



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

Meeting of the Mashpee Planning Board

Wednesday, February 17, 2021

Waquoit Meeting Room

Mashpee Town Hall

16 Great Neck Road North

Mashpee, MA 02649

6:30 PM

Virtual / Remote Meeting

Broadcast Live on Local Channel 18

Call in Conference Number: 508-539-1400 extension 8585

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

Call Meeting to Order

- Pledge of Allegiance

Workshop (until 7:00 PM)

Community Engagement Action Plan – Comprehensive Plan Update Visioning Exercise

Approval of Minutes

- Review of meeting minutes from January 20, 2021
- Review of meeting minutes from February 3, 2021

New Business

- Interview Ed Pesce Engineering and Associates for Planning Board Consulting Engineer and discuss response to advertised Request for Proposals.
- Interview Merrill Corporation for Planning Board Consulting Engineer and discuss response to advertised Request for Proposals.
- Vote to set public hearing date for Solar Overlay articles submitted by Petition

Old Business

Chairman's Report

Town Planner Report

- Economic Development Bill with Housing Choice Provisions
- New Seabury – The Cottages Phase IV Update
- DLTA First Solicitation

MASHPEE TOWN CLERK

FEB 12 2021

RECEIVED BY: _____



Town of Mashpee

16 Great Neck Road North
Mashpee, Massachusetts 02649

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
- December 2020 Discharge Monitoring Report for South Cape Village – N=5.3
- November 2020 Discharge Monitoring Report for South Cape Village – N= 4.6
- October 2020 Discharge Monitoring Report for South Cape Village – N= 2.2

Additional Topics (not reasonably anticipated by Chair)

Adjournment

MASHPEE TOWN CLERK

FEB 12 2021

RECEIVED BY: _____

21	Draft a final visioning report														
22	Present to Board of Selectmen and Planning Board														
23	Commence Phase II of LCP Update														

Community Engagement Action Plan

Draft

11/25/2020

Evan R. Lehrer, Town Planner

Town of Mashpee

Purpose:

The Community Engagement Action Plan will provide a framework for the Planning Board to lead the Mashpee Community through a substantive visioning process. This process is significant in that its purpose is intended to maximize the levels and quality of participation in community planning. Targeted methods will be deployed to ensure participation by individuals/groups that are traditionally non-active in local government decision making processes to capture 'critical mass' of the Mashpee Community. As such, a variety of methods and strategies will be utilized to communicate regarding this process to create as many opportunities to participate across stakeholder groups as is practicable. Those varying strategies are outlined below.

The visioning process will be designed to identify existing issues and/or challenges in the built environment today in the context of current needs and emergent trends in demographic, housing, and economic data, etc. All communications and materials regarding this process must clearly define the purpose and intent of this process and reinforce that this is a community-led process that may only succeed with the thoughtful participation of community members.

Community Engagement 'Mission Statement'

To capture the hopes, dreams, and goals for the future of the Mashpee Community in a renewed 'Vision Statement' by analyzing both qualitative and quantitative data provided throughout the community engagement process to position the Planning Board well in its efforts to draft an updated Local Comprehensive Plan that will guide the development and redevelopment in Town in a manner consistent with the wants and needs of current and future generations living in Mashpee.

Regularly Updated Communication Strategies

1. Mashpee Town Website –

The Mashpee Town website will serve as the central information hub for all things related to the Community Engagement Action Plan, Visioning Process, and update to the Local Comprehensive Plan. All other communications materials will reference the website by providing a direct link for all digital communications and the link address on all printed materials.

Actions

- a. Develop a new web page located on the Planning Board and Planning Department Town webpages.

- b. Generate an email list to blast out updated news items uploaded onto the webpage.
- c. Populate and regularly update the Website to include information on the purpose of the Visioning, Surveys, Workshop Details, Background Data Summaries, Workshop/Survey Results; Summary Papers, Draft & Final Vision Statement and Plan, along with links to other resources (i.e. RPP, existing LCP).
- d. Provide regular updates as “News Items” which are prominently displayed on the Town Website.

2. Social Media –

The Town already manages a Facebook account to communicate important Town news and events to the community. In addition, the Mashpee Police Department also manages a well followed Facebook page. These pages will be regularly updated with new information and reminders relative to the Visioning process. Beyond Facebook, the Town should look towards establishing accounts on Twitter, Instagram, and other Social Media outlets to take advantage of their potential for data collection and storytelling via the uses of hashtags.

Actions

- a. Present a social media plan to the Town Manager and board of Selectmen to expand the Town’s social media footprint.
- b. Develop #hashtag to track community responses to targeted questions and polling via facebook, twitter and others.

Traditional Communication Media

1. Newspaper

Traditional forms of communication should not be ignored. Include the local newspaper in all developments regarding the action plan by both drafting press-releases to disseminate information from the perspective of the Planning Board and also invite journalists to participate in visioning events. Encourage public participation via opinion editorials.

2. Snail mail/Posters

3. Newsletters

The Mashpee Recreation Department, Council on Aging, Chamber of Commerce, and various neighborhood associations and community organizations manage their own newsletter. Provide copy for publishing in these newsletters with updates of the process.

4. Street Stalls/Event Stand

Staff will identify community events where information regarding the visioning process can be shared and debated. The success of this arm of the engagement process will be dependent upon COVID guidelines/restrictions in the approaching summer.

Targeted Invitations/Updates

- **Student and Parent Organizations**
- **Local Boards, Committees and Commissions**
- **Business Owners**
- **Chamber of Commerce**
- **Community Organizations – Nonprofits, Religious Congregations, etc.**
- **Mashpee Wampanoag Tribe**

DRAFT

Kick Off Public Meeting

Location: Waquoit Meeting Room or the Library Event Room (unless virtual)

Format: Listening Session

Goal:

To educate the community about why the Planning Board is doing this, what a vision statement is and means and what the outcome of this process will inform (the Local Comprehensive Planning Process). Participants will need to be educated on the Regional Policy Plan. It should also educate participants about what the Town envisioned for itself in 1998 and ask the following questions:

1. Digesting and Understanding Existing Conditions: the 1998 Vision. Where are we falling short?
2. Do we maintain the values described in the 1998 Vision Statement?
3. Where are we falling short in achieving this vision?
4. Strategies to 'right the ship?' Do we need t
5. What about our Town do we love, what makes us proud?
6. What areas do we hate, what needs improvement?

Public Meeting Number 2

2.) Built Systems

All of the priorities defined in the 1998 Vision Statement are impacted in some way by our Built Systems.

Key Issues:

- Housing Affordability/Availability
- Disconnected development pattern creating literal distance between our neighbors. Loss of sense of place.
- Nitrogen pollution
- Unsafe streets/intersections, increasing congestion at certain intersections.
- Limited Economic Development, unsustainable municipal maintenance costs
- Exporting of Mashpee graduates
- Limited mobility for seniors (and others)

Other issues that have become critical since the adoption of the 1998 Vision and LCP:

- Energy efficiency/sustainability
- Climate change resiliency

Chapters that address Mashpee's Built Systems:

- [School Facilities](#)
 - The 1998 Comprehensive Plan identified that additional school facilities would need to be constructed to accommodate student population projections. Numerous

factors since the plans adoption have resulted in a decline in school-aged children population on Cape Cod.

- [Solid & Hazardous Waste Management](#)
- [Transportation](#)
- Municipal Buildings and Facilities
- Energy
- Climate/Coastal Resiliency*
- Community Design*

3.) **Natural Systems:**

For every intervention made in our built systems there is a disruption to our natural systems. How do we mitigate or improve our natural systems in consideration of the needs of our built environment?

Key Issues:

- Habitat/Wetlands restoration
- Open space conservation
- Nitrogen pollution/Water quality
- Coastal erosion/climate change impacts
-

Chapters that address Natural Systems:

- Coastal Resources
- Open Space
- Water/Water Resources & Facilities

4.) **Community Systems:**

- [Economic Development](#)
- Heritage Preservation
- Housing
- Health and Human Services

**Mashpee Planning Board
Minutes of Meeting
January 20, 2021 at 6:00 p.m.
Mashpee Town Hall-Waquoit Meeting Room
16 Great Neck Road North-Mashpee**

**Virtual/Remote Meeting-Call in (508) 539-1400 x8585
Broadcast Live on Local Channel 18 & Streaming at www.mashpeema.gov/channel-18**

Present: Vice Chair Joe Callahan, John Fulone, Mary Waygan, Dennis Balzarini, Robert (Rob) Hansen (Alt.)

Also Present: Evan Lehrer-Town Planner

Absent: Chairman John (Jack) Phelan

CALL TO ORDER

Vice Chairman Joe Callahan opened the meeting at 6:00 p.m. and welcomed Planning Board members to the meeting. Due to the pandemic and Town of Mashpee regulations, the meeting was being held virtually, but the Chair announced that it was being live streamed on Channel 18 and could also be viewed at www.mashpeema.gov/channel18. Although public comment was not expected, viewers wishing to comment could call (508) 539-1400, extension 8585. The Pledge of Allegiance was recited.

**WORKSHOP – COMMUNITY ENGAGEMENT ACTION PLAN/COMPREHENSIVE
PLAN UPDATE VISIONING EXERCISE**

Vice Chair Callahan invited Mr. Lehrer to provide a recap from the previous meeting. Mr. Lehrer said that he felt that the meeting from two weeks ago was very productive with respect to the Community Engagement Plan. He had provided the Board with a rough draft outlining his thoughts for the composition of a Community Engagement Plan for an update to the Vision Statement with the last one being adopted in 1998. He indicated that numerous comments were received from the Board. There was general consensus to proceed with procuring a consultant to conduct the Visioning and Community Engagement Action Plan in preparation for the update to the Local Comprehensive Plan. He had hoped to come to this meeting with a more robust document to review as to the scope of work to be conducted. Ms. Waygan provided documents that the Town of Yarmouth has prepared for their Visioning work in their town. Mr. Lehrer stated that he felt that a lot of thought and organization that went into their Action Plan. Mr. Lehrer said that he plans to produce a Gantt Chart that will organize the tasks of the Action Plan and will provide timelines to track progress. He should have this by the next Planning Board Meeting. He then wanted to discuss the scope of work to be included in the RFP process for consultant services. He commented that he believes the difference between where the Town of Mashpee is at and where the Town of Yarmouth was when issuing their RFP was one of budgetary concern. He stated that it appears that the Town of Yarmouth perhaps separated their Visioning work from the entire Comprehensive Plan project due to the fact that they had not authorized enough of funding to complete the whole process. Mr. Lehrer wondered if the Board should issue the RFP for the Visioning Work and continue to work on the Community Engagement and put the option in to continue with the consultant to do the entire Comprehensive

Plan Update. The town of Mashpee has allowed \$150,000 for this project which made Mr. Lehrer feel that perhaps it was best to write an RFP for the full scope of work since the funds have been appropriated. He then asked the Board for their thoughts as to what their thoughts are in proceeding. Ms. Waygan had provided comments to Mr. Lehrer on his Action Plan. Vice Chair Callahan thanked Ms. Waygan for the information that she had provided from the Town of Yarmouth. He found the information very helpful and made great points. He then commented that he had 15 ideas on how to reach out to the public with the ongoing pandemic. Mr. Callahan concurred with Mr. Lehrer on the point of issuing the RFP for the full scope of the project and opened the floor for comments. Ms. Waygan said this a huge project and suggested that perhaps both pieces could be included in the RFP but suggested asking for a lump sum bid for phase one the Visioning piece and Phase 2 for the update of the LCP. She said she would award in such a way after the completion of Phase 1 then decide whether to issue the 2nd phase. This would allow the option whether to proceed with the same consultant or to choose another in the event their performance is unsatisfactory. It would allow some flexibility. Mr. Lehrer wanted to be clear as to what the consensus of the Board was and as to if the Board was in agreement with breaking down the RFP into two pieces. Vice Chair Callahan reviewed minutes from the January 6 meeting to review the previous Board vote. He confirmed that it had been a unanimous vote. He then asked if anyone had anything further to discuss on this subject. Mr. Balzarini pointed out that they still needed to discuss a name for the project. Board members had submitted their ideas into Mr. Lehrer. Mr. Callahan commented that he liked the name that Mr. Fulone had submitted – “Mashpee’s Vision – A Proud Past and A Promising Future.” Mr. Balzarini said this would be his first choice. Ms. Waygan agreed but added that she also liked Mr. Lehrer’s suggestion of “What’s Next? Visioning for Future Generations.” Mr. Lehrer suggested that the Board take a vote at the next meeting between the top two titles submitted. Mr. Lehrer then asked Ms. Waygan about her comments on his Action Plan. Ms. Waygan then commented that you have the Vision piece then you update the LCP. When the LCP is updated the place type map can be reviewed. Mr. Lehrer said that his thought for incorporating place types into the Action Plan was to define place types so that particular questions can be asked as to how people envision certain areas of the town as to how they fit into those place types and where they would like to see them in the future. He felt it would be a mechanism for people to see where things are today and where they can go tomorrow. Ms. Waygan said that she felt the concept of place types should be introduced as it is a new concept and may take a while for people to process it. Mr. Hanson inquired as to whether the LCP would be introduced or marketed to the public. He felt most people would not be familiar with what the LCP is. Vice Chair Callahan responded by pointing out that the plan from the Town of Yarmouth had included a 15 point marketing plan as to how to reach out to people especially during the pandemic. Mr. Lehrer said although ideas were discussed previously, there was no formal document to incorporate these ideas. He said that he when he prepares the Gantt Chart as the Town of Yarmouth has done, the chart it would include an Engagement Action Plan. This will detail how we will reach out to people so that they become involved in workshops so that they understand the scope of the project and the information that we are seeking.

Ms. Waygan pointed out that the place types are typically part of the LCP update and not the Visioning piece. Mr. Balzarini said that the Board may need to focus on certain areas more than others. Some areas may be very outdated while others may not be and the project should be narrowed down. Mr. Lehrer added that this plan is extremely lengthy. He felt that every chapter

should be reviewed and consolidated and that a consultant could be helpful by assisting in updating format, maps and data. The document needs to be consolidated so that it is not as intimidating and will be useful and accessible.

Ms. Waygan felt that one chapter that should be reviewed and perhaps enhanced is the chapter regarding historic resources. She felt that the material currently in the plan is really good and that the area that needs to be condensed and updated is the Open Space Plan. Ms. Waygan added that the chapter on municipal facilities needs to be completely redone. She suggested the Board go chapter by chapter and decide what needs to be rewritten and what needs to be consolidated. Mr. Lehrer commented that he feels that the content of the plan as it exists is of high quality however the real issues with it are in the areas of formatting and the length of the document. He then elaborated that when the Board engages with a consultant, the goal should be to review the content and the document will need to be in a new format – one that is more condensed and legible. Mr. Hanson stated that he was under the impression that the Board would be using the 1998 LCP only make reference to it and that the new LCP would supersede the old document. Mr. Lehrer made the point that much of the information in the existing document is transferrable into a new document.

Vice Chair Callahan asked Ms. Waygan what point was the Town of Yarmouth currently at with this process. Ms. Waygan said that Yarmouth just finished its workshop and compiling the survey. They felt that they did not have enough of participants so the town sent out a survey link to everyone in the Town of Yarmouth. She stated that there are 25,000 Yarmouth residents and they previously only had 90 responses. She previously had done a direct mailing with a stamped envelope included which yielded the best results.

The Board then took a 15 minute recess and reconvened at 6:55 PM.

BOARD MEMBER COMMITTEE REPORTS

Cape Cod Commission - Ms. Waygan stated that earlier in the week the Cape Cod Commission updated the RPP in response to a citizen petition that was filed about two years ago to “beef it up” regarding responding to climate change. There should be a new updated RPP soon. The petitioner group made public comment and said they were fine with the changes.

Community Preservation Committee - Ms. Waygan said that the Committee did meet and she put in comments from the Planning Board to the CPC in their public hearing in general as to what they should do with the money from housing and open space purchases that supported our nitrogen management program. Ms. Waygan said that other items discussed were the application to purchase Gooseberry Island. The CPC agreed to spend up to \$3,000 for an appraisal of the property. Ms. Waygan closed by stating that she commented that The Planning Board would love to have this property but it depends on the price.

Design Review - Vice Chair Callahan said Design Review did not have a meeting.

Plan Review - Mr. Lehrer said that Plan Review reviewed a proposal from a solar company to occupy the former Cape Cod Coffee building on Main Street. Solar Rising would like to utilize

the property as a solar contracting and design center out of this location. Mr. Lehrer stated that he did not attend the meeting but said he believes that the Plan Review Committee did vote in favor to approve this proposal.

Environmental Oversight Committee - Vice Chair Callahan said the member for this committee was not present.

Historic District Commission – Mr. Balzarini stated that the Commission signed two documents and that the virus has made getting signatures difficult. Mr. Lehrer elaborated that the Commission reviewed two applications: one for a Certificate of Non-Applicability to replace and/or repair trim, a front door and windows and the other was for a Certificate of Hardship for an ongoing project at 278 Main Street which was also approved.

Military Civilian Advisory Council - Vice Chair Callahan stated there was no meeting.

TOWN COUNSEL PRESENTATION – Impact Fees Presentation

Attorney Pat Costello opened by stating that he had sent a set of guidelines and an outline to follow which he did not want to closely adhere to.

Mr. Balzarini began by asking a question. He questioned about the Town receiving impact fees. His recollection was years ago that the Town could not directly collect impact fees. The Cape Cod Commission collected impact fees and disbursed them to the Town. Mr. Balzarini said he thought that \$170,000 had been collected by the Commission from Mashpee Commons. Mr. Lehrer commented that the Commission does collect impact fees. Beyond Mashpee Commons, every DRI project that has regional impact to Mashpee has a set aside for various potential projects. The Commission holds funds for the Town. The Town has access to these funds for different projects as long as they are qualifying expenditures. Mr. Lehrer pointed out that in Attorney Costello's outline, he does contemplate a bit about the CCC and how they collect impact fees.

Attorney Costello stated that this was a great segway into this topic and explains what impact fees are. He went on to state that when developers or property owners seek permits from town regulatory boards, they are subjecting themselves to the permitting process. The purpose of impact fees are more for mitigation. There is a clear distinction between taxes and impact fees. He goes onto state that there are three ways that a town or a board can obtain mitigation from applicants or developers. Attorney Costello said the first way is by collecting payment of the fee. The second way is by providing off-site mitigation such as water, sewer or roadway infrastructure improvements. The third is by conveying easements or land in trust to a town that is pertinent to the project. These three methods allow the town to mitigate or minimize the impacts that the projects would have upon the community. Regulatory fees are one the means where by mitigation is established. The simplest form of mitigation is where a town imposes fees to offset its expected costs resulting from a proposed development. Regulatory fees include application fees, chair review consultant fees and there can be specific conditions imposed for permit approvals or grants that fund some off-site improvements that are necessary to facilitate the integration of a project into the community.

Attorney Costello shared information on the Emerson College Case from 1984. He explained that this case rendered a clear distinction between a legal and appropriate fee versus an illegal tax. The court defined a tax as an enforced contribution to provide for the support of government. It is a general revenue raising tool. Only the general court or state legislature in Massachusetts has the legal authority to impose or authorize taxes. Attorney Costello further stated that towns do not have the legal authority to impose taxes unless there is a statute, general law or special law that authorizes the imposition of a tax. For a town to charge a fee, there must be a link to the services that a town is rendering. He pointed out that there are two types of fees with the first being a proprietary fee or a user fee such as public water and sewer. The second type of fee is a regulatory fee which includes application, inspection or licensing fees.

Attorney Costello stated that cities and town in Massachusetts have a fairly broad authority to adopt and impose fees under The Home Rule Amendment to the Massachusetts Constitution. It allows cities and towns to determine their own regulatory procedural processes and to impose fees for costs and expenses to recoup costs that they may incurred exercising their authorities. He then pointed out that fees have to be reasonable and proportionate while taxes are determined by typically assessed values. They do have to be proportionate. The same applies to fees – they have to be reasonable and proportional for the services provided. The Emerson College Case establishes a three prong test to determine whether a fee is valid. The first prong is that the fee must be in return for a particular governmental service which benefit the party paying the fee in a manner not shared by other members in the community. Secondly, the fee must be paid by choice and that the party paying the fee has the choice not to use the governmental service. Lastly, a fee cannot be assessed and collected to raise revenues but only to compensate the governmental entity providing the service for expenses and costs incurred to provide the service.

Attorney Costello pointed out that impact fees are not defined in Massachusetts and are not referenced in the general laws however are becoming more popular across the country. Several jurisdictions have adopted statues that do allow the imposition of impact fees. The zoning reform bill that is currently on the floor at Beacon Hill contains a section that would allow communities to develop impact fees. There is a movement in Massachusetts toward regulating and providing consistent legislative authority for impact fees. Mashpee could adopt a special act to authorize or impost impact fees. Any city or town can file a petition with the general court under the amendments to the constitution to allow it to adopt special legislation that relates solely to itself. Other towns on the Cape have begun to adopt authority to impose such fees.

Attorney Costello noted that Massachusetts has been a difficult place for communities to impose impact fees. We are waiting for some type of legislation to allow cities and towns to move forward under a law that would permit types of impact fees to be imposed. He stated that from a general Planning Board operational perspective, there has to be a nexus between a development impact and the off-site improvements in the permit. Special permits allow far greater discretion with regard to mitigation than subdivision control law.

In closing, Attorney Costello reiterated that in order to establish and impose an impact fee, the Planning Board or other regulatory board or commission would have to first establish a direct nexus between an anticipated development impact and the particular costs borne by the Town as

a result of the issuance of the subject permit or approval. Secondly, the fee must be proportionate or reasonable with respect to the costs or impacts that the town will have to bear and lastly the public hearing process should be utilized as a process to explore and establish a record of the particular impacts and determine the best means to mitigate the impacts. Having a clear record that establishes the nexus and the cost impact is the strongest tool to have.

Attorney Costello then opened the meeting for questions from Board members. Ms. Waygan inquired although Mashpee is part of the Cape Cod Commission, would the attorney be suggesting that a better way to establish a fee imposed for waste water would be to go through a home rule petition. The attorney stated his understanding is that any community within Barnstable County could also adopt some ordinances or bylaws for impact fees provided that the Commission has approved the Comprehensive Plan. He added that this could be another course of action to adopt a local bylaw to impose an impact fee structure within the Town of Mashpee. He said his feeling was that this would have to be approved by the Cape Cod Commission. You never lose any rights under a general law or any authority. Special acts merely supplement or allow you to undertake acts such as impact fees that are not otherwise authorized. Ms. Waygan then questioned whether a neighborhood that was getting developed would have to have the nexus where they were sewered by the system that they were funding or could this be separate. Attorney Costello stated that under the law as it exists presently there would absolutely have to be a nexus. He continued by stating that you cannot impose an impact fee upon a developer that would not have a particular benefit to that developer. He added that Mashpee is in a position where the town is moving forward very aggressively occurring a lot of expense to develop a town-wide waste water treatment system. Absent from some special legislation that would authorize the town to impose upon developers a flat rate or a graduated fee structure relative to the cost of the development, a certain percentage of the cost of the project would have to be set aside. He stated he felt that Mashpee could similar act to Boston and have a fee based on a reasonable and proportionate formula that could be set forth in a statute on any developments within the town and you would not have to establish the strict nexus but as the law exists right now, you would have to establish the nexus. Vice Chair Callahan questioned the accounting of funds and whether there would have to be a clear demonstration of no comingling of funds. Attorney Costello responded by stating this is already going on. In Mashpee there are funds already specifically allocated for the purpose of waste water treatment for the costs and expenses that the Town is incurring. When the fees do come in, they do not go into the general fund but are applied to the dedicated accounts. He stated that these dedicated accounts have to be established by general law or by a special act.

Vice Chair Callahan asked if the Board had any further questions or comments. Ms. Waygan said that she felt it might be a good idea to keep this item on the agenda to discuss whether the Board would like to draft a memo to the Sewer Commission to see if they would be interested in pursuing something like this. She stated that this is a bit different than what we currently have. Attorney Costello commented that there currently is a waste water infrastructure fund right now. Since the fund is already established in Mashpee, if the town sought special legislation to authorize development impact fees, the legislation could say all such fees paid pursuant to this legislation are to be deposited into the waste water infrastructure fund since this account already exists for this purpose rather than setting up duplicate accounts for the same purpose, it would make sense to have a single fund. He stated from a bookkeeping and accounting perspective, it

would perhaps make sense to have a single source from which these funds would be drawn. Ms. Waygan then stated this would resolve her concern about the density question in town. If there was to be an area in town with bonus density, she expressed concern about the nitrogen load produced by these areas. She stated if there was a developer impact fee on these areas, this question would be resolved should it be brought up by the public. She said she feels this is a great area to pursue if there should be a building boom in town.

Attorney Costello stated that the fee is one method but there are other mitigation methods to address the nitrogen problem. Other methods might be requiring newer or higher technology nitrogen treatment systems perhaps exceeding the requirements of Title V or imposing heightened standards upon developers. Mr. Fulone stated that it was interesting to hear the options with impact fees being one but also other options beyond the impact fee. Attorney Costello concluded the meeting by adding that mitigation is a growing concept.

The Board began discussion about the presentation and expressed how helpful the information was. Mr. Lehrer stated that he felt it will be interesting to see how the Board considers the issue of density and areas where bonuses will occur and what the Town will receive by way of impact fees and ultimately the costs that would be shifted to the developer especially in consideration of the DRI mitigation money that they are already paying. He pointed out that he would be cautious as to the manner in which the Board approaches impact fees so as not to artificially increase the cost of producing housing in particular. He states that it is a balancing act and the Board needs to continue to weigh the data as it's made clear but it is a valuable tool. He further stated that Attorney Costello was able to enumerate to the Board the mechanisms that are within the Town's means to generate more money for the waste water question. Ms. Waygan said she liked the idea of rather than asking for more money for waste water, to make the developers take responsibility for this area themselves. She stated that it would be less expensive for a developer to put in a nitrogen removing system than for the Town to expand its waste water plant to deal with the nitrogen that they are putting into the system. Ultimately, it would be more efficient if the developer dealt with this area themselves.

APPROVAL OF MINUTES – Vice Chair Callahan stated that this would be addressed at the next meeting.

Mr. Callahan asked if there was anything to be addressed. Mr. Fulone commented that the Board formerly agreed upon keeping the discussion of form based code on the agenda and perhaps having a speaker address the Board so that members could become more educated in this area. Vice Chair Callahan stated that he would keep this on the agenda and that he would like to hear more about it. He further stated that some members were on one side of the issue and some on the other side. Mr. Lehrer stated that when Chair Phelan returns he would have a conversation with him about having a speaker come in to address the Board. Ms. Waygan asked if it could be a different speaker than the last one who had presented to the Board.

CHAIRMANS REPORT – Vice Chair Callahan stated that since Chair Phelan is away there would be no report at this meeting.

TOWN PLANNER UPDATE – Mr. Lehrer began by saying that he had hoped that he would have been able to meet with the folks in Town Hall to discuss the proposals but because he has been out of the office, he felt he needed to get creative with HR staff, the Town Manager’s Office as well as board representatives. Since Chair Phelan has been gone as well, a meeting was not able to take place. Mr. Lehrer stated that hopefully he would be able to have a meeting next week and that the ultimate goal was to continue on schedule to be able to invite folks in for interviews in the month of February. He said there have been delays in getting everyone together to make recommendations to the Board. He added that he hopes to have recommendations and a plan for which to interview people and keep to the timeline for February interviews. He stated that there were three responses.

Mr. Lehrer next reported on New Seabury. He said he had heard from New Seabury regarding Phase IV of their plan. He stated that he had an update from land court which included a request for re-endorsement of the plan and also provided a narrative explaining the land court modifications that were requested. This just included adding in the land court lot numbers as well as some minor notations in the plan. There were no lot line adjustments or changes in stormwater design. He elaborated that New Seabury would like to continue on how to record the covenant and post a performance bond at a future time. They will follow up with the Board with a formal request.

CORRESPONDENCE

- Falmouth Board of Appeals Notices
- Sandwich Board of Appeals Notices
- Barnstable Board of Appeals Notices
- Waterways Application – 140 Summersea Road

ADDITIONAL TOPICS NOT ANTICIPATED BY THE CHAIR

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Fulone seconded the motion. All voted unanimously.

The meeting adjourned at 7:54 p.m.

Respectfully submitted,

Patricia A. Maguffin
Administrative Secretary

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department

- Planning Board Minutes 01-06-2021
- Consulting Engineer Letter Re: The Cottages Phase IV Cost Estimate for Surety
- Town of Sandwich Notices
- Town of Falmouth Notices
- Town of Barnstable Notices
- Chapter 91 Waterways Application – 140 Summersea Rd.

**Mashpee Planning Board
Minutes of Meeting
February 3, 2021 at 6:00 p.m.
Mashpee Town Hall-Waquoit Meeting Room
16 Great Neck Road North-Mashpee**

**Virtual/Remote Meeting-Call In (508) 539-1400 x8585
Broadcast Live on Local Channel 18 & Streaming at www.mashpeema.gov/channel-18**

Present: Vice Chair Joe Callahan, Mary Waygan and Dennis Balzarini

Also Present: Evan Lehrer-Town Planner

Absent: Chairman John (Jack) Phelan, John Fulone, and Robert (Rob) Hansen (Alt.)

CALL TO ORDER

Vice Chair Callahan opened the meeting at 6:00 p.m. and welcomed Planning Board members to the meeting. Due to the pandemic and Town of Mashpee regulations, the meeting was being held virtually, but the Chair announced that it was being live streamed on Channel 18 and could also be viewed at www.mashpeema.gov/channel18. Although public comment was not expected, viewers wishing to comment could call (508) 539-1400, extension 8585.

The Pledge of Allegiance was recited.

**WORKSHOP – COMMUNITY ENGAGEMENT ACTION PLAN/COMPREHENSIVE
PLAN UPDATE VISIONING EXERCISE**

Vice Chair Callahan opened by stating that Mr. Lehrer had narrowed down the Action Plan titles on the agenda. Mr. Lehrer commented that Mr. Fulone and Mr. Hanson were not present. He further stated that Chair Phelan did convey his selection of title to both him and Mr. Callahan. Mr. Lehrer asked whether the Board would like to wait to further discuss the title. Mr. Callahan commented that while he liked both titles, he chose Mr. Fulone’s suggestion of “Historic Past, Bright Future.” He said he was open to suggestions. Mr. Balzarini and Ms. Waygan both said that they liked this title also. Mr. Lehrer asked to make a suggestion pointing out that there was one word missing from the title that the Board liked. He felt that the word “Vision” needed to be in the title stating that the title should read “Mashpee Vision – Historic Past, Bright Future.” Mr. Callahan reiterated that he felt absent members would be in favor of the title. Ms. Waygan questioned whether the title should read “Mashpee Vision” or “Mashpee’s Vision.” The Board felt “Mashpee’s Vision” was most appropriate.

Ms. Waygan asked that the Board go back to the first item on the agenda under Community Engagement Action Plan which was to review the Action Plan draft documents. She stated that the Yarmouth visioning process of Phase I is almost complete. There were 86 participants in the workshop and 382 participants in their survey. She felt these would be good goals for the Mashpee Board to reach. She pointed out to Mr. Lehrer that there are condominium associations and neighborhood associations – both formal and informal. She suggested that Mr. Lehrer email the Board as well as the DPW to compile a list of these associations so that they can be targeted otherwise she felt that Mr. Lehrer did a good job listing groups such as human service agencies,

community groups and religious organizations. Mr. Lehrer then stated that as the Board moves forward and gains general consensus on the timeline, the types of workshops and who the stakeholders are, the next episode will be putting definition around the format of the workshop, who is being invited, what questions will be asked and what the format of the presentation will be. As the details of the workshops are defined in public meetings, the specificity of the organizations and groups can be targeted. Mr. Lehrer said the Town of Yarmouth did a great job organizing their project and had a thorough plan. He said that Yarmouth had quite a bit of response and felt that perhaps it was due to the pandemic and hoped that Yarmouth felt good about the information that they gathered.

Ms. Waygan stated that there is a kick-off meeting, three stakeholder meetings and two meetings at the end. She felt that there should be a general meeting scheduled in the middle, perhaps a repeat of the first meeting. Mr. Lehrer said that this meeting could be held twice – one at lunch time and one perhaps at 6 PM to include both retirees and working people. Mr. Balzarini questioned whether these would be zoom meetings. Mr. Lehrer referred to the Gantt Chart that he created. He said that the timeline reflects procuring a consultant by the end of May or beginning of June so the first meetings may not be until July. He indicated that COVID presents a bit of a challenge and wanted to look at how the vaccine rolls out and what our options might be in a month or two. Mr. Balzarini said we need to have a backup plan so that the Board can keep continuing. Ms. Waygan said that there should be a virtual option. She said people have expressed to her that they prefer a virtual meeting. Mr. Callahan added that there could be a simulcast option with a camera continuously running in the room and that people can come and go as they please.

Ms. Waygan said she felt that the Gantt Chart looked good however she expressed concern that enough of time was being allowed for each piece. Mr. Lehrer stated that as he contemplated a timeline, he feels that he wants to proceed at our own pace and not mimic the plan of Yarmouth. He thought their process was about two full years where as our plan is about one year's time which he felt was ambitious but not unfeasible. He did not feel two years was necessary. Mr. Balzarini said he recalls in a previous plan that the Board had to follow the Cape Cod Commission plan set forth. Mr. Lehrer said that we can see from the Yarmouth plan, they presented their plan to the Selectmen and the Cape Cod Commission to make them aware of their plan and process. Mr. Lehrer felt that the Commissions regulations may have changed since 1998 but we will be consistent with their regulations. Mr. Waygan suggested perhaps after there is a meeting with CCC, perhaps Chairman Phelan can send a memo to the Selectmen to inform them. Mr. Lehrer said that there was a Department Head meeting this morning to which he updated the other Department Heads to inform them that the Planning Board may be interested in developing some background data info and that the Board may be inviting respective Boards and Commissions to participate in our process. He stated that the EDIC has a meeting at the end of the month and has asked him to update them where the Planning Board is in this process. This is an opportunity to make them aware of the process and perhaps gaining their assistance in getting the business community involved in the visioning work.

Mr. Callahan felt that he did not want to make decisions without all Board members being present. Mr. Lehrer said that he really wanted to get the endorsement of the Board regarding the timeline set forth on the Gantt Chart wanting to be sure that the timelines are appropriate and it is

laid out in a manner that makes sense. He said he laid out the initial part of the timeline similar to Yarmouth but then customized the plan to what he thought was appropriate for the Mashpee Planning Board. He elaborated that the chart is just a guidance tool to hold ourselves accountable during the process to achieve our goals within a certain amount of time so that we can move on to Phase II. Mr. Lehrer asked the Board to scrutinize the chart and to send him any comments in writing so that the information can be updated and finalized at the next meeting. For the other document he wanted to be sure to add comments redlined by Ms. Waygan. At future meetings, he would like the Board to agree on the framework and timelines. Mr. Lehrer said the way that he laid out the timeline is so that the project will be complete by the time of Town Meeting in Spring 2022. Ms. Waygan inquired as to whether Mr. Lehrer had to submit this as a warrant to the Selectmen a few months in advance of the Town Meeting. Mr. Lehrer stated that this would be the second Monday in February of 2022. Mr. Lehrer said that he may be incorrect but he could anticipate seeking Town Meeting approval of the Vision Statement. The Vision Statement would be included as Chapter 1 of the LCP update and Town Meeting would have to adopt the update but he doesn't believe that they would have to go to Town Meeting with a warrant article in Spring of 2022 but he will inquire of the Commission. He stated that ultimately the Planning Board, the Selectmen and Town Meeting would need to adopt the complete updated plan which would include the Vision Statement. Mr. Balzarini then questioned whether the Cape Cod Commission would have to adopt this as well. Mr. Lehrer responded affirmative that the Commission would need to certify that it is compliant with the Regional Policy Plan. Ms. Waygan then questioned Mr. Lehrer as to whether he wanted to inform the Board that comments are due within a week so that the Vision Plan and the Gant Chart could be finalized at the next meeting. Mr. Lehrer agreed and said comments are due by February 10th. This would allow time for any changes to be made so that the documents would be ready for the next meeting on the 17th of February. Mr. Callahan asked Mr. Lehrer to email tomorrow and once again on Monday the 15th as a reminder to the Board to submit comments.

The Board recessed until 7:00 PM

The Board reconvened at 7:00 PM.

APPROVAL OF MINUTES

In reference to the meeting minutes of January 20, 2021, there was consensus among Board members to defer approval of these minutes until the Board has more time to review their contents until the next Planning Board meeting on February 17, 2021.

MOTION: In reference to the January 6, 2021 meeting minutes, Mary Waygan made a motion to accept the minutes as presented. Mr Balzarini seconded the motion. The motion passed unanimously

NEW BUSINESS

Review of Consulting Engineer candidates and set interview dates/times

The Town Planner reported to the Board that three (3) proposals had been submitted in response to the advertised RFP seeking a new consulting engineer. He stated that the proposals submitted came from Merrill Corporation, Ed Pesce and Associates, and from Environmental Partners in Hyannis. He reported that of the three proposals, two were found generally responsive to the

RFP criteria, Merrill and Ed Pesce. Environmental Partners was found to not have been responsive to the RFP criteria because they did not have a Professional Land Surveyor on staff and their initial proposal did not include any testimony regarding an arrangement with a land surveyor outside of their firm. Because the Planning Board extended the submission deadline by two weeks, the Planner reported that he extended an invitation to Environmental Partners to submit additional materials in response to the referenced omission. They did provide a letter stating that they would work with Merrill Corporation for land surveying related matters. Because Merrill submitted their own proposal, they review committee found this solution to be inadequate and recommends the Board further consider Merrill Corporation and Ed Pesce Engineering and Associates.

The Planner reported that he would invite Merrill and Ed Pesce, unless the Board disagrees, to meet with the Board via Zoom at the next Board meeting and transmit to the Board members copies of the submitted proposals for their review prior to the next meeting. The Board was in agreement.

Discussion regarding Town Counsel's presentation on Impact Fees.

Mary Waygan expressed her appreciation for Counsel's presentation and noted that her primary takeaway was that the Planning Board, or Board of Appeals as special permit granting authorities could impose more strict requirements for more advanced onsite wastewater treatment and disposal as conditions in written special permit decisions. She felt that this pathway would generate the desired outcome without having to petition the state legislature for special legislation.

Mr. Balzarini noted the impact fees collected by the Cape Cod Commission for projects that are subject to review as Developments of Regional Impact under the Commission's enabling regulations aren't always made available to Mashpee's benefit. The Town Planner clarified how and why mitigation monies are collected by the Commission and how it is dispersed. The Board was interested in knowing how much money is available to the Town from the Cape Cod Commission and what eligible projects would be. The Town Planner stated he would report back to the board with an accounting of monies available.

OLD BUSINESS

Discussion regarding potential inclusionary zoning bylaw proposals

No update

CHAIRMAN'S REPORT

No Update

TOWN PLANNER REPORT

The Planner reported that a solar overlay district and related articles are anticipated to be submitted by citizen petition for the May 2021 Town Meeting and that the Board would need to set a public hearing date in the near future.

The Planner also reported to the Board that Governor Baker recently signed into law an Economic Development Bill that includes Housing Choice provisions. He shared some

background as to how this may impact Mashpee and stated that, most notably, Massachusetts now joins the majority of states in reducing the threshold to pass zoning articles from a super majority to a simple majority. The Board expressed a desire for Town Counsel to provide an outline of the legislation and the Planner stated he would send to the Board the language as signed by the Governor.

BOARD MEMBER COMMITTEE UPDATES

Cape Cod Commission –

Community Preservation Committee – The CPC did vote to authorize funds for an appraisal of Gooseberry Island

Design Review – No meeting

Plan Review - There was no meeting but the Planner restated that Solar Rising, who was recommended by the Plan Review Committee for approval of their Special Permit modification request, has an upcoming public hearing with the Board of Appeals.

Environmental Oversight Committee – No Meeting

Historic District Commission- No meeting but Mr. Balzarini again noted that the Historic District Commission reviewed three projects between December 2020 and January 2021.

Military Civilian Advisory Council – No Meeting

ADDITIONAL TOPICS NOT ANTICIPATED BY THE CHAIR

None

ADJOURNMENT

MOTION:

The meeting adjourned at 7:30 PM

Respectfully submitted,

Patricia Maguffin
Administrative Secretary

LIST OF DOCUMENTS

Additional documents may be available in the Planning Department

- Meeting Minutes 1/6/2021 and 1/20/2021
- Action Plan Draft – Gantt Chart
- Community Engagement Action Plan Draft
- CCC – DLTA – First Solicitation
- Town of Falmouth Notices
- Town of Barnstable Notices

- Waterways Public Notice – Popponeset Bay and Popponeset Spit
- Waterways Application – 664 Great Neck Rd. South
- Waterways Applications – 140 Summersea Rd.
- December 2020 Discharge Monitoring Report for South Cape Village

Planning Board Consulting Engineer Interview Questions

Candidate:

Date of Interview: 02/17/2021

Interviewer Initials:

Please use the space provided to take notes on responses provided by the interviewee.

1. Would you please introduce yourself and any team members present and describe to the Planning Board what made you decide to respond to the advertised RFP for the role? Would you elaborate on the knowledge, skills and abilities outlined in your proposal that make your firm an ideal candidate? (Chair Phelan)

2. How well do you know the Town of Mashpee? Given what you know of the Town, how would you use your skill and technical expertise to the best advantage for Mashpee? (Vice-Chair Callahan)

3. What is your top priority in providing professional services to the Town of Mashpee? How do you perceive your roll as technical consultant to the Mashpee Planning Board? (Clerk Fulone)

4. As site work inspector what is your philosophy as to the inspection process and procedures you typically employ in inspection work? What in your opinion is one of the most important aspects of site inspection work? (Balzarini)

5. If selected as technical consultant to the Mashpee Planning Board what is your availability to meet project approval deadlines, attend bi-monthly meetings of the Planning Board (if required), or provide project reports in a timely manner? Would one individual be assigned to that role from your firm if more than one professional is part of your staff? (Waygan)

6. As a professional engineer/surveyor how do you approach differences in application of engineering solutions that other firms or individuals might present to the Planning Board, especially if they are different than your own? What might some of those differences be? (Hansen)

7. From time to time project contractors with whom you would have contact ask for certain changes in site work for a variety of reasons. As site work inspector what would be your approach to those requests? If called upon, how might you resolve issues of this type? (Town Planner)

8. Is there anything else you wish to share with the Board with regard to your proposal and/or the knowledge skills and abilities of your firm? Do you have any questions you would like to ask the Planning Board or Town staff? (Chair Phelan)

9. Do any Planning Board members wish to ask anything further of the applicant? Staff? (Chair Phelan)

The Chair will thank the applicant and notify of next steps if the applicant hasn't already inquired.

Based on the provided responses please indicate your recommendation by checking one of the options below:

_____	Highly Recommend	_____	Recommend with Hesitation
_____	Recommend	_____	Do Not Recommend



PESCE ENGINEERING & ASSOCIATES, INC.

43 Porter Lane

West Dennis, MA 02670

Cell: 508-333-7630 Phone: 508-258-5123

epesce@comcast.net

December 17, 2020

Chief Procurement Officer

Rodney C. Collins, Town Manager
Town of Mashpee
Mashpee Town Hall
16 Great Neck Road N
Mashpee, MA 02649

Planning Board

Evan Lehrer, Town Planner
Town of Mashpee
Mashpee Town Hall
16 Great Neck Road N
Mashpee, MA 02649

Subject: Professional Engineer Consulting Proposal

Dear Mr. Collins, Mr. Lehrer and Members of the Evaluation Team:

Pesce Engineering & Associates is pleased to provide you this proposal package for the evaluation of Pesce Engineering to become the engineering peer review & site/construction inspection consultant for the Town of Mashpee Planning Board. We at Pesce Engineering take pride in the services we provide, and hope to demonstrate this as a consultant to you and the Board.

Attached to this letter are the following items for your review and evaluation:

- Professional resume & US Army Reserve Ambassador Bio
- List of References
- Overview of Qualifications, Experience and Personal Attributes and Professional Demeanor
- Fee & Expense Schedule
- A writing example showing a technical review and recommendations of a site plan

Thank you again for this opportunity to be selected to assist the Planning Board in their review of future projects. Please contact me if you have any questions.

Sincerely,

PESCE ENGINEERING & ASSOCIATES, INC.

Edward L. Pesce, P.E., LEED® AP
Principal

Attachments



PESCE ENGINEERING & ASSOCIATES, INC.

451 Raymond Road, Plymouth, MA 02360

(cell) 508-333-7630 (office) 508-258-5123 epesce@comcast.net

EDWARD L. PESCE, P.E., LEED® AP

Principal

Ed Pesce has over 40 years' experience involving a wide range of environmental and civil engineering projects. He has managed multi-disciplined projects involving project planning, design, construction, and permitting of retail, residential, commercial and public projects, as well as waste site investigation and remediation for both government and private clients. Ed is skilled at management of high-profile projects involving site development and regional environmental and public health concerns. After leaving Cubellis Saivetz Associates in 2005, he began Pesce Engineering & Associates, Inc., a full service civil engineering & consulting firm. Ed has developed close working relationships with the Towns of Nantucket and Marshfield, MA, acting as a consulting engineer for the peer review and construction inspection of major commercial & residential projects. In the mid 1990's, Ed was also the Chief of Remediation Projects for the U.S. Air Force, working on the largest federal Superfund site in New England at the Massachusetts Military Reservation on Cape Cod.

Ed has demonstrated skills in project planning and programming, as well as all facets of project management, including negotiating, budgeting, technical personnel supervision, and construction management. He is respected for his interpersonal skills, integrity, leadership, and team building/participation with both government, regulatory, and public and private stakeholders.

RELEVANT PROJECTS

- Town of Nantucket – Planning Board & Zoning Board Review, Nantucket, MA
Since 2005, performs duties as the Town Engineer and civil engineering consultant for review of all major projects before the Planning & Zoning Boards. Conducts peer design review services, including drainage analysis and utilities design, construction inspections as the Town representative, and attendance at public hearings.
- Town of Marshfield – Zoning Board Review, Marshfield, MA
Since 2001, civil engineering consultant for the peer review for Ch. 40B housing and major commercial & retail developments. Services include drainage analysis and utilities design, construction inspections as the Town representative, and attendance at public hearings.
- The Village at Barnstable, Hyannis, MA
Project Engineer & overall Project Manager for a 400-unit senior continuing care retirement community on a 26-acre site. Duties involved full site layout, grading, drainage and utilities design, as well as full scope permitting services including, MEPA, Mass DOT, the Cape Cod Commission & the Town of Barnstable.
- VA National Cemetery Expansion, Bourne, MA
Land surveying and civil engineering, including drainage design and on-site septic systems for 30-acre expansion to the existing Massachusetts National Cemetery located on Otis Air National Guard Base, including new admin. & grounds maintenance facilities, along with 10,000 new grave sites.
- Wastewater Treatment Plant, The Pinehills Residential Community, Plymouth, MA
Project engineer to manage the design, permitting and construction administration and start-up of the new wastewater collection system, sequencing batch reactor treatment plant, and rapid sand infiltration beds for the award winning 3,000-acre Pinehills residential community. Duties involved leading the construction management team, and negotiations directly with the MA DEP for design review and start-up of the



- Wastewater Treatment Plant, Oak Bluffs, MA (Martha's Vineyard)
Project engineer to manage the design, permitting and construction administration of the new municipal wastewater collection system (to include low pressure sewer systems), sequencing batch reactor treatment plant, and underground effluent leaching system. This project served the downtown area of Oak Bluffs, and the surrounding densely settled community.
- East Longmeadow Town Center, East Longmeadow, MA
Permitting, site design & civil engineering for a new Town center involving new retail buildings, Town Hall and Library. This project was very challenging due to the traffic and wetland concerns from a nearby river basin.
- Stoughton Crossing, Stoughton, MA
Surveying, permitting, full civil engineering design (grading, drainage, utilities) and architecture for 60,000 SF of retail and office buildings.
- Sherburne Village, Yarmouth, MA
Engineering site design, full civil engineering design (grading, drainage, utilities) and environmental permitting for 60-unit Ch. 40B housing complex.
- Groundwater Extraction and Treatment Systems, Mass. Military Reservation (MMR), Bourne, MA
Responsible for the program management for the construction and operation of 4 groundwater extraction and treatment systems from 1993-1998 at the MMR. Duties involved the management of all aspects of design, construction, well drilling, permitting, start-up, and system operation.
- Main Base Landfill Closure, Mass. Military Reservation
Responsible for comprehensive design and construction services for a 65-acre landfill cap system involving a geosynthetic clay liner. Duties involved review and selection of preferred alternatives, development of cap system design and complete construction management over a 2-year period.

PROFESSIONAL EXPERIENCE

Pesce Engineering & Associates, Inc., May 2005 to Present

Principal Engineer

Principal Engineer for full-service consulting design & permitting from site planning to construction management services. Works with private developers and municipalities for customer focused engineering consulting services. Current peer review civil engineering consultant for the Towns of Nantucket, MA and Marshfield, MA.

Cape Cod Community College, 2000 to 2010.

Adjunct Faculty Member, Environmental Technology Department

Instructor for courses relating to environmental protection and environmental systems with a focus on groundwater and hydrogeology. Sponsor for student interns involved with various topics of environmental education, and project management.



Cubellis Saivetz Associates, June 2001 to May 2005

Principal Engineer

Principal in Charge of engineering and land surveying operations. Responsible for all civil engineering and surveying services, including site planning, permitting, utilities design, code compliance, preparation of design documents, and construction inspection/administration. Acts as Principal program manager to direct and manage site engineering, design development, environmental concerns, land use permitting and all administrative and land surveying project or subconsultant support services.

Horsley & Witten, Inc., June 1998 to June 2001

Senior Environmental Engineer

Project manager for wastewater, stormwater, and waste site clean-up projects. Responsible for planning, design, permitting and construction oversight of multiple projects involving both government and private clients. Provides consultation to clients on public information issues when necessary, and consults with various town boards or commissions as required to achieve project success.

Air Force Center for Environmental Excellence, Massachusetts Military Reservation, 1992 to June 1998

Senior Environmental Engineer

Responsible for waste site remediation design, and construction for the entire MMR. Managed and directed projects worth over \$45 million. Served as staff expert and representative for Innovative Technology Initiatives. Directed the testing and evaluation of three innovative environmental technologies for use nation-wide. Co-authored the "white paper" which served as the basis for the establishment of the MMR Environmental Technology Center. Participated in the development of the center's Business Plan, and served as staff representative to the Board of Directors. Coordinated with graduate and undergraduate programs of 6 Massachusetts colleges and universities for on-site student internships, and research assistance. Conducted regular meetings and negotiations with DEP and EPA regulatory agencies to perform remediation and hydrogeologic investigations. Provided briefings and presentations to the general public and members of major commands on the status and progress of assigned projects.

Massachusetts Institute of Technology, 1993 to 1998

Guest Lecturer, Civil and Environmental Engineering Department, Graduate Studies

Provided seminar lectures to the Master of Engineering program on various Superfund programs and environmental/remediation technologies. Focus on practical problem solving and actual case studies for use as student Master's thesis topics.

Massachusetts National Guard, Mass. Military Reservation, 1984 to 1991

Public Works Director, Camp Edwards, MA

Responsible to the Base Commander to manage, direct and supervise base-wide engineering services for the entire 14,500-acre Army National Guard Base at Camp Edwards. Directed and supervised in-house work force of 58 people. Managed base environmental programs including Hazardous Waste, Superfund, Natural Resources, Pest Management, Forestry Management, and Archaeological/Historical Resource programs. Responsible to manage and direct all engineering design, contract preparation and inspection services for facilities maintenance, repair and construction for facilities including over 230 buildings, training facilities, and 50 miles of roads.



U.S. Army Public Health Command, Aberdeen Proving Grounds, MD 1979 to 1984

Project Officer, Environmental Engineer, U. S Army (Active Duty)

Served in the Water Quality and Air Pollution Engineering Divisions. As project officer, was responsible to plan, budget, supervise, and conduct comprehensive environmental studies to determine the impact of multiple Department of Defense (DoD) industrial and municipal operations at U.S. bases. Major projects included on-site testing and evaluation of domestic and industrial wastewater treatment facilities, base water supply treatment facilities, industrial power plants, and the first chemical agent incineration disposal system for DoD. Duties involved the supervision of technical staff, as well as follow-on negotiations and permitting with state and federal environmental agencies.

ACADEMIC BACKGROUND

Norwich University, Northfield, Vermont

Bachelor of Science, Civil Engineering, 1979

Selected as Distinguished Military Graduate

U.S. Army Engineer School, Ft. Belvoir, Virginia

Engineer Officer Advanced Course

Commandant's List Graduate, 1986

US Army War College, Carlisle, PA

Master's Degree in Strategic Studies, 2014

PROFESSIONAL CERTIFICATIONS & AFFILIATIONS

Registered Professional Engineer, Massachusetts, and Maryland

LEED® Accredited Professional

OSHA 40-Hour HAZWOPR Certified

Massachusetts Certified Soil Evaluator

Member, American Society of Civil Engineers

Member, U.S. Green Building Council

Commissioned Officer, Combat Veteran; Colonel, U.S. Army Reserve (Ret.)



Army Reserve Ambassador For Massachusetts

Name: Edward L. Pesce

Home Address: 43 Porter Lane, West Dennis, MA
02670

Mobile Number: 508-333-7630

E-mail Address: epesce@comcast.net

Business Position: President, Pesce Engineering &
Associates, Inc., Plymouth, MA

Civilian Education: Master of Strategic Studies, US
Army War College 2014; Bachelor of Science, Civil
Engineering, Norwich University 1979

Organizations/Clubs/Philanthropies: Association of
the US Army, Society of American Military Engineers,
American Society of Civil Engineers, Habitat for Humanity of Greater Plymouth,
Plymouth Lions Club

Family: Wife - Lori, Children - Derrick, Andrea, and Philip, and Grandchildren Brittany,
Cory, Camilla, Viola and Isabella



Army Reserve Ambassador Edward L. Pesce retired as a Colonel with 28 years' service including active duty in the United States Army, assignments in the Massachusetts Army National Guard, and the US Army Reserve. He served in many key leadership and Command positions, including as the Commander of the 854th Engineer Battalion, Saugerties, NY, and with his final military assignment as the G-5 Plans & Exercises Officer for the 412th Theater Engineer Command (TEC), which commands all the US Army Reserve Engineer units for the eastern half of the U.S. While serving as the G-5, COL Pesce met with Commanders and staff from units all over the world, including units of NATO and Coalition partner countries, to develop training opportunities and participation in exercises for 412th TEC Engineer units in Korea, Japan, Germany, Bulgaria, Lithuania, and Africa, as well as throughout the U.S.

Ambassador Pesce served during 2 deployments as Deputy Commander, 3rd Medical Command, Forward, in Kuwait and Afghanistan (2012-2014). He has attended various military courses and schools, including the U.S. Army Airborne and Ranger schools, and is a graduate of the U.S. Army War College. His military awards include the Legion of Merit, the Bronze Star Medal, the Army Meritorious Service Medal (with Oak Leaf Cluster), and the Army Commendation Medal (with 4 Oak Leaf Clusters). He is a registered Professional Engineer and lives with his wife Lori in West Dennis, MA.

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

List of References

Ms. Leslie Snell, AICP, LEED ® AP
Town of Nantucket
Deputy Director, Planning & Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554
508-325-5385 (voice)
508-228-7298 (fax)
lsnell@nantucket-ma.gov

Attorney Peter L. Freeman
Freeman Law Group LLC
86 Willow Street
Yarmouthport, MA 02675
508-362-4700 (voice)
508-362-4701 (fax)
pfreeman@freemanlawgroup.com

Ms. Lynne Fidler, Chair
Town of Marshfield
Zoning Board of Appeals
870 Moraine Street
Marshfield, MA 02050
781-834-5557 (ZBA office)
781-724 3890 (cell)
fidler.lynne@gmail.com

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

**Overview of Qualifications, Experience, Personal Attributes,
and Professional Demeanor
of Edward L. Pesce, P.E., LEED® AP**

Professional Background

As can be seen from my resume, I have been a practicing civil and environmental engineer for over 40 years, serving in key engineering positions in both the public and private sectors. I obtained my professional civil engineering registration in 1984 from the State of Maryland while I was serving on active duty in the US Army (as an Environmental Engineer with the US Army Public Health Command). Later that year I left active duty and accepted the position with the Massachusetts Army National Guard as the DPW Director for Camp Edwards at Joint Base Cape Cod, while also obtaining my P.E. registration in Mass.

While working for the Mass. National Guard I learned key lessons of both personnel management and construction project management. During this period, the issues of past site fuel leaks, industrial spills and groundwater contamination came to light, and I applied for and accepted a position in 1991 with the US Air Force to be on the team managing the waste site cleanup activities base wide (Federal Superfund Program). I served as the Senior Environmental Engineer in charge of remediation design and construction projects, which totaled over \$40M of design and construction projects.

In 1998, I left government service and accepted a position as a Sr. Environmental Engineer with Horsley & Witten (now the Horsley Witten Group). I worked on several site development projects, including the design and construction of the water supply & wastewater treatment plant design, permitting, and construction for the Pine Hills community in Plymouth. I also worked as a peer review consultant for the Towns of Nantucket (Planning Board), Marshfield (ZBA), Kingston (Planning Board), and Hingham (ZBA), reviewing multiple projects and making recommendations for design improvements, and then conducting follow-on construction inspections to ensure compliance with the approved plans.

In 2001, I accepted a position with Cubellis Saivetz Associates as a Principal Engineer overseeing land surveying, and engineering design plan preparation & permitting of multiple residential and commercial projects. I performed engineering design and oversaw a staff of 12 engineers & land surveyors for the site design and layout, utilities design (including drainage systems), and full permitting efforts (zoning compliance, site plan review, wetland, MEPA, MassDOT, Mass. DEP, etc.) for multiple projects. I was also responsible for construction administration and engineering inspections of these projects, including the preparation of the Stormwater Pollution Prevention Plans (SWPPP), and the associated erosion control inspections.

The Start of Pesce Engineering & Associates, Inc.

I actually had started this company back in 1988 as a part-time effort focusing on residential site surveys, Title 5 septic designs, dock/pier design and permitting services. In 2005, I started Pesce Engineering & Associates, Inc. full-time. Since then, I have provided full

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

scope engineering design and permitting services for multiple public and private clients as discussed in my resume.

Land Surveyor Services

Since I am not a registered Land Surveyor, I have partnered with John Churchill, P.E. P.L.S., of JC Engineering, Inc. (East Wareham) for the majority of my surveying field work services. John was a student intern of mine in the mid-90's, and later worked for me at the Horsley Witten Group. John is an excellent engineer and land surveyor, and our long affiliation in business is a testament to our mutual professional respect.

Peer Review Consulting Services

As I have mentioned, I have performed Peer review consulting services for several towns. My recent work has involved the following communities:

- Town of Nantucket Planning & Zoning Boards (since 2005)
- Town of Marshfield ZBA (since 2003)
- Town of Barnstable Conservation Commission (technical review of 2 Town/DPW drainage projects in 2020)

In have reviewed multiple projects relating to land planning under MGL Ch. 40 A and 40B, as well as Title 5, and 310 CMR 10 (The Wetlands Protection Act). I am intimately familiar with these laws and regulations having designed and permitted projects myself for various development clients.

As part of my consulting services, I have also performed the construction inspections for the projects I have peer reviewed for the Towns of Marshfield & Nantucket. This involves conducting or attending a periodic project management meeting with the construction team, conducting regular inspections of utilities systems, roadway/parking construction, paving & safety signage, and preparing periodic construction inspection reports.

The construction inspection effort is usually closed out by me conducting a "punch list" inspection, with a final report detailing recommendations for corrective actions or construction improvements prior to final lot releases or an issuance of a Certificate of Occupancy.

In all cases when conducting peer review or construction inspections for a Town, my focus is on protecting the interests of the Town, and ensuring construction compliance with the approved plans.

My Approach to Performing an Engineering Peer Review

As part of my normal peer review effort, I usually perform the following activities:

- An initial site visit to review the existing conditions, and to ascertain any possible concerns regarding the proposed site access, safe sight distance, proximity to abutters, etc.

PESCE ENGINEERING & ASSOCIATES, INC.
***Professional Services Proposal
To the Mashpee Planning Board***

- Perform a thorough engineering review of the proposed project plans, drainage calculations, and associated documentation, to evaluate it for conformance with good engineering practice, compliance with the appropriate regulations, and general public safety. Consult with my registered Land Surveyor as needed for any surveying questions or issues.
- Examine areas where the project proposes to deviate from the Zoning By-Law, Planning Board Rules and Regulations, and other applicable local regulations.
- Comment on the project design regarding compliance with the DEP Stormwater Management Regulations, State Title 5 subsurface wastewater disposal regulations, the Wetlands Protection Act, and any other appropriate regulations.
- Provide a letter report of our engineering peer review and analysis including questions to be addresses by the applicant and his engineer, and recommendations to the Planning Board. I customarily provide this letter report to the Town via e-mail – making sure that there is enough time for the Board to have it order to prepare for their upcoming hearing.
- Attendance at Planning Board public hearings for this project, as needed.

Traffic Impact Review

Occasionally, it will be necessary to perform a review of the traffic impacts of a project. For small/simple projects I perform this review myself. However, for larger projects I consult with a traffic engineer to assist with my review for the Town. My preferred traffic Engineer is Mr. Jeffery Dirk, P.E., PTOE, of Vanasse & Associates, Inc. to perform these reviews. I believe Jeff to be virtually the premier traffic engineer in the State, and I have worked with him on multiple projects over the years. His knowledge and experience, along with his connections and experience with MassDOT make him an invaluable member of my team.

Personal Attributes & Professional Demeanor

I believe I posses the personal attributes and professional demeanor desired by any employer, these being:

- Be respectful and considerate to others at all times.
- Act professional in appearance and personal conduct at all times. I am always mindful that I am a representative of my employer when working for a Town and must conduct myself accordingly.
- Possess effective communication skills to allow both the preparation of professional technical review reports, as well as perform required briefings or verbal reports in public meetings when required.

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

Additionally, I understand that I am part of a team of Town staff and Board members that are reviewing this project. As a result, I understand that there will be inherent deadlines in performing my services in order to be responsive to an applicant in a timely manner, or to meet the Planning Board's schedule. When conducting construction inspections, I understand that this work is in the "public eye" and that I need to protect the interests of the Town with regard to code compliance, good construction practice, and public safety.

Finally, I believe my military background of 28 years has developed and enhanced the above attributes. Not only have I had exposure to leadership roles in managing multiple engineering projects, but I believe my unique background in the US Army as a Corps of Engineers officer, and unit Commander, have developed in me a strong sense of responsibility, accountability, personal & professional ethics, and a firm understanding that one person can make a difference. This was especially true during my 2 deployments to the Middle East in 2012-2014.

Attached is my US Army Reserve (USAR) Ambassador Bio, which details some of my military background. The Army Reserve Ambassador program selects senior retired USAR officers or NCOs to serve under the direction of the Commanding General of the Army Reserve, to support the readiness of the Army Reserve, spread the message of the Army Reserve in their communities and State, and help Soldiers and their families.

As an Army Reserve Ambassador, I am designated as a "Special Government; Employee" and must adhere to the standards of conduct required of my office in personal, professional, and even on-line activities. I feel that this is exactly the standard I must also adhere to in working for a town or municipality.

Both my professional and military careers have also allowed me to develop good interpersonal and public speaking skills when dealing with both professionals and contractors alike. This is key when trying to explain or communicate issues or recommendations for corrective actions.

In summary, I believe I can be successful in representing the Town of Mashpee and the Planning Board with this position, if I am lucky enough to be selected.

Thank you for your consideration,

Ed Pesce

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

Fee & Expense Schedule

Fees

Principal Engineer – Peer Review, Public Hearings, Inspection Services	\$160.00/hour
Principal Engineer – Expert Witness Services	\$200.00/hour

Pesce Engineering Standard Hourly Rates – 2021:

Principal Engineer	\$160.00/hour
Professional Land Surveyor	\$150.00/hour
Project Manager	\$135.00/hour
Project Engineer	\$125.00/hour
Engineering Draftsman	\$ 95.00/hour
General Administration	\$ 65.00/hour
Two-Person Survey Crew	\$155.00/hour

Expenses/Reimbursables

Mileage - \$0.57/mile

- Copies - \$0.12/pg. (B&W 8.5" X 11")
- \$0.40/pg. (Color 8.5" X 11")
- \$5.90/sheet (24" X 36" color)
- \$2.50/sheet (11" X 17" color)

Postage – reimbursement of postage charges

PESCE ENGINEERING & ASSOCIATES, INC.
Professional Services Proposal
To the Mashpee Planning Board

Writing Sample

(showing the technical review and recommendations for a subdivision in Nantucket)



PESCE ENGINEERING & ASSOCIATES, INC.

**451 Raymond Road
Plymouth, MA 02360**

Phone: 508-743-9206 Cell: 508-333-7630

epesce@comcast.net

November 15, 2017

Nantucket Planning Board
Attn: Ms. Leslie Snell, AICP, LEED ® AP
Deputy Director, Planning & Land Use Services
2 Fairgrounds Road
Nantucket, MA 02554

Subject: Engineering Review of the Proposed Old South Road Crossing Definitive Subdivision

Dear Mrs. Snell & Members of the Board:

Pesce Engineering & Associates, Inc. is pleased to provide you this engineering review of the proposed Old South Road Crossing Definitive Subdivision. We have evaluated the plans for consistency with the Town's Zoning Bylaw, the Subdivision Rules & Regulations, and general conformance with the Massachusetts Stormwater Management Regulations (while also being informed of the approved Planning Board Decision).

We have reviewed the following documents and information to prepare this letter report:

- Definitive Subdivision plans entitled: "*Subdivision Plan of Land in Nantucket, Mass.*," 11 sheets, prepared by Hayes Engineering, Inc., dated June 9, 2016, and revised October 3, 2017.
- Drainage Statement, Old South Road Crossing, Nantucket, Massachusetts, prepared by prepared by Hayes Engineering, Inc., dated October 4, 2017.

We realize that this project is well known by the Board, and involves the construction of a new access road off Old South Road, and the construction of new circulation roads to support the future development of the Meadows I & II, and Sandpiper I & II residential projects, as well as the Retail Liner Buildings project, as part of the development of the former Glowacki property. This site is located in three zoning districts; CN, R-5 and CTEC, and lies within the Nantucket Sewer and Wellhead Protection Districts, as well as a Zone II of a public drinking water supply. No wetlands are located on the property, and it is not located within the 100-yr. flood plain.

We understand that these plans are based on previous discussions with the Board, and to address the conditions of the Decision dated March 8, 2017. The applicant wishes to

gain approval and endorsement of these subdivision plans showing the new lots, and the proposed abandonment of a portion of Nancy Ann Lane. Sheets 1 thru 5 of the plan set show the required information for the proposed road abandonment, and the subdivision of land into the new lots.

However, these plans still require some additional information that we would typically recommend to be provided in order to ensure the proper construction of the subdivision.

The following are our review comments:

Definitive Plans, Utilities, and Site Layout

1. We understand that the applicant has provided these plans for review with the Nantucket Fire Dept. We recommend that the applicant provide the Board with their written comments for the record (or a list of the changes made to the plans that have been requested by the FD).
2. Related to the above comment, we note that only 1 fire hydrant is proposed along the approximately 760 ft. run of Ironwood Road, from Old South Road to Nancy Ann Lane. We recommend that consideration be given to the spacing of fire hydrants every 300 ft. (500 ft. maximum). However, we defer to the Nantucket Fire Department on this issue.
3. The following comments pertain to the Planning Board Decision:
 - a. The last paragraph of page 5 indicates "...that before the Old South Road Crossing Definitive Subdivision can be fully implemented and registered, certain additional provisions of the existing Land Court Plan 16514-Z must be modified." (also included as Condition F.1.) We recommend that the applicant provide the Board an update on the progress of this effort prior to endorsement of the plans.
 - b. On page 10, Condition B.1. states that "*The final plans shall include specific names for all proposed roadways.*" However, this current plan set still includes "Road C" as one of the road names (this road is the existing Nancy Ann Lane).
 - c. The 2nd item included on the "Exhibit A" waivers refers to a Landscape Plan to be provided prior to Planning Board Approval. We recommend that a Landscape Plan be provided to the Board for review. This should include the proposed landscaping and pavement surface treatment for the widening and proposed median on Old South Road.

- d. The 5th item included on the “*Exhibit A*” *waivers refers to StormTech® MC-4500 stormwater chambers to be substituted for the leaching basin.*” This new design includes the use of Brentwood StormTank® modules instead of StormTech® chambers. The use of this StormTank® system is an acceptable substitute for the StormTech® chambers, and we recommend that the Board endorse the use of them via approval of the final plans.
4. On Sheet 2 (of 11), at the intersection of Nancy Ann Lane and Greglen Ave., the south side of Nancy Ann Lane does not include a radius for the property line/road layout, while the north side does. Please clarify the purpose/intent for this difference.
5. On Sheet 3 (of 11) on either side of Ironwood Road, there are changes in the width of the layout with small radii (at Lots 6 & 12), but these radii and lengths are not symmetrical. Please clarify the purpose/intent for this difference in dimensions/radii.
6. Sheet 6 shows part of the existing access road (and intersection) from Old South Road to Greglen Ave. with Cape Cod berm and catch basins. We recommend that additional notes and details be added to the plans to indicate the future removal of the paving & drainage structures, and the phasing of the transition to the proposed new layout.
7. We have the following comments regarding the proposed sewer design:
 - a. We recommend that the proposed sewer manholes (SMHs) be numbered for clarity during construction. NOTE: SMH #1 located on Old South Road (and piping) from the Retail Liner Buildings project should also be added to the plan set, for clarity during construction.
 - b. Sheets 6 & 7 show the proposed sewer line running along Ironwood Road, and connecting to the existing 6-inch sewer main at Old South Road at a new SMH. We recommend that additional invert information (pipe sizes and elevations in & out) be provided for this SMH, and an appropriate construction detail added to the plans.
 - c. Sheet 9 shows this new connection (and sewer replacement) of the sewer from Ironwood Road to Goldfinch Drive. We recommend that addition information be provided on this sheet (and other sheets as appropriate), regarding the extent of the sewer line replacement, and proposed sewer size. Additionally, the “Road A” label should be changed to Ironwood Road, and the notes in the median for the existing SMH (with the 4” force

main opposite Goldfinch Drive) should be moved so they are clearer to read.

8. On Sheet 7, we recommend that the proposed road names for the roads connecting along the east side of Ironwood Road (vicinity of Lots 12 & 13) be added to the plans for clarity during construction.
9. We acknowledge the typical roadway cross-section detail on Sheet 8, but have the following comments:
 - a. Additional cross-sections with dimensions should be provided for several locations on Ironwood Road as the pavement width changes.
 - b. We recommend that consideration be given to increasing the gravel sub base thickness, especially on Ironwood Road, due to the expected traffic/use in the future.
 - c. We recommend that the 1-inch pavement top course be increased to 1.5 inches, since a 1-inch thickness is more difficult to apply consistently during construction (a 1.5-inch specification will better ensure that at least 1-inch is applied). Additionally, this additional thickness will improve the useable/design life of the pavement.
10. We recommend that comprehensive notes and construction details be added to the plan set for the following items:
 - a. The proposed traffic signage and pavement markings. These should include a "STOP" sign and pavement marking stop line at multiple locations (including along Ironwood Rd., and at each end of Nancy Ann Lane), and the crosswalk detail that is approved by the Nantucket DPW (see attachment). These pavement markings are recommended to be provided with thermoplastic materials, especially for those proposed on Old South Road.
 - b. The dimensions and construction details for the proposed bus stop on Old South Road.
 - c. The dimensions and construction details for the proposed median construction, roadway widening, lane markings, and new catch basin construction on Old South Road, at multiple locations as necessary.
 - d. The dimensions and construction details for sidewalks, HP accessible ramps and crosswalks for the project. These should include the

crosswalks that should be provided/added on Ironwood Road at the roadway intersections at Lots 12 & 13 and at the entrance to the Retail Liner Buildings site.

11. We recommend that additional proposed spot grade(s) be added to the plans for the intersection of Ironwood with the Retail Liner Buildings entrance. This will clarify the proposed design to ensure proper construction.
12. We recommend that an Erosion Control Plan be added to the plan set. This plan should include, as a minimum, the following information:
 - a. Use and locations of Silt Sacks for both existing & proposed catch basins.
 - b. Location of silt fence placement.
 - c. The location(s) for a gravel tracking pad construction entrance (minimum 20' wide X 50' long).
 - d. Notes regarding the contractor's responsibilities to maintain erosion controls, and to conduct weekly street sweeping of accumulated sediments.
13. All plans, when made final, should have the stamp and certification of a registered Professional Land Surveyor, or Professional Engineer, (MA registration) as applicable.
14. We recommend that the locations of proposed property line monumentation (concrete bounds/Land Court bounds) throughout the site be added to the plans.

Stormwater Management

This project proposes to mitigate post-development runoff for the project roadway by collecting runoff into a series of deep sump catch basins and drain manholes, which flow to water quality treatment units (Stormceptors®), which then discharge to subsurface infiltration areas. This stormwater management system will remove over 80% of the Total Suspended Solids (TSS) in the stormwater, and recharge the stormwater to the aquifer. The proposed design also reduces the peak rate of runoff as compared to the existing conditions, and is additionally designed for the 100-yr. storm.

We have the following stormwater management comments:

1. We recommend that multiple inspection ports be located for each subsurface infiltration system (SIS), along with an appropriate construction detail, be added to the plans.
2. We recommend that sizing calculations be provided for the proposed Stormceptor® water quality units.
3. The Proposed Watershed Map included in the Drainage Statement does not include an analysis of the area of the north end of Nancy Ann Lane and east end of Road C, where grading, catch basins, a drain manhole and piping are proposed. We recommend the following changes/edits to the plans for this area:
 - a. Additional stormwater modeling for this area to generate the required detention basin volume needed.
 - b. Additional design/grading details for the detention basin.
 - c. Rip-Rap placement at the FES outlet.
 - d. Substitution of the DHM for a Stormceptor® unit.
4. We recommend that all the proposed double catch basins be labeled as such for clarity during construction.
5. We recommend the "Responsible Party for Maintenance" be identified for both the Construction Period O & M Plan, and the Long Term O & M Plan.
6. We recommend that periodic street sweeping be added to both the Construction Period O & M Plan (weekly), and the Long Term O & M Plan (2-4 times/year).

Thank you again for this opportunity to assist the Planning Board in their review of this project. As always, please call if you have any questions or comments.

Sincerely,

PESCE ENGINEERING & ASSOCIATES, INC.



Edward L. Pesce., P.E., LEED ® AP
Principal

Attachment: Nantucket Crosswalk Detail

cc:

David Armanetti, Richmond Great Point Development, LLC

Brian Wallace, BRT Management, LLC

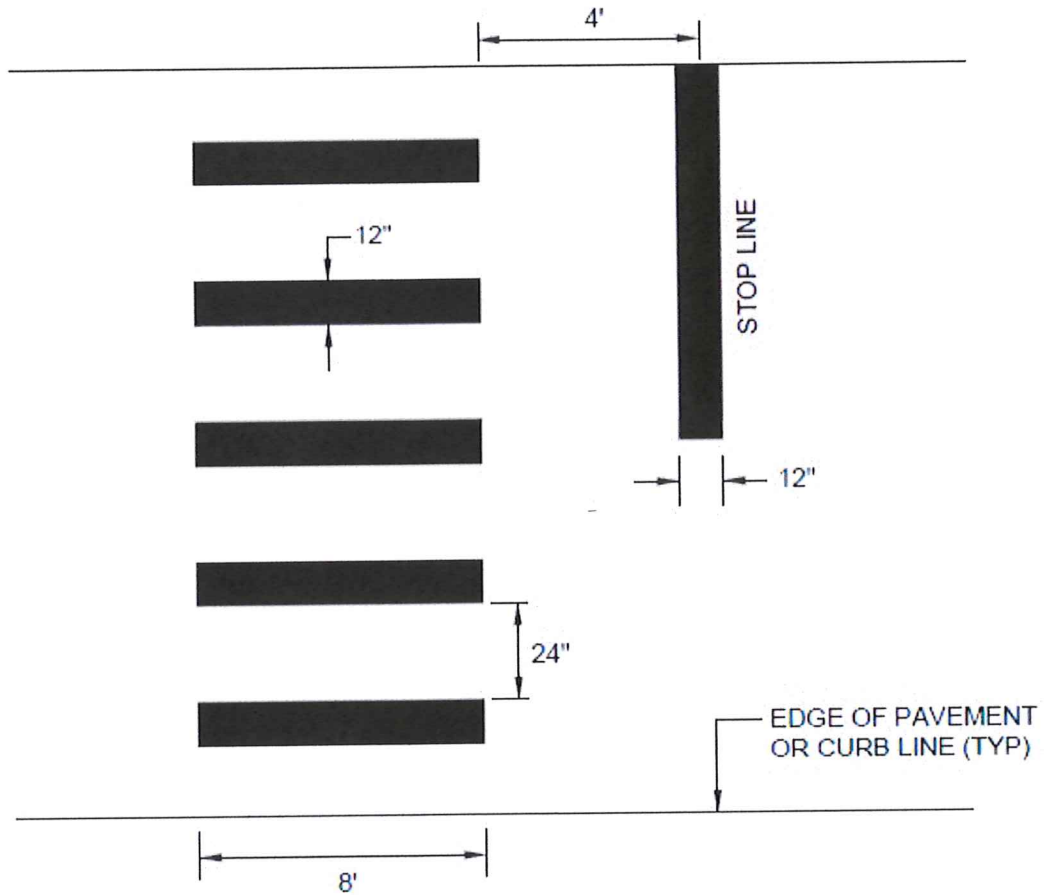
John Ogren, Hayes Engineering, Inc.

Bob Gates, Nantucket Fire Dept.

Rob McNeil, P.E., Nantucket DPW

NANTUCKET CROSSWALK DETAIL

July 2017



NOTES:

1. ALL 12" THERMOPLASTIC LINES SHALL BE APPLIED IN ONE APPLICATION, NO COMBINATION OF LINES (TWO - 6" LINES) WILL BE ACCEPTED.
2. LAYOUT OF CROSSWALKS SHALL BE APPROVED BY A NANTUCKET DPW REPRESENTATIVE PRIOR TO APPLICATION OF THERMOPLASTIC.

	<h2>CROSSWALK INSTALLATION</h2>
	SCALE: NOT TO SCALE
	S-STD.
	H-STD.

Source: [T. Michael Burns, AICP](#)
Transportation Planner
Nantucket Planning Office
2 Fairgrounds Road
Nantucket, MA 02554
Phone: 508-325-7587x7011
Direct: 508-228-7238
FAX: 508-228-7298



**PROPOSAL FOR CONSULTANT
ENGINEERING, PEER REVIEW AND
INSPECTIONAL SERVICES**

DECEMBER 4, 2020

TOWN OF MASHPEE

PLANNING BOARD, MASHPEE, MASSACHUSETTS



LETTER OF TRANSMITTAL

December 4, 2020

Rodney C. Collins, Town Manager
Chief Procurement Officer

Evan Lehrer, Town Planner
Town Planning Board

Town of Mashpee
Mashpee Town Hall
16 Great Neck Road N
Mashpee, MA 02649
508.539.1414

elehrer@mashpeema.gov

**RE: LETTER OF TRANSMITTAL
PROPOSAL FOR PROFESSIONAL ENGINEERING CONSULTING, PEER REVIEW
AND INSPECTIONAL SERVICES**

Dear Mr. Collins and Mr. Lehrer,

Merrill Engineers & Land Surveyors (Merrill) is pleased to present this response to the Request for Proposals to provide engineering consulting, peer review and inspectional services to the Town of Mashpee. Thank you for the opportunity to present our qualifications to you.

Merrill has assisted our municipal and private clients in the planning, design, permitting and construction of many projects of various sizes and scope. For over 30 years, Merrill has provided engineering peer review and consulting services to the Town of Pembroke Planning Board and other municipalities such as Scituate, Duxbury, Braintree, Marion, Halifax, Hanson, and Cohasset. These services included the review of drawings and calculations submitted to various Town Boards and Commissions, preparation of written letters, representation at the public hearings and construction inspections of subdivision roadway installations and commercial sites.

STAFFING FOR MASHPEE PROJECTS

Merrill believes in providing our Clients with the best suited professional staff we have available for a specific project. We have selected a well-balanced team of Massachusetts Registered Professional Engineers and Land Surveyors, Joshua Bows, P.E., Peter Palmieri, P.E., Deborah Keller, P.E., and Douglas L. Aaberg, P.L.S. to provide consulting services to the Town of Mashpee.

Josh has been with Merrill for 18 years and has been President of the Company since 2013. Josh believes in continuing the values Merrill began in 1979, developing trust with our Clients, and building long lasting professional relationships.

Peter has been with Merrill for 35 years and is currently the Director of Engineering. Peter has been providing peer review services and inspection services for over 30 years and has served many municipalities on drainage, water supply, and roadway projects.

Deb has been providing engineering services including peer review services for over 25 years and has been with Merrill since 2016.

Doug has been providing land surveying services for over 30 years as a Registered Professional Land Surveyor.

Merrill also has a staff of 20 other professionals, including professional engineers, registered surveyors, design engineers, construction supervisors, LEED AP professionals, and support staff. Josh, Peter and Deb will be responsible for staffing all Mashpee reviews, based on each project's specific needs.

WHY SELECT MERRILL?

We understand that the Review Team will be interviewing many qualified candidates. We believe there are three characteristics that set us apart from our competitors. First, our 30 plus years of history providing peer review services to nearby Towns. Second, our continued practice of fostering strong Client relationships built on trust. Third, while some firms rely almost exclusively on peer review services as their main source of revenue, Merrill maintains a balance of services in other sectors, including private Clients. Merrill has experience on "both sides of the table". We can be more objective, efficient, and effective in steering projects to a design that is sound, complies with the regulations, and provides the most benefit to the Town.

YOU WON'T BE DISSAPOINTED

Merrill has the staff and experience to provide Mashpee with quality consulting in a timely and cost-effective manner. We see this opportunity to provide Mashpee with peer review services as a foundation for a long-term relationship, providing consulting services to the Town that will make a positive impact on successful projects in Mashpee.

We appreciate your consideration, look forward to the opportunity, and would be happy to respond to any questions you may have as you select your consultant.

Please check out our website at www.merrillinc.com for more information about Merrill.

Very truly yours,

Merrill Engineers & Land Surveyors



Joshua M. Bows P.E.
President and Project Manager



TABLE OF CONTENTS

SECTION 1- KEY PROJECT STAFFING AND MANAGEMENT.....	5
SECTION 2- REFERENCES FROM RELATED EXPERIENCE.....	11
SECTION 3- FEE AND EXPENSE SCHEDULE.....	17
SECTION 4- PROFESSIONAL Demeanor/NARRATIVE OF APPROACH.....	18
SECTION 5- SAMPLE REVIEW LETTER.....	21



KEY PROJECT STAFFING AND MANAGEMENT

In response to the RFP for engineering consulting, peer review and inspectional services, this section presents key personnel selected from our staff to perform the requested peer review services.

We are offering our most senior and experienced team members who will be assigned to the peer reviews. Complete resumes of each team member follow this page.

COMPANY PRESIDENT

Joshua M. Bows, P.E.

Joshua Bows has managed numerous residential, commercial, and industrial projects from inception through permitting and construction since joining Merrill in 2002. Mr. Bows will be responsible for oversight of the project approach, quality control, and attendance at public hearings, as needed.

DIRECTOR OF ENGINEERING

Peter G. Palmieri, P.E.

Mr. Palmieri has over 35 years of diversified civil engineering design experience and has been the Director of our Civil Design office for 28 years. As a senior project manager, Mr. Palmieri is directly responsible for project coordination, client interaction, peer reviews, report preparation and attendance at public hearings.

SENIOR PROJECT MANAGER

Deborah W. Keller, P.E.

Ms. Keller has over 25 years of civil engineering design experience and has managed numerous residential and commercial projects from conceptual design through construction since 1993. As a Senior Project Manager, Ms. Keller is directly responsible for project coordination, client interaction, peer reviews, report preparation and attendance at public hearings.

DIRECTOR OF LAND SURVEY

Douglas L. Aaberg, P.L.S.

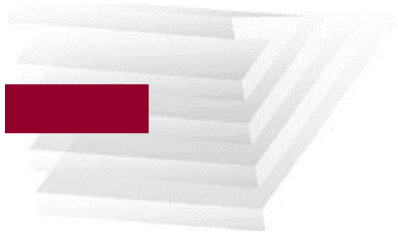
Mr. Aaberg has over 30 years of land surveying experience and has worked on a multitude of detailed commercial, municipal and residential projects. As Director of Land Survey at Merrill, Mr. Aaberg is responsible for land surveying components of projects including boundary line determinations, land court surveys, topographic and

detail surveys, bathymetric surveys, ALTA/NSPS Land Title surveys, GPS surveys, and construction layout services.

SUPPORT STAFF

Our office support staff includes a talented group of dedicated people who contribute substantially to daily operations of the successful completion of each project, including clerical, technical, CAD drafting, survey crew staff and support technicians.

Resumes follow below.



Joshua M. Bows, P.E.

President

PROFESSIONAL REGISTRATIONS AND CERTIFICATIONS

- Registered Professional Civil Engineer – Massachusetts License No. 46655
- DEP Soil Evaluator - Massachusetts

PROFESSIONAL AFFILIATIONS

- Member, American Society of Civil Engineers
- Member, Boston Society of Civil Engineers

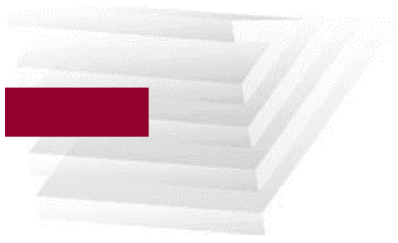
EDUCATION

- BS, University of Massachusetts, Amherst, Massachusetts (1998)
- DEP Soil Evaluator's Course (2001)

EXPERIENCE

Josh Bows started with Merrill in 2002 and has been President since January 2013. He is responsible for day to day operations of the company and new business development.

Josh Bows has managed numerous residential, commercial, and industrial projects from inception through permitting and construction since joining Merrill. As President of Merrill, Josh leads Merrill in its quest to be at the forefront of top civil engineering and land surveying firms in Massachusetts. He not only implements Merrill's mission of adding value to every project, but helps create and promote Merrill's culture and philosophy of the Merrill "teaming" with our Clients. He has established himself as a leader of a fast-growing company while maintaining a competitive edge in the industry through marketing efforts, financial prosperity, advanced technology and investigating job sectors. But, as a team player and someone who values our ability to provide personalized service due to our unique size, Josh also can be found answering phones, doing soil testing, reviewing plans, and whatever other task needs to be completed at any given moment. He is a current member of the Plymouth Harbor Committee and had served on the Plymouth Conservation Commission and Plymouth 400 Bass and Blue Tournament Committee.



Peter G. Palmieri, P.E.

Director of Engineering

PROFESSIONAL REGISTRATIONS AND CERTIFICATIONS

- Registered Professional Engineer – Massachusetts License No. 33089
- Registered Professional Engineer - Rhode Island License No. 4903
- DEP Soil Evaluator - Massachusetts
- DEP System Inspector - Massachusetts

PROFESSIONAL AFFILIATIONS

- Member, American Society of Civil Engineers
- Member, Boston Society of Civil Engineers
- Member, Water Pollution Control Federation
- Member, New England Water Pollution

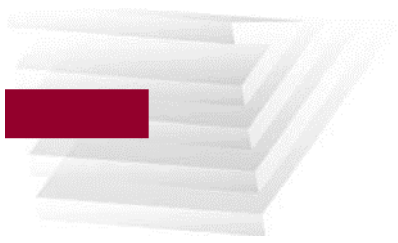
EDUCATION

- BS Civil Engineering, Marquette University, Milwaukee, Wisconsin (1973)
- MS Civil Engineering, Northeastern University, Boston, MA (1979)
- Pennsylvania State University - Flood Flow Frequency Analysis
- Pennsylvania State University - Flood Plain Hydraulics

EXPERIENCE

Since joining Merrill in 1985, Peter Palmieri has been senior project manager for numerous residential subdivision projects and commercial site plans. As Director of Engineering, Peter oversees and manages Merrill's civil design team and key projects as well as is responsible for site layout, roadway design, drainage system design, and overall project coordination. Included in a number of these projects was the preparation of Notices of Intent for compliance with the Massachusetts Wetlands Protection Act, and a number of comprehensive Stormwater Management studies which evaluate the impact of proposed construction upon existing drainage conditions.

For over 30 years, Peter has performed peer reviews of a number of site plans, subdivisions and Comprehensive Permit projects for several South Shore Towns, including Scituate, Pembroke, Hanson, Halifax, Duxbury, Cohasset and Marion. The reviews took into consideration compliance with Zoning, Site Plan Regulation, Subdivision Rules and Regulations, local and MassDEP Stormwater Management Regulations and the Wetlands Protection Act.



Deborah W. Keller, P.E.

Senior Project Manager

PROFESSIONAL REGISTRATIONS AND CERTIFICATIONS

- Registered Professional Engineer – Massachusetts License No. 45874
- DEP Soil Evaluator - Massachusetts

PROFESSIONAL AFFILIATIONS

- Member, American Society of Civil Engineers
- Member, Boston Society of Civil Engineers

EDUCATION

- BS, Wentworth Institute of Technology, Massachusetts (1993)
- DEP Soil Evaluator's Course (2018)

EXPERIENCE

Deborah Keller joined the Merrill Team in 2016 with over 22 years of experience in the design, management and permitting of many residential and commercial projects throughout Massachusetts. Deb has worked on all aspects of a project, including due diligence and feasibility studies, site design, grading, stormwater management and drainage analysis, FEMA flood studies including hydrologic and hydraulic analysis, presentation of projects to approving authorities for project permits at the local and state level, and construction administration services for various residential and commercial projects throughout Massachusetts. She also provides engineering peer review services focusing on Zoning, Site Plan Regulations, local and MassDEP Stormwater Management Regulations and the Wetland Protection Act compliance for several local municipalities.



Douglas L. Aaberg, P.L.S.

Director of Land Survey

PROFESSIONAL REGISTRATIONS AND CERTIFICATIONS

- Registered Professional Land Surveyors – Massachusetts License No. 35382
- Licensed Land Surveyor – Colorado License No. 27595

PROFESSIONAL AFFILIATIONS

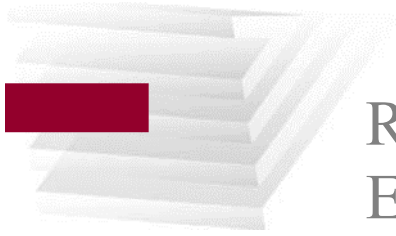
- Massachusetts Association of Land Surveyors and Civil Engineers
- National Society of Professional Surveyors

EDUCATION

- Mesa College, Colorado AAS – 1977
- Wentworth Institute of technology, MA – 2007 Faculty

EXPERIENCE

Doug Aaberg has land surveying and civil engineering experience spanning over four decades and has worked on a multitude of detailed commercial, municipal and residential projects. As Director of Land Survey at Merrill, Doug brings strong leadership skills to see Merrill through the “big picture” direction of evolving in the survey industry while ensuring our survey division’s product delivery is flawless by utilizing advanced technology to achieve our client’s goals in the most efficient manner. He can assist our clients through his specialties in boundary line determination, commercial and residential subdivisions, land court surveys, topographic and detail surveys, bathymetric surveys, ALTA/NSPS Land Title surveys, GPS surveys, and construction layout services. He is a Registered Professional Land Surveyor in Massachusetts and a Licensed Land Surveyor in Colorado.



REFERENCES FROM RELATED EXPERIENCE

MUNICIPALITY: SCITUATE		
DESCRIPTION OF SERVICES	DATES OF INITIAL HIRING/TIMEFRAME	REFERENCE CONTACT, NAME, EMAIL AND TELEPHONE
<p>Merrill’s work for the Planning Board and Conservation Commission includes the review of plans, calculations and other submitted materials proposed site plans and subdivisions in Town.</p> <p>Once projects are approved, Merrill is responsible for construction period inspection services.</p>	<p>Initially hired in 2015, and currently perform approximately 10+/- reviews annually.</p>	<p>Ms. Karen Joseph Town Planner 600 Chief Cushing Highway Scituate, MA 02066 781-545-8837 kjoseph@scituatema.gov</p> <p>Ms. Amy Walkey, LSP Conservation Agent & Natural Resource Officer 600 Chief Cushing Highway Scituate, MA 02066 781-545-8721 awalkey@scituatema.gov</p>
<p align="center">NOTABLE PROJECTS REVIEWED IN MOST RECENT CALENDER YEAR</p> <ul style="list-style-type: none"> • Subdivision Plan Review- Curtis Estates, 16 Lot Flexible Open Space Development • Subdivision Construction Inspection- Deer Commons, 12 Lot Flexible Open Space Development • Stormwater Permit Application and Common Driveway Application- 92 Neal Gate Street • Stormwater Permit Application and Site Plan Review- 6 MacDonald Terrace • Stormwater Permit Application-203 Old Oaken Bucket Road, Lot 2 • Stormwater Permit Application- 43 Collier Road • Subdivision Construction Inspection– Benjamin Studley Farm, Flexible Open Space Development • Site Plan and Stormwater Application – Scituate Senior Center 		

MUNICIPALITY: COHASSET

DESCRIPTION OF SERVICES	DATES OF INITIAL HIRING/TIMEFRAME	REFERENCE CONTACT, NAME, EMAIL AND TELEPHONE
<p>Merrill’s work for the Cohasset Conservation Commission includes the review of plans, calculations and other submitted materials for proposed site plans and subdivisions in Town.</p> <p>Once projects are approved, Merrill is responsible for construction period inspection services.</p>	<p>Initially hired in 2018</p>	<p>Mr. Jeffrey Summers Conservation Agent 41 Highland Avenue Cohasset, MA 02025 781-383-4100 X5104 jsummers@cohassetma.org</p>

NOTABLE PROJECTS REVIEWED IN MOST RECENT CALENDER YEAR

- Site Plan and Stormwater Permit Application- 2 Smith Place
- Site Plan and Stormwater Permit Application- Diab Lane
- Construction Inspections- 73 Atlantic Avenue

MUNICIPALITY: PEMBROKE

DESCRIPTION OF SERVICES	DATES OF INITIAL HIRING/TIMEFRAME	REFERENCE CONTACT, NAME, EMAIL AND TELEPHONE
<p>Merrill’s work for the Pembroke Planning Board includes the review of plans, calculations and other submitted materials for proposed site plans and subdivisions in Town.</p> <p>Once projects are approved, Merrill is responsible for construction period inspection services.</p>	<p>Initially hired in 1985, and currently perform approximately 8+/- reviews annually.</p>	<p>Mr. Matthew Heins Planning Board Assistant 100 Center Street Pembroke, MA 02359 781-294-4425 mheins@townofpembrokemass.org</p>

NOTABLE PROJECTS REVIEWED IN MOST RECENT CALENDER YEAR

- Site Plan Review- Irving Oil Gas Station and Convenience Store
- Site Plan Review- Brigham and Women’s 30,000 s.f. Medical Building
- Subdivision Plan Review-Libby’s Lane, 6 Lot Residential Subdivision
- Subdivision Plan Review- Dominic’s Way, 4 Lot Residential Subdivision

MUNICIPALITY: DUXBURY

DESCRIPTION OF SERVICES	DATES OF INITIAL HIRING/TIMEFRAME	REFERENCE CONTACT, NAME, EMAIL AND TELEPHONE
Merrill's work for the Duxbury Planning Board includes the review of plans, calculations and other submitted construction documents and construction period inspection services for their projects.	Initially hired in 2014, and currently perform approximately 5+/- reviews annually.	Ms. Valarie Massard Duxbury Planning Director Town Hall 878 Tremont Street Duxbury, MA 02332 781-934-1100 ext.5476 Massard@town.duxbury.ma.us

NOTABLE PROJECTS REVIEWED IN MOST RECENT CALENDER YEAR

- Subdivision Plan Review- 308 Summer Street, 4 Lot Residential Subdivision
- Subdivision Plan Review- 232 Surplus Street, 5 Lot Residential Subdivision

Company Profile

Merrill Engineers and Land Surveyors (Merrill) is comprised of a select group of professional engineers, land surveyors and related professionals. Established in 1979, our firm offers a wide range of services within, and related to, the civil engineering discipline. The size of our firm, coupled with the extensive and varied experience of our staff, affords us the unique opportunity of providing our Clients with the latest in design technology usually found only in larger organizations. Additionally, we are able to create a more personalized service, in that the principals not only negotiate and direct the projects, but also perform and review all of the actual design work. This enables each client to deal directly with one person knowledgeable in all phases of the project. Client satisfaction is of prime importance to all design team members and is emphasized throughout each project.

It is the policy of Merrill to offer a complete and comprehensive design service. Solutions and recommendations are well conceived, based on the client's needs, physical constraints, and nationally recognized and established design standards and procedures.

Our Services

Merrill has performed studies, preliminary and final designs, contract plans, specifications, and estimates for numerous projects, public and private. The following are some of the past and present projects and services our firm has performed for our clients:

Land Surveying

- Perimeter surveys
- ALTA title insurance surveys & reports
- Topographic surveys
- Land court surveys
- Flood elevation certifications
- GPS Capability
- GIS mapping support

Land Use Planning

- Site evaluation and assessments development
- Feasibility/due diligence reports
- Preliminary site planning
- Presentation drawings and reports
- MEPA filings

Civil Design and Permitting

- Site plan design- commercial and residential
- Subdivisions-preliminary, definitive, ANR plans
- Stormwater management/drainage design
- Hydraulic studies
- Hydrogeologic studies
- Sanitary wastewater collection, treatment and disposal systems
- Water supply and distribution systems
- Soils evaluation and percolation testing

Drive thru facilities
Service station and convenience store layouts
Fuel systems design for service stations and commercial/industrial facilities
Fire suppression design and permitting

Environmental

Wetlands and riverfront delineations
Mass. Dept. of Environmental Protection and local wetlands filings: Notice of Intent, Requests for Determination of Applicability, etc.
Army Corps of Engineers permit- 404 and Section 10 filings
Mass. Waterways permitting and licenses- Chapter 91 filings
Earth removal permitting
Dock permitting
Underground storage tank licensing and permitting
Leadership in Energy and Environmental Design (LEED) certifications of sustainable designs and low-impact developments

Construction Engineering

Construction bid documents
Assistance in bidding and contractor selection
Field layout work
Construction supervision, management and coordination
Foundation/elevation certifications and As-built plans

Municipal Consulting and Services

Subdivision and Site Plan Review Services
Telecommunications Facilities Review Services
Litigation Support
Zoning Map creation and updates
Land Use, Historic, Wetland, and Public Facilities Mapping
Site Planning and Permitting for Municipal Buildings and Facilities

Professional Licenses & Certifications

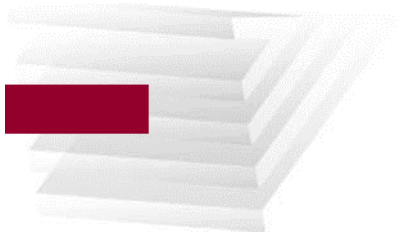
Professional Engineers in Massachusetts, Rhode Island, and New Hampshire
Professional Surveyors in Massachusetts and Rhode Island
Licensed Surveyor in New Hampshire
Leadership in Energy and Environmental Design (LEED) Accredited Professionals
Licensed Soil Evaluators in Massachusetts
Licensed Septic Inspectors in Massachusetts

Office Locations

Hanover Office	Plymouth Office
427 Columbia Road	26 Union Street
Hanover, MA 02339	Plymouth, MA 02360
T: (781) 826-9200	T: (508) 746-6060
F: (781) 826-6665	F: (781) 826-6665

Visit Merrill Engineers & Land Surveyors website for more information.

www.merrillinc.com



FEE AND EXPENSE SCHEDULE

Merrill offers a municipal rate for peer review services by a Massachusetts Licensed Professional Engineer (MA P.E.) of \$150/hour. All peer reviews and inspectional services are performed by a MA P.E.. Municipalities, including the Town of Mashpee, are not charged for mileage and it is anticipated no other direct reimbursable expenses will be incurred. Any unanticipated reimbursable direct expenses will be presented to the Client for review and approval prior to incurring the expense. Whereas each peer review is unique to each project, tailored proposals, with specific scope of work and fees, for each individual project will be provided upon request.



PROFESSIONAL DEMEANOR/NARRATIVE OF APPROACH

As required Section V.4 of the RFP, the preceding content outlined in this proposal demonstrates Merrill's exceptional experience working for similar municipalities performing the same services being requested by the Town of Mashpee. Also demonstrated by this proposal, our professional demeanor aligns with all the criteria listed in Sections III and IV of the RFP. This is evident by our 40-year history of being a highly reputable Engineering Firm, which can be confirmed by polling any of our Clients and/or the references provided. We welcome the selection committee to verify our professional demeanor with all of the references listed above.

Merrill Engineers and Land Surveyors has assisted our municipal and private clients in the planning, design, permitting and construction of many projects of similar size and scope. For over 30 years, Merrill has provided engineering peer review and consulting services to the Town of Pembroke Planning Board, and other municipalities such as Scituate, Duxbury, Halifax, and Hanson as well as the Town of Cohasset. These services include the review of drawings and calculations submitted to the Town boards, preparation of written review letters, representation at Town board meetings, and construction inspections. Merrill's approach to peer reviews includes four main focus points:

Focus Points

Merrill's general approach includes four main focus points:

1. Ensure the final design is based on sound engineering design practice
2. Ensure compliance with the applicable regulations
3. Minimize or eliminate areas of potential liability to the Town
4. Provide for a project that maximizes the benefit to the Town

Procedure

The following is an outline of the proposed steps necessary for an efficient technical review of each project.

1. Initial Review of project after request for proposal (RFP), followed by preparation and submittal of proposal for peer review - to be completed within 2 business days or less of receipt of RFP.
2. Once the proposal is approved, Merrill will participate in an initial consultation with department staff to pick up any additional documents, followed by a site inspection - to be completed within 3 business days of approval of proposal.
3. Review of plans and calculations in accordance with:

-
- a. Town of Cohasset Subdivision Rules and Regulations-if applicable
 - b. Town of Cohasset Zoning Bylaw
 - c. Low impact development stormwater design
 - d. Local/State/Federal environmental/wetland regulations (if applicable)
 - e. Conformance with MA DEP Stormwater Management Standards
 - f. Town of Cohasset Stormwater Bylaw and Regulations
 - g. Good sound engineering practice with respect to stormwater management, erosion and sedimentation control, road and sidewalk construction, driveway and parking lot configuration, and protection of public infrastructure, water quality, endangered species, and waterways as well as reduction of environmental impacts and control and /or mitigation of flooding.

To be completed within 7 business days of approval of proposal.

4. Prepare an initial written report addressed to appropriate Board, based on plan and document review noted above, within 10 business days of approval of proposal. A written report shall be submitted via email to the Planning Board, Zoning Board of Appeals, Conservation Commission (if applicable), by 9:00 AM one week prior to the Board meeting (assuming ample time exists between proposal approval and public hearing using timeframes provided, as underlined above).
5. If requested and/or approved by the reviewing authority, attend a meeting with Applicant's Engineer, Planning staff, Town Engineer, etc., to discuss the initial written report or to resolve technical issues to the extent feasible prior to the public hearing. This may be a conference call in lieu of a meeting for convenience. Merrill will provide open communication with the Town staff and Applicant's engineering consultant throughout the review process. All communications will be documented and routed through the Town representative for the record.
6. Attend Public Hearing.
7. Review revised plans submitted by Applicant based on Merrill's comments, revisions based on staff and Board comments, and any other changes made to the project. Issue subsequent written report to Staff and the Board – within 5 business days of receipt of revised materials and all comments from Staff, Board, etc.
8. In the event of a crucial deadline, Merrill will work with the Town to provide a comprehensive review in a shortened timeframe, if possible.

Written Report

A major component of the Approach outlined above is the written report. The written report comprises the majority of the fee for the review, and this document is critical to demonstrating compliance with the goals above. The report must be thorough to document compliance, but not be so cumbersome to read that it increases Board members review time of the project and

delays the public hearing process. The purpose of the report is to expedite the review of the project and make the Board's duty to issue a decision easier.

Content of the Written Report

Merrill has developed a style of report that contains three main sections:

1. BRIEF NARRATIVE OF THE PROJECT. This section gives the Board/Commission a summary and scope of the project based on the Town consultant's review of the project and documents compliance with minimum submittal requirements of the application.
2. COMPLIANCE WITH REGULATIONS. This section paraphrases the applicable requirements to the specific project and notes how the project complies or does not comply to each requirement.
3. ADDITIONAL COMMENTS AND SUMMARY. This section provides an overall summary of compliance with the regulations and additional comments related to sound engineering design and potential liability to the Town. This section is also where miscellaneous comments related to Town benefit, or anything else worth noting regarding the review of the project, can be found. This section is typically 1-2 paragraphs.

Format of the Written Report

The format of the content noted in Sections 1-3 above is just as important as the content. We have developed a format that allows the reader to easily identify areas that are not in compliance, need action, or need to be addressed by the Board. The "Compliance with Regulations" section paraphrases each requirement in normal font and is followed by our comment regarding compliance in italics. If the project does not comply, action is required, or there is something Merrill thinks the Board should specifically discuss, it is listed in ***BOLD ITALICS***. This allows the reader to read the Introduction/Brief Narrative of the project, skim the Compliance section for areas of non-compliance, and then read the Project Summary/Additional Comments section for any other noteworthy aspects of the project, without reading the entire report. Again, we believe this format provides for ample documentation to the file to demonstrate compliance and the other goals above but requires minimal time for Board members to review.



SAMPLE REVIEW LETTER

Date

Town Agent
Conservation Agent
Conservation Commission
Town Hall

[REDACTED]
[REDACTED]

**RE: Peer Review - Town Stormwater Regulations
Location, Massachusetts**

Dear Town Agent,

Per your request, we have completed our review of the above referenced project, pursuant to the Town of Scituate Stormwater Regulations (Stormwater Regulations). This report is based on our review of the submitted documents listed below and a site visit on **Thursday, Date**.

- **Stormwater Report, Single Family Residence, [REDACTED], last revised: [REDACTED]**
- **Notice of Intent Plan, [REDACTED]**

INTRODUCTION/BRIEF NARRATIVE OF PROJECT

The subject site is currently vacant, with a substantial amount of surface ledge. The applicant is proposing to construct a single-family home, septic system, and 20'x30' shed on the property. The use of permeable pavement is proposed for the driveway surface and pervious pavers for other hardscape to mitigate stormwater impacts as a result of the proposed development.

We offer the following comments on the proposal and have organized our comments in order of the referenced sections of the Stormwater Regulations. Merrill's comments are noted in *italics*, and our recommendations are listed in ***Bold Italics***.

APPLICATION REQUIREMENTS-SECTION 7 OF THE STORMWATER REGULATIONS

The following is a list of items required for a complete Application for Stormwater Permit per Section 7 of the Stormwater Regulations.

- a. Stormwater Permit Application Form-***not submitted***

-
- b. Statement of Adequacy of Stormwater Management System-we consider the Stormwater Report noted above to include this statement; however, **we recommend that the language noted in Section 7(B)(1)(b) be included in this report, signed and sealed by the Professional Engineer. It would be reasonable for this requirement to be included as a condition of approval.**
 - c. Stormwater Management Plan-*included in submittal*
 - d. Narrative and Drainage Calculations-*included in submittal*
 - e. Information on Operation and Maintenance of Stormwater Management System-*included in submittal*
 - f. Subdivisions-**NOT APPLICABLE**

LOW IMPACT DEVELOPMENT REQUIREMENT-SECTION 8 OF THE STORMWATER REGULATIONS

As stated in Section 8 of the Stormwater Regulations, Low Impact Development (LID) is the preferred approach to Development. The following is a list of LID measures included in Section 8, and how the current project achieves each goal.

1. Utilizes natural hydrography to manage stormwater.
 - a. *This project achieves this goal.*
2. Minimize impervious surfaces.
 - a. *This project achieves this goal.*
3. Treat stormwater in numerous small decentralized structures.
 - a. *Only one stormwater structure is proposed; however, given the scope of the project and the use of permeable pavers, this is a reasonable attempt to meet this goal. Typically, for this type of project, Merrill recommends the use of drywells to infiltrate roof runoff.*

However, the presence of ledge diminishes the effectiveness of drywells for this project.

4. Use natural topography for drainage ways and storage areas.
 - a. *It is our opinion this goal is met to the maximum extent practicable, given the site conditions.*
5. Preserve portions of the site in undisturbed, natural conditions. To the greatest extent possible, maintain existing vegetation so that it can continue to absorb and treat stormwater. Where vegetation is maintained, it shall be identified as a non-disturbance or no cut area on subdivision plans or site plans, and on contractor's specifications.
 - a. *The majority of the buffer area is proposed to remain undisturbed, maintaining existing vegetation, and in its natural state. It is understood that the area outside the 100' buffer shall remain in an undisturbed state (regardless of it not being in the Conservation Commission's jurisdiction) as part of the Stormwater Permit for this project, unless a modification to the Stormwater Permit is requested by the land owner. **We recommend that the erosion control line be clearly identified as a no disturb or no-cut area on the plan. It would be reasonable for this requirement to be included as a condition of approval.***
6. Lengthen travel paths to increase time of concentration and attenuate peak rates.

-
- a. *Given the limited size of this project, this goal is met.*
 7. Disconnect impervious surfaces.
 - a. *This project meets this goal to the maximum extent practicable as this goal is mostly applicable to larger projects.*

As required, the narrative included general explanations of LID measures that were included as part of this project and addressed why some LID measures are not feasible.

COMPLIANCE WITH STORMWATER MANAGEMENT PERFORMANCE STANDARDS-SECTION 9 OF

THE STORMWATER REGULATIONS

The following is an abbreviated list of the eight (8) Stormwater Management Performance Standards in Section 9 of the Stormwater Regulations, followed by our determination of compliance with each standard for this project.

1. Untreated stormwater outfalls, and outfalls that cause erosion are prohibited.
 - a. *This project meets this requirement.*
2. Post-development peak discharge rate must be equal or less than pre-development peak discharge rates.
 - a. *The attached Stormwater Report provides a summary of peak discharge rates supporting compliance with this requirement, however Merrill's comments on the HydroCAD calculations may require the summary of peak discharge rates be revised. The bottom of the basin is proposed 0.2' below ledge elevation (based on the nearest test pit). The calculations also factor exfiltration as an outlet device at 2.41 inches per hour, to mitigate peak rates of runoff. Since ledge is considered impervious exfiltration should not be factored into the design. Merrill recommends the calculations be revised to exclude exfiltration and provide a means to allow the basin to drain in 72 hours, so that the storage volume used in the calculations is available for the next storm.*
3. Loss of annual recharge to groundwater shall be eliminated or minimized.
 - a. *Approximately 26,000 s.f. of the site is comprised of ledge. Volume One of the Massachusetts Stormwater Handbook requires recharge to the maximum extent practicable for sites comprised of ledge. By using permeable pavement for the driveway and pervious pavers for other hardscape, it is our opinion that this requirement is met.*
4. Minimum of 80% TSS removal required. 90% removal rate required in Water Resource Protection District.
 - a. *TSS removal is only required for driveway surfaces (not roof areas). The Stormwater Report claims TSS removal by permeable pavement. This requirement is met.*
5. Source control and pollution prevention required for land uses with higher potential pollutant loads. a. *Not Applicable.*

-
6. Specific source control and pollution prevention measures required for discharge to or near Critical Areas.
 - a. *Not Applicable.*
 7. A "Pollution, Erosion, and Sedimentation Plan for the construction period is required.
 - a. A construction pollution, erosion, and sedimentation Plan is included with this submittal and is appropriate for this site. **We recommend that this Plan be incorporated into the Order of Conditions for this project.**
 8. A long-term operation and maintenance plans is required.
 - a. *A long-term operation and maintenance Plan is included with the submittal and is appropriate for this site. We recommend that the owner comply with the maintenance of the permeable pavement and pervious pavers outlined in this Plan, and with the manufacturer's recommendation for de-icing during winter conditions to ensure that the pervious benefits are realized for the life of the products. We recommend that this be included as a perpetual condition in the Order of Conditions.*

ADDITIONAL COMMENTS AND SUMMARY

Generally, the proposed project complies with the Stormwater Regulations, with the exceptions noted above. It's important to ensure there is no increase in runoff rate and volume to the properties to the east of the subject property. In order to verify this, Merrill is requesting the design be revised to exclude exfiltration in the basin, and provide a means of draining the basin within 72 hours, so that the storage volume is available for the next storm. We also note the overflow weir from the proposed drainage basin is directed towards Indian Trail, and the discharge from this basin will flow onto Indian Trail, or over the proposed driveway, ultimately ending up at the low point in the road, east of the project.

Merrill appreciates the opportunity to review this project for the Conservation Commission. Please feel free to call me with any questions or request additional information.

Sincerely,

Merrill Engineers & Land Surveyors



Joshua M. Bows, P.E.
President/Senior Project Manager

DATE:

12/4/2020

TO:

Office of the Town Manager
Chief Procurement Officer
Mr. Rodney C. Collins,
Town Manager
Town of Mashpee
Mashpee Town Hall
16 Great Neck Road N
Mashpee, MA 02649

Please see attached Proposal for Professional Engineering Consulting, Peer Review and Inspectional Services for your review and consideration. If you have any further questions or concerns, please feel free to contact the office at 781-826-9200

Thank you,

PROJECT:

Proposal for Professional Engineering Consulting, Peer Review and Inspectional Services for the Town of Mashpee Planning Board

COPIES	DESCRIPTION	LAST MODIFIED
1	Original: Proposal for Engineering Consulting, Peer Review and Inspectional Services	12/4/2020
7	Copies: Proposal for Engineering Consulting, Peer Review and Inspectional Services	12/4/2020
1	Thumb drive: Proposal for Engineering Consulting, Peer Review and Inspectional Services	12/4/2020



SIGNATURE:

Deborah W. Keller, P.E.
dkeller@merrillinc.com

CC:

February 19, 2021 [no later than]

Kristy Senatori, Executive Director
Cape Cod Commission
3225 Main Street
Barnstable, MA 02630

Re: 2021 DLTA Technical Assistance

Dear Ms. Senatori,

I write to request that 2021 District Local Technical Assistance (DLTA) funds be used for a survey of new and second homeowners to better understand how the region's population is changing due to the effects of COVID-19.

Cape Cod has long been a location for second homeowners and tourists, but we are hearing and seeing anecdotal evidence that more people are choosing to either remain in their second homes for longer periods of the year or move to the region full time due to the pandemic. It is important that Cape Cod communities have data to accurately understand the population shifts over time in our town and region, as an increased population has the potential to impact many aspects of our communities. Getting a data-based understanding of our population changes, including those that may be resulting from the COVID-19 pandemic, will help our town ensure adequate services to residents. These data are also critical information necessary to target regional initiatives.

The Cape Cod Commission has conducted these types of surveys previously and I am asking that the Commission prioritize a 2021 survey for DLTA funding. Thank you for your consideration of this request.

Sincerely,

Town Official

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

Date: January 25, 2021

To: Cape Cod Boards of Selectmen & Barnstable Town Council
Cape Cod Town Administrators and Managers
Cape Cod Town Planners and Planning Board Chairs

From: Kristy Senatori, Executive Director, Cape Cod Commission

Dear Municipal Official:

The Cape Cod Commission has recently been awarded Department of Housing and Community Development 2021 District Local Technical Assistance (DLTA) funds to provide technical assistance to member municipalities. DLTA funds must be expended by December 31, 2021. This letter is an invitation to Cape Cod municipalities to apply for funding consistent with state guidelines for technical assistance.

The State has identified the following priority areas for funding: 1) **Planning Ahead for Housing** (or to help reach the Statewide Housing Production Goal) and **Planning Ahead for Growth**; and 2) **Supporting Community Compact Cabinet Best Practices, including regionalization.**

Project Selection Criteria:

1. Responsiveness to priority uses, including:

- support for towns to achieve Community Compact best practices; and
- support for opportunities for collaboration and/or resource sharing; and,
- support for communities seeking designation under the state Housing Choice Initiative (<https://www.mass.gov/housing-choice-initiative>); and
- promotion of planning to adapt to and mitigate climate change and encourage sustainable development; and
- promotion of wastewater and/or other infrastructure planning, financing, and/or development consistent with MA Sustainable Development Principles and capital planning best practices; and,
- promotion of planning for housing and economic development consistent with the MA Smart Growth/Smart Energy Toolkit (http://www.mass.gov/envir/smart_growth_toolkit/); and
- promotion of technological improvements that enhance planning, implementation or the provision of municipal services.

2. Provision of a clear statement of expected products/deliverables (i.e. bylaw prepared for adoption, proposed or adopted regional agreement or memorandum of understanding, joint procurement solicitation prepared, proposed or adopted permitting procedures);

A description of eligible activities, and a list of Community Compact Cabinet Best Practices is enclosed for your information. (Appendix A).

Please submit your written funding request to me by **February 19, 2021**. Regardless of the topic of your funding request, please indicate which best practices are included in your town's Community Compact agreement with the State.

As required by the state contract, successful applicants shall enter into a Memorandum of Agreement or similar record with the Cape Cod Commission detailing a scope of work and budget for each project. Funds cannot be used for routine administration, nor may DLTA funds be used if other state resources are available.

Please keep in mind that a stated goal of the funds for 2021 is to 'direct these funds to projects/activities that result in change in the municipality(ies), whether in law, regulation, program management, or practice'.

Requests for technical assistance must be made in writing. Please feel free to call me at 508-744-1216 if you have any questions regarding this opportunity to use DLTA funds to improve our communities and our region.

cc: Cape Cod Commission members

<https://capecodcommission.org/our-work/dlta/>

Community Compact Best Practice Areas

Note: DLTA funds shall not be used for any activities related to assertion of the General Land Area Minimum (GLAM) (1.5% of total land area) safe harbor under 760 CMR 56.03 (b) (Chapter 40B).

Age and Dementia Friendly Best Practices

Age-friendly communities are livable for residents of all ages, inclusive of older adults and those living with dementia. Age-friendly communities strive to be equitable and accessible with walkable streets, housing and transportation options, access to services, and opportunities for residents to participate in community activities.

Best Practice: Convene leaders of municipal departments, businesses, local citizen groups, regional planning agencies, and private and non-profit organizations to align interests with a goal of creating an ongoing process of community assessment, action planning and implementation, and prioritize age and dementia-friendly efforts. Create process to support, acknowledge and reward local businesses and non-profit entities that work to become age and/or dementia friendly.

Best Practice: Utilize data for a baseline assessment and recommendations, including Massachusetts Healthy Aging Collaborative (MHAC) Community Profiles or World Health Organization (WHO) Checklist of Essential Features.

Best Practice: Conduct a comprehensive baseline assessment utilizing an indicators analysis and community survey. The assessment will inform action planning and implementation phases.

Best Practice: Conduct a baseline assessment of dementia friendly practices using National Alzheimer's and Dementia Resource Center dementia-capability tool or similar nationally recognized assessment tool or process.

Best Practice: Create maps from the research conducted through the baseline analysis, illustrating the geographic properties of the indicators. These indicators may include, but are not limited to: housing, mobility, food distribution, dementia-friendly services; indicators unique to the community.

Best Practice: Review municipal policies and regulations with a goal of promoting "aging in all policies."

Best Practice: Engage in a community-wide conversation about attitudes toward aging and dementia and language related to aging to raise public awareness that aging is an asset and that individuals living with dementia can make meaningful contributions to community life.

Best Practice: Create an online database with local information and resources of programs, services, discount programs and benefits for older adults and their caregivers.

Best Practice: Develop policies and services to improve elder economic security and help people age in community, such as: property tax deferral program, property tax work-off program, handy man programs, energy assistance, transportation for non-drivers, designation of age-friendly employers, etc.

Education Best Practices

Best Practice: Focus on college and career planning, in collaboration with regional workforce organizations (e.g., MassHire Career Centers), beginning in middle school and continuing through high school.

Best Practice: Implement collaborative arrangements among regional vocational technical schools, comprehensive high schools, and community colleges to maximize opportunities for high school students and adults to access specialized vocational education programs.

Best Practice: Create opportunities for municipal governments to collaborate with high schools and colleges to provide students with internship experiences aligned to their courses of study, especially in STEM-related departments (i.e., IT, engineering department, accounting, etc.).

Best Practice: Improve the alignment and integration of YouthWorks and Connecting Activities programs for local high school students pursuing summer jobs and paid internships.

Best Practice: Strengthen partnerships between public safety, social services, healthcare providers, and local public and private schools to establish systems and protocols for assessing and identifying children and young adults who present risks to themselves or to others, in order to ensure effective and pro-active responses that can prevent violence and provide timely supports to individuals in need.

Energy and Environment Best Practices

Greenhouse Gas Reduction

Best Practice: Plan Ahead to mitigate climate change by establishing goals, creating an action plan, assigning responsibility, and tracking progress

Best Practice: Use Renewable Energy instead of fossil fuels by generating or purchasing clean power and by zoning for renewable power generation

Best Practice: Increase Energy Efficiency in order to reduce power consumption, fuel costs, and GHG emissions

Best Practice: Promote Zero or Low Carbon Transportation to reduce municipal transportation emissions & those from people living/working in the community

Best Practice: Encourage Sustainable Development to reduce, through higher density & mixed-use, the number distance of car trips & resulting GHG emissions

Best Practice: Protect and Manage Natural Resources to reduce carbon emissions from loss of natural land cover and to encourage carbon sequestration

Best Practice: Reduce Municipal Solid Waste and Increase Recycling in order to reduce GHG emissions associated with solid waste disposal

Climate Change Adaptation and Resilience

Best Practice: Complete a Climate Vulnerability Assessment and Adaptation Plan through the Municipal Vulnerability Preparedness (MVP) Program to assess local risks from climate change and identify potential actions to enhance community resiliency

Best Practice: Use Municipal Vulnerability Action Grant or Other Funding to Implement Adaptation Actions that utilize nature-based solutions & engage Environmental Justice communities.

Best Practice: Engage & Protect Vulnerable Populations in adaptation planning & action to decrease risk to those who are more susceptible to climate change effects

Best Practice: Mainstream Climate Resilience into Capital Planning & Budgeting to ensure investments decrease risk & enhance resilience to a changing climate

Best Practice: Integrate Climate Adaptation into Land Use and Environmental Regulation to minimize future risk & costs for new and redevelopment

Energy Efficiency and Renewable Energy

Best Practice: Become a Green Community pursuant to M.G.L. c. 25A §10 to realize the energy & environmental benefits

Best Practice: Construct Zero Energy Buildings (or communities) to eliminate GHG emissions. reduce cost & enhance resiliency

Best Practice: Provide Electric Vehicle Infrastructure to facilitate the purchase & use of electric vehicles

Best Practice: Become a Solarize Mass or Solarize Mass Plus Community in order to help achieve renewable energy use & GHG reduction goals

Sustainable Development and Land Protection

Best Practice: Complete a Master or Open Space & Recreation Plan to guide land conservation & development decisions including zoning & land acquisition

Best Practice: Zone for Natural Resource Protection, Transfer of Development Rights, Traditional Neighborhood, or Transit Oriented Development

Best Practice: Invest in Land Conservation or Park Creation/Restoration via Community Preservation Act or other funds to protect land & provide outdoor recreation

Best Practice: Plant Trees or Adopt a Tree Retention Bylaw/Ordinance to preserve and enhance tree cover

Water Resource Management

Best Practice: Require Localized Flood Protection Best Practices, including Stormwater Management Measures to increase recharge, manage water movement, reduce pollution, and control flooding to protect lives, public safety, infrastructure, the environment, & critical assets.

Best Practice: Protect Public Water Sources in order to reduce potential threats to water quality and the public health of system customers; establish and maintain emergency connections with other municipal or regional systems.

Best Practice: Manage Water and Wastewater Assets for timely maintenance and rehabilitation, to lower energy use, and to reduce Infiltration and Inflow to minimize unintended storm and waste water in the system

Best Practice: Implement Water Conservation Measures to ensure long-term water resource sustainability, enable growth, & avoid new source development.

Best Practice: Utilize Advanced Financing Tools such as an enterprise fund, stormwater utility, full cost pricing, or water bank for water/waste/storm water systems

Waste Management

Best Practice: Enhance Waste Ban Compliance so that recyclable and hazardous materials are diverted from the waste stream and reused or recycled

Best Practice: Develop Waste Contracts that are fiscally, environmentally, and otherwise beneficial to the community

Best Practice: Adopt Pay-As-You-Throw so that residents have an incentive to reduce trash disposal and save money

Best Practice: Increase the Recycling Rate through regulatory improvements, service expansion, and other means in order to reduce waste and disposal costs

Best Practice: Enhance Education via Recycle Smart MA, the Recycling IQ Kit, etc. so residents throw away less, recycle more, & follow smart waste practices

Site Cleanup

Best Practice: Complete a Brownfields Inventory so that the community is aware of all abandoned & underutilized properties & can develop plan of action

Best Practice: Conduct Site Assessments to determine the nature and extent of contamination and develop a plan of action

Best Practice: Clean Sites to prevent further releases or the spreading of contaminants and to bring sites back into productive use

Best Practice: Facilitate Site Cleanup and Reuse to encourage assessment, cleanup, & reuse of privately held sites offer tax incentives or update regulation

Agriculture

Best Practice: Adopt a Right to Farm By-law/Ordinance to clearly indicate that agriculture is a local priority and to minimize abutter conflicts

Best Practice: Establish an Agricultural Commission to advocate for local farms, administer a right to farm bylaw, & otherwise represent agricultural interests

Best Practice: Support Sustainable Forestry to help the forest economy in rural areas, improve forest habitats, and assist in the conservation of forest land

Best Practice: Support Local Agriculture including Urban Agriculture, Aquaculture, Floriculture, & Horticulture, via marketing, food sourcing, & Farmers Markets to help local businesses and increase awareness of and access to fresh agricultural products

Financial Management Best Practices

Best Practice: Establish a Budget document that details all revenues and expenditures, provides a narrative describing priorities and challenges, and offers clear and transparent communication of financial policies to residents and businesses.

Best Practice: Develop, document and implement Financial Policies and Practices including reserve levels, capital financing, and use of Free Cash. Such policies should identify the responsible parties and procedural steps necessary to carrying out the directed strategy or action.

Best Practice: Develop and utilize a Long-range Planning/Forecasting Model that assesses both short-term and long-term financial implications of current and proposed policies, programs and assumptions over a multi-year period.

Best Practice: Prepare a Capital Improvement Plan that reflects a community's needs, is reviewed and updated annually, and fits within a financing plan that reflects the community's ability to pay.

Best Practice: Review and evaluate Financial Management Structure to ensure that the structure and reporting relationships of the community's finance offices support accountability and a cohesive financial team process.

Best Practice: Utilize Financial Trend Monitoring, modeled after the ICMA's Financial Trend Monitoring System (FTMS).

Housing and Economic Development Best Practices

Preparing for Success

Best Practice: Create an Economic Development Plan that engages diverse stakeholders, leverages local and regional economic strengths and assets, encourages innovation and entrepreneurship, and/or promotes workforce development planning and implementation.

Best Practice: Align Land Use Regulations, especially zoning, capital investments, and other municipal actions with Housing Development, Economic Development, Master, Land Use Priority or other plans for future growth. Promote development and reuse of previously developed sites.

Best Practice: Create and Distribute an Economic Development Guide/Manual to not only promote development goals and priorities, but also specifically and clearly outlines the community's policies and procedures related to zoning and permitting.

Best Practice: Create Opportunities for Engaging Diverse Stakeholders in economic development efforts, such as to assist with identification of priority development projects, improve local permitting processes, and proactively address obstacles to housing accessibility and affordability as well as job creation.

Best Practice: Create Cross-Sector Partnerships to help carry out community-driven responses to community-defined issues and opportunities for economic development.

Best Practice: Create a District Management Entity that engages public/private stakeholders to develop and support downtown revitalization efforts.

Best Practice: Adopt as-of-Right Zoning and/or Streamlined Permitting to promote development in priority districts.

Best Practice: Adopt Zoning for Mixed-Use Development, including Transit Oriented Development, where appropriate.

Best Practice: Adopt Chapter 40R Smart Growth zoning to facilitate the creation of dense residential or mixed-use smart growth zoning districts, including a high percentage of affordable housing units, to be located near transit stations, in areas of concentrated development such as existing city and town centers, and in other highly suitable locations.

Competitiveness

Best Practice: Engage in an Economic Development Self-Assessment exercise to identify strengths, weaknesses, and areas of opportunity.

Best Practice: Establish and Utilize Performance Data to evaluate the competitiveness of the community, conduct year to year comparisons, and measure performance against comparable communities.

Best Practice: Create a Public Dashboard to benchmark, monitor, and communicate to the public regarding various housing and economic development performance measures.

Housing

Best Practice: Create a Housing Production Plan (HPP) that accounts for changing demographics, including young families, changing workforce, and an aging population.

Best Practice: Amend Zoning By-Laws to allow for increased density and housing opportunities in a manner that is consistent with neighborhood character and supportive of aging in community.

Best Practice: Develop Sector Strategies and Plans in collaboration with various providers and stakeholders to address homelessness for specific high need population groups, such as homeless youth, veterans, older adults, and/or families.

Best Practice: Complete an Assessment of Fair Housing Report, including strategic goals in alignment with HUD's new rules to affirmatively further fair housing. Using HUD data, local data and knowledge, a significant community participation process, and the assessment tool provided by HUD, the community will prepare, complete, and submit its AFH to HUD.

Urban Renewal Planning

Best Practice: Determine need and appropriateness of establishing an Urban Renewal Entity in accordance with MGL chapter 121B. If prepared to proceed, develop action plan and timeline for the creation of the urban renewal entity.

Best Practice: Prepare an Urban Renewal Plan Application in accordance with MGL chapter 121B in partnership with the urban renewal entity.

Human Resources Best Practices

Best Practice: Cost-Out Collective Bargaining proposals so that the impact of the total package is known. This provides the municipality with a clear understanding of both short-term and long-term budgetary impacts.

Best Practice: Develop a Workplace Safety program so that the risk of on-the-job injuries is minimized.

Best Practice: Develop a formal Wage and Classification Plan that details, at a minimum, job descriptions, employee grades, and salary ranges, thereby providing the municipality with a tool to make pay decisions that are reasonable in comparison to similar work being carried out in all areas of city/town government.

Best Practice: Develop Employee Policies and Procedures for things such as discrimination, sexual harassment, information technology use, drug and alcohol, use of social media, and town-owned vehicles.

Best Practice: Manage employee benefit costs such as health insurance, dental insurance, unemployment insurance, and worker's compensation/111F; includes eligibility review and evaluation of insurance choices.

Best Practice: Prepare a Succession Plan to help address the pending wave of retirements that will challenge a municipality's ability to maintain service levels and utilize expertise and experience of mature workers through consulting or mentorship programs.

Best Practice: Explore Centralized Human Resources/Personnel Operations to improve service delivery and build efficiencies.

Information Technology Best Practices

Best Practice: Perform a general IT assessment that results in a written evaluation and best practice recommendations. At a minimum, the assessment should include a review of hardware infrastructure, networking, backup, email and user account management.

Best Practice: Perform a cyber security assessment to identify human and technology risks within the environment, analyze and identify gaps in existing cyber security processes, assess vulnerability to external attack and identify steps to remediate identified issues.

Best Practice: Review technology organizational structure, spending and business goals across the community and develop a strategy to prioritize technology investments.

Best Practice: Design a regional shared IT services program to maximize technology resources across communities and/or school districts.

Best Practice: Develop IT resiliency, recovery and contingency plans that are aligned with community realities and position the community to effectively manage unforeseen events.

Best Practice: Develop a plan to improve digital communications with the public, including content structure on the website, practices around content creation and ownership and social media.

Best Practice: Evaluate open checkbook and/or open budget technologies that are easily consumed by the public, promote transparency, and allow data to be downloaded in a machine-readable format.

Best Practice: Identify a business process that is inefficient and not meeting the expectations of key stakeholders, perform an analysis, and develop a plan to better meet the needs of stakeholders and more effectively leverage technology.

Best Practice: Develop a document and/or records management strategy that results in operational efficiencies and improved responsiveness to the public.

Public Accessibility Best Practices

Best Practice: Undertake an Americans with Disabilities Act (ADA) Self-Evaluation and Develop a Transition Plan to comply with Federal civil rights laws that require public buildings to be accessible to persons with disabilities.

Best Practice: Strive for the Universal Participation (UP) designation from the Mass Cultural Council by encouraging and supporting arts and cultural facilities and events in the community.

Public Health Best Practices

Best Practice: Community Coalitions are a way to become a Prevention Prepared Community. Utilize SAMHSA's Strategic Prevention Framework (SPF) Model as a comprehensive guide to plan, implement, and evaluate prevention practices and programs to address substance use and other community issues. There are multiple SPF strategies communities can implement, which can be reviewed with staff from the Bureau of Substance Addiction Services.

Best Practice: Assess where in the municipality overdoses occur and develop environmental solutions and improve monitoring of hotspots. Place signage in areas where overdoses occur (such as public bathrooms) to promote carrying naloxone and calling for help.

Best Practice: Equip all first responders with naloxone and appropriate medical supplies and ensure all first responder personnel are trained to recognize and respond to an overdose.

Best Practice: Use SAMHSA's Strategic Prevention Framework (SPF) to ensure a consistent data-driven planning process across the community focused on implementing culturally competent and sustainable strategies and interventions that will have a measurable effect on preventing and reducing opioid abuse and opioid overdoses.

Best Practice: Assess opportunities with other municipalities for shared public health services. Examples include infectious disease surveillance and follow-up, retail food establishment inspections, and recreational camp inspections.

Best Practice: Convene local and state health and enforcement officials to develop a standardized response protocol, by region, for animal hoarding. Establish a single point of contact for case responders to report concerns about an individual hoarder or their family. The contact will then seek follow-up by the appropriate service agency, including but not limited to the: Department of Mental Health, Department of Children and Families, Executive Office of Elder Affairs, Disabled Persons Protection Commission, and the Department of Veteran's Services.

Best Practice: Healthy Community Design focuses on changing policies and practices to create conditions for people to eat better and move more where they live, learn, work, and play. Conduct a Built Environment Regulatory Review (BERR), a point-in-time evaluation of existing municipal policies/plans/regulations. The review will provide a baseline from which to prioritize strategies to promote walking and biking. This best practice can be combined with several other best practices that relate to municipal zoning and land-use.

Best Practice: Conduct a Community Food Assessment (CFAs), an evaluation of the food system within a single neighborhood/municipality/region that defines needs and assets to improve access to healthy foods. The evaluation may lead to a Community Food Plan that identifies priority actions (i.e., addition of food retail into a town's economic development plan). This best practice can be combined with several other best practices that relate to municipal zoning and land-use.

Best Practice: Implement and enforce evidence-based tobacco control strategies at the point of sale to reduce youth initiation of tobacco use.

Best Practice: Climate Change Adaptability Planning. Data collection, strategy development and planning at the local level are critical to the overall preparedness and long-term resilience to the effects of climate change. Develop a report that identifies: the range of climate impacts, associated potential health outcomes, vulnerable populations, the additional burden of health outcomes due to Climate Change, and the most suitable health interventions. Use the CDC's BRACE framework to develop and implement a plan that introduces health system program changes.

Best Practice: Develop foodborne illness outbreak protocols and assess capacity to enforce regulations that evaluate food systems.

Best Practice: Identify risk areas for housing sanitation inspection and enforcement and assess capacity to enforce minimum housing standards.

Best Practice: Assess capacity to ensure all housing inspections include lead hazard identification and that lead inspections are conducted when requested by families with small children.

Best Practice: Local boards of health (LBOH) can take a leadership role to advance health equity by: 1) building internal infrastructure, 2) working across government; 3) fostering community partnerships, and 4) championing transformative change. LBOH should adapt strategic practices to advance health equity in local health both internally within their departments and externally with communities and other government agencies. DPH Office of Local and Regional Health and Office of Health Equity staff are available to answer questions and connect LBOH with resources.

Best Practice: Implement the National CLAS Standards within local public health *to help advance and sustain culturally and linguistically appropriate services* by establishing a framework to serve the increasingly diverse communities.

Best Practice: Conduct assessments to ensure people with disabilities have access to facilities, goods, and services.

Best Practice: Disaggregate data by race/ethnicity, income status, sexual orientation/gender identity and expression, and other key demographic factors to identify and address health inequities.

Public Safety Best Practices

Best Practice: Conduct Active Shooter Preparedness and Response Training in collaboration with the Massachusetts State Police Tactical Operations (STOP) Team, onsite with local law enforcement.

Best Practice: Establish an Emergency Preparedness Plan in partnership with the Massachusetts Emergency Management Agency (MEMA) to develop and enhance a community's disaster and emergency response capabilities.

Best Practice: Establish Hazardous Material Response Protocols in conjunction with Regional Hazardous Materials Response Teams under the Department of Fire Services, to enable cities and towns to protect their citizens, the environment, and property during incidents involving a release or potential release of hazardous materials.

Best Practice: Hold In-service Training Programs for Municipal Police to better prepare local police officers and first responders for incidents involving domestic violence, mental health disorders, and substance abuse.

Best Practice: Convene an opioid task force, consisting of key stakeholders, to identify, implement, coordinate and improve strategies around the prevention, intervention, treatment and recovery of substance use disorders.

Best Practice: Adopt Standardized Tools for Domestic Violence Cases by partnering law enforcement with local domestic violence organizations to adopt a best practice policy on training and implementation of standardized, evidence informed danger and strangulation tools. Municipalities are encouraged to apply individually or as a collective.

Best Practice: Establish a Triad program (a partnership of three organizations-law enforcement, older adults, and community groups). This group maintains an ongoing schedule of community education to combat fraud and elder abuse involving the Attorney General's Office, Office of Consumer Affairs and Business Regulation, District Attorneys, and other state agencies, as appropriate.

Best Practice: Collaborate with the Executive Office of Public Safety and Security and Municipal Police Training Council in specialized training to establish best practices and methods for combatting hate crimes and supporting those of our citizens who have fallen victim to a hate crime."

Regionalization/Shared Services Best Practices

Best Practice: Regionalize services and share resources among municipalities for efficient and effective service delivery to residents and taxpayers in this era of shrinking budgets, loss of seasoned employees to retirement and increased need for service improvements.

Transportation / Public Works Best Practices

Citizen Safety

Best Practice: Develop a Safe and Mobile Older Drivers plan for the aging of the population by proactively addressing older driver issues, including education for older road users, infrastructure improvements, and transportation options.

Best Practice: Enhance citizen safety by establishing community-based programs to increase pedestrian, automobile and motorcycle safety. The community will demonstrate participation in the Commonwealth's Office of Public Safety and Security's trainings and conferences as well as the dissemination of public safety information to citizens.

Best Practice: Ensure Safe Infrastructure so as to provide a safer environment for all users and modes by implementing traffic engineering enhancements. The municipality will demonstrate regular and routine improvements on locally-funded roads, such as cutting back vegetation at intersections where it is known to interfere with sight distance, clearing brush that obscures traffic signage, renewing or installing

pavement markings, conducting nighttime surveys to check visibility and retro reflectivity, implementing traffic calming measures at known high crash locations.

Best Practice: Establish a sidewalk snow-and-ice removal program for locally-owned sidewalks, with an emphasis on areas serving the most vulnerable users (childcare centers, schools, senior centers, libraries, hospitals, parks).

Active Transportation

Best Practice: Implement the Complete Streets Program by becoming certified through MassDOT and demonstrate the regular and routine inclusion of complete streets design elements and infrastructure on locally-funded roads.

Best Practice: Utilize Transit-Oriented Development (TOD) fundamentals to create zoning around transit centers that maximizes bike, pedestrian, and transit use and which allows for lower levels of required parking and mixed use to put needed amenities near population centers.

Best Practice: Develop a Safe Routes to School program that also includes student education on pedestrian safety.

Best Practice: Use the MassDOT-issued Municipal Resources Guides for bicycling and walking to plan for and implement better facilities for bicyclists and pedestrians, with an emphasis on creating networks and connections among key destinations (job centers, retail centers, public transit, schools, major residential areas).

Best Practice: Collaborate with Regional Transit Authorities, local employers, and other institutions to support sustainable commuting by providing incentives for bicycling and walking and transit use: facilities to support safe travel without a private automobile; shuttles and other similar transportation services where appropriate.

Best Practice: Collaborate with Regional Transit Authorities to improve local transit outcomes by measuring and managing to outcomes for riders, including overall ridership, ridership among low-income and transit-dependent customers, met and un-met demand for transit service, and connections made to major activity centers.

Best Practice: Establish a program for piloting new forms of micromobility (scooters, bike share, etc.), including collaborating with micromobility providers, measuring performance and usage, developing lessons learned, surveying users, and assessing contributions to overall local mobility.

Training

Best Practice: Participate in the Bay State Roads, which provides on-going training and helps municipalities share ideas and information with other communities about state of the art planning, design, and operational information for city and town public works managers.

Asset and Infrastructure Management

Best Practice: Inventory and Geo-Code all public works assets so that a database of every public works asset is created, geocoded and condition rated, which is used to inform capital planning, as well as emergency repair.

Best Practice: Develop a Pavement Condition Index that rates street condition for the municipality.

Best Practice: Develop a Multi-Year Vehicle Maintenance and Replacement Plan for their municipal vehicle fleet.

Best Practice: Develop a Bridge/ Culvert Preventative Maintenance plan to help prolong the life of these critical transportation assets.

****THE FALMOUTH ENTERPRISE DID NOT PUBLISH THE ORIGINAL PUBLIC HEARING NOTICE CORRECTLY, THEREFORE, A NEW HEARING DATE HAS BEEN SET FOR THE BELOW. PLEASE DISREGARD THE PREVIOUS NOTICE YOU RECEIVED AND REFER TO THIS ONE. THANK YOU.**

FEB 9 2021



In accordance with Section 5, Chapter 40A MGL and Article XXXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing on Tuesday, February 23, 2021 at 6:30 pm, via Virtual Zoom Meeting (see agenda for further instructions), to discuss the following proposed amendment(s) to the Falmouth Zoning Bylaw:

ARTICLE: To see if the Town will vote to amend Zoning Bylaw Article XLVIII as follows:

- 1) To Section 240-254B. add subparagraph (4) to read, "The Planning Board may allow reduced setbacks where the lot abuts, or is separated by a street from, permanently conserved open space or land in common ownership or control of the applicant. Within any no-disturb zone, the Planning Board may allow landscaping and other screening."
- 2) Revise Section 240-254D.(1) to read, "Not more than two acres or twenty percent (20%) of the lot, whichever is greater, shall be deforested for any one ground-mounted solar photovoltaic installation, and no such installation shall be placed on such land that was deforested within the prior five years. For any deforestation allowed in excess of two acres, the Planning Board may require mitigation, such as the permanent conservation of open space, on or off-site, of up to an area equal to such excess, which may include reforestation."
- 3) Revise Section 240-254D.(2) to read, "Land clearing in excess of twenty percent (20%) of the lot in connection with any single installation is prohibited. Article XXIX (Earthmoving Regulations) shall not be applicable to large-scale ground-mounted solar installations."

Or do or take any other action on this matter. On behalf of Konrad Hughen.

ARTICLE: To amend will vote to amend the Official Zoning Map of the Town of Falmouth to include the following parcels in the Large-Scale Ground- Mounted Solar Overlay District: (i) Assessor's Parcel 10 03 001 163, known as 41 Theatre Drive and containing approximately 45.06 acres; (ii) Assessor's Parcel 10 04 007 035, known as 0 Boxberry Hill Road and containing approximately 41.49 acres; (iii) Assessor's Parcel 17 01 028 039, known as 48 Theatre Drive and containing approximately 48.65 acres; (iv) Assessor's Parcel 17 01 028A 015, known as 59 Theatre Drive and containing approximately 3.39 acres; (v) that portion of the private way known as Theatre Drive which lies to the north and northwest of the westerly property line of Assessor's Parcel 17 01 028 134 (20 Theatre Drive), including, without limitation, the cul-de-sac and all parking areas within the bounds of Theatre Drive described herein; (vi) Assessor's Parcel 10 03 001A 161, known as 290 Boxberry Hill Road and containing approximately 1.56 acres; (vii) Assessor's Parcel 10 03 001 162, known as 0 Boxberry Hill Road and containing 1.08 acres and (viii) Assessor's Parcel 10 03 001 160, known as 0 Boxberry Hill Road and containing approximately 0.68 acres. Or do or take any other action on this matter. On behalf of Konrad Hughen.

Full text may be viewed at the Planning Office from 8-4 Monday – Friday. (508-495-7440)

Publishing Dates: 2/5/2021 and 2/12/2021



In accordance with Section 5, Chapter 40A MGL and Article XXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing on Tuesday, February 23, 2021 at 6:30 pm, via Virtual Zoom Meeting (see agenda for further instructions), to discuss the following proposed amendment(s) to the Falmouth Zoning Bylaw:

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by replacing § 240-192 Applicability so that the revised section will read:

Any new development, redevelopment or expansion in use, other than one single-family or one two-family residence on a lot which would add 500 square feet or more of gross floor area or roof area or which would, under the parking schedule Table of Minimum Requirements of § 240-108, require a total of two (2) or more parking spaces based on the existing, redevelopment and/or new development, or require a change to the layout or location of two (2) or more parking spaces, an increase in pavement of more than 300 square feet, or the alteration of any driveway; or any change of use which would, under the parking schedule Table of Minimum Requirements of § 240-108, require two (2) or more parking spaces based only on new development; grading or clearing more than ten percent (10%) of a lot, except for: landscaping on a lot with an existing structure or a proposed single or two family dwelling; clearing necessary for percolation and other site tests, work incidental to agricultural activity, work in conjunction with an approved subdivision plan; an accessory apartment allowed as a matter of right or special permit shall be permitted only upon the approval of the Planning Board for site plan review.

A. Administrative Approval for Minor Alteration to Building Exterior or Site: Town Planner may authorize work to proceed without Site Plan Review for minor alterations provided the following criteria are satisfied:

- (1) The proposed alteration shall not violate any provision of this Bylaw.
- (2) The proposed alteration does not result in an expansion of the building footprint other than those required by the building code related to means of egress or accessibility.
- (3) The proposed alteration does not change the height or roof lines of any building.
- (4) The proposal does not result in any substantial change in lot coverage.

B. Waived Requirements: The Board may waive, by an affirmative majority vote, any of the following requirements, if it believes that the strict compliance with these rules and regulations will, because of the size or special nature of the proposed development, create an undue hardship on the Applicant and not be in the public interest. Any waiver(s) requested by the Applicant shall be submitted in writing by the Applicant with the submission of the Site Plan Review application.

Or do or take any other action on this matter. On behalf of the Planning Board

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by amending § 240-198 Lapse of Decision to extend the period by one year by replacing the words “two years” with “three years” to read:

A site plan review decision issued under this Article shall lapse three years from the date it is granted if a substantial use thereof has not sooner commenced except for good cause. The determination of good cause shall be made by the Planning Board.

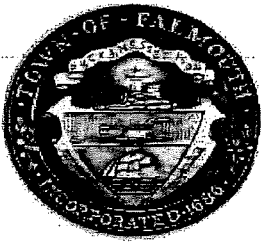
Or do or take any other action on this matter. On behalf of the Planning Board

ARTICLE: To see if the Town will vote to amend the Official Zoning Map to remove text box of footnotes 1 through 8 and add reference to all existing Zoning Overlay Districts (including Accident Prevention, Wildlife Corridor, and Large Scale Ground Mounted Solar) to remove inconsistencies with both the online Zoning Map and the hard copies available for purchase through the Town Clerk’s Office. No properties will be rezoned as a product of the proposed map amendments

Or do or take any other action on this matter. On request of the Planning Board.

Full text may be viewed at the Planning Office from 8-4 Monday – Friday. (508-495-7440)

Publishing Dates: 2/5/2021 and 2/12/2021



TOWN OF FALMOUTH

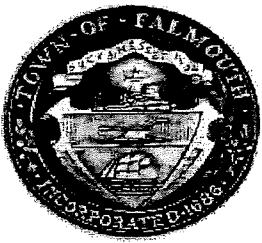
ZONING BOARD OF APPEALS

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

FEB 9 2021

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, public meetings of the Falmouth Zoning Board of Appeals shall be physically closed to the public to avoid group congregation. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Zoning Board of Appeals utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Browse to the following web address: <http://www.falmouthma.gov/ZBA>
 - ii. For mobile devices (tablets and phones), please go to either 'Google Play' [Android] or the iOS 'App Store' [iPhones and iPads] and download the free program 'ZOOM'. Then click the 'join a meeting' link and type in '655 502 768'. If you have not registered with Zoom you will be asked for your name and an e-mail address.
3. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may appear remotely and are not required to be physically present. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may contact the IT Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**, so that they may be displayed for remote public access viewing.
4. You may also send any comments regarding an application in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**.



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

APPLICATION NO: 003-21

February 25, 2021

A list of abutters is on file in the office of the Board of Appeals, Town Hall Falmouth, Massachusetts.

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:

Martha B. Rizzoli

of

Jamaica Plain, Ma

applied to the Zoning Board of Appeals for a modification of special permit #098-08 pursuant to section(s) 240-3 C. of the Code of Falmouth to construct an addition above garage, roof deck and a partial second floor addition. The subject property is 28 Bar Neck Road, Woods Hole, Ma.

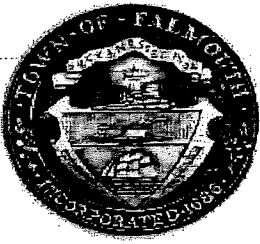
Map 49A Section 02 Parcel 000B Lot(s) 000

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday February 25, 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

FEB 9 2021

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

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, public meetings of the Falmouth Zoning Board of Appeals shall be physically closed to the public to avoid group congregation. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Zoning Board of Appeals utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Browse to the following web address: <http://www.falmouthma.gov/ZBA>
 - ii. For mobile devices (tablets and phones), please go to either 'Google Play' [Android] or the iOS 'App Store' [iPhones and iPads] and download the free program 'ZOOM'. Then click the 'join a meeting' link and type in '655 502 768'. If you have not registered with Zoom you will be asked for your name and an e-mail address.
3. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may appear remotely and are not required to be physically present. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may contact the IT Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**, so that they may be displayed for remote public access viewing.
4. You may also send any comments regarding an application in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**.



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

APPLICATION NO: 078-20

February 25, 2021

A list of abutters is on file in the office of the Board of Appeals, Town Hall Falmouth, Massachusetts.

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:

Gary E. Street

of

Waquoit, 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. The subject property is 50 Quimby Lane, East Falmouth, Ma.

Map 29 Section 02 Parcel 015D Lot(s) 058

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday February 25, 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

FEB 9 2021

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, public meetings of the Falmouth Zoning Board of Appeals shall be physically closed to the public to avoid group congregation. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Zoning Board of Appeals utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Browse to the following web address: <http://www.falmouthma.gov/ZBA>
 - ii. For mobile devices (tablets and phones), please go to either 'Google Play' [Android] or the iOS 'App Store' [iPhones and iPads] and download the free program 'ZOOM'. Then click the 'join a meeting' link and type in '655 502 768'. If you have not registered with Zoom you will be asked for your name and an e-mail address.
3. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may appear remotely and are not required to be physically present. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may contact the IT Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**, so that they may be displayed for remote public access viewing.
4. You may also send any comments regarding an application in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**.



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

APPLICATION NO: 002-21

February 25, 2021

A list of abutters is on file in the office of the Board of Appeals, Town Hall Falmouth, Massachusetts.

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:

Joseph P. Celia, Trustee

of

Hanson, Ma

applied to the Zoning Board of Appeals for a modification of special permit #21-06 pursuant to section(s) 240-3 C. of the Code of Falmouth to remove existing deck to expand living space and construct an addition to the second floor of the single-family dwelling on subject property known as 10 Grove Street, North Falmouth, MA.

Map 04A Section 08 Parcel 001 Lot(s) 000A

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday February 25, 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

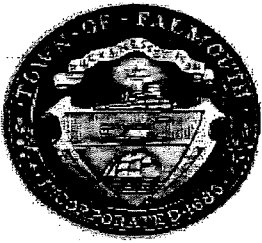
ZONING BOARD OF APPEALS

FEB 9 2021

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

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, public meetings of the Falmouth Zoning Board of Appeals shall be physically closed to the public to avoid group congregation. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Falmouth Community Television.
2. Real-time public comment can be addressed to the Zoning Board of Appeals utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.
 - a. Zoom Login instructions:
 - i. Browse to the following web address: <http://www.falmouthma.gov/ZBA>
 - ii. For mobile devices (tablets and phones), please go to either 'Google Play' [Android] or the iOS 'App Store' [iPhones and iPads] and download the free program 'ZOOM'. Then click the 'join a meeting' link and type in '655 502 768'. If you have not registered with Zoom you will be asked for your name and an e-mail address.
3. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may appear remotely and are not required to be physically present. Applicants, their representatives and individuals required to appear before the Zoning Board of Appeals may contact the IT Department to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**, so that they may be displayed for remote public access viewing.
4. You may also send any comments regarding an application in advance of the meeting to **FALZBA@FALMOUTHMA.GOV**.



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

APPLICATION NO: 004-21

February 25, 2021

A list of abutters is on file in the office of the Board of Appeals, Town Hall Falmouth, Massachusetts.

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:

Bruce Stivaletta, Trustee

of

Franklin, Ma

applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-38 G (1) (b) and 240-70 D. of the Code of Falmouth to construct a steel barn exceeding 900s/f in size with a height of 24' on subject property known as 118 Timothy Bourne Cartway, East Falmouth, Ma.

Map 29 Section 02 Parcel 008 Lot(s) 007

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday February 25, 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>*



FEB 2 2021

In accordance with Section 5, Chapter 40A MGL and Article XXXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing on Tuesday, February 9, 2021 at 6:30 pm, via Virtual Zoom Meeting (see agenda for further instructions), to discuss the following proposed amendment(s) to the Falmouth Zoning Bylaw:

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by replacing § 240-192 Applicability so that the revised section will read:

Any new development, redevelopment or expansion in use, other than one single-family or one two-family residence on a lot which would add 500 square feet or more of gross floor area or roof area or which would, under the parking schedule Table of Minimum Requirements of § 240-108, require a total of two (2) or more parking spaces based on the existing, redevelopment and/or new development, or require a change to the layout or location of two (2) or more parking spaces, an increase in pavement of more than 300 square feet, or the alteration of any driveway; or any change of use which would, under the parking schedule Table of Minimum Requirements of § 240-108, require two (2) or more parking spaces based only on new development; grading or clearing more than ten percent (10%) of a lot, except for: landscaping on a lot with an existing structure or a proposed single or two family dwelling; clearing necessary for percolation and other site tests, work incidental to agricultural activity, work in conjunction with an approved subdivision plan; an accessory apartment allowed as a matter of right or special permit shall be permitted only upon the approval of the Planning Board for site plan review.

A. Administrative Approval for Minor Alteration to Building Exterior or Site: Town Planner may authorize work to proceed without Site Plan Review for minor alterations provided the following criteria are satisfied:

- (1) The proposed alteration shall not violate any provision of this Bylaw.
- (2) The proposed alteration does not result in an expansion of the building footprint other than those required by the building code related to means of egress or accessibility.
- (3) The proposed alteration does not change the height or roof lines of any building.
- (4) The proposal does not result in any substantial change in lot coverage.

B. Waived Requirements: The Board may waive, by an affirmative majority vote, any of the following requirements, if it believes that the strict compliance with these rules and regulations will, because of the size or special nature of the proposed development, create an undue hardship on the Applicant and not be in the public interest. Any waiver(s) requested by the Applicant shall be submitted in writing by the Applicant with the submission of the Site Plan Review application.

Or do or take any other action on this matter. On behalf of the Planning Board

ARTICLE: To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by amending § 240-198 Lapse of Decision to extend the period by one year by replacing the words “two years” with “three years” to read:

A site plan review decision issued under this Article shall lapse three years from the date it is granted if a substantial use thereof has not sooner commenced except for good cause. The determination of good cause shall be made by the Planning Board.

Or do or take any other action on this matter. On behalf of the Planning Board

ARTICLE: To see if the Town will vote to amend the Official Zoning Map to remove text box of footnotes 1 through 8 and add reference to all existing Zoning Overlay Districts (including Accident Prevention, Wildlife Corridor, and Large Scale Ground Mounted Solar) to remove inconsistencies with both the online Zoning Map and the hard copies available for purchase through the Town Clerk’s Office. No properties will be rezoned as a product of the proposed map amendments

Or do or take any other action on this matter. On request of the Planning Board.

Full text may be viewed at the Planning Office from 8-4 Monday – Friday. (508-495-7440)

Publishing Dates: 1/22/2021 and 1/29/2021



In accordance with Section 5, Chapter 40A MGL and Article XXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing on Tuesday, February 9, 2021 at 6:30 pm, via Virtual Zoom Meeting (see agenda for further instructions), to discuss the following proposed amendment(s) to the Falmouth Zoning Bylaw:

ARTICLE: To see if the Town will vote to amend Zoning Bylaw Article XLVIII as follows:

- 1) To Section 240-254B. add subparagraph (4) to read, "The Planning Board may allow reduced setbacks where the lot abuts, or is separated by a street from, permanently conserved open space or land in common ownership or control of the applicant. Within any no-disturb zone, the Planning Board may allow landscaping and other screening."
- 2) Revise Section 240-254D.(1) to read, "Not more than two acres or twenty percent (20%) of the lot, whichever is greater, shall be deforested for any one ground-mounted solar photovoltaic installation, and no such installation shall be placed on such land that was deforested within the prior five years. For any deforestation allowed in excess of two acres, the Planning Board may require mitigation, such as the permanent conservation of open space, on or off-site, of up to an area equal to such excess, which may include reforestation."
- 3) Revise Section 240-254D.(2) to read, "Land clearing in excess of twenty percent (20%) of the lot in connection with any single installation is prohibited. Article XXIX (Earthmoving Regulations) shall not be applicable to large-scale ground-mounted solar installations."

Or do or take any other action on this matter. On behalf of Konrad Huguen.

ARTICLE: To amend will vote to amend the Official Zoning Map of the Town of Falmouth to include the following parcels in the Large-Scale Ground- Mounted Solar Overlay District: (i) Assessor's Parcel 10 03 001 163, known as 41 Theatre Drive and containing approximately 45.06 acres; (ii) Assessor's Parcel 10 04 007 035, known as 0 Boxberry Hill Road and containing approximately 41.49 acres; (iii) Assessor's Parcel 17 01 028 039, known as 48 Theatre Drive and containing approximately 48.65 acres; (iv) Assessor's Parcel 17 01 028A 015, known as 59 Theatre Drive and containing approximately 3.39 acres; (v) that portion of the private way known as Theatre Drive which lies to the north and northwest of the westerly property line of Assessor's Parcel 17 01 028 134 (20 Theatre Drive), including, without limitation, the cul-de-sac and all parking areas within the bounds of Theatre Drive described herein; (vi) Assessor's Parcel 10 03 001A 161, known as 290 Boxberry Hill Road and containing approximately 1.56 acres; (vii) Assessor's Parcel 10 03 001 162, known as 0 Boxberry Hill Road and containing 1.08 acres and (viii) Assessor's Parcel 10 03 001 160, known as 0 Boxberry Hill Road and containing approximately 0.68 acres. Or do or take any other action on this matter. On behalf of Konrad Huguen.

Full text may be viewed at the Planning Office from 8-4 Monday – Friday. (508-495-7440)

Publishing Dates: 1/22/2021 and 1/29/2021



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

FEB 9 2021

In accordance with M.G.L. Ch. 138, and Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus" and the Board of Appeals Open Meeting Law Declaration providing explanatory language on the use of Virtual Meetings, the Sandwich Board of Appeals will hold a public hearing on Tuesday, February 9, 2021 at 6:00 p.m. which shall be convened remotely via a ZOOM videoconference and broadcast live on SCTV to consider the application of Stephen Austin & Corinna M. Johnson, Applicants, for an Appeal of Decision of the Building Commissioner under MGL Chapter 40A, Section 8, for property located at 9 Brant Hill Road, Sandwich, MA, Assessor's Map #67, Parcel #017, for the purpose of appealing a written zoning determination relating to an interpretation of an accessory building and the definition of livestock. 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.

Anyone wishing to be heard on the subject will be afforded an opportunity to comment by email to planning@sandwichmass.org. This comment line will be monitored during the meeting.

Erik Van Buskirk, Chair
Sandwich Board of Appeals
Publication: Sandwich Enterprise
Publication Dates: January 22 and January 29, 2021

Town of Sandwich
THE OLDEST TOWN ON CAPE COD



Board of Appeals

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

FEB 2 2021

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

In accordance with M.G.L. Ch. 138, and Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus" and the Board of Appeals Open Meeting Law Declaration providing explanatory language on the use of Virtual Meetings, the Sandwich Board of Appeals will hold a public hearing on Tuesday, February 9, 2021 at 6:00 p.m. which shall be convened remotely via a ZOOM videoconference and broadcast live on SCTV to consider the application of Colleen Kanaley Dow, Applicant, for an Appeal of Decision of the Building Commissioner under MGL Chapter 40A, Section 8, for property located at 604 Route 6A, Sandwich, MA, Assessor's Map #36, Parcel #076, for the purpose of appealing a cease and desist order interpreting the Home Occupation Bylaw. 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.

Anyone wishing to be heard on the subject will be afforded an opportunity to comment by email to planning@sandwichmass.org. This comment line will be monitored during the meeting.

Erik Van Buskirk, Chair
Sandwich Board of Appeals
Publication: Sandwich Enterprise
Publication Dates: January 22 and January 29, 2021

Town of Sandwich
THE OLDEST TOWN ON CAPE COD



Planning Board

16 Jan Sebastian Drive
Sandwich, MA 02563
Phone: 508-833-8001
Fax: 508-833-8006
Email: planning@townofsandwich.net

FEB 5 2021

TOWN OF SANDWICH PUBLIC HEARING NOTICE PLANNING BOARD

In accordance with M.G.L. Ch. 138, and Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus" and the Planning Board's Open Meeting Law Declaration providing explanatory language on the use of Virtual Meetings, the Planning Board will hold a public hearing on Tuesday, February 16, 2021 at 7:00 p.m. **which shall be convened remotely via a ZOOM videoconference and broadcast live on SCTV** to consider the application of Elizabeth R. Losordo, Trustee, 227 Old County Realty Trust, Applicant and Property Owner, for a Special Permit for property located at 225, 227, and 229 Old County Road, Map #36, Parcel Numbers 015, 098 and 099, East Sandwich, MA, for the purpose of creating a cluster development. 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.

Anyone wishing to be heard on the subject will be afforded an opportunity to comment by email to planning@sandwichmass.org. This comment line will be monitored during the meeting.

Jeffrey R. Picard, Chair
Sandwich Planning Board

Publication: Sandwich Enterprise
Publication Dates: January 29 and February 5, 2021