



**Meeting of the Mashpee Planning Board
Wednesday, January 5, 2022
Waquoit Meeting Room
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649
7:00 PM**

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 December 1, 2021

Public Discussion

Public Hearing – 7:10 PM

Applicant: Longfellow Design Build
Location: 9 Shellback Way / 647 Falmouth Road (Route 28)
(Assessors Map 81, Block 132)
Request: The applicant requests a special permit to construct a 12,500 s.f. commercial building to be used for retail grocery sales on a 4 acre +/- parcel. This application is made pursuant to Sections 174-24C (1) and under Section 174-25 E (1) and 174-25 E (2). This proposal triggers a mandatory referral to the Cape Cod Commission for review as a Development of Regional Impact.

Public Hearing – 7:20 PM

Applicant: Lisciotti Development Corporation
Location: 413 Nathan Ellis Highway (Map 72, Parcel 56A)
Request: The applicant requests a special permit to construct a 4,000 s.f. commercial building for retail paint sales. This application is made pursuant to Sections 174-31 (N)(8), 174-25(E)(1), 174-24(C), 174-37, 174-82(1), 174-82(4), 174-41 (M), 174-31(N)(14) of the Mashpee Zoning Bylaw. The property is located in the C-2 Zoning District and partially within the Ground Water Protection Overlay District.



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New Business

- Pre-application conference with Cellco Partnership d/b/a Verizon Wireless regarding a proposed personal wireless service facility at 524 Great Neck Road North (pursuant to 174-45.3 (1)(1) of the Mashpee Zoning Bylaw to discuss o discuss the proposed personal wireless service facility in general terms and to clarify the filing requirements.
- Endorse Willow Circle Definitive Subdivision Plan
- Sign Willowbend Willow Circle Special Permit Modification Decision

Chairman's Report

Town Planner Report

- LCP Update

Board Member Committee Reports

- Cape Cod Commission, Community Preservation Committee, Design Review, Plan Review, Environmental Oversight Committee, Historic District Commission, Military Civilian Advisory Council.

Correspondence

- Town of Falmouth Notices
- Town of Sandwich Notices
- Town of Barnstable Notices
- Brown Rudnick Correspondence – Re: Proposed Project at 36 Wequaquet Lane, Centerville
- Waterways Application – Alex Peselman - 27 Sand Dollar Lane
- November 2021 Discharge Monitoring Report for South Cape Village – N=.71
- October 2021 Discharge Monitoring Report for South Cape Village – N=2.7
- September 2021 Discharge Monitoring Report for South Cape Village – N=3.3

Additional Topics (not reasonably anticipated by Chair)

Adjournment

MASHPEE TOWN CLERK

DEC 30 2021

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**Mashpee Planning Board
Minutes of Meeting
Wednesday, December 01, 2021 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](https://www.mashpeema.gov/channel-18)

Present: Chairman John Fulone, Jack Phelan, Mary Waygan, Dennis Balzarini, Joseph Callahan, Robert (Rob) Hansen

Also Present: Evan Lehrer – Town Planner, Ed Pesce - Consulting Engineer, Jack McElhinney – Attorney for Southworth Mashpee Properties, Matt Eddy – Baxter Nye Engineering & Surveying, Kevin Kirrane – Dunning, Kirrane, McNichols & Garner, Kieran Healy – Land Surveyor, BSC Group

CALL TO ORDER

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

APPROVAL OF MINUTES – November 17, 2021

Mr. Lehrer wants to make two corrections. On page 9, third paragraph should read Land Court land. Also, page 3, middle of the large paragraph should read “data will show a short fall in the Town’s ability to meet the needs”. Both corrections made.

MOTION:

Mr. Callahan makes a motion to approve the amended minutes from November 17, 2021. Mr. Balzarini seconded. All in favor. Mr. Phelan abstained.

PUBLIC DISCUSSION

Nobody signed up for Public Comment this evening.

PUBLIC HEARING – 7:10P.M.

Applicant: Southworth Mashpee Properties LLC (Continued from November 17, 2021)
Location: Willow Circle – Lots addressed as 178-186 Quinaquisset Avenue
Request: The applicant proposes to modify the Willowbend Country Club Special Permit by amending an approved cluster subdivision subject to the special permit by adding one (1) additional lot. The total number of lots would increase from five to six.

Attorney Jack McElhinney is present on behalf of Southworth Mashpee Properties, Willowbend Country Club project. He is here tonight seeking approval to modify an existing five lot subdivision on a road



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being named Willow Circle. They are seeking to add a sixth lot. It is located on Quinaquisset Ave, east of Orchard Street. The subdivision was originally approved in 2010, plan was completed under a Special Permit, and it was endorsed and recorded, but never built. The lot is 3.1 acres. At the time of the original approval they were required by the state to put a conservation restriction on a 17,000 sq. ft. parcel as a potential habitat for the Eastern Box Turtle. That was fenced off, and they did the survey. Since that time, the Eastern Box Turtle is no longer considered threatened in this area. This area is no longer mapped as habitat. In early spring they went back to the state and the restriction was released, so they are asking to convert that 17,000 sq. ft. area into the sixth lot. This does not require changes to geometry of the road, just moving lot lines. There are very minimal changes on the engineering front. All these lots would be connected to their sewage treatment plant, five lots were previously approved, and are included within the overall lot count. The addition of a sixth lot would total 274/287 cap. There were a number of conditions imposed in 2010, all of which would be agreed to. That included a 10 ft. landscape buffer along the western boundary, which backs up to several residential lots. They have maintained a 7.5 ft. privacy fence along that line. They continue to commit to the \$1,000 contribution to the Mashpee Housing Authority per unit. The only waiver requested was for the sidewalk, and again, they are not proposing to change anything. This will be the same road with the same waiver request. Matt Eddy is here, he has been working with the Town's Consulting Engineer.

Mr. Balzarini asked if there was a house that was torn down or were they going to donate at one time?

Mr. Pesce noted there is an existing dwelling on the property and is currently occupied.

Mr. McElhinney confirmed the structure is a duplex housing unit used for employee housing. It was agreed upon to donate to the Town if it could be transported. It's not in great shape, but it's worth looking at.

Ms. Waygan asked if Mr. McElhinney could talk to the Affordable Housing Committee regarding this structure.

Mr. McElhinney stated he would be happy to address this, they spoke in the past. He recalls a site they wanted to put it on, but the expense of moving the structure at the time was prohibited. With the housing market prices today, it may be more feasible now. It's not a big structure, and about 50 years old.

Mr. Phelan inquired about fire truck access, pointing out the island at the beginning and wondering if the turning radius is suitable for fire access.

Mr. Eddy handed an e-mail to Mr. Lehrer from former Deputy Chief in 2010 who reviewed the turning radius. The road name at that time was Willowbend Circle, it has since been changed, and he also noted the turning template plan. There is a hydrant proposed at the cul-de-sac.

Mr. Phelan stated the house would have to be relocated or torn down, it's not staying either way. Based on the fact the previous Deputy signed off on this, he is all set with his questions.



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PUBLIC HEARING – 7:15 P.M.

Applicant: Southworth Mashpee Properties LLC (Continued from November 17, 2021)
Location: 178-184 Quinaquisset Avenue (Map 69 Blocks 23-26)
Request: Applicant proposes to modify an approved definitive plan by adding one additional lot to the previously approved five lot subdivision known as Willow Circle.

Mr. Fulone is opening up the Public Hearing for 7:15p.m. at 7:22p.m.

Mr. Phelan noted the Select Board adopted the similar street name policy, as it is a policy now, they will need to look into that name to ensure approval.

Mr. Eddy will confirm the street name approval. He would like to go over Mr. Pesce's comments about the site. Item one refers to the turning radius and the Fire Department, which was just addressed. The sidewalk which was a waiver request in 2010, waiver request can be resubmitted as needed. He apologized for the planting schedule, the landscape tables were reprinted and passed them to members.

Mr. Pesce wanted to have something he could inspect. He needed to make sure there were 22 trees if 22 trees are listed.

Mr. Eddy continued with the list and the erosion control plan added. He calls out some erosion control aspects, need to stabilize construction entrance and add some silt fence. There is a detail reference, changed to a silt sack from what was shown ten years ago, just needs updating. They can add additional spot grades along the road, identifies centerline grade, they can add some elevations, it's not a problem.

Mr. Pesce noted the centerline is there, he is worried what the contractor will do, cross sections should work.

Mr. Eddy continued with providing necessary seals on final Mylar's for the professional land surveyor and engineer. Storm water management, drainage areas are small. With the two catch basins, and TSS removal ran at 90%, even if the catch basins were not there the TSS removals were met. He did submit TSS calculation to Mr. Pesce. That was the extent of Mr. Pesce's comments and he is happy to answer any further questions.

Mr. Balzarini inquired about the fire trucks and their width for the island.

Mr. Phelan said the trucks are no wider than 10 feet and requirement is 20 feet.



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Ms. Waygan thanked Mr. McElhinney for letting them know it will be hooked up to the water treatment. She stated there are a number of acres set aside for open space in Willowbend. Could he remind her and the public how many acres of open space remains?

Mr. McElhinney doesn't have those exact figures with him tonight, the total acreage spans over 440 acres, over 2/3 is open space.

Ms. Waygan referenced the last Special Permit modification findings number 3, current open space is 237.9 acres. Does that sound right? She just wants to note there is a tremendous amount of open space in this development. Some people may be concerned the sixth lot would be taking over the open space. Are we going to ask them to provide us with the revised plans, or make that a condition? We cannot close the public hearing if we are asking them to bring back plans.

MOTION:

Mr. Balzarini makes a motion to close both public hearings with the condition Southworth Mashpee Properties will bring forth their revised plans. Seconded by Mr. Callahan. All in favor.

Mr. Lehrer noted there will need to be a motion to act on the petition. The Board will need to accept revised plans from Matt Eddy and Mr. Lehrer will need to prepare a draft decision for review of modifications of the Special Permit.

MOTION:

Mr. Balzarini makes a motion to approve the modification of the plans for the Willow Circle Definitive Subdivision and approve the modification of Willowbend Country Club Special Permit to add one building lot on the subdivision known as Willow Circle, on the condition the applicant provides updated plans pursuant to the comments of the Board. Seconded by Mr. Phelan. All in favor.

PRELIMINARY PLAN

Applicant: Forestdale Road LLC
Location: 532 Main Street (Route 130) Assessors Map 26, Parcel 6
Request: Request approval of preliminary subdivision plan showing a division of an 18.04+/- parcel of vacant undeveloped land into 9 commercial/industrial lots.

Ms. Waygan would like to disclose that she knows Kieran Healy personally and professionally through her work with the Town of Yarmouth, she does not feel there is any conflict of interest in sitting on this matter.

Attorney Kevin Kirrane is present on behalf of the LLC, who is the owner of the property, proposed to be subdivided into 9 commercial/industrial lots off of Route 130. He is with Kieran Healy from BSC Group who has prepared the engineering plans before the Board. They will be including in part of any definitive plan submission, request for the dead end length of road of 800 ft. be waived. As you can see from the plans, it is not inconsistent with other roads that have been approved by the Planning Board



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off of Rt.130. Echo Road is even longer than proposed Sori Drive. Because of the length of required 200 ft. of frontage, typically generates a larger and longer road. Also, cost is a factor when there is only development on one side and does not have ability to spread the cost of development over lots that would typically border either side. With the long and narrow width of the parcel we are only proposing a road on the westerly side of that structure.

Mr. Phelan noted Sori Drive being similar to a street name in New Seabury and agreed this would not be appropriate for a name. He reached out to GIS, because he has a challenge with that. Think about a different name other than Sori. Is the width 24 feet? He would only request the road layout does address the need for the hydrants going down the road, as well as turning radius for fire apparatus. The end of the cul-de-sac looks very narrow. It may have already been evaluated but he doesn't have anything that indicated this.

Mr. Balzarini said that comes out to the state road. Is there a permit to put the driveway there?

Mr. Healy noted this road was officially a state road but was transferred back to the Town for maintenance, it would be up to the Town, not to the state.

Mr. Hansen asked if they will have access to Nicoletta's Way. The response was no.

Ms. Waygan asked about the area at the end being open space. She inquired if that is conservation land. This doesn't qualify as a DRI because it's not 10 lots? Does that mean you won't put 10 lots in the future?

Mr. Kirrane noted this is all part of the same property. It is not proposed to be conservation land at this time and there is no plan currently for anything other than a nine lot subdivision. If we had proposed ten it would come under jurisdiction of the Cape Cod Commission.

Mr. Phelan asked if they decided to come before the Board later with that space, does that become a DRI or is it different.

Mr. Lehrer stated if there was a plan for a future phase 2 or additional subdivision then it would go to the Commission. There is no intention to make any assumption as to what they may or may not do with that future parcel, it would not be a mandatory deferral, but the Board can make a discretionary deferral.

Ms. Waygan asked if they would be able to have access off of Ashumet Road off this back land. She is concerned about segmentation and developing the back parcel later on to avoid a Cape Cod Commission review of 10 lots because you're splitting up a project.

Mr. Kirrane stated the fact of the matter, the only thing before the Board is the 9 lot subdivision. If that occurs and something comes up down the road you would have the discretion to defer to Commission if



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you choose to do so. That is not what they are presenting as a preliminary or what they are intending to bring back with any further subdivision.

Ms. Waygan would like Mr. Lehrer to share his thoughts on the matter.

Mr. Lehrer has had this conversation before. Generally, the normal trigger for a DRI is 9,999 sq. ft. building. Assuming they have the dimensional latitude on a lot to expand, you could easily foresee a building that's just shy of 10,000 sq. ft. It's not an unreasonable assumption, but it does not require a deferral. You as a Board can only review the plans before you. You can make a discretionary deferral. If you're concerned about segmentation, you could consider a condition to mitigate such a future action. This is a preliminary plan, an approval does not grant approval of subdivision.

Mr. Phelan wants to clarify when they come back with the definitive plan, can we make that a condition for approval?

Mr. Lehrer notes the Board can grant a dead end waiver specific to dead end streets. Also, to Ms. Waygan's point, her asking about access to Ashumet is pertinent. The conditions and waiver could be specific to allow that point.

Ms. Waygan directed her statement to Mr. Balzarini, asking him what he wants to see at the end of the street, when referring to line of sight.

Mr. Balzarini is worried there will be three driveways close together, it would be nice to come down Nicoletta's Way, and there must be an easement to enter.

Mr. Kirrane stated it is his understanding that option was explored with the owners of Nicoletta's Way, and the proposed cost to seek permission was prohibited. We are entitled to access this property no matter the distance, between the various roads, certainly if they could use Nicoletta's Way it would have been a better option.

Mr. Balzarini referenced a lot of trucks coming in and out of Nicoletta's Way.

Mr. Kirrane said it is not inconsistent with other access points.

Ms. Waygan asked Mr. Pesce if he could recommend best practices for people to drive in and out.

Mr. Pesce stated safe sight distance, he would like them to comment on that in the definitive. When he stands at the proposed intersection, does he see trees that obstruct the view for safe turning and safe stopping when someone is coming onto Route 130? There was one minor issue with design, the entrance radius on one side of the north side was not in accordance with the subdivisions rules. It may work as design, but he is asking they look into that. He doesn't see why they couldn't use 35 feet. It would also help for fire access. He would also request the turning template for the ladder truck.



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Mr. Phelan noted the entrance of this development is the determination of the sidewalk.

Mr. Lehrer pointed out the sidewalk easement running across the frontage, then the crosswalk across the street and side walk continues.

Ms. Waygan added the wider the entranceways the more value a lot has. They might lose some land but it really makes a difference. That first lot, doesn't that have incentive zoning?

Mr. Lehrer confirmed the first front lots are C3 limited commercial, with the rear portion industrial. It's not incentive but alternative. There is some flexibility on those front lots for different types of uses.

Ms. Waygan stated you can have a restaurant there. Can you put a dance studio in these rare lots? A 35 foot entrance way ends up boosting the value of whatever goes in.

Mr. Kirrane pointed out a portion of this lot to the rear is residential.

Mr. Lehrer said there was a 40B proposed on this site at one point. Relative to the waiver request, it is in complete discretion of the Board to grant that waiver. So long that the greater of 800 ft. is desirable, due to topography, and other conditions. Also, for any subdivision that produces 8 units or more, the Postmaster is going to require a cluster box unit. The Planning Board has no discretion or authority of that mailbox. If you show the Postmaster your plan he will approve it. On the definitive filing show the appropriate turn off for vehicles to retrieve mail. He would recommend touching base with local Postmaster.

Mr. Healy noted page 3, there is a section specifically for that. There is a space cleared wide enough for a vehicle. He is not sure it has been submitted to Postmaster or not. He created a space wide enough to fit a vehicle.

Mr. Lehrer elaborated it was a recent rule change, and some new property owners were unable to get their mail delivered. It's to the benefit of future property owners to make sure it's rectified at definitive filing.

Mr. Phelan noted fire hydrants are dispersed in maximum 500 ft. increments, he suspects there will be at least two here.

Mr. Healy proposed three at 500 ft. intervals.

Mr. Phelan stated they cannot be spaced apart more than 500 feet. You can always shorten the distance. Wherever the hydrant is on Rt. 130, if there isn't one nearby, you may have to install at the front.

Mr. Fulone referenced one at the entrance and two on the road.



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Mr. Pesce suggested for the sake of the extra hydrant, reduce the spacing, just to get one at the end. He recommends the applicant bring a draft plan to Mr. Phelan's office. He will be satisfied with turning templates, radius, and hydrant spacing, then plans can be submitted to the Board.

Mr. Phelan asked if there needed to be two separate votes.

Mr. Lehrer stated you can indicate your plan to the applicant, he would suggest upon the definitive plan filing.

Mr. Pesce noted other than length he didn't see any major problems, and he didn't see that as an issue either.

Mr. Lehrer asked if the Board was comfortable with the applicant speaking directly to Mr. Pesce following these meetings, to which everyone agreed that was okay.

MOTION:

Mr. Phelan makes a motion to approve the proposed preliminary subdivision plan. Seconded by Mr. Balzarini. All in favor.

NEW BUSINESS

Vote to set Public Hearing date for an application made by Lisciotti Development Corporation to construct a retail paint store to be located at 431 Nathan Ellis Highway, Map 72, Parcel 56A.

Mr. Fulone noted the Planning Board will hold a public hearing on Wednesday, January 5, 2021 at 7:20p.m.

Ms. Waygan asked what else is going on January 5, 2022, something at 7:10p.m.?

Mr. Lehrer noted the retail grocery store with the automatic deferral to the Cape Cod Commission. He also wanted to provide background on this petition, as everyone is aware the Sherman Williams did not proceed with that lease. They are pursuing development on this site. Generally, the buildings of this size and scale and the use don't fall under the purview of the Planning Board. The lot is divided in half by groundwater protection district which grants the Planning Board authority.

Ms. Waygan asked the sq. footage of the building.

Mr. Lehrer said it is 4,000 -5,000 sq. ft. Along the westerly portion of the parcel, there are 75 ft. setbacks from RT. 151 and residential. It constricts what you can do there with limited retail activity.

MOTION:

Ms. Waygan makes a motion to set the Public Hearing date to January 5, 2022 at 7:20p.m. Seconded by Mr. Callahan. All in favor.



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Discussion of motel conversion zoning bylaw for seasonal workforce housing.

Mr. Lehrer meant to discuss this at the Affordable Housing Committee joint meeting, but he forgot. Willowbend has interest in purchasing the Santuit Inn for purposes of housing their seasonal workforce. They are not proposing alterations to the building, it's been indicated to him, the potential for expanding that facility to house more workers and create common spaces etc. If there is an opportunity in the future to expand to create more of a living space, it would probably require some sort of zoning change. There is a massive need for year round workforce but significant challenges for seasonal. If a zoning solution is necessary for the future he wants to have that conversation with the Board.

Mr. McElhinney reiterated a real issue with seasonal help. Willowbend has 100 seasonal employees, they need housing for about 70 of those. At this time they own several small houses around Mashpee, around the property, then a 13 unit/room boarding house on Sea Street in Hyannis. This property the Santuit Inn, came on the market, seems a good fit as it is physically contiguous to the property. Many employees are college students and international without cars, being close to work would be ideal. No immediate plans to do anything, they continue to operate as is. Down the road they would be interested in starting a dialogue with the Planning Board or other powers on expanding, more need or for other employers in the area. He already had inquiries from other employers about extra rooms. It's a need in Mashpee, there isn't any specific bylaw provision at the moment, they would like to participate and be a part of that dialogue.

Mr. Balzarini thinks it's a great idea.

Mr. Callahan asked how many units are at the Santuit Inn.

Mr. McElhinney stated there are 21 rooms and one apartment, which is slightly bigger. It would be nice to have a common area for cooking. There are no plans to change anything for this summer.

Mr. Phelan asked if they anticipate occupying this summer as is. It will need significant upgrades.

Mr. McElhinney acknowledged it needs work, they will be doing that after the winter. Yes they plan to occupy the units this summer.

Mr. Lehrer asked if it's on septic.

Mr. McElhinney stated it is, but there is talk about them connecting up to the water treatment plant. The Sewer Commission will be taking over the Willowbend plant. There is a lot of excess capacity. For example, at peak flows during the 4th of July weekend, might hit 75,000-80,000 gallons a day, and it has capacity for 130,000 gallons per day. Our projects are pretty built out, it would make sense for the Town, given the challenges, to tap that additional capacity. There were also discussions about using some golf course fairways as leaching areas. It's been 4-5 years since that discussion, but seems like a good fit, technology allows discharge into growing zone of the turf so the nitrogen is still being absorbed. The Willowbend community views it as a win. Homeowners don't want the responsibility of running a plant, and upkeep.



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Ms. Waygan asked if there is any capacity to add units.

Mr. McElhinney stated yes, if familiar, there is a good chunk of land, the lot itself is 2 acres, in between the Barn and Polar Cave. The motel is 3/4 to a half acre piece. There are no plans or budget currently, but thinking ahead, that would be an opportunity to expand.

Ms. Waygan would like to refer him to the town of Yarmouth's zoning bylaw. They do have provisions for long term stays at hotels, on site employee housing, definitions of tenancy, that have all passed the Attorney General's office. Not a lot of towns have zoning bylaws that deal with these issues.

Mr. McElhinney is aware and he has looked at that bylaw. It seems like a good model. They want to keep people abreast of their plans and participate in the process going forward.

Ms. Waygan thinks it's a good idea.

Falmouth Planning Board Waiver Request – Failure to notice abutting town planning boards of zoning article public hearings.

Mr. Fulone said there is a letter in the packet from the Falmouth Town Planner.

Mr. Lehrer stated the Zoning Act requires Planning Boards to hold Public Hearings on zoning articles that go before town meetings. There is a requirement to notify abutting town's Planning Boards of those Public Hearings. Falmouth failed to notice Mashpee. He is requesting their request be waived, if you grant the waiver he will draft a letter and indicate the vote.

MOTION:

Ms. Waygan makes a motion to grant the waiver for requiring notice to the Planning Board for Public Hearings. Seconded by Mr. Callahan. All in favor.

Mr. Lehrer said this has happened before, and this is one remedy.

Mr. Fulone asked Mr. Lehrer as a professional Town Planner, what are his thoughts on the bylaw.

Mr. Lehrer thinks this adds a tool to their toolbox to incentivize private investment in affordable housing. He sees it being consistent with our conversations, identifying sites and locations that are currently crippled by existing zoning regulations. He worries when you create bylaws of this nature, to steer away from patterns of past developments. If we were to pursue something similar it would be his recommendation to develop something more considerate, it would be a phenomenal opportunity to reconsider form based code. Falmouth did pursue form based code. He thinks this is a political compromise, which takes something great and makes it mediocre, his personal opinion. It's a framework. There are areas in Town right for redevelopment. He is satisfied with the progression of this conversation. In getting through the LCP, he would not want to ignore potential form based code and



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regulation on a smaller scale. It is his opinion that perpetuating isolated lot line to lot line patterns will spread further issues. He suggests starting here in considering a form based approach.

Ms. Waygan states it reminds her of architectural and site design standards in the zoning bylaw, for front lots on Rt. 130, and they found it difficult to deal with, almost half of them didn't apply, should we remove those sections from the zoning bylaw?

Mr. Lehrer wants to reassess. When we look at redevelopment in particular, you are looking at a scale that goes beyond a singular lot. There needs to be a framework for development that will apply. It does grant their Planning Board some discretion in determining dimensional criteria, which we do in the bylaw. Create that approach with predictable form for that whole district.

Ms. Waygan noted they had a problem reporting to us that they met with architectural and design standards. The Cape Cod Coffee and the liquor store, we had to say okay you're fine.

Mr. Lehrer agreed that's a good example, there's broad discretions to determine what's appropriate but doesn't give consideration for what happens around neighborhood scale disjointed development. It's an assessment and evaluation of performance on a singular site and not a consideration of an entire neighborhood.

Ms. Waygan gave the example of thinking of creating another lot, that would have to comply with the piece of zoning, not form based code, and one of the engineers had a very hard time complying with it. There is nothing in there saying how specifically they would waive it.

Mr. Lehrer referenced standards for development in C3 zoning. Those standards are difficult to comply with especially if there are variant interpretations of what the bylaw is. We can clarify those.

Review Planning Board Meeting Dates for 2022

Schedule is located in the packet.

Mr. Lehrer identified the meeting on October 5, 2022 is a holiday. There will be no regular meeting scheduled for October 5, 2021 at the recommendation of the Board.

CHAIRMANS REPORT

No updates.

TOWN PLANNER REPORT

LCP Update

He has a meeting with the consultants on 12/03. He is working with department heads to go through the stakeholder lists. He thanked the Board for their e-mails relevant to existing studies, reports, and analyses. He received a number of responses from other department heads. He will be updating Weston and Sampson with the materials Friday. We are thinking to launch in early 2022. They provided a number of external third party digital online engagement platforms that he has been filtering through.



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Mr. Lehrer narrowed it down to two options that allow for surveys, submission of comments, messaging, calendars, as well as a map function that allows comment. Our current digital tools lack in modern community engagement capabilities. He will report back on what he thinks will work best in consideration of costs and functionality. He is anticipating meeting with Weston and Sampson in the middle of December to go through vision workshops, community engagement plans, and approach. Just to get general feedback on how to pursue phase one of the LCP and consistency with RPP and the Cape Cod Commission regulations. Additionally, it would be beneficial for the Board and community members to have the consultants come December/January to update on what they have been doing with data analysis. A rough framework has been outlined but a dialogue about surveys and workshops all consistent with regulations would be helpful. The update is not robust, but he will have more after the meeting. Involvement from the Board and the Town will increase after Christmas.

Ms. Waygan asked if Ms. Wells could be here in person.

Mr. Lehrer said it will likely be herself or one other person, or both, and if that's the desire of the Board he will suggest that.

Mr. Fulone acknowledged in person is best.

Open Meeting Law Complaints – Attorney General Declines to Review

Attorney General responded to the Open Meeting Law Complaints and declined to review.

BOARD MEMBER COMMITTEE REPORTS

Cape Cod Commission- Ms. Waygan noted there are a series of meetings with towns about low lying roads. The Cape Cod Commission is working with the Woods Hole Group, they helped with the Municipal Vulnerability Preparedness report. It does not apply to all 15 towns, only 10 towns on the Cape. They are modeling to estimate out roads that may flood during storms and tides. There will be a push for communities to fix at least two town roads. She is hoping the modeling will apply to Mashpee as well.

Mr. Callahan asked if we identify the roads, are they are going to fund the issue.

Ms. Waygan was not sure, but they didn't want towns to pick state roads. They want the state to fix those.

Mr. Phelan referenced the MVP's low lying roads section, he recalls that was not a huge problem, maybe a couple roads along the shore.

Mr. Lehrer had a discussion with other stakeholders pertaining to climate, storm surge, and sea level roads. The majority of low lying roads in Mashpee are private ownership, which poses difficulties when trying to implement mitigation. UMASS is seeking a grant to establish a think tank essentially, for climate change. They identified Mashpee as a potential partner in this. He suggested they help us come up with a plan to incentivize private property owners to take mitigation efforts. If we don't have the



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

ability to implement the plan due to private property rights, we are going to be at a significant disadvantage.

Mr. Balzarini wonders if the insurance companies can enforce, either to pay a higher premium or fix the road, especially Shore Drive which floods all the time.

Mr. Lehrer stated this is a very complex public policy challenge and it will continue to be a problem for low lying infrastructure. We need the ability to respond. It's a good project, good effort. He also received Ms. Waygan's e-mail regarding this.

Mr. Lehrer is happy to reach out to the Cape Cod Commission to see if the modeling will apply to Mashpee.

Community Preservation Committee-

Meeting 12/02 at 6/6:30p.m. Public comment, 8 applications. Ms. Waygan has them if anyone wants to look at them after the meeting.

Design Review-

Next meeting Tuesday 12/07.

Plan Review-

No Meeting.

Environmental Oversight Committee-

No Meeting.

Historic District Commission-

No Meeting.

Military Civilian Advisory Council-

Did not meet, they will let him know when the next meeting is, hopefully beginning of the year.

ADJOURNMENT

MOTION:

Mr. Balzarini makes a motion to adjourn the meeting at 8:21p.m. Seconded by Ms. Waygan All in favor.

The meeting ended at 8:21p.m.

Next Meeting: Wednesday, January 5, 2021 at 7:00p.m.

Respectfully Submitted,

Christine M. MacDonald
Board Secretary



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department.

- Cape Cod Commission Correspondence regarding South Cape Village
- Town of Falmouth Notices
- Town of Sandwich Notices
- Karen Faulkner Correspondence
- Lynn Barbee Correspondence
- October 2021 Discharge Monitoring Report for South Cape Village – N=2.7
- September 2021 Discharge Monitoring Report for South Cape Village – N=3.3
- August 2021 Discharge Monitoring Report for South Cape Village – N=2.6

DRAFT

GEHRING & ASSOCIATES, LLC
Wireless Planning & Zoning

Post Office Box 98
West Mystic, CT 06388

860-536-0675
wireless@gehringzone.com

December 28, 2021

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

**RE: Upcoming Application of Cellco Partnership d/b/a Verizon Wireless for a
Special Permit to Install a New Personal Wireless Service Facility at
524 Great Neck Road North, Assessor's Parcel 67-4-0**

Dear Members of the Planning Board:

Cellco Partnership d/b/a Verizon Wireless ("Applicant") will soon be filing an application for a new wireless facility behind Verizon's exiting building located at 524 Great Neck Road North, Assessor's Parcel 67-4-0 ("Subject Property"). The Subject Property is located in the C-1 Zoning District and also within the Wireless Overlay.

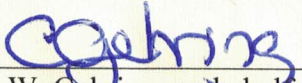
Pursuant to Section 174-45.3(I)(1) of the Town of Mashpee Zoning Bylaw, the Applicant respectfully requests time on your upcoming docket on Wednesday January 5th in order to make a brief *pre-application* presentation of this project to the Board.

Plans of the proposed project are attached.

Thank you

Sincerely,

Gehring & Associates, LLC

By 
Carl W. Gehring, on behalf of Cellco Partnership d/b/a Verizon Wireless

Plans Attached

Verizon WIRELESS

MASHPEE 3 MA 524 GREAT NECK NORTH RD MASHPEE, MA 02360

ZONING DRAWINGS
— NOT FOR CONSTRUCTION —

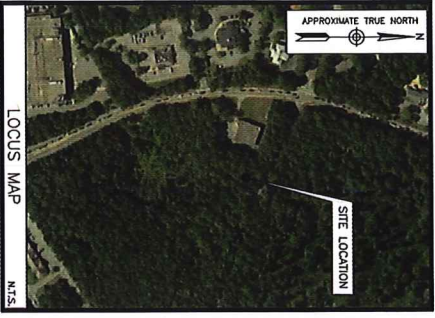
verizon WIRELESS
VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

MASHPEE 3 MA

ZONING DRAWINGS	
1	12/17/21 FOR SUBMITTAL
0	12/05/21 FOR SUBMITTAL
A	11/22/21 FOR COMMENT

Dewberry
Dewberry Engineers Inc.
PLATE 700
ROUTE 1A
WESTBOROUGH, MA 01581
PHONE: 877.665.5400
FAX: 877.665.5310

DRAWN BY: JAM
REVISION BY: WJT
CHECKED BY: BBR
PROJECT NUMBER: 50121487
JOB NUMBER: 50121783
SITE NUMBER: 396927
SITE ADDRESS: 524 GREAT NECK NORTH RD, MASHPEE, MA 02360
TITLE SHEET
SHEET NUMBER: T-1



LOCUS MAP
NTS

DIRECTIONS FROM WESTBOROUGH, MA
TAKE RT-9 E, TAKE PAUP OVD 1-485 S VIA THE PAUP TO CARE
OOD, MERGE OVD 1-492 S, CONTINUE OVD MA-224 E, CONTINUE
PALMOUTH, TURN RIGHT OVD MA-151 E, AT THE TRAFFIC CIRCLE,
TAKE THE RT, EXIT OVD CENTRAL RD/GREAT NECK RD N, THE
SITE WILL BE ON THE RIGHT.

ENGINEER
DEWBERRY ENGINEERS INC.
99 SUMNER ST.
BOSTON, MA 02110
PHONE # (617) 531-0813
FAX # (617) 695-3310
CONTACT: MATTHEW F. TILDEN

CONSTRUCTION
VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956
PHONE # (617) 921-9716
CONTACT: ERIC WANNINGH

PROJECT TEAM

SITE NAME:
MASHPEE 3 MA

PROJECT OWNER:
BELL TELEPHONE & TELEGRAPH
VERIZON NEW ENGLAND INC.
4000 W. WOODLAND
AUSTIN, TX 75001

APRIL CONTACT:
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

ELECTRIC UTILITY:
DIVERSOURCE (866) 354-0025

TELEPHONE UTILITY:
VERIZON (866) 377-4289

COORDINATES (NAD83):
Easting: 118,300.00
Northing: 79,251,130.00
*CENTER OF MONOPOLE PER PA-1-A

PROJECT SUMMARY

SITE ADDRESS:
524 GREAT NECK NORTH RD,
MASHPEE, MA 02360

PARCEL ID:
MAP 67 LOT 4

ZONING DISTRICT:
C-1

PROJECT DIRECTORY

A PROPOSED 15' TALL, 4.5' MONOPOLE AND EQUIPMENT CABINETS WILL BE INSTALLED AT GRADE INSIDE A PROPOSED ASSOCIATED EQUIPMENT FOUNDATION. THE PROPOSED ASSOCIATED EQUIPMENT WILL BE INSTALLED ON THE PROPOSED MONOPOLE.

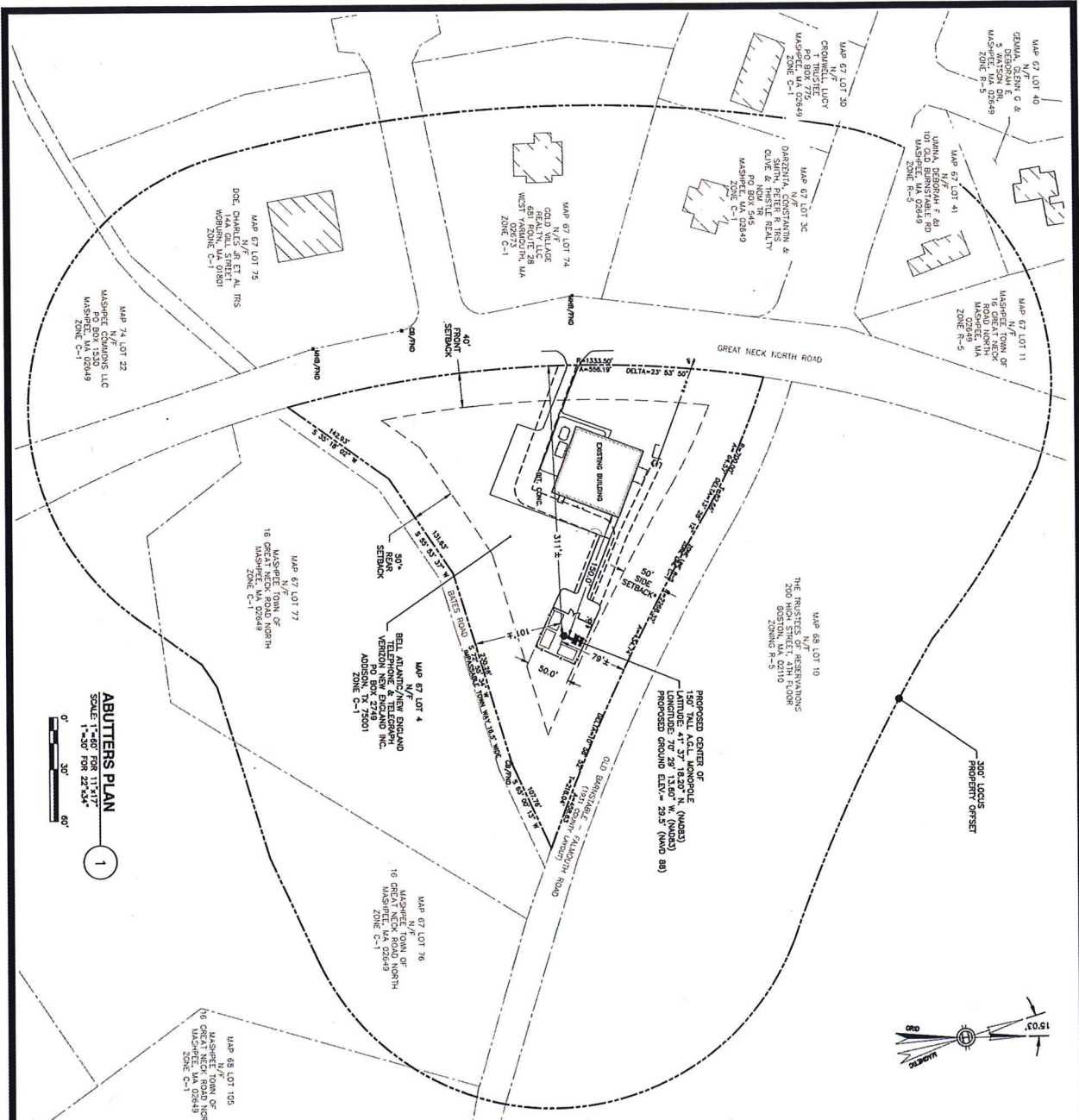
PROJECT DESCRIPTION

THIS DRAWING WAS PREPARED TO ASSIST A VERIZON SITE ENGINEER IN THE DESIGN OF A VERIZON SITE AND SITE CONSTRUCTION IS NOT TO BE USED FOR ANY OTHER SITE OR WHEN OTHER CONDITIONS PERMIT. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.

PROJECT IS UNIMPAVED AND NOT FOR HUMAN HABITATION.

SHT. NO.	DESCRIPTION
T-1	TITLE SHEET
Z-1	ASBUILT'S PLAN
Z-2	EXISTING CONDITIONS PLAN
Z-3	PROPOSED SITE PLAN
Z-4	DETAILED SITE PLAN
Z-5	TOWER ELEVATION
E-9	TYPICAL DETAILS

SHEET INDEX



ABUTTERS PLAN
SCALE: 1"=50' FOR 22'x34'
1

ZONING INFORMATION

DISTRICT:	REQUIRED	PROPOSED
CI - Commercial District	40,000 S.F.	N/A
MIN. AREA:	30'	150'x150'
MIN. HEIGHT:	N/C	N/A
MIN. FRONTAGE:	200'	N/A
MIN. DEPTH:	NONE	N/A
FRONT SETBACK:	40'	311'±
SIDE SETBACK:	50'	78'±
REAR SETBACK:	50'	111'±
MIN. LOT COVERAGE:	25%	15.43%
MIN. LOT AREA:	25%	15,43%

** WHEN ADJUSTING A RESIDENTIAL ZONE TO TYPE OF PROPOSED WAREHOUSE

LEGEND

- Existing Property Line
- Existing Driveway
- LOCUS PROPERTY LINE
- SETBACK
- Existing Building
- Concrete Band Found
- Massachusetts Highway Band Found
- GR/FRD
- WB/FRD

GENERAL NOTES

- FIELD SURVEY DATE: OCT 25, 2021
- VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988.
- HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983 (NAD83) USED ON 3 BY FRM OPS (NAD83) USED ON 2 BY FRM OPS
- CENTER PROPOSED TOWER: LAT: 41° 37' 18.20" N (NAD83) LONG: 70° 29' 13.80" W (NAD83) PROPOSED GROUND ELEV: 29.3' (WAD98)
- OWNER: BELL ATLANTIC/NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, P.O. BOX 2749, ENCLAND, MA 01923, ENCLAND, MA, 01923
- SITE NAME: MASHPEE 3 MA
- SITE NUMBER: 396927
- SITE ADDRESS: 524 GREAT NECK NORTH ROAD, MASHPEE, MA 02360
- TOWN OF MASHPEE, MA
- ABUTTERS INFORMATION TAKEN FROM TOWN TAX DATA
- TAX ID: MAP 67 LOT 4
- DEED REFERENCE: BOOK 140 PAGE 912
- PLAT REFERENCE: PLAN BOOK 227 PAGE 19
- GRID NORTH BASED ON GPS
- ELEVATIONS AND COORDINATES FROM GPS LOCATIONS.
- ALL UNDERGROUND UTILITY INFORMATION PREPARED HEREON WAS DETERMINED FROM SURFACE EVIDENCE AND PLANS OF RECORD. ALL INFORMATION IS SUBJECT TO CHANGE AS MORE INFORMATION BECOMES AVAILABLE. ALL SITE WORK SHALL BE DONE IN ACCORDANCE WITH THE COMMUNITY PANEL NO. 2601(07/14), DATED 7/16/14.
- ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THE PROPOSED TOWER ON THIS PROPERTY IS LOCATED IN AN AREA OF HIGH RISK FOR FLOODING. THE PROPOSED TOWER IS LOCATED IN AN AREA OF HIGH RISK FOR FLOODING. THE PROPOSED TOWER IS LOCATED IN AN AREA OF HIGH RISK FOR FLOODING.
- PROPERTY LINE INFORMATION IS COMPARED FROM DEEDS AND PLANS OF RECORD AND IS NOT THE RESULT OF A FULL BOUNDARY SURVEY.
- BEARING SYSTEM OF THIS PLAN IS BASED ON PLAN BOOK 227 PAGE 19.
- SURVEY BY COLONIAL SURVEY CO. INC.
- BUILDING LOCATION BASED ON ONLINE GIS MAP OBTAINED ON 12/01/21.

ZONING DRAWINGS

1/12/17/21 FOR SUBMITTAL
01/2/03/21 FOR SUBMITTAL
A/11/22/21 FOR COMMENT

MASHPEE 3 MA

verizon
WIRELESS
VERIZON WIRELESS
118 FLANNERS ROAD
WESTBOROUGH, MA 01581-3956

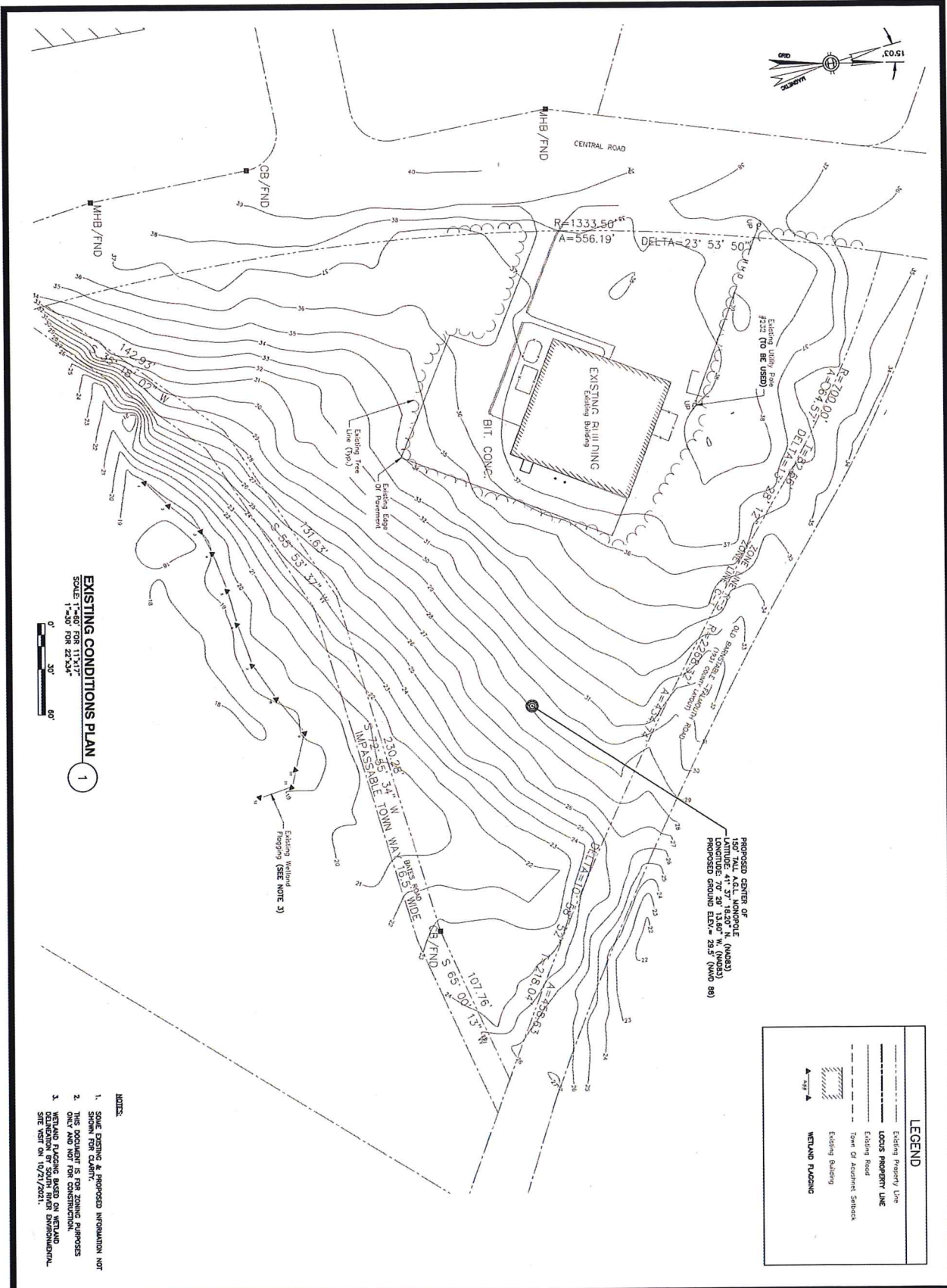
Dewberry
Dewberry Engineers Inc.
50 BURNAM STREET
BOSTON, MA 02110
PHONE: 617.552.8500
FAX: 617.552.8500

SITE ADDRESS
524 GREAT NECK
NORTH RD,
MASHPEE, MA 02360

ABUTTERS PLAN
SHEET NUMBER
Z-1

GENERAL NOTES

DRAWN BY:	JLL
REVIEWED BY:	MFT
CHECKED BY:	BRB
PROJECT NUMBER:	50121497
JOB NUMBER:	50121733
SITE NUMBER:	396927



EXISTING CONDITIONS PLAN
 SCALE: 1"=60' FOR 11'x17"
 1"=30' FOR 22'x34"



LEGEND

- Existing Property Line
- Lotus Property Line
- Existing Road
- Term Of Accrual Setback
- Existing Building
- WETLAND PLACING

- NOTES:**
1. SOME EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
 2. THIS DOCUMENT IS FOR ZONING PURPOSES ONLY AND NOT FOR CONSTRUCTION.
 3. WETLAND PLACING BASED ON WETLAND PLACING MAP DATED 10/21/2021. SITE VISIT ON 10/21/2021.

EXISTING CONDITIONS PLAN

SHEET NUMBER

Z-2

verizon
 WIRELESS
 VERIZON WIRELESS
 118 FLANDERS ROAD
 WESTBOROUGH, MA 01581-3956

MASHPEE 3 MA

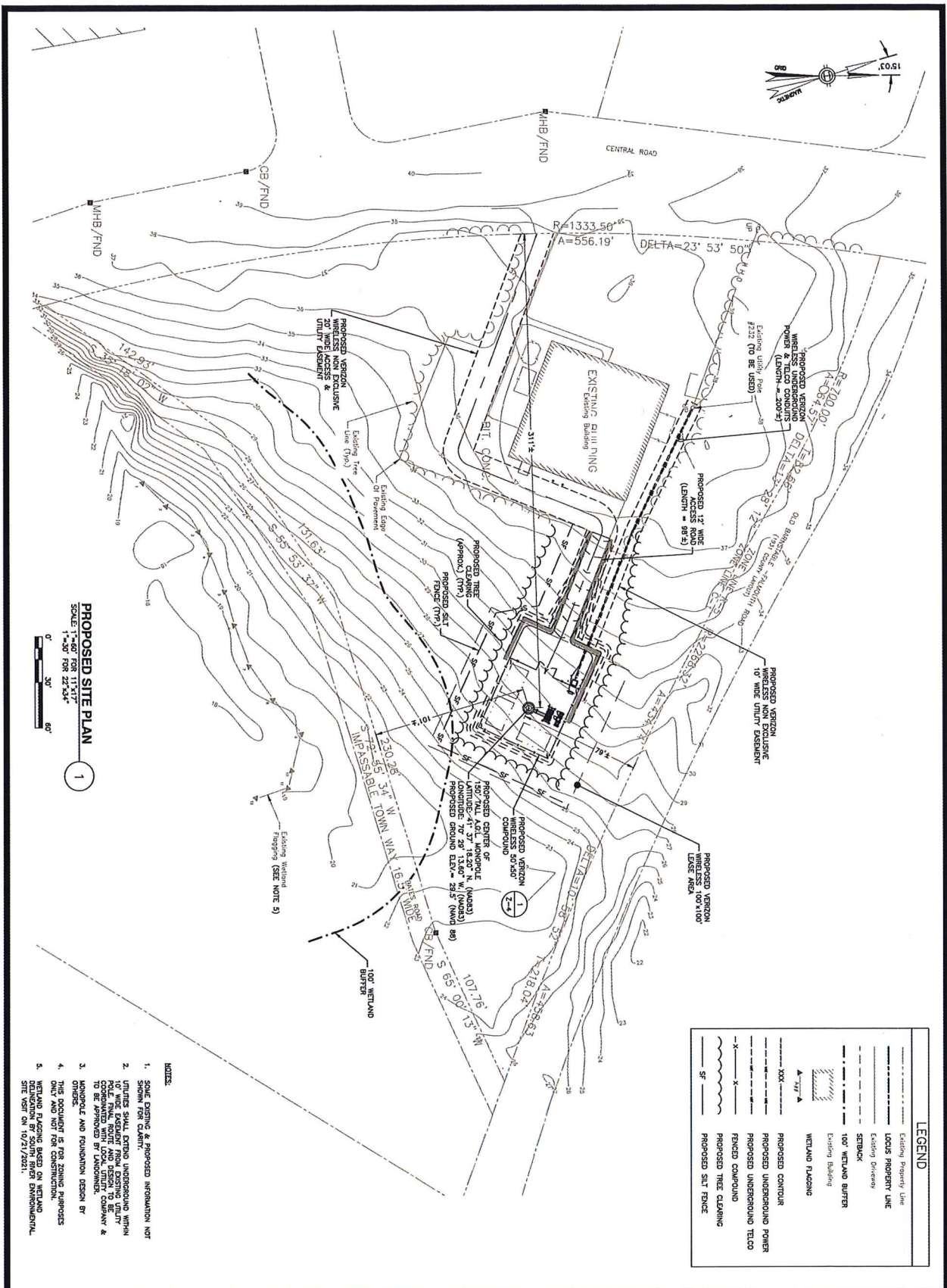
ZONING DRAWINGS

1/12/17/21 FOR SUBMITTAL
0/12/03/21 FOR SUBMITTAL
A/11/22/21 FOR COMMENT

Dewberry
 Dewberry Engineers Inc.
 50 BILWATER STREET
 BOSTON, MA 02110
 P.O. BOX 99
 FAX: 617 552 5010



DRAWN BY: J.M.L.
 REVIEWED BY: MFT
 CHECKED BY: BBR
 PROJECT NUMBER: 50121487
 JOB NUMBER: 50121783
 SITE NUMBER: 396927
 SITE ADDRESS: 524 GREAT NECK NORTH RD, MASHPEE, MA 02360
 SHEET TITLE: EXISTING CONDITIONS PLAN



PROPOSED SITE PLAN
 SCALE: 1"=60' FOR 11'x17'
 1"=30' FOR 22'x34'

- NOTES:**
1. SOME EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
 2. UTILITIES SHALL EXIST UNDERGROUND WITHIN FOOTING PERMITS AND BE SUBJECT TO ALL LOCAL ORDINANCES AND REGULATIONS TO BE APPROVED BY SUPERVISOR.
 3. USE OF ALL UTILITIES AND FOUNDATION DESIGN BY OTHERS.
 4. THIS DOCUMENT IS FOR ZONING PURPOSES ONLY AND NOT FOR CONSTRUCTION.
 5. WETLAND FLAGGING BASED ON WETLAND SITE 192 IN 1925/2001.

LEGEND

---	Existing Property Line
---	Lotus Property Line
---	Existing Driveway
---	SETBACK
---	100' WETLAND BUFFER
---	Existing Building
---	WETLAND FLAGGING
---	PROPOSED CONTOUR
---	PROPOSED UNDERGROUND POWER
---	PROPOSED UNDERGROUND TELCO
---	FENCED COMPOUND
---	PROPOSED TREE CLEARING
---	PROPOSED SILT FENCE

verizon
 WIRELESS
 VERIZON WIRELESS
 118 FLANDERS ROAD
 WESTBOROUGH, MA 01581-3956

MASHPEE 3 MA

ZONING DRAWINGS

1	11/27/21	FOR SUBMITTAL
0	12/03/21	FOR SUBMITTAL
A	11/22/21	FOR COMMENT

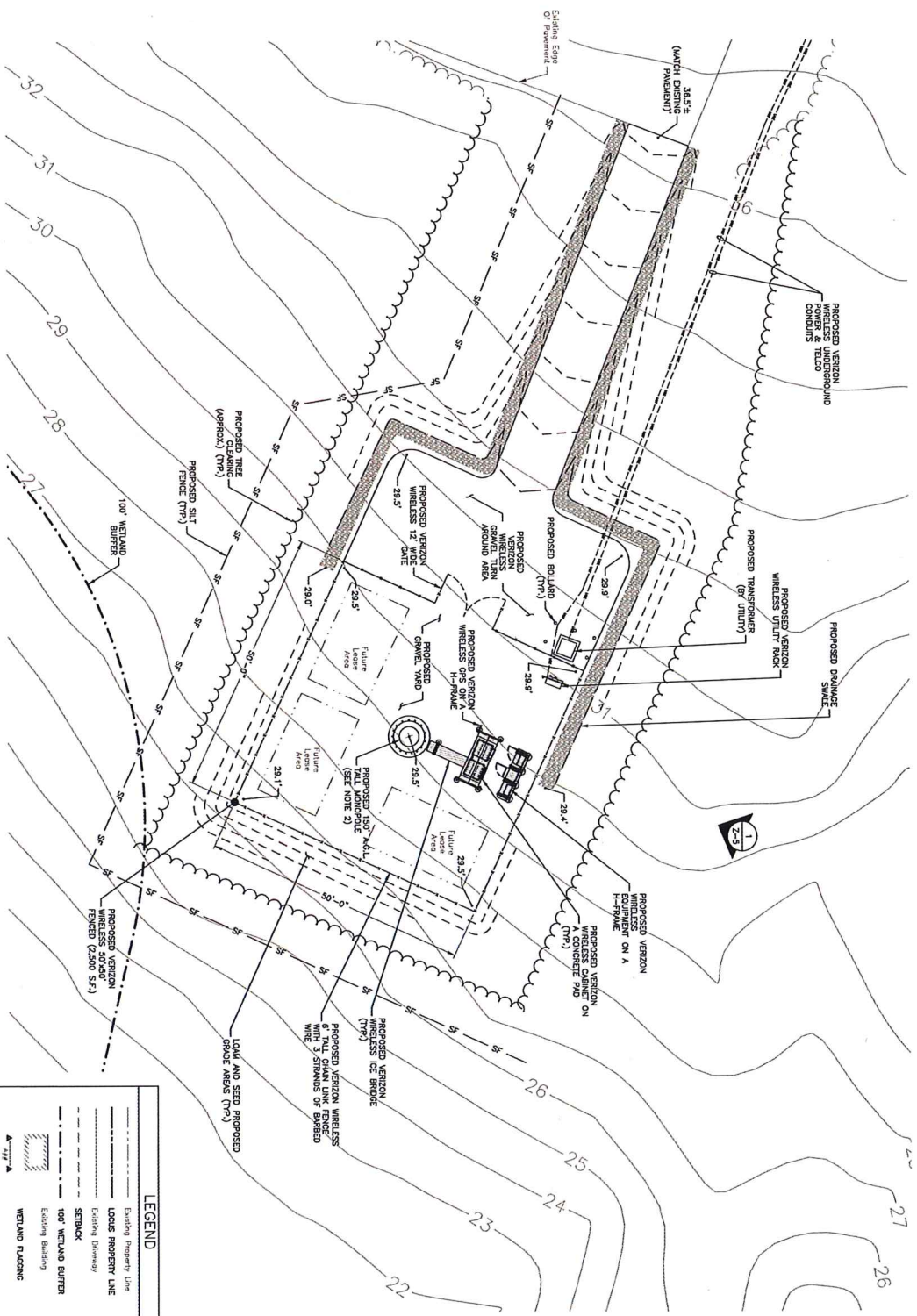
Dewberry
 Dewberry Engineers Inc.
 6000 ROUTE 1
 SUITE 201
 WESTBOROUGH, MA 01581
 PHONE: 978.366.8400
 FAX: 978.366.2510



DRAWN BY: JMW
 ENGINEER BY: JMW
 CHECKED BY: BBR
 PROJECT NUMBER: 50121487
 JOB NUMBER: 50121793
 SITE NUMBER: 396927

SITE ADDRESS
 524 GREAT NECK
 NORTH RD.
 MASHPEE, MA 02360
 SHEET TITLE
 PROPOSED SITE PLAN
 SHEET NUMBER

APPROXIMATE TRUE NORTH



NOTES:
 1. ENGINE AND TOWER FOUNDATION DESIGN & ANALYSIS BY OTHERS.
 2. SOME EXISTING & FUTURE INFORMATION NOT SHOWN FOR CLARITY.

DETAILED SITE PLAN
 SCALE: 1"=50' FOR 11'x17"
 1"=10' FOR 22'x34"
 1

LEGEND

	Existing Property Line
	LOCAL PROPERTY LINE
	Easement
	100' WETLAND BUFFER
	WETLAND PAVING
	PROPOSED CONTOUR
	PROPOSED UNDERGROUND POWER
	PROPOSED UNDERGROUND TELCO
	FENCED COMPOUND
	PROPOSED TREE CLEARING
	PROPOSED SILT FENCE

verizon
 WIRELESS

VERIZON WIRELESS
 18 PLANDERS ROAD
 WESTBOROUGH, MA 01581-3556

MASHPEE 3 MA

ZONING DRAWINGS

1/12/17/21	FOR SUBMITTAL
0/12/05/21	FOR SUBMITTAL
A/11/22/21	FOR COMMENT

Dewberry
 Dewberry Engineers, Inc.
 90 SUMNER STREET
 SUITE 200 MA 02110
 PH: 617.866.3400
 FX: 617.866.3310



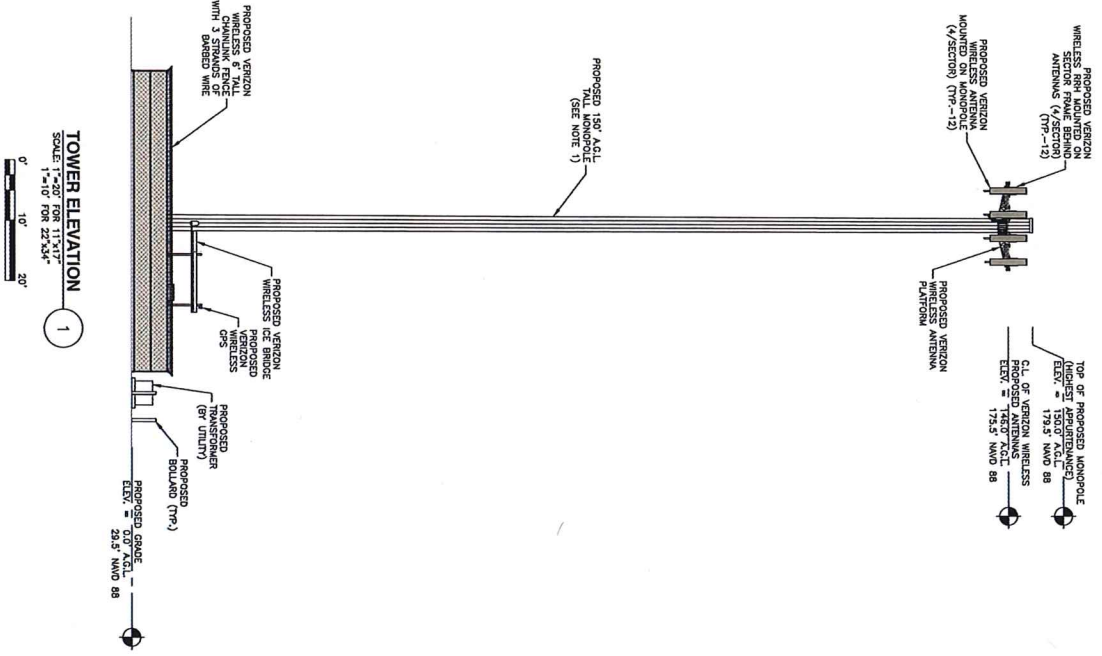
DESIGN BY:	JML
REVISION BY:	MJT
CHECKED BY:	BBB
PROJECT NUMBER:	50121487
DWG NUMBER:	50121732
SITE NUMBER:	396927

SITE ADDRESS
 524 GREAT NECK
 NORTH RD.
 MASHPEE, MA 02360

SHEET TITLE
 DETAILED SITE
 PLAN

SHEET NUMBER
 Z-4

- NOTES:
1. TOWER AND TOWER FOUNDATION DESIGN & ANALYSIS BY OTHERS.
 2. SOME EXISTING & FUTURE INFORMATION NOT SHOWN FOR CLARITY.



TOWER ELEVATION
 SCALE: 1"=20' FOR 11'x17"
 1"=10' FOR 22'x34"
 0' 10' 20'

verizon WIRELESS
 VERIZON WIRELESS
 118 FLANDERS ROAD
 WESTBOROUGH, MA 01581-3956

MASHPEE 3 MA

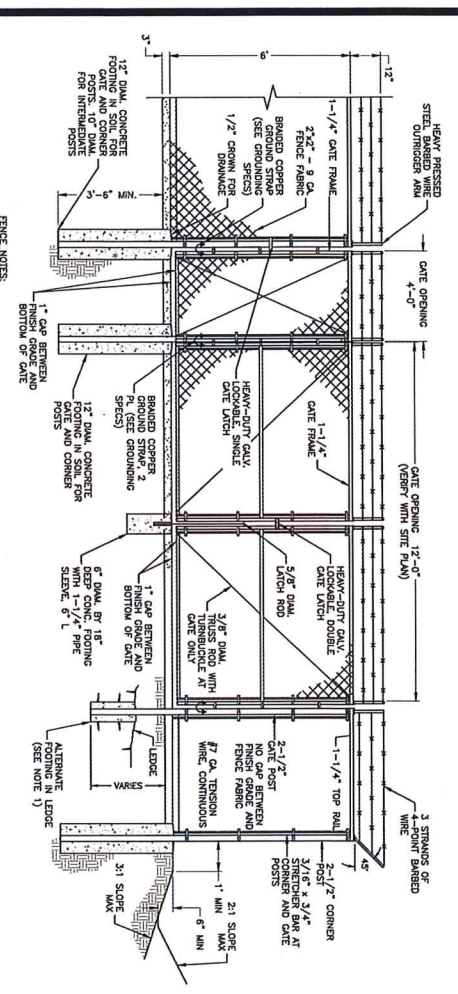
ZONING DRAWINGS

1	12/17/21	FOR SUBMITTAL
0	12/03/21	FOR SUBMITTAL
A	11/22/21	FOR COMMENT

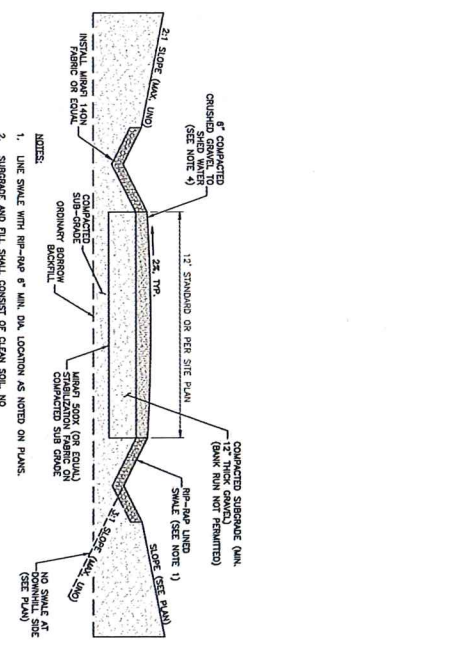
Dewberry
 Dewberry Engineers Inc
 100 STATE STREET
 SUITE 700
 WESTBOROUGH, MA 01581
 PHONE: 817.865.2400
 FAX: 817.862.2310



DRAWN BY:	JMW
REVIEWED BY:	MJT
CHECKED BY:	BBR
PROJECT NUMBER:	50121487
JOB NUMBER:	50121783
SITE NUMBER:	396927
SITE ADDRESS:	524 GREAT NECK NORTH RD. MASHPEE, MA 02360
SHEET TITLE:	TOWER ELEVATION
SHEET NUMBER:	Z-5



GATE & FENCE DETAIL
SCALE: N.T.S. 1



ROAD CROSS SECTION WITH SWALES
SCALE: N.T.S. 2

EROSION AND SEDIMENT CONTROL PLAN:

- DURING CONSTRUCTION AND THEREAFTER, EROSION CONTROL MEASURES ARE TO BE IMPLEMENTED AS NOTED:
- INSTALLATION OF SLOPE FENCES AND OTHER EROSION CONTROL MEASURES SHALL BE COMPLETED PRIOR TO THE START OF ANY EXCAVATION OR EROSION CONTROL MEASURES SHALL BE INSTALLED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
 - SLOPE FENCES AND OTHER EROSION CONTROL MEASURES SHALL BE KEPT CLEAN DURING CONSTRUCTION AND REVEALED WHEN ALL SLOPES HAVE A VEGETATIVE COVER OF BERRIET THAT EXCEEDS EROSION CONTROL.
 - EXISTING VEGETATION IS TO REMAIN UNDISTURBED WHEREVER POSSIBLE.
 - THE AREA OF LAND EXPOSED AND THE TYPE OF EXPOSURE SHALL BE MINIMIZED. ALL DISTURBED AREAS SHALL BE STABILIZED WITHIN 12 HOURS OF FINISH CONSTRUCTION.
 - ALL DISTURBED AREAS SHALL HAVE A MINIMUM OF 6" OF LOCAL ACCEPTABLE SEED MIXES ARE AS FOLLOWS:
- WALDOBORO SLOPE (SHOULDER TYPE 43) MAX. 3:1 OR DEBITER SLOPES (MIN. 1:1.0) USE AS FOLLOWS:**
- 35% CRUSHING AND RESCUE (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% PENNUNIA, REVERSONS (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% ALASKA CLOVER (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% BRISTLETOP TROPICAL (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% CRACK DAWG (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% BRISTLETOP WIND (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% WILD TURF (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- GENERAL SLOPE (SHOULDER TYPE 43) MAX. 3:1 OR DEBITER SLOPES (MIN. 1:1.0) USE AS FOLLOWS:**
- 44% CRUSHING AND RESCUE (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 35% PENNUNIA, REVERSONS (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
 - 6% BERRIET (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- A. PLACING LOAM ON SITE:** LOAM SHOULD BE UNMIXED GRASS TO RECEIVE LOAM AND SHALL BE INSPECTED AND APPROVED BY THE GENERAL CONTRACTOR PRIOR TO PLACEMENT OF LOAM.
- B. PLACING LOAM TO FORM A MINIMUM COVER OF 4" WHEN ROLLED, UNLESS OTHERWISE INDICATED.**
- C. SEEDING:** SEEDING SHOULD BE INSTALLED WITHIN 12 HOURS OF FINISH CONSTRUCTION.
- D. AFTER FINISH GRADING AND JUST BEFORE SEEDING, THE AREAS TO BE SEEDING SHALL BE COVERED TO PROVIDE A PROTECTIVE FILM THAT PREVENTS SOIL FROM BEING DISTURBED BY WIND OR WATER AFTER THE SEEDING HAS BEEN PERFORMED.**



GRAVEL YARD DETAIL
SCALE: N.T.S. 3



SILT FENCE BARRIER
SCALE: N.T.S. 4

verizon
VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

MASHPEE 3 MA

ZONING DRAWINGS

1	12/17/21	FOR SUBMITTAL
0	12/03/21	FOR SUBMITTAL
A	11/22/21	FOR COMMENT

Dewberry
Dewberry Engineers Inc.
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956
PHONE: 508-852-2000
FAX: 508-852-2100

EROSION AND SEDIMENT CONTROL PLAN:

DURING CONSTRUCTION AND THEREAFTER, EROSION CONTROL MEASURES ARE TO BE IMPLEMENTED AS NOTED:

- INSTALLATION OF SLOPE FENCES AND OTHER EROSION CONTROL MEASURES SHALL BE COMPLETED PRIOR TO THE START OF ANY EXCAVATION OR EROSION CONTROL MEASURES SHALL BE INSTALLED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
- SLOPE FENCES AND OTHER EROSION CONTROL MEASURES SHALL BE KEPT CLEAN DURING CONSTRUCTION AND REVEALED WHEN ALL SLOPES HAVE A VEGETATIVE COVER OF BERRIET THAT EXCEEDS EROSION CONTROL.
- EXISTING VEGETATION IS TO REMAIN UNDISTURBED WHEREVER POSSIBLE.
- THE AREA OF LAND EXPOSED AND THE TYPE OF EXPOSURE SHALL BE MINIMIZED. ALL DISTURBED AREAS SHALL BE STABILIZED WITHIN 12 HOURS OF FINISH CONSTRUCTION.
- ALL DISTURBED AREAS SHALL HAVE A MINIMUM OF 6" OF LOCAL ACCEPTABLE SEED MIXES ARE AS FOLLOWS:

WALDOBORO SLOPE (SHOULDER TYPE 43) MAX. 3:1 OR DEBITER SLOPES (MIN. 1:1.0) USE AS FOLLOWS:

- 35% CRUSHING AND RESCUE (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% PENNUNIA, REVERSONS (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% ALASKA CLOVER (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% BRISTLETOP TROPICAL (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% CRACK DAWG (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% BRISTLETOP WIND (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% WILD TURF (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)

GENERAL SLOPE (SHOULDER TYPE 43) MAX. 3:1 OR DEBITER SLOPES (MIN. 1:1.0) USE AS FOLLOWS:

- 44% CRUSHING AND RESCUE (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 35% PENNUNIA, REVERSONS (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)
- 6% BERRIET (MIN. 50 LBS./CYCL) (MIN. 50 LBS./CYCL)

A. PLACING LOAM ON SITE: LOAM SHOULD BE UNMIXED GRASS TO RECEIVE LOAM AND SHALL BE INSPECTED AND APPROVED BY THE GENERAL CONTRACTOR PRIOR TO PLACEMENT OF LOAM.

B. PLACING LOAM TO FORM A MINIMUM COVER OF 4" WHEN ROLLED, UNLESS OTHERWISE INDICATED.

C. SEEDING: SEEDING SHOULD BE INSTALLED WITHIN 12 HOURS OF FINISH CONSTRUCTION.

D. AFTER FINISH GRADING AND JUST BEFORE SEEDING, THE AREAS TO BE SEEDING SHALL BE COVERED TO PROVIDE A PROTECTIVE FILM THAT PREVENTS SOIL FROM BEING DISTURBED BY WIND OR WATER AFTER THE SEEDING HAS BEEN PERFORMED.

DRAWN BY: JIM
REVIEWED BY: MPT
CHECKED BY: BBT
PROJECT NUMBER: 50121487
JOB NUMBER: 50121783
SITE NUMBER:
SITE ADDRESS: 396927
524 GREAT NECK
NORTH RD.
MASHPEE, MA 02360
SHEET TITLE
SHEET NUMBER



PLANNING BOARD DECISION
WILLOWBEND SPECIAL PERMIT
Willow Circle Modification

I. Proposal.

Reference is made to a Special Permit Decision issued by the Mashpee Planning Board, dated April 15, 1987 and recorded with the Barnstable County District Registry of Deeds at Book 5707, Page 290, as amended from time to time (hereinafter the "Special Permit"). By decision dated August 7, 1991, the Special Permit was transferred to Bent Twig Limited Partnership whose interest was subsequently assigned to Willowbend Development Corporation, and then to Willowbend Country Club, Inc. Most recently the Special Permit was transferred to Southworth Mashpee Properties LLC who is hereinafter referred to as the "applicant". The Special Permit authorizes construction of a residential / golf course community known as Willowbend south of Route 28 in east Mashpee ("the project").

The applicant proposes to modify the special permit and site plans to allow an additional single-family lot in a previously approved definitive subdivision known as Willow Circle that, by vote of the Planning Board on May 5, 2010, expanded the Special Permit project area to include the subject lots totaling 3.19 acres North of Quinaquisset Avenue between North Glen Drive and Orchard Road (Assessors' Map 69, Blocks 23-26). The project included a 0.41 acre area of Lot 3 of the approved definitive subdivision plan be subject to a conservation restriction pursuant to the regulations and determinations of the Massachusetts Natural Heritage and Endangered Species program. This restriction was released on August 31, 2021 by the Town of Mashpee acting by and through its Conservation Commission and by the Commonwealth of Massachusetts acting by and through its Division of Fisheries and Wildlife. A release of declaration of restriction was recorded at the Barnstable County Registry of Deeds at Book 34429 Page 125. The applicant requests the Boards approval to include this lot formerly subjected to the aforementioned conservation restriction be shown as a single-family building lot and contribute to the overall dwelling unit maximum as defined in the Willowbend Special Permit. Inclusion of this lot would increase the number of dwelling units in the project area from 273 to 274 which is within the 287 units allowed.

II. Jurisdiction.

The application was made and this decision has been issued by the Mashpee Planning Board pursuant to Section 174-24.C. of the Mashpee Zoning By-Law as it existed on December 1, 2021, the date on which this special permit modification was approved by the Mashpee Planning Board. As the proposal does not increase square footage of any use by more than ten percent (10%), the provisions of Section 174-24.C.(9)(d) of said by-law provide that the land involved in this application is subject to the dimensional and other relevant provisions of the Zoning By-law as it existed on November 6, 1985, the date on which a preliminary subdivision plan was filed on the property, freezing the zoning in effect at the time that this special permit was originally issued on April 15, 1987. Expansion of the project area is permitted under Section 174-24.C.(9)(g) of the Zoning By-law if approved by the Planning Board. With regard to the prohibition contained in Section 174-24.C.(9)(f) on increasing the number of units in a development, the proposed 274 units are less than the 338 units allowed under the original 1987 Special Permit.

The project is also subject to the applicable provisions of M.G.L. Chapter 40A, Section 9.

III. Chronology.

Application for this Special Permit Modification was filed with the Town Clerk and Planning Board on October 13, 2021, along with an accompanying Definitive Subdivision Plan modification. A hearing was opened before the Mashpee Planning Board at the Mashpee Town Hall, 16 Great Neck Road North, Mashpee, Massachusetts on November 17, 2021 at 7:10 p.m. Notice was duly given to abutters in accordance with Massachusetts General Laws Chapter 40A. Notice was also given by publication in the Mashpee Enterprise, a newspaper of general circulation in the town of Mashpee, on October 29, 2021 and November 5, 2021. The hearing was continued on November 17, 2021. The applicant had submitted letters requesting the continuation of the public hearings on this Special Permit and the Definitive Plan until December 1, 2021.

On December 1, 2021, the Planning Board voted to close the hearing, make the following findings and grant the proposed special permit modification, subject to the conditions enumerated below. The members of the Board were recorded voting as follows: John Fulone, Jack Phelan, Joseph Callahan, Dennis H. Balzarini, Mary E. Waygan were recorded as voting in favor of approval of the proposed modification; no members were recorded as voting against.

IV. Findings.

1. The proposed modification involves less than 10% increase in the area of any use and is therefore, under the provisions of Section 174-24.C.(9)(d) of the Zoning By-law, subject to the dimensional and other relevant provisions of the Zoning By-law as it existed on November 6, 1985, the date on which a preliminary subdivision plan was filed on the property, freezing the zoning in effect at the time that this special permit was originally issued on April 15, 1987. At that time the property was in an R-3M zoning district. This subdivision is proposed under the cluster subdivision zoning regulations applicable to the project on that date.
2. The proposed modification lies outside of the "Original Project" area but within the project area as expanded by vote of the Planning Board in Willowbend Special Permit Modification #27 pursuant to Section 174-24.C.(9)(g) of the Zoning By-law increasing said area to 330.14 acres in Mashpee and 3.39 acres in Barnstable.
3. Under the provisions of Sections 9.3 and 9.4 of the applicable 1985 Zoning By-law, a minimum of 92.0 acres of open space was required within the "original project area". Current open space is 237.9 acres, well in excess of the required acreage.
4. Under the 1985 special permit, the project would have been allowed 341 residential units and was permitted for 338 units. The current proposal increases the number of approved units to 274 out of 287 maximum allowed units, which the Board finds to be permissible under Section 174-24.C.(9)(f), as it is less than the originally allowed 338 units and less than the currently allowed 287, and hereby approves said increase.
5. The project satisfies the requirements of Massachusetts General Law Chapter 40A, in that it complies with the general purposes and intent of the Mashpee Zoning By-Law on the applicable dates.
6. The conservation restriction held on Lot 3 by determination of Massachusetts Natural Heritage and Endangered Species program was released in August 2021, recorded at the Barnstable County Registry of Deeds at Book 34429 Page 125

7. The Board has approved enhanced plantings and a 7½ foot high decorative fence (“Wood Privacy Fence With Lattice” shown on Sheet C-9 of approved plans listed under Conditions below) to maintain a visual buffer between the project and abutting properties on Orchard Road. The fence will be located 10 feet in from the western property line of lots 1 and 2 and the 10 feet will be landscaped as shown on the approved plans. These enhanced plantings are consistent with the original Willow Circle plans approved in Modification #27 of the Willowbend Special Permit.
8. The applicant has agreed to an increased setback at the rear of lots 1 and 2, based on a 45 foot setback from the existing residence at 132 Orchard Road. These increased setbacks are consistent with the original Willow Circle plans approved in Modification #27 of the Willowbend Special Permit.
9. The applicant has reaffirmed its agreement to donate an existing 1400 sq. ft. duplex building currently located on the property to the Town or another agency for relocation to another site for use as affordable housing, and to assist with such relocation. In the alternate, if such relocation is not feasible within the timetable required for development of the proposed new street and 6 lots, the applicant will provide \$1000 per unit, at the time building permits are issued for each of the 6 houses, towards the construction of affordable housing in Mashpee.
10. The Board received a letter dated November 26, 2021 from its Consulting Engineer Ed Pesce identifying a number of specific comments and recommendations regarding the project as shown on the submitted plans.
11. In conformance with the provisions of Article VI, Section 174-24.C.(2) of the Zoning Bylaw, the Planning Board finds that the proposal will not adversely affect public health or safety, will not cause excessive demand on community facilities, will not significantly decrease surface or ground water quality or air quality, will not have significant adverse impact on wildlife habitat, estuarine systems, traffic flow, traffic safety, waterways, fisheries, public lands or neighboring properties, will not cause excessive levels of noise, vibration, electrical disturbance, radioactivity or glare, will not destroy or disrupt any species listed as rare, endangered or threatened by the Massachusetts Natural Heritage program or any known historic or archaeological site, will not produce amounts of trash, refuse or debris in excess of the town’s landfill and waste disposal capacities, will properly dispose of stumps, construction debris, hazardous materials and other wastes, will provide adequate off street parking, will not cause excessive erosion or cause increase runoff into neighboring properties or into any natural river, stream, pond or water body and will not otherwise be detrimental to the town or the area.

V. Conditions.

1. The project shall be constructed in conformance with the following site plans, which are the same plans approved by the Board for these proposed 6 lots under the Subdivision Control Law:

“Definitive Road Construction Plans, Willow Circle Subdivision, 178, 182, 184 & 186 Quinaquisset Avenue, Mashpee, Massachusetts, Willowbend Country Club, Inc.,” by Baxter Nye Engineering & Surveying, Hyannis, MA 02601, dated September 10, 2021 and revised on December 13, 2021 consisting of 12 sheets as follows:

- C-1 Cover Sheet – Definitive Road Construction Plans, Willow Circle Subdivision
- C-2 Legend and General Notes
- C-3 Existing Conditions Plan
- C-4 Layout and Materials Plan
- C-4.1 Buffer Landscape Plan

C-5 Road Plan & Profile – Station 0+00 to 5+01.26
C- 5.1 Stormwater Management Plan
C-6 Willow Circle Utility Plan – Station 0+00 to 5+1.76
C-6.1 Willow Circle Utility Notes
C-7 Detail Sheet 1 of 3
C-8 Detail Sheet 2 of 3
C-9 Detail Sheet 3 of 3

“Willow Circle Definitive Subdivision Plan, 178, 182, 184 & 186 Quinaquisset Avenue, Mashpee, MA”, Sheet SV, prepared for Willowbend Country Club, Inc. by Baxter Nye Engineering & Surveying, Hyannis, MA 02601, dated September 10, 2021 and revised 12/13/2021” – the Definitive Subdivision Plan signed by the Board members for recording

3. Said plans shall conform to the recommendations and comments made by the Board’s Consulting Engineer Ed Pesce in his letter to the Board dated April 21, 2010.
4. The applicant shall maintain a 10 foot landscaped buffer area along the western property line of lots 1 and 2, (as shown on Sheet C-4) within which the Board has approved enhanced plantings (as shown on Sheet C-4.1) and a 7½ foot high wood privacy fence with lattice (per detail shown on Sheet C-9) to maintain a visual buffer between the project and abutting properties on Orchard Road. Where existing wooded areas remain within the project area adjacent to the 10 foot buffer, the applicant shall, where practicable, attempt to retain additional portions of said areas in their natural, or in an enhanced state, to provide additional buffer and maintain the natural habitat and nitrogen reduction functions of said wooded areas.
5. Lots 1 and 2 shall be subject to an increased rear setback, based on a 45 foot setback from the existing residence at 132 Orchard Road, as shown on Sheet C-4 of the plans referenced in Condition #2.
6. The applicant has agreed to donate an existing 1400 sq. ft. duplex building currently located on the property to the Town or another agency for relocation to another site for use as affordable housing, and to assist with such relocation. In the alternate, if such relocation is not feasible within the timetable required for development of the proposed new street and 6 lots, the applicant will provide \$1000 per unit, at the time building permits are issued for each of the 6 houses, to the Mashpee Housing Authority to be deposited into a fund for the construction of affordable housing in the Town of Mashpee. Any disbursements from said fund shall require the approval of the Planning Board (simple majority vote).
7. Local contractors and suppliers will be given first preference with regard to contracts for construction of the project.
8. No lot shall be cleared until a building permit is issued for construction on said lot, except as necessary relative to removal of the existing structures on the property or for connection of the property to utilities or in connection with the project’s Stormwater management facilities.
9. Except where modified by the provisions of this decision, all previous Special Permit conditions regarding the project shall remain in full force and effect.
10. All conditions of this special permit and modification shall be binding not only upon the applicant but also on all successors-in-interest and assigns of the applicant.
11. This Special Permit Modification Decision is accompanied by a Definitive Subdivision Plan as described under Condition #2 above. Both this decision and said definitive plan shall be recorded within 60 days of

their endorsement by the Board, with a notice provided to the Board of the Book and Page at which each was recorded.

VI. Expiration, Extension or Modification.

This Special Permit Modification shall lapse only as part of any lapse of the original Special Permit as previously modified. It may be further modified under the terms of Section 174-24.C.(9) of the Mashpee Zoning By-law.

VII. Signature and Filing.

This special permit modification document, which incorporates by reference herein all plans noted, has been approved on this 14th day of December 2021. A copy of same shall be filed with the Town Clerk in accordance with applicable law.

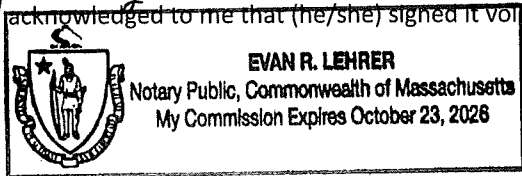
[Signature]
Mashpee Planning Board - Duly Authorized Member

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

12/14/2021
date

On this 14th day of December 2021, before me, the undersigned notary public, personally appeared John Fulone, proved to me through satisfactory evidence of identification, which were personally known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he/she) signed it voluntarily for its stated purpose.



[Signature]
Notary Public
My Commission expires: 10/23/2026
date of expiration

A copy of this decision and the accompanying plans approved by the Planning Board have been duly filed on Dec 15, 2021 with the Town Clerk of Mashpee.

[Signature]
Town Clerk

Notice of this decision was mailed on 12/15/2021 to the applicant, to any parties in interest to whom such notice is required under Massachusetts General Law. Any appeal should be made pursuant to Section 17 of Chapter 48 of the Massachusetts General Laws 20 days after the date of such filing.

I, Deborah Dami, Town Clerk of the Town of Mashpee, hereby certify that a copy of this decision and the accompanying plans approved by the Planning Board were filed with the office of the Town Clerk on _____, 2021 and that no appeal of that decision was filed within 20 days thereafter.

Town Clerk
Date:

Upon expiration of the statutory appeal period with no appeal having been filed, this special permit decision has been endorsed by the undersigned members of the Mashpee Planning Board on _____, 2021 and may be recorded.

**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Submit **(12)** copies & **(1)** email copy to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

\$130,000

Category (check all that apply)			
<u>Open Space</u>	<u>Recreation</u>	<u>Historic Preservation</u>	<u>Affordable Housing</u>

Name of Applicant: Mashpee Housing Authority

Co-Applicant; if applicable: _____

Contact Person: Kimberly Conn

Daytime Phone: 508-477-6202 Email: Director@mashpeehousing.org

Mailing Address: 766 Falmouth Road, Unit A4 *Built in 1990 (91)*

Town: Mashpee State: MA Zip Code: 02649

Proposal Title: Homeyer Village Roof Replacement

Proposal Address (or assessor's parcel ID) 7 Jobs Fishing Road, Map 74 Parcel 36

Amount of CPA Funding request: \$168,084

Total Cost of Proposed Project: \$168,084

Date: 10/31/2021

*\$1 local
reqs up to
\$2.50 HCAP
for windows*

*DHDC
limited \$
HLAP FUNDS*

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. **Goals:** What are the goals of the proposed project?

The primary goal of the Mashpee Housing Authority is to provide safe, adequate, and affordable housing to low-income seniors, and families. This project is to preserve housing for the elderly and disabled housing complex, located at 7 Jobs Fishing Road in Mashpee, MA.

2. **Community Need:** Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

CPA funding will provide preservation of affordable housing for our current seniors, who demographically make up a significant population within our community. Preserving this development will enhance the character of the existing property which is adjacent to the Town Library and on the outer skirts of Mashpee Commons.

3. **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.

Please see attached letters of support from our Regional Capital Assistance Project Manager – Kyle Moore, and our Department of Housing and Community Development (DHCD), Construction Project Manager – Sean Keating. Also attached is a letter from Lynne Waterman, Director of the Mashpee Senior Center.

4. **Timeline:** What is the proposed schedule for project implementation, including a timeline for all milestones?

If CPC funds are granted, Mashpee Housing Authority will notify DHCD immediately, and begin the application process for additional funding. The proposed timeline will be as follows:

A. Construction Documents - DHCD has hired an Architect to begin working on the construction documents for roof replacement. This process is estimated to take 2-3 weeks.

B. Bidding – Post Request for Bids (RFB) on electronic platform, local newspaper, COMMBUYS and in the Central Register. Schedule, attend and conduct a pre-bid conference. Receive bids, determine lowest bidder, check references, and award the contract through a meeting and vote of the board commissioner’s vote. Duration 8-10 weeks.

C. Construction- After the lowest bidder is selected, and references have been verified, the design architect will schedule a kick-off meeting, and the notice to proceed will be issued. The project to replace the roofs, gutters, and downspouts is estimated to take 3-5 weeks.

5. **Success Factors:** How will the success of this project be measured? Be specific.

The success of this project will be measured by reduced maintenance repairs to fix and patch places of the roof that are actively leaking into the apartments, as well as creating moisture in the walls. The new roof will reduce the need for constant dehumidification within the units with active leaks. This will reduce the energy usage. Additionally, the complex will fit in nicely with the new expansion to Mashpee Commons and the recently landscaped grounds of the adjacent church.

6. **Experience/Credentials:** How will the experience of the applicants(s) contribute to the success of this project?

Kimberly Conn, newly hired Executive Director, has worked in the affordable housing industry for the last 13 years. Her key role in serving the public was in finance but she has assisted on numerous modernization projects throughout her career; including tasks from bidding, project management, accounting, to project close out. She has also worked in development of affordable housing on the compliance end. She served on the affordable housing committee in Falmouth for four years reviewing projects for recommendation to the CPC, educating the community on affordability, and successfully applied for funding to create a housing needs study. Vincent Gault, Maintenance Director, has been with the Mashpee Housing Authority for over 15 years and has maintained the housing stock in a safe, and decent manner with limited funding resources. Janet Falone, Assistant Director, has been in the housing industry for over 10 years and will collaborate closely with the residents in keeping them informed of the timeline as the project progresses through to completion.

7. **Budget:** What is the total budget for the project and how will CPA funds be spent?

The estimated budget illustrated in the attached documents outlines the project total of \$168,084.00. These costs were derived from a cost estimation software utilized by DHCD, for the entire state portfolio. The CPA funds will be used to replace the roofs of the state-aided senior development. The CPA funding could be partially supplemented by the Housing Authority's remaining formula funding for 2022-2023 in the amount of \$18,340.00. However, these funds could be repurposed for other projects, such as kitchen replacements that are also in need of replacement at the elderly development.

8. **Other Funding:** What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

If CPA funds are awarded to the authority, an application will then be submitted for High Leverage Asset Preservation (HILAP) funding and sustainability funds leveraging multiple sources to preserve the buildings for future seniors residing in the community. The current allocation of funding is \$18,340.00, from the remaining formula funding and will be leveraged by other funding sources if the CPA funding is approved. The Housing Authority will also be applying for a LEAN audit to address the insulation, and attic air sealing.

9. **Maintenance:** CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?

Future, ongoing Maintenance and upkeep will be funded through the Housing Authority's operating budget.

**RECEIPT OF APPLICATION
(For Applicant's Records)**

**COMMUNITY PRESERVATION COMMITTEE
Town of Mashpee**

Received from _____, and application
entitled

_____, on the ___ day of _____,

2021.

Received by _____
(signature)

Regional Capital Assistance Team

Southeast Division

30 Olney Street
Taunton, MA 02780

T: (508) 823-6308
F: (508) 812-7050



November 1, 2021

Kimberly Conn, Executive Director
Mashpee Housing Authority
766 Falmouth Rd. Unit 4A
Mashpee, MA 02649

Re: Letter of Reference

Mashpee Community Preservation Committee:

I am writing in support of the Mashpee Housing Authority (MHA) receiving CPC funding to address critical capital needs preservation at Frank J. Homeyer Village, Elderly Housing Development. As Mashpee Housing Authority's Regional Capital Assistance Team Project Manager, I feel confident in expressing my full support and recommendation for CPC grant funding to address the preservation of Frank J. Homeyer Village.

As the Regional Capital Assistance Team (RCAT) Project Manager we are tasked with performing annual capital needs assessments, updating, and maintaining the Housing Authority's capital inventory and managing capital construction projects. On December 1, 2020, I conducted MHA's annual needs assessment and observed that all roofs at Frank J. Homeyer Village are in need of replacement in order to preserve and maintain the integrity of the building. When I checked the inventory on DHCD's Capital Planning System (CPS) I discovered that the asphalt roof shingles, and other roofing system components were all original to when the building was built in 1990. Conditions include worn, brittle, curling, missing shingles in some areas and inadequate ventilation.

If approved this project will have an immediate and long-term socio and economic benefit to Mashpee as it is helping to secure and preserve critically needed affordable housing.

Please do not hesitate to contact Southeast RCAT if you have any questions or concerns.

Sincerely,

Kyle Moore, Project Manager
Southeast Regional Capital Assistance Team
kmoore@tauntonhousing.com



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

Andrew Gottlieb, Chairman CPC
/co Office of Selectmen & Town Manager
16 Great Neck Road North
Mashpee, MA 02649

October 29, 2021

Dear Mr. Gottlieb,

I am a construction advisor with the Department of Housing & Community Development. I am writing to you to express my support for Kimberly Conn's request for CPA funding to be used for the replacement of roofs at the Homeyer Village elderly development. These roofs have exceeded their life expectancy and require replacement to avoid leaks causing interior water stains and damage. Any assistance provided by the CPC would be greatly appreciated.

Thank you for your consideration regarding this request for CPA funding.

Sincerely,


Sean Keating

November 1, 2021

Ms. Kimberly Conn
Executive Director
Mashpee Housing Authority
766 Falmouth Road, #A4
Mashpee, MA 02649

RE: Mashpee Housing Authority CPC Application – Roof Replacement at Homeyer Village

Dear Ms. Conn,

I am writing this letter in support of the Mashpee Housing Authority, CPC application for roof replacement at the Homeyer Village senior housing complex.

Thank you,

Lynne Waterman
Director

Kimberly Conn

To: Lynne Waterman
Subject: RE: Letter of support, CPC

Thank you

From: Lynne Waterman <lwaterman@mashpeema.gov>
Sent: Monday, November 1, 2021 10:13 AM
To: Kimberly Conn <Director@mashpeehousing.org>
Subject: Fw: Letter of support, CPC

Lynne

Lynne Waterman

Director, Mashpee Council on Aging

Mashpee Senior Center

26 Frank E. Hicks Drive

Mashpee, MA 02649

(508) 539-1440, ext 3505

Capital Planning System

Projects

[Main Menu](#) [Facilities](#) [Inventory](#) **Projects** [Reports](#) [Utilities](#) [Find](#) [Help](#)

LHA MASHPEE HOUSING AUTHORITY

Development 172-667-01 -- FRANK J. HOMEYER VILLAGE

Facility 172-667-01-001 -- 7 JOB'S FISHING ROAD - 1

Unit ALL (ALL Implied if not selected)

Project 172-667-01-001-21-1001 -- Roofing Replacement

[Project Information](#) [Project Estimation](#) [Project Management](#) [Project Templates](#)

This Development has one or more Resiliency vulnerabilities. Please consider these as applicable when scoping this project.



Related Inventory Components

[Remove All Related Components](#)

Labor

Craft	Labor Description	Rate	Hours	Cost Type	Subtotal
Select <input type="checkbox"/>	<input type="text"/>		<input type="text" value="0"/>	Dwelling <input type="checkbox"/>	<input type="button" value="Add"/>

Labor Total:

Project Estimation Components (Labor Inclusive)

[Add Related Inventory Components to Estimation Components](#)

Description	Notes	Unit Cost	Unit	Quantity	Cost Type	SubTotal
Delete Downspouts, Aluminum		\$10.71	VLF	460	Dwelling	\$4,926.60 Edit
Delete Gutters, Aluminum		\$13.03	LF	644	Dwelling	\$8,391.32 Edit
Delete Asphalt Shingle Roof		\$8.00	SF	9,735	Dwelling	\$77,880.00 Edit

Materials Total: \$91,197.92

Other Cost

Description	Notes	Unit Cost	Unit	Quantity	Cost Type	Subtotal
Delete Disposal		\$3,000.00	LUMP	1	Dwelling	\$3,000.00 Edit
Delete Removal of decorative copulas		\$3,500.00	LUMP	1	Dwelling	\$3,500.00 Edit
Delete Rotted plywood allowance		\$2,000.00	LUMP	1	Dwelling	\$2,000.00 Edit
Delete Ventilation updates		\$3,200.00	LUMP	1	Dwelling	\$3,200.00 Edit
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Dwelling <input type="checkbox"/>	<input type="button" value="Add"/>

Others Total: \$11,700.00

Totals

[Edit](#)

? General Conditions 10% Amount: \$10,290

? Change Order Contingency 10% Amount: \$11,319

Hard Cost Total: \$124,506

? Soft Cost 35% Total: \$43,577

Total Development Cost: \$168,084

lowest income residents

Maintenance repair

DHCD best pro amount

leverage funds for windows

**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Submit (12) copies to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

Category (check all that apply)			
Open Space	Recreation <input checked="" type="checkbox"/>	Historic Preservation	Affordable Housing

Name of Applicant: Mashpee DPW

Contact Person: Catherine Laurent, DPW Director

Daytime Phone: 508-539-1420 Email: claurent@mashpeema.gov

Mailing Address: 350 Meetinghouse Road

Town/State/Zip Code: Mashpee, MA 02649

Proposal Title: Multi-Purpose Track & Field Stadium Renovation

Proposal Address (or assessor's parcel ID): 500 Old Barnstable Road (Map 73, Parcel 45)

Amount of CPA Funding request: \$1,709,400

Total Cost of Proposed Project: \$2,789,400

Date: October 29, 2021

**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. **Goals:** The goal of the project is to replace the track and multi-purpose field in the Stadium at the Mashpee Middle/High School (MMHS). These facilities are original to the school's construction in 1996 and due to age/overuse, are in desperate need of replacement.

The existing track is at the end of its expected life. It was resurfaced most recently approximately 13 years ago at a cost of over \$45,000. Since that time, defects in the surface have reformed and new defects have appeared. Resurfacing again is not an option at this time as these defects extend into the track's base/subbase. Complete reconstruction is necessary.

The existing lighted field is natural grass. Natural grass is a challenge to maintain because of the multiple sports that use the fields, the intensity of this use, and weather impacts. The number of teams utilizing the fields have grown exponentially since the school's opening with Middle School, Junior Varsity, and Varsity teams in most of the nine boys and girls outdoor sports played. And space limitations require overlapping of fields resulting in additional scheduling conflicts (for example, the outfield for the JV Baseball field is part of one of the Lacrosse fields). Gale Associates whom the Town engaged in FY19 to complete a master plan for the athletic complex at MMHS found that there was a lack of field space for practices/games of 35-37 hours each week. Maximizing the use of the stadium field which is lighted by replacing the grass with synthetic turf would alleviate some of the issues.

Existing site amenities in the Stadium include home bleachers with a press box, visitor bleachers, concession building, storage building, athletic lighting, and electronic scoreboards. The renovation project would retain these amenities but provide additional storage for field event equipment and field maintenance equipment, extension of a water service for the concession building and a hydration station, new perimeter fencing separating the track from the field, and upgrading of the field lights to LED.

2. **Community Need:** The Stadium track and field is utilized year-round by Mashpee Schools as well as the general public. During the school year, the track and field are used by gym classes and the various MMHS teams (the field will be lined for football, soccer, field hockey, and lacrosse). Both are used for special events such as graduation and Special Olympics. After school hours and other times throughout the year, the Stadium, particularly the track, are used by Mashpee residents for exercise. In the summer, the field is used for various camps.

replaced?
↓

3. **Community Support:** The Town has been very supportive over the years for recreational improvements at the schools and parks - at KC Coombs School, Quashnet School, Heritage Park, Community Park, Attaquin Park, John's Pond Beach. While a specific project has yet to be funded at MMHS, the project, this project has been contemplated for over three years. As mentioned in (1) above, a master plan for the MMHS complex was funded through CIP in FY20 and interim funds for field maintenance pending approval of this project as well as design for the project were provided in FY22.

The project has been endorsed by the Mashpee School Committee and District Administration.

written approval Plans

4. **Timeline:** Design is currently underway and assuming support from the Community Preservation Committee and the CIP Committee for the project, a Request for Bids would be issued in late Winter 2022. This would position the project for start of construction immediately after the end of the 2021-2022 school year. Work would continue over Summer 2022 with substantial completion in early Fall 2022.

5. **Success Factors:** Success will be measured by the reduction in the scheduling conflicts for MMHS teams, the extension of the playing season as well as the potential availability of the Stadium by other users.

6. **Experience/Credentials:** Construction will be completed by a contractor selected through a competitive bid process with expertise and experience in these types of projects.

7. **Budget:** A breakdown of the project funding request is attached. The request is for all work associated with construction of the new track and field - contractor mobilization, demolition, site prep, fencing, walkways, a storage building, water service, and minor landscaping in addition to reconstruction of the track itself. (A separate funding source is proposed for the synthetic turf and field equipment. See (8) below.) A contingency has been included for unanticipated items or increases. Funding for upgrade of the existing lighting to LED is also included (DPW will apply for a rebate for energy efficiency improvements for the lighting through Cape Light Compact.).

Borrow Capital sources

8. **Other Funding:** The project is included on the FY23-FY28 Capital Improvement Program (CIP) for funding in FY23. The majority of funding is being requested through the Community Preservation Act but the CPA specifically excludes use of the funds for synthetic turf.

9. **Maintenance:** DPW will continue to provide routine maintenance of the school property through the annual Building & Grounds Expense Budget. FYI. Conversion of the field from natural grass to synthetic turf will eliminate the use of fertilizers and herbicides on the field.

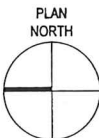
Scheduled resurfacing of the track and replacement of the turf will be added to the CIP at recommended intervals.

what is this?

	CPC	Capital
GC	\$ 230,500	
Site Prep/Demo	\$ 145,000	
Turf Field		\$ 760,000
Concrete	\$ 120,000	
Track	\$ 535,000	
Fencing	\$ 111,500	
Walkways/Access	\$ 40,000	
Field Event/Equipment		\$ 140,000
Maintenance Equipment		TBD
Site Amenities	\$ 35,000	
Utilities	\$ 12,500	
Site Improvements	\$ 20,000	
Subtotal	\$ 1,249,500	\$ 900,000
Contingency (20%)	\$ 249,900	\$ 180,000
Stadium Lights (LED conversion)	\$ 210,000	
TOTAL	\$ 1,709,400	\$ 1,080,000
PROJECT TOTAL	\$	2,789,400

has this been thru the CB process

CONTROL POINT COORDINATES	
CP-1	CP-2
N: 2685869.316	N: 2685532.708
E: 927726.939	E: 927482.514
ELEV: 60.632	ELEV: 60.202



Gale Associates, Inc.
Engineers and Planners
163 LIBBEY PARKWAY | WEYMOUTH, MA
02189P 781.335.6465 F 781.335.6467
www.gainc.com

Boston Baltimore Orlando Hartford Bedford

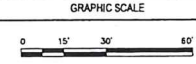
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SCHEMATIC

PROJECT: ATHLETIC FIELD COMPLEX
MASHPEE MIDDLE-HIGH SCHOOL
500 OLD BARNSTABLE ROAD
MASHPEE, MA 02649

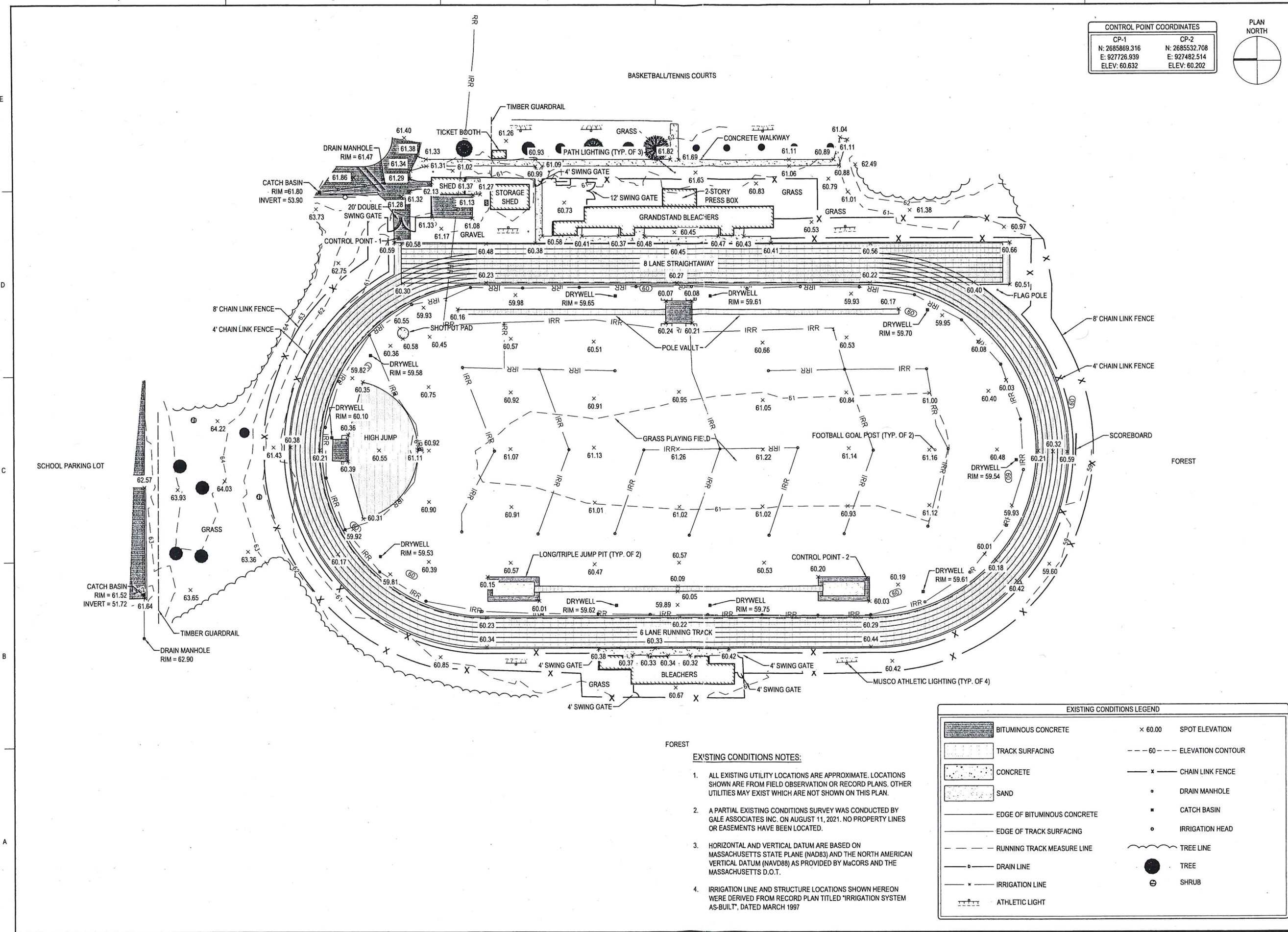
OWNER: MASHPEE DEPARTMENT OF PUBLIC WORKS
350 MEETINGHOUSE ROAD
MASHPEE, MA 02649

NO.	DATE	DESCRIPTION	BY
PROJECT NO.	718421		
CADD FILE	718421_C001		
DESIGNED BY	RDT		
DRAWN BY	RDT		
CHECKED BY	KDH		
DATE	09/10/21		
DRAWING SCALE	1" = 30'		



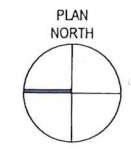
EXISTING CONDITIONS PLAN

DRAWING NO.
C001



- EXISTING CONDITIONS NOTES:**
- ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE. LOCATIONS SHOWN ARE FROM FIELD OBSERVATION OR RECORD PLANS. OTHER UTILITIES MAY EXIST WHICH ARE NOT SHOWN ON THIS PLAN.
 - A PARTIAL EXISTING CONDITIONS SURVEY WAS CONDUCTED BY GALE ASSOCIATES INC. ON AUGUST 11, 2021. NO PROPERTY LINES OR EASEMENTS HAVE BEEN LOCATED.
 - HORIZONTAL AND VERTICAL DATUM ARE BASED ON MASSACHUSETTS STATE PLANE (NAD83) AND THE NORTH AMERICAN VERTICAL DATUM (NAVD88) AS PROVIDED BY MACORS AND THE MASSACHUSETTS D.O.T.
 - IRRIGATION LINE AND STRUCTURE LOCATIONS SHOWN HEREON WERE DERIVED FROM RECORD PLAN TITLED "IRRIGATION SYSTEM AS-BUILT", DATED MARCH 1997

EXISTING CONDITIONS LEGEND		
	BITUMINOUS CONCRETE	x 60.00 SPOT ELEVATION
	TRACK SURFACING	- - - 60 - - - ELEVATION CONTOUR
	CONCRETE	- x - CHAIN LINK FENCE
	SAND	o DRAIN MANHOLE
	EDGE OF BITUMINOUS CONCRETE	■ CATCH BASIN
	EDGE OF TRACK SURFACING	o IRRIGATION HEAD
	RUNNING TRACK MEASURE LINE	~ TREE LINE
	DRAIN LINE	● TREE
	IRRIGATION LINE	⊕ SHRUB
	ATHLETIC LIGHT	



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 Engineers and Planners
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 02189P 781.335.6465 F 781.335.6467
 www.gainc.com
 Boston Baltimore Orlando Hartford Bedford

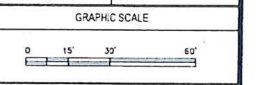
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SCHEMATIC

PROJECT
ATHLETIC FIELD COMPLEX
MASHPEE MIDDLE-HIGH SCHOOL
500 OLD BARNSTABLE ROAD
MASHPEE, MA 02649

OWNER
MASHPEE DEPARTMENT OF PUBLIC WORKS
350 MEETINGHOUSE ROAD
MASHPEE, MA 02649

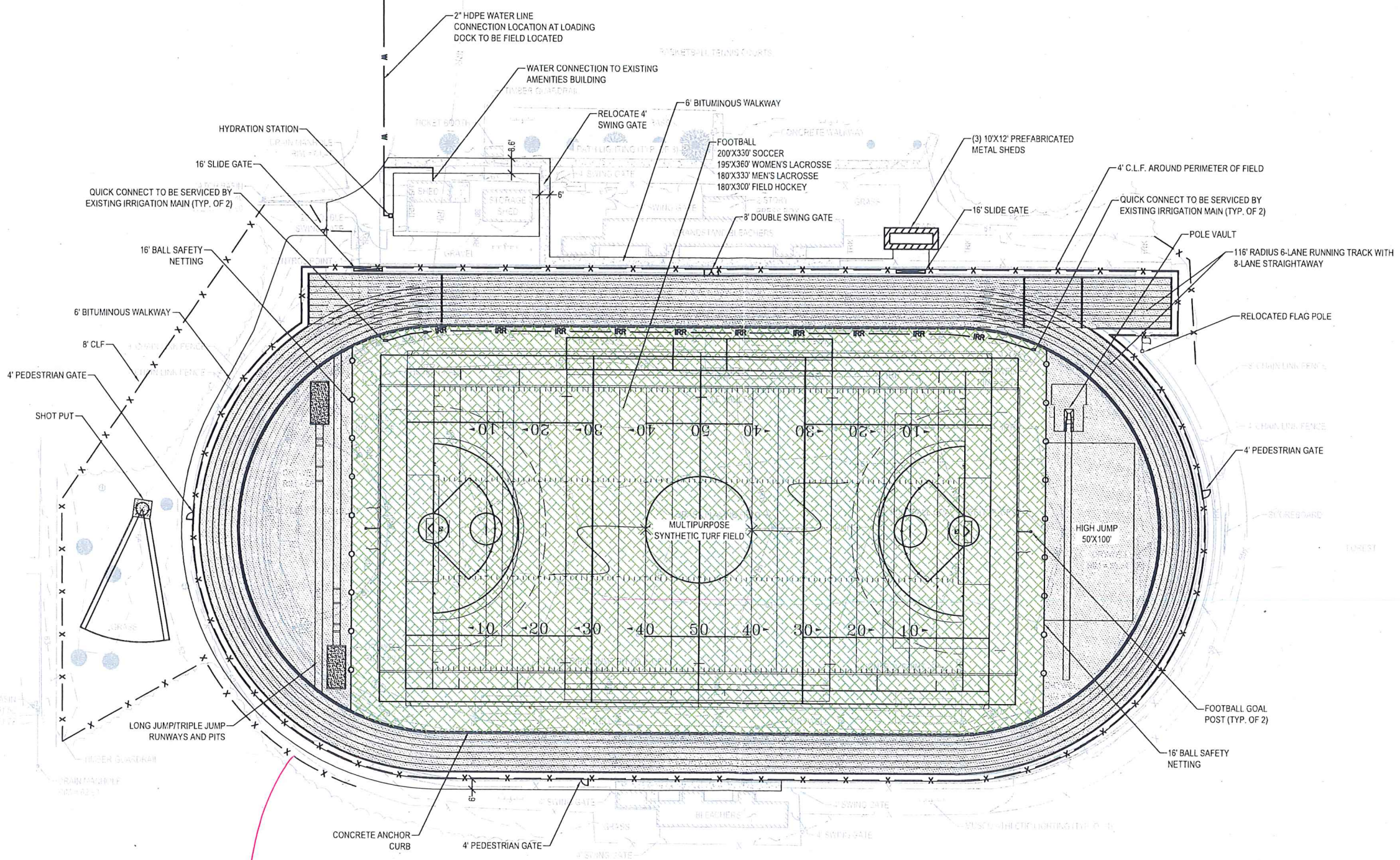
NO.	DATE	DESCRIPTION	BY
PROJECT NO.	718421		
CADD FILE	718421_C101		
DESIGNED BY	CEF		
DRAWN BY	CEF		
CHECKED BY	KCH		
DATE	09/24/21		
DRAWING SCALE	1" = 30'		



SHEET TITLE

LAYOUT & MATERIALS PLAN

DRAWING NO.	C101
	2 OF 3



6 lanes keep w/ existing foot print vs 8 lanes - needed for competitive in state

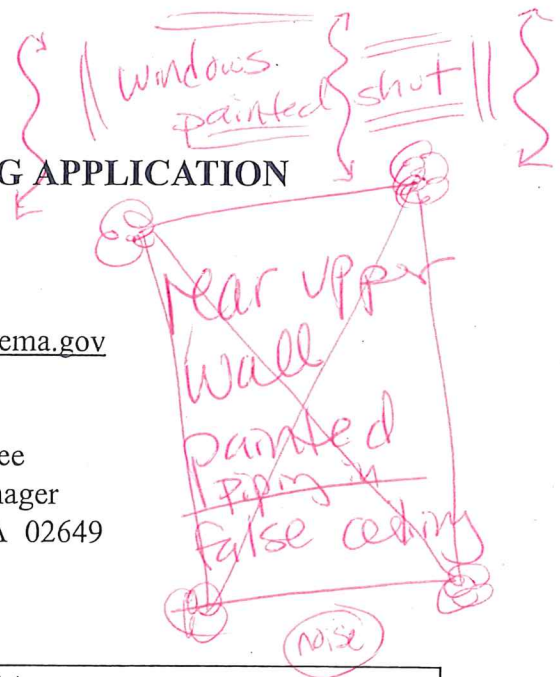
LAYOUT AND MATERIALS LEGEND

	LIMITS OF TRACK TO PULVERIZE, LASER GRADE, REPAVE, AND INSTALL NEW TRACK SURFACING
	SYNTHETIC TURF
	FIELD MARKINGS, TUFTED

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Submit (12) copies to:
And (1) email copy to: tmcook@mashpeema.gov

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
tmcook@mashpeema.gov



Category (check all that apply)			
Open Space	Recreation	Historic Preservation X	Affordable Housing

Name of Applicant: **Mashpee One-Room Schoolhouse Preservation Committee**

Co-Applicant; if applicable: **Mashpee Historical Commission**

Contact Person: **Brian Hyde, President MOSPC; Ava Costello Chairperson, MHC**

Daytime Phone: **(508) 564-0563**

Email: **brianhyde@comcast.net; iamcostello@comcast.net**

Mailing Address: **16 Great Neck Road North**

Town: **Mashpee** State: **MA** Zip Code: **02649**

Proposal Title: **HVAC unit for Mashpee's 1831 One-Room Schoolhouse**

Proposal Address (or assessor's parcel ID): **Mashpee Community Park / Collin's Lot**

Amount of CPA Funding request: est. **\$25,000**

Total Cost of Proposed Project: est. **\$25,000**

Date: **October 18, 2021**

How will it fit in w/ the historic character of the property?
just out of curiosity, how does this equipment match the historic aesthetics of the school room?

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

The following GENERAL CRITERIA are fulfilled in this application:

- 1) Contribute to the preservation of Mashpee's unique character, boost the vitality of the community and enhance the quality of life for its residents.
- 2) Are eligible for Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation; specifically,
 - a) The acquisition, preservation, rehabilitation, and restoration of historic resources.
 - b) The rehabilitation and restoration of resources that have been acquired or created using monies from the fund.
- 3) Are consistent with the current Local Comprehensive Plan (LCP) and other planning documents that have received wide scrutiny and input and have been adopted by the town;
- 4) Preserve the essential character of the town as described in the LCP;
- 5) Save resources that would otherwise be threatened and/or serve a currently underserved population;
- 6) Serve more than one CPA purpose;
- 7) Provide a detailed line item budget for the proposed project;
- 8) Demonstrate a positive relationship of cost to benefit;
- 9) Leverage additional public and/or private funds;
- 10) Preserve or utilize currently owned town assets; and
- 11) Receive endorsement by other municipal boards or departments.

1. **Goals:** What are the goals of the proposed project?

This project addresses multiple goals and criteria for approval. First and foremost, the goal of this project is to provide extended access to the schoolhouse allowing more visitors, especially our senior citizen population; creating a more pleasurable experience for our visitors; increasing learning opportunities for our community; and preserving and utilizing a currently owned town asset, the Mashpee One-room Schoolhouse constructed in 1831.

Controlling the air quality and temperature will further protect, preserve, and enhance town-owned properties, features or resources of historical significance, such as the Mashpee One-room Schoolhouse.

This project serve more than one CPA purpose (Historical and Recreational) and received endorsement by other municipal boards or departments (MOSPC, MHC).

2. **Community Need:** Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

As a historical category criteria, the one-room schoolhouse is within the *Local Historic District, and listed on the National Register and Massachusetts Historical Commission as a Historic Place.* The public benefit provides residents and visitors a museum quality experience in a schoolhouse built in 1831.

A second category specific criteria is to Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site. The function of the schoolhouse is deterred by not being able to control the interior climate of the facility;

A third category specific criteria is to demonstrate a public benefit. The purpose of this project is to provide the public with a first-hand experience of 19th Century learning and preserve some more of Mashpee's rich history.

3. **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.

All Quashnet School 3rd and 5th graders are scheduled to visit the Schoolhouse this year. Over 100 visitors have been provided tours and the school house hosts School's Open events annually on Memorial Day and Indigenous Peoples/Columbus Day Holidays.

4. **Timeline:** What is the proposed schedule for project implementation, including a timeline for all milestones?

Contractor identified immediately after 2022 SATM approval with installation scheduled for July 2022.

5. **Success Factors:** How will the success of this project be measured? Be specific.

Hours of operation will be extended, availability will be increased and the condition of the historical building will be preserved.. Currently the schoolhouse is unbearably hot in Spring/Summer/Fall months and too cold in Spring and Fall months.

6. **Experience/Credentials:** How will the experience of the applicants(s) contribute to the success of this project?

The MOSPC and MHC has restored and preserved this building to date and will seek future guidance of the DPW, Building and School Departments.

7. **Budget:** What is the total budget for the project and how will CPA funds be spent?

Estimated \$25,000 for purchase and installation of a split HVAC Unit.

8. **Other Funding:** What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

NA

9. **Maintenance:** CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?

Ongoing maintenance will come from the Mashpee Historical Commission general fund appropriation.

HVAC FOR ONE ROOM SCHOOLHOUSE	
\$10,900	HVAC unit
\$3,000	Electrical upgrades
\$2,500	Building repairs
\$16,400	Subtotal
\$3,280	Contingency (20%)
\$19,680	Total Funding Request

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Submit **(12)** copies & **(1)** email copy to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

Category (check all that apply)
Open Space <input type="checkbox"/> Recreation <input type="checkbox"/> Historic Preservation <input type="checkbox"/> Affordable Housing <input checked="" type="checkbox"/>

Name of Applicant: Mashpee Housing Authority

Co-Applicant; if applicable: _____

Contact Person: Kimberly Conn, Executive Director

Daytime Phone: 508-477-6202 X-201 Email: Director@mashpeehousing.org

Mailing Address: 766 Falmouth Road, A4

Town: Mashpee State: MA Zip Code: 02649

Proposal Title: Breezy Way Roofs, Siding, & Windows

Proposal Address (or assessor's parcel ID): _____

Amount of CPA Funding request: \$ 264,893.00 1996's

Total Cost of Proposed Project: \$ 327,393.00

Date: 10/29/2021

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. **Goals:** What are the goals of the proposed project?

The primary goal of the Mashpee Housing Authority is to provide safe, adequate, and affordable housing to low-income seniors, and families. This project will serve to preserve Mashpee Housing Authority housing stock for families in a community that is low on affordable year-round housing stock.

2. **Community Need:** Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

CPA funding will provide preservation of affordable housing at Breezy Way, which will benefit Mashpee by maintaining and preserving its current affordable housing inventory. This will also benefit lower income Mashpee residents with an affordable safe place to live, work, and raise their families. Breezy Way units are deemed affordable in perpetuity. Rehabilitation to these units will provide a balanced aesthetic within the surrounding developments.

3. **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.

Please see letters of support from our Regional Capital Assistance Project Manager – Kyle Moore, and our Department of Housing and Community Development (DHCD), Construction Project Manager – Sean Keating.

4. **Timeline:** What is the proposed schedule for project implementation, including a timeline for all milestones?

If CPC funds are granted, Mashpee Housing Authority will begin working with DHCD to complete the construction process as follows:

- A. **Construction Documents** – Preliminary documents for the roof replacement are in the design stage currently. During this phase it has been determined that parts of the siding, which intersect with the roof, will need to be removed and replaced. Several places of the siding are in disrepair and in need of total replacement; matching to the thirty-year old siding will be virtually impossible. Additional funding is not available to include the siding. It was also determined that the windows are beyond their useful life, are not energy efficient, and some are inoperable; therefore, adding to

the scope. Duration with the additional scope 2-3 weeks.

- B. **Bidding** – Post Request for Bids (RFB) on electronic platform, local newspaper, COMMBUYS and in the Central Register. Schedule, attend and conduct a pre-bid conference. Receive bids, determine lowest bidder, check references, and award the contract through board of commissioner's vote. Duration 8-10 weeks.
- C. **Construction**- After the lowest bidder is selected, and references have been verified, the design architect will schedule a kick-off meeting, and the notice to proceed will be issued. The project will begin with replacing roofs, gutters, downspouts, then windows and siding. Duration 6-8 weeks.

5. **Success Factors:** How will the success of this project be measured? Be specific.

The success of the project will be measured by comparing previous maintenance costs over the years to current costs. The savings in maintenance costs on these units will be available to preserve and maintain other housing units in the state portfolio. The tenants will be able to measure utility savings, after the building envelope project completion as the buildings will be more energy efficient. The community will notice a difference in the curb appeal of the refurbished development. The additional savings in maintenance costs will be used to beautify the grounds.

6. **Experience/Credentials:** How will the experience of the applicants(s) contribute to the success of this project?

Kimberly Conn, newly hired Executive Director, has worked in the affordable housing industry for the last 13 years. Her key role in serving the public was in finance but she has assisted on numerous modernization projects throughout her career; including tasks from bidding, project management, accounting, to project close out. She has also worked in development of affordable housing on the compliance end. She served on the affordable housing committee in Falmouth for four years reviewing projects for recommendation to the CPC, educating the community on affordability, and successfully applied for funding to create a housing needs study. Vincent Gault, Maintenance Director, has been with the Mashpee Housing Authority for over 15 years and has maintained the housing stock in a safe, and decent manner with limited funding resources. Janet Falone, Assistant Director, has been in the housing industry for over 10 years and will collaborate closely with the residents in keeping them informed of the timeline as the project progresses through to completion.

7. **Budget:** What is the total budget for the project and how will CPA funds be spent?

The estimated budget illustrated in exhibit A attached outlines the project costs totaling \$327,393.00. These costs are derived from a cost estimation software utilized by DHCD. The CPA funds will be utilized for the construction of the new roofs, siding, and windows. These funds will be supplemented with DHCD formula funding allocated on a pro-rata share to all 253 housing authorities within the state. The total amount awarded for this project is currently \$62,500.00.

8. **Other Funding:** What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

If CPA funds are awarded to the authority, that would make the agency eligible to apply for High Leverage Asset Preservation (HILAP) funding and sustainability funds leveraging multiple sources to preserve the buildings for future families residing in the community. The current allocation of funding is for roof replacement in the amount of \$62,500.00 as estimated by the Architect, attached as exhibit B. The Housing Authority will be applying for a LEAN audit to address the insulation, and attic air sealing.

9. **Maintenance:** CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?

Any necessary maintenance to preserve the building envelope will be funded through the housing authority operating budget and supplemented by DHCD when needed through future years capital formula funding.

Regional Capital Assistance Team
Southeast Division

30 Olney Street
Taunton, MA 02780

T: (508) 823-6308
F: (508) 812-7050



October 29, 2021

Kimberly Conn, Executive Director
Mashpee Housing Authority
766 Falmouth Rd. Unit 4A
Mashpee, MA 02649

Re: Letter of Reference

Mashpee Community Preservation Committee:

I am writing in support of the Mashpee Housing Authority (MHA) receiving CPC funding to address critical capital needs preservation at Breezy Acres - Breezy Way Family Housing Development. As Mashpee Housing Authority's Regional Capital Assistance Team Project Manager, I feel confident in expressing my full support and recommendation for CPC grant funding to address the preservation of Breezy Acres - Breezy Way.

As the Regional Capital Assistance Team (RCAT) Project Manager we are tasked with performing annual capital needs assessments, updating, and maintaining the Housing Authority's capital inventory and managing capital construction projects. On December 1, 2020, I conducted MHA's annual needs assessment and observed that all 3 buildings within the development 11A through 15B Breezy Way are in need of repair in order to preserve and maintain the integrity of the buildings. When I checked the inventory on DHCD's Capital Planning System (CPS) I discovered that the building envelope components, including windows, siding, trim and roofs are all original to when the units were built in 1990. The roofing and siding are brittle, curling and missing in some areas. Windows are failing and are not energy efficient.

If approved this project will have an immediate and long-term socio and economic benefit to Mashpee as it is helping to secure and preserve critically needed affordable housing.

Please do not hesitate to contact Southeast RCAT if you have any questions or concerns.

Sincerely,

Kyle Moore, Project Manager
Southeast Regional Capital Assistance Team
kmoore@tauntonhousing.com



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

Andrew Gottlieb, Chairman CPC
/co Office of Selectmen & Town Manager
16 Great Neck Road North
Mashpee, MA 02649

October 29, 2021

Dear Mr. Gottlieb,

I am a construction advisor with the Department of Housing & Community Development. I am writing to you to express my support for Kimberly Conn's request for CPA funding to be used for the replacement of windows, siding, roofs and gutters at the Breezy Way family development. This exterior envelope renovation will ensure that these families do not encounter any water intrusion and chronic dampness within the units. In addition to maintaining a safe and comfortable living space for the tenants, these improvements will also enhance the exterior appearance of the buildings.

Thank you for your consideration regarding this request for CPA funding.

Sincerely,


Sean Keating

Capital Planning System

Projects

Main Menu Facilities Inventory **Projects** Reports Utilities Find Help

LHA MASHPEE HOUSING AUTHORITY
 Development 172-705-01 -- Breezy Acres - Breezy Way
 Facility Development-wide
 Unit ALL (ALL Implied if not selected)
 Project 172-705-01-0-21-998 -- Roofing, Siding & Window Replacement

[Project Information](#) [Project Estimation](#) [Project Management](#) [Project Templates](#)

This Development has one or more Resiliency vulnerabilities. Please consider these as applicable when scoping this project.



Related Inventory Components

Remove All Related Components

Facility Number	Class	Subclass	Description	Quantity	Unit	Year Installed	Lifespan	Life Exp Adj	Cond. Year Assess.	Note	Resiliency
172-705-01-001	Building Envelope	Siding	Siding, Vinyl	1,620	SF/WALL	1990	40	-15	2015	Not recommended for buildings in MC-FRM precipitation or SLR-SS risk areas	
172-705-01-002	Building Envelope	Siding	Siding, Vinyl	1,037	SF/WALL	1990	40	-15	2015 Fair	Siding is loose and bubbling in some areas at the back of the building***Not recommended for buildings in MC-FRM precipitation or SLR-SS risk areas	
172-705-01-003	Building Envelope	Siding	Siding, Vinyl	1,037	SF/WALL	1990	40	-15	2015 Fair	Siding is bubbling at the back of the building***Not recommended for buildings in MC-FRM precipitation or SLR-SS risk areas	
172-705-01-001	Building Envelope	Windows	Window, Awning, Small	1	EACH	1990	30	-1	2019	Windows are in poor condition and beyond their useful life	
172-705-01-002	Building Envelope	Windows	Window, Awning, Small	2	EACH	1990	30	-7	2013	Windows are in poor condition and beyond their useful life	
172-705-01-003	Building Envelope	Windows	Window, Awning, Small	2	EACH	1990	30	-7	2013	Windows are in poor condition and beyond their useful life	
172-705-01-001	Building Envelope	Windows	Window, Casement, Medium	4	EACH	1990	30	-1	2019	Windows are in poor condition and beyond their useful life	
172-705-01-002	Building Envelope	Windows	Window, Casement, Medium	4	EACH	1990	30	-7	2013	Windows are in poor condition and beyond their useful life	
172-705-01-003	Building Envelope	Windows	Window, Casement, Medium	4	EACH	1990	30	-7	2013	Windows are in poor condition and beyond their useful life	
172-705-01-001	Building Envelope	Windows	Window, Double Hung, Medium	23	EACH	1990	30	-10	2010 Fair	Some windows have missing, damaged and/or derailed screens.	
172-705-01-002	Building Envelope	Windows	Window, Double Hung, Medium	24	EACH	1990	30	-10	2010 Fair	Some windows are missing screens	
172-705-01-003	Building Envelope	Windows	Window, Double Hung, Medium	24	EACH	1990	30	-7	2013	Windows are in poor condition and beyond their useful life	
172-705-01-001	Building Envelope	Windows	Window, Double Hung, Small	1	EACH	1990	30	0	2020	Windows are in poor condition and beyond their useful life	

Labor

Craft	Labor Description	Rate	Hours	Cost Type	Subtotal
Select	<input type="text"/>		<input type="text" value="0"/>	Dwelling	<input type="button" value="Add"/>

Labor Total:

Project Estimation Components (Labor Inclusive)

Add Related Inventory Components to Estimation Components

Description	Notes	Unit Cost	Unit	Quantity	Cost Type	SubTotal
Delete Siding, Vinyl		\$12.42 SF/WALL	Dwelling	1,620		\$20,120.40 Edit
Delete Siding, Vinyl		\$12.42 SF/WALL	Dwelling	1,037		\$12,879.54 Edit
Delete Siding, Vinyl		\$12.42 SF/WALL	Dwelling	1,037		\$12,879.54 Edit
Delete Window, Awning, Small		\$600.00 EACH	Dwelling	1		\$600.00 Edit

Exhibit A Continued

Projects

Delete Window, Awning, Small	\$600.00 EACH	2 Dwelling	\$1,200.00 Edit
Delete Window, Awning, Small	\$600.00 EACH	2 Dwelling	\$1,200.00 Edit
Delete Window, Casement, Medium	\$560.00 EACH	4 Dwelling	\$2,240.00 Edit
Delete Window, Casement, Medium	\$560.00 EACH	4 Dwelling	\$2,240.00 Edit
Delete Window, Casement, Medium	\$560.00 EACH	4 Dwelling	\$2,240.00 Edit
Delete Window, Double Hung, Medium	\$1,015.00 EACH	23 Dwelling	\$23,345.00 Edit
Delete Window, Double Hung, Medium	\$1,015.00 EACH	24 Dwelling	\$24,360.00 Edit
Delete Window, Double Hung, Medium	\$1,015.00 EACH	24 Dwelling	\$24,360.00 Edit
Delete Window, Double Hung, Small	\$565.00 EACH	1 Dwelling	\$565.00 Edit
Delete Downspouts, Aluminum	\$10.71 VLF	125 Dwelling	\$1,338.75 Edit
Delete Downspouts, Aluminum	\$10.71 VLF	120 Dwelling	\$1,285.20 Edit
Delete Downspouts, Aluminum	\$10.71 VLF	120 Dwelling	\$1,285.20 Edit
Delete Gutters, Aluminum	\$13.03 LF	100 Dwelling	\$1,303.00 Edit
Delete Gutters, Aluminum	\$13.03 LF	114 Dwelling	\$1,485.42 Edit
Delete Gutters, Aluminum	\$13.03 LF	114 Dwelling	\$1,485.42 Edit
Delete Asphalt Shingle Roof	\$8.00 SF	2,126 Dwelling	\$17,008.00 Edit
Delete Asphalt Shingle Roof	\$8.00 SF	1,469 Dwelling	\$11,752.00 Edit
Delete Asphalt Shingle Roof	\$8.00 SF	1,469 Dwelling	\$11,752.00 Edit

Materials Total: \$176,924.47

Other Cost

Description	Notes	Unit Cost	Unit	Quantity	Cost Type	Subtotal
Delete Disposal		\$3,000.00	LUMP	1	Dwelling	\$3,000.00 Edit
Delete Rotted plywood replacement		\$2,500.00	LUMP	1	Dwelling	\$2,500.00 Edit
Delete Trim, rake board and soffit replacement		\$10,500.00	LUMP	1	Dwelling	\$10,500.00 Edit
Delete Upcharge for PVC and composite materials.		\$7,500.00	LUMP	1	Dwelling	\$7,500.00 Edit

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Dwelling	<input type="button" value="Add"/>
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Others Total: \$23,500.00

Totals

[Edit](#)

? General Conditions 10% Amount: \$20,042

? Change Order Contingency 10% Amount: \$22,047

Hard Cost Total: \$242,514

? Soft Cost 35% Total: \$84,880

Total Development Cost: \$327,393



Leonardi Aray Architects

Exhibit B

Communicating Clients' Values through Design

August 02, 2021

Fee Proposal Submission
Project #172052
Mashpee Housing Authority

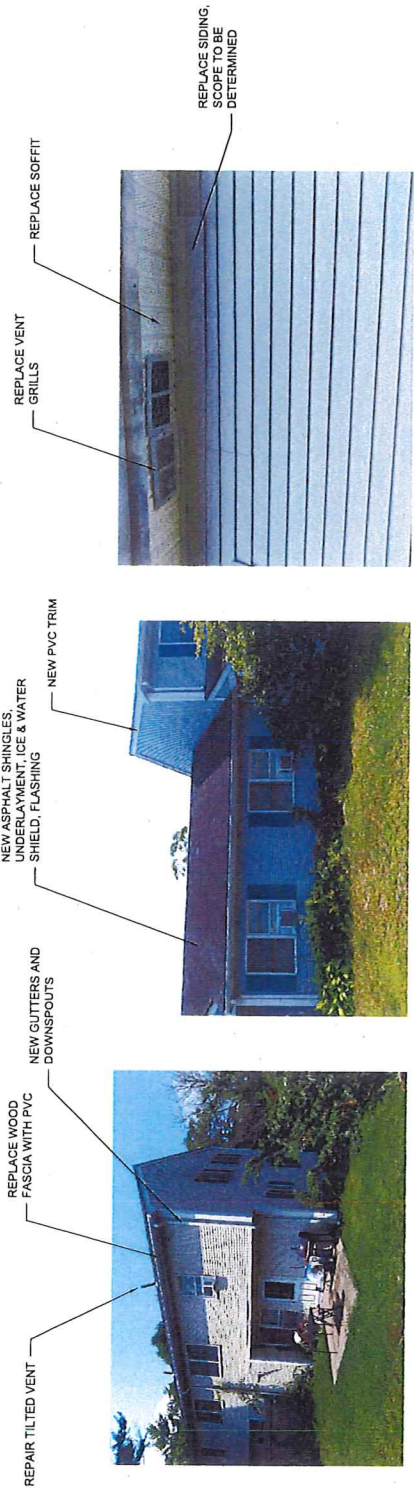
Designer/ Total Designer Fees	\$8,500 (15.7% of ECC)
DHCD ECC	\$54,000

The subject project involves the re-roofing at three duplex buildings built in 1990. The scope of the project is to remove the existing shingles to bare sheathing, replace any damaged sheathing and apply a new 50-year asphalt roofing system complete with drip edge, ice & water shield, roofing felt, ridge vents and appropriate flashings.

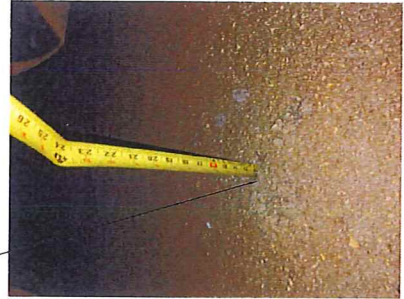
All damaged fascia boards are to be replaced with PVC material. Gutters and downspouts are to be replaced.

The attic space should be inspected for insulation, air-sealing, and ventilation.

Leonardi Aray, AIA, CPHC
Managing Principal
Leonardi Aray Architects LLC
617-270-3912
leonardi@larayarchitects.com



REMOVE AND REPLACE SIDING WHERE NEEDED, THROUGHOUT



**RECEIPT OF APPLICATION
(For Applicant's Records)**

**COMMUNITY PRESERVATION COMMITTEE
Town of Mashpee**

Received from _____, and application
entitled

_____, on the ___ day of _____,
2021.

Received by _____
(signature)

**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Submit **(12)** copies to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

Category (check all that apply)
Open Space <input checked="" type="checkbox"/> Recreation <input checked="" type="checkbox"/> Historic Preservation <input type="checkbox"/> Affordable Housing <input type="checkbox"/>

Name of Applicant: Mashpee Community Garden Advisory Committee (MCGAC)

Co-Applicant; if applicable: Coordinated with the Mashpee Historical Commission (MHC)

Contact Person: Virginia Scharfenberg, Chairperson, MCGAC

Daytime Phone: (c) 508-889-7172; (w) 508-539-1912 Email: virginia.s@talbotcolandcare.com

Mailing Address: P.O. Box 187

Town: Mashpee State: MA Zip Code: 02649-0187

Proposal Title: Mashpee Community Garden Expansion

Proposal Address (or assessor's parcel ID): 400 Main Street; Assessor's Map 36, Parcel 10

Amount of CPA Funding request: \$18,086.00

Total Cost of Proposed Project: \$22,086.00

Date: October 31, 2021

**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Project Description for the Mashpee Community Garden (CG) Expansion (please refer to the attached Plan and project narrative for more details)

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. **Goals:** The goals of the proposed project include the following (please refer to the attached narrative for more detail):

- Enhance the Community Garden (CG) for food production for an additional 14 families. This includes the opportunity to grow more healthy food and the significant economic benefits this offers the community at large, including economically disadvantaged families.
- Accommodate some of the Mashpee residents' requests for garden plots, given that the CG Wait List now numbers 21 and will likely continue to grow. See attached Narrative.

Original gardeners in the newly reconstructed plots numbered 20 and started gardening in the summer of 2020. All 20 of them renewed for the 2021 gardening season, leaving no room for those applicants on the 2020 Wait List. Fifteen additional applicants were added to the 2021 Wait List.

- Continued beautification of the Town-owned recreation land, known as the Attaquin Lot, by expanding the attractive and productive community garden with display gardens and historical and gardening information.
- Promote Mashpee as a Green Community by building and supporting a vibrant Community Garden.

2. **Community Need:** Most towns on Cape Cod and in the region have vibrant community gardens—MCGAC has visited and assessed many of them. Mashpee's original CG on the Attaquin Lot, built about 14 years ago with CPA funding from the CPC, was the culmination of a dream for many. However, ultimately it did not have enough active gardeners or funds to maintain and improve the space. That was in large part due to the problems with the original CG design. With CPA funds the CG was re-designed and rebuilt, and has quickly filled up with a Wait List of 21 families.

They are an excellent use of community open space.

3. Community Support:

Letters of Support will be included in Appendix B of the attached Narrative or will be delivered prior to the Community Preservation Committee's hearing later this fall.

In its 2018 mandate to the newly formed Town-appointed committee, the Board of Selectmen called on the MCGAC to work to revitalize the CG—in conjunction with other Mashpee Commissions and Departments. In particular, MCGAC worked closely with the Mashpee Historical District Commission (MHDC) on the original CG reconstruction plan. The MHDC unanimously supported the 2018 CPC funding proposal, as did the Mashpee Environmental Coalition board of directors. Subsequent letters of support relevant to this application will be forwarded shortly if not ready for inclusion with this proposal submission.

The Mashpee Environmental Oversight Committee (EOC) also voted unanimously in favor of the original Reconstruction Plan in 2018. We will forward their anticipated letter of support for this garden expansion proposal submission.

Current community gardeners and interested residents have expressed throughout the 2021 season that more beds are needed. Positive observations and support from current gardeners and visitors have been consistent throughout both gardening seasons.

4. Timeline:

MCGAC would be able to start the CG expansion project in late fall of 2022 or during the winter of 2023. This proposal accounts for monies available and is specifically for the additional funding required to carry out the expansion project in its entirety. The plan is to have the expanded Gardens ready for use as soon as possible in the 2024 planting season, depending on when funds would become available from the new grant. If that is July 1, 2022 we would be prepared to initiate the work immediately.

The 20 beds in the existing CG will be open for gardeners to start using as usual at the beginning of the growing season.

5. Success Factors:

The success of the expanded CG will be assessed using a number of criteria which will be constantly reassessed to serve as guidelines for any future improvements to the CG by MCGAC:

- Success in getting families and organizations to grow food in the 14 new garden plots. MCGAC already has 21 people on its cumulative Wait List and expects more.
- Increase in yields per garden bed. We have been monitoring gardeners' questions and concerns with garden yields. Our first year was very prolific and no concerns were expressed. Throughout the Cape the 2021 season in general experienced production limitations, primarily due to erratic weather and sudden temperature changes, which may become more common with climate change. The Board plans to prepare garden tips and

recommended resources for distribution in the winter and during the 2022 season. Gardeners will contribute to this effort as well. We would like to continue with the gardener gatherings and sharing we did in 2019.

- Continued reduction in maintenance to pathways with mulch replenishment in pathways and weed management.
- Community response to the improvements and enhancements to the Attaquin Lot, the Community Park and the CG. This includes donated services and materials as needed.

6. Experience/Credentials: How will the experience of the applicants(s) contribute to the success of this project?

MCGAC includes a number of members who will contribute (and already have contributed) to the success of this project:

- Virginia Scharfenberg, chairperson, owns a landscape design/landscape architecture company (Environmental Landscape Consultants LLC), which is already donating in-kind services toward this project and has extensive experience with CG management in Mashpee, as well as Boston. Virginia has many contacts with other landscape companies and suppliers (as well as the Cape Cod Landscape Association [CCLA]) that can be solicited for donated services and materials.
- Michael Talbot has extensive experience in CG management, design, and reconstruction in Boston working with Boston Urban Gardeners (BUG) and the Mass. Horticultural Society. He oversaw the successful reconstruction of the Mashpee CG and has extensive experience as a landscape construction manager. Although hampered by Multiple System Atrophy, which led to his retirement from MCGAC, he is available to provide advice and management guidance.
- Lynn Harris is a Master Gardener and a leader among the community gardeners, who often look to her for horticultural information and advice. She helped coordinate planting of our native shrub demonstration garden.
- Mohamed Fahd is an experienced gardener, web and IT expert. He will help with social media and will be the contact person for interested gardeners and volunteers.
- Frank Gallelo is an experienced gardener and has a showcase plot in the community garden. He too is a font of information for fellow gardeners. He and fellow gardener Richard Harris built our compost bins and can do further construction as appropriate and as needed.
- Bill Nay is the former manager of Mashpee TV and is experienced in video production and publicity. He created the informational video on our part of Town of Mashpee web site and has produced aerial photographs and others.
- Our anticipated two new Board members are active community gardeners and enthusiastic about helping with garden expansion.

5. **Budget:** What is the total budget for the project and how will CPA funds be spent?

The estimated cost of the CG expansion, reconfigured/additional fencing, garden beds construction, expanded irrigation, and construction of our demonstration gardens is estimated at \$22,086.00. MCGAC is asking the CPC for \$18,086.00 of the cost. Most of that total is for professional services and materials. The expenditures are detailed in the accompanying narrative.

The difference between the requested grant and the estimated cost are donations of time and services we have already received for this project. See below—and in the detailed narrative—for more information on other funding sources and in-kind services the MCGAC is soliciting.

6. **Other Funding:** What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

There is a commitment for volunteer labor from MCGAC and current gardeners.

Donations for professional services to date include design and planning services from Environmental Landscape Consultants and the Mashpee Environmental Coalition (MEC) for the updated landscape plan as well as estimating services from the Eagle Fence and Horticultural DNA landscape companies (they were the outside contractors for the Mashpee CG reconstruction phase that exists now).

We also have worked in close association with Catherine Laurent and Mashpee DPW. They have provided extensive construction services, materials, and helped with management of the reconstruction phase. They will be an important partner in this phase, as well, providing construction services, as well as garden soil mixed with compost and wood chip mulch.

MCGAC will start right away—and throughout 2022—to solicit more donations if needed from suppliers, landscape companies, the CCLA, Master Gardeners, and other organizations, if we determine they are needed. We received help when reconstructing the full garden in 2019 and do not have the same needs with this expansion. Any donations of materials and services will allow us to return unused funds to the CPC for use in other projects.

7. **Maintenance:** CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?

MCGAC is mandated by the Mashpee Select Board to manage and maintain the CG, which it has shown the capacity to do over the past two gardening seasons. Gardeners are responsible for the areas surrounding their beds. Volunteer gardeners do occasional organized clean-ups and maintain the storage shed.

Community Preservation Funding Application; Mashpee Community Garden Expansion

The DPW turns water on and off for the CG and mows outside the garden. The pollinator gardens are maintained by volunteers organized through the Town's Conservation Department.

No CPA funds will be used for maintenance.

MASHPEE COMMUNITY GARDEN ADVISORY COMMITTEE (MCGAC)

EXPANSION NARRATIVE FOR THE EXPANSION OF THE MASHPEE COMMUNITY GARDEN

OCTOBER 31, 2021

Virginia Scharfenberg, Chairperson, MCGAC; Michael Talbot, Construction Subcommittee

In 2018, the Town of Mashpee voted in Town Meeting to approve granting the MCGAC funds for reconstruction/major renovation of the Mashpee Community Garden (CG) with Community Preservation Act (CPA) funding on town owned land. The reconstruction followed the approved plan, titled "Community Garden Reconstruction Plan", and dated October 18, 2018—the plan was developed by Talbot Ecological Land Care with a grant from the Mashpee Environmental Coalition. We have used that plan in developing the Mashpee Community Garden Expansion Plan (the Plan), submitted as a separate document.

The site and existing CG are at 400 Main Street. The CG, seen in the photo below taken on October 16, 2021 during planting of the native shrub pollinator garden, has been very successful. It had every



available plot successfully planted. Every gardener plans to return in 2022, and now the CG has a Wait List of 23 other residents interested in a garden plot. MCGAC has had a waiting list for two years now, which is the impetus for seeking funds from the CPC to expand the CG and increase the number of available plots to help meet this demand.

The existing CG design, as seen in the photo on the previous page, has provided good growing conditions in 20 raised beds with access to water and a fence with a locking gate that has protected the gardens from theft and protection from garden pests such as groundhogs (issues that resulted from inadequate fencing and security at the original community garden that was reconstructed with CPA funds starting in 2018). The new CG design solved other issues that had frustrated gardeners, including shallow, compacted and relatively infertile garden soils, relatively small garden beds (compared to plot sizes at other Cape Cod community gardens), and difficult perennial weeds growing through the landscape fabric and shell pathways. There were parking issues as well since people used the CG parking lot for other purposes (not all of which are authorized). This was resolved with appropriate signage and an increase in the number of parking spaces. The CG has filled up faster than was anticipated.

The Mashpee Environmental Coalition (MEC), the Mashpee Historical Commission (MHC) and the Mashpee Historic District Commission (MHDC) are reaffirming support for the CG. The Town reaffirmed its commitment to the CG in 2018 by establishing the Mashpee Community Garden Advisory Committee (MCGAC) to manage and enhance the Community Garden (CG), which MCGAC has done successfully for several years. The MCGAC is sponsoring and overseeing this proposed expansion, along with the Mashpee DPW. The Plan for CG expansion is based on the successful original CG reconstruction Plan.

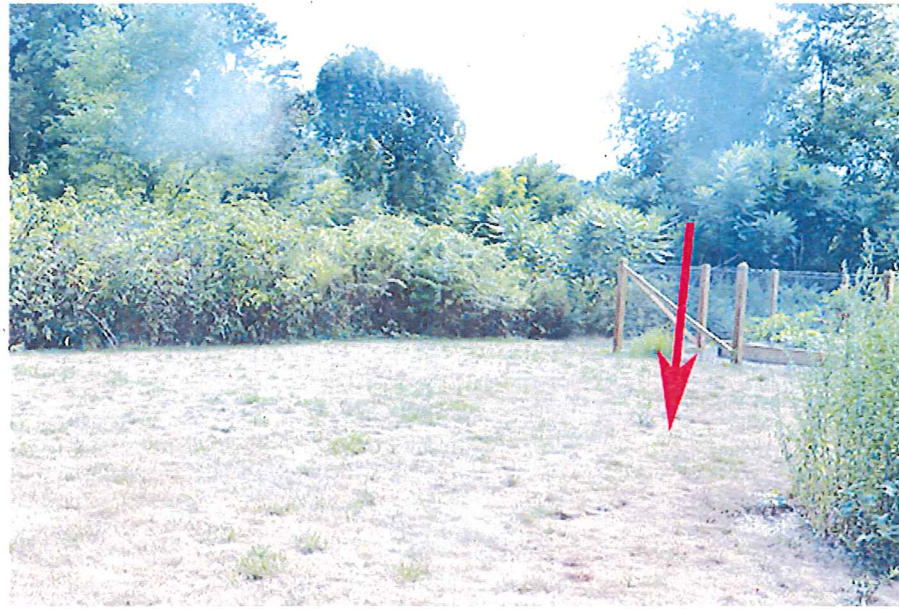
This new Plan includes adding 14 new beds in an expanded CG by adding a section to the east of the existing garden, as located by

the red arrow in the photo on the right. The MCGAC also

plans a native shrub display garden (suggested by the MHC;

to complement the pollinator display gardens), as well as

public herb, fruiting shrub,



tree, and berry gardens for the community to sample, use, enjoy, and learn from (a suggestion of the MHDC)—known as an edible landscape.

These improvements will benefit the gardeners—including low-income families and community residents who use the site for passive recreation and growing fresh food, and the community at large through educational and recreational opportunities. The expanded CG and shrub and edible display gardens will draw more interest to Mashpee's historic Main Street. Gardeners would enjoy more space to grow vegetables and meet other gardeners. Visitors would be able to enjoy various cultural and recreational activities, or to just walk the grounds and enjoy the pollinator gardens and plantings around the community garden space. This work order describes the expansion to be carried out upon receipt of funds anticipated by late May 2022.

To successfully complete this project, the MCGAC has requested an additional \$18,086.00 from the CPC for expansion of the CG and the continued enhancements of the Attaquin Lot, as part of the MHC redevelopment process. The MCGAC has estimated the total cost, including various donations and in-

kind contributions, to be \$22,400.00. This approved grant will help fund the following expenditures to expand the CG:

1) Removal and Disposal of the Eastern Section of Fencing of the Existing Community Garden (CG); proposed for late spring of 2022—and Construction of New Fencing around the Expansion of the CG:

Remove and dispose and recycle/reuse the existing posts the eastern section of the existing fencing. When the CG expansion is completed (see below) expand and construct new fencing—of similar design with pest exclusion fencing buried one foot in the ground to discourage pests like groundhogs—around the expanded CG (as shown on the Plan). A four-foot wide gate will be installed to provide maintenance access to the CG expansion area. The MCGAC is seeking to get this work from the fencing contractor we used in the CG reconstruction of 2019-2020. The cost of all fencing work, including work described in section #5 below, is \$5,650.00.

2) Redesign and Construction of New Garden Beds; proposed for late spring – early summer 2022:

Layout of the new gardens and expanded CG area will be done by the designer and donated (at no cost to the CPC). Any turf-topsoil within the new CG section will be mechanically removed by a skid steer or other equipment. This soil can be re-used by the DPW for other projects—including the CG expansion. Soil can also be stockpiled for possible use in the display gardens around the new CG section. Excavation is included in the overall construction proposal.



3) CG garden beds will be constructed of 2" x 12" pressure-treated lumber (ACQ only) with decorative aluminum corners (i.e., from Gardener's Supply). Please see the photo above for an example of such a garden bed. This design for garden beds allows for deeper soil for better production. They will be 4' x 8' in garden/raised bed area in size. The smaller size was chosen to fit more beds in the CG expansion area of 20' x 66'. This allows more families to have gardens in the expanded CG.

Place the 14 constructed raised garden beds, as shown in the plan, and stake the beds to the existing soil with pressure-treated wooden stakes placed along the inside of the frame. Construct and install two beds on either side of the main garden entry gate—outside the garden—to use as demonstration gardens (herb and vegetable) in the edible landscape display garden. Secure with stainless steel screws. Raised beds will be 4 feet by 8 feet in size. Scarify and decompact existing soils below existing grade within the garden beds only, as specified and approved by the designer, to allow deeper root penetration (and better, more drought-tolerant growth). A mini-excavator or a broadfork can be used for this decompaction.

Add about 19 cubic yards of compost-amended topsoil to the 16 garden plots, as approved by the designer, to fill the beds to capacity.

4) Garden and Access Pathways; proposed for late spring-early summer 2022:

Around the new community garden beds, MCGAC and their designer have used a better pathway design for suppression of weeds and future maintenance. First, the pathways will be cleared of existing topsoil and plant growth/weeds—done during initial construction. The paths are narrower than the existing paths, which should be easier to maintain, but adequate for carts and wheelbarrows—and they allow room for proposed garden plots. The contractor will first apply

overlapping sections of Trimaco™ flooring paper to place on pathways (as opposed to a high maintenance landscape fabric). This layer will help suppress weeds and gradually improve soil porosity, as it decomposes. The MCGAC and its partners will then deliver and install five cubic yards of recycled native wood chips for use as pathway material around the garden plots—supplied by DPW. Some of the wood chips (about 50 cubic yards) will also be used as mulch in the display gardens.

We will also install a new hose faucet in back of the CG for easier access to water for gardeners in back (one of the few problems with the existing CG design) and in the CG expansion area.

The cost of construction of the new CG beds and pathways, including materials, the new garden faucet, and excavation of the new CG section, is \$12,436.00.

5) Garden Fencing and Gate proposed for after garden and path construction is completed:

Around the perimeter of the new section of CG, install pressure treated, round posts approximately



8 feet on center and 5 feet above grade. Reinforce the corners and gate posts as specified by the designer and shown in the photo above. Trench the outer perimeter, where the posts are installed, to install fencing 12 inches below grade to act as a deterrent to burrowing animals.

The photo above shows an example of the style of fencing proposed—except that this fence in the photo is 8 foot high to keep out deer. (Deer are not an issue for this garden.) The design is low profile, but effective. Install a 4 foot wide gate to allow for occasional access for wider equipment. Install a reinforced top wire. Install 1-inch hexagonal, black-coated deer fencing to the wood and wire as fencing. Backfill the burrowing animal fencing below grade and compact soil. This is part of the fencing proposal from our previous fence contractor..

6) Extension of the Existing Water Line into the New CG area; proposed for summer 2022:

The existing hose bibb and water line will be extended within the new garden area in back, as described above. The MCGAC will seek to get this work done by the DPW or as an in-kind donation from an irrigation company. The additional water line work is included

7) Native Plant, Food and Herb Display Gardens; proposed for 2021-2023:

MCGAC have begun to create planting beds (see the photo on page 1) where shown on the Plan and elsewhere for native plants to label and display for garden visitors. Herb and vegetable display gardens will be installed in one or more areas in front of the fencing where entry gates are located. On the edible garden or the native shrub display bed create a garden bed for a planting of blueberries and other food plants as a demonstration and for the public to share. Garden beds will be laid out on site by the designer. Design and planting lists will be provided by the designer at no cost to the CPC. Funding is primarily for soil, plants and for plant purchases. MCGAC will use volunteer labor to construct and plant these gardens. We will use leftover funds from the previous CPC grant to fund this part of the project.

8) Signs/Kiosk/Communication; previously proposed for November of 2019 to May of 2020

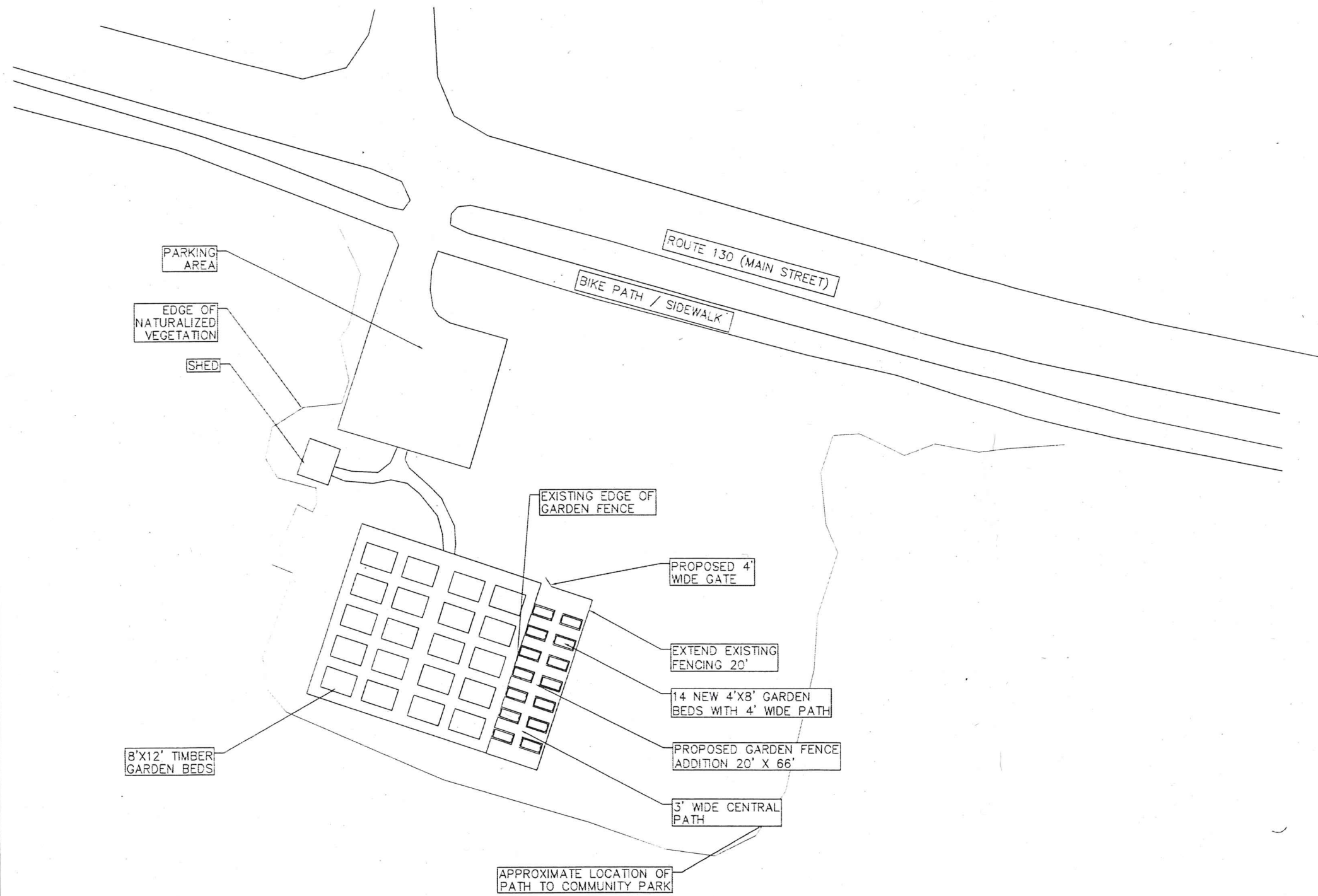
Signage required is for parking restrictions, CG information, plot numbers on the beds, native plant displays, a community bulletin board/informational kiosk, historical signage about the history of the Attaquin Lot. Design of the signs—in both metal and wood—have been and will be done at no charge by the MCGAC, in consultation with gardeners, the MHC, the MHDC, the Police Department, and other Town officials. We have also created signage thanking the CPC and other organizations for help in reconstructing the new CG. Public acknowledgement of donated materials and services by landscape companies and suppliers (we have already received notices of interest in providing

donations) will provide an inducement to companies to which the MCGAC solicits donations. We will use leftover funds from the previous CPC grant to fund this part of the project

9) Project Timeline

The MCGAC plans to start the project upon receipt of funds anticipated to be available in May 2022.

Our goal is to have the expanded garden area available for Wait List gardeners by early summer 2022. The existing Gardens will be in use during the spring and summer of 2022 while the expanded garden area is being built.



NO	DATE	REVISIONS	BY

PROPERTY OWNER:

PROJECT LOCATION:
400 MAIN STREET
MASHPEE MA 02649

DRAWN BY: TG	CHECKED BY: MT
SCALE: 1:20	DATE: 11/01/21
PREPARED BY:	

ENVIRONMENTAL
LANDSCAPE CONSULTANTS, LLC

P.O. BOX 187
MASHPEE, MA 02649
PHONE: (508) 539-1912
WWW.ELCNEWENGLAND.COM

DRAWING TITLE:
COMMUNITY GARDEN BED EXTENTION PLAN

SHEET NO: 1 OF 1

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Submit (12) copies & (1) email copy to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

Category (check all that apply)			
Open Space	Recreation	Historic Preservation	Affordable Housing <input checked="" type="checkbox"/>

Name of Applicant: Mashpee Planning Department

Co-Applicant; if applicable: _____

Contact Person: Evan Lehrer

Daytime Phone: 508 539 1414 Email: elehrer@mashpeema.gov

Mailing Address: 16 Great Neck Road N

Town: Mashpee State: MA Zip Code: 02649

Proposal Title: Housing Production Plan Update

Proposal Address (or assessor's parcel ID): _____

Amount of CPA Funding request: \$ 25,000

Total Cost of Proposed Project: \$ 50,000

Date: November 1, 2021

Goal, if you have a state approved HPP; meet your annual production goal you get safe harbor as one-year

HPP falls under ch40B, sets an annual production goal

2015

*Demographic Study
Housing Needs
Action*

COMMUNITY PRESERVATION FUNDING APPLICATION

Town of Mashpee

Project Description: Update to the Housing Production Plan

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. Goals: What are the goals of the proposed project?

Mashpee adopted its Affordable Housing Production Plan (HPP) in 2015. HPP must be updated every 5 years. Mashpee was due to update its HPP in 2020. As the most recent census data was not yet available, updating the plan was challenging as too many assumptions needed to be made regarding existing conditions. The primary goal of the project is to update the HPP in consideration of the demographic shifts over the past 10 years, changes in population, added housing stock since 2010 as well as the upcoming visioning work to be conducted during Phase 1 of the update to the Local Comprehensive Plan that has not been updated since 1998.

2. Community Need: Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

The knowledge of Mashpee's, and the region's at large, lack of affordable housing is not new. The HPP provides a framework which the Town should rely on in order to meet its 10% mandate of housing units eligible for inclusion on the State's Subsidized Housing Inventory (SHI). This document is intended to support "the creation, preservation, and support of community housing" in consideration of existing conditions and future needs as well as community interests.

3. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

My department will seek Letters of Support following submission of this application. It is our hope that the CPC will consider them as a part of this application although submitted after the application deadline.

4. Timeline: What is the proposed schedule for project implementation, including a timeline for all milestones?

The Planning Department, with the support of the Mashpee Planning Board, intends to submit to the Cape Cod Commission a request for additional funds made available annually via District Local Technical Assistance Funds (DLTA). Applications for these funds will be made available in early 2022. The intended request from DLTA will be an additional \$25,000. The Planning Department intends on beginning the procurement process for a consultant to assist with the HPP update on or around the same time.

If CPC funds are awarded for this project by Town Meeting vote in May, then the Town would be in a position to proceed with the update in early summer 2022. A reasonable timeframe for which to prepare a complete draft for Planning Board and Select Board consideration would be 6 months. The Department of Housing and Community Development has up to 90 days to approve the plan after

certifying that it is complete. From procurement to adoption and acceptance by DHCD may be 9-12 months.

5. Success Factors: How will the success of this project be measured?

As the purpose of the plan is to define goals and policies designed to achieve increased supply of SHI eligible housing units, success of this project would be measured by benchmarks defined within the updated plan itself.

6. Experience/Credentials: How will the experience of the applicants(s) contribute to the success of this project?

Between Planning Department staff, elected members of the Mashpee Planning Board, and appointed members of the Affordable Housing Committee there is representation of a broad cross section of professionals and volunteers who are working or who have worked in affordable housing and community development. Further, ensuring a competitive procurement process will bring a qualified consultant to the table ensuring adequate completion of an HPP update on budget and on time.

7. Budget: What is the total budget for the project and how will CPA funds be spent?

The Planning Department hopes to receive an additional \$25,000 from DLTA funding through the Cape Cod Commission. CPA funds will be spent exclusively on consulting fees to develop and update the HPP. Colleagues have indicated that housing consultants seek to bid on projects with a minimum budget of \$25,000. We anticipate the total budget will fall between \$25,000 and \$50,000. In order to solicit high quality bids from as many experienced firms as possible, we hope to secure the funds first. Budget will be ultimately determined via a competitive procurement process.

8. Other Funding: What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

There are local monies available as mentioned via the DLTA. Additionally, OneStop Planning Grant funding through the State is a potential option should the project not be funded utilizing DLTA monies. Local contributions to this endeavor will demonstrate the Town's commitment to success and make these applications far more competitive.

9. Maintenance: CPA funds may not be used for maintenance. If ongoing

Maintenance is required for this project, how will it be funded?

COMMUNITY PRESERVATION FUNDING APPLICATION

Town of Mashpee

Submit (12) copies & (1) email copy to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401

www.mashpeema.gov

Category (check all that apply)

Open Space _____ Recreation _____ Historic Preservation Affordable Housing _____

Name of Applicant: **Mashpee Historical Commission** _____

Co-Applicant; if applicable: _____

Contact Person: **Ava Marie Costello** _____

Daytime Phone: **508-681-8550** _____ Email: **1amcostello@comcast.net** _____

Mailing Address: **16 Great Neck Road North** _____

Town: **Mashpee** _____ State: **MA** _____ Zip Code: **02649** _____

Proposal Title: **Restoration of Lakewood Cemetery** _____

Proposal Address: **Intersection of Maple Street and Lakewood Drive** _____

Amount of CPA Funding request: **\$2,145** _____

Total Cost of Proposed Project: **\$2,145** **\$42,438** _____

Date: **October 29, 2021** _____

COMMUNITY PRESERVATION FUNDING APPLICATION

Town of Mashpee

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1.Goals: What are the goals of the proposed project?

The Historical Commission wants to make sure our historic cemeteries are protected, preserved and restored when necessary. The Lakewood town-owned cemetery has been neglected for some time. Grave stones dating back to the 1800s have broken over time and several are lying face down in the dirt, and the enclosed lot is covered with leaves and downed branches. This historic cemetery is the burial place for early Mashpee families like the Bournes and Jones families, among others. We have a responsibility to honor and respect those who came before us. Cape Codder and President John F. Kennedy said "A nation reveals itself not only by the people it produces but also by the people it honors, the people it remembers." Right now, we are not doing a very good job honoring or remembering those who came before us at Lakewood Cemetery, including Civil War veteran Ezra Jones, who gave his life for his country and lies today basically forgotten under a broken grave stone covered with leaves and downed branches. (See attached information on Ezra Jones) We can do better than this. With a good landscape cleaning of the cemetery grounds and with the restoration of the damaged stones and cleaning of all gravestones that so need cleaning, we can restore the cemetery to one where those lying there are indeed given the dignity and honor which all deserve. There is no reason why those lying buried in Lakewood Cemetery should not be cared for as well as those in the town's main cemetery off Great Neck Road South.

2. Community Need: Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

This project is needed, as a first step in Mashpee taking responsibility to make sure all town-owned cemeteries are cared for and in good condition. This project reflects the criteria as defined by the CPC Committee by protecting, preserving, enhancing and rehabilitating an important town historic resource; i.e. the gravestones and cemeteries in Mashpee.

3. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

The issue of caring for the town cemeteries has come up for discussion in past and present Historical Commission meetings. We have received letters from residents pointing out the disrepair of the cemetery. We feel we have a responsibility to make the grounds a fitting resting place for those who came before us

4. Timeline: What is the proposed schedule for project implementation, including a timeline for all milestones?

We can begin the project at any time following CPC and then town meeting approval. A local gravestone restoration specialist has agreed to undertake the project and we have bids from area landscapers who would be interested in undertake the project

5. Success Factors: How will the success of this project be measured? Be specific.

Success of the project would result in the landscaping of the cemetery so that it looks nice as a fitting and honorable place to remember those who came before us and that their gravestones are in a fitting and honorable condition.

6. Experience/Credentials: How will the experience of the applicants(s) contribute to the success of this project?

A local gravestone restoration specialist who has done similar work successfully on Wampanoag tribal cemeteries is available to do the work required at Lakewood Cemetery. A similar evaluation of the cemetery was also done by restoration specialist Rob Gregg of the Medfield Vine Lake Cemetery Preservation Trust. (<http://vinelakepreservationtrust.org>)

7. Budget: What is the total budget for the project and how will CPA funds be spent?

Total request for funding is \$2,085: Broken down:

Restoration of gravestones:

11 stones cleaned and repaired= \$440

3 broken/fallen stones restored and brought upright= \$120

Landscaping

Basic cemetery grounds clean-up of all leaves and downed branches = \$250

Removal of dead plantings and pruning = \$25

Dump run of all debris= \$50

Cutting down and removal of five dead trees within the cemetery grounds= \$850

Spray painting (black) of the existing chain-linked fence= \$250

8. Other Funding: What additional funding sources are available, committed, or under consideration for this project? Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

None anticipated at this time

9. Maintenance: CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?

Once the cemetery is put into a presentable and honorable condition it will remain under the care of the Mashpee DPW, as is true of all town cemeteries

RECEIPT OF APPLICATION

(For Applicant's Records)

COMMUNITY PRESERVATION COMMITTEE

Town of Mashpee

Received from _____, and application

entitled _____,

on the ____ day of _____,

2021.

Received by _____ . (signature)

The Magnifying Glass
Hallow Ground

by Richard DeSorgher

As a 25-year-old single dad, with a lot of life and energy and a three-year-old son being left behind, he marched off to war at the call of his country. He would serve less than five months before succumbing to fever in the heat and swamps of a mosquito infested part of Louisiana, known as Carrollton. He died fighting to save the Union from the insurrections who formed the Confederacy. Sadly, he lies today, with the exception of a small American flag, almost forgotten by the country he fought and died for, in the Jones family plot in an isolated cemetery on the corner of Maple Street and Lakewood Drive, here in Mashpee. His name is Ezra Jones and he enlisted with the 38th Massachusetts Infantry in August of 1862, during the height of the Civil War. He died of typhoid fever in a hospital at the Greenville Encampment, in the Carrollton area near New Orleans. The site included a barracks for troop housing, a cavalry camp of instruction, and a general hospital. The camp of instruction served as a training ground for some 2,500 cavalry troops. Throughout the South, it was more common for Union soldiers to die from diseases than battle-related injuries, especially in the subtropical climate of South Louisiana, where mosquitoes quickly spread diseases including yellow and typhoid fever.

Ezra Jones was born in Sandwich on May 26, 1836 to Isaac and Belinda Fish Jones. The Jones family having strong roots in Mashpee. The family farmhouse, recently demolished, was located at the end of today's Jones Road. He was the youngest of nine children. His siblings included Roland (1818-1861), Martha (b. 1820), Nancy (b.1823), Marion Jones Gifford (1825-1902), Betsy (b.1827), Mary Ann (b.1829), Josephine Jones Baxter (1831-1909) and Edwin M. Jones (1833-1902).

Ezra married Roana C. Coates in Barnstable on November 29, 1855. Roana was the daughter of Benjamin Coates of Barnstable. They had one son, Clarence L. Jones, who was born August 12, 1857. Ezra is listed as living in Sandwich in both the 1855 and 1860 census. His occupation was that of a farmer. Sadly, just three-and one-half years after Clarence's birth, his mother, Roana, died of bladder disease, leaving Ezra as a single dad. Feeling he was unable to properly care for the three-year-old, his sister Josephine and brother-in-law, Charles Baxter, took the child into their family.

On August 2, 1862, Falmouth Town Meeting voted to offer a bounty to volunteers who helped to fill that town's war quota. Ezra went to Falmouth and enlisted within two weeks. It seems likely he wanted the bounty for the support of his son. On August 13, 1862, following President Lincoln's call for three-year volunteers and with his Falmouth bounty intact, he enlisted into the army. He served in the Massachusetts 38th infantry.

Ezra along with 30 other Falmouth men traveled to Buzzards Bay and then boarded a train to New Bedford. They were then sent to Camp Stanton in Lynnfield. From there they were sent to a camp outside Baltimore where they endlessly drilled and learned the soldier trade. On October 11 marching orders were received, with the 38th being called out to respond to Confederate General J.E.B. Stuart's cavalry raid. They remained on duty, guarding Baltimore for any additional attacks until November 9. On November 10, Ezra and the Massachusetts 38th embarked by ship to Louisiana. Ship Island was reached December 13, and Carrollton, outside

New Orleans, on New Year's Day, 1863. Here the 38th was assigned to Major General Nathaniel Banks 19th Corps. Ezra and the 38th bedded down along the swamp lands of the Greenville Encampment. During the ensuing weeks, the dampness of that lowland camp along the Mississippi River, and the poor quality of the water supply, resulted in rampant ailments. The sick list grew longer and longer. It was at this time that Ezra contracted typhoid fever, and died 12 days later.

He lies today in Mashpee, almost forgotten. Abraham Lincoln in his Gettysburg Address said about those who fought and died in the Civil War "we can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain" -- This Civil War veteran lies today under a broken grave stone covered in leaves and downed branches.

**RESTORATION OF LAKEWOOD
CEMETERY**

\$2,500	Survey
\$5,600	Tree work (2 days)
\$400	Stump grinding (rental)
\$24,500	Fencing (estimate)
\$5,000	Landscaping (budget)
\$580	Gravestone repair
\$38,580	Subtotal
\$3,858	Contingency (10%)
\$42,438	Total Funding Request













**COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee**

Submit (12) copies & (1) email copy to:

Town of Mashpee
Community Preservation Committee
c/o Office of Selectmen & Town Manager
16 Great Neck Road North, Mashpee MA 02649
508-539-1401
www.mashpeema.gov

Category (check all that apply)

Open Space ___ Recreation ___ Historic Preservation Affordable Housing ___

Name of Applicant: **Mashpee Historical Commission**

Co-Applicant; if applicable: **Mashpee Historic District Commission**

Contact Person: **Ava Marie Costello**

Daytime Phone: **508-681-8550** Email: **1amcostello@comcast.net**

Mailing Address: **16 Great Neck Road North**

Town: **Mashpee** State: **MA** Zip Code: **02649**

Proposal Title: **Mashpee War Monument, Community Park Project- Phase I (additional funding)**

Proposal Address (or assessor's parcel ID): **Mashpee Community Park**

Amount of CPA Funding request: \$ **To be determined** _____

Total Cost of Proposed Project: \$ **To be determined** _____

Date: **October 22, 2021**

\$ 86,000

have a figure

COMMUNITY PRESERVATION FUNDING APPLICATION
Town of Mashpee

Project Description:

Answer the following questions in the order listed. Be brief, but complete and include any supporting materials.

1. **Goals: What are the goals of the proposed project?**

To finish the original project as approved in 2018. Much of the project has been completed with only the monument itself remaining to be finished. The goals originally stated were: First, we will give honor, recognition and tribute to all veterans from Mashpee, to make sure their service and sacrifice to our country is made visible and never forgotten. This will be done through the listing on a new War Monument all Mashpee 253 veterans' name, covering all the wars served by Mashpee veterans. In addition, we will be able to update and include all veterans who gave their life in time of war by continuing the design of the current nine in-ground honor squares in the Veterans' Garden We would be adding an additional 17, so all who gave their life in time of war from Mashpee would be included. Second, the project will build on town pride in Community Park, making it an important destination location and centerpiece for the town. Third, we are looking for the construction of the monument to begin following funding at the Spring 2022 Town Meeting and be completed sometime in late spring or early summer 2022 with a town-wide dedication and celebration in the late summer or fall of 2022.

Due to estimates by VHB, who oversaw the project, they fell well short of actual bids; bids came in \$75,000 over their estimates. Due to the Pandemic,(our VHB contact person was laid off), due to current inflation and due to the fact that we received zero bids on the monument part of the project itself, the project has been halted pending efforts by DPW Superintendent Catherine Laurent to secure bids. As, after two bidding attempts, no bids were received, the bidding process was changed to divide the monument into two different bids. One being the cement monument itself and the second being the polished black granite panels with engraving of the veteran names.

In April of 2018 our original request was for matching funds for our SHRAB state grant for a Revolutionary War Monument. After feedback from the original Community Park Committee, we abandoned our original plan for the names of those who fought in the American Revolution being engraved on the back of the current Veterans' Honor Memorial in Veterans' Garden. At the request of the Community Preservation Committee (CPC) and with their green light for additional funding, we enlarged the scope of the project to include a war monument for all wars

At the advice of the Superintendent of Public Works, we agreed to contract with Vanasse Hangen Brustlin, Inc., (VHB) for the design and landscape architecture services for the development of the new War Monument and related landscaping, benches, lighting, flagpoles, paver area, walkways, etc.

Because this monument will be located in the heart of the community, it will become a visible feature and source of pride to the town, extending well into our future, and will give honor and recognition to our veterans, we want to make sure we do it right and that it will be first class.

2. Community Need: Why is this project needed? How does it reflect the criteria as defined by the CPC Committee?

Mashpee has a rich and unique history which will be brought to life with this project. Mashpee had and currently has many brave veterans who served their country. Currently Mashpee has plaques listing the names of those who served in the Civil War and World War I (which, however, are not complete) plus the Veterans' Garden. There are, however, no monuments recognizing the names of those who served in the American Revolutionary War, World War II, Korean War, Vietnam War, War in Iraq and the War in Afghanistan. The names of all Mashpee veterans will be researched and placed on the new monument. The names of those who served in the recent Persian Gulf and Afghanistan wars will be listed on a future monument located in the area of the current monument. Funding for that monomer will be on a future CPC request.

The current project is over 90 percent complete. This funding will enable the entire Phase I of the project to be completed.

3. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

The Mashpee Board of Selectmen and Mashpee Post #5489 of the Veterans of Foreign Wars all gave unanimous support to Phase I of the Park Project. The Community Preservation Committee supported our request for funding of Phase I. The Commonwealth of Massachusetts through the granting of the SHRAB Grant and the citizens of Mashpee through unanimous Town Meeting vote, supported and appropriated funding for the first phrase of the project. As this project is too large a scope for the Historical Commission to act alone, we appointed a special advisory committee, made up of a member of the Board of Selectmen, the DPW, the Assistant Town Manager, members of the original Community Park Committee, members of the VFW, members of the Wampanoag community, the chair of the Historical District Commission and members of the Historical Commission. The genealogist of the Wampanoag Tribe has assisted us in our research of Mashpee veterans who served at time of war.

4. **Timeline: What is the proposed schedule for project implementation, including a timeline for all milestones?**

With the additional funding to complete the project, we will present the project at the spring Town Meeting. Upon approval, we will undertake construction ASAP, with the hope of having the project completed by the summer of 2022 and a dedication and celebration sometime in late summer or early fall of 2022.

5. **Success Factors: How will the success of this project be measured? Be specific.**

Once the work is completed and dedicated in ceremony it will become a center piece of Mashpee's Community Park. After completion, the gathering of town veterans with family and friends around the new monument, tracing the names of loved ones in the granite engravement and seeing the tears and pride on veteran faces will be the surest way to measure the success of this overdue monument.

6. **Experience/Credentials: How will the experience of the applicants(s) contribute to the success of this project?**

The Mashpee Historical Commission, Mashpee Historic District Commission, long-time "Town Historian" Rosemary Burns Love, members of the Wampanoag Tribe, the advisory board comprised of former Community Park members, town officials, VFW members, DPW Superintendent and the professional services of VHB will all contribute to the expertise and success of the project.

7. **Budget: What is the total budget for the project and how will CPA funds be spent?**

To be determined

8. **Other Funding:** To complete this final phase the additional funding by the CPC is all that will be needed. Additional benches will be installed based on individual private funding by families or individuals who want to purchase a bench in memory or honor of a family member, friend or veteran

9. **Maintenance: CPA funds may not be used for maintenance. If ongoing maintenance is required for this project, how will it be funded?**

On-going maintenance such as mowing, flag replacement, general upkeep of the park, etc., will fall under the jurisdiction of the Town and DPW, as is currently taking place

10. Pending Information:

Bids and construction timeframes will be provided by DPW Superintendent
Catherine Laurent

MASHPEE WAR MONUMENT	
\$317,500.00	Approved CPA funding
\$139,518.37	Expenditures/encumberances to date
\$177,981.63	Available budget
\$145,500.00	Solid granite monument
\$15,180.00	Lettering - Veteran names (\$5/letter; 253 names at 12 letters per name)
\$1,000.00	Lettering - Conflicts
\$3,750.00	Lettering - Dedication
\$500.00	Lettering - Other
\$6,750.00	Medallions - Military Branches
\$2,500.00	Medallion - Town Seal
\$28,000.00	Delivery and installation of monument
\$5,000.00	Electrical (budget)
\$15,000.00	Landscaping (budget)
\$223,180.00	Subtotal
\$55,795.00	Contingency (25%)
\$278,975.00	Total
\$15,000.00	MHC grant
\$86,000.00	Additional Funding Request



TOWN OF FALMOUTH
MASSACHUSETTS

DEC 20 2021

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 Robert L. and Stephanie Mastroianni, et al, c/o Victoria Dalmas, Esq., 113 Lakeview Avenue, Falmouth, Ma.

(Map 38A Lot 000) **under** 240-202 of the Zoning By-Law, as amended to **deny** the cease and desist order and uphold the September 29,2021 decision of the Building Commissioner in regards to pickleball use.

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 **December 16, 2021** 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>



DEC 20 2021

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 Leroy Enos, Jr. and Passang Enos, 21 Highwood Lane, Hatchville, Ma.

(Map 12 Lot 356) **under 240-38 G(1)(b)** of the Zoning By-Law, as amended to **grant** the special permit to construct and attached 3-car garage with living space above, exceeding 900s/f in size.

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 **December 13, 2021** 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>

DEC 17 2021



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 Frank J. and Kathleen Rizzotti, 48 Russell Road, Falmouth, Ma.

(Map 39 Lot 003) **under** 240-3 C. and 240-69 E. of the Zoning By-Law, as amended to **grant** the special permit to construct an addition to the single-family dwelling, 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 **December 13, 2021** 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>



DEC 14 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

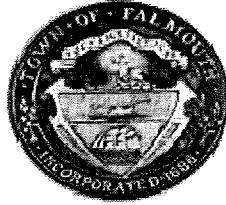
Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Robert M. Schaub and Theresa Rivera-Schaub, 48 Bywater Court, Falmouth, Ma.

(Map 47 Lot 039) under 240-3 C. and 240-69 E. of the Zoning By-Law, as amended to **grant** the special permit to raze and rebuild the existing non-conforming dwelling.

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 **November 30, 2021** 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>



DEC 14 2021

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 Anna Michel, 137 Shore Street, Falmouth, Ma.

(Map 47A Lot 000M) **under** 240-69 E. of the Zoning By-Law, as amended to **grant** the special permit to allow a plunge pool; increasing 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 **November 29, 2021** 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>



DEC 14 2021

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 Robert J. Pasquale and Laura Keenan, 11 Harrington Street, Teaticket.

(Map 39A Lot 052) under 240-3 C. and 240-69 E. of the Zoning By-Law, as amended to grant the special permit to construct an addition to the nonconforming single family dwelling; 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 **December 1, 2021** 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>



DEC 14 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

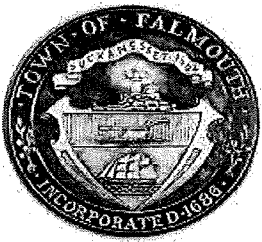
Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Bryan H. and Eileen M. Greene, 71 Alder Lane, North Falmouth, Ma.

(Map 04 Lot 189) **under** 240-23 G. of the Zoning By-Law, as amended to **grant** the special permit to raze the existing 2-car garage and rebuild an attached 3-car garage with habitable space above.

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 **December 8, 2021** 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

DEC 4 2021

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 # 102-21 Patricia A. Klauer, 10 Beach Plum Path, Hatchville, Ma.; Filed an appeal with the Falmouth Town Clerk pursuant to M.G.L. c. 40A §§ 8 & 15 and (240-202 of the Code of Falmouth) appealing the Building Commissioner's determination / Request for a modification of comprehensive permit no.006-19 pursuant to Chapter 40B to allow a shed. The subject property is 10 Beach Plum Path, Hatchville, Ma.

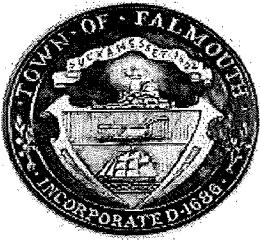
Map 27 Section 02 Parcel 011A Lot(s) 003

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, December 16, 2021 at 6:30PM**

You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/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

DEC 4 2021

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:

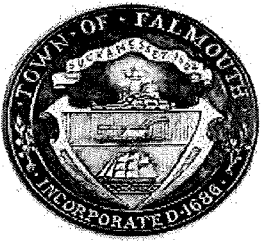
Application # 099-21 William N. and Kristan D. Chalkley, 404 Hayway Road, East Falmouth, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240- 38 I. of the Code of Falmouth to allow a detached accessory apartment on subject property known as 404 Hayway Road, East Falmouth, Ma.

Map 17 Section 01 Parcel 035 Lot(s) 014

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, December 16, 2021 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

DEC 4 2021

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:

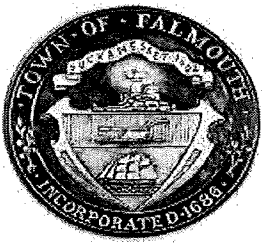
Application # 101-21 Carole S. Hill, Trustee, c/o Lawrence B. Cohen, Nixon Peabody LLP, 100 Summer Street, Boston, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. and 240-69 E. of the Code of Falmouth to construct an addition to the 2nd floor of the existing non-conforming single family dwelling on subject property known as 490 Central Avenue, East Falmouth, Ma.

Map 40A Section 05 Parcel 002 Lot(s) 108

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, December 16, 2021 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/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

DEC 4 2021

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 # 100-21 William L. and Mary F. Trifero, 61 Richard Road, Holliston, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-69 E. and 240-3 C. of the Code of Falmouth to remove the existing sunroom and construct an addition in its place; exceeding 20% lot coverage by structures on subject property known as 330 Edgewater Drive East, East Falmouth, Ma.

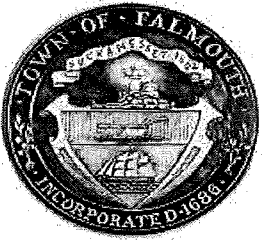
Map 41 Section 06 Parcel 000 Lot(s) 006

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, December 16, 2021 at 6:30PM**

You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/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

DEC 4 2021

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 # 055-20M, RLBE, LLC, 133 Falmouth Road, Mashpee, Ma.: Applied to the Zoning Board of Appeals for a Modification of Comprehensive Permit No.055-20 pursuant to MGL chapter 40B to allow modifications to previously approved plans. The subject property is Rebecca Ann Lane (lot 2), East Falmouth, Ma.

Map 32 Section 01 Parcel 006 Lot(s) 002

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, December 16, 2021 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA*

DEC 4 2021



TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

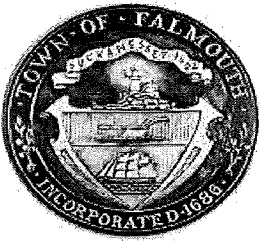
Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Falmouth Housing Corporation and Affirmative Investments, Inc., 763 Main Street and 24 Scranton Avenue, Falmouth, Ma.

(Map 47B Lot(s) 022,002) **under** MGL Chapter 40B, as amended to **grant** the comprehensive permit to raze the existing structure and construct a single structure with retail space on the first floor and 48 affordable, senior age-restricted rental units above.

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 **November 22, 2021** 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

DEC 28 2021

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 # 107-21 Jill M. and Richard J. Guidi, 230 Acapesket Road, East Falmouth, Ma.:

Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-68 A(8) and 240-23 G(1)(b) of the Code of Falmouth to demolish the existing detached garage and shed and construct a 3-car, detached garage with habitable space above with attached cabana exceeding 900s/f and an in-ground pool; all located within the front yard, more than 50' from the front property line. The subject property is 230 Acapesket Road, East Falmouth, Ma.

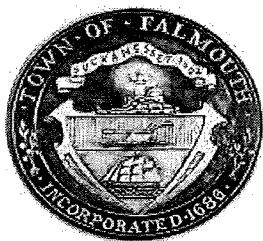
Map 40 Section 04 Parcel 005 Lot(s) 245

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, January 13, 2022 at 6:30PM**

You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

DEC 28 2021

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:

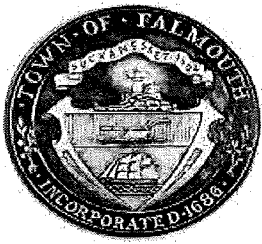
Application # 104-21 Guy Forman, Trustee, P.O. Box 1232, Attleboro, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-68 D(2), 240-69 E. and 240-3 C. of the Code of Falmouth to allow expansion of the 2nd floor deck on subject property known as 113 Bywater Court, Falmouth, Ma.

Map 47 Section 05 Parcel 026 Lot(s) 019

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, January 13, 2022 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/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

DEC 28 2021

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 # 105-21 William J. and Gina C. Webber, 47 Rockville Avenue, East Falmouth, Ma.:

Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-162 of the Code of Falmouth to allow a home occupation (electrician) on subject property known as 47 Rockville Avenue, East Falmouth, Ma.

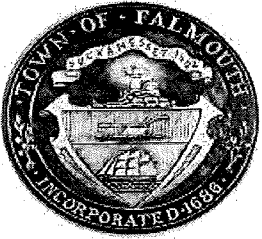
Map 27 Section 06 Parcel 028 Lot(s) 012

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, January 13, 2022 at 6:30PM**

You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/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

DEC 28 2021

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 # 106-21 William F. Curley III, Trustee, 365 Boston Post Road, Sudbury, Ma.: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-38 G(1)(b) of the Code of Falmouth to construct a detached accessory structure exceeding 900s/f in size on subject property known as 280 Sandwich Road, Hatchville, Ma.

Map 27 Section 04 Parcel 006 Lot(s) 001

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, January 13, 2022 at 6:30PM**
You are invited to be present.

By Order of the Board of Appeals,
Chairman, Terrence Hurrie

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 <http://www.falmouthmass.us/1113/Applications-under-review-by-the-ZBA>*



DEC 7 2021

**TOWN OF SANDWICH
PUBLIC HEARING NOTICE
BOARD OF APPEALS**

The Sandwich Board of Appeals will hold a Public Hearing on the application of Vikrant Raina, Daniel Kiryelejza and Juliana Bray, Applicants, for an Appeal of Decision of the Building Commissioner under MGL Chapter 40A, Section 8, for property located at 14 Beach Way, East Sandwich, MA, Assessor's Map #57, Parcel #001, for the purpose of appealing a zoning determination relating to the interpretation of a lodging house. The Public Hearing will be held on December 14, 2021, in the upper meeting room of the Human Services Building, 270 Quaker Meetinghouse Road, East Sandwich, MA at 6:00 p.m. The public record information can be viewed at the Planning & Development office, 16 Jan Sebastian Drive, Sandwich, MA, Monday-Friday 8:30 a.m. to 4:30 p.m.

Erik Van Buskirk, Chair
Sandwich Board of Appeals
Publication: Sandwich Enterprise
Publication Dates: November 26 and December 3, 2021



16 Jan Sebastian Drive
Sandwich, MA 02563
Phone: 508-833-8001
Fax: 508-833-8006
E-mail: planning@sandwichmass.org

DEC 4 2021

**Special Permit
Certificate of Approval**

TOWN CLERK
TOWN OF SANDWICH

NOV 30 2021

9H 45M AM
RECEIVED & RECORDED

Petition # 21-27
Current Property Owner(s): Hauck Properties LLC
Applicant: Matthew Kalaher, True North Truck
Property Address: 3 Jan Sebastian Drive
Map, Parcel 27-028

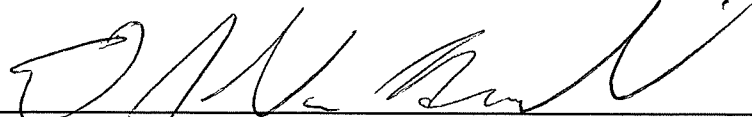
DEC 4 2021

On November 23, 2021 the Board of Appeals voted to approve a special permit from Sections 1330, 1380 & 5000 of the Sandwich Zoning By-law for property located at 3 Jan Sebastian Drive, as shown on Assessor's Map 27, Parcel 028, for the purpose of operating a truck repair facility.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to approve a special permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.



Board of Appeals Member

11/29/21

Date

PROCEDURAL HISTORY

1. An application was filed on November 2, 2021 under sections 1330, 1380 & 5000 of the zoning bylaw for property located at 3 Jan Sebastian Drive.
2. After proper notice was given the public hearing was opened on November 23, 2021 and closed on November 23, 2021.
3. The application was accompanied by a Site Plan entitled:
PLOT PLAN – LOT 30
JAN SEBASTIAN DRIVE SANDWICH, MA
Dated May 18, 2005
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk
James Killion
Robert Jensen
Chase Terrio

FINDINGS

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
2. The Board of Appeals finds that the subject property lies within the Flexible (Flex) zoning district.
3. Section 1330 requirements:
 - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;
 - b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;
 - c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
 - d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will not be satisfied.
4. The Board of Appeals finds that the proposed use is subject to section 5000 of the Zoning By-Law
5. Applicant stated that there will be no underground storage of hazardous materials.
6. Applicant states that no greater than 55 gallons of waste oil shall be stored on site. Waste oil shall be removed bi-weekly.

7. Applicant states that all hazardous materials shall be stored in a fire proof cabinet.
8. Applicant states that spill containment equipment will be on site.
9. Applicant states there shall be retail sales of truck parts.
10. Applicant states that no work on vehicles shall be performed in the parking lot.
11. Applicant states that a licensed third party waste hauler shall be responsible for the removal of hazardous waste materials.
12. Applicant states that minimum quantities of new fluids and lubricants shall be stored on site.

Motion: I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second: Chase Terrio

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes

CONDITIONS:

At the public hearing, the Board of Appeals considered potential conditions of approval for the special permit. The Board of Appeals voted that the following conditions of approval shall be imposed upon any approval of a special permit and that these conditions are reasonable and that the applicant and its successor-in-interest shall be bound by these conditions:

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
 - b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
4. The applicant is to have a spill kit on site of adequate size to clean up a spill and maintain written procedures.

5. Any fuel storage is subject to meeting Fire Department regulations and any other applicable state/federal regulations.
6. Applicant shall submit a water quality certificate to the Health Department.
7. Applicant shall supply all necessary documentation to the Board of Health which indicate compliance with Sections 1380, 1382 and 1390.
8. No mechanical work shall be performed in the parking lot.

Motion: I, Robert Jensen, move to impose the above conditions of approval upon any approval of the special permit.

Second: James Killion

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 3 Jan Sebastian Drive, as shown on Assessor's Map 27, Parcel 028, for the purpose of operating a truck repair facility.

Motion: I, James Killion, move to approve the special permit application.

Second: Chase Terrio

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes



DEC 20 2021

**Special Permit
Certificate of Approval**

Petition # 21-19
Current Property Owner(s): WingsWay, LLC
Applicant: WingsWay, LLC
Property Address: 14 Beach Way
Map, Parcel 57-001

TOWN CLERK
TOWN OF SANDWICH

DEC 16 2021


3 H 25 M P Mey
RECEIVED & RECORDED

On December 14, 2021 the Board of Appeals voted to approve a special permit from Sections 1330, 2420, 2600 c, 4350 & 4390 of the Sandwich Zoning By-law for property located at 14 Beach Way, as shown on Assessor's Map 57, Parcel 001, for the purpose of renovating and enlarging a non-conforming structure, place it on pilings, and install a new septic system in the flood zone.

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to approve a special permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the Planning & Development office as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.



Board of Appeals Member

12/16/21

Date

PROCEDURAL HISTORY

1. Application from sections 1330, 2420, 2600 c, 4350 & 4390 of the Zoning By-Law for property located at 14 Beach Way was filed on September 3, 2021.
2. After proper notice was given the public hearing was opened on October 12, 2021 and closed on December 14, 2021.
3. The application was accompanied by a Site Plan entitled:
Site Plan Proposed Improvements at
14 Beach Way Sandwich Mass.
Dated: April 11, 2021 and revised 08/25/2021
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk
James Killion
Christopher Neeven
Robert Jensen
Chase Terrio

FINDINGS

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
2. Subject property is located within the R-2 Zoning District and the Flood Plain Overlay District.
3. Applicant proposes to enlarge the existing structure and place it on pilings, and install a new septic system.
4. Northerly portion of the lot is located in the FEMA Zone VE elevation 16 and the southerly portion of the lot is at FEMA ZONE AE elevation 14.
5. The structure was not created lawfully but it has been in existence for over 10 years without any enforcement actions.
6. The proposed addition increases the non-conforming nature of the structure by over 30%.
7. Under section 2600 c the applicant can reduce the rear yard setback to 42.3 feet. The minimum allowed would be 35.5'.
8. The extension and alteration of the pre-existing non-conforming structure is not substantially more detrimental to the neighborhood than the existing nonconforming structure.
9. Section 1330 requirements:

- a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;
- b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;
- c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
- d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.

10. Section 4350 (2) requirements:

- a) The Board of Appeals finds that susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property is minimal.
- b) The Board of Appeals finds that there are not alternative locations for the proposed use which are not subject to flooding or erosion.
- c) The Board of Appeals finds necessity to the facility of a waterfront location.
- d) Board of Appeals finds that the relief requested is the minimum necessary.

11. No floor level will be below Base Flood Elevation.

12. The proposed septic system will be moved out of the VE Zone and further away from the coastal dune.

13. The applicant is bringing 55 cubic yards of fill on site.

14. Applicant proposes that the structure will not intensify the existing use.

15. No changes to the existing grade are proposed.

Motion: I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second: Chase Terrio

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Christopher Neeven	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes

CONDITIONS:

At the public hearing, the Board of Appeals considered potential conditions of approval for the special permit. The Board of Appeals voted that the following conditions of approval shall be imposed upon any approval of a special permit and that these conditions are reasonable and that the applicant and its successor-in-interest shall be bound by these conditions:

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
 - b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
4. Erosion controls must be in place prior to construction and maintained throughout.

Motion: I, James Killion, move to impose the above conditions of approval upon any approval of the special permit.

Second: Chase Terrio

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Christopher Neeven	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes

DECISION:

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 14 Beach Way, as shown on Assessor's Map 57, Parcel 001, for the purpose of renovating and enlarging a non-conforming structure, place it on pilings, and install a new septic system in the flood zone.

Motion: I, James Killion, move to approve the special permit application.

Second: Christopher Neeven

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Christopher Neeven	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes



DEC 20 2021

TOWN CLERK
TOWN OF SANDWICH

DEC 16 2021

3 H 25 M P M
RECEIVED & RECORDED

**Appeal of the Decision of Building Commissioner
CERTIFICATE OF DENIAL**

PROPERTY ADDRESS: 14 Beach Way, Sandwich MA
NAME OF APPLICANT: Vikrant Raina, Daniel Kiryelejza and Juliana Bray

On December 14, 2021 the Board of Appeals voted to deny an Appeal of the Decision of the Building Commissioner for 14 Beach Way, Sandwich, MA, Assessors Map #57 Parcel #001, appealing the Building Commissioner's interpretation of a lodging house under the definitions section of the Protective Zoning By-Law.

The Board of Appeals certifies that this certificate is a true and correct copy of the decision to deny the Appeal of the Decision of the Building Commissioner and that copies of said decision, and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision.


Board of Appeals Member

12/16/21

Date

PROCEDURAL HISTORY

1. Application for Appeal of the Decision of the Building Commissioner was received on November 18, 2021 for the purpose of overturning a written zoning determination of the Building Commissioner dated October 19, 2021.
2. After proper notice was given, the public hearing was opened and closed on December 14, 2021.
3. The application was accompanied by a site plan entitled "Plan of Land in Sandwich, MA. Dated December 1991".
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk
James Killion
Christopher Neeven
Robert Jensen
Chase Terrio
Gerry Nye

FINDINGS

1. The Board of Appeals finds that this application meets the requirements of Section 8, M.G.L. Chapter 40A.
2. The Board of Appeals finds that the subject property is located in the R-2 zoning district and Flood Plain Overlay District.
3. The Board of Appeals finds that a lodging house *is a dwelling used for the taking of more than six (6) boarders or the renting of rooms, without cooking facilities, to more than six (6) and fewer than ten (10) persons.*
4. The Board of Appeals finds that the subject properties use does not constitute a lodging house.
5. The Sandwich Zoning Bylaws defines the definition of single family dwelling *one single family dwelling unit on a single lot irrespective of structure type ownership or tenure.*
6. The use of the property fits with the accepted use as short term rental property within the Town of Sandwich.

Motion: I, James Killion, move to adopt these findings as the findings of the Board of Appeals.

Second: Chase Terrio

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Christopher Neeven	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes

Gerry Nye

Yes

DECISION

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby denies the Appeal of the Decision of the Building Commissioner, for property located at 14 Beach Way, Sandwich, MA, Assessors Map #57 Parcel #001, appealing the Building Commissioner's interpretation of a lodging house under the definitions section of the Protective Zoning By-Law.

Motion: I, James Killion, move to deny the Appeal of the Decision of the Building Commissioner.

Second: Robert Jensen

Vote:	Erik Van Buskirk	Yes
	James Killion	Yes
	Christopher Neeven	Yes
	Robert Jensen	Yes
	Chase Terrio	Yes
	Gerry Nye	Yes



Town of Barnstable

DEC 28 2021

Town of Barnstable
Planning Board
367 Main Street
Hyannis, MA 02601

You are hereby notified that the Planning Board has filed its Decision and Notice with the Town Clerk at the Town Hall located at 367 Main Street, Hyannis, MA for the petition of:

Date: 12/20/21

Any appeal to this decision must be made pursuant to MGL Chapter 40A, Section 17 and filed within 20 days from the date hereon with the municipal clerk.

Eric J. & Simone S. Fischer, Dean C. & Maureen F. Swartz & Herbert K. Bodensiek -have been granted a Notification of Approval of Roadway Modification to Definitive Subdivision Plan Sub. No. 826--Loomis Lane, Centerville MA.

Public files are available for viewing by contacting Karen.herrand@town.barnstable.ma.us or by calling 508-862-4064.

www.town.barnstable.ma.us

DEC 2 2021

November 29, 2021

Planning Board
Town of Mashpee
16 Great Neck Road, N.
Mashpee, MA 02649

RE: Crown Castle – Proposed Project at 36 Wequaquet Lane, Centerville, MA

To Whom it May Concern:

Enclosed you will find a copy of the notice which will appear in the December 1, 2021 edition of the Cape Cod Times and the December 3, 2021 edition of the Barnstable Patriot. This notice has also been sent to the abutters of the subject property by certified mail, return receipt requested as well as to the Planning Boards of the adjoining towns. Though notification of the individual abutters is not required by the Technical Bulletin, we are voluntarily sending notice so all stakeholders are aware of the crane test and may understand the visibility impact of the project. A list of the recipients is enclosed. If there are any areas from which you'd like to see photographs of the crane test, please let us know.

Respectfully submitted,

BROWN RUDNICK LLP

By: 
Edward D. Pare, Jr.

EDP/jad

Encs.

64309672 v1-WorkSiteUS-028033/0017

Friday, December 17, 2021

PUBLIC NOTICE

CRANE TEST FOR A PROPOSED WIRELESS COMMUNICATIONS TOWER - Crown Castle, Inc. ("Crown Castle") is preparing to file for a Development of Regional Impact review with the Cape Cod Commission regarding a proposed 110' above ground level wireless communications telecommunications monopole-style tower with associated equipment to be located at 36 Wequaquet Lane, Centreville, Barnstable, Massachusetts (Tax Assessors' parcel 250023T00) with access over 1060 Falmouth Road, Hyannis in Barnstable, Massachusetts (Tax Assessors' parcel 250023H00) to replace a nearby monopole on Falmouth Road. Pursuant to the Cape Cod Commission's application requirements for wireless communications towers, Crown Castle provides this notice of a crane test which will be conducted at the above-referenced property on Friday, December 17, 2021, from 10:00 AM until 2:00 PM to assist the Town of Barnstable and the Cape Cod Commission in assessing the visual impact of the proposed replacement tower on the surrounding communities. If there is poor visibility or other inclement weather conditions which prevents the crane test, the crane test will occur on the following Monday, December 20, 2021 at the same times from 10:00 AM until 2:00 PM, or if necessary, on the following day at the same times until completed.

Parcel ID Owner 1 Owner 2 Address Line 1 Address Line 2 City State Zip

230136 GREEK ORTHODOX CHURCH OF CAPE COD INC 1130 FALMOUTH RD
CENTERVILLE MA 02632

230137 WENGER, ROBERT J & BONNIE A TRS WENGER FAMILY INVESTMENT
TRUST 523 MAIN STREET CENTERVILLE MA 02632

230209 DESROCHER, EILA S TR KSL REALTY TRUST 354 OLD JAIL LANE
BARNSTABLE MA 02630

250004 RELD CORPORATION C/O AFFORDABLE BOOKKEEPING CORP 1047
FALMOUTH ROAD HYANNIS MA 02601

250005 BOTSFORD, NORMAN L & JUDITH 1069 FALMOUTH RD HYANNIS MA 02601

25000600A MARCANO, FRANK & BARBARA 1081 FALMOUTH ROAD HYANNIS MA
02601

25000600B LAFTSIDIS, JOHN %DREW, CAMERON & GRIFFIN, NICOLE 1087
FALMOUTH ROAD HYANNIS MA 02632

250010 LORTIE, LEO A & DOROTHY P 12 WEQUAQUET LN CENTERVILLE MA 02632

250011 BRAMLEY, EDWIN 29 BEACH VIEW ROAD WEST DENNIS MA 02670

250012 MUELER, CARL & AMY 45 WEQUAQUET LN CENTERVILLE MA 02632

250018002 MCKAY, DANIEL J & JILL M 421 BUCKSKIN PATH CENTERVILLE MA
02632

250021 COOPER, PAUL D 46 WEQUAQUET LANE CENTERVILLE MA 02632

250022H00 GOODWIN, MARY ELLEN 38 WEQUAQUET LANE CENTERVILLE MA
02632

250022T00 GOODWIN, MARY ELLEN 38 WEQUAQUET LANE CENTERVILLE MA
02632

250023H00 CENTERVILLE GARDENS II LLC C/O KELLER W INC 1471 IYANNOUGH
ROAD HYANNIS MA 02601

250023H00 CENTERVILLE GARDENS II LLC C/O KELLER W INC 1471 IYANNOUGH
ROAD HYANNIS MA 02601

250023T00 CENTERVILLE GARDENS II LLC C/O KELLER W INC 1471 IYANNOUGH
ROAD HYANNIS MA 02601

250027X01 1080 FALMOUTH LLC ATTN: RICHARD KASSIS 496 LONG RIDGE ROAD
BEDFORD NY 10506

250027X02 1080 FALMOUTH LLC ATTN: RICHARD KASSIS 496 LONG RIDGE ROAD
BEDFORD NY 10506

250065 MCCARTIN, MARK TR STRAWBERRY HILL NOMINEE REALTY TRUST 43
HOLLINGSWORTH ROAD OSTERVILLE MA 02655

250124 VOTTA, JILL S & CAMILLE I TRS JILL S VOTTA LIVING TRUST 16
WHISPERING PINE TERRACE GREENVILLE RI 02828

250126 JOHNSON, RYAN 22 QUISSET ROAD CENTERVILLE MA 02632 250127H00
FEIGELMAN, ESTELLE TR %LUCIANO, PAUL S 11 ELM VIEW TERRACE BROCKTON
MA 02301

250127T00 FEIGELMAN, ESTELLE TR %LUCIANO, PAUL S 11 ELM VIEW TERRACE
BROCKTON MA 02301

250128 BAILEY, BRADLEY J P O BOX 325 CENTERVILLE MA 02632

Page 1 of 2 Total Number of Abutters: 24 Report Generated On: 11/4/2021 1:29 PM

Planning Board, Town of Sandwich, 16 Jan Sebastian Drive, Sandwich, MA 02563

Planning Board, Town of Mashpee, 16 Great Neck Road, N., Mashpee, MA 02649

Planning Board, Town of Yarmouth, 1146 Route 28, South Yarmouth, MA 02664

Town of Barnstable, Planning Board, Attn: Elizabeth Jenkins, AICP, 367 Main Street, Hyannis,
MA 02601

Town of Barnstable, Town Clerk, 367 Main Street, Hyannis, MA 02601

Cape Cod Commission, Sarah Karjeff, Planner, P.O. Box 226, 3225 Main Street, Barnstable,
MA 02630

Cape Cod Commission, Heather McElroy, Natural Resources Program Manager, P.O. Box 226,
3225 Main Street, Barnstable, MA 02630

Cape Cod Commission, Jeffrey Ribeiro, Regulatory Planner, P.O. Box 226, 3225 Main Street,
Barnstable, MA 02630

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

X
Transmittal No.

H. Municipal Planning Board Notification

DEC 2 2021

Notice to Applicant:

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

Alex Peselman, Trustee – The 27 Sand Dollar Lane Nominee Trust

Name of Applicant

27 Sand Dollar Lane, Mashpee

Project street address

Ockway Bay

Waterway

Mashpee

City/Town

Description of use or change in use:

Proposed work includes removal of an existing licensed fixed pier (License No. 3172). Construct, license, retain and maintain a new 212.8' length overall, pier structure, with a 4' wide reconstructed landing, stairs, pier, ramp and float to include relocating the existing licensed ramp and Jet Ski floats, in and over the waters of Ockway Bay.

To be completed by municipal clerk or appropriate municipal official:

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

Deborah Dami
Printed Name of Municipal Official

Dec 2, 2021
Date


Signature of Municipal Official

Town Clerk
Title

Mashpee
City/Town

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

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

X
 Transmittal No. _____

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



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

A. Application Information (Check one)

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

Name (Complete Application Sections)	Check One	Fee	Application #
WATER-DEPENDENT -			
General (A-H)	<input checked="" type="checkbox"/> Residential with \leq 4 units	\$215.00	BRP WW01a
	<input type="checkbox"/> Other	\$330.00	BRP WW01b
	<input type="checkbox"/> Extended Term	\$3,350.00 0	BRP WW01c
Amendment (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$100.00	BRP WW03a
	<input type="checkbox"/> Other	\$125.00	BRP WW03b
NONWATER-DEPENDENT -			
Full (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW15a
	<input type="checkbox"/> Other	\$2,005.00 0	BRP WW15b
	<input type="checkbox"/> Extended Term	\$3,350.00 0	BRP WW15c
Partial (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW14a
	<input type="checkbox"/> Other	\$2,005.00 0	BRP WW14b
	<input type="checkbox"/> Extended Term	\$3,350.00 0	BRP WW14c
Municipal Harbor Plan (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW16a
	<input type="checkbox"/> Other	\$2,005.00 0	BRP WW16b
	<input type="checkbox"/> Extended Term	\$3,350.00 0	BRP WW16c
Joint MEPA/EIR (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$665.00	BRP WW17a
	<input type="checkbox"/> Other	\$2,005.00 0	BRP WW17b
	<input type="checkbox"/> Extended Term	\$3,350.00 0	BRP WW17c
Amendment (A-H)	<input type="checkbox"/> Residential with \leq 4 units	\$530.00	BRP WW03c
	<input type="checkbox"/> Other	\$1,000.00 0	BRP WW03d
	<input type="checkbox"/> Extended Term	\$1,335.00 0	BRP WW03e

Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
Chapter 91 Waterways License Application - 310 CMR 9.00
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X
 Transmittal No. _____

B. Applicant Information Proposed Project/Use Information

1. Applicant:

Note: Please refer to the "Instructions"

Alex Peselman, Trustee
 Name jean@capeeng.com
 E-mail Address
 5 Green Park
 Mailing Address
 Newton MA 02458
 City/Town State Zip Code
 477-7272 508-477-9072
 Telephone Number Fax Number

2. Authorized Agent (if any):

Cape & Islands Engineering
 Name jean@capeeng.com
 E-mail Address
 800 Falmouth Road
 Mailing Address
 Mashpee Mashpee, MA 02649
 City/Town State Zip Code
 508-477-7272 508-477-9072
 Telephone Number Fax Number

C. Proposed Project/Use Information

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

Alex Peselman, Trustee, The 27 Sand Dollar Lane Nominee Trust
 Owner Name (if different from applicant)
 105/ 88 / 0 41°35' 19.860" N 70° 28' 03.144" W
 Tax Assessor's Map and Parcel Numbers Latitude Longitude
 27 Sand Dollar Lane, Mashpee MA 02649
 Street Address and City/Town State Zip Code

2. Registered Land Yes No

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

Ockway Bay

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

<u>Type</u>	<u>Nature</u>	<u>Designation</u>
<input type="checkbox"/> Nontidal river/stream	<input checked="" type="checkbox"/> Natural	<input type="checkbox"/> Area of Critical Environmental Concern
<input checked="" type="checkbox"/> Flowed tidelands	<input type="checkbox"/> Enlarged/dammed	<input type="checkbox"/> Designated Port Area
<input type="checkbox"/> Filled tidelands	<input type="checkbox"/> Uncertain	<input type="checkbox"/> Ocean Sanctuary
<input type="checkbox"/> Great Pond		<input type="checkbox"/> Uncertain
<input type="checkbox"/> Uncertain		

Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Waterways Regulation Program
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X
 Transmittal No. _____

C. Proposed Project/Use Information (cont.)

Select use(s) from
 Project Type Table
 on pg. 2 of the
 "Instructions

5. Proposed Use/Activity description

Proposed work includes removal of an existing licensed fixed pier (License No. 3172). Construct, license, retain and maintain a new 212.8' length overall, pier structure, with a 4' wide reconstructed landing, stairs, pier, ramp and float to include relocating the existing licensed ramp and Jet Ski floats, in and over the waters of Ockway Bay.

6. What is the estimated total cost of proposed work (including materials & labor)?

\$50,000.00

7. List the name & complete mailing address of each abutter (attach additional sheets, if necessary). An abutter is defined as the owner of land that shares a common boundary with the project site, as well as the owner of land that lies within 50' across a waterbody from the project.

John & John Mitchell, Trustees
 Name
Aldo & Sandra Esposito
 Name
New Seabury Properties, LLC.
 Name

29 Sand Dollar Lane, Mashpee, MA 02649
 Address
12510 Nathaniel Oaks Drive, Oak Hill, VA 20171
 Address
20 Red Brook Road, Mashpee, MA 02649-3757
 Address

D. Project Plans

1. I have attached plans for my project in accordance with the instructions contained in (check one):

Appendix A (License plan)

Appendix B (Permit plan)

2. Other State and Local Approvals/Certifications

401 Water Quality Certificate

 Date of Issuance

Wetlands

43-3144
 File Number

Jurisdictional Determination

JD-
 File Number

MEPA

 File Number

EOEI Secretary Certificate

 Date

21E Waste Site Cleanup

 RTN Number

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

X
Transmittal No.

E. Certification

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

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

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

Applicant's signature

Date

Property Owner's signature (if different than applicant)

Date

Agent's signature (if applicable) CAPE & ISLANDS ENGINEERING, INC.

Date

N/A F. Waterways Dredging Addendum

1. Provide a description of the dredging project

Maintenance Dredging (include last dredge date & permit no.) Improvement Dredging

N/A

Purpose of Dredging

2. What is the volume (cubic yards) of material to be dredged?

N/A

3. What method will be used to dredge?

Hydraulic Mechanical Other

4. Describe disposal method and provide disposal location (include separate disposal site location map)

N/A

5. Provide copy of grain size analysis. If grain size is compatible for beach nourishment purposes, the Department recommends that the dredged material be used as beach nourishment for public beaches. **Note:** In the event beach nourishment is proposed for private property, pursuant to 310 CMR 9.40(4)(a)1, public access easements below the existing high water mark shall be secured by applicant and submitted to the Department.

G. Municipal Zoning Certificate

Alex Peselman, Trustee – The 27 Sand Dollar Lane Nominee Trust

Name of Applicant

27 Sand Dollar Lane

Project street address

Ockway Bay

Waterway

Mashpee

City/Town

Description of use or change in use:

proposed work includes removal of an existing licensed fixed pier (License No. 3172). Construct, license, retain and maintain a new 212.8' length overall, pier structure, with a 4' wide reconstructed landing, stairs, pier, ramp and float to include relocating the existing licensed ramp and Jet Ski floats, in and over the waters of Ockway Bay.

To be completed by municipal clerk or appropriate municipal official:

"I hereby certify that the project described above and more fully detailed in the applicant's waterways license application and plans is not in violation of local zoning ordinances and bylaws."

David Morris

Printed Name of Municipal Official

Date

Signature of Municipal Official

Building Commissioner

Title

Mashpee

City/Town

Appendix A: License Plan Checklist (cont.)

Boundaries

- Property lines, full black lines, _____, along with abutters' names and addresses
- Mean High Water (MHW)* or Ordinary High Water (OHW)*, full black line _____
- Mean Low Water (MLW)*, black dotted line, (.....)
- Historic MHW* or OHW* (— — — —)
- Historic MLW* (..._..._..._)
- State Harbor Lines, black dot-dash line (- . - . - .) with indication of Chapter & Act establishing them (Ch. , Acts of)
- Reference datum is National Geodetic Vertical Datum (NGVD) or (NAVD).
- Floodplain Boundaries according to most recent FEMA maps
- Proposed & Existing Easements described in metes & bounds

Water-Dependent Structures

- Distance from adjacent piers, ramps or floats (minimum distance of 25' from property line, where feasible)
- Distance from nearest opposite shoreline
- Distance from outside edge of any Navigable Channel
- Access stairs at MHW for lateral public passage, or 5 feet of clearance under structure at MHW.

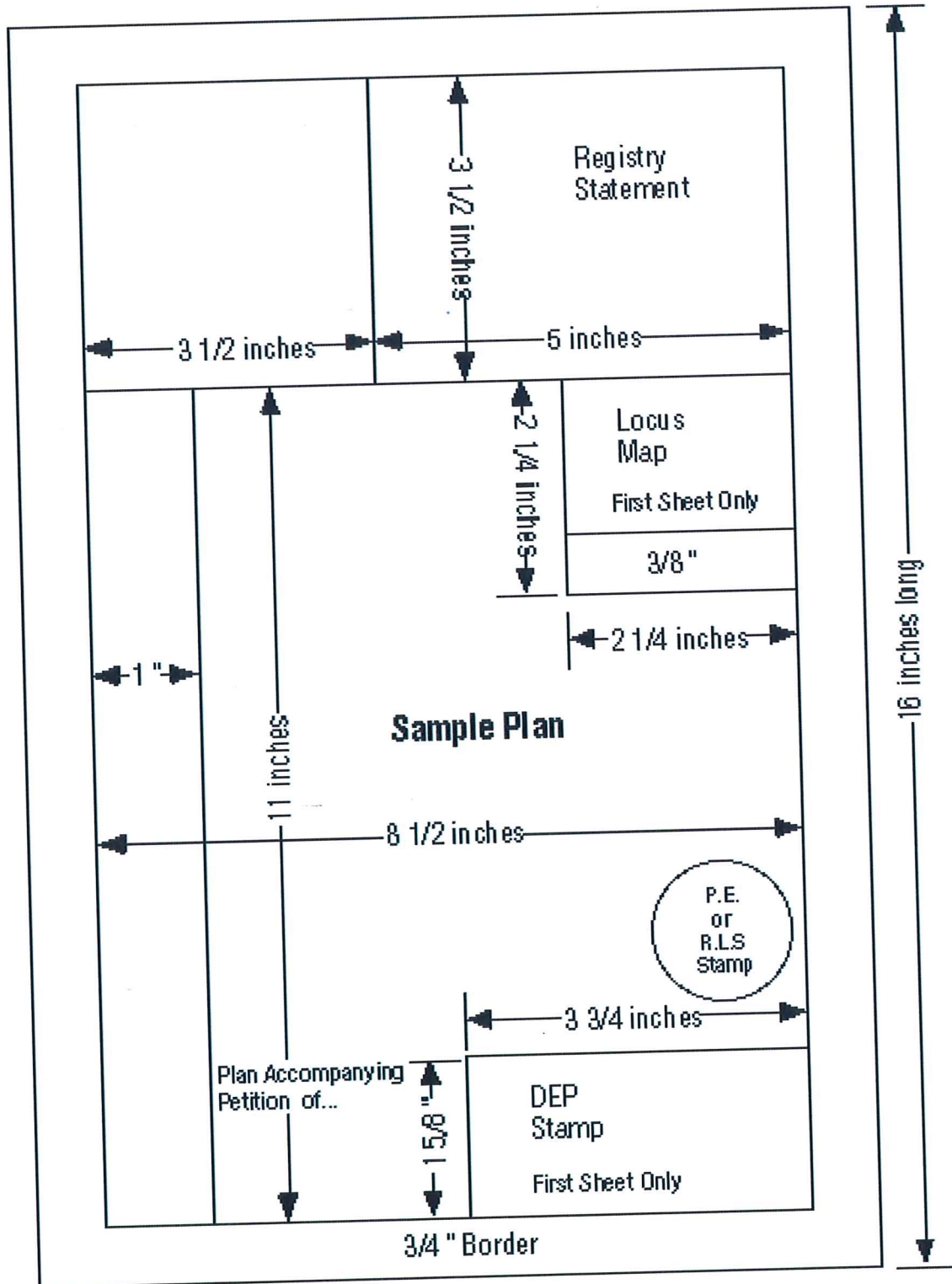
Non Water-Dependent Structures

- Depict extent of "Water-dependent Use Zone".

See Waterways Regulations at 310 CMR 9.51-9.53 for additional standards for non water-dependent use projects.

Note: Final Mylar project site plans will be required upon notice from the Department, prior to issuance of the Chapter 91 Waterways License.

Appendix A: License Plan Checklist Cont.



N/A

Appendix B: Dredging Permit Plan Checklist

For projects applying for dredging permits only, enclose drawings with the General Waterways Application that include the following information:

N/A

General View

- Submit one original of all drawings. Submit the fewest number of sheets necessary to adequately illustrate the project on 8-1/2 inch X 11 inch paper.
- A 1-inch margin should be left at the top edge of each drawing for purposes of reproduction and binding. A 1/2 inch margin is required in the three other edges.
- A complete title block on each drawing submitted should identify the project and contain: the name of the waterway; name of the applicant; number of the sheet and total number of sheets in the set; and the date the drawing was prepared.
- Use only dot shading, hatching, and dashed or dotted line to show or indicate particular features of the site on the drawings.
- If deemed appropriate by the Department, certification by the Registered Professional Engineer or Land Surveyor is included.

Plan View

- North Arrow
- Locus Map
- Standard engineering scale.
- Distances from channel lines and structures if appropriate.
- Mean high water and mean low water shorelines (see definitions of "High Water Mark" and "Low Water Mark" at 310 CMR 9.02, C. 91 Regulations).
- Dimensions of area proposed to be dredged or excavated.
- Notation or indication of disposal site.
- Volume of proposed dredging or excavation.
- Ordinary high water, proposed drawdown level, and natural (historic) high water (for projects lowering waters of Great Ponds).

Section Views

- Existing bottom and bank profiles.
- Vertical and/or horizontal scales.
- Proposed and existing depths relative to an indicated datum.
- Elevation and details of control structure (for projects lowering waters of Great Ponds).

Appendix C: Application Completeness Checklist

Please answer all questions in the General Waterways Application form. If a question does not apply to your project write "not applicable" (n/a) in that block. Please print or type all information provided on the form. Use black ink (blue ink or pencil are not easily reproducible, therefore, neither will be accepted). If additional space is needed, attach extra 8-1/2" x 11" sheets of paper.

N/A

- Proper Public Purpose:** For nonwater-dependent projects, a statement must be included that explains how the project serves a proper public purpose that provides greater benefit than detriment to public rights in tidelands or great ponds and the manner in which the project meets the applicable standards. If the project is a nonwater-dependent project located in the coastal zone, the statement should explain how the project complies with the standard governing consistency of the policies of the Massachusetts Coastal Zone Management Program, according to 310 CMR 9.54. If the project is located in an area covered by a Municipal Harbor Plan, the statement should describe how the project conforms to any applicable provisions of such plan pursuant to 310 CMR 9.34(2).
- Plans:** Prepared in accordance with the applicable instructions contained in Appendix A-B of this application. For initial filing, meet the requirements of 310 CMR 9.11(3)(b)(3).
- Applicant Certification:** All applications must be signed by "the landowner if other than the applicant. In lieu of the landowner's signature, the applicant may provide other evidence of legal authority to submit an application for the project site." If the project is entirely on land owned by the Commonwealth (e.g. most areas below the current low water mark in tidelands and below the historic high water mark of Great Ponds), you may simply state this in lieu of the "landowner's signature".
- Municipal Zoning Certification:** If required, applicants must submit a completed and signed Section E of this application by the municipal clerk or appropriate municipal official or, for the initial filing, an explanation of why the form is not included with the initial application. If the project is a public service project subject to zoning but will not require any municipal approvals, submit a certification to that effect pursuant to 310 CMR 9.34(1).
- Municipal Planning Board Notification:** Applicants must submit a copy of this application to the municipal planning board for the municipality where the project is located. Submittal of the complete application to DEP must include Section H signed by the municipal clerk, or appropriate municipal official for the town where the work is to be performed, except in the case of a proposed bridge, dam, or similar structure across a river, cove, or inlet, in which case it must be certified by every municipality into which the tidewater of said river, cove, or inlet extends.
- Final Order of Conditions:** A copy of one of the following three documents is required with the filing of a General Waterways Application: (1) the Final Order of Conditions (with accompanying plan) under the Wetlands Protection Act; (2) a final Determination of Applicability under that Act stating that an Order of Conditions is not required for the project; or (3) the Notice of Intent for the initial filing (if the project does not trigger review under MEPA).
- Massachusetts Environmental Protection Act (MEPA):** MGL 30, subsections 61-61A and 301 CMR 11.00, submit as appropriate: a copy of the Environmental Notification Form (ENF) and a Certificate of the Secretary of Environmental Affairs thereon, or a copy of the final Environmental Impact Report (EIR) and Certificate of the Secretary stating that it adequately and properly complies with MEPA; and any subsequent Notice of Project change and any determination issued thereon in accordance with MEPA. For the initial filing, only a copy of the ENF and the Certificate of the Secretary thereon must be submitted.

N/A

Note: If the project is subject to MEPA, the Chapter 91 Public Notice must also be submitted to MEPA for publication in the "Environmental Monitor". MEPA filing deadlines are the 15th and 30th of each month.

Appendix C: Application Completeness Checklist (cont.)

N/A

- Water Quality Certificate:** if applicable, pursuant to 310 CMR 9.33, is included.
- Other Approvals:** as applicable pursuant to 310 CMR 9.33 or, for the initial filing, a list of such approvals which must be obtained.

N/A

Projects involving dredging:

- The term "dredging" means the removal of materials including, but not limited to, rocks, bottom sediments, debris, sand, refuse, plant or animal matter, in any excavating, clearing, deepening, widening or lengthening, either permanently or temporarily, of any flowed tidelands, rivers, streams, ponds or other waters of the Commonwealth. Dredging includes improvement dredging, maintenance dredging, excavating and backfilling or other dredging and subsequent refilling. Included is a completed and signed copy of Part F of the application.

Filing your Completed General Waterways Application:

- For all Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to the appropriate DEP Boston or regional office (please refer to Pg. 10 of the "Instructions" for the addresses of DEP Regional Offices).
- For all Non Water-Dependent applications** – submit a completed General Waterways Application and all required documentation with a *photocopy* of both payment check and DEP's *Transmittal Form for Permit Application & Payment* to DEP's Boston office.

Department of Environmental Protection
Waterways Regulation Program
One Winter Street
Boston, MA 02108

- Application Fee Payment for ALL Waterways Applications:** Send the appropriate Application fee* (please refer to Page 1 of the "Application"), in the form of a check or money order, along with DEP's *Transmittal Form for Permit Application & Payment*.

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

* Under extreme circumstances, DEP grants extended time periods for payment of license and permit application fees. If you qualify, check the box entitled "Hardship Request" on the *Transmittal Form for Permit Application & Payment*. See 310 CMR 4.04(3)(c) to identify procedures for making a hardship request. Send hardship request and supporting documentation to the above address.

NOTE: You may be subject to a **double application fee** if your application for Chapter 91 authorization results from an enforcement action by the Department or another agency of the Commonwealth or its subdivisions, or if your application seeks authorization for an existing unauthorized structure or use.

OVERVIEW

Introduction

CAPE & ISLANDS ENGINEERING, INC. has submitted this Chapter 91 – Waterways License application, on behalf of the applicant, Alex Peselman, Trustee, The 27 Sand Dollar Lane Nominee Trust. There are a few activities being proposed as part of this Notice of Intent filing for the property located at 27 Sand Dollar Lane, Mashpee, MA. The proposed activities are listed below (please reference attached project plans).

The proposed work includes removal of an existing licensed fixed pier (License No. 3172). Construct, license, retain and maintain a new 212.8' length overall, pier structure, with a 4' wide reconstructed landing, stairs, pier, ramp and float to include relocating the existing licensed ramp, float and Jet Ski floats, in and over the waters of Ockway Bay.

For the purposes of this discussion the term "dock" and "pier" are commonly used interchangeably and includes the complete structure, including the pier, ramp, and float.

BACKGROUND

Existing Conditions

The project site is located at 27 Sand Dollar Lane, Mashpee, MA, a private residential waterfront property with frontage on Ockway Bay, which drains into Popponesset Bay. A single-family dwelling currently occupies the property with associated septic system, multi-level decks, timber steps and landings, a/c, generator units, rinse station, paver patio with fire pit, stone walls, retaining walls, stone walks, stone steps, paver driveway and walks, fences, wood stoop and the licensed (License No. 3172) pier, ramp and floats structure with attached Jet Ski float and the existing manicured lawn and landscape areas. The existing pier is in poor condition and is has only 1' to 2' separation from the deck to the salt marsh over a span of 84'.

PROPOSED PROJECT

Scope of Work

The project located at 27 Sand Dollar Lane, Mashpee, MA, adjacent to Ockway Bay, proposes to remove the existing licensed fixed pier (License No. 3530) that is in poor condition and provides very little separation of deck to salt marsh. Construct, license, retain and maintain a new 212.8' pier, with a 4' wide reconstructed landing, thru-flow decking, added elevation, ramp and floats. Relocate the existing licensed ramp, float and jet-ski floats in and over the waters of Ockway Bay. Public Access of 5' of height at Mean High Water, is proposed to allow for shoreline access for fishing and fowling purposes pursuant to Chapter 91 regulations, within and adjacent to the tidal waters of Ockway Bay.

A temporary staging area for the proposed work that will be designated for material storage and woodcutting will be located in the upland.

Resource Areas

The resource areas on or within 100 feet of the site have been identified. Adjacent resource areas include Land Subject Coastal Storm Flowage (LSCSF), Land Containing Shellfish, Coastal Bank (CB), Salt Marsh (SM), Bordering Vegetated Wetland (BVW) and Land Under the Ocean.

The resource areas were delineated, marked and located by an on the ground instrument survey. The resource area boundaries are marked onsite and are shown on the project plan as Salt Marsh flags, SM-1 to SM-6 and Bordering Vegetated flags, BVW-1 to BVW-7. The Top of the Coastal Bank was delineated using 310 CMR 10.31, Wetlands Protection Program Policy 92-1.

APPLICABLE PERFORMANCE STANDARDS

Coastal Bank (CB)

The resource area known as "Coastal Bank" (CB) is located, as identified and delineated on the project plans as Top of Coastal Bank. The Coastal Bank is vegetated and non-eroding and are not a sediment supply source.

As defined in the Town of Mashpee Wetlands Protection Bylaws REGULATION 26 – Coastal Banks:

"A. Definition: A Coastal Bank means the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to tidal action or storm flooding, or other wetland. Any minor discontinuity of the slope notwithstanding, the top (uppermost boundary) of the coastal bank shall be defined as per descriptions/definitions/illustrations as appear in **Wetlands Protection Program Policy 92-1 (Definition and Delineation Criteria for Coastal Bank)**, issued on March 3, 1992 by DEP's Division of Wetlands and Waterways, but with the following exceptions:

Under Chapter 172 of the Mashpee Code the top of the coastal bank shall be considered to be (1) vertical foot higher (upslope) from the top of bank as defined/illustrated in Program Policy 92-1. This additional foot is warranted because of anticipated sea-level rise. (Note: The additional one foot higher top of bank designation shall only apply where the slope continues to manifest a slope ratio of equal to (or greater than) 1' in 10'."

The slope above the top of the bank does not continue and is less than 10%; therefore, the 1 foot higher for top of bank designation does not apply.

"C. Performance Standards: *The physical characteristics and location of coastal banks are critical to the protection of the wetland values specified in section 172-1 of the Mashpee Wetlands Protection Bylaw.*

"Activities, which will result in the building within or upon, removing, filling and/or altering (as defined in section 172-9 of the Mashpee Wetlands Protection Bylaw) of a Coastal Bank or within 50 feet of said Bank, may be permitted if necessary for access to beach/water, including visual access, if the activity will not induce cumulative impairment of said Critical Characteristics. The following projects (activities) may qualify:

Any other activity (on a single lot) which alters up to 5% of the bank (square footage) or 100 square feet (whichever is less) if the applicant has demonstrated to the satisfaction of the Commission that such alteration will not have any adverse effects (including erosion and the creation of channelized sedimentation) on the wetland values expressed in 172-2 of the Bylaw."

No work is being performed on or within the Coastal Bank.

The proposed project meets or exceeds these performance standards. The proposed project activities will not induce any impairment of the Coastal Bank's functional characteristics.

Land Subject to Coastal Storm Flowage (LSCSF)

Land Subject to Coastal Storm Flowage is low lying land which lies in a flood hazard zone, as delineated by FEMA maps. A flood zone delineates the land area which will be inundated by a 100-year storm event. The Federal Emergency Management Agency (FEMA) has established the 100-year base flood elevations located on the property and shown as Flood Zone AE (EL. 13) and a portion within the non-special Zone X (0.2%) within the reach of Ockway Bay, as shown on the plan of reference. All Flood Zone elevations shown and referenced are based on the 1988 North American Vertical Datum (NAVD 1988).

As defined in the Commonwealth of Massachusetts, Wetland Protection Act (WPA) 310 CMR 10.04 and the Town of Mashpee REGULATION 25 – Land Subject to Flooding or Inundation by Coastal Flowage (LSCSF) (Revised and approved 4/7/05):

"A. Definition – shall be the same as in 310 CMR 10.04 for Land Subject to Coastal Storm Flowage. Henceforth, the abbreviation for Land Subject to Coastal Storm Flowage (LSCSF) shall be used to mean Land Subject to Flooding or Inundation by Coastal Flowage.

Performance Standards – "1. (b.) Activities, which will result in the building within or upon, removing, filling and/or altering (as defined in Chapter 172, section 9 of the Mashpee Code) of a total of 5000 or more square feet of any naturally vegetated area(s) on a lot or on any portion thereof in LSCSF (with the exception of the construction of a single-family home; see part 2 of this section) shall be presumed to have unacceptable significant or cumulative effects upon the protection of wildlife habitat...

2. All efforts should be made to avoid altering naturally vegetated areas within LSCSF. Where alterations/construction impact naturally vegetated areas, the following performance standards shall apply. Failure to meet these performance standards shall be cause for the Commission to presume that unacceptable and significant effects will be exacted upon the wetlands values protected by Chapter 172 of the Mashpee Code. The applicant will be given the opportunity to rebut this presumption, based upon the provisions of Chapter 172, section 12 of the Mashpee Code...

3. (a.) Any objects and/or structures constructed or placed on a lot within LSCSF must be properly secured so as to be resistant to displacement by the action of storm surges/waves. All such structures must also meet the requirements of the State of Massachusetts Building Code.

The proposed project has been designed to reduce the alterations of naturally vegetated areas to the maximum extent feasible.

The proposed project has been designed to not change the topography, vegetative community or any significant elevation or horizontal movement of existing landforms in any way that would result in increased height; velocity and/or horizontal extent of storm flowage.

The project area is not a Critical Erosion Area as shown on maps prepared by the Massachusetts CZM Shoreline Change Analysis project.

The proposed project meets or exceeds these performance standards because the proposed work located in the flood zone will not otherwise impair the function of the resource areas.

Bordering Vegetated Wetland

The resource areas known as "Bordering Vegetated Wetlands" (BVW's) is located upland of the edge of Salt Marsh and as identified on the project plans as BVW areas BVW-1 to BVW-7 and has been flagged in the field. There are no vernal pools within 100 feet of the site.

As defined in the Town of Mashpee REGULATION 19 – Freshwater Wetlands:

"A. Definition: Freshwater Wetlands are areas where a predominance of the vegetative community is adapted to and/or tolerant of undrained hydric soils for all or a portion of the year (in most years, except during periods of drought). Freshwater Wetlands may occur in a depression or closed basin. Water may pool above the surface, or may be contained in the top 24 inches of soil. Some Freshwater Wetlands occur downslope of sidehill seeps, depending upon the topography, soils and water regime. Additionally, some Freshwater Wetlands may be perched, that is, situated atop an impervious (or semi-impervious) layer of surface (or sub-surface) soil; in such cases, standing water (or saturated soil) may not be contiguous with ground water.

C. Performance Standards: The physical characteristics and location of Freshwater Wetlands are critical to the protection of the wetland values specified in section 172-1 of the Mashpee Wetlands Protection Bylaw. Activities, which will result in the building within or upon, removing, filling and/or altering (as defined in section 172-9 of the Mashpee Wetlands Protection Bylaw) of 300 or more square feet of Freshwater Wetland or within 50 feet of said wetland may be permitted if the activity will not induce cumulative impairment of said Critical Characteristics. The following projects (activities) may qualify:

- The maintenance of an already existing and lawful structure
- Projects that do NOT, as deemed so by the Commission, affect any vernal pool (see section 23 of these regulations). All vernal pools, regardless of size, are protected under the Mashpee Wetlands Protection Bylaw and its regulations."

The proposed work that will occur within BVW consists of four (4) 4' x 6' posts and two (2) 10" piles, totaling 1.2 sq. ft. of alteration.

The proposed project meets or exceeds these performance standards. The proposed project activities will not induce cumulative impairment of the resource area's functional characteristics.

Salt Marsh

The resource area referred to as "Salt Marsh" is located landward of the Mean High Water (MHW) mark, as shown on attached site plan. The Salt Marsh area has been flagged in the field and shown on plan.

Salt Marsh is classified as a Coastal Resource Area under Chapter 172 of the Mashpee Code REGULATION 17 – Coastal Resource Areas (Revised and approved April 13, 2000)

“Definition: A vegetated area between mean low water (where a water body exhibits tidal influences) to the point (upland) where less than 50% of the plant community is salt tolerant, i.e., characterized by plants that are well adapted to or prefer living in saline environments.* (Thus the upper boundary of a Coastal Wetland does not necessarily end at the line coincident with the highest spring tide of the year).

Any other activity may be permitted only when it is demonstrated by the applicant that such alteration shall have no adverse effect upon the wetland values as expressed in 172-9 of the Bylaw. Except as specifically provided by these regulations, the Commission shall not permit any work on coastal resource areas, or within 100 feet of resources areas, that will impair the resource area's functional characteristics.”

(4) Notwithstanding the provisions of 310 CMR 10.32(3), a small project within a salt marsh, such as an elevated walkway or other structure which has no adverse effects other than blocking sunlight from the underlying vegetation for a portion of each day, may be permitted if such a project complies with all other applicable requirements of 310 CMR 10.21 through 10.37.

The installation of ten (10) 10" piles will be installed within Salt Marsh area and will alter approximately 5.4 sf of salt marsh. The proposed project will be a significant benefit to the salt marsh by removing the very low-lying existing pier and decking that provides very limited sun light with a raised thru-flow decking that will greatly reduce shades and increase sunlight. The proposed project activities will not induce cumulative impairment of the Salt Marsh functional characteristics and will be a significant environmental benefit.

The proposed project meets or exceeds these performance standards. The proposed project activities will be an environmental benefit to the Salt Marsh functional characteristics

Land Under the Ocean

The resource area referred to as "Land Under the Ocean" is the area of land below the Mean Low Water (MLW) mark and under the body of water known as Ockway Bay, as shown on attached site plan.

Land Under the Ocean is classified as a Coastal Resource Area under Chapter 172 of the Mashpee Code REGULATION 17 – Coastal Resource Areas (Revised and approved April 13, 2000)

Definition “The definitions (except for 10.32 – Salt Marshes), boundaries, critical characteristics and presumptions of significance for the following coastal resource areas (Bylaw section 172-2, Jurisdiction) shall be the same as expressed in M.G.L. Chapter 131, section 40 and/or its regulations, 310 CMR 10.00: Section 10.25: Land Under the Ocean”

Performance Standards “Activities, which will result in the building within or upon, removing, filling and/or altering (as defined in section 172-9 of the Mashpee Wetlands Protection Bylaw) of any of the above-mentioned resource areas [Land Under the Ocean], or within 50 feet of said resource area, may be permitted if they are water-dependent and will not induce cumulative impairment of the functions for which the resource is presumed to be significant.”

The proposed work that will occur within Land Under the Ocean will be the installation of fourteen (14) ten inch (10") piles, altering approximately 7.5 square feet. The length from Mean Low Water (MLW) to the end of proposed float is

a distance of 77 +/- feet. The length from Mean High Water (MHW) to end of proposed float is a distance of 99 +/- feet. The proposed piles will be driven into the substrate of Ockway Bay by a small crane from a barge. The barge will only operate during periods of two (2) hours before and two (2) hours after high tide for the set of piles located closest to shore.

There is no presence of Eel Grass beds within 100 feet of the proposed project.

The proposed project meets or exceeds these performance standards. The proposed project activities will not induce cumulative impairment of the resource area's functional characteristics.

Land Containing Shellfish

It is presumed the resource area referred to as "Land Containing Shellfish" is the area of land under the body of water known as Ockway Bay, as shown on attached site plan.

As defined in the Commonwealth of Massachusetts, Wetland Protection Act (WPA) 310 CMR 10.34 and a Coastal Resource Area under Chapter 172 of the Mashpee Code REGULATION 17 – Coastal Resource Areas (Revised and approved April 13, 2000)

(2) Definitions. Land Containing Shellfish means land under the ocean, tidal flats, rocky intertidal shores, salt marshes and land under salt ponds when any such land contains shellfish.

Shellfish means the following species: Bay scallop (*Argopecten irradians*); Blue mussel (*Mytilus edulis*); Ocean quahog (*Arctica islandica*); Oyster (*Crassostrea virginica*); Quahog (*Mercenaria merceneria*); Razor clam (*Ensis directus*); Sea clam (*Spisula solidissima*); Sea scallop (*Placopecten magellanicus*); Soft shell clam (*Mya arenaria*).

Shellfish Constable means the official in a city or town, whether designated a constable, warden, natural resources officer, or by some other name, in charge of enforcing the laws regulating the harvest of shellfish.

Performance Standards. WHEN A RESOURCE AREA, INCLUDING LAND UNDER THE OCEAN, TIDAL FLATS, ROCKY INTERTIDAL SHORES, SALT MARSHES, OR LAND UNDER SALT PONDS IS DETERMINED TO BE SIGNIFICANT TO THE PROTECTION OF LAND CONTAINING SHELLFISH AND THEREFORE TO THE PROTECTION OF MARINE FISHERIES, 310 CMR 10.34(4) THROUGH (8) SHALL APPLY:

(4) Except as provided in 310 CMR 10.34(5), any project on land containing shellfish shall not adversely affect such land or marine fisheries by a change in the productivity of such land caused by:

- (a) alterations of water circulation;
- (b) alterations in relief elevation;
- (c) the compacting of sediment by vehicular traffic;
- (d) alterations in the distribution of sediment grain size;
- (e) alterations in natural drainage from adjacent land; or
- (f) changes in water quality, including, but not limited to, other than natural fluctuations in the levels of salinity, dissolved oxygen, nutrients, temperature or turbidity, or the addition of pollutants.

(5) Notwithstanding the provisions of 310 CMR 10.34(4), projects which temporarily have an adverse effect on shellfish productivity but which do not permanently destroy the habitat may be permitted if the land containing shellfish can and will be returned substantially to its former productivity in less than one year from the commencement of work, unless an extension of the Order of Conditions is granted, in which case such restoration shall be completed within one year of such extension.

(6) In the case of land containing shellfish defined as significant in 310 CMR 10.34(3)(b) (i.e., those areas identified on the basis of maps and designations of the Shellfish Constable), except in Areas of Critical Environmental Concern, the issuing authority may, after consultation with the Shellfish Constable, permit the shellfish to be moved from such area under the guidelines of, and to a suitable location approved by, the Division of Marine Fisheries, in order to permit a proposed project on such land. Any such project shall not be commenced until after the moving and replanting of the shellfish have been commenced.

(7) Notwithstanding 310 CMR 10.34(4) through (6), projects approved by the Division of Marine Fisheries that are specifically intended to increase the productivity of land containing shellfish may be permitted. Aquaculture projects approved by the appropriate local and state authority may also be permitted.

(8) Notwithstanding the provisions of 310 CMR 10.34(4) through (7), no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.

The proposed work that will occur within Land Containing Shellfish will be twenty four (24) proposed 10" piles. The proposed new piles will be driven into the substrate of Ockway Bay by a small crane from a barge.

The proposed project meets or exceeds these performance standards. The proposed project activities will not induce cumulative impairment of the resource area's functional characteristics.

Estimated Habitat and Protected Species

The Massachusetts Natural Heritage Atlas of Estimated Habitats of Rare Wetland Wildlife, Certified Vernal Pools and High Priority Sites of Rare Species dated, August 1, 2021, indicates that there are no protected species or rare communities at the project location.

There are no Vernal Pools located within 100' of the project site.

There is no proposed work on or within Estimated Habitat and Protected Species.

Area of Critical Environmental Concern (ACEC)

As per the Department of Environmental Managements ACEC program, the site is not located within an Area of Critical Environmental Concern, Waquoit Bay.

The proposed work is for a single-family home and is not within Area of Critical Environmental Concern (ACEC).

Bk 34659 Pg203 #74432
11-12-2021 @ 02:32p

Massachusetts Department of Environmental
Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:043-3144
eDEP Transaction #:1318626
City/Town:MASHPEE

A. General Information

1. Conservation Commission MASHPEE
2. Issuance a. OOC b. Amended OOC
3. Applicant Details
a. First Name ALEX b. Last Name PESELMAN, TRUSTEE
c. Organization THE 27 SAND DOLLAR LANE NOMINEE TRUST
d. Mailing Address 5 GREEN PARK
e. City/Town NEWTON f. State MA g. Zip Code 02458
4. Property Owner
a. First Name ALEX b. Last Name PESELMAN, TRUSTEE
c. Organization THE 27 SAND DOLLAR LANE NOMINEE TRUST
d. Mailing Address 5 GREEN PARK
e. City/Town NEWTON f. State MA g. Zip Code 02458
5. Project Location
a. Street Address 27 SAND DOLLAR LANE
b. City/Town MASHPEE c. Zip Code 02649
d. Assessors MAP 105/PARCEL 88 e. Parcel/Lot# LOT 54
f. Latitude 41.58885N g. Longitude 70.46754W
6. Property recorded at the Registry of Deed for:
a. County BARNSTABLE b. Certificate c. Book 31719 d. Page 105
7. Dates
a. Date NOI Filed: 10/12/2021 b. Date Public Hearing Closed: 10/28/2021 c. Date Of Issuance: 11/9/2021
8. Final Approved Plans and Other Documents
a. Plan Title: PIER EXTENSION AND RECONSTRUCTION ENGINEERING PLAN
b. Plan Prepared by: CAPE AND ISLANDS MARK D. DIBB, P.E.
c. Plan Signed/Stamped by: MARK D. DIBB, P.E.
d. Revised Final Date: OCTOBER 1, 2021
e. Scale: 1"=20'

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act
Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

- | | | |
|--|--|---|
| a. <input type="checkbox"/> Public Water Supply | b. <input checked="" type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input type="checkbox"/> Private Water Supply | e. <input checked="" type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |

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g. Ground Water Supply h. Storm Damage Prevention i. Flood Control

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

a. The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. A description of the performance standards which the proposed work cannot meet is attached to this Order.

c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). _____ a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	1.2 _____ a. square feet	1.2 _____ b. square feet	0 _____ c. square feet	0 _____ d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
	_____ e. c/y dredged	_____ f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		

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Cubic Feet Flood Storage	<u> </u> c. cubic feet	<u> </u> d. cubic feet	<u> </u> e. cubic feet	<u> </u> f. cubic feet
9. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input checked="" type="checkbox"/> Land Under the Ocean	<u>7.5</u> a. square feet	<u>7.5</u> b. square feet		
	<u>0</u> c. c/y dredged	<u>0</u> d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. c/y nourishment	<u> </u> d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. c/y nourishment	<u> </u> d. c/y nourishment
15. <input type="checkbox"/> Coastal Banks	<u> </u> a. linear feet	<u> </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u> a. square feet	<u> </u> b. square feet		
17. <input checked="" type="checkbox"/> Salt Marshes	<u>5.4</u> a. square feet	<u>5.4</u> b. square feet	<u>0</u> c. square feet	<u>0</u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
19. <input checked="" type="checkbox"/> Land Containing Shellfish	<u>12.9</u> a. square feet	<u>12.9</u> b. square feet	<u>0</u> c. square feet	<u>0</u> d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
21. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	<u>7.1</u> a. square feet	<u>7.1</u> b. square feet		

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22.

Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.

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10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,
- " Massachusetts Department of Environmental Protection"
[or 'MassDEP']
File Number : "043-3144"
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
- NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**
19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all

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- construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.* the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.* the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the

Page 6 of 10 * ELECTRONIC COPY

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:043-3144
eDEP Transaction #:1318626
City/Town:MASHPEE

prior written approval of the issuing authority.

- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

- 1. Municipal Ordinance or Bylaw _____
- 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

- 1. Municipal Ordinance or Bylaw TOWN OF MASHPEE
- 2. Citation CHAPTER 172

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:
PLEASE SEE ATTACHED PAGES A THROUGH F

COASTAL DOCKS/COASTAL STRUCTURES

TOWN OF MASHPEE CHAPTER 172 ORDER OF CONDITIONS FOR 43-3144 (27 Sand Dollar Lane)

Work Description:

As described in the Notice of Intent narrative (Section 3.0-Project Overview) submitted by Cape & Islands Engineering on behalf of Alex Peselman Trustee: Relocation and expansion of existing pier, ramp and float. Addition of Jet Ski float.

1. As per the recommendation of the Mashpee Shellfish Constable, the following conditions are required:

- Placement of siltation curtains around the project site prior to commencement of work to prevent siltation impacts to nearby shellfish populations. The property owner is required to notify the Mashpee Shellfish Constable of the anticipated start date of work at least seven (7) days prior to commencement of work. The Shellfish Constable must be consulted with prior to the start of this project for the purposes of determining the area of deployment of siltation curtains and timeline thereof.
- As per Ch. 172, Regulation 27 Section VI (Mitigation): Payment of a shellfish mitigation fee in the amount of **\$1,276.20** to offset the impacts of dock reconstruction on shellfish habitat. (*check payable to the Town of Mashpee*). This shellfish mitigation fee will be due upon full completion of the dock reconstruction and prior to the issuance of a Certificate of Compliance.

2. Any work activities and/or alterations discovered during inspections that are not included in the work description above will be due cause for enforcement actions, including enforcement orders, fines, revocation of this permit and/or denial of a Certificate of Compliance.

This Order of Conditions (OOC) authorizes the Conservation Agent, Assistant Agent or other designated representative of the Conservation Department to enter the property, as necessary, to monitor the project for compliance with this OOC. This authorization must continue until such time as a Certificate of Compliance is issued from either the Conservation Commission or the MA Department of Environmental Protection (as applicable).

3. This OOC is subject to amendment, revocation or a new application should the Commission deem:

- Incomplete work is causing damage to the interests of either the MA State Wetlands Protection Act (M.G.L., Ch. 131, Section 40) or the Town of Mashpee Wetland Ordinance (Chapter 172).
- New information, not available at the time this OOC was issued, has become available and indicates that the Order is not adequate to protect the interests of both the state and local wetland protection acts.

Should the Commission choose to amend or revoke this OOC, the applicant/permit holder will be notified by certified mail and must be allowed to respond and present evidence at a public hearing. Notice of said hearing must be published in a newspaper of local circulation and the hearing must be conducted in accordance with the MA Open Meeting Law (M.G.L. Ch.39, Section 23B).

A

4. Notwithstanding any contents of the Notice of Intent for the permit and/or any provisions of this OOC, all work/alterations on this site subject to this permit must meet the following performance standards for 310 CMR 10.00 and Mashpee's Chapter 172 Wetland Bylaw:

310 CMR 10.02(1)(d)- Land Subject to Coastal Storm Flow
310 CMR 10.25- Land Under Ocean
310 CMR 10.32- Salt Marshes
310 CMR 10.34- Land Containing Shellfish
310 CMR 10.55- Bordering Vegetated Wetland

Ch.172, Reg.15- Shellfish
Ch.172, Reg.17- Coastal Resource Areas (Other than Banks)
Ch.172, Reg.25- Land Subject to Flooding or Inundation by Coastal Flowage
Ch.172, Reg.26- Mashpee Conservation Commission Policies
Ch.172, Reg.27- Docks, Piers and Floats
Ch.172, Reg.29- Buffer Zones and Buffer Strips
Ch.172, Reg.32- Water Quality

Resource Area Values to be Protected (Chapter 172-I)

Erosion/Sedimentation Control
Storm Damage Prevention
Water Pollution Control
Water Quality
Fisheries
Shellfish
Prevention of Pollution
Wildlife Habitat
Recreation

5. PREWORK CONDITIONS: *(The following conditions must be met PRIOR to any work proceeding or Conservation Dept. sign offs on any other town permits)*

- Submission of a dated copy of the recording page of the Order of Conditions (OOC) to the Conservation Department. It is recommended that this order of conditions not be recorded until the end of the 10 day appeal period from the date of issue (date of issue is the date that the OOC is mailed out or picked up in person).
- Submission of FORMS A & B, attached to this Order of Conditions (OOC) to the Conservation Department.
- The applicant and/or project supervisor(s) are required to notify all contractors/subcontractors on site of the OOC requirements. A copy of the OOC must be kept onsite or be made readily available during inspection at all times. Both the applicant and project supervisor may be held jointly liable in the event of a violation of the OOC.
- All required staking for structure corners, wetland resource areas and work limits must be clearly present on the lot and accurate with the plan of record.
- All erosion control/work limit(s) must be in place as per the plan of record or as per staff direction (as applicable).

B

- Scheduling of a site visit with Conservation Department staff at least one week prior to any commencement of work to confirm all of the pre-work conditions are met.
- Any deviations made or intended to be made from the approved plan of record accompanying the OOC must require, in advance, one of the following:
 - A new Notice of Intent or Amended Order Request
 - A written Administrative Approval from the Conservation Department indicating the proposed changes are not substantial enough to require either of the above

6. WORK LIMIT/EROSION CONTROL CONDITIONS:

- A siltation curtain must be placed around the areas of pile installations as per the recommendation of the Mashpee Shellfish Constable. Seven (7) days PRIOR notice of work start date must be provided to the Mashpee Shellfish Constable
-

7. CONSTRUCTION ACTIVITY/MATERIAL STORAGE CONDITIONS:

- Construction/reconstruction must be done in such a way that debris (sawdust, etc.) is not introduced into the water and/or any wetland resource area. Cutting, routing, shaping etc. should take place in an upland location away from wetlands. If this is not possible, then deployment of tarps to capture debris will be required.
- The only saltmarsh loss/disturbance under this OOC is for cross sectional areas occupied by the pilings shown on the approved Plan of Record. Any additional loss of salt marsh will result in enforcement/mitigation proceedings.
- All soils removed from postholes/pilings are to be removed from the marsh.
- Non-leaching wood preservative must be used for wood construction materials. CCA Treated piles are acceptable.
- Construction must be completed as quickly as possible to minimize turbidity and sedimentation.
- No construction equipment is to traverse wetland/salt marsh areas.
- The construction of the boardwalk must not destroy any portion of the marsh except for the immediate area of the boardwalk pilings.
- All trash and debris on site must be cleaned up daily and contained with onsite disposal (e.g. trailer or dumpster).
- Records as to the destination of all waste materials removed from the construction site must be kept and made available to the Conservation Department upon request. Said records must describe the ultimate disposal site, contents, volume of debris and date of disposal (receipts).
-

ADDITIONAL CONDITIONS:

8. The Conservation Department must be notified 7 DAYS IN ADVANCE of the following portions of work
 - **Removal of existing dock**
 - **Construction of new dock**
9. Chapter 91 licensing: If this project triggers a Ch. 91 permit amendment or new permit, no construction is to commence until the property owner submits a copy of an approved and recorded

C

Commonwealth of Massachusetts Chapter 91 Waterways license to the Conservation Department.
Proof of application to Chapter 91 must be provided to the Mashpee Conservation Department. Upon receipt of a Chapter 91 Permit, a copy of said permit must be provided to the Mashpee Conservation Department.

10. The selected contractor must have demonstrated experience working in a marine environment. Proof of recent experience must be provided to the Conservation Department upon request.
11. No part of the fixed pier/access steps can be wider than four (4) feet.
12. Jetting of piles is only allowed for the purposes of setting piles in place. Once piles are set, they must be driven to refusal. The use of jetting to fully install piles is strictly prohibited.
13. Any additional/unanticipated loss/damage to salt marsh as a result of construction disturbances outside of project footprint(s) will be subject to a 2:1 mitigation ratio per square foot of saltmarsh loss/damage.
14. The float, if removed seasonally, cannot be dragged across any wetland resource area NOR can it be stored upon any salt marsh, bank or bordering vegetated wetland at any time.
15. Performance standards of 310 CMR 10.34 (Land Containing Shellfish) and 10.25 (Land Under Ocean) require minimal adverse effects on water circulation, eel grass (if present), water quality and/or sediment changes. Any vessel(s) using this dock cannot adversely impact the values associated with Land Under Ocean and/or Land Containing Shellfish through grounding or prop dredging of the underlying sediments. The commission reserves the right to require additional measures to ensure that the performance standards for Land Under Ocean and Land Containing Shellfish are not adversely impacted.
16. The DEP permit number AND street address must be displayed in perpetuity on the float and fixed pier. A minimum of three (3) inch lettering on contrasting color background must be used for displaying this information. Any signage that fades or falls apart must be replaced immediately. No certificate of compliance will be issued on any dock project without proof of this signage in place.
17. At no time is boat washing (using chemical agents) to occur while vessel(s) are docked at this pier/float.
18. All areas of fixed pier spanning over salt marsh must have composite deck grating that allows a minimum of 50% sunlight penetration.
19. All floats associated with this fixed pier must be encapsulated.
20. All Conservation and dock/pier notes on the Plan of Record submitted by Cape & Islands Engineering (plan dated 10/1/21) are hereby incorporated into this order of conditions
21. The Commission reserves the right to require modifications and/or limitations relative to authorized work/methodology of work to ensure compliance with this OOC. Any modifications/restrictions will be provided in writing to the applicant.
22. A Naturally Vegetated Buffer Strip (NVBS) delineated as all naturally vegetated areas within 50 feet of Bordering Vegetated Wetland must be maintained in perpetuity. Within this Buffer Strip, no removal

D

and/or pruning of vegetation is permitted with the exception of pathway no wider than four (4) feet. Pathway(s) must be shown on a plan of record and staked in the field prior to creation.

23. Vista pruning is not allowed under this permit.
24. The Conservation Department must be notified immediately of any proposed changes in plans and/or construction methodology.
25. In the event of any adverse impacts to wetland resource areas as a result of construction and/or maintenance of this project, the Commission reserves the right to require additional measures to protect resource areas and values as per M.G.L. Chapter 131 Section 40 and/or Mashpee's Chapter 172 Wetland Bylaw. The Conservation Agent, Assistant Agent and/or other designated representative of the Commission shall have the right to enter the premises to monitor ongoing work/maintenance.
26. The Plan of Record for this OOC does not constitute specific acceptance of the boundaries of resource areas under M.G.L. Chapter 131 Section 40 and Chapter 172 of the Mashpee Code for any work not described under Section 1 A of this Order. A new filing/application may be necessary if deemed so by the Commission and require new plans and/or new delineations of resource areas. The Commission may also require that said plans be prepared by a certified engineer, surveyor and/or landscape designer.
27. This OOC or any continuing conditions in perpetuity applies to any successor in interest or control
28. Violation of any conditions in this Order or any continuing conditions in perpetuity may result in the issuance of an enforcement order. Such enforcement order, if issued, will require the immediate cessation of all work until the mandates in the enforcement order are followed. In some instances, the violation may necessitate a hearing, in this case, such hearing will be held no more than 15 days from the issuance of an enforcement order.
29. In the event that a Superseding Order of Conditions is issued following an appeal to the MA State Department of Environmental Protection, this OOC issued pursuant to Chapter 172 of the Mashpee Code shall be considered amended to include all conditions of said Superseding Order. Notwithstanding the preceding, all special conditions protecting the wetland values of Chapter 172 shall remain in effect unless modified by an Order amending said conditions. The Commission reserves the right to require (in the event of the issuance of a Superseding Order by DEP) an Amended Order of Conditions if it deems such necessary for clarification and/or protection of the wetland values of Chapter 172.
30. Special conditions: 4, 11, 14, 15, 16, 17, 18, 19, 25, 27 & 28 extend beyond the Certificate of Compliance (in perpetuity) and shall be referenced in all future deeds of this property.
31. Upon completion of this project, the applicant must submit the following to the Commission to receive a Certificate of Compliance, closing out the permit/OOC with the Conservation Department:
 - a. A form requesting a Certificate of Compliance (WPA Form 8A).
 - b. A written statement from the registered professional engineer, surveyor, landscape designer, architect or wetland consultant associated with this project certifying that the work has been conducted as shown on the plan(s) of record and documents referenced, and as conditioned by the Commission.

E

- c. The Commission reserves the right, before issuing a Certificate of Compliance (should items "a" and "b" be deemed insufficient and/or in effort) to require an "as built" plan prepared and signed/stamped by a registered professional engineer or land surveyor of the Commonwealth.
32. This Order is valid for three years from the date of issuance but may be extended for more additional periods of up to three years per extension request. All extension requests are at the discretion of the Commission and may be subject to denial if deemed appropriate.

F

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:043-3144
eDEP Transaction #:1318626
City/Town:MASHPEE

E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

11/9/2021
1. Date of Original Order

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

5
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Carl R. Spore
[Signature]
Paul Colombo

[Signature]
[Signature]

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

11/9/2021

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
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(M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

MASHPEE
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:
MASHPEE
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

27 SAND DOLLAR LANE
Project Location

043-3144
MassDEP File Number

Has been recorded at the Registry of Deeds of:

County	Book	Page
for: <u>Property Owner ALEX PESELMAN, TRUSTEE</u>		

and has been noted in the chain of title of the affected property in:

Book Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

The Commonwealth of Massachusetts

No. 3172



Whereas, Patrick Enright

of -- Mashpee, -- in the County of -- Barnstable -- and Commonwealth aforesaid, has applied to the Department of Environmental Protection for license and maintain an existing pier, ramp and float -----

and has submitted plans of the same; and whereas due notice of said application, ~~and of the time and place fixed for a hearing thereon,~~ has been given, as required by law, to the -- Board of Selectmen -- of the Town of -- Mashpee; -----

NOW, said Department, having heard all parties desiring to be heard, and having fully considered said application, hereby, subject to the approval of the Governor, authorizes and licenses the said -----

Patrick Enright, subject to the provisions of the ninety-first chapter of the General Laws, and of all laws which are or may be in force applicable thereto, to -- license and maintain an existing pier, ramp and float -----

in and over the waters of -- Ockway Bay -- in the Town of -- Mashpee - - and in accordance with the locations shown and details indicated on the accompanying DEP License Plan No. 3172, (4 sheets).

See Board Book 492, Page 95, 96, 97, 98

License No. 3172

Page 2

The structures hereby authorized shall be limited to the following use: noncommercial docking and boating access to navigable waters.

This license will expire ninety-nine (99) years from the date of the license issuance. -----

Please see page three for additional conditions to this license.-----

Duplicate of said plan, number 3172 is on file in the office of said Department, and original of said plan accompanies this License, and is to be referred to as a part hereof.

License No. 3172

STANDARD WATERWAYS LICENSE CONDITIONS

1. Acceptance of this Waterways License shall constitute an agreement by the Licensee to conform with all terms and conditions stated herein.
 2. This License is granted upon the express condition that any and all other applicable authorizations necessitated due to the provisions hereof shall be secured by the Licensee prior to the commencement of any activity or use authorized pursuant to this License.
 3. Any change in use or any substantial structural alteration of any structure or fill authorized herein shall require the issuance by the Department of a new Waterways License in accordance with the provisions and procedures established in Chapter 91 of the Massachusetts General Laws. Any unauthorized substantial change in use or unauthorized substantial structural alteration of any structure or fill authorized herein shall render this Waterways License void.
 4. This Waterways License shall be revocable by the Department for noncompliance with the terms and conditions set forth herein. This license may be revoked after the Department has given written notice of the alleged noncompliance to the Licensee and those persons who have filed a written request for such notice with the Department and afforded them a reasonable opportunity to correct said noncompliance. Failure to correct said noncompliance after the issuance of a written notice by the Department shall render this Waterways License void and the Commonwealth may proceed to remove or cause removal of any structure or fill authorized herein at the expense of the Licensee, its successors and assigns as an unauthorized and unlawful structure and/or fill.
 5. The structures and/or fill authorized herein shall be maintained in good repair and in accordance with the terms and conditions stated herein and the details indicated on the accompanying license plans.
 6. Nothing in this Waterways License shall be construed as authorizing encroachment in, on or over property not owned or controlled by the Licensee, except with the written consent of the owner or owners thereof.
 7. This Waterways License is granted subject to all applicable Federal, State, County, and Municipal laws, ordinances and regulations including but not limited to a valid final Order of Conditions issued pursuant to the Wetlands Protection Act, G.L. Chapter 131, s.40.
 8. This Waterways License is granted upon the express condition that the use of the structures and/or fill authorized hereby shall be in strict conformance with all applicable requirements and authorizations of the DEP, Division of Water Pollution Control.
 9. In accordance with the public easement that exists by law on private tidelands, the licensee shall allow the public to use and to pass freely upon the area of the subject property lying between the high and low water marks, for the purposes of fishing, fowling, navigation, and the natural derivatives thereof. No restriction on the exercise of such public rights within the intertidal area shall be imposed unless otherwise expressly provided in this license.
 10. Unless otherwise expressly provided by this license, the licensee shall not limit the hours of availability of any areas of the subject property designated for public passage, nor place any gates, fences, or other structures on such areas in a manner that would impede or discourage the free flow of pedestrian movement thereon.
-
-

License No. 3172

Page 4

The amount of tide-water displaced by the work hereby authorized has been ascertained by said Department, and compensation thereof has been made by the said -- Patrick Enright ----- by paying into the treasury of the Commonwealth two dollars and zero cents (\$2.00) for each cubic yard so displaced, being the amount hereby assessed by said Department. (0.0cy = \$0.00)

Nothing in this License shall be so construed as to impair the legal rights of any person.

This License shall be void unless the same and the accompanying plan are recorded within 60 days from the date hereof, in the Registry of Deeds for the County of Barnstable.

IN WITNESS WHEREAS, said Department of Environmental Protection have hereunto set their hands this thirtieth day of December in the year nineteen hundred and ninety-two.

Commissioner
Director
Section Chief

[Handwritten signatures]

Department of
Environmental
Protection

THE COMMONWEALTH OF MASSACHUSETTS

This license is approved in consideration of the payment into the treasury of the Commonwealth by the said Patrick Enright ----- of the further sum of two hundred fifty-six dollars and zero cents (\$256.00)-----

the amount determined by the Governor as a just and equitable charge for rights and privileges hereby granted in the land of the Commonwealth.

Approved by the Governor.

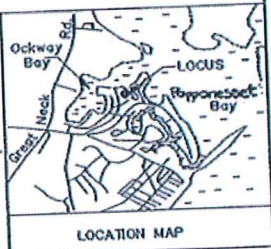
BOSTON,
William F. Weld

Governor

492 SIDE 95

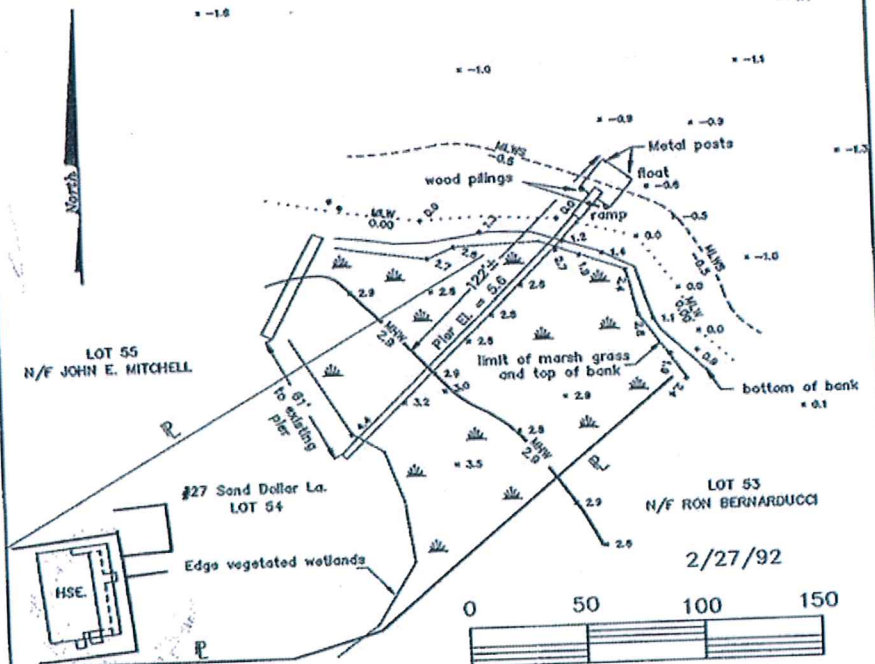
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RECEIVED & RECORDED
JAN 7 9 32 AM '92
TOWN OF MASHPEE
REGISTERED DEEDS



OCKWAY BAY

492.95



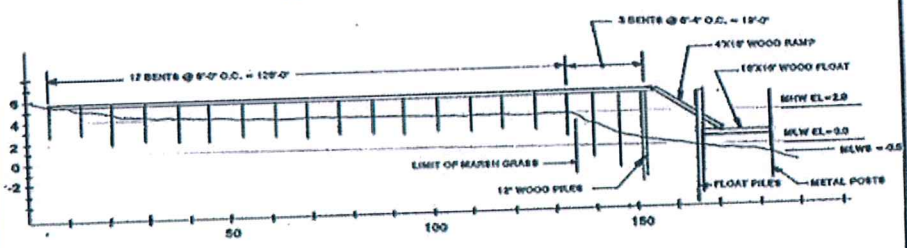
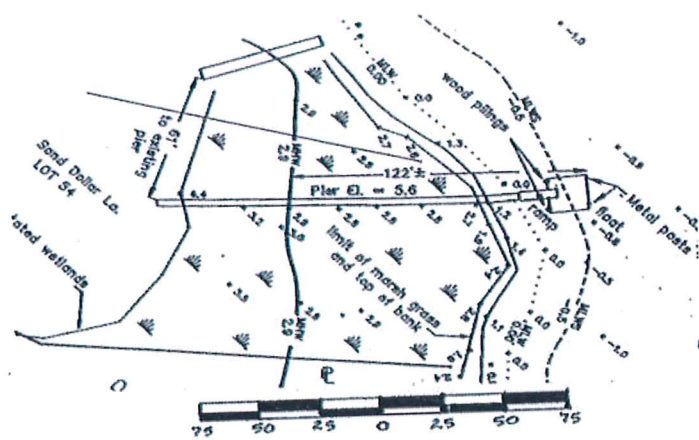
PLAN TO ACCOMPANY PETITION OF
PATRICK ENRIGHT
TO MAINTAIN TIMBER PILES
FLOATS AND RAMP
IN OCKWAY BAY
MASHPEE, MASSACHUSETTS
SHEET 2 OF 4
LEVY ELDREDGE & WAGNER ASSOCIATES INC
ENGINEERS LANDSCAPE ARCHITECTS PLANNERS LAND SURVEYORS
664 STRAWBERRY HILL RD. CENTERVILLE, MASS 02632

DATUM MLW = 0.00
LICENSE PLAN NO. 2172
Approved by Department of Environmental Protection
of Massachusetts
Christopher J. Fournier
COMMISSIONER
SECTION CHIEF
DEC 30 1992 DATE

492 PAGE 96

RECEIVED & RECORDED
JUN 7 9 17 AM '93
DARSHAPPE COUNTY
RECORDS

492.96



TIMBER PIER PROFILE

HORZ. SCALE 1" = 30'
VERT. SCALE 1" = 10'



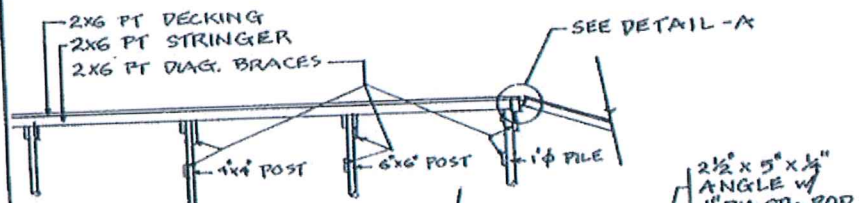
PLAN TO ACCOMPANY PETITION OF
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FLOAT AND RAMP
IN OCKWAY BAY
MASHPEE, MASSACHUSETTS
SHEET 2 OF 4

NEW SEABURY ENGINEERING GROUP
1 MALL WAY, P.O. BOX 550
MASHPEE, MA 02649
JUNE 16, 1992

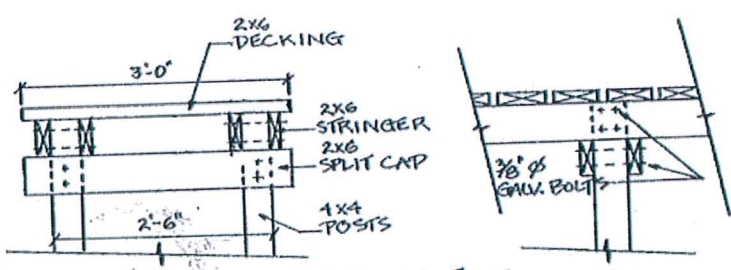
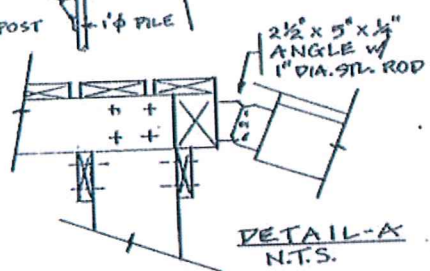
LICENSE PLAN NO. 3172
Approved by Department of Environmental Protection
DEC 30 1992

RECEIVED & FILED
 JAN 7 9 37 AM '93
 DEPT. OF ENVIRONMENTAL PROTECTION

492-97



**TIMBER PIER
 PARTIAL PROFILE**
 SCALE 1" = 6'-0"



BENT SECTION
 SCALE 1" = 1'-0"

**PIER DETAILS
 AND
 CROSS SECTIONS**



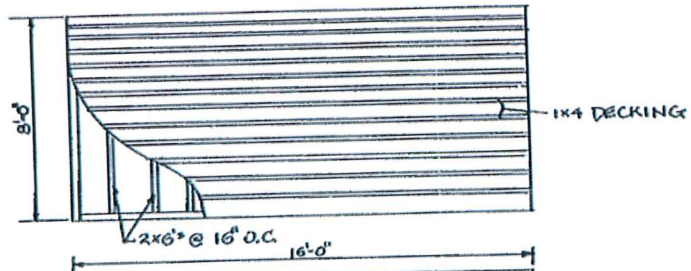
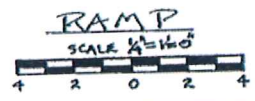
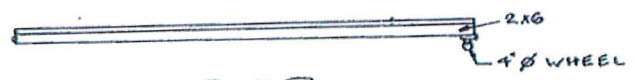
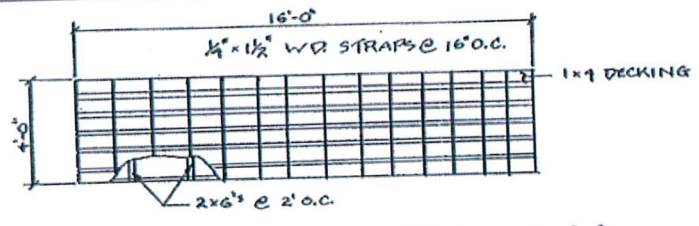
NEW SEABURY ENGINEERING GROUP
 1 MALL WAY, P.O. BOX 650
 MASHPEE, MA 02649
 JUNE 16, 1992

**PLAN TO ACCOMPANY PETITION OF
 PATRICK ENRIGHT
 TO MAINTAIN TIMBER PILES
 FLOAT AND RAMP
 IN OCKWAY BAY
 MASHPEE, MASSACHUSETTS**

LICENSE PLAN NO. 3172
 Approved by Department of Environmental Protection
 Date: DEC. 3 0 1992

JUN 7 9 32 AM '93
MASSACHUSETTS
REGISTERED PROFESSIONAL ENGINEERS

492-98



RAMP AND FLOAT DETAILS



NEW SEABURY ENGINEERING GROUP
 1 MALL WAY, P.O. BOX 550
 MASHPEE, MA 02549
 JUNE 16, 1992

PLAN TO ACCOMPANY PETITION OF
 PATRICK ENRIGHT
 TO MAINTAIN TIMBER PILES
 FLOAT AND RAMP
 IN OCKWAY BAY
 MASHPEE, MASSACHUSETTS

LICENSE PLAN NO. 3172
 Approved by Department of Environmental Protection
 Date: DEC 30 1992

SHEET 4 OF 4

ACEC / Natural Heritage Endangered Species Map



Mashpee GIS Map





Directions to Site

Mashpee Town Hall
16 Great Neck Rd N
Mashpee, MA 02649

Head south on Great Neck Rd N toward Asher's Path W
1.1 mi

At the traffic circle, take the 3rd exit onto Great Neck Rd S
2.8 mi

Turn left onto Red Brook Rd
0.1 mi

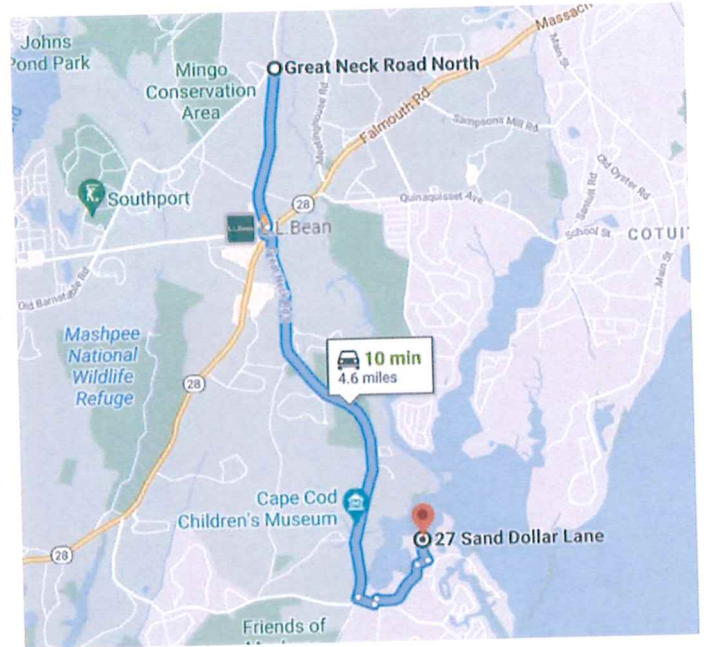
Turn left onto Summersea Ln
207 ft

Summersea Ln turns right and becomes Summersea Rd
0.4 mi

Turn right onto Fiddler Crab Ln
387 ft

Turn left onto Sand Dollar Ln
0.1 mi

27 Sand Dollar Ln
Mashpee, MA 02649



MASS GIS Topo Map



FEMA Flood Map

National Flood Hazard Layer FIRMette

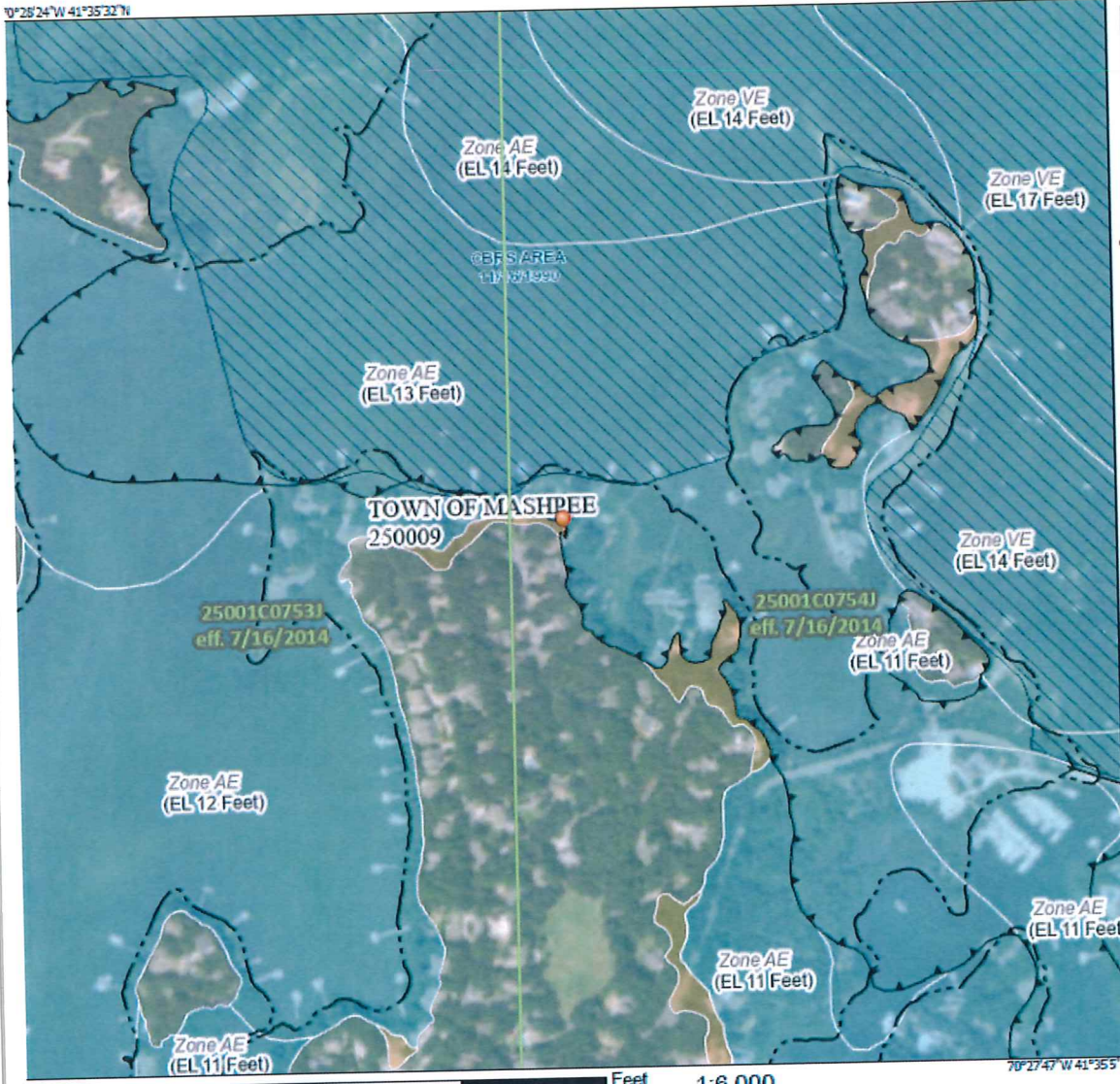


70°28'24"W 41°35'32"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	OTHER AREAS OF FLOOD HAZARD	OTHER AREAS	GENERAL STRUCTURES	OTHER FEATURES	MAP PANELS
Without Base Flood Elevation (BFE) Zone A, X, AE9 With BFE or Depth Zone AE, AO, AH, VE, A Regulatory Floodway	0.2% Annual Chance Flood Hazard Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee	NO SCREEN Area of Minimal Flood Hazard Zone Effective LOMRs Area of Undetermined Flood Hazard	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall	Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature	Digital Data Available No Digital Data Available Unmapped

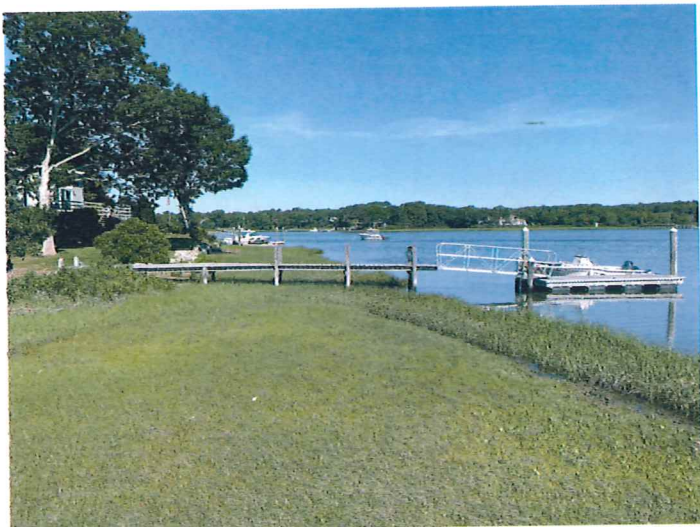


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/25/2021 at 8:41 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map images unmapped and unmodernized areas cannot be used for regulatory purposes.

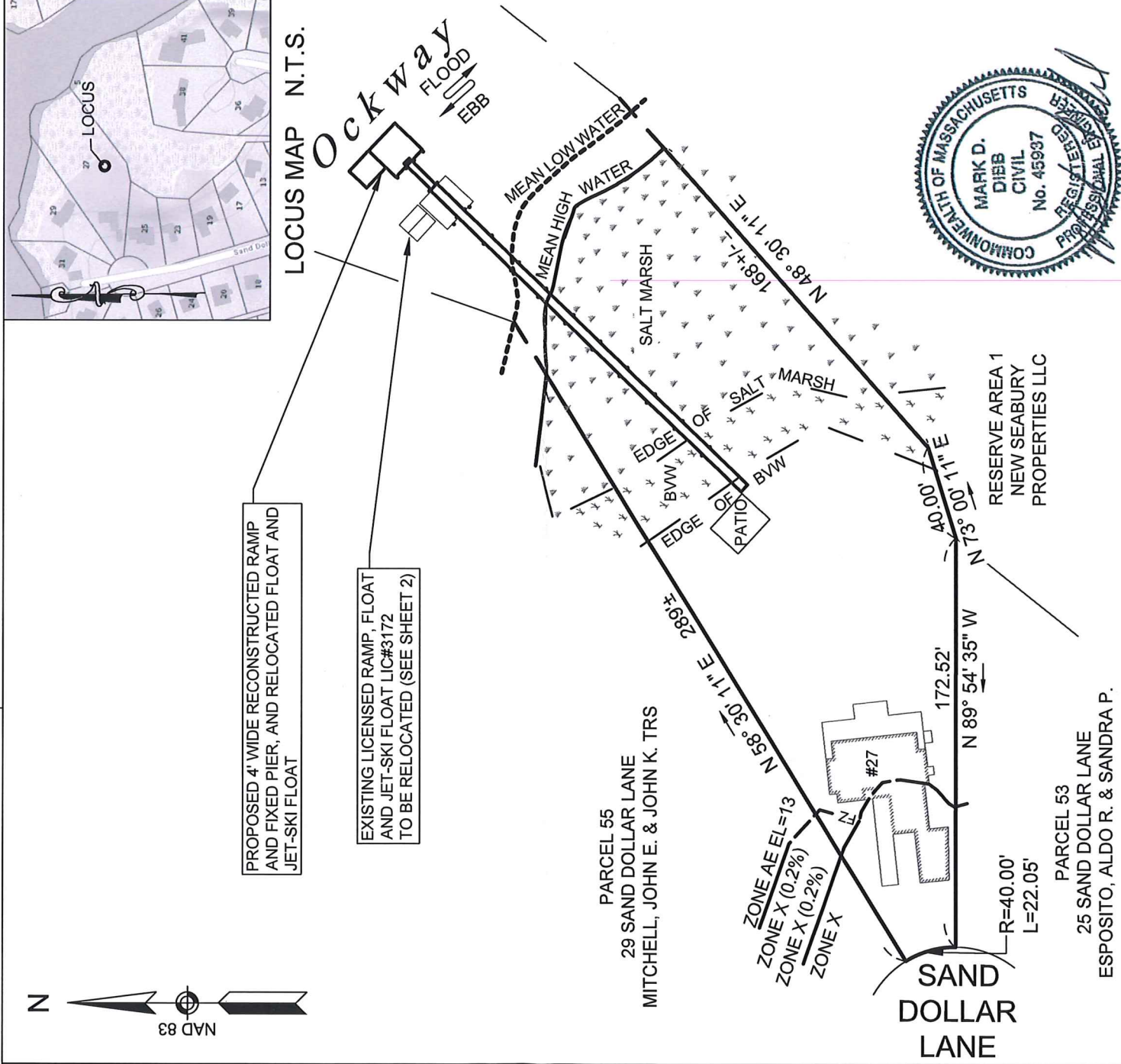
Photographs



Plan of Reference

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

MARK DIBB, P.E.



PROPOSED PIER, RAMP & FLOAT PLAN

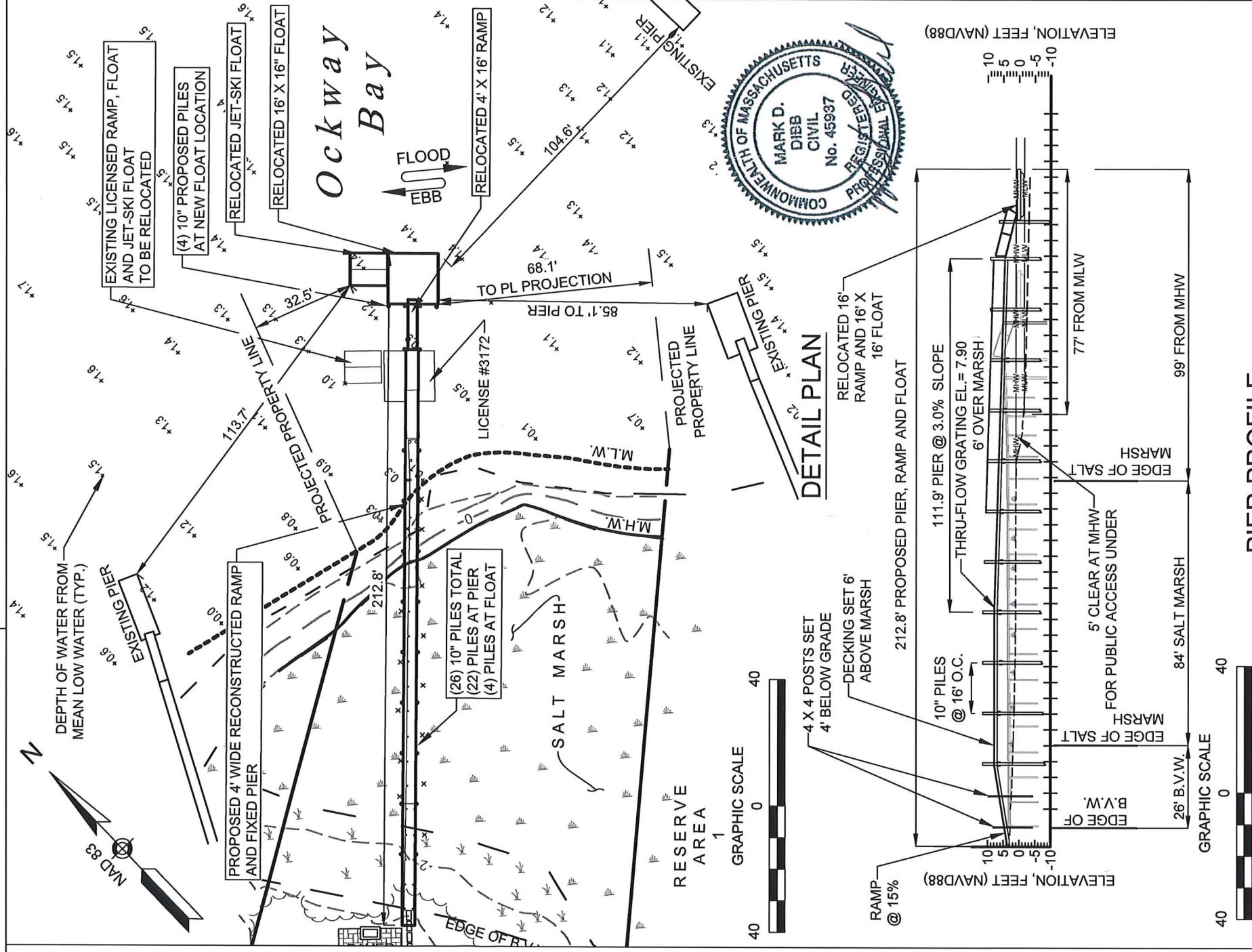
PARCEL ADDRESS: 27 SAND DOLLAR LANE, MASHPEE, MA
 PLAN ACCOMPANYING PETITION OF
 THE 27 SAND DOLLAR LANE NOMINEE TRUST TO
 RECONSTRUCT, EXPAND & MAINTAIN A PIER RAMP
 AND FLOAT IN AND OVER THE WATERS OF
 OCKWAY BAY, MASHPEE, MASSACHUSETTS

PARCEL ID MAP 105 PARCEL 88 SHEET 1 OF 3

PLAN BY: CAPE & ISLANDS ENGINEERING, INC.
 508.477.7272 DATE: NOVEMBER 16, 2021

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

MARK DIBB, P.E.



PROPOSED PROFILE

PIER PROFILE

PARCEL ADDRESS: 27 SAND DOLLAR LANE, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.

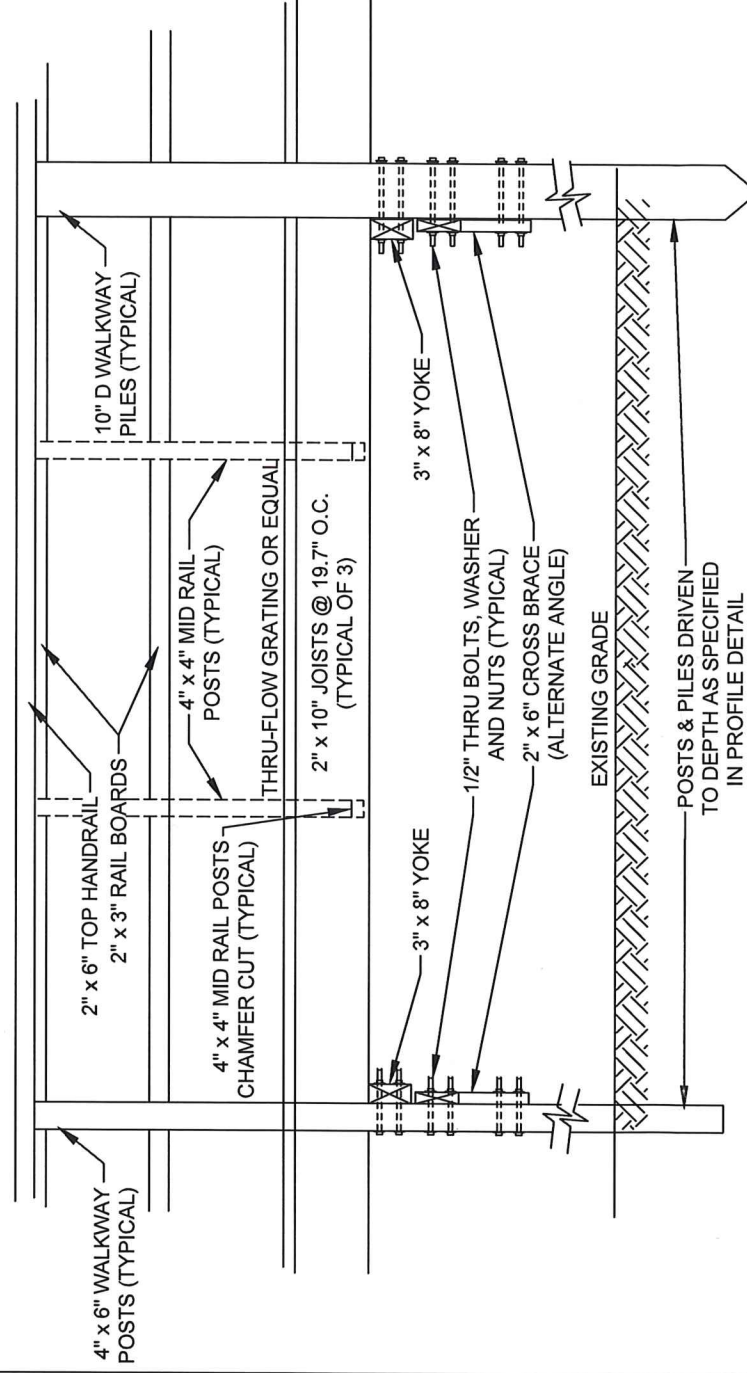
DATUM: NAVD88 = 0.00 FT.
 ELEVATIONS IN FEET

508.477.7272 DATE: NOVEMBER 16, 2021

PARCEL ID MAP 105 PARCEL 88 SHEET 2 OF 3

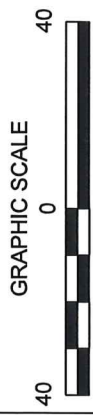
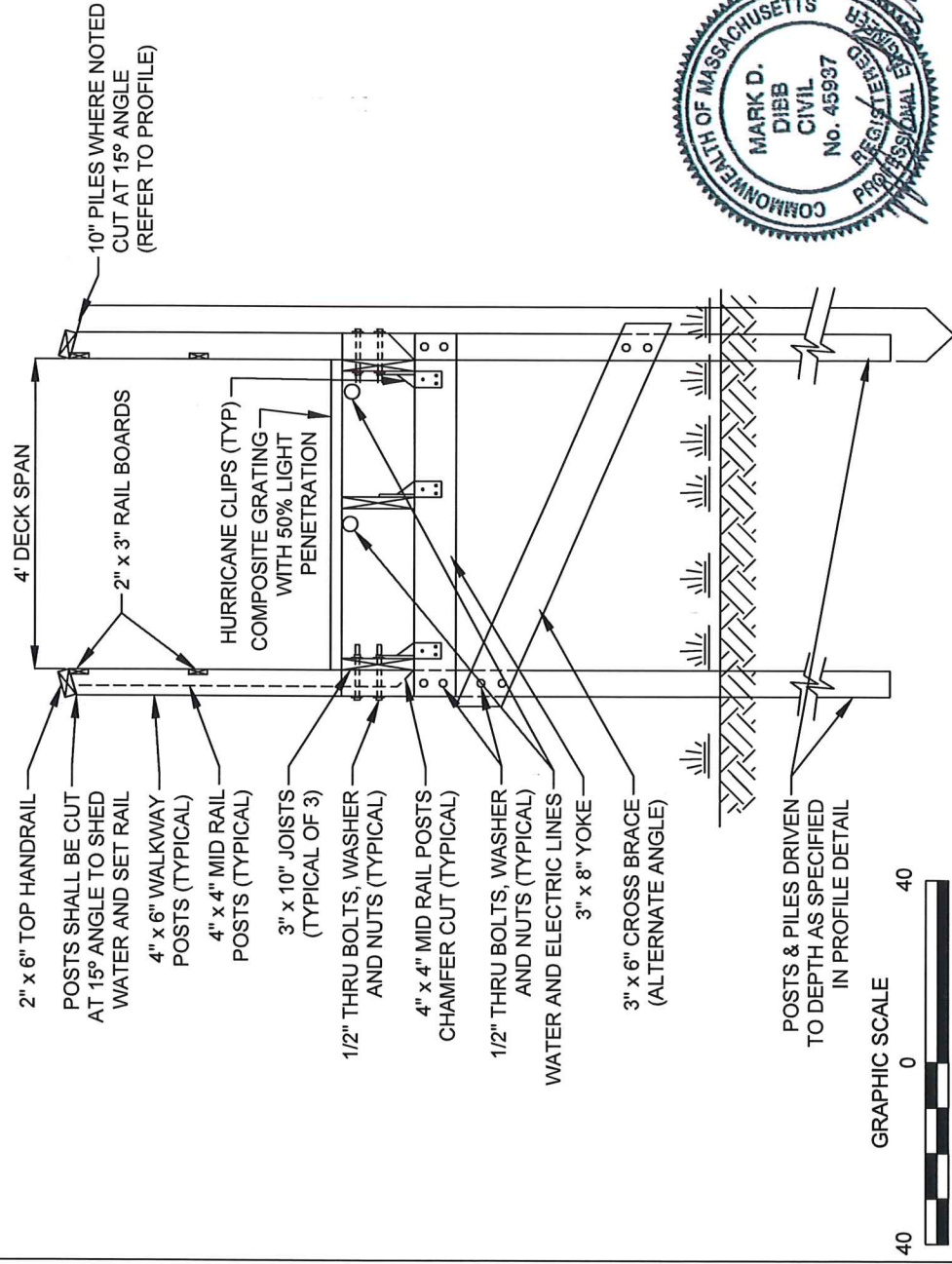
I HEREBY CERTIFY THAT THIS PLAN DOES CONFORM WITH THE REQUIREMENTS FOR RECORDING OF PLANS IN THE REGISTRY OF DEEDS.

MARK DIBB, P.E.



WALKWAY & PIER SIDE VIEW DETAIL

NOT TO SCALE



WALKWAY & PIER SECTION DETAIL

NOT TO SCALE

PARCEL ADDRESS: 27 SAND DOLLAR LANE, MASHPEE, MA
 PLAN BY: CAPE & ISLANDS ENGINEERING, INC.

DATUM: M.L.W. = 0.00 FT.
 ELEVATIONS IN FEET

508.477.7272 DATE: NOVEMBER 16, 2021

PARCEL ID MAP 105 PARCEL 88 SHEET 3 OF 3



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **EBELAIR**

Transaction ID: **1328197**

Document: **Groundwater Discharge Monitoring Report Forms**

Size of File: **1033.19K**

Status of Transaction: **Submitted**

Date and Time Created: **12/21/2021:11:18:51 AM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Groundwater Permit

DISCHARGE MONITORING REPORT

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV MONTHLY
3. Sampling Month & Frequency

A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

11/9/2021

a. Date Sampled (mm/dd/yyyy)

RI ANALYTICAL

b. Laboratory Name

NICOLE SKYLESON

c. Analysis Performed By (Name)

B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Discharge Monitoring Report - 2021 Nov Monthly

All forms for submittal have been completed.

2. This is the last selection.

3. Delete the selected form.



Groundwater Permit
 DISCHARGE MONITORING REPORT

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV MONTHLY
3. Sampling Month & Frequency

D. Contaminant Analysis Information

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled

1. Parameter/Contaminant	2. Influent	3. Effluent	4. Effluent Method Detection limit
Units			
BOD	60	ND	3.0
MG/L			
TSS	150	ND	2.0
MG/L			
TOTAL SOLIDS	460		
MG/L			
AMMONIA-N	11		
MG/L			
NITRATE-N		0.71	0.50
MG/L			
TOTAL NITROGEN(NO3+NO2+TKN)		0.71	0.50
MG/L			
OIL & GREASE		ND	0.50
MG/L			



Groundwater Permit

DAILY LOG SHEET

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV DAILY
3. Sampling Month & Frequency

A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

11/30/2021

a. Date Sampled (mm/dd/yyyy)

WHITEWATER

b. Laboratory Name

JAIME STEWART

c. Analysis Performed By (Name)

B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Daily Log Sheet - 2021 Nov Daily

All forms for submittal have been completed.

2. This is the last selection.

3. Delete the selected form.



Groundwater Permit
DAILY LOG SHEET

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV DAILY
3. Sampling Month & Frequency

C. Daily Readings/Analysis Information

Date	Effluent Flow GPD	Reuse Flow GPD	Irrigation Flow GPD	Turbidity	Influent pH	Effluent pH	Chlorine Residual (mg/l)	UV Intensity (%)
1	11690					7.3		
2	7381					7.4		
3	8033					7.8		
4	11246					7.3		
5	8010					7.5		
6	8010							
7	8010							
8	10980					7.4		
9	7358					7.1		
10	11764					6.8		
11	11484					7		
12	10410					7.1		
13	10410							
14	10410							
15	11436					7.3		
16	7194					7.2		
17	11535					7.3		
18	11437					7.2		
19	9606					7.3		
20	9606							
21	9606							
22	7631					7.3		
23	7597					7.3		
24	7426					7.3		
25	7426							
26	7534					7.1		
27	7534							
28	7534							
29	7889					7.4		
30	7718					7.3		
31								



Groundwater Permit
MONITORING WELL DATA REPORT

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV MONTHLY
3. Sampling Month & Frequency

A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

11/17/2021

a. Date Sampled (mm/dd/yyyy)

WHITEWATER

b. Laboratory Name

JAIME STEWART

c. Analysis Performed By (Name)

B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Monitoring Well Data Report - 2021 Nov Monthly

All forms for submittal have been completed.

2. This is the last selection.

3. Delete the selected form.



Groundwater Permit
 MONITORING WELL DATA REPORT

668
1. Permit Number
[REDACTED]
2. Tax identification Number
2021 NOV MONTHLY
3. Sampling Month & Frequency

C. Contaminant Analysis Information

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled
- DRY = Not enough water in well to sample.

<

Parameter/Contaminant	P-1	P-2	P-4	P-6	Well #: 5	Well #: 6
Units	Well #: 1	Well #: 2	Well #: 3	Well #: 4		
PH	6.2	DRY	6.2	6.1		
S.U.						
STATIC WATER LEVEL	18.5	DRY	46.3	50.1		
FEET						
SPECIFIC CONDUCTANCE	991	DRY	515	1010		
UMHOS/C						



Groundwater Permit

668

1. Permit Number

2. Tax identification Number

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



Any person signing a document under 314 CMR 5.14(1) or (2) shall make the following certification

If you are filing electronic-ally and want to attach additional comments, select the check box.



Facility Information

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

ELIZABETH BELAIR

a. Signature

12/21/2021

b. Date (mm/dd/yyyy)

Reporting Package Comments

PUMPING & HAULING:5,500
FACILITY WAS IN FULL COMPLIANCE WITH ALL PERMIT REQUIREMENTS FOR THE MONTH