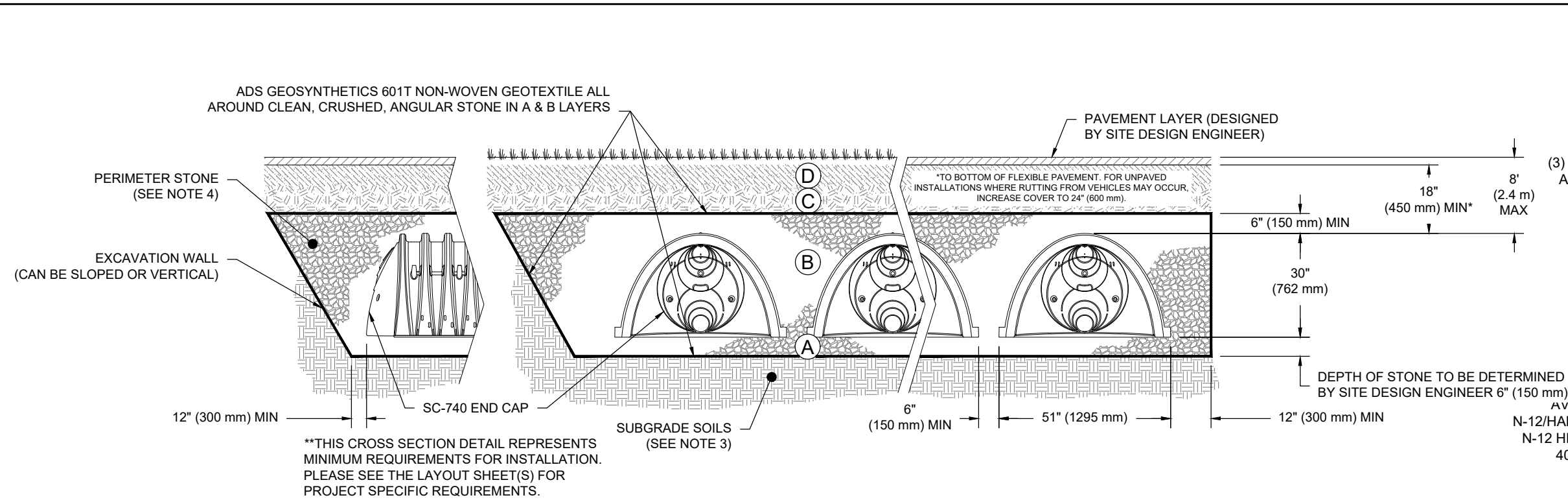
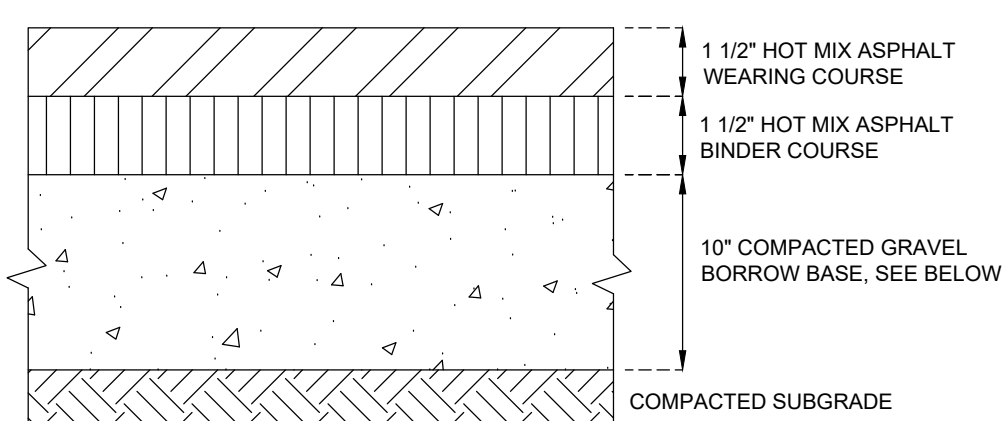
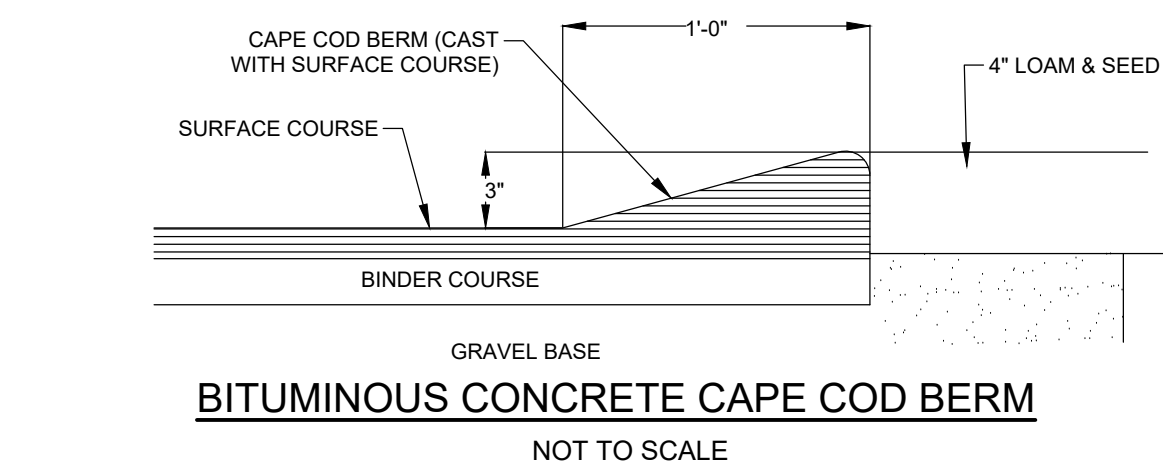
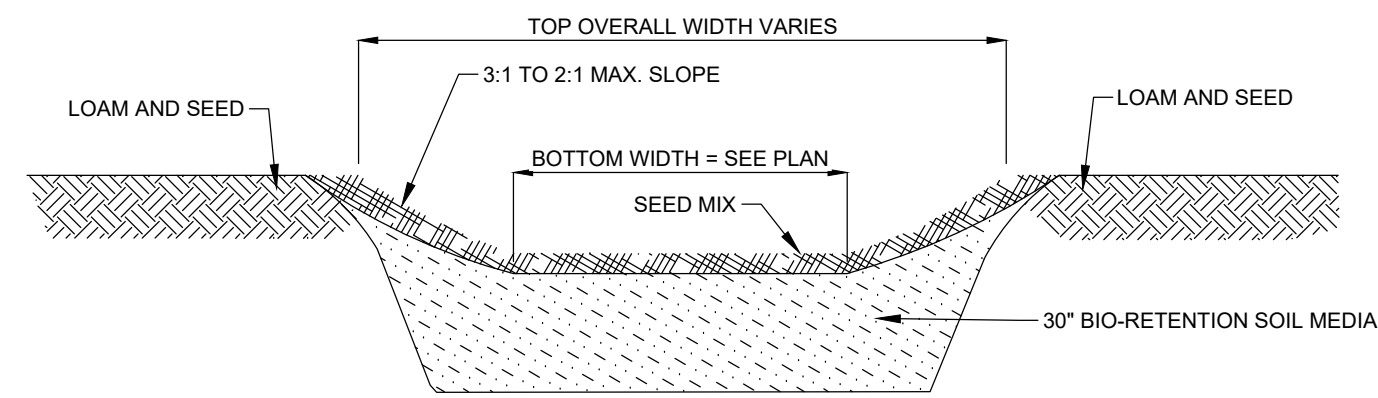
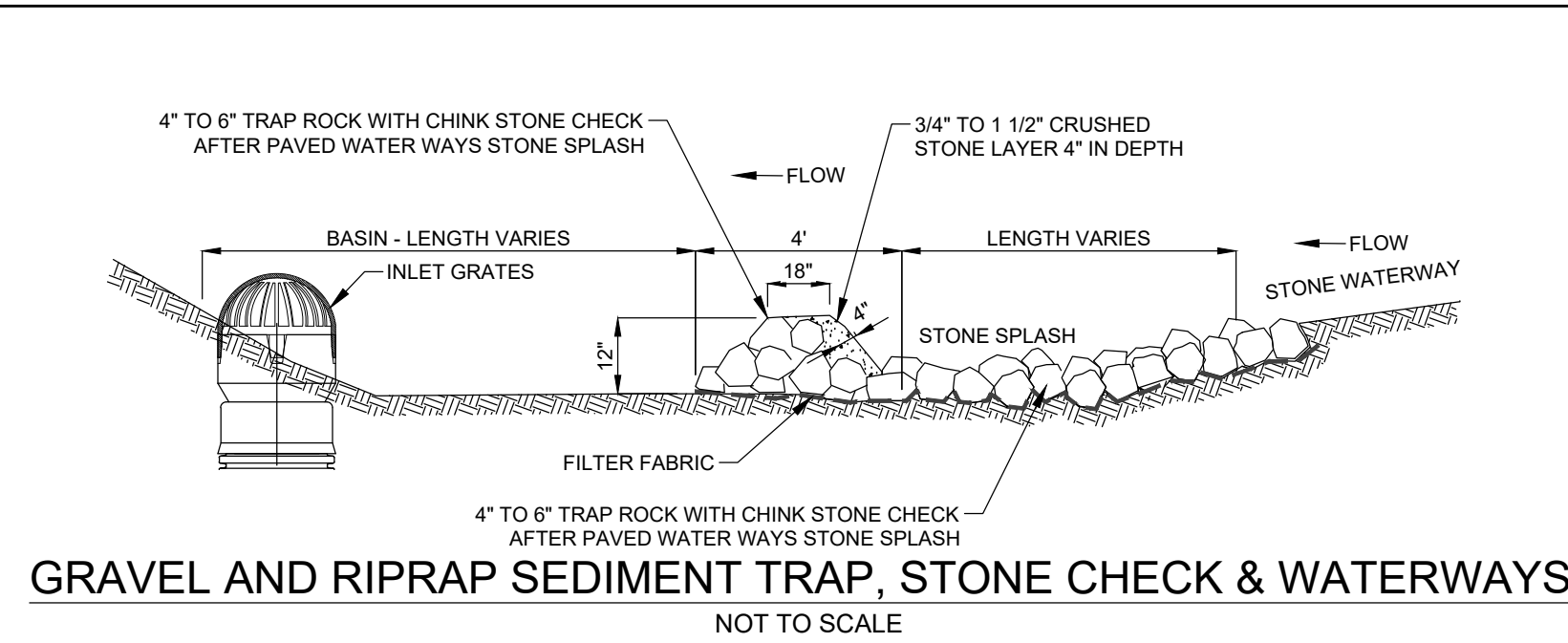
OWNER: DANIEL E. MARSTERS
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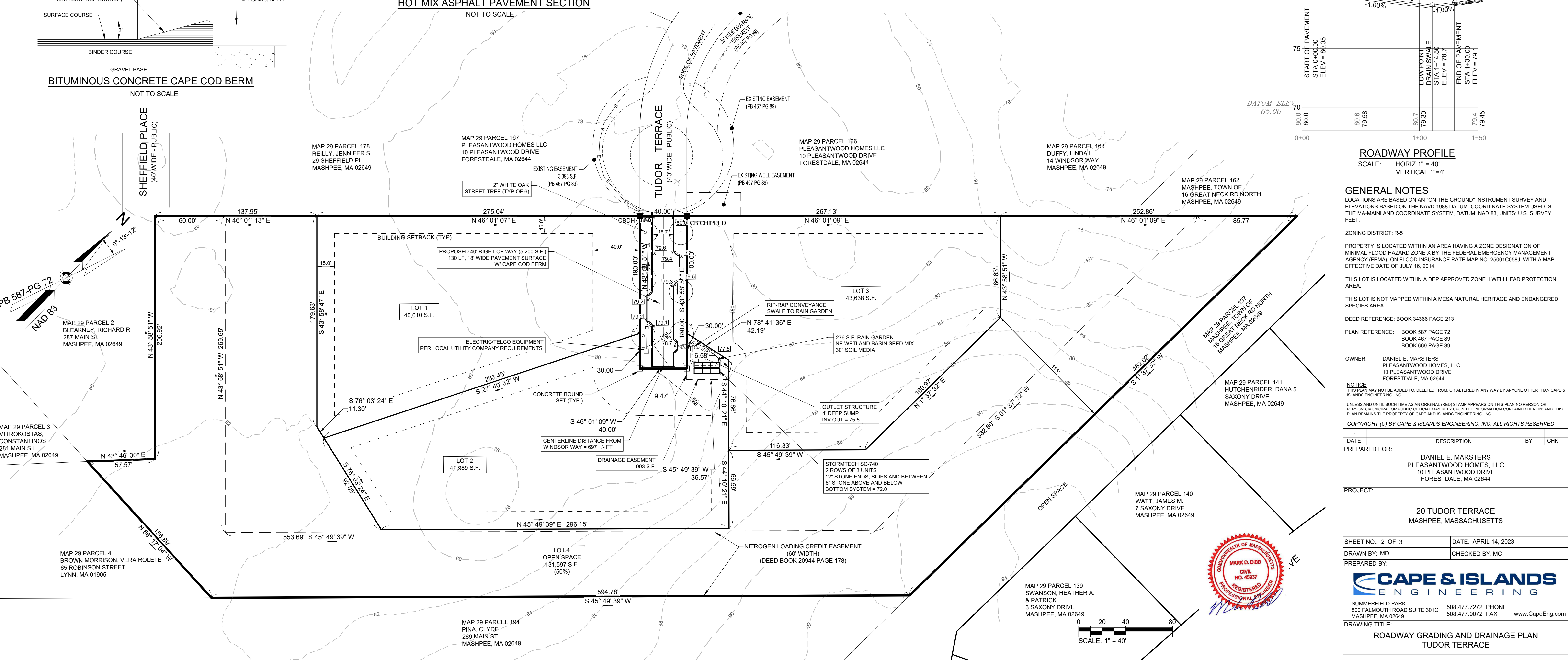
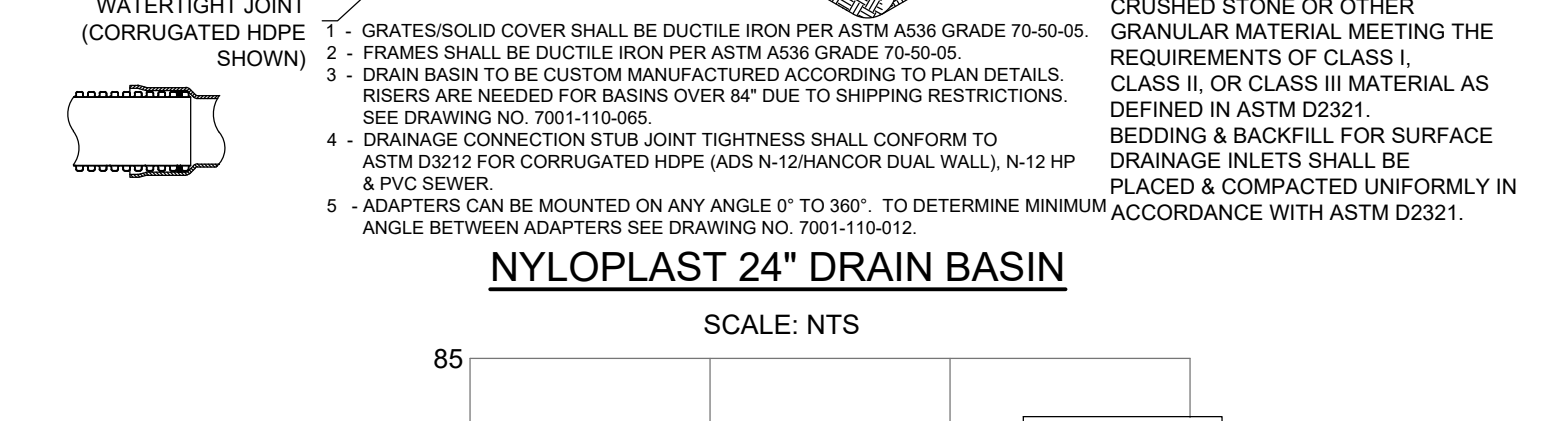
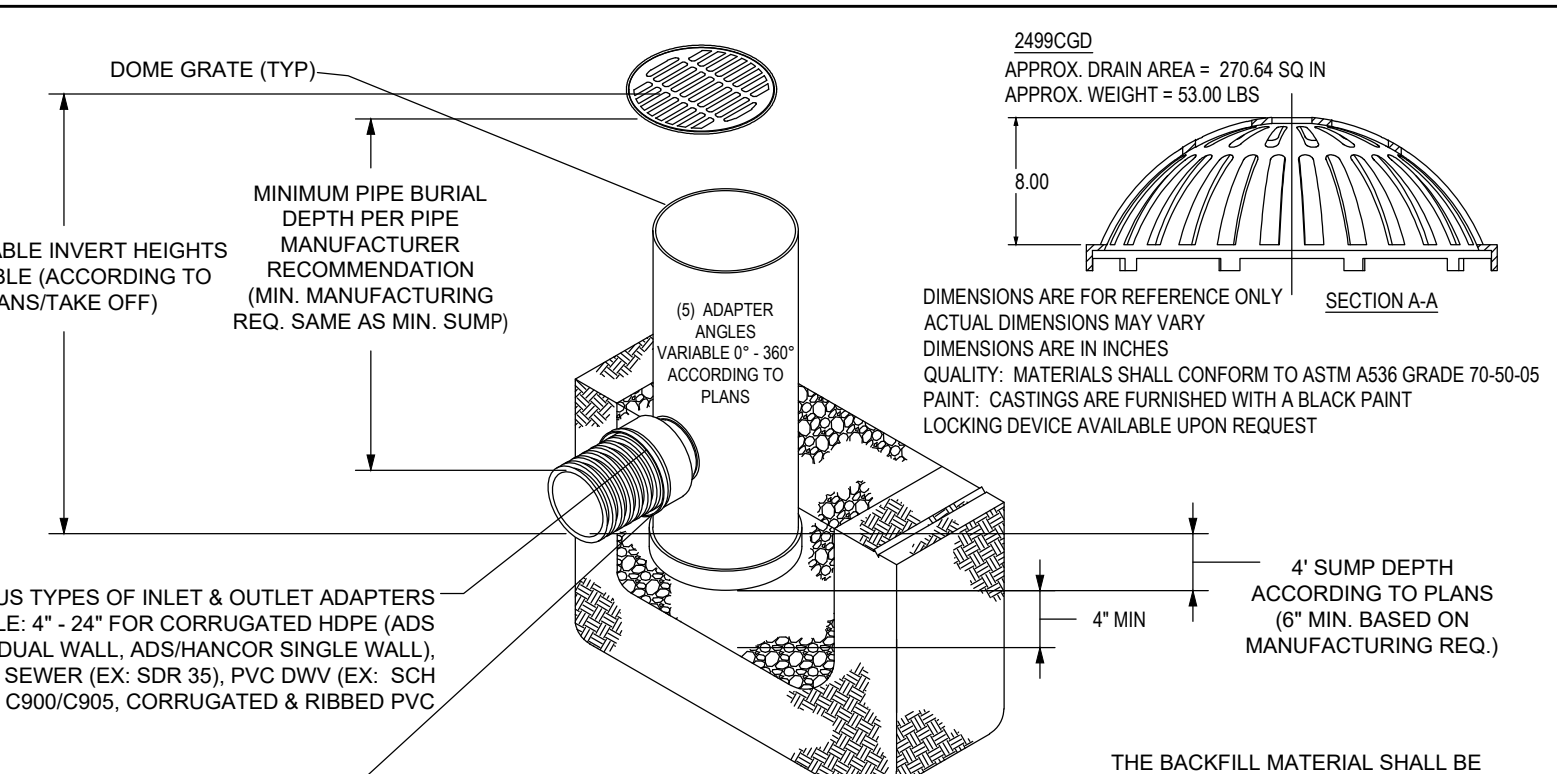
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DATE	DESCRIPTION	BY	CHK
PREPARED FOR:			
DANIEL E. MARSTERS PLEASANTWOOD HOMES, LLC 10 PLEASANTWOOD DRIVE FORESTDALE, MA 02644			
PROJECT:			
20 TUDOR TERRACE MASHPEE, MASSACHUSETTS			
SHEET NO.: 1 OF 3		DATE: APRIL 14, 2023	
DRAWN BY: MD		CHECKED BY: MC	
PREPARED BY:			
SUMMERFIELD PARK 800 FALMOUTH ROAD SUITE 301C MASHPEE, MA 02649 508.477.7272 PHONE 508.477.9072 FAX www.CapeEng.com			
DRAWING TITLE:			
EXISTING CONDITIONS PLAN TUDOR TERRACE			



- NOTES:**
- CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
 - SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
 - THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
 - PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
 - REQUIREMENTS FOR HANDLING AND INSTALLATION:
 - TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING STACKING LUGS.
 - TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
 - TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, a) THE ARCH STIFFNESS CONSTANT AS DEFINED IN SECTION 6.2.8 OF ASTM F2418 SHALL BE GREATER THAN OR EQUAL TO 550 LBS/FT² AND b) TO RESIST CHAMBER DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73° F / 23° C), CHAMBERS SHALL BE PRODUCED FROM REFLECTIVE GOLD OR YELLOW COLORS.



GENERAL NOTES

LOCATIONS ARE BASED ON AN "ON THE GROUND" INSTRUMENT SURVEY AND ELEVATIONS BASED ON THE NAVD 1988 DATUM. COORDINATE SYSTEM USED IS THE MA-MAINLAND COORDINATE SYSTEM, DATUM: NAD 83, UNITS: U.S. SURVEY FEET.

ZONING DISTRICT: R-5

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF MINIMAL FLOOD HAZARD ZONE X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 25001C088L WITH A MAP EFFECTIVE DATE OF JULY 16, 2014.

THIS LOT IS LOCATED WITHIN A DEP APPROVED ZONE II WELLHEAD PROTECTION AREA.

THIS LOT IS NOT MAPPED WITHIN A MESA NATURAL HERITAGE AND ENDANGERED SPECIES AREA.

DEED REFERENCE: BOOK 34366 PAGE 213

PLAN REFERENCE: BOOK 587 PAGE 72
BOOK 467 PAGE 89
BOOK 669 PAGE 39

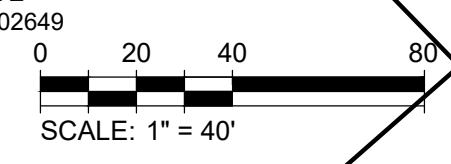
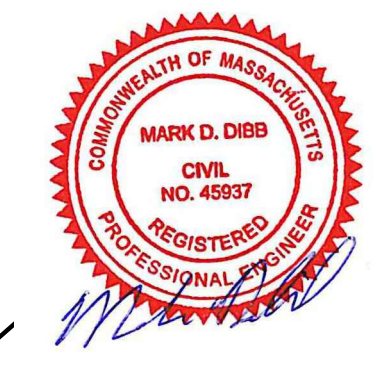
OWNER: DANIEL E. MARSTERS
PLEASANTWOOD HOMES, LLC
10 PLEASANTWOOD DRIVE
FORESTDALE, MA 02644

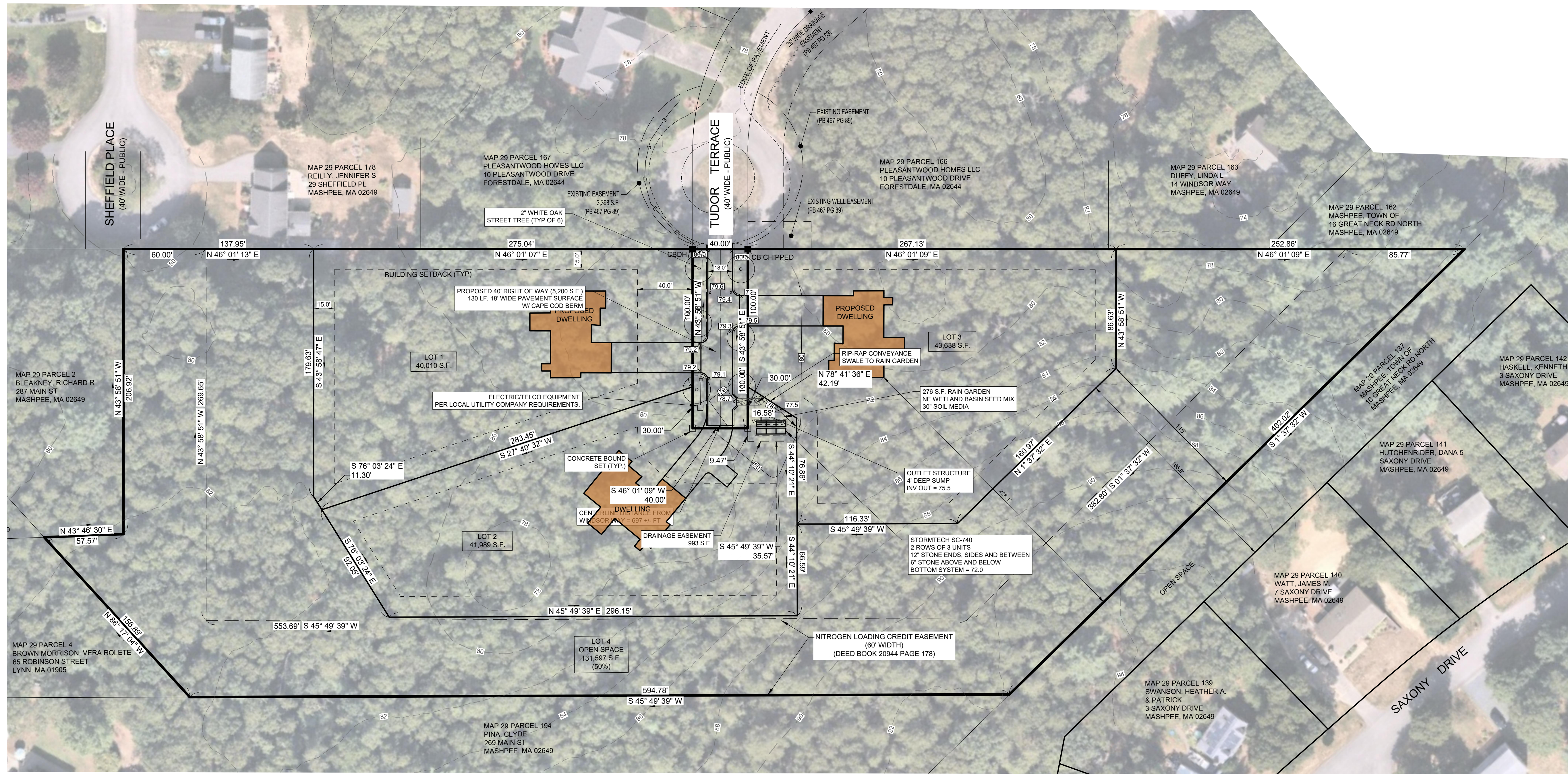
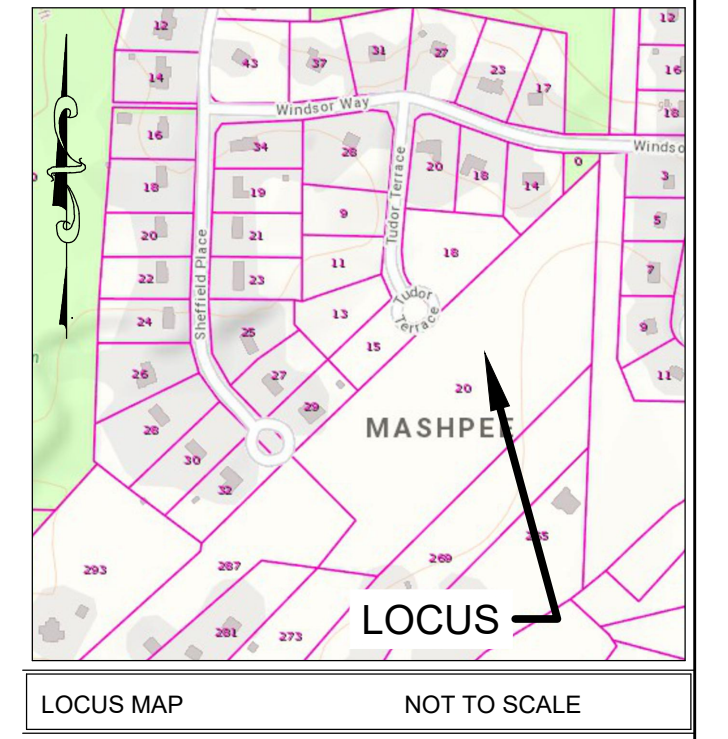
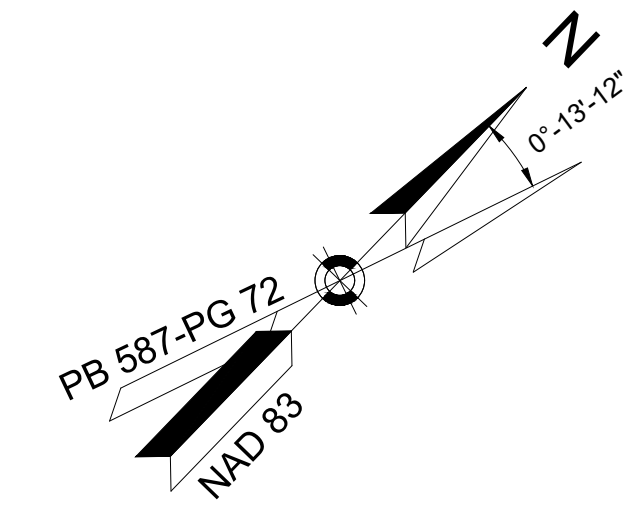
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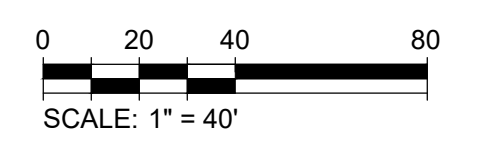
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DATE	DESCRIPTION	BY	CHK
APRIL 14, 2023	PREPARED FOR:	DANIEL E. MARSTERS PLEASANTWOOD HOMES, LLC 10 PLEASANTWOOD DRIVE FORESTDALE, MA 02644	
	PROJECT:	20 TUDOR TERRACE MASHPEE, MASSACHUSETTS	
	SHEET NO.:	2 OF 3	
	DATE:	APRIL 14, 2023	
	DRAWN BY:	MD	CHECKED BY: MC
	PREPARED BY:		
	DRAWING TITLE:	ROADWAY GRADING AND DRAINAGE PLAN TUDOR TERRACE	





- LEGEND**
- CB ----- CONCRETE BOUND FOUND
 - ----- CONCRETE BOUND TO BE SET
 - SB ----- STONE BOUND
 - ⊙ RC ----- ROD CAP
 - ⊙ IP ----- IRON PIPE
 - (XXXX) ----- DISTANCE TO SETBACK



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DATE	DESCRIPTION	BY	CHK
PREPARED FOR:	DANIEL E. MARSTERS PLEASANTWOOD HOMES, LLC 10 PLEASANTWOOD DRIVE FORESTDALE, MA 02644		
PROJECT:	20 TUDOR TERRACE MASHPEE, MASSACHUSETTS		
SHEET NO.: 3 OF 3	DATE: APRIL 14, 2023		
DRAWN BY: MD	CHECKED BY: MC		
PREPARED BY:			
DRAWING TITLE: BUILDING ENVELOPE AND AERIAL EXHIBIT TUDOR TERRACE			



STORMWATER MANAGEMENT REPORT AND DESIGN CALCULATIONS

Project:

Proposed Site Development

Location:

**20 Tudor Terrace
Mashpee, MA**

Prepared for:

**Daniel E. Marsters
Pleasantwood Homes, LLC
10 Pleasantwood Drive
Forestdale, MA 02644**

August 11, 2023



1.0 OVERVIEW

1.1 Introduction

Cape & Islands Engineering, Inc. submits this Stormwater Report, on behalf of the applicant for the proposed development at the above referenced site. The project includes a small residential roadway and site drainage. A new stormwater management system is designed to intercept and provide treatment to storm runoff generated from the new pavement surface.

This report describes the hydrologic analysis for the proposed stormwater treatment process. This report accompanies a set of drawings (Site Plan) that represent the proposed site development improvements and stormwater treatment system, and a set of calculations that identify the stormwater runoff volume and capacity analysis of the receiving facilities.

2.0 BACKGROUND

2.1 Existing Conditions

The property is currently an undeveloped 6+ acre property in the R-5 zoning district. The lot is located at the end of Tudor Terrace. Groundwater was not encountered and is expected at depths in excess of 40' deep. There are no wetland resource areas on the site. Site consists of sandy soils with a rawls rate of 8.27 in/hr.

3.0 PROPOSED PROJECT

3.1 Scope of Work

The development project intended at this location consists of 100 linear feet of a new roadway/driveway. Stormwater runoff from the pavement areas will be routed through a paved apron, into a rip/rap conveyance swale into a raingarden. The Raingarden will contain an overflow structure that will drain to additional subsurface infiltration and storage. The system is sized to handle the 100-year storm event.

The proposed stormwater system provides total suspended solids (TSS) removal, pollutant removal, and groundwater recharge within the development (refer to calculations below).

3.2 Construction Methodology

Once a contractor for the project is retained a construction methodology will be defined. Limits of work will be established and protection to drainage inlets will be provided. Efforts will be coordinated to minimize construction time and disturbance within and around the area. The construction will be built using common industry construction practices for project of this type.

During construction the contractor shall provide adequate erosion and sedimentation control to protect the construction site and adjacent properties. Graded areas will be stabilized with adequate erosion



control measures such as erosion control blankets, loam and seeding, mulching and plantings. The proposed drainage systems will be installed at some point during the grading stages of the construction and properly protected from other construction activities on the site. Erosion and sedimentation control measures should be properly maintained and inspected throughout the duration of the work to ensure adequate protection. Once the disturbed areas on site are stabilized the temporary protection installed throughout the site and within the drainage systems shall be removed.

4.0 MASSDEP STANDARD COMPLIANCE

4.1 Standard #1: No untreated discharge or erosion to wetlands

There are no untreated discharges proposed to wetlands and the project provide measures against soil erosion. TSS removal calculations are provided in Appendix D.

4.2 Standard #2: Peak rate attenuation

The entire surface of the proposed development (roadway) will be conveyed to the rain-garden and subsurface system. The system is designed to handle the 100-year storm event for the roadway runoff. Since all runoff is managed a detailed analysis of the entire property for pre- and post-development runoff would result in a reduction. This analysis was not performed for this project due to the small size and capture of all surfaces, The individual lots will manage their runoff within each property.

4.3 Standard #3: Stormwater recharge

The project provides stormwater recharge in order to compensate for the increase in impervious area. To document compliance with standard #3 the following information has been included:

1. Recharge volume calculations

4.4 Standard #4: Water Quality

The proposed drainage systems provides treatment to the stormwater prior to final discharge. The proposed drainage system will improve water quality by removing at least approximately 80% of the Total Suspended Solids (TSS) for all the new impervious (new construction) areas.

Water quality volume calculations

TSS calculation sheets

4.5 Standard #5: Land uses with higher potential pollutant loads (LUHPPL)

The proposed site is not a Land Use with Higher Potential Pollutant Load (LUHPPL)

4.6 Standard #6: Critical areas



The site is not situated in a Critical Area. Therefore this standard is not applicable.

4.7 Standard #7: Redevelopment

This project is not a redevelopment site.

4.8 Standard #8: Construction period controls

Proper control measures during the construction stages of this project are needed to prevent erosion and sedimentation problems. Open excavation and piled material and equipment shall be properly managed to avoid conditions that may be detrimental to the project. Refer to the Plan details for the proposed erosion and sedimentation measures during the construction period.

The Erosion and Sedimentation Control Plan includes the following:

1. Prior to any work the contractor shall provide in writing to the DPW Engineering Division the contact name and information of the person in charge of the erosion and sedimentation controls.
2. The contractor shall notify DPW of any changes to the erosion and sedimentation control plan.
3. The installer shall examine the work area and site conditions under which this work is to be performed prior to installation of sedimentation and erosion control.
4. The contractor shall establish the limit of work and sedimentation controls prior to performing any clearing and excavation activities on the site and maintain the limit of work and sedimentation controls throughout the duration of the work.
5. The contractor shall designate an area and install a track pad where trucks and vehicles exiting the construction site are allowed to clean their tires prior to departure.
6. The contractor shall select an area within the developed site for staging of materials and equipment throughout the duration of the work.
7. The contractor shall provide adequate protection to existing stormwater systems downgrade from the work site and roadway as indicated on the construction drawings.
8. The contractor shall protect existing catch basins with the use of straw-bale dykes or silt-bags at the inlet of the structures. The contractor may remove such protection once disturbed areas have been stabilized and no signs of erosion and sedimentation exist in the catch basin direction.
9. At no point during construction shall silt, sediment, erosion, debris and stormwater runoff from construction area be allowed outside demarcated area.
10. All excavated areas rendering a slope greater than 3 horizontal to 1 vertical (3:1) shall be stabilized with the installation of erosion control blankets.
11. Unsuitable and excess material not intended for reuse or re-purpose within the site shall be stripped from areas impacted by construction and disposed off-site.
12. Excavated material or imported material shall not be piled in areas where sediments may damage drainage system on the site or on adjacent properties or may pose a threat to abutting properties.
13. The contractor shall stabilize all graded and/or disturbed areas by installing loam and seeding at the earliest time possible to prevent erosion and sedimentation.
14. Stabilization for paved areas shall be achieved by installing the gravel base immediately after the rough grading and sub-base compaction is complete.



15. The contractor shall implement supplemental drainage and erosion control measures (such as temporary swales, stone checks, seeding or mulching) as may be necessary during the course of the construction based on changes of stormwater runoff patterns.
16. After a rainstorm during construction the contractor shall examine the conditions of the erosion and sedimentation controls and perform any required repairs or replacements. Sediment accumulation against erosion and sedimentation controls shall be removed and properly disposed of.
17. The contractor shall maintain on site 200 linear feet of *extra* silt fence in the event erosion occurs and immediate action is necessary. If erosion occurs during construction the contractor shall take immediate steps to contain material on site and prevent future erosion.
18. Stripped topsoil from areas to be graded shall be stockpiled at locations approved by the project engineer and shall not cause damage to the sedimentation and erosion controls.
19. Excavated material shall not be stockpiled for prolonged periods of time. If rain is forecasted during construction the contractor shall provide siltation control down-gradient from stockpile material to avoid material washout.
20. The contractor shall implement measures to control dust levels by means such as water trucks during construction until all disturbed areas are stabilized.
21. The contractor shall submit a dewatering plan to be approved by the engineer if dewatering activities will be implemented during construction.
22. All protective measures (silt sacs, straw wattles, straw-bale dams) installed in the vicinity of construction of the site protecting existing stormwater systems shall be removed once the disturbed areas are stabilized.

4.9 Standard #9: Operation and Maintenance Plan

A properly operating drainage system is the basis for long life of the roads and parking areas and for the protection of wetland resources against pollutants carried by stormwater. If the drainage system fails to work, frequent pooling of stormwater would be expected to occur on site possibly affecting the use and activities on the property. The owner or designated representative will be responsible for maintenance and operation of drainage system.

The owner or designated representative shall maintain a copy of the construction drawings as means of illustration of the location of the stormwater system, or other drawings depicting the site with all components of the drainage system location. Only authorized personnel by the owner shall maintain and operate the drainage system.

The drainage system has been designed with consideration of the use as a commercial development. The owner or designated representative shall implement the following long-term pollution prevention measures:

1. The drainage system is intended for the interception of rainfall precipitation and snowmelt runoff. No other discharges shall be allowed within the systems unless reviewed by the appropriate trade professional for conformance with the design parameters of the system.
2. Proper road maintenance shall be performed without harming the drainage system.
3. Snow and ice shall be properly managed. Snow or ice removal shall not obstruct the stormwater inlets and outlets.
4. A contractor who specializes on spill cleanings shall be engaged in the event of spills into the drainage system. The contractor shall properly clean the affected areas and the drainage.



To provide for adequate maintenance of the drainage system, the following inspections and procedures are recommended:

1. Inspect outlet structure after every major storm event (typically a storm of one inch (1") of rainfall) and at least four times a year. Inspection will include noting accumulation of debris at the surface and measuring the depth of silt and sediment collected within.
2. All debris at the outlet structure inlet grates shall be removed and properly disposed clearing the entire surface of the system.
3. If the depth of sediments within the outlet structure sump measures less than 12-inches clearance to the outlet pipe invert, arrange for a contractor to properly remove the accumulated sediments.
4. If standing water is observed above the outlet structure inlet grate 24 hours past a storm event inspect the system for the presence of clogging or obstruction. If clogging or an obstacle exists arrange for the system to be cleaned.
5. The raingarden shall be inspected and maintained at least twice a year and after every storm in which runoff drains through the overflow outlet. Specific items to be inspected shall include: Signs of differential settlement, cracking, erosion, leakage in the embankments, condition of rip-rap, sediment accumulation and health of the turf.
6. Upon construction completion and once the basin is in use, perform inspections after every major storm for the first few months to ensure it is stabilized and functioning properly. Determine if clogging and maintenance is required if standing water is in basin for more than 48 hours. A Professional engineer shall inspect the basin if it becomes clogged or takes longer than 72 hours to drain.
7. Handling and disposal of oily substances, debris and sediments removed from the drainage system components during maintenance shall conform to applicable local, state and federal requirements.

4.10 Standard #10: Prohibition of Illicit Discharges

No Illicit discharges will exist on site.

5.0 SUMMARY

5.1 Conclusion

The intended new construction for this site will meet the guidelines within the MA DEP Stormwater Management Handbook. The stormwater management system and erosion and sedimentation control plan proposed provides protection for the development and adjacent properties during the construction phases and once constructed from stormwater impacts. Information as described in this report and within the construction documents submitted is comprehensive and informative enough for a qualified and experienced contractor to properly implement on the ground. Proper maintenance tasks and inspections procedures are recommended for the erosion and sedimentation control measures for the contractor to implement during construction. Similarly, recommendations are provided for operation and maintenance of the stormwater management system once installed on the site for longevity and protection of the system and the property. The design and sizing of the stormwater management system is adequate to manage stormwater runoff on the subject property and for the proposed development and conforms with applicable requirements.



5.2 Contact Information

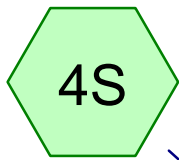
In an effort to reduce the amount of paper required for filings, the entire application can be emailed upon request to regulatory staff and board members. Please contact Cape & Islands Engineering, Inc. by phone or email to obtain any paper or digital copies of project information.

Please contact Mark Dibb at 508.477.7272 or mdibb@capeeng.com for copies of project information.

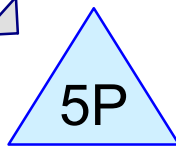
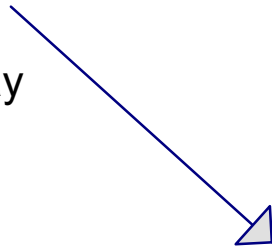
The Applicants representative:

Mark Dibb, P.E.
Senior Project Manager

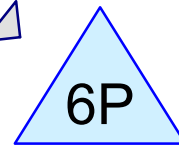
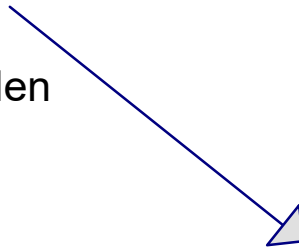
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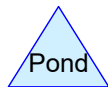
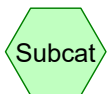
Roadway



Rain Garden



Subsurface System



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Page 2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.067	98	Pavement (4S)
0.067		TOTAL AREA

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Soil Listing (all nodes)

Area (acres)	Soil Goup	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
0.000	HSG D	
0.067	Other	4S
0.067		TOTAL AREA

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Type III 24-hr 2 - Year Rainfall=3.55"

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Time span=0.01-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment4S: Roadway

Runoff Area=2,923 sf 100.00% Impervious Runoff Depth=3.32"
Tc=6.0 min CN=98 Runoff=0.23 cfs 0.019 af

Pond 5P: Rain Garden

Peak Elev=78.08' Storage=91 cf Inflow=0.23 cfs 0.019 af
Outflow=0.22 cfs 0.017 af

Pond 6P: Subsurface System

Peak Elev=72.73' Storage=0.003 af Inflow=0.22 cfs 0.017 af
Outflow=0.07 cfs 0.017 af

Total Runoff Area = 0.067 ac Runoff Volume = 0.019 af Average Runoff Depth = 3.32"
0.00% Pervious = 0.000 ac 100.00% Impervious = 0.067 ac

20-Tudor-HydroCAD

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Type III 24-hr 2 - Year Rainfall=3.55"

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Summary for Subcatchment 4S: Roadway

Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.019 af, Depth= 3.32"

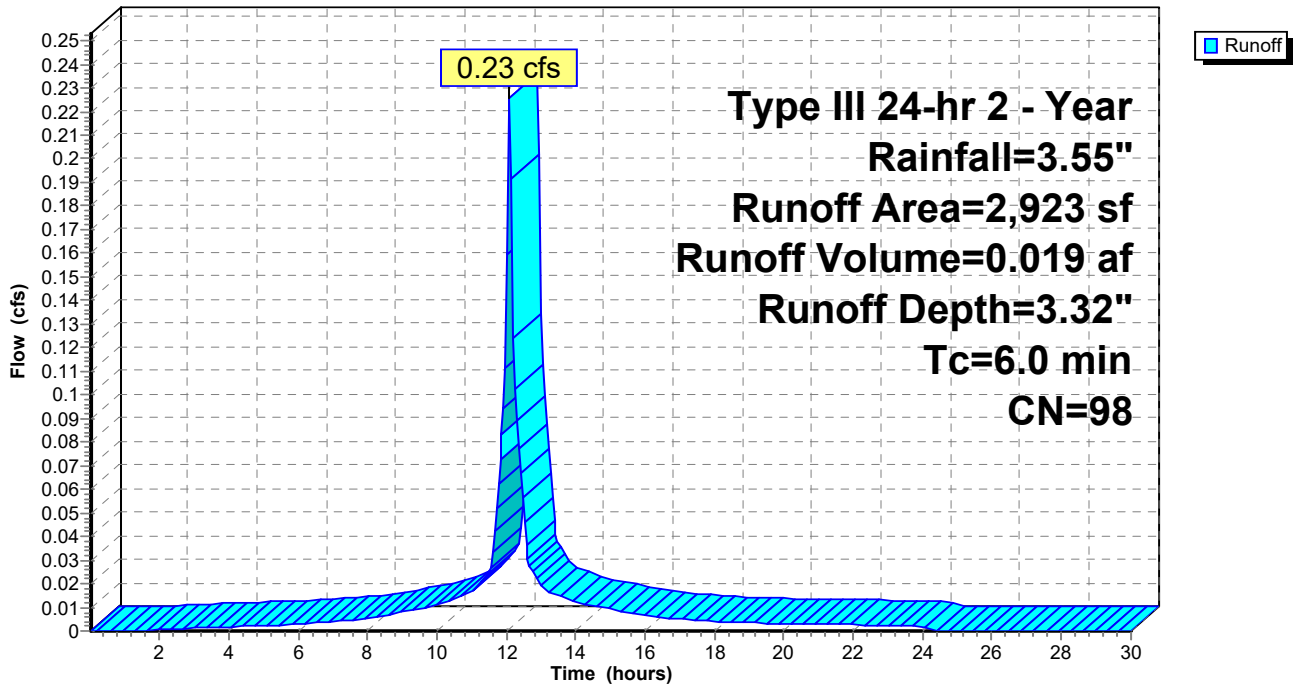
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
Type III 24-hr 2 - Year Rainfall=3.55"

Area (sf)	CN	Description
* 2,923	98	Pavement
2,923		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, Direct

Subcatchment 4S: Roadway

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 2 - Year Rainfall=3.55"

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Summary for Pond 5P: Rain Garden

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 3.32" for 2 - Year event
 Inflow = 0.23 cfs @ 12.08 hrs, Volume= 0.019 af
 Outflow = 0.22 cfs @ 12.11 hrs, Volume= 0.017 af, Atten= 2%, Lag= 1.4 min
 Primary = 0.22 cfs @ 12.11 hrs, Volume= 0.017 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
 Peak Elev= 78.08' @ 12.11 hrs Surf.Area= 293 sf Storage= 91 cf

Plug-Flow detention time= 81.7 min calculated for 0.017 af (91% of inflow)
 Center-of-Mass det. time= 38.1 min (792.4 - 754.3)

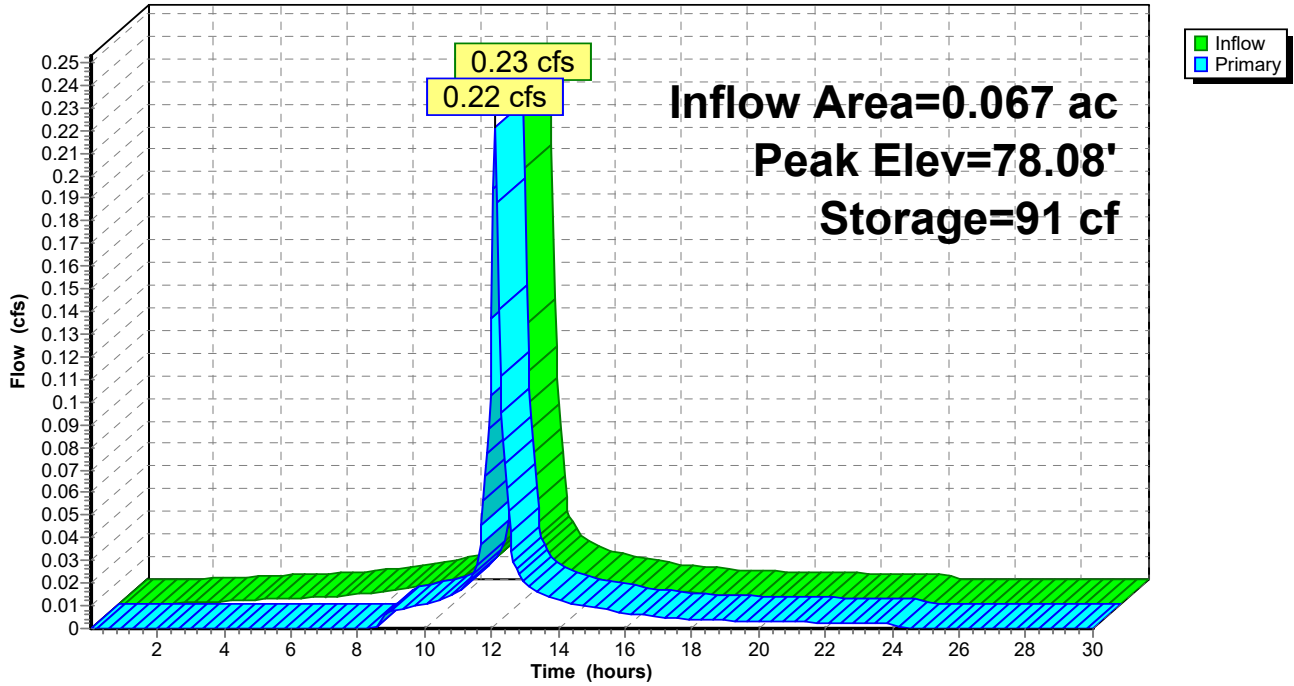
Volume	Invert	Avail.Storage	Storage Description
#1	77.50'	234 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
77.50	0	0	0
78.00	276	69	69
78.50	383	165	234

Device	Routing	Invert	Outlet Devices
#1	Primary	78.00'	12.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.22 cfs @ 12.11 hrs HW=78.08' (Free Discharge)
 ↑1=Orifice/Grate (Weir Controls 0.22 cfs @ 0.91 fps)

Pond 5P: Rain Garden

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 2 - Year Rainfall=3.55"

Prepared by {enter your company name here}

Printed 8/11/2023

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Summary for Pond 6P: Subsurface System

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 3.03" for 2 - Year event
 Inflow = 0.22 cfs @ 12.11 hrs, Volume= 0.017 af
 Outflow = 0.07 cfs @ 11.86 hrs, Volume= 0.017 af, Atten= 70%, Lag= 0.0 min
 Discarded = 0.07 cfs @ 11.86 hrs, Volume= 0.017 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
 Peak Elev= 72.73' @ 12.44 hrs Surf.Area= 0.008 ac Storage= 0.003 af

Plug-Flow detention time= 9.8 min calculated for 0.017 af (100% of inflow)
 Center-of-Mass det. time= 9.8 min (802.2 - 792.4)

Volume	Invert	Avail.Storage	Storage Description
#1A	72.00'	0.008 af	11.50'W x 30.48'L x 3.50'H Field A
			0.028 af Overall - 0.008 af Embedded = 0.020 af x 40.0% Voids
#2A	72.50'	0.008 af	StormTech SC-740 x 8 Inside #1
			Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf
			Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap
		0.016 af	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	72.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.07 cfs @ 11.86 hrs HW=72.04' (Free Discharge)
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

Pond 6P: Subsurface System - Chamber Wizard Field A

Chamber Model = StormTech SC-740

Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf

Overall Size= 51.0"W x 30.0"H x 7.56"L with 0.44' Overlap

51.0" Wide + 12.0" Spacing = 63.0" C-C

4 Chambers/Row x 7.12' Long = 28.48' + 12.0" End Stone x 2 = 30.48' Base Length

2 Rows x 51.0" Wide + 12.0" Spacing x 1 + 12.0" Side Stone x 2 = 11.50' Base Width

6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

8 Chambers x 45.9 cf = 367.5 cf Chamber Storage

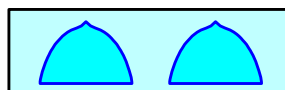
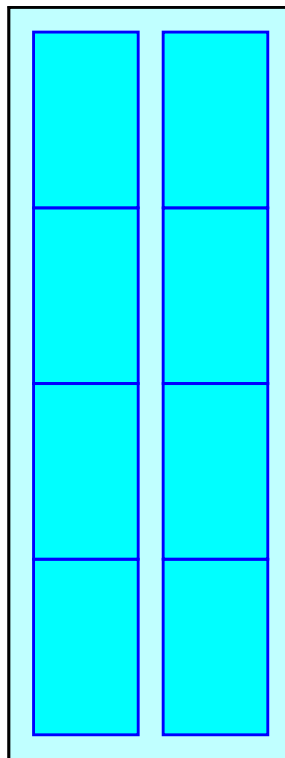
1,226.8 cf Field - 367.5 cf Chambers = 859.3 cf Stone x 40.0% Voids = 343.7 cf Stone Storage

Stone + Chamber Storage = 711.2 cf = 0.016 af

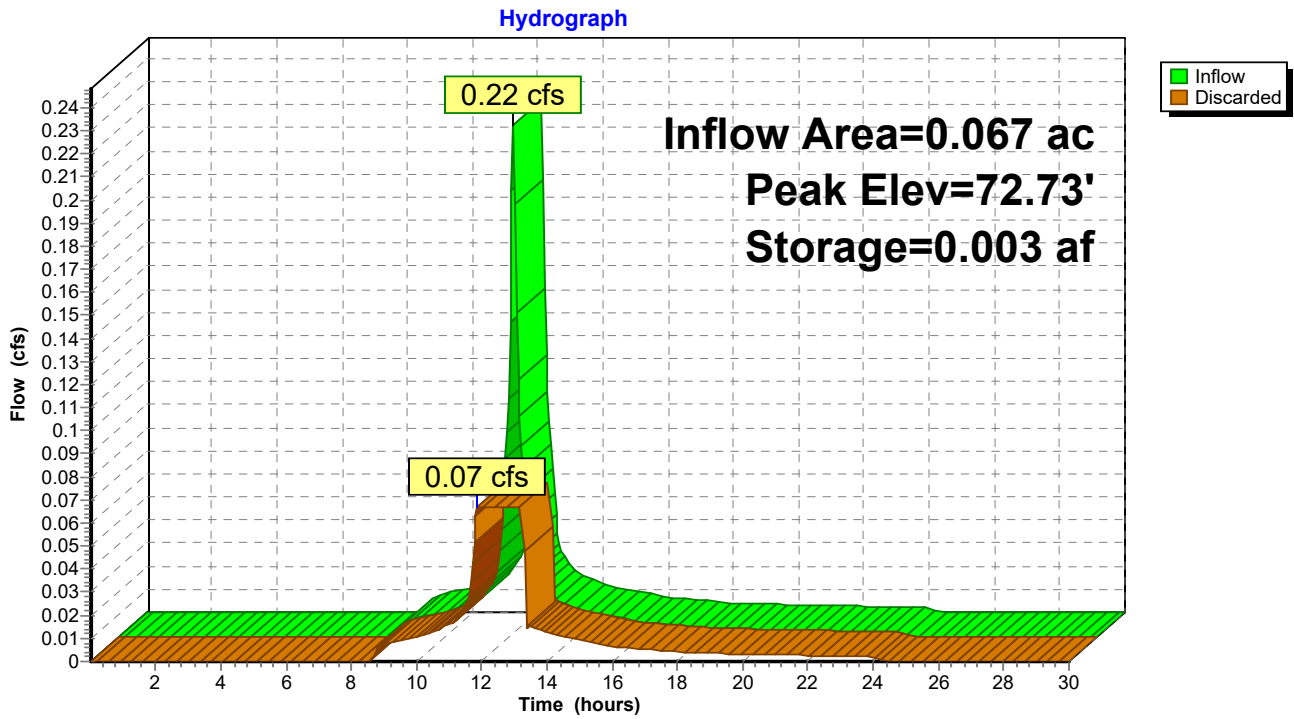
8 Chambers

45.4 cy Field

31.8 cy Stone



Pond 6P: Subsurface System



20-Tudor-HydroCAD

Type III 24-hr 25 - Year Rainfall=5.99"

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Printed 8/11/2023

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Page 11

Time span=0.01-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment4S: Roadway

Runoff Area=2,923 sf 100.00% Impervious Runoff Depth=5.75"
Tc=6.0 min CN=98 Runoff=0.38 cfs 0.032 af

Pond 5P: Rain Garden

Peak Elev=78.11' Storage=101 cf Inflow=0.38 cfs 0.032 af
Outflow=0.38 cfs 0.031 af

Pond 6P: Subsurface System

Peak Elev=73.58' Storage=0.008 af Inflow=0.38 cfs 0.031 af
Outflow=0.07 cfs 0.031 af

Total Runoff Area = 0.067 ac Runoff Volume = 0.032 af Average Runoff Depth = 5.75"
0.00% Pervious = 0.000 ac 100.00% Impervious = 0.067 ac

20-Tudor-HydroCAD

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Type III 24-hr 25 - Year Rainfall=5.99"

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Page 12

Summary for Subcatchment 4S: Roadway

Runoff = 0.38 cfs @ 12.08 hrs, Volume= 0.032 af, Depth= 5.75"

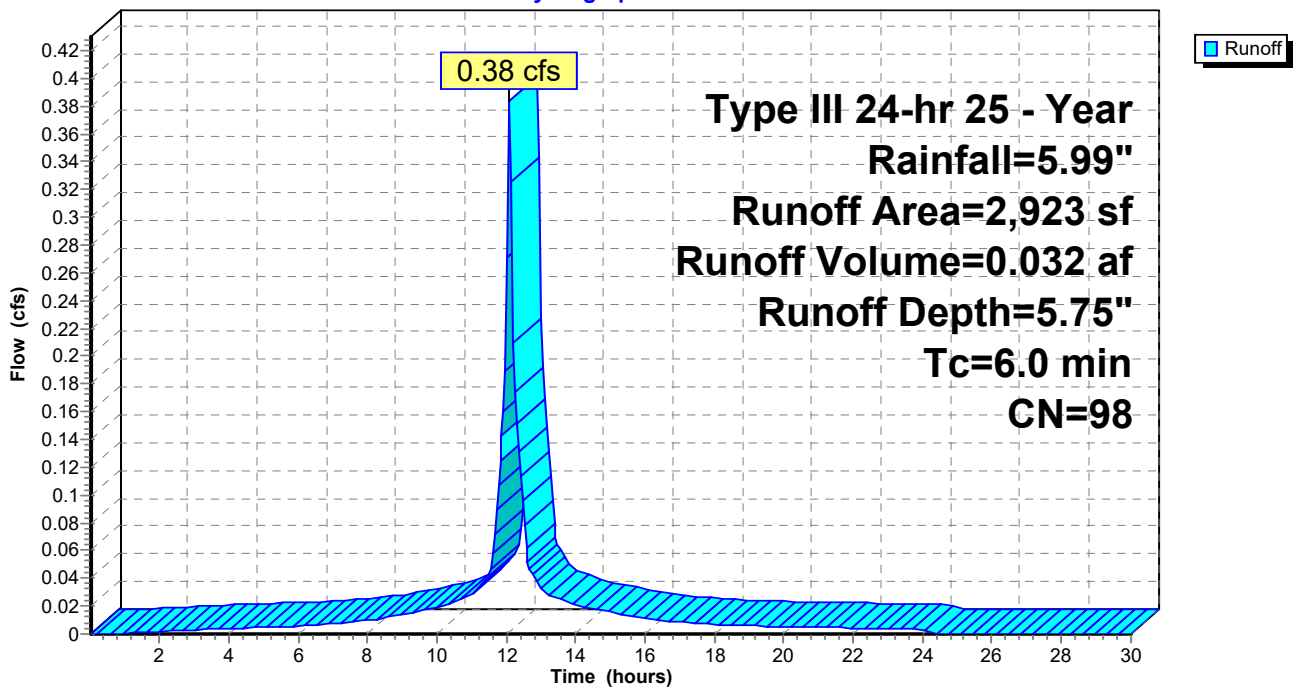
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
Type III 24-hr 25 - Year Rainfall=5.99"

Area (sf)	CN	Description
* 2,923	98	Pavement
2,923		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, Direct

Subcatchment 4S: Roadway

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 25 - Year Rainfall=5.99"

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Printed 8/11/2023

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Page 13

Summary for Pond 5P: Rain Garden

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 5.75" for 25 - Year event
Inflow = 0.38 cfs @ 12.08 hrs, Volume= 0.032 af
Outflow = 0.38 cfs @ 12.10 hrs, Volume= 0.031 af, Atten= 1%, Lag= 1.3 min
Primary = 0.38 cfs @ 12.10 hrs, Volume= 0.031 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
Peak Elev= 78.11' @ 12.10 hrs Surf.Area= 300 sf Storage= 101 cf

Plug-Flow detention time= 56.3 min calculated for 0.031 af (95% of inflow)
Center-of-Mass det. time= 27.9 min (773.1 - 745.2)

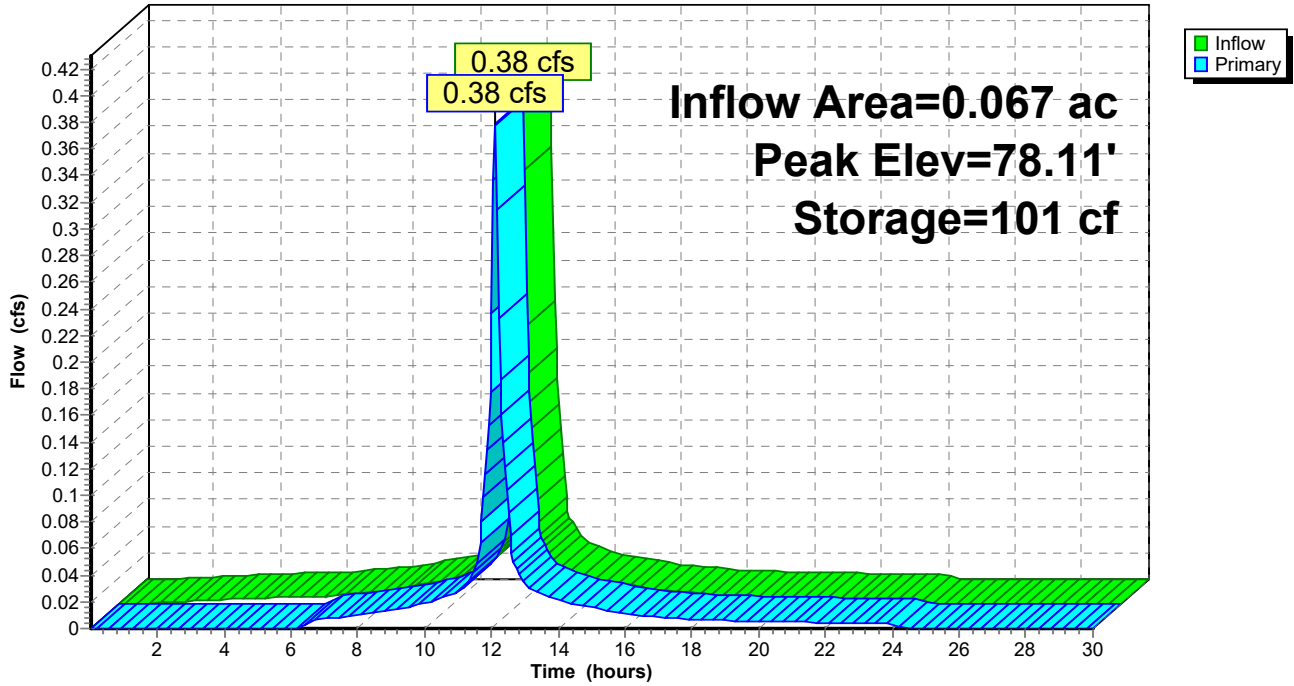
Volume	Invert	Avail.Storage	Storage Description
#1	77.50'	234 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
77.50	0	0	0
78.00	276	69	69
78.50	383	165	234

Device	Routing	Invert	Outlet Devices
#1	Primary	78.00'	12.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.37 cfs @ 12.10 hrs HW=78.11' (Free Discharge)
↑**1=Orifice/Grate** (Weir Controls 0.37 cfs @ 1.08 fps)

Pond 5P: Rain Garden

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 25 - Year Rainfall=5.99"

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Page 15

Summary for Pond 6P: Subsurface System

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 5.47" for 25 - Year event
 Inflow = 0.38 cfs @ 12.10 hrs, Volume= 0.031 af
 Outflow = 0.07 cfs @ 11.71 hrs, Volume= 0.031 af, Atten= 82%, Lag= 0.0 min
 Discarded = 0.07 cfs @ 11.71 hrs, Volume= 0.031 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
 Peak Elev= 73.58' @ 12.57 hrs Surf.Area= 0.008 ac Storage= 0.008 af

Plug-Flow detention time= 29.0 min calculated for 0.031 af (100% of inflow)
 Center-of-Mass det. time= 28.9 min (802.0 - 773.1)

Volume	Invert	Avail.Storage	Storage Description
#1A	72.00'	0.008 af	11.50'W x 30.48'L x 3.50'H Field A 0.028 af Overall - 0.008 af Embedded = 0.020 af x 40.0% Voids
#2A	72.50'	0.008 af	StormTech SC-740 x 8 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap
		0.016 af	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	72.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.07 cfs @ 11.71 hrs HW=72.04' (Free Discharge)
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

Pond 6P: Subsurface System - Chamber Wizard Field A

Chamber Model = StormTech SC-740

Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf

Overall Size= 51.0"W x 30.0"H x 7.56"L with 0.44' Overlap

51.0" Wide + 12.0" Spacing = 63.0" C-C

4 Chambers/Row x 7.12' Long = 28.48' + 12.0" End Stone x 2 = 30.48' Base Length

2 Rows x 51.0" Wide + 12.0" Spacing x 1 + 12.0" Side Stone x 2 = 11.50' Base Width

6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

8 Chambers x 45.9 cf = 367.5 cf Chamber Storage

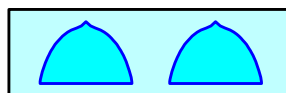
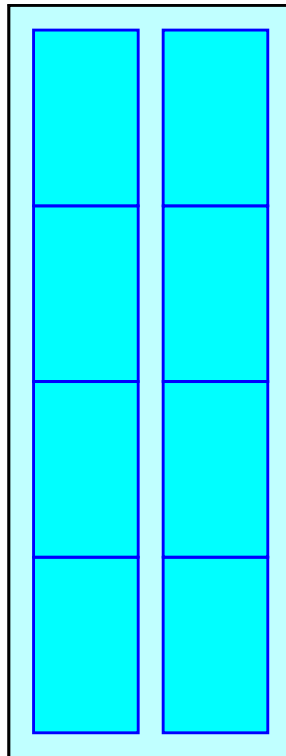
1,226.8 cf Field - 367.5 cf Chambers = 859.3 cf Stone x 40.0% Voids = 343.7 cf Stone Storage

Stone + Chamber Storage = 711.2 cf = 0.016 af

8 Chambers

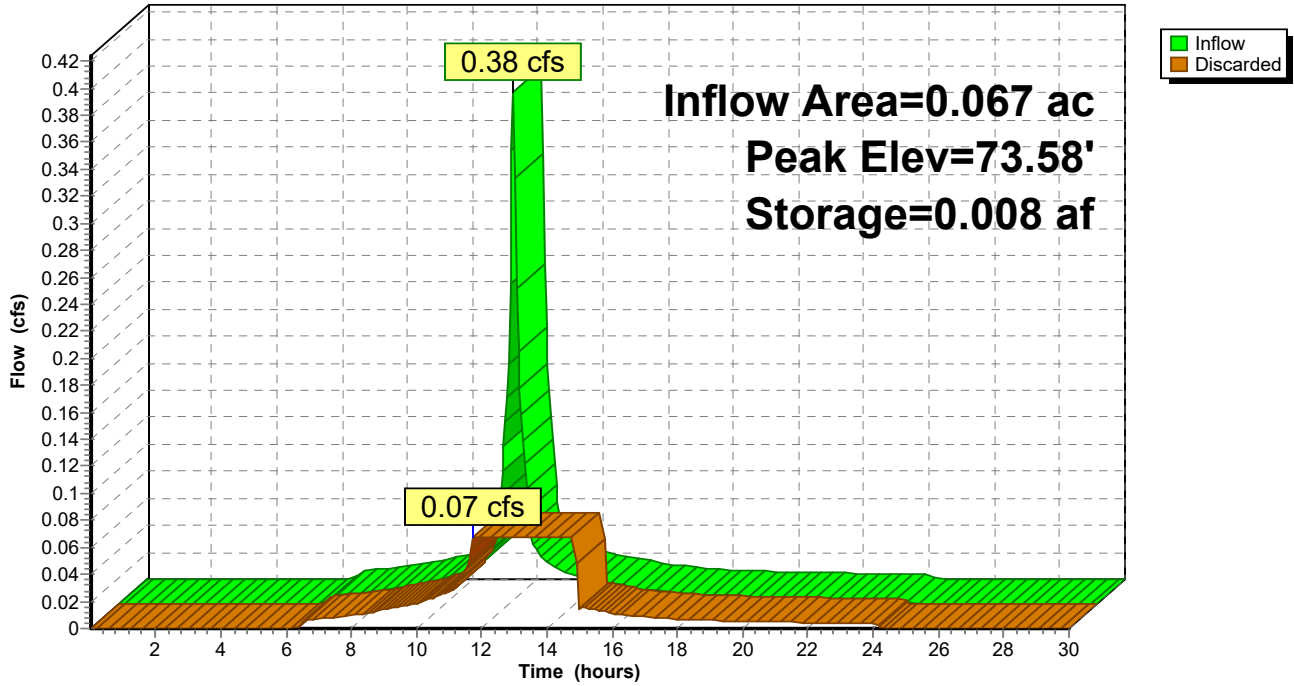
45.4 cy Field

31.8 cy Stone



Pond 6P: Subsurface System

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 100 - Year Rainfall=7.51"

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Page 18

Time span=0.01-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment4S: Roadway

Runoff Area=2,923 sf 100.00% Impervious Runoff Depth=7.27"
Tc=6.0 min CN=98 Runoff=0.48 cfs 0.041 af

Pond 5P: Rain Garden

Peak Elev=78.13' Storage=106 cf Inflow=0.48 cfs 0.041 af
Outflow=0.48 cfs 0.039 af

Pond 6P: Subsurface System

Peak Elev=74.21' Storage=0.011 af Inflow=0.48 cfs 0.039 af
Outflow=0.07 cfs 0.039 af

Total Runoff Area = 0.067 ac Runoff Volume = 0.041 af Average Runoff Depth = 7.27"
0.00% Pervious = 0.000 ac 100.00% Impervious = 0.067 ac

20-Tudor-HydroCAD

Prepared by {enter your company name here}

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Type III 24-hr 100 - Year Rainfall=7.51"

Printed 8/11/2023

Page 19

Summary for Subcatchment 4S: Roadway

Runoff = 0.48 cfs @ 12.08 hrs, Volume= 0.041 af, Depth= 7.27"

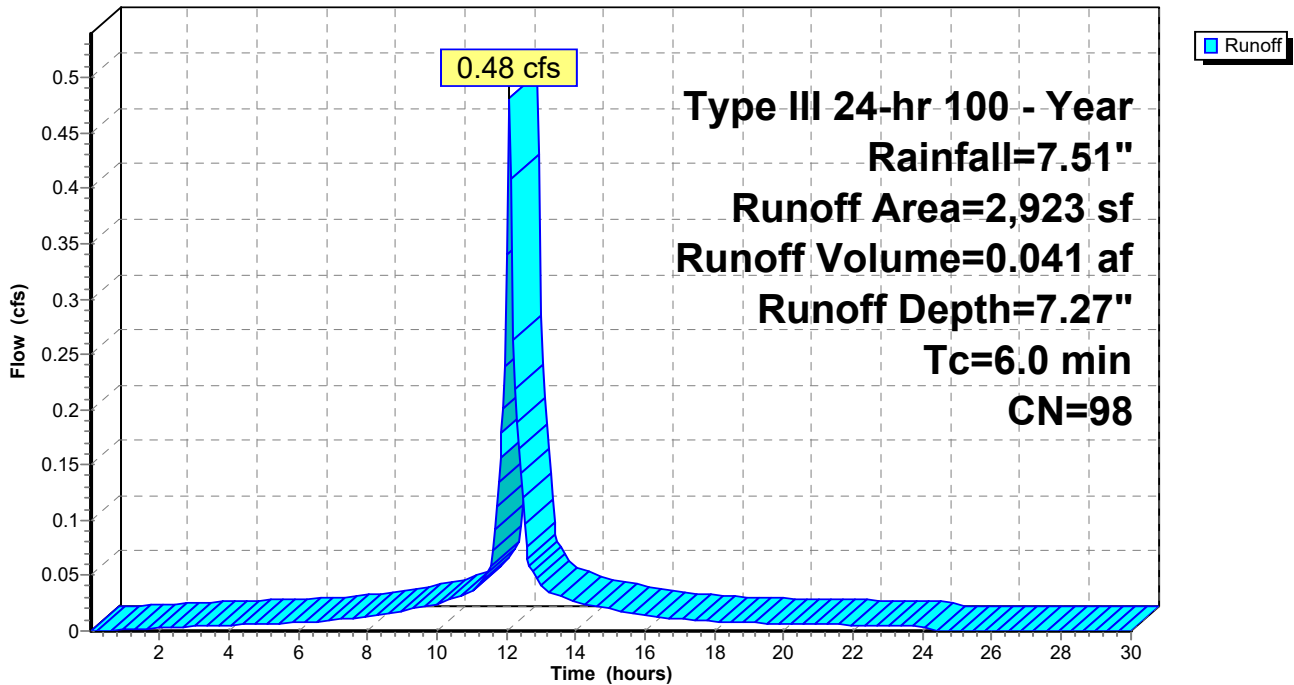
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
Type III 24-hr 100 - Year Rainfall=7.51"

Area (sf)	CN	Description
* 2,923	98	Pavement
2,923		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, Direct

Subcatchment 4S: Roadway

Hydrograph



Summary for Pond 5P: Rain Garden

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 7.27" for 100 - Year event
 Inflow = 0.48 cfs @ 12.08 hrs, Volume= 0.041 af
 Outflow = 0.48 cfs @ 12.10 hrs, Volume= 0.039 af, Atten= 1%, Lag= 1.2 min
 Primary = 0.48 cfs @ 12.10 hrs, Volume= 0.039 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
 Peak Elev= 78.13' @ 12.10 hrs Surf.Area= 304 sf Storage= 106 cf

Plug-Flow detention time= 47.3 min calculated for 0.039 af (96% of inflow)
 Center-of-Mass det. time= 24.0 min (766.0 - 742.0)

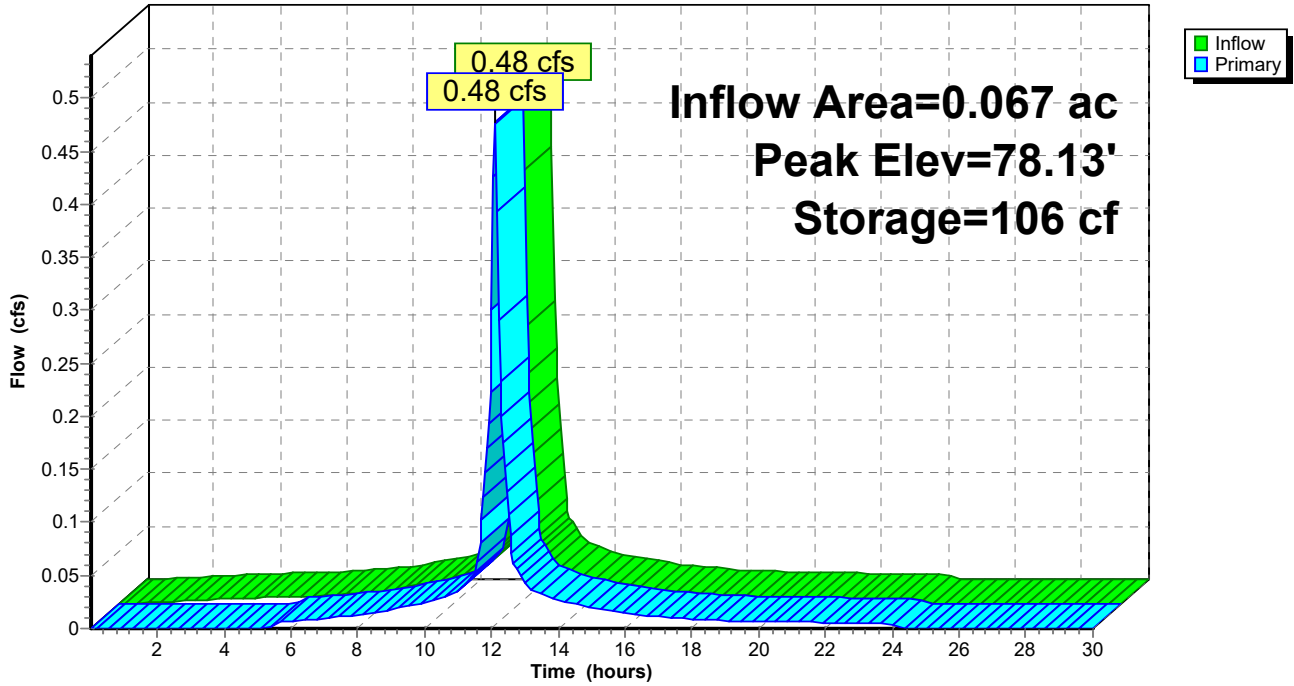
Volume	Invert	Avail.Storage	Storage Description
#1	77.50'	234 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
77.50	0	0	0
78.00	276	69	69
78.50	383	165	234

Device	Routing	Invert	Outlet Devices
#1	Primary	78.00'	12.0" Horiz. Orifice/Grate C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.47 cfs @ 12.10 hrs HW=78.13' (Free Discharge)
 ↑1=Orifice/Grate (Weir Controls 0.47 cfs @ 1.17 fps)

Pond 5P: Rain Garden

Hydrograph



20-Tudor-HydroCAD

Type III 24-hr 100 - Year Rainfall=7.51"

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Page 22

Summary for Pond 6P: Subsurface System

Inflow Area = 0.067 ac, 100.00% Impervious, Inflow Depth = 6.99" for 100 - Year event
 Inflow = 0.48 cfs @ 12.10 hrs, Volume= 0.039 af
 Outflow = 0.07 cfs @ 11.66 hrs, Volume= 0.039 af, Atten= 86%, Lag= 0.0 min
 Discarded = 0.07 cfs @ 11.66 hrs, Volume= 0.039 af

Routing by Stor-Ind method, Time Span= 0.01-30.01 hrs, dt= 0.05 hrs
 Peak Elev= 74.21' @ 12.63 hrs Surf.Area= 0.008 ac Storage= 0.011 af

Plug-Flow detention time= 44.3 min calculated for 0.039 af (100% of inflow)
 Center-of-Mass det. time= 44.3 min (810.2 - 766.0)

Volume	Invert	Avail.Storage	Storage Description
#1A	72.00'	0.008 af	11.50'W x 30.48'L x 3.50'H Field A 0.028 af Overall - 0.008 af Embedded = 0.020 af x 40.0% Voids
#2A	72.50'	0.008 af	StormTech SC-740 x 8 Inside #1 Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap
		0.016 af	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Discarded	72.00'	8.270 in/hr Exfiltration over Surface area

Discarded OutFlow Max=0.07 cfs @ 11.66 hrs HW=72.04' (Free Discharge)
 ↑1=Exfiltration (Exfiltration Controls 0.07 cfs)

Pond 6P: Subsurface System - Chamber Wizard Field A

Chamber Model = StormTech SC-740

Effective Size= 44.6"W x 30.0"H => 6.45 sf x 7.12'L = 45.9 cf

Overall Size= 51.0"W x 30.0"H x 7.56'L with 0.44' Overlap

51.0" Wide + 12.0" Spacing = 63.0" C-C

4 Chambers/Row x 7.12' Long = 28.48' + 12.0" End Stone x 2 = 30.48' Base Length

2 Rows x 51.0" Wide + 12.0" Spacing x 1 + 12.0" Side Stone x 2 = 11.50' Base Width

6.0" Base + 30.0" Chamber Height + 6.0" Cover = 3.50' Field Height

8 Chambers x 45.9 cf = 367.5 cf Chamber Storage

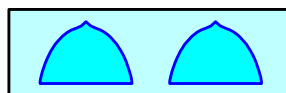
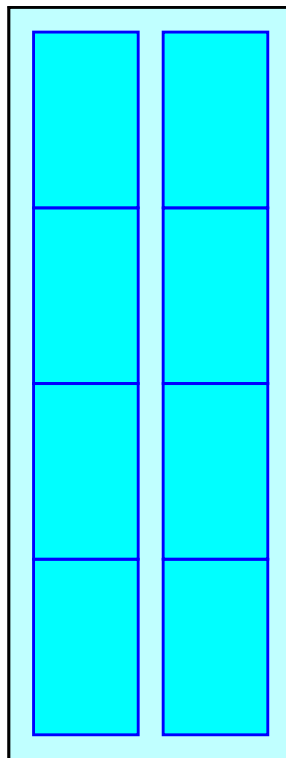
1,226.8 cf Field - 367.5 cf Chambers = 859.3 cf Stone x 40.0% Voids = 343.7 cf Stone Storage

Stone + Chamber Storage = 711.2 cf = 0.016 af

8 Chambers

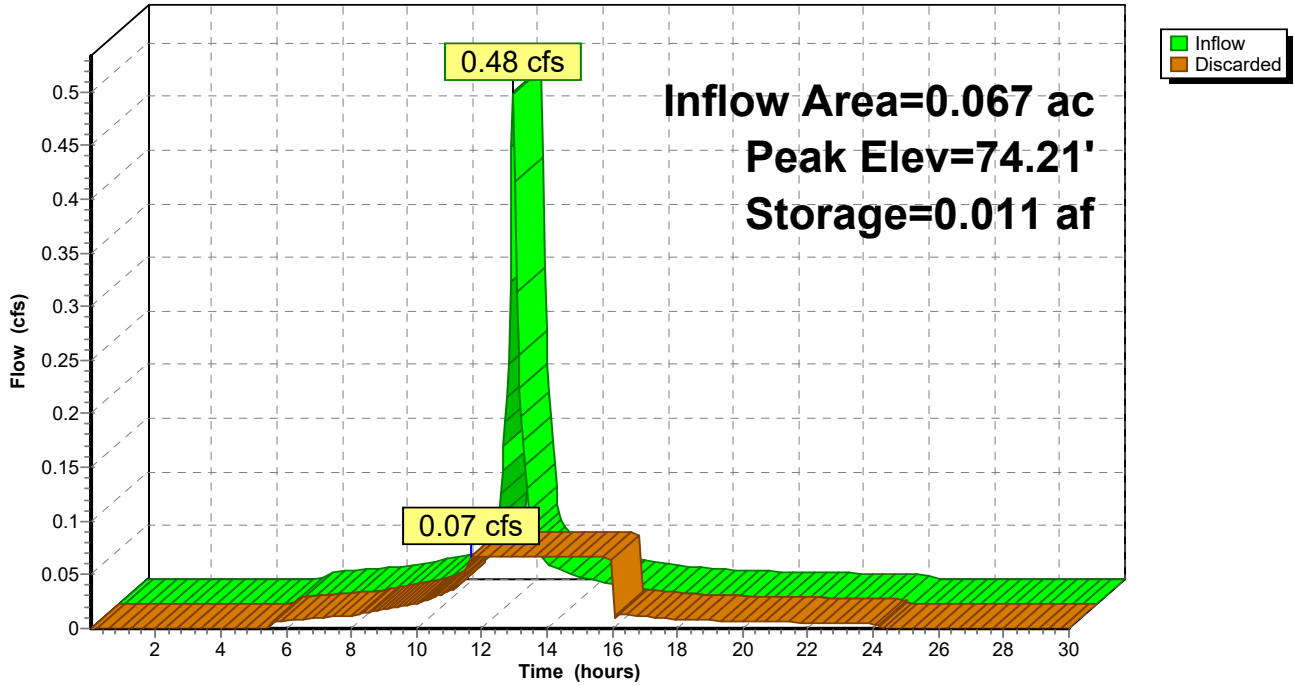
45.4 cy Field

31.8 cy Stone



Pond 6P: Subsurface System

Hydrograph



Tudor Terrace

Date: 4-3-23

Rev 1:

BIO-RETENTION AREA CALCULATIONS

AREA #1

Contributing Impervious area = 2,923 S.F.

Water Quality Volume (WQV – 1”) = 276 C.F. of storage required

Bio-retention area = 276 s.f.

Soil media = 2.5' thick: Voids – 30%: Ponding = 0.50'

Storage in Soil = 276 s.f. * 2.5' * 0.3 = 207 c.f.

Storage ponding = 276 s.f. * 0.5' = 138 c.f.

TOTAL STORAGE AREA #1 = 345 c.f. > 276 c.f. – OK

Job # 20 Tudor Terrace
Site Location Mashpee, MA
Date: 8/11/2023
Rev1:

Recharge Volume Calculations

Step 1) Required Recharge Volume -

Rain Garden and Subsurface System #1

Rv = F x ImperVIOUS area

F (Target Depth Factor per Hydrologic Soil Group) = 0.6 (Per table 2.3.2 for A Soil)
ImperVIOUS Area (Total) = 0.067 Acres

Rv = 0.00335 Ac-Ft Required

145.926 C.F. Required for the new proposed pavement

696 C.F. Provided in Subsurface System

Site: 20 Tudor Terrace
Town: Mashpee, MA
Date: 8/11/2023
Rev1:
Rev2:

Water Quality Volume Calculations

Water Quality Treatment Volume

Infiltration Basin #1 -

$$Vwq = (Dwq/12 \text{ inches/foot}) * (Aimp * 43,560 \text{ square feet/acre})$$

Dwq = 1 inch	=	1
Impervious Area	=	0.067 Acres

Rv =	0.00558 Ac-Ft
Rv =	243.21 Cubic Ft.

696 **Provided in Subsurface System**

INSTRUCTIONS:

1. In BMP Column, click on Blue Cell to Activate Drop Down Menu
2. Select BMP from Drop Down Menu
3. After BMP is selected, TSS Removal and other Columns are automatically completed.

Location: 20 Tudor Terrace

BMP ¹	TSS Removal Rate ¹	Starting TSS Load*	Removed (C*D)	Remaining Load (D-E)
B	C	D	E	F
Bioretention Area	0.90	1.00	0.90	0.10
Subsurface Infiltration Structure	0.80	0.10	0.08	0.02
	0.00	0.02	0.00	0.02
	0.00	0.02	0.00	0.02

Total TSS Removal = 98%

Separate Form Needs to be Completed for Each Outlet or BMP Train

Project: 20 Tudor
 Prepared By: Mark Dibb
 Date: 8/11/2023

*Equals remaining load from previous BMP (E) which enters the BMP



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



Public Health
Prevent. Promote. Protect.

Memo: 20 Tudor Terrace

With regards to the 3 Subdivided lots at 20 Tudor Terrace, the Health Departments main recommendation is to have a barrier of some kind i.e. chain link fence placed on the part of any of the properties that touch the Nitrogen Loading Credit Easement area. This will help prevent the property owners from causing any man made adulterations to the easement area. If the Easement area is modified from its natural state then it will void the space as the deeded credit land.

Thank you

Zackary Seabury / Health Agent
Town of Mashpee
16 Great Neck Road North, Mashpee, MA 02649
Office: 508.539.1400 X8553
Email: Zseabury@mashpeema.gov

NEW BUSINESS

Evan Lehrer
Town Planner
(508) 539-1414
elehrer@ Mashpeema.gov



Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

To: John Cotton, Chair and the Honorable Members of the Select Board

From: Evan Lehrer, Town Planner

Date: August 7, 2023

Re: Suggested amendments to the proposed Mashpee Tree Preservation Bylaw

After receiving written comments from the DPW Director on the Tree Preservation Bylaw currently under review by the Select Board, the Chair of the Planning Board and I are recommending amendments to the Bylaw. I will enumerate in this memo the questions presented by the DPW Director and how the updated proposal responds to each item of significance. There are other proposed amendments made solely for the purposes of clarity.

Questions presented to the Town Planner from the DPW Director with responses to those questions in italics:

- Building Activity definition. Is not the same as building activities listed in Applicability.
 - *New draft deletes the Building Activities listed under 'Applicability.' Any building activity contemplated in the 'Applicability' Section now resides in the Definition of Building Activity as shown on Page 2.*
- Caliper definition. How is it determined whether it's a 6 or 12 inch tree?
 - *Removed all references to 'Caliper.' All references to caliper are replaced with DBH (diameter at breast height).*
- Hazardous Tree definition. Who determines?
 - *A certified arborist would provide a letter to staff with their opinion as to whether or not a tree is hazardous. Staff would confirm. There is no proposed amendment to address this question.*
- Protected Tree definition. Is there a list of "native" trees? Is any size native tree protected? What is a tree of "historical significance"? What is the trunk diameter (it's defined in 170-4)?
 - *Tree definition amended to provide a specific list of species that, if 6" or larger DBH, would be protected trees.*
- Applicability. What is the goal? It seems there might be activities that won't trigger review (for example accessory structures, swimming pools, landscaping, parking areas, fences, as-of-right uses, utility work, etc.). Also, in my experience from issuing Curb Cut



Permits for work on a Town road, property owners do sometimes clear a lot before applying for a Building Permit. A few have been more than 12 months prior. How will the 12 months prior be tracked?

- *All references to clearing "12 months prior" have been removed as to remove this issue however the purpose of this Bylaw is to prevent the clear cutting of vacant or undisturbed lots prior to a building activity. So to remove "12 months prior" required a new exemption for homeowners of currently constructed homes. This allows a residential homeowner to do protected tree clearing or maintenance without the necessity for review and approval by the Planning Department. This article focuses on tree clearing in connection of "building activities."*
- Exemptions. See above question for "Hazardous Tree". Will there be a municipal exemption?
 - *Municipal exemption added.*
- Waiver. This is a potential loophole. I assume the intent is to allow removal of Protected Trees that have been damaged by a weather event (assuming it's a large scale event). You might want to specify. And is there a time period after an event?
 - *This waiver provision is intended to allow for removal of Protected Trees that have been damaged by a weather event. No additional specificity has been added yet.*
- Tree Yard. Note that the tree yard does not include road right-of-way along the frontage for a property.
 - *This is true. The road right of way is not subject to the provisions of this Bylaw.*
- Plan Requirements. What is the "Tree Save Area"? For tree replacement, it appears caliper and DBH are being used interchangeably but their definitions are different.
 - *Tree Save Area is the Critical Root Zone (CRZ) removed references to Tree Save Area in exchange for CRZ consistently.*
- Mashpee Tree Fund. Have you checked with the Finance Director on setting up such a fund? How will the fund be used (for what purpose and under whose authority)? The Town would have to be exempt if not exempted from the Bylaw entirely.
 - *Review by the Town Accountant is underway.*

Evan Lehrer
Town Planner
(508) 539-1414
elehrer@mashpeema.gov



Planning Department
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

Other suggested changes not resultant from DPW comments:

1. Tree Yard for residential lots subject to Cluster Development Special Permits. Tree Yard needs to be consistent with the dimensional criteria approved in those special permits.
2. Providing an exemption for any lot that is within wetlands jurisdiction. Since the Conservation Commission through its Agent is already regulating tree protection in these areas it is imprudent to require both.

Warrant Article: _____

To see if the Town will vote to add new Chapter 174: Tree Preservation Bylaw to the Mashpee General Bylaw as follows:

CHAPTER 174: MASHPEE TREE PRESERVATION BYLAW

§174-1 PURPOSE & INTENT

The Mashpee Tree Preservation Bylaw encourages the preservation and protection of certain trees on residential, commercial and industrial lots during building activities as defined in this Bylaw and monitors for their survival after construction. The preservation of existing trees and the promotion of new tree planting is a public purpose that protects the public health, welfare, environment and aesthetic character of the Town of Mashpee and its citizens. Trees serve a variety of functions that this Bylaw intends to protect and enhance. These valuable functions include but are not limited to reducing energy consumption, providing shade, improving air quality, providing vital wildlife habitat, erosion control, reducing stormwater runoff, buffering noise pollution, increasing property values, and positively contributing to the visual character of the Town. This Bylaw defines which trees are of preservation value (“Protected Trees”) and designates the area(s) of a lot or parcel where those trees should be protected (“Tree Yard”).

This Bylaw does not prohibit a landowner’s right to remove any protected tree. Removal of protected trees will be authorized so long as the property owner undertakes one of the mitigation options set forth herein. This Bylaw incentivizes the preservation of protected trees by requiring property owners to compensate for any Protected Trees that are removed, either by planting new ones or by contributing to a fund that supports the Town’s tree planting and maintenance efforts.

This Bylaw does not discourage the removal of hazardous trees (as defined herein) for reasons of public health and safety nor does this Bylaw discourage the removal of a tree(s) that by size or otherwise is not subject to the protections set forth herein.

§174-2 DEFINITIONS

The following words, terms, and phrases, when used in this Bylaw, shall have the meaning ascribed to them in this section:

AGGREGATE DIAMETER: The combined diameter of a multiple-trunk tree measured at breast height.

BUILDING ACTIVITY: One of the following types of work performed on a lot:

- Work performed pursuant to a special permit (as defined in MGL Ch. 40A Sec. 9 and the Mashpee Zoning Bylaw);
- Work performed pursuant to site plan approval (as defined in the Mashpee Zoning Bylaw);
- Construction of a new dwelling (including after razing an existing dwelling);
- Construction of a subdivision;
- Construction of a structure or addition that increases the gross floor area of a residential, commercial, or industrial structure by 50% or more;
- Demolition of a structure(s) with a footprint of 250 square feet or greater;
- Construction of any accessory structures requiring a building permit including but not limited to sheds greater than 200 square feet, detached garages, pools, retaining walls with a height of four feet or greater; or
- Clearing, grading, or other site preparation work performed prior to undertaking any of the above.

CERTIFICATE OF EXEMPTION:

Formal permission granted to proceed with building activity without the need for a tree permit.

CERTIFIED ARBORIST:

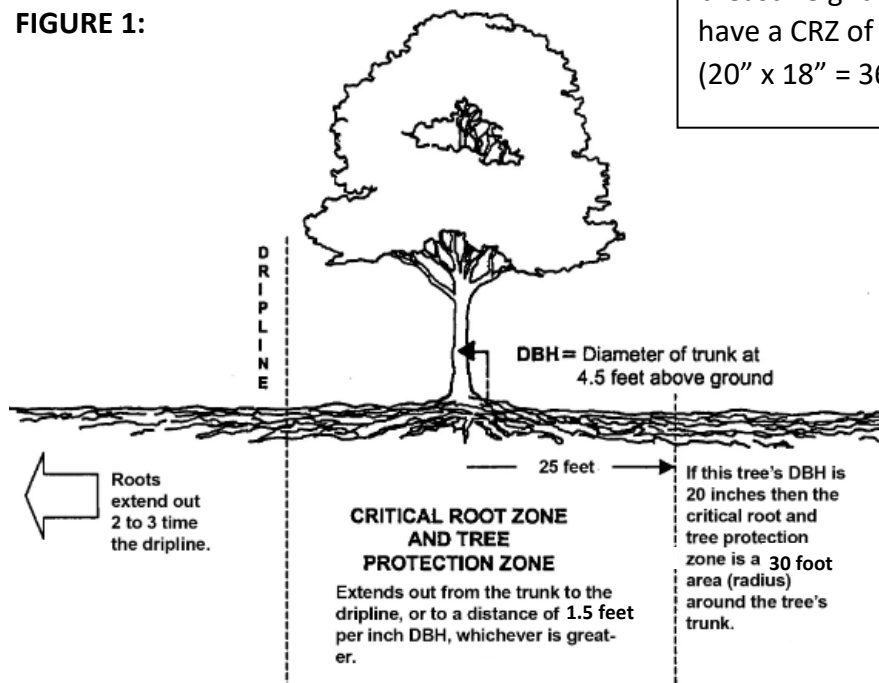
An arborist certified by the Massachusetts Arborists Association or International Society of Arboriculture, or any successor organization.

CRITICAL ROOT ZONE (CRZ):

The minimum area beneath the tree canopy of a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The CRZ is represented by a circle centering on the tree's trunk and extending outwards towards the tree's dripline. The minimum radius of the CRZ shall be determined by multiplying the tree's diameter at breast height in inches by 18 (1.5 feet per inch DBH). See Figure 1 below.

CRITICAL ROOT ZONE

FIGURE 1:



Calculating the CRZ:

- First you need to calculate the tree's Diameter at Breast Height (DBH). DBH can be measured using a caliper measuring tool, or for trees that are too large, DBH can be measured by dividing the tree's circumference by pi (π).

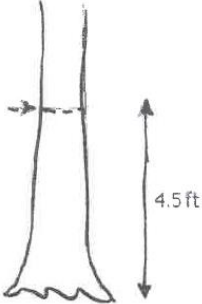
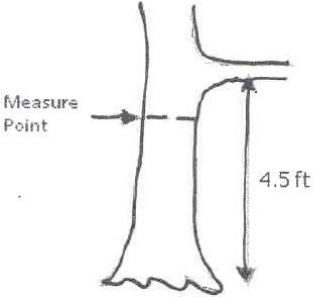
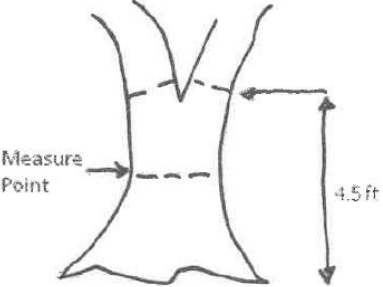
$$\text{Diameter} = \text{circumference} / \pi (3.14)$$

- The Critical Root zone extends from the trunk of the tree to its dripline, or to a distance of 1.5 feet per inch DBH, whichever is greater.

DIAMETER BREAST HEIGHT (DBH):

$$\text{CRZ} = \text{Diameter} * 1.5 \text{ feet (18 inches)}$$

The diameter of the trunk of a tree 4.5 feet above the existing grade at the base of the tree. For trees that have branches or swelling at 4.5' above grade that interferes with measurement or for multi-stemmed trees refer to Table 1 below.

TABLE 1: HOW TO MEASURE DIAMETER AT BREAST HEIGHT (DBH)	
<p>Standard Tree</p> <p>For those trees on a site that are at least 6 inches in diameter at a height of 4.5 feet above the existing grade at the base of the tree. For trees on a slope, measure on the uphill side of the tree.</p>	
<p>Tree has branches or swelling at 4.5'</p> <p>Measure DBH below the branch or swelling immediately below where branches cease to affect diameter of the stem. Record the height at which the diameter was measured.</p>	
<p>Multi-stemmed Trees</p> <p>If a tree splits into multiple trunks below 4.5' above the existing grade, the DBH shall be considered to be the measurement taken at the narrowest point beneath the split.</p>	

HAZARDOUS TREE: A tree that is dead, diseased, injured and/or that is dangerously close to existing structures, utilities, streets, sidewalks or other existing improvements or is causing disruption of public utility service, or poses a threat to pedestrian or vehicular safety, or drainage or passage issues upon right-of-way and/or that is harming the health or condition of other trees on the same site.

INVASIVE SPECIES: Any tree that is listed on the most recent version of the Massachusetts Prohibited Plant List as published by the Massachusetts Department of Agriculture.

OVERSTORY TREE: A tree that will generally reach a mature height of more than 40 feet.

PROTECTED TREES: Any tree with a diameter at breast height (DBH) of six-inches (6”) or greater of any one of the species listed in Table 2 below:

Table 2: List of Tree Species that are Protected Trees	
Overstory Species	Understory Species
<i>Atlantic White Cedar (Chamaecyparis thyoides)</i>	<i>American Holly (Ilex opaca)</i>
<i>Black tupelo (Nyssa sylvatica)</i>	<i>Sassafras (Sassafras albidum)</i>
<i>Gray Birch (Betula populifolia)</i>	<i>Eastern Red Cedar (Juniperus virginiana)</i>
<i>River Birch (Betula nigra)</i>	<i>Shadbush (Amelanchier Canadensis)</i>
<i>White Ash (Fraxinus Americana)</i>	<i>Flowering Dogwood (Cornus florida)</i>
<i>Green Ash (Fraxinus)</i>	<i>Cockspur Hawthorne (Crataegus crus-galli)</i>
<i>Red Maple (Acer rubrum)</i>	<i>Sweetbay Magnolia (Magnolia virginiana)</i>
<i>Willow, various species (Salix spp.)</i>	<i>Ironwood (Ostrya virginiana)</i>
<i>Atlantic White Cedar (Chamaecyparis thyoides)</i>	<i>American Hornbeam (Carpinus caroliniana)</i>
<i>Pitch Pine (Pinus rigida)</i>	
<i>White Oak (Quercus alba) and other Quercus species</i>	
<i>Hackberry (Celtis occidentalis)</i>	
<i>American Beech (Fagus grandifolia)</i>	
<i>Tulip Poplar (Liriodendron tulipifera)</i>	
<i>White Spruce (Picea glauca)</i>	
<i>Black Spruce (Picea mariana)</i>	
<i>American basswood (Tilia Americana)</i>	
<i>Black Gum/Sourgum (Nyssa sylvatica)</i>	
<i>Black Cherry (Prunus serotina)</i>	

Removal of Protected Trees shall require a permit before being removed, encroached upon, or in some cases, pruned. Invasive or likely invasive species as defined in this Bylaw are not protected trees.

REMOVE, REMOVED, REMOVAL or REMOVING:

The cutting down of any Protected Tree and all other acts that directly or indirectly result in the death of a Protected Tree prior to any building activity or within two years thereafter, as determined by a certified arborist based on arboricultural practices recommended by the International Society of Arboriculture, including, but not limited to, damaging, poisoning, excessive pruning or other direct or indirect actions.

- TREE FUND:** An account established by the Town Accountant to hold the mitigation funds collected under this chapter to be controlled and spent at the discretion of the DPW Director for the purposes of maintaining, acquiring and/or installing trees to beautify the Town and preserve and enhance the character of the community.
- TREE YARD:** A defined area along the perimeter of a lot which is equal to the minimum setbacks defined in Section 174-31 of the Mashpee Zoning Bylaw.
- TREE PERMIT:** Formal permission granted to proceed with any building activity that affects a Protected Tree(s).

§174-3 APPLICABILITY

All lots in the Town of Mashpee are subject to the Tree Preservation Bylaw unless specifically exempted under Section 174-3(A) below and the project involves at least one building activities as defined in this chapter:

No person shall commence building activity on any lot without first obtaining a Tree Preservation Permit or a Certificate of Exemption from the Planning Department via the Town Planner or his/her designee.

A. EXEMPTIONS

- (1) Properties that are pre-disturbed or previously developed may remove protected trees in the Tree Yard of their property without connection to a building activity. Applicability of this bylaw applies only to those Building Activities as defined.
- (2) Any lot or lots located within wetlands jurisdiction whereas any building activity that may impact protected trees will be subject to the review and approval of the Conservation Commission
- (3) Any building activity not within the definition of “building activity” (i.e., demolition of a shed that is less than 250 square feet).
- (4) If a Certificate of Exemption has been issued by the Planning Department, no Tree Preservation Permit shall be required. The granting of exemption shall be at the discretion of the Town Planner or his/her designee and shall be based on whether the building activity could potentially harm a Protected Tree. If the proposed building activity does not have the potential to harm a Protected Tree, the Town Planner or his/her designee shall issue a Certificate of Exemption.
- (5) Dead, Diseased, or otherwise hazardous Trees - If a Protected Tree is deemed to be imminently hazardous because it is dead, or infested with a disease or pest of a permanent nature or is an immediate danger to the public health,

safety or welfare or shall cause an immediate disruption of public services, the tree may be removed without delay. An oral authorization from the Town Planner or his/her or designee to remove the tree shall be permitted and followed up with a written report. In the event that the emergency condition does not allow time to seek prior authorization then the emergency removal of the tree shall proceed with notification to the Town Planner sent by email or U.S. mail within 24 hours of said removal.

(6) Pruning: A tree permit is not required for pruning of Protected Trees. However, excessive pruning may constitute tree removal.

(7) Any building activity conducted by the Town or on behalf of the Town of Mashpee.

Waiver: During a period of a bonafide emergency declaration resultant of a significant weather event and/or natural disaster by local or other Act of God, state and/or federal authorities, requirements of this Bylaw shall be waived.

§174-4 IDENTIFYING PROTECTED TREES

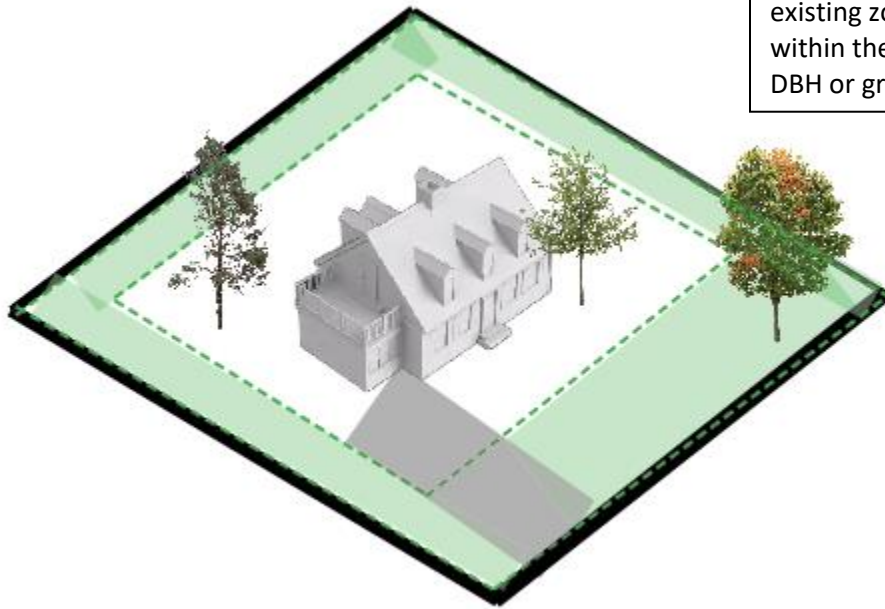
The Bylaw defines the Tree Yard to be equal to the minimum front, side, and rear yard setbacks as specified in Table 1 and §174-31 of the Zoning Bylaws of the Town of Mashpee. Any tree with a Diameter at Breast Height (DBH) of 6” or greater as calculated in accordance with Table 1 and within the Tree Yard is considered to be a Protected Tree. Any Protected Trees located within the Tree Yard are to be adequately protected and any Protected Trees located in the Tree Yard proposed for removal shall require adequate mitigation plantings and/or payment to the Mashpee Tree Fund.

Table 3: Tree Yard Locations in Each Zoning District

Zoning District	Minimum Tree Yard (feet)		
	Front Setback	Side Setback	Rear Setback
R-3	40	15	15
R-5	40	15	15
C-1	40	20	40
C-2	75	20	20
C-3	75	20	20
I-1	75	30	50

***For residential parcels subject to a special permit for a cluster development, the tree yard shall be consistent with the applicable setbacks as defined in the recorded special permit decision.**

Figure 2:



Note: **The shaded perimeter is the Tree Yard** on this parcel - the same as existing zoning setbacks. Trees located within the Tree Yard that are 6 inches DBH or greater are Protected Trees.

§174-5 SUBMISSION REQUIREMENTS FOR A TREE PROTECTION AND MITIGATION PLAN

An approved Tree Protection and Mitigation Plan is required before commencement of any applicable building activity. The Tree Protection and Mitigation Plan is intended to define the Tree Yard and the location(s) of Protected Trees within it and define how the method with which the property owner intends on mitigating for any Protected Trees that are proposed for removal. This Plan may be part of a landscape plan or a separate plan.

All submitted plans must be drawn to a uniform scale (preferably 1"= 10', 1" =20', or 1"=30') and shall be a minimum size of 11" x 17" (preferred) and a maximum size of 24" x 36", with 3/4" borders. Font sizes on plans should be no smaller than 1/8". All Tree Protection and Mitigation Plans shall be prepared, stamped, dated and signed by a Registered Land Surveyor. If a plan is submitted by a Registered Landscape Architect, the plan must also be stamped by a Registered Land Surveyor.

At a minimum, the Tree Protection and Mitigation Plan shall include the following elements:

- a) Boundaries of the subject property, including all property lines, easements, and right-of-way of public and private ways;

- b) The location of all existing buildings, driveways, retaining walls and other improvements, with an indication of those features to be retained or removed/demolished;
- c) The location of all planned buildings, driveways, retaining walls and other improvements;
- d) The location of the Tree Yard for projects located in the subject zoning district; and
- e) The location, height, DBH, and species of all existing Protected Trees and all Protected Trees that were removed within 12 months prior to application with an indication of those Protected Trees to be removed and those to be retained, if applicable.

§174-6 ADDITIONAL REQUIREMENTS TO BE SUBMITTED

A. If Protected Trees are intended to be preserved, protected, and retained, the following elements must be added to the Plan:

- 1. The Critical Root Zone and Dripline shall be shown for all Protected Trees to be retained. **(See Figure 1 above in definitions section).**
- 2. Submitted plans shall specify the tree protection measures to be installed around the Critical Root Zone.
- 3. Prior to the commencement of construction, written documentation prepared, stamped, dated and signed by a Certified Arborist must be submitted to the Planning Department confirming the protection measures have been installed correctly and in accordance with any approved plans.
- 4. Projects that encroach within the CRZ require a maintenance plan which shall be submitted for such trees, prepared, stamped, dated and signed by a Certified Arborist; at a minimum, the maintenance plan shall identify the course of action that will be taken to maintain the tree in good health for a period of no less than 24 months from the date of Final Inspection or issuance of Certificate of Occupancy.

B. If Protected Trees are intended to be removed and compensated for on-site by replanting new trees, the following additional elements must be added to the Plan:

- 1. The location, DBH, species, and planting schedule of trees to be replanted to mitigate the removal of a Protected Tree(s). New trees of one-half (0.5) inch DBH is needed to mitigate for each one-inch at breast height of Protected Trees proposed for removal.

Example: The removal of a 20 inch DBH Protected Tree shall require 10, 2 inch DBH replacements.

2. Each new tree must have a minimum DBH of 2 inches.
 3. Replanting must be complete prior to Final Inspection or the issuance of a Certificate of Occupancy.
 4. Applicants have the ability to plant on land abutting the applicant's land, with the express written approval of the abutting property owner.
 5. Overstory Tree species, if removed, must be replaced with an Overstory Tree species.
 6. Invasive tree species as defined in this Bylaw shall not be replanted to mitigate the removal of a Protected Tree and no invasive species will be accepted as mitigation toward the removal of a Protected Tree.
- C. If Protected Tree removal is permitted but replanting trees as defined above is not the preference of the property owner, then mitigation may be effected through contribution into the Town of Mashpee Tree Fund as follows:**
1. The Town Planner or his/her designee shall determine the amount of the contribution based upon the cost to purchase and install trees. An applicant who has been granted a Tree Permit may choose, in lieu of replanting onsite, to make a contribution to this Fund in an amount equal to planting replacement tree(s). The applicant shall provide to the Board price quotes/estimates from a garden center/nursery for the purchase of trees to establish the required dollar amount as well as from a qualified landscape professional for installation.
 2. All sums deposited into the Tree Replacement Fund shall be used for the sole purpose of buying, planting and maintaining trees on public property in Mashpee, and for no other purpose whatsoever.
 3. At least once a year the Town Accountant shall audit the receipts and expenses of the Tree Replacement Fund to ensure accuracy and propriety of its transactions.

§174-7 COMBINATION OF OPTIONS

Any combination of Tree Retention, Tree Replanting or Tree Removal with contribution to the Tree Bank can be used. Tree mitigation for those trees removed must be clearly identified either on the submitted plan or in a written document accounting for each DBH of Protected Trees removed and the mitigation proposed. This is not required for tree retention of all trees in the Tree Yard.

§174-8 ADMINISTRATION OF BYLAW

The Town Planner or his/her designee shall administer, implement and enforce this Bylaw and any rules and regulations adopted thereunder. Any powers granted to or duties imposed upon the Town Planner may be delegated to its agents under the Board's direct supervision.

§174-9 AUTHORITY

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes.

§174-10 RULES AND REGULATIONS

The Planning Board may promulgate rules and regulations to effectuate the purposes of this Bylaw. Such rules may prescribe the size, form, contents, style and number of copies of plans for determining final compliance with these regulations. The adoption or amendment of rules and regulations shall be after a public hearing to receive comments on the proposed or amended rules and regulations. The public hearing shall be advertised once in a newspaper of general local circulation, at least 14 days prior to the date of the public hearing.

§174-11 NOTICE OF VIOLATION

Any person who violates any of the provisions of this Bylaw shall be notified by the Town Planner or his/her designee of the specific violation by certified mail, return receipt requested, or by hand delivery. The notice shall set forth the nature of the violation and the date by which the Protected Tree(s) is to be mitigated, by planting a replacement tree(s) or payment to the Tree Fund, for purposes of computing the "per diem" violation rule. Any notice of violation shall also be transmitted to the Mashpee Building Commissioner.

§174-12 STOP WORK ORDER

Upon notice from the Town Planner or his/her designee that work on any lot on which a Protected Tree is located is being performed contrary to the provisions of this Bylaw, a written Stop Work Order shall be given to the owner or agent or the person performing work on the property by the Building Commissioner. The Stop Work Order shall state the conditions under which work will be permitted to resume. Upon receipt of the Stop Work Order all work on the subject property that might affect any Protected Trees must cease while a stop work order is pending.

A person, having been served with a stop work order, may be directed to perform work on the said Protected Tree property to remove a violation or unsafe condition.

§174-13 SUSPENSION OR REVOCATION

The Town Planner or his/her designee may suspend or revoke the applicant's Tree Permit at any time if the permit holder has failed to comply with either the Bylaw or the conditions of the permit. Notice may be made via certified or registered mail, return receipt requested, or hand delivered. The notice must provide the applicant an opportunity to correct the non-compliance. This may include remediation or other requirements identified by the Town Planner or authorized monitoring agent, such as the Code Compliance Inspector. Once the project is returned to compliance or remediation completed, if practicable, the applicant may apply for a renewal of the tree permit.

§174-14 IRREPARABLE DAMAGE

If the Town Planner or his/her designee determines that the applicant damaged a tree approved for Retention and Protection during construction to an extent that may significantly compromise its survival and future health, the Town Planner or his/her designee may require the applicant to provide mitigation per the terms of the Bylaw.

§174-15 NON-CRIMINAL FINES

If the Town Planner or authorized monitoring agent, such as the Code Compliance Inspector, identifies any issues of non-compliance, fines will accrue per the Bylaw if not corrected within 30 days. Each consecutive day the non-compliance continues is considered a separate offense.

§174-16 FINES AND PENALTIES

The following actions shall cause the Planning Department to issue a fine to the applicant:

- A. A Protected Tree has been removed without a Tree Permit: The fine shall be in addition to the required payment for the replacement of the tree(s).
- B. Failure to replace trees or make payment to the Tree Fund as required: Each failure to replace a tree or make a payment to the Tree Fund constitutes a separate violation of this Bylaw, subject to a fine. Each day such violation continues after the compliance date specified by the Planning Department in its notice of violation shall constitute a separate offense.
- C. Failure to comply with a condition of the Tree Permit: Each instance of failure to comply with a condition in the Tree Permit shall constitute a violation of this Bylaw

which shall be subject to a fine. Each day such violation continues shall constitute a separate offense.

- D. Failure to comply with a condition in a Stop Work Order: Each instance of failure to comply with a condition in a Stop Work Order shall constitute a violation of this Bylaw which shall be subject to a fine. Each day such violation continues shall constitute a separate offense.

Fines for the above violations are as follows:

First offense = \$100 per day

Second Offense = \$200 per day

Third Offense = \$300 per day

§174-17 SEVERABILITY

The provisions of this Bylaw are severable. If any section, provision or portion of this Bylaw is determined to be invalid by a court of competent jurisdiction, then the remaining provisions of this Bylaw shall continue to be valid.

§174-18 CONFLICT OF LAWS

This Bylaw shall not apply to any public shade tree as that term is defined by the General Laws, Chapter 87, and to the extent that any provision hereof conflicts with said Chapter 87, such provision shall not be valid. Nothing herein is intended to conflict with existing special-permit procedures and to the extent than ay provision hereof conflicts with said special-permit procedures, such provision shall not be valid.

§174-19 COMPLIANCE WITH ALL STATE AND LOCAL REGULATIONS

Complying with the terms of this Bylaw shall not relieve the owner of the subject property from complying with any other pertinent regulation, including but not limited to all state and local wetlands-protection regulations.

§174-20 ENFORCEMENT

The Town Planner or his/her designee is hereby authorized to enforce all provisions of the Mashpee Preservation Tree Bylaw and may designate monitoring and enforcement agents to include but not be limited to the Code Compliance Officer, the Town Planner, the Conservation Agent, Building Inspector/Commissioner.

§174-21 APPEALS

Any person who has been aggrieved by refusal, order, or decision of the Town Planner or his/her designee, may appeal to the Planning Board within 20 days from the date of such refusal, order or decision.

Explanation:

This Article would establish a program intended to incentivize the protection of certain trees on residential, commercial, and industrial lots in the Town of Mashpee. It would require, prior to any building activities, the submission of an application and plan to the Planning Department that identifies trees that qualify as “Protected Trees” as defined in this Article. This Article does not prohibit any property owner from removing any tree, protected or not, from their property, however if a protected tree is proposed for removal, it will require either a payment into a Town Tree Fund to be created or replacement of the protected tree with a suitable species in accordance with this chapter. This would eliminate the ability for property owners to “clear-cut” their lot prior to a building activity and or/without connection to any building activity. The Article is intended to encourage the preservation of existing trees for their environmental benefits and positive impact on the character of the community.

EXPLANATION OF TREE BYLAW REWRITE

This Article would establish a program intended to incentivize the protection of certain trees on residential, commercial, and industrial lots in the Town of Mashpee. It would require, prior to any building activities, the submission of an approved Tree Protection and Mitigation Plan to the Planning Department that identifies trees that qualify as “Protected Tree” as defined in this Article. Under the Plan, if a protected tree is proposed for removal, the property owner would be required to replant a new tree that is a suitable species consistent with this chapter OR, in lieu of replanting, make a contribution into the Town of Mashpee Tree Fund. This Article would eliminate the ability of property owners to “clear-cut” their lot prior to a building activity and/or without a connection to a building activity. The Article is intended to encourage the preservation of existing trees for their environmental benefits and positive impact on the character of the community.

OLD BUSINESS

Receipt

Traffic Logix	
3 Harriet Lane Spring Valley, NY 10977	866-915-6449
Order Information	
Date:	08/10/23 11:46 AM EST
Invoice Number:	22126
<hr/>	
Billing Information	
Bayberry Building Company, Inc. Jacques N Morin P.O. Box 1726 Mashpee, MA 02649	
5087758822 Bayberrybuilding@comcast.net	
<hr/>	
	Total \$2967.69
Credit Card Transaction	
Reference #:	1136567187
Fidelity #:	X1691682414-1116
Transaction Status:	Approved
AVS Results:	Address: No Match & 5 Digit Zip: Match
CVV2 Results:	Match
Authorization Code:	09667Q
Account Number:	MasterCard - 5xxxxxxxxxxxx3933
IP Address:	174.168.30.144

Powered By Fidelity Payment Services 888-847-2627

Pro-Forma Invoice INV22126

August 10, 2023
 External Document No.
 QUO-31796-C3X9R7
 Page 1 / 1



Bayberry Building Company
 Jacques Morin - A/P
 P.O. Box 1726
 Mashpee, MA 02649
 USA

Traffic Logix Corporation
 3 Harriet Lane
 Spring Valley, NY 10977

No.	Description	Quantity	Line Amount Excl. VAT
EV11EYL-SOL	Evolution 11 English Yellow with Solar Power	1 Each	2,699.00
	Freight	1	100.00
		Subtotal	2,799.00
		Total Tax	168.69
		Total \$ Including Taxes	2,967.69

VAT Registration No.
 837372499RT0001

Home Page
www.trafficlogix.com

Phone No.
 1-866-915-6449

Email



Traffic Logix Corporation
3 Harriett Lane
Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
www.trafficlogix.com

Quote Number QUO-31796-C3X9R7
Created Date 8/10/2023
Expiration Date 9/8/2023
Prepared by Nick Farrell

QUOTATION

Contact: Jacques Morin
Phone: 5087762953
Email: Bayberrybuilding@comcast.net

Bayberry Building Company, Inc.
11 Hamblin Rd
Mashpee, Massachusetts 02649

Shipping Address:
11 Hamblin Rd
Mashpee, Massachusetts 02649
United States

Standard Features (Included) – Evolution Signs

- The Evolution radar feedback signs come with 1 year of unlimited SafePace Cloud access. SafePace Cloud is renewable annually with bundling and multi-year term discounts available.
Sign powers down when no traffic present
Programmable Speed Violator Flashing Strobe Light
Ambient Light Sensor and Automatic Brightness adjustment
Banding Mount Bracket
Safe Pace Management Software
Bluetooth

Special Notes

Quote Line Items – All Prices shown are in \$ US Dollar

Table with 6 columns: Product, Product Code, Quantity, Sales Price, Discount, Total Price. Row 1: EV 11" Digit - Solar - Incl. Strobe, BT, Data-modem+12 month network access to cloud-4 cell Backup, EV11EYL-SOL, 1.00000, \$2,699.00, \$2,699.00

Totals

Subtotal: \$2,699.00
Freight: \$100.00
Sales Tax (if applicable): \$168.69
Grand Total: \$2,967.69



Traffic Logix Corporation
3 Harriett Lane
Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
www.trafficlogix.com

Quote Number QUO-31796-C3X9R7
Created Date 8/10/2023
Expiration Date 9/8/2023
Prepared by Nick Farrell

Terms: 1% - 10 days – Net 30

Payment: MC, VISA, AMEX. Credit card payments over \$10K will include an additional 2% fee.

Tax: IF TAX EXEMPT, Please Provide Tax Exempt Certificate with Order

Freight: Freight quotation is valid for a period of 21 days after it is issued. Beyond that, freight quotations will require confirmation or adjustment.

Changes/Returns: 30% for standard orders and 50% on custom orders

Delivery Requirements

Please indicate the availability of the following as this determines the freight costs:

- 1. Do You have a Loading Dock? - Yes/No
2. Do you have a Fork Lift and Pallet Jack to unload? - Yes/No
3. Can access be gained by a 53 foot truck for delivery? - Yes/No
4. Is the delivery address a Construction site? - Yes/No
5. Is the delivery address a Military site? - Yes/No
6. If shipping to Military site, is a U.S. Driver required? - Yes/No

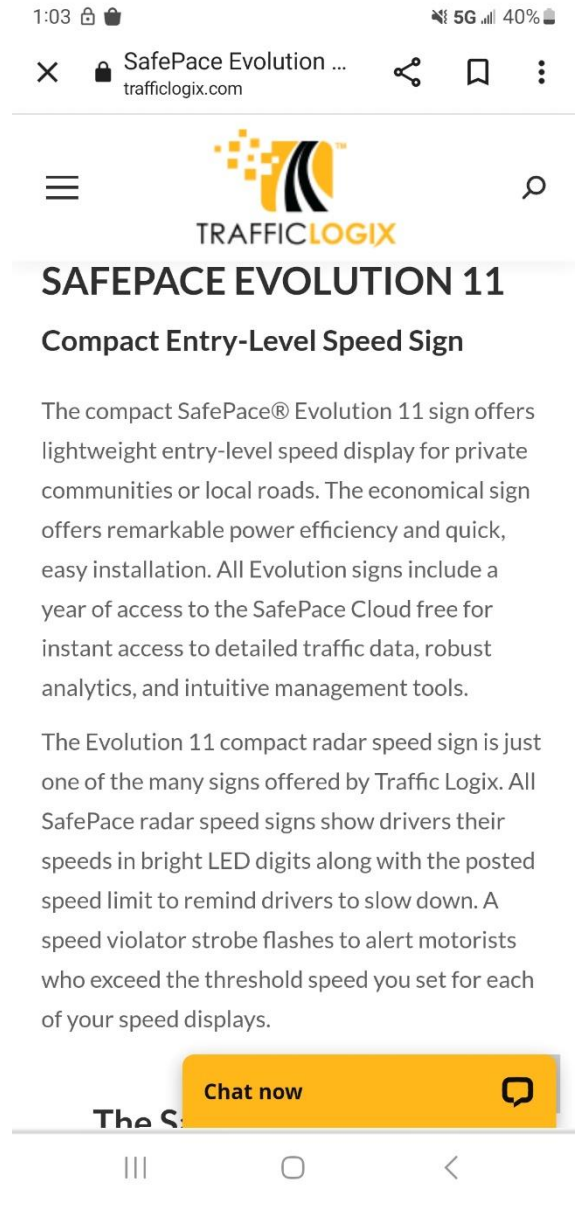
Quote Acceptance Information

Signature Jacques N. Morin
Name JACQUES N. MORIN
Title President
Date 8/10/2023

Thank you for choosing Traffic Logix. Please sign and return to:

nfarrell@trafficlogix.com
Nick Farrell
Inside Sales

Please complete to set up new account: https://trafficlogix.com/business-application-form/



CORRESPONDENCE



**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Nathan K. and Suzanne H. Pieri, 196 Metoxit Road, Waquoit, MA.

(Map 31 Lot 000) under 240-6.6B(2)(b) and 240-11.4A(1)(i) of the Zoning By-Law, as amended to **grant** the special permit to allow a detached garage , exceeding 900s/f in size, and located within the front yard.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **July 28, 2023** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Lee A. Viola, Trustee, 293 Edgewater Drive, East, East Falmouth, MA.

(Map 41 Lot 020) under 240-10.2A and 240-11.3A(4) of the Zoning By-Law, as amended to **grant** the special permit to remove the existing carport and construct an addition in its place, plus a front porch roof, exceeding 20% lot coverage by structures.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **July 28, 2023** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Falmouth Heights Real Estate LLC, 269 Grand Avenue, Falmouth, MA.

(Map 46B Lot 000A) under 240-10.2A of the Zoning By-Law, as amended to **grant** the special permit to enclose the existing entrance ramp and add a corner porch area.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **July 28, 2023** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Kevin P. Blakeman and Paula M. Melchion Blakeman, 64 Cypress Street, Teaticket, MA.

(Map 39A Lot 096) under 240-11.3A(4) and 240-10.2A of the Zoning By-Law, as amended to **grant** the special permit to remove the existing deck and construct an addition and detached garage exceeding 20% lot coverage by structures.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **July 31, 2023** which is the date the Decision was filed in the office of the Town Clerk.

Please contact Noreen Stockman at 508-495-7460
or Noreen.stockman@falmouthma.gov if you have any questions or comments
full text of decision available at <http://www.falmouthmass.us>



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

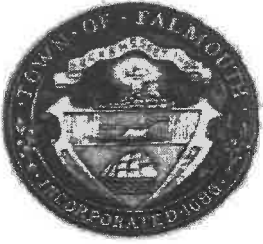
Application #062-23 Wesley and Carroll Gee and Dennis Skehan, 545 East 3rd Street, unit 6, South Boston, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-10.2A of the Code of Falmouth to construct an addition to the existing, non-conforming, single-family dwelling on subject property known as 1 Grove Street, North Falmouth, MA.

Map 04A Section 02 Parcel 000 Lot(s) 414

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on **Thursday, August 24, 2023 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, James T. Morse

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM.*Plans are available to review at <https://www.falmouthma.gov/1113/Applications-under-review-by-the-ZBA>



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #059-23 Susan L. and James N. Derome, 120 Carriage Shop Road, East Falmouth, MA.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-9.5B of the Code of Falmouth to allow a home occupation to assemble sheds on subject property known as 120 Carriage Shop Road, East Falmouth, MA.

Map 30 Section 06 Parcel 013 Lot(s) 002A

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on **Thursday, August 24, 2023 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, James T. Morse

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <https://www.falmouthma.gov/1113/Applications-under-review-by-the-ZBA>



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #061-23 Conor McLaughlin, 110 Scranton Avenue, Falmouth, MA.: Filed an appeal with the Falmouth Town Clerk pursuant to M.G.L. c. 40A § 8 & 15 and (240-12.4A of the Code of Falmouth) appealing the Building Commissioner's determination. The subject property is 110 Scranton Avenue, Falmouth, MA.

Map 47B Section 09 Parcel 003 Lot(s) 002D

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on **Thursday, August 24, 2023 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, James T. Morse

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM.*Plans are available to review at <https://www.falmouthma.gov/1113/Applications-under-review-by-the-ZBA>



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

59 TOWN HALL SQUARE, FALMOUTH, MA 02540
508-495-7460 – FAX 508-495-7463

BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Being all persons deemed affected by the Board of Appeals under Section 11 of Chapter 40A of the Massachusetts General Laws you are hereby notified that:

Application #060-23 Scott and Susan Goodrich, 165 Eagle Rock Road, Stoughton, MA.: Applied to the Zoning Board of Appeals for a modification of special permit no. 98-90 pursuant to section(s) 240-10.2A & 240-11.3A(4) of the Code of Falmouth to raze and rebuild the existing, non-conforming, detached accessory structure increasing lot coverage by structures on subject property known as 61 Walker Street, Falmouth, Ma.

Map 47A Section 08 Parcel 018 Lot(s) 000

A public hearing will be given on this application, in the Select Board's Meeting Room, Town Hall, on **Thursday, August 24, 2023 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, James T. Morse

Plans are available for review prior to the hearing at the Board of Appeals office, Town Hall during the hours of 8:00 AM to 4:00 PM. *Plans are available to review at <https://www.falmouthma.gov/1113/Applications-under-review-by-the-ZBA>

Town of Sandwich
THE OLDEST TOWN ON CAPE COD



Planning Board

100 Route 6A
Sandwich, MA 02563
Phone: 508-833-8001
Fax: 508-833-8006
Email: planning@sandwichmass.org

TOWN OF SANDWICH PUBLIC HEARING NOTICE PLANNING BOARD

The Sandwich Planning Board will hold a Public Hearing on the application of LRME, LLC, applicant and property owner, for a Definitive Subdivision Plan of Land for property located at 36 Holly Ridge Drive, Sandwich, MA, Assessor's Map #9 Parcel #178, for the purpose of creating a two lot subdivision. The Public Hearing will be held on August 15, 2023 at the Sand Hill School Community Center, 16 Dewey Avenue, Sandwich, MA at 6 p.m. The public record information can be viewed at the Planning & Development office, 100 Route 6A, Sandwich, MA, Monday-Friday 8:30 a.m. to 4:30 p.m.

Jennifer A. Reisig, Chair, Sandwich Planning Board
Publication: Sandwich Enterprise
Publication Dates: July 28 and August 4, 2023



MASSACHUSETTS COASTAL RAILROAD
CAPE COD CENTRAL RAILROAD

Maintenance of Way and Railroad Operations Office

July 27, 2023

Mr. Evan Lehrer
16 Great Neck Road North
Mashpee, MA 02649

Dear Mr. Lehrer,

I am writing to update you regarding the ongoing effort to preserve vitally important freight rail service on the Upper Cape. Recently, a small group of bike advocates have begun advocating for an ad hoc, \$20 million taxpayer funded plan to replace a critical portion of the railroad, known as the Falmouth Secondary line (F2 Line), with a bike path. This will be detrimental to Cape Cod's tourism, transportation systems and environmental goals.

Cape Cod residents and business owners rely on the F2 Line to transport waste off the Cape in an efficient, affordable and environmentally friendly way. The F2 Line is run by the Mass Coastal Railroad (MCRR) and has provided rail freight service to Cape Cod, the South Coast of Massachusetts and Southern New England for decades.

Shipping by rail is one of the most sustainable ways to transport freight. On average, railroads are four times more fuel efficient than trucks and reduce greenhouse gas emissions for moving that cargo by 75%. Additionally, freight trains also reduce traffic congestion, a recurring problem on the Cape. **Every year, the Falmouth Secondary Line keeps 3,500 freight trucks off the Cape's roads and highways.**

It's important to note that in the spirit of compromise, MCRR supports a "rail with trail alternative" that would build the proposed bike path parallel to the F2 Line. This would provide Cape Cod residents and visitors with a safe bike route without worsening existing traffic issues. A successful example of the "rail with trail" approach can already be seen on the Cape Cod Canal Bikeway which runs parallel to the train tracks along the canal between the Bourne and Sagamore Bridges.

We look forward to working with you and your colleagues to find a compromise solution that maintains the critical service provided by the F2 Line.

To learn more about the benefits of the F2 Line and to see answers to common questions about the rail service we provide, please visit www.savecaperail.com.

If you have any questions, please feel free to contact me at 508-291-2116 Ext. 119 or Seth Klaiman at 401-486-2070 for more information.

Sincerely,

A handwritten signature in cursive script that reads "Christopher Podgurski".

Chris Podgurski
President & CEO

Enclosures (2): Cape Cod Times advertisements

How Do You Keep Thousands of Trucks off the Cape's Roads and Bridges?



The Mass Coastal Railroad keeps thousands of trucks off the Cape's roads and highways every year. And that number is only going to grow.

How do we do it? By hauling trash and other cargo by rail – instead of by truck.

Rail is the most fuel efficient, cost-effective way to transport cargo, including waste, to and from Cape Cod. In fact, just one rail car can carry the same amount of material as four trucks. For years, the Mass Coastal has been using a separate “third bridge” specifically designed for rail to haul trash safely and efficiently off the Cape.

Some of this trash is used to generate affordable energy for homes and businesses right here in Massachusetts. The rest is hauled by rail for disposal hundreds of miles away.

But a scheme to use \$20 million in taxpayer money to tear up the Falmouth Secondary Line and replace it with a bike path could change all that.

Without the rail line, thousands of trucks will jam the Cape's roads and bridges, increasing traffic congestion and harmful emissions – while creating additional expense for Cape residents. Hauling trash by truck instead of rail will require hundreds of trips back and forth over the Bourne and Sagamore Bridges each week, instead of the separate railroad bridge we use today:

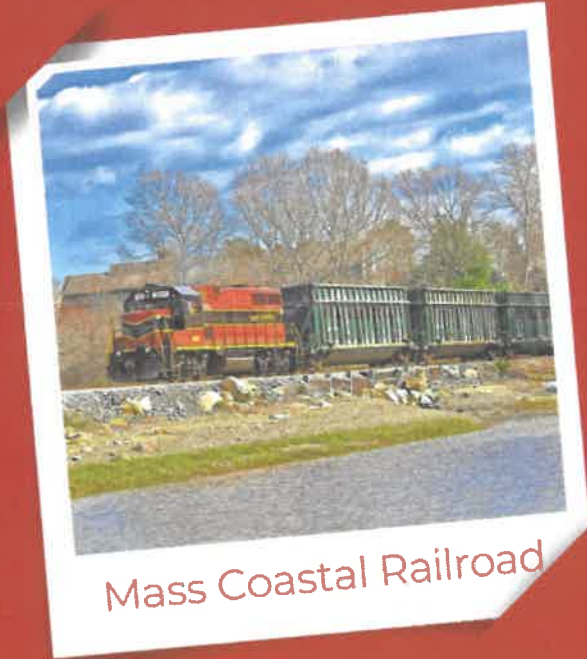
The bottom line for the Cape? Preserving the railroad's Falmouth Secondary Line (the “F2 Line”) will help maintain dependable, environmentally friendly freight transportation on Cape Cod.

It's a simple choice.

Learn more at SaveCapeRail.com



KEEPING THOUSANDS OF TRUCKS OFF THE CAPE'S ROADS & BRIDGES



Rail is the most cost-effective, environmentally friendly way to move freight over land.

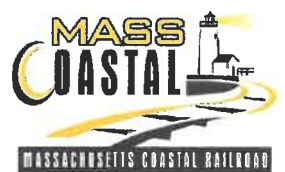
The Mass Coastal Railroad has provided rail freight service to the people and businesses of Cape Cod, the South Coast Massachusetts and Southern New England for many years.

Hauling waste off the Cape by rail is one of the most important jobs we do. Every month our trains haul the same amount of waste as thousands of trucks, keeping those trucks off the Cape's roads and bridges, reducing congestion and minimizing greenhouse gas emissions.

Municipal Solid Waste, Construction and Demolition Debris - and much more - travels on the 25 miles of track we operate on the Cape every day. We also haul waste safely and reliably off Cape Cod.

The Falmouth Secondary Line is key to our ability to provide this essential service to the people of Cape Cod. Preserving this line will help maintain dependable, environmentally friendly freight transportation on Cape Cod. Please support our efforts to protect this critical resource.

Learn more at SaveCapeRail.com



DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application Pursuant to M. G. L. Chapter 91
Waterways License Application Number 23-WW01-0081-APP
John A. & Maria Rousou and Amy Emily Nominee Trust

NOTIFICATION DATE: AUGUST 4, 2023

Public notice is hereby given of the Waterways application by John A. & Maria Rousou and Amy Emily Nominee Trust to construct and maintain a pier extension, ramp, and float at 90 & 94 Summersea Road in the municipality of Mashpee, in and over the waters of Ockway Bay. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received within thirty (30) days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the ten residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

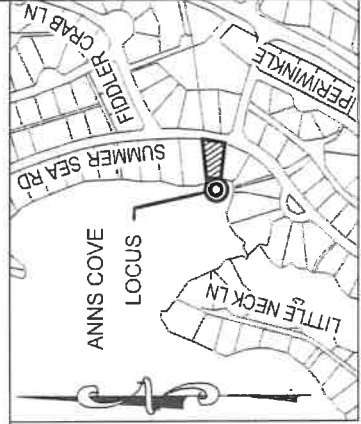
Project plans and documents for the Waterways application are on file for public viewing electronically at: <https://eeaonline.eea.state.ma.us/EEA/PublicApp/> (enter "90 Summersea Road" in the Search Page as the Location Address). If you need assistance, please contact brendan.mullaney@mass.gov or if you do not have access to email, please leave a voicemail at (508) 946-2707 and you will be contacted with information on alternative options.

Written comments must be addressed to: Brendan Mullaney, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347 or brendan.mullaney@mass.gov.

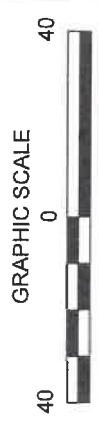
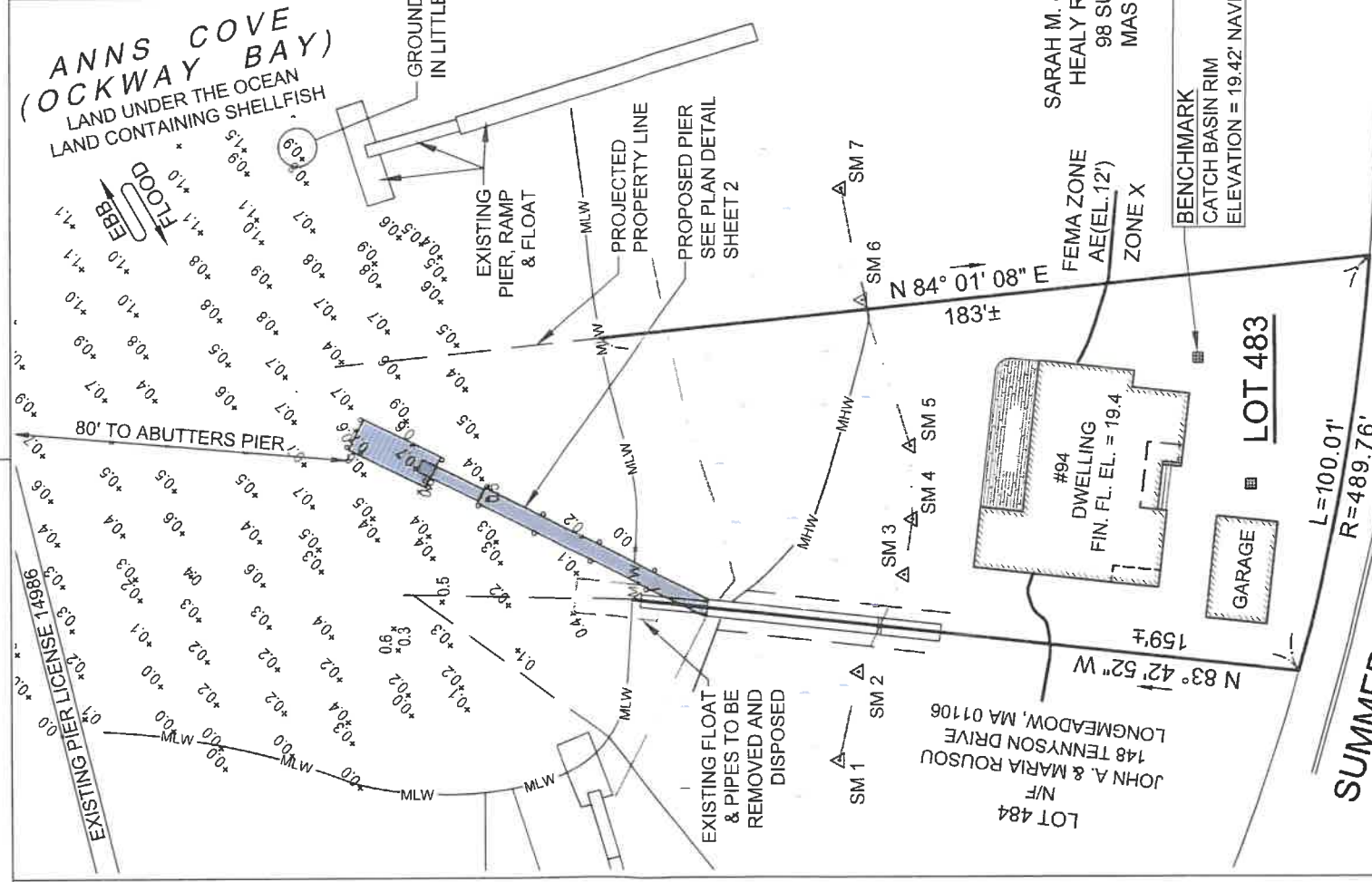
I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

Raul Lizardi-Rivera

RAUL LIZARDI-RIVERA, P.E.



LOCUS MAP N.T.S.



TIDE RANGE: 2.7±
LATITUDE 41.58556
LONGITUDE -70.46983
DATUM: NAVD88 = 0.00 FT.
ELEVATIONS IN FEET

PROPOSED PIER EXPANSION WITH RAMP & FLOAT

PARCEL ADDRESS: 94 SUMMERSEA ROAD, MASHPEE, MA 02649

PLAN ACCOMPANYING PETITION OF JOHN A. & MARIA ROUSOU & AMY EMILY NOMINEE TRUST TO CONSTRUCT & MAINTAIN AN EXISTING PIER, PIER EXPANSION, RAMP & FLOAT IN AND OVER THE WATERS OF OCKWAY BAY (ANNS COVE) IN MASHPEE, BARNSTABLE COUNTY, MASSACHUSETTS

PLAN BY: CAPE & ISLANDS ENGINEERING, INC. 508.477.7272 DATE: MARCH 24, 2023

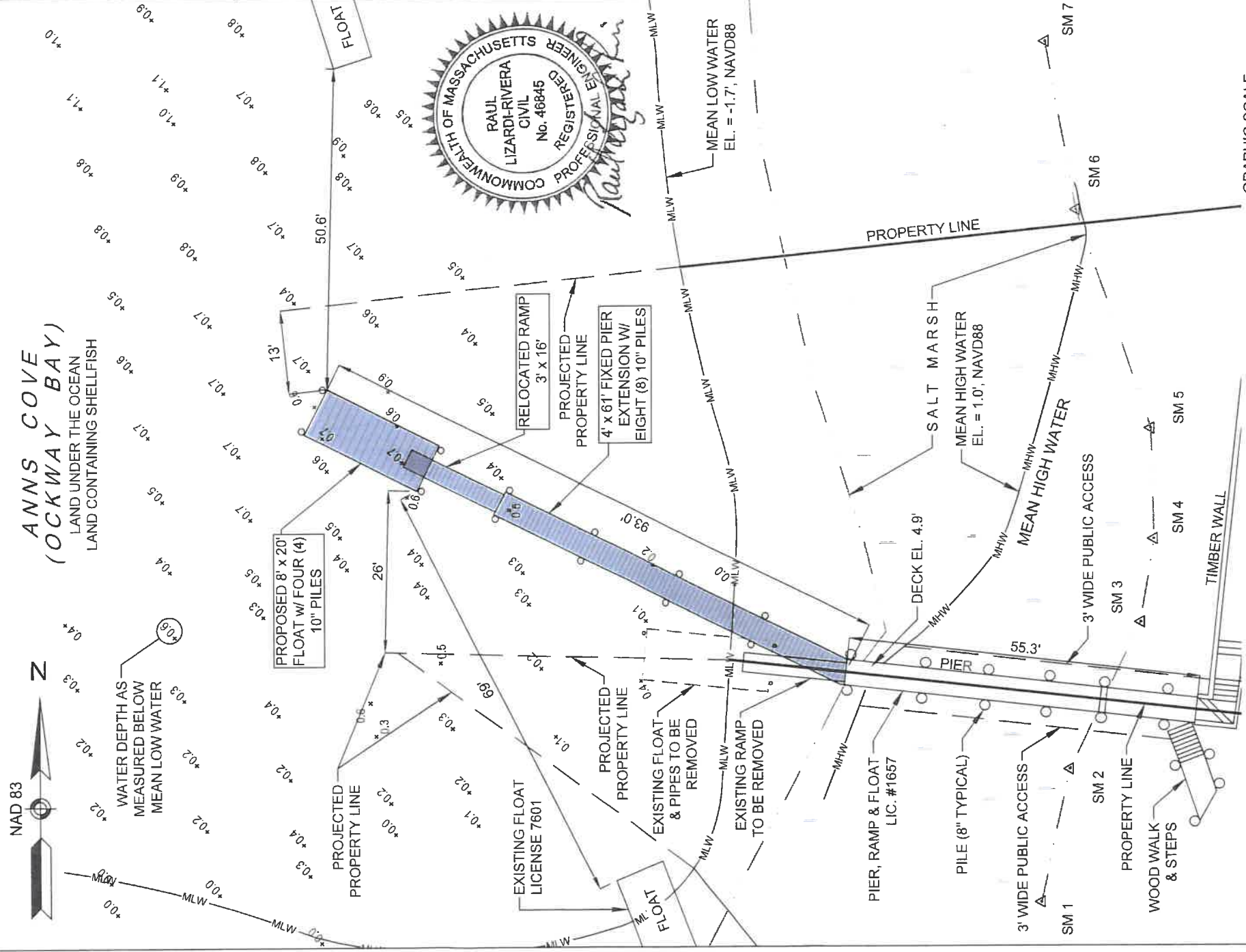
PARCEL ID MAP 105 PARCEL 44 SHEET 1 OF 4

SUMMERSEA (40' WIDE - PRIVATE) ROAD

I HEREBY CERTIFY THAT THIS PLAN DOES
CONFORM WITH THE REQUIREMENTS FOR
RECORDING OF PLANS IN THE REGISTRY OF
DEEDS.

Raul Lizardi-Rivera

RAUL LIZARDI-RIVERA, P.E.



PROPOSED PIER EXPANSION WITH RAMP & FLOAT

PARCEL ADDRESS: 94 SUMMERSEA ROAD, MASHPEE, MA

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.

508.477.7272

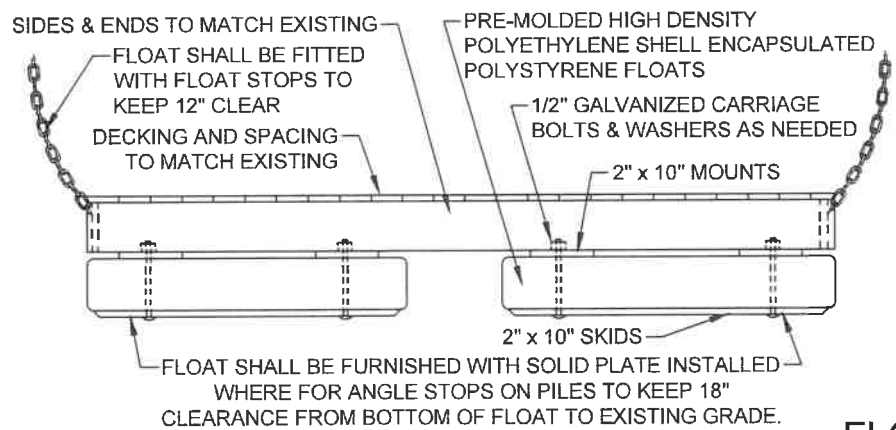
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ELEVATIONS IN FEET

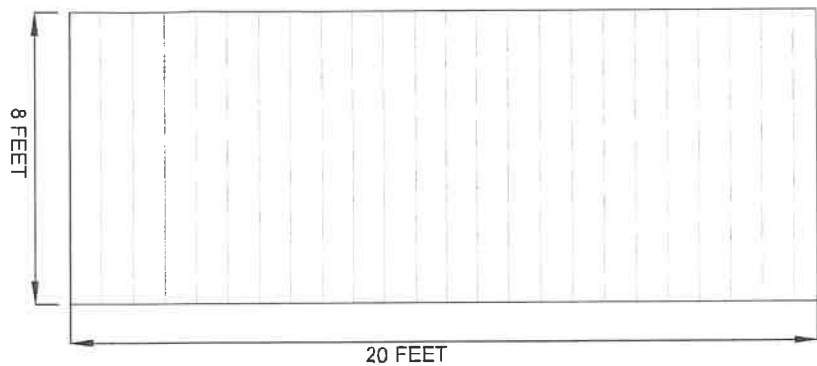
PARCEL ID MAP 105 PARCEL 44

DATE: MARCH 24, 2023

SHEET 2 OF 4



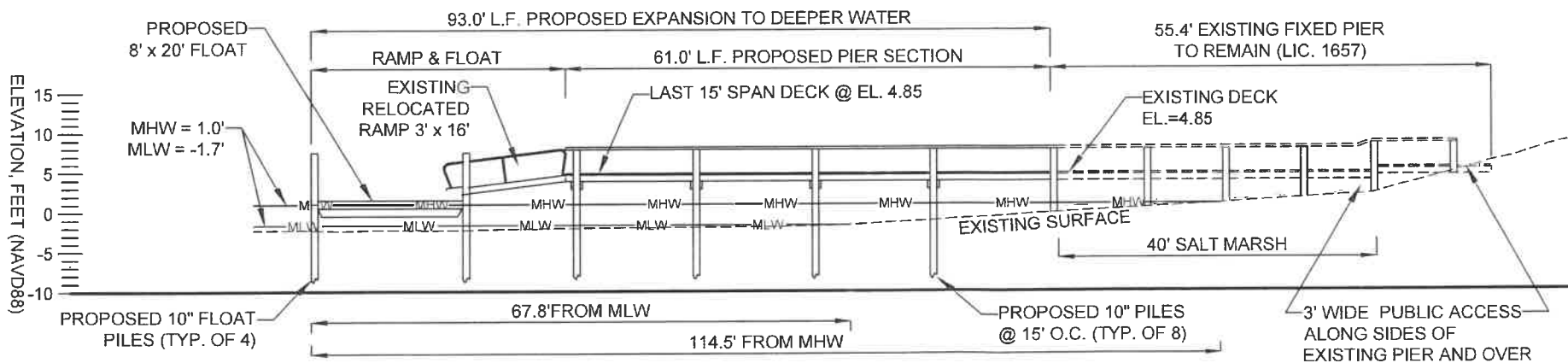
SECTION VIEW



FLOAT DETAIL

NOT TO SCALE

PLAN VIEW



PIER PROFILE



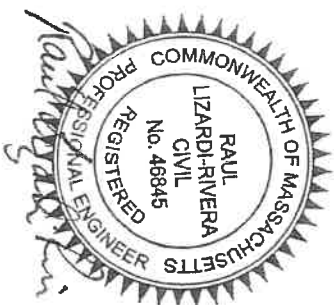
SCALE: 1" = 20 FEET

FLOAT DETAIL & PIER PROFILE

PARCEL ADDRESS: 94 SUMMERSEA ROAD, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
 508.477.7272 DATE: MARCH 24, 2023

PARCEL ID MAP 105 PARCEL 44 SHEET 3 OF 4

DATUM: NAVD88 = 0.00 FT. ELEVATIONS IN FEET



RAUL LIZARDI-RIVERA, P.E.

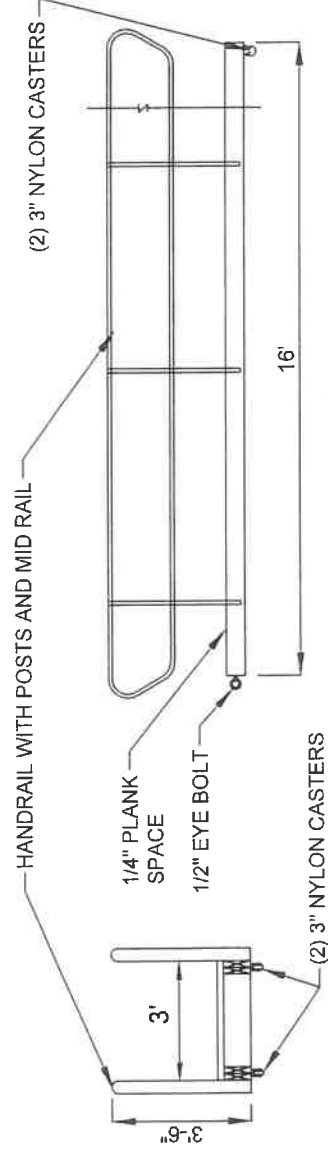
Raul Lizardi-Rivera

I HEREBY CERTIFY THAT THIS PLAN DOES
 CONFORM WITH THE REQUIREMENTS FOR
 RECORDING OF PLANS IN THE REGISTRY OF
 DEEDS.

I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

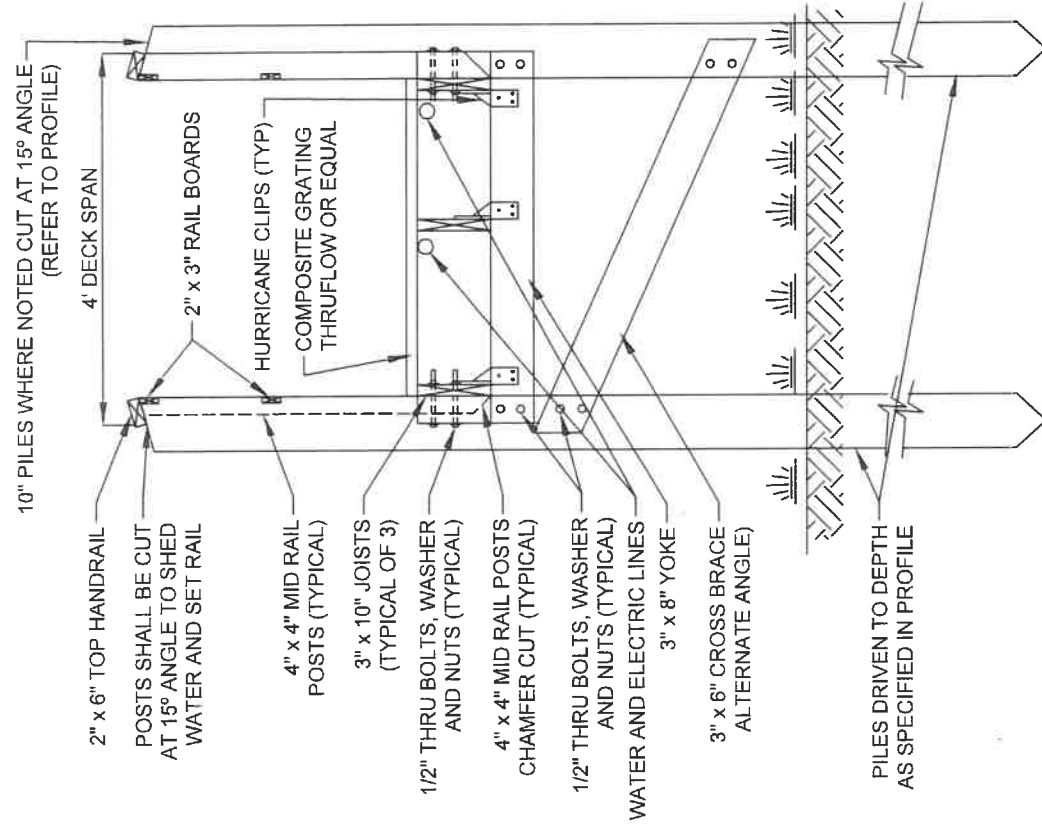
Raul Lizardi-Rivera

RAUL LIZARDI-RIVERA, P.E.



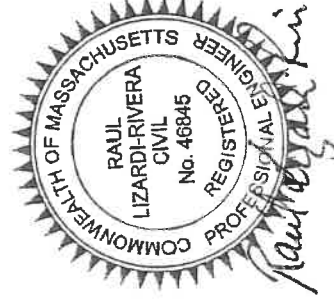
EXISTING RAMP DETAIL

NOT TO SCALE



PIER SECTION DETAIL

NOT TO SCALE



RAMP DETAIL & PIER SECTION

PARCEL ADDRESS: 94 SUMMERSEA ROAD, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
 508.477.7272 DATE: MARCH 24, 2023

DATUM: NAVD88 = 0.00 FT.
 ELEVATIONS IN FEET
 PARCEL ID MAP 105 PARCEL 44 SHEET 4 OF 4