



Town of Mashpee

Planning Board

16 Great Neck Road North
Mashpee, Massachusetts 02649

**Meeting of the Mashpee Planning Board
Wednesday, March 3, 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

Community Engagement Action Plan – Comprehensive Plan Update and Visioning Exercise

- Review and discuss Draft RFP
- Review and discuss proposed Kick Off workshop outline for Visioning Process
- Preliminary social media engagement ideas
- Discuss comparative evaluation criteria of the RFP

Approval of Minutes

- Review of meeting minutes from February 17, 2021

New Business

- Discussion regarding consulting engineer proposals, interviews and possible vote to award a contract.

Old Business

Chairman's Report

- Thank you to former Consulting Engineer Charles Rowley and presentation of gift.

Town Planner Report

- Housing Choices Briefing by the Baker-Polito Administration
- Community One Stop for Growth
- Town Seal Committee update

MASHPEE TOWN CLERK

FEB 26 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 Planning Board
Minutes of Meeting
February 17, 2021 at 6:30 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: Chairman John (Jack) Phelan, Mary Waygan, Dennis Balzarini, John Fulone, Robert (Rob) Hansen (Alt.)

Also Present: Evan Lehrer-Town Planner

CALL TO ORDER

Chairman Phelan opened the meeting at 6:30 p.m. and welcomed Planning Board members to the meeting. Due to Governor Baker's order suspending certain provisions of the Open Meeting Law as a result of the COVID-19 public health emergency, the meeting was being held virtually. The Chair announced that the meeting 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**

Chair Phelan opened the meeting by thanking Board members for their continued work on The Community Engagement Action Plan in his absence. Mr. Phelan then turned over the meeting to Mr. Lehrer. Mr. Lehrer stated that not all of the comments received have been input into the documents included in tonight's meeting. He assured Board members that all comments received will be included in the Community Action Plan and timeline documents. He stated tonight that he would like to focus on the initial draft of the RFP. He indicated that a lot of language in a procurement document is relative to selection process and required legal language. He stated that he wants to be sure that this document contains a thorough and well thought out background and community profile that the Board feels is reflective of the community. He stated that he wanted all Board members to be in agreement of the goals to be achieved by the actual RFP update. He expressed an interest in discussing submission timelines as this will impact when a contract can be executed and work can begin.

Mr. Phelan said he reviewed the document and asked Mr. Lehrer if he was open to comments and suggestions. Mr. Lehrer said he was receptive to any and all comments. Mr. Phelan directed everyone's attention to the second paragraph of page one making reference to rapid growth between 1980 – 2000. Mr. Phelan thought perhaps that Mr. Lehrer did not complete his thought. Chairman Phelan then referred to the goals and stated that for himself, he felt the goals are to identify areas of the LCP that need to be modified, updated or eliminated. Ms. Waygan clarified

that Mr. Phelan wanted to add this as a listed goal in the RFP. He responded by stating that he felt the Board could list at least five goals that would give the planner some direction when drafting the RFP and that the goals would be for the consultant to gain an understanding of current issues, what the opportunities are, how the community will benefit from this process, what are we hoping that the built environment will look like, what are we hoping to retain in the built environment, more of the development pattern kind of thought process as opposed to the intangible issues already identified in the plan. Ms. Waygan felt that some of the draft language provided by the planner were prematurely prescriptive and that this section should not contemplate these issues until after the visioning workshops are completed. She expressed general agreement with Chair Phelan regarding goals of the process.

Ms. Waygan suggested that a goal should be to not only to look at the chapters in the LCP for review and modification but also to resolve conflicts between the Town's priorities. Mr. Lehrer responded by saying he understood the points that Ms. Waygan was making but had a difference of opinion but asked Ms. Waygan to point out specific citations that she might be referring to. She recited from the document the following: "The Town is now at a crossroads and is dealing with two major issues." Ms. Waygan felt that the Board may find via the engagement process that there are more than two issues. She further stated that the activity of the Visioning Exercise and updating the LCP will set the priorities. Mr. Lehrer indicated that he felt it important to enumerate facts to the potential consultant. Ms. Waygan felt that no official action has been taken that would give legitimacy to the draft priorities listed by the planner and stated that right now we are in the development stage. Mr. Phelan added that Mr. Lehrer's language in listing the goals was predicated on previous meetings. Mr. Lehrer said that he can change language but felt that the Town had taken formal action on the subject draft priorities by way of adoption of the Housing Production plan and the Comprehensive Watershed Nitrogen Management Plan. Mr. Lehrer pointed out that there are obviously a multitude of priorities that will be addressed by way of the Comprehensive Plan but the two most impactful with regard to the development pattern are wastewater management and affordable housing. He further stated that it is to the Board's benefit to be as descriptive as possible with regard to the issues facing the Town and the priorities that have already been identified so that a consultant can identify if they want to participate and where they can add value. Ms. Waygan responded by stating she felt that Mr. Lehrer needed to make that sentence more inclusive of other priorities. She said she had heard people state that traffic is a priority while others state the priority is open space and that all of these issues are in conflict therefore the goal needs to be for this consultant to provide strategies to resolve the conflicts between these priorities and not to state that these are the priorities at this point. Mr. Lehrer said that perhaps he will just strike the sentence that states what the Town's priority is. Chairman Phelan added that he understood where this came from because it has been a priority for the Town and that the Town is currently in a lawsuit with regard to wastewater treatment. He stated that he felt that the process will lead us to discovering that wastewater treatment and affordable housing will end up at the top of the list of priorities. Ms. Waygan suggested that perhaps this sentence in question could read that "These are some of the priorities." Mr. Fulone added that it might best be said by stating that the Town has a variety of priorities followed by listing what some of those priorities are. Mr. Balzarini stated that he felt wastewater was the biggest issue especially with the expansion of Mashpee Commons and that this was an area to focus on.

Mr. Lehrer asked Mr. Phelan and Ms. Waygan to repeat their former statements regarding goals. Mr. Phelan clarified that the goal was to update, modify or eliminate according to the current regional and state standards. Ms. Waygan suggested a goal should be “strategies to resolve conflicts between priority issue areas and that one of the big goals should be to have a new Visioning Statement. Mr. Lehrer responded that he felt this was more of a deliverable to which Ms. Waygan agreed.

Mr. Phelan said he felt that Mr. Lehrer did a nice job with the draft and appreciated this because it makes the process easier to follow. Mr. Lehrer said that the Planning Department is undertaking a lot of work so he is trying to give little pieces at a time and that this document will grow significantly over the next month. He is trying to keep the process moving along while trying to work on other projects at the same time. These documents will continue to evolve and become more robust. Mr. Phelan asked if there were more comments on the goals and that he wanted to discuss the schedule as well. Mr. Lehrer asked if there were further comments on the goals. If there were no further comments, he said that he would continue to work on the document with comments made and prepare a new second draft for the next meeting. Ms. Waygan asked Mr. Lehrer she could email him with some edits to which he agreed. Mr. Lehrer indicated that if there were no further comments he wanted to move onto a discussion of the issuance of the RFP. He wanted to be sure that he was allowing enough of time to produce this document so that it is thoughtful and not rushed. He further stated that when the document is issued, it will definitely impact when the Board gets working and wanted to make everyone aware of how the date of issuance will impact project timelines. If RFP is released by the first week of April, the contract would likely be awarded at the beginning of June. It would take a month to execute contract, so work may not begin until July at the earliest. Mr. Lehrer said that they could rush and issue the RFP in a month’s time which would only give the Board one more meeting to go through it. He expressed that he is hesitant to do that and wanted to be sure that the Board is comfortable with pushing that timeline. Chair Phelan said that he felt having two more meetings would be better so that a vote could then be taken at the second meeting to move the RFP forward. He asked if everyone agreed with this. All members were in agreement.

Mr. Lehrer said this would stay on as an agenda item for the next meeting. He reiterated at the next meeting he hopes to have the RFP in a nearly complete form, finish the Gantt Chart and adjust accordingly to the RFP timeline previously discussed, complete the outline with the comments that were submitted by Ms. Waygan and Mr. Hansen along with any new comments received before the next meeting. Mr. Hansen asked Mr. Lehrer if the goals and other information that he had emailed earlier fit into this. Mr. Lehrer stated that he did review the information which seemed consistent with what Mr. Hansen and Ms. Waygan enumerated would be ideal goals. He said that he would incorporate them into this document for discussion at the next meeting.

Chairman Phelan said that since the Board had a few extra minutes, he would like to discuss the Consulting Engineer interview questions sent to the Board by Mr. Lehrer. He clarified how he would like the interview to be conducted. He pointed out that everyone has a question to ask of the applicants. After the questions have been completed, Mr. Phelan said he would provide an opportunity for additional questions to be asked.

APPROVAL OF MINUTES—January 20, 2021 and February 3, 2021

There were no comments regarding the minutes of January 20, 2021.

MOTION: Mr. Balzarini made a motion to accept the minutes of January 20, 2021 as written. Mr. Callahan seconded the motion. Roll call vote: Ms. Waygan-yes; Mr. Balzarini-yes; Mr. Hansen – yes; Mr. Callahan – yes; Mr. Fulone-yes; Chairman Phelan-Abstained since he was not present at that meeting.

There were no comments regarding the minutes from February 2, 2021.

MOTION: Mr. Balzarini made a motion to accept the minutes of February 3, 2021 as written. Mr. Fulone seconded the motion. Roll call vote: Ms. Waygan-yes; Mr. Balzarini-yes; Mr. Hansen – yes; Mr. Callahan – yes; Mr. Fulone-yes; Chairman Phelan-Abstained since he was not present at that meeting.

BOARD MEMBER COMMITTEE UPDATES

Cape Cod Commission-No Report

Community Preservation Committee-Ms. Waygan stated that the deadline for the Community Preservation project is April 1st to be considered at the October Town Meeting. The application is available on line. These funds can be used for affordable housing, open space, recreation and historic preservation. Ms. Waygan stated that at the last CPC meeting, the applicant withdrew the application to purchase Gooseberry Island until the appraisal is completed. The fact that this is an island makes this a bit complicated. This article will not be considered at the May Town Meeting but possibly in October.

Design Review Committee-Mr. Callahan said that the Committee met after approximately a period of two months. The Committee approved a sign for 35F South Street for Wicked. The sign was for Crave by Wicked which is a “grab and go” type of food service. Two other projects for 30 Evergreen Circle and 41 Evergreen Circle were approved to use the parcels as a construction yard.

Plan Review-Mr. Lehrer reported that Plan Review met to review applications for 30 and 41 Evergreen Circle seeking Special Permits for contractor’s yards for on two vacant parcels. The owner of the properties has been utilizing the site since August without a permit. Mr. Lehrer stated that the Town has been aware of this and they have been steadily working with the property owners to achieve compliance. There are two other vacant properties in the same subdivision that are owned by a different entity and have had the same monitoring and input from town staff with less movement. At Plan Review it was suggested to the Building Commissioner that if there is not reasonable movement in the very near future to achieve compliance that substantive enforcement action should take place. Plan Review ultimately recommended approval of these Special Permits to the Zoning Board of Appeals with various conditions on the site plan.

Environmental Oversight Committee-No meeting

Historic District Commission-No Meeting

Military Civilian Advisory Council-No meeting

Chairman Phelan then asked Mr. Lehrer to invite the first interviewee to the meeting. Mr. Lehrer then admitted Mr. Ed Pesce into the meeting. Mr. Phelan introduced himself to Mr. Pesce and stated that each Board member will ask a question so that they can get a good sense of who he is and what he can offer as Consulting Engineer to the Planning Board. He said that the Board issued the RFP seeking a new relationship with a consultant to replace a consultant that had served the Board for 40 years. Mr. Pesce began by saying how appreciative he was for this opportunity and that he shared in the admiration of the former consulting engineer. He said that he looked forward to discussing his proposal to the Board.

Mr. Phelan said he would begin with the first question.

Mr. Phelan: *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?*

Mr. Pesce responded by stating that he was the only team member present. He continued by saying that he has a tremendous amount of experience doing peer review consulting for several towns for the last 20 plus years. While operating Pesce Engineering Associates for the last 15 years, he also serves as the consulting engineer for the Planning and Zoning Boards for the Town of Nantucket. He added that he has had a great relationship with each and has performed peer and project review as well as construction inspection review. Mr. Pesce said he understood what would be expected of him since he already performs these services for both the towns of Nantucket and Marshfield. He said that he is the peer review consultant for the Zoning Board in the Town of Marshfield and has served in that capacity since 2001. He said the Planning and Zoning Boards in Marshfield are not as busy as Nantucket however they tend to give him the larger projects that require Special Permits or 40B projects. He has also done peer review consulting for the Towns of Sandwich and Barnstable as well as Kingston and Hingham. Mr. Pesce said that when he started this type of work back in 1998 and wasn't sure he would enjoy it since it wasn't design but that it has been a blessing in disguise. He learned how other people perceive design and the approaches they take. Additionally, he said he gets to perform the construction inspections which is where you learn a lot about design and construction together. He stated that he feels he would bring a lot of expertise from his professional engineering experience. He added that he knows both sides of the application process which brings great perspective to this position. He stated that his role in this position would be only to offer advice or recommendations and not to make decisions. Mr. Pesce said he realizes he would be representing the Town in this role and that there is a certain code of conduct that must be achieved.

Mr. Callahan: *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?*

Mr. Pesce responded by stating that he was very familiar with Mashpee and has done a lot of work in Mashpee with regard to septic design, dock permits and Conservation Commission permits. He stated that he used to live in the Town of Sandwich when he came off of active duty. At that time he was designing septic systems on the side. He had a PE license and was

working full-time for the National Guard. Although he hasn't filed any subdivision work in Town he is very familiar with it and actually used to live in Mashpee in 1997.

Mr. Fulone: *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?*

Mr. Pesce's reiterated that his role would be to act as a technical consultant providing expert advice such as engineering plan review and drainage calculation analysis. He saw his role as providing professional advice on design from a good engineering practice point of view and a public safety point of view. He added that his job was to look at compliance with state regulations as well as the Town's subdivision rules and regulations or zoning bylaws. Mr. Pesce stated that when he receives an application and reviews it, all of his comments revolve around public safety, good engineering practice and compliance with town regulations. When visiting a site, he has to be sure that the site is constructed in accordance with the approved plans. Sometimes small changes may occur. He feels small changes are acceptable as long as changes are small and are still in accordance with design. However larger changes need to be brought to the attention of the Board for their approval. He reiterated that he is very careful with anything that is above ground, affects public safety and is not in accordance with an approved plan. Mr. Pesce said that if he is selected, any change that he encounters while out in the field, he will communicate these changes to Mr. Lehrer and recommend approval or disapproval.

Mr. Balzarini: *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?*

Mr. Pesce responded that there are two parts to this: the first consideration is public safety. If he witnesses anything that is a safety issue, he will bring this to attention and will ask that work be stopped until the problem is rectified. He stated that he has never had a problem dealing with any issues. Mr. Pesce said that the second part of construction inspection is compliance with approved plans and town regulations. He likes to be sure that work is being performed according to plan. He is out in the field to conduct inspections on a reasonable basis in a reasonable frequency to be sure the work is being done correctly and according to good engineering practice.

Ms. Waygan: *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?*

Mr. Pesce said that he has two other engineers that work for him that have done construction inspections on his behalf. They are both long term engineers that are very competent. Generally, Mr. Pesce performs all of the site inspections and all peer review engineering reports and performs all of the construction inspections with occasional support from these other two individuals that are located in E. Wareham. In his opinion, there is not a problem to respond to deadlines. Mr. Phelan confirmed with Mr. Pesce would be available to attend the bi-monthly

Board meetings. Mr. Pesce said that he retired from the army reserve three years ago so this should not be an issue as he did not have any further commitments to travel.

Mr. Hansen: *Mr. Hansen stated that he had not prepared a question. He did inquire regarding scheduling and if perhaps Mr. Lehrer might have access to Mr. Pesce's schedule. Mr. Hansen asked if Mr. Pesce shared his schedule with the towns that he works for.*

Mr. Pesce said Marshfield does not keep him that busy however, Nantucket is fairly busy and he is able to handle the demands without any problem. He said he would keep in touch with Mr. Lehrer. He said he keeps in touch with the Town Planners of each town or their assistants so that he can anticipate upcoming work so that he can manage his time. Mr. Pesce said he has spoken to Mr. Lehrer about upcoming projects in the Town of Mashpee. He said he felt he could handle the work and would look forward to working on the upcoming projects.

Mr. Phelan: *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?*

Mr. Pesce responded by stating that he often sees designs done in a manner differently than he would have prepared. He added that there are different ways to design but the way that he looks at it is as long as the design complies with regulations and is designed with good engineering practices then this is acceptable. He said most engineers use a piece of software called Hydro-Cad which is state of the art in stormwater analysis while others use a completely different module in AutoCAD which produces completely different results. He will accept alternate ways of looking at things and often will ask for input. He said he is pretty good at negotiating changes when he feels they need to be made but is not afraid of a different approach made by an engineer.

Mr. Lehrer: *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?*

Mr. Pesce said this happens often. If there is a code issue, he addresses this immediately. If there is a minor change, he will consider it. If chosen by the Town, he would report any changes to Mr. Lehrer so that they can be discussed. He and Mr. Lehrer would have a discussion whether a particular change is acceptable and if not, Mr. Pesce would have to go back and tell them this is not acceptable. He said most times everybody is trying to do their best but sometimes people do not always have the best intentions. He requires every road and every parking lot to be compaction tested. One thing that he normally requests is to have a preconstruction conference. Everyone involved in a project meets in a conference room or on the site. They discuss the schedule, who will be working on the site, who is in charge, contact phone numbers and if police detail will be necessary. Mr. Pesce said he feels this creates a good framework for what is expected. At this time, he informs everyone of the inspections that he will require and that there will be no sign off by the Planning Board until everything is done. Everyone is informed upfront what is expected of them. He said he likes to have the preconstruction conference so that everyone knows what is expected and often times there is something that is brought up that either the developer or the construction contractor were not aware of or had questions about.

Mr. Phelan: *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?*

Mr. Pesce said that he felt he covered the highlights of his application and felt that he conveyed what he has done and what he can as well as his opportunity for assistance and consulting for both the Town and the Board. He stated he appreciated this opportunity.

Mr. Phelan asked the Board if there were any additional questions. Mr. Balzarini had an additional question for Mr. Pesce.

Mr. Balzarini: *Have you ever dealt with the Cape Cod Commission?*

Mr. Pesce responded that he has dealt with the Cape Cod Commission on several projects and has a new project starting in Barnstable. He said that he has a scheduled meeting next week with the CCC to engage in the development agreement process for 312 apartment units in Hyannis. The previous project that he had experience with was for the Everleigh Cape Cod Apartments in Hyannis which is the largest residential project on the Cape. Mr. Pesce said he has had favorable dealings with the Cape Cod Commission and understands their standards and knows the director.

Mr. Lehrer concluded by thanking Mr. Pesce for his proposal and his time to share his experience with the Board.

-Conclusion of Interview with Ed Pesce and Associates-

Chairman Phelan then asked Mr. Lehrer to invite the next interviewee to the meeting. Mr. Lehrer then admitted Joshua Bows, Peter Palmieri and Deborah Keller from Merrill Corporation into the meeting. Mr. Phelan introduced himself to the applicant and thanked them for their response to the RFP. He said that the Board is seeking a new long term relationship with a consultant to replace a consultant that had served the Board for 40 years.

Mr. Phelan said he would begin with the first question.

Mr. Phelan: *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?*

Mr. Bows began by introducing himself and said that he is a professional engineer and also the President of Merrill. He said he is being joined by Peter Palmieri who is the Director of Engineering at Merrill and Deb Keller who serves as the Senior Project Manager. He indicated that these three people would be the ones performing the peer reviews.

Mr. Bows provided a background of the company stating that Merrill was founded in 1979 by Bob Merrill who has since retired but remains active in the firm. He said the firm is comprised

of professional engineers, land surveyors and other consultants. He stated that he felt that one of Merrill's best assets is its employee culture and work philosophy. He indicated that the 22 employees of Merrill have indicated by survey that they enjoy the culture and the people that they work with. They have a very strong work ethic that is ultimately beneficial to the client. Mr. Bows said that communication is vital to their work philosophy which is that communication equals success. He then went on to provide his personal background revealing that he began with Merrill in 2002 as a design engineer. In 2013 he became the President of Merrill and in 2014 he purchased the company from Bob Merrill. He stated that while he has performed many peer reviews, for this particular assignment, he would be more in charge of project oversight, scheduling and making sure that all goals are achieved. He concluded by sharing a story about assisting the Town of Scituate to revise and update their stormwater regulations. He then turned the meeting over to Deb Keller.

Deb Keller introduced herself by saying that she is a licensed engineer with Merrill and has been in engineering since 1993. She stated she has worked in a wide range of areas and has been doing peer reviews for Braintree, Scituate and Marion. She then described a recent experience working on a project with the Town of Braintree. She then passed the meeting over to Peter Palmieri.

Mr. Palmieri began by stating that he is a registered professional engineer and has been with Merrill since 1985. He said he has performed peer review and construction inspections. Prior to Merrill he was employed by MA Highway as well as a few consulting firms in Boston. He then went on to describe a project that he worked on in Scituate which consisted of 78 units which were mixed-use. Mr. Palmieri said that he thought one of the most important assets that Merrill has is that in addition to peer review work, they perform land surveying and engineering design.

Mr. Callahan: *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?*

Mr. Palmieri responded that he was not specifically knowledgeable about the government of Mashpee but lives in North Falmouth. He stated that he did review the Planning Boards Rules and Regulations and Zoning Bylaws which he stated are very similar to other towns that they perform work in. He added every town is a bit different in the specifics that they require but most towns in Massachusetts have very similar requirements and that there is nothing out of the ordinary in Mashpee.

Mr. Fulone: *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?*

Mr. Palmieri responded that as the technical consultant to the Planning Board and the Town, their primary goal is to advise the Planning Board, provide educated support on an application and to review the thoroughness and detail of the plan. He stated that it is in the best interest of the Planning Board to have a complete comprehensive set of plans. Mr. Bows added that they always aware of any potential liability issues for the Town. He said that they not only offer engineering review but act as a consultant to the Board.

Mr. Balzarini: *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?*

Mr. Palmieri said the most important aspect of site inspection is that the project is constructed as designed. He further added that it is their job to be sure that the project, subdivision or site plan is constructed as approved.

Ms. Waygan: *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?*

Ms. Keller said most often she and Mr. Palmieri handle the peer reviews but that Mr. Bows is available as well. They also have a land surveyor to assist if needed. She stated that typically when they receive an application, the review can be done within a week and would be available for the Board's bi-monthly meetings. She stated that they have always presented their reviews with coordination with the Town Planner and Board and have asked that if it is agreeable to the Board that they can communicate with the developers engineer to coordinate an initial site walk in the initial review process before preparing a review letter. She added that she is aware that situations arise that need immediate attention and that the staff at Merrill would be available so that they don't hold up any review process for the Board. Mr. Bows added that with their teamwork and communication in addition to their three offices they would be able to handle any emergencies that may arise. Mr. Palmieri added that they would be able to attend bi-monthly meetings and will respond to emails typically the same day so that there is no lack of communication. Mr. Phelan asked if it would be the same individual who would attend meetings. Mr. Bows said it would probably be based project by project and the work load that they have as to who attends the meetings. He said that it would have to be handled case by case or he would want to know if the Board had a preference. Mr. Palmieri said that if a consultant started a project, it would be that individual who would follow that project through.

Ms. Waygan: *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?*

Mr. Palmieri replied that they approach differences objectively. He said often you can get three different designs from three different engineers but the most important thing is that the design works.

Mr. Lehrer: *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?*

Mr. Palmieri said if there is a small change he probably would agree with the change as long as the change fit well within the regulations and the approved plan and was in the best interest of

the Town. He stated that if there were any contradictions to the design specifically contained in the regulations, he would defer the issue to the Planning Board to make the decision. He indicated that the contractor or developer would have to initiate a response from the Board.

Mr. Phelan: *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?*

Mr. Bows replied that he wasn't sure if he included in the RFP that his company has \$3 million dollar insurance policy. He then inquired whether the Town was looking to select only one consultant or has the Board considered using two different consultants.

Mr. Phelan said the plan is to have a contract with one consultant whether it be a firm or an individual. He further stated that the Board has had a consultant for 40 years and that he likes the consistency. Mr. Balzarini concurred. Mr. Lehrer added that the RFP was crafted around the relationship that the Board had with the previous consultant. He said that he felt that there was an interest in maintaining a certain continuity with that type of relationship but that the Board ultimately had not had this type of conversation.

Mr. Hansen: *Describe how you handle a contentious site manager in the execution of your duties.*

Mr. Palmieri said it is important to set the ground work that you will be completing the work according to plan and that the Town will not approve anything if not completed per the submitted plan. He stated that contractors will not want poor construction or anything else that would jeopardize approval.

Mr. Phelan: **What is Merrill's procedure when you go to a site and discover a construction irregularity that needs to be addressed?**

Mr. Palmieri said he would report this to the Town Planner and write a report with a copy to the contractor the same day. He stated the contractor is working for the developer and the developer wants the project approved by the Town. He indicated that there are processes after the approval that have to take place so they get as many people involved as they can and point out the deficiency. He said that their email would contain a recommendation on how to correct the problem and the repercussions if the problem is not rectified.

Mr. Balzarini: *Have you had any experience dealing with the Cape Cod Commission?*

Mr. Bows said a long time ago he worked with the Cape Cod Commission as a co-op student but they have not had any recent experience working with them.

Mr. Callahan: *What municipalities have you worked with?*

Deb Keller responded by stating she has performed peer reviews for Braintree, Scituate and Marion. Mr. Palmieri said that he has done peer review primarily for Pembroke, Duxbury,

Halifax, Hanson, Scituate, Marion and a few years ago in Bourne. Deb added that they have been expanding down to the Cape and is currently working in Sandwich, Yarmouth and Falmouth on projects at varying phases.

Mr. Bows concluded the meeting by saying that their lack of experience with the Cape Cod Commission would not hinder their ability to achieve the goal of becoming Mashpee's peer review consultant. He said that they had a chance to review the regulations and that they were impressed with how concise and well written they were. He said he felt perhaps not having projects or working in town and not being involved in local town politics may actually be beneficial.

Mr. Phelan asked if Mr. Lehrer had anything to add. Mr. Lehrer said this may be a good opportunity to discuss process and next steps. He said he would ask the Planning Board to take the next two weeks to review the information presented by both final applicants and to prepare some notes and comments for the Boards next meeting and hopefully vote on awarding a contract at that time.

Mr. Lehrer concluded that the Board just heard from two very different applicants. He indicated that the questions revealed a lot of information about the applicants and their differences. He added that both applicants were responsive to the RFP and both demonstrated that they had the professional and technical expertise to deliver to the Board. He asked the Board to think about the responses they heard, the types of projects reviewed in the past, and to consider the type of relationship they would like to have with the consultant and to think about the personalities of each.

He asked that the Board send him any comments and notes they might have taken. He said the Board should come prepared to the next meeting to deliberate and take a vote to award a contract.

Mr. Fulone asked if there was a price difference between the two applicants. Mr. Lehrer said it was a marginal difference and was contained in the RFP documentation. Mr. Lehrer indicated that, unlike with Mr. Rowley, that when a Special Permit application or a Definitive Subdivision Plan is received, the plan will be submitted to the awarded consultant at that time to provide a quote. This quote will then be transmitted to the applicant who shall be required to submit a check to the Planning Department who will then deposit these funds with the Treasurer to be held in escrow. Upon completion of the review, the Town will pay the consultant utilizing the fees submitted by the applicant not budget a unique line item like in previous fiscal years. The burden of the cost will be shifted to the developer.

NEW BUSINESS

Mr. Phelan said that Mr. Lehrer would lead this discussion. Mr. Lehrer said he informed everyone at the last meeting that the Town was anticipating zoning articles submitted by petition relative to the solar energy systems at the property off of Route 151 owned by Mr. Haney. Those petitions were submitted and certified by the Clerk. He said since he knows the petition was certified he asked the Board to set a Public Hearing Date for the second meeting in March

since it is the first meeting after the Selectmen would have had the opportunity to review the first draft of the Town Meeting Warrant. He indicated that it is only the petitioner who has the power to request any changes to the articles. He said if any changes were to occur he wanted to allow enough of time between the Public Hearing and the Town Meeting so that a written notice can go to the petitioner to request a modification to the petition. Ms. Waygan asked if there were substantial differences would another Public Hearing have to be held. Mr. Lehrer responded that if the scope of the articles were altered then another Public Hearing would have to be held but that this would probably have to go to Town Counsel. He indicated that he had reviewed the articles and that they were substantially consistent with what the Board had reviewed and submitted to the Selectmen last at a previous town meeting at least with regard to site design and performance standards.

MOTION: Mr. Balzarini made a motion to set the Public Hearing Date for March 17, 2021 at 7:10 PM. Mr. Callahan seconded the motion. Roll call vote: Mr. Balzarini – yes; Ms. Waygan-yes; Mr. Hansen – yes; Mr. Callahan – yes; Mr. Fulone-yes; Chairman Phelan – yes

TOWN PLANNER REPORT

Economic Development Bill with Housing Choice Provisions - Mr. Lehrer said that he sent the full legislative language to the Board which he sent this afternoon highlighting a particular section discussed at the last meeting. He said previously there was discussion about having counsel prepare written analysis of the legislation but feels that that review is something that staff could perform and deliver to the Board. He said that he has not submitted a request for legal counsel for a full analysis of the Economic Development Bill since there are only a few specific provisions that impact housing development.

New Seabury – The Cottages Phase IV Update – Mr. Lehrer said that he did receive the Mylar with Land Court revisions. It was provided back to New Seabury for recording. He added that New Seabury has provided a check of \$1.4 million to the Treasurer to secure the rest of the roadway construction and installation of utilities so a covenant will no longer need to be released because the Town is holding the funds. He indicated New Seabury has already submitted building permits for the subdivision which he has not signed off yet since the subdivision plan has not yet been recorded.

DLTA First Solicitation – Mr. Lehrer said requests for funding are due on the 19th. He said that he called and spoke to the Chief Planner at the commission to discuss priorities and what is being funded and inquired what some regional priorities were and what other towns are seeking assistance for. He indicated at times the Cape Cod Commission conducts surveys for new and seasonal homes and are seeking to do this project again but specifically with relative to how COVID-19 has made an impact on housing trends. He said the thought this would be valuable data when that could be used during the Comprehensive Plan update. He said he felt that perhaps funds could be requested to support this survey. He said the request for funding is very minimal and if the Board wanted to proceed in a different direction but without a well-defined project he said he was hesitant to make a submission. He said it had been suggested to submit a request for funds for the Housing Production Plan. Mr. Lehrer said he is currently in the midst of

working on this with the Affordable Housing Committee and will be working on a more robust plan in another year's time as the Comprehensive plan is reviewed. He said that he felt confident that the Board consider supporting the new and seasonal home survey. He asked the Board if there was anything else that they felt was worth writing a submission for but it would be pending conversations with the Director of the Cape Cod Commission and ultimately executing a memorandum of agreement with how those funds would be spent. Mr. Lehrer said he did not have a well-defined project besides supporting the regional efforts that are underway.

Mr. Phelan said it wouldn't be appropriate to any motion tonight but he did concur with Mr. Lehrer and felt that this was a good avenue to take and asked if anyone had any other suggestions. Mr. Lehrer said that if the Board wants to move forward with any proposal the Board would have to make a decision tonight as the deadline is in two days. Mr. Phelan asked if this requires a motion or if there was a consensus to move forward with the project proposed by Mr. Lehrer. Mr. Balzarini said he had no problem with the proposal. Ms. Waygan stated that she was going to recuse herself from any comment and left the meeting. Mr. Lehrer said that if he were going to submit something on behalf of the Planning Board he felt that a motion was necessary.

MOTION: Mr. Balzarini made a motion for the Town Planner to move forward requesting that the Cape Cod Commission prioritize funding under the district local technical assistance funding round for a new and seasonal homeowner survey. Mr. Fulone seconded the motion. Roll call vote: Mr. Balzarini – yes; Mr. Hansen – yes; Mr. Callahan – yes; Mr. Fulone-yes; Chairman Phelan – yes; Ms. Waygan – recused herself

The meeting ended by Mr. Balzarini addressing Mr. Lehrer. He asked if New Seabury needed an engineer to perform any site inspections before they continue work. Mr. Lehrer responded that the former Town Consultant had recommended prior to his departure to have the engineers who designed the systems conduct the inspections and report back to the Board when the work has been completed. The engineer would stamp their report prior to submission. Mr. Lehrer elaborated that this would also extend to Willowbend. We will proceed in this manner until we have another consultant.

Mr. Hansen said he received the information on the funding proposal but felt the timing was extremely short. He indicated if there was enough of time, you could make a proposal on any one of the areas that Cape Cod Commission had listed.

Mr. Lehrer pointed out that these are technical assistance funds that were provided to the Cape Cod Commission to carry out in support of projects. Mr. Hansen said that he felt the Town could benefit by hiring a grant writer. Mr. Lehrer responded that Mass Development just released a portal that identifies state funding opportunities. He added that he is the grant writer for the Town of Mashpee and if there are opportunities defined by the Board and there are well defined project timeline and well defined financing and project description and the project meets the criteria for the grant funding then this should be pursued. He added that the funding by the state are pretty much annually awarded and that there is not much difference from year to year. He said that it is most important to have a well-defined project and to be prepared. He suggested

at a future meeting that the Board could discuss grant opportunities and what the options are and think about local priorities to see if any of them match up to what the Board would like to do over the next number of years.

ADJOURNMENT

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

The meeting adjourned at 8:44 p.m.

Respectfully submitted,

Patricia A. Maguffin
Administrative Secretary

LIST OF DOCUMENTS

- Meeting Minutes from January 20, 2021
- Meeting Minutes from February 3, 2021
- Community Engagement Action Plan Draft
- Action Plan – Draft Gantt Chart
- Economic Development Bill H5250
- DLTA First Solicitation
- LCP RFP Draft
- May 2021-Zoning Article Public Hearing Notice
- DLTA Letter to Cape Cod Commission
- Merrill RFP
- Pesce RFP
- Town of Falmouth Notices
- Town of Barnstable Notices

REQUEST FOR PROPOSALS

To select a consultant to complete an update to the Town of Mashpee's Local Comprehensive Plan.

PROPOSALS DUE: MAY 7, 2021 2:00 PM

Invitation to Bid

The Town of Mashpee ("Town"), through its Chief Procurement Officer, is requesting proposals from qualified vendors for consulting services to assist Town Staff and the Planning Board implement a Community Engagement Action Plan and Visioning Process and to update the Town of Mashpee's Local Comprehensive Plan (LCP) as further specified in this document. The Town's LCP was adopted in 1998 and has not been updated since.

The Town's intent is to award a contract to a qualified team specifically for the purpose of engaging the Mashpee Community, staff, and stakeholders for this update under the direction of the Town Planner (project manager) and in coordination with the Mashpee Planning Board (Local Planning Committee). In addition to assisting with a Community Engagement Action Plan and Visioning exercises, the consultant will assist in the production of an updated and modern planning document consistent with the Regional Policy Plan adopted by the Cape Cod Commission in 2018 as well as Massachusetts General Law Chapter 41 Section 81D. As such, the combined planning efforts will need to recognize and emphasize regional planning goals in addition to local priorities.

The purpose of this RFP is to select a consultant with demonstrated experience and capacity to carry out a thorough and inclusive planning process with the capability of producing a high-quality, professional planning document that best addresses the needs and goals of the community as described in this RFP. The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the RFP, will be selected.

Budget:

The Town has authorized up to \$150,000 for the update to the LCP.

RFP Schedule

- RFP Released to Consultants April 5, 2021
- Pre-proposal meeting April 20, 2021
- Final Day for Written Questions April 26, 2021
- Town Response to Questions April 28, 2021
- Proposals Due: May 7, 2021
- Shortlist by: May 14, 2021
- Interviews: May 19, 2021
- Consultant Selection: June 2, 2021

Non-mandatory Pre-proposal meeting:

Interested proposers are encouraged to attend a voluntary briefing session with the Town Planner and a Planning Board representative via Zoom on **April 20, 2021**. Participation in this meeting will bear no impact on the score given under the comparative evaluation criteria. Please email your interest in participating to the Town Planner no later than April 16, 2021 so that a Zoom invitation can be emailed to the responding entity's contact person.

Background and Community Profile

Mashpee is located along the southern coast of the Cape Cod peninsula approximately 16 miles from the Bourne Bridge. It supports a year-round population of around 15,000 people. In trend with the seasonal Cape Cod Economy, the summer population grows to more than 35,000 people. The Town has over five miles of coastline along Nantucket Sound and Vineyard Sound, extensive waterfront on Waquoit and Popponesset Bays, and four of the largest freshwater ponds on Cape Cod. Additionally, the Town values conservation and open space and more than 40% of the Town's land area has been conserved and protected. Mashpee is also home to the federally recognized Mashpee Wampanoag Tribe whose people have been living in Mashpee and the surrounding region for more than 10,000 years.

Between 1980 and 1990 the Town's population more than doubled from around 3,700 people to nearly 7,900. Again between 1990 and 1998 the population again nearly doubled to almost 13,000. Since 2000 population growth has plateaued and growth has slowed. The growth seen between 1980 and 2000 is attributed primarily to the rapid expansion of detached single-family homes with some notable commercial and mixed-use growth. Mashpee Commons, an urbanist suburban retrofit was permitted in 1986 and has since grown to a mixed-use commercial center composed primarily of retail and food establishments with around 75 units of rental housing. Under current zoning regulations the Town has nearly reached buildout. The rapid growth the Town experienced between 1980 and 2000 resulted in many of the land use policies in place today.

The Town is now at a crossroads and is confronted with many issues resulting from both natural and created forces and trends. Most notably are issues related to wastewater management and

the lack of housing diversity and affordability. In addition to the issues of wastewater management and housing affordability, the Town remains focused on preserving its small town character while shifting to meet the needs of the present and future. The community remains uniquely concerned about the preservation and expansion of conservation areas and restricted open space, climate change impacts, traffic and mobility, among others.

In response to the critical issue of wastewater, the Town has commenced the funding, design, and early construction phases of a town-wide wastewater collection and treatment facility to mitigate the nutrient pollution of estuarine systems of both Popponesset Bay and Waquoit Bays which have each shown significant signs of degradation attributable to excessive inputs of nitrogen. It is a priority for the Town to find solutions to the housing affordability and availability challenges via overhaul of the Town's zoning regulations that are sensitive and cognizant of the heavily impacted natural systems of the Town and region as well as the other local priorities indicated.

Objectives and Goals of the Comprehensive Plan Update

Mashpee has a unique history. The community is proud of where they live and wishes to preserve much of the fabric that drew them here in the first place and honor the traditions of the native community who have lived here for many generations. Beyond statutory mandate, the primary goals of this process are as follows:

1. Identify components of the 1998 Comprehensive Plan that are outdated, contradictory, and/or redundant and update chapters according to present goals and updated vision statement.
2. Assess and prioritize community goals in light of new and emerging issues and trends, both natural and created.
3. Identify policy or development strategies that could mitigate impacts resulting from current infrastructural capacity limitations in consideration of conflicting local and regional priorities i.e. increased density's impact on effective wastewater treatment.
4. Ignite interest among the community regarding the Town's future by deploying a robust community engagement action plan.
5. Build on and reflect upon existing information while embracing data based solutions and changes that will enable growth, preserve town character, foster fiscal stability, and enhance quality of life for future generations of residents and businesses.
6. Produce a concise and functional document with updated data visualization that will guide future development that is useful and comprehensible to the average community member.

Proposal Submission and Selection Process

The Town has determined that the award of this contract is subject to the Uniform Procurement Act, M.G.L. c. 30B (the "Act"). Therefore, the provisions of M.G.L. c. 30B are incorporated herein by reference. Mr. Rodney Collins, *Town Manager* for the Town of Mashpee is the Town's Chief Procurement Officer. Proposals from interested applicants must be received by the Town of Mashpee at the address noted below before 2:00 pm, **May 7, 2021**. Proposals submitted after this time will not be accepted.

All proposals must include a clearly marked original proposal plus fifteen (15) copies, including an electronic copy on a CD or flash drive, and be submitted to the Town Manager/Chief Procurement Officer addressed as follows:

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

Proposal Transmittal Requirements

Proposals should be marked "**Mashpee Local Comprehensive Plan Update**" and must include all required documents, completed and signed by a duly authorized signatory, including the following to be considered a complete proposal:

1. **Cover Page** - The cover page must be labeled "**Mashpee Local Comprehensive Plan**" and specify the responding entity, contact person and all contact information (this should be the person who will be the primary contact person)
2. **Required Copies** - One clearly marked original, in a three-ring binder, and fifteen (10) copies of the proposal with all required attachments
3. **Required Electronic Copy**. An electronic version of the complete proposal submission must be included either on a CD or flash drive.

The Town reserves the right to reject any or all proposals or to cancel this Request for Proposals if, in its sole judgment, it determines such action to be in the best interest of the Town of Mashpee.

All inquiries should be made via e-mail and directed to: Evan Lehrer, Town Planner, at elehrer@mashpeema.gov, no later than XX/XX/XXXX. Inquiries should have a subject line entitled: *LCP Update RFP Inquiry*. Any inquiries after such date will not be accepted.

All inquiries for which a response is provided, together with the responses, will be shared with all proposers.

Proposals will be opened publicly **at 2:00 pm on 05/07/2021 at the Office of the Town Manager, Town Hall, 16 Great Neck Road North, Mashpee, MA 02649**. A proposer may correct, modify or withdraw a proposal by written notice received prior to the time set for opening of proposals. After the opening, a proposer may not change any provision of the proposal.

Each responsive proposal will be evaluated first for compliance with the threshold criteria, and if it meets those criteria then according to the criteria set forth in **Attachment X 'Comparative Evaluation Criteria'**.

The Town makes no representations or warranties, express or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements, is made subject to errors, omissions, and withdrawal without prior notice, and changes to, additional, and different interpretations of laws and regulations.

Proposal Submission Requirements

Please submit responses in the order indicated below

1. **Cover Letter** – Provide a statement indicating the consultant's desire to be considered for the project signed by a principal of the firm. Include a summary statement explaining how the firm is qualified for the project and detailing the reasons that the firm should be selected. Demonstrate what level of familiarity the firm has with the Town of Mashpee.
2. **Contact Person** - The name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the planning team.
3. **Organizational Chart** – List key staff and/or any sub consultants expected to work on the project. Include the resumes of all staff who will be involved in this project and identify what role each staff person will play.
4. **Firm Qualifications/References** – Describe the firm's qualifications and experience with comprehensive planning projects. Provide a list of similar projects undertaken by the consultant in the past five (5) years in a table format. Indicate the status of the projects listed and the project manager/lead. Provide two on a CD of thumb drive two (2) examples of comprehensive plans completed by the consultant for other municipalities.

5. **Approach to Community Engagement and Public Outreach** - A narrative description of the firm's approach to community engagement and public outreach. Attached are drafts of a community engagement action plan defined by the Mashpee Planning Board for your review and consideration. Please discuss the types of workshops and meetings you intend to conduct during this process and your ability to carry out what the Planning Board has set forth. Please describe also how your firm would propose managing community engagement activities with the expectation that in-person meetings and events remains restricted due to the COVID-19 public health emergency.
6. **Approach to Plan Development** – Please describe the firms approach to plan development and the projected schedule that is proposed for the plan's development. Proposers should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out research, due diligence, community engagement, staff briefings, and document preparation. This should include a discussion on each of the plan's elements and/or any other relevant new chapters that the consultant deems important as well as any opportunities the consultant identifies to consolidate chapters/elements.
7. **Approach to incorporating existing data** – Describe firm's approach to incorporating existing studies and analyses into the Comprehensive Plan. These studies/analyses should include but should not be limited to those listed in **Attachment XX: Resources Available**.
8. **Project Timetable** – Provide a project schedule for community engagement, visioning, and technical aspects of plan developments and identify key tasks. Provide the corresponding payment schedule.
9. **References** - Three (3) references to projects that demonstrate the consulting teams experience with Comprehensive/Master Planning with summaries of completed projects with links to or hardcopies of completed documents. Reference projects should include the contact name, title, and current telephone numbers of professional references who can provide information to the Town concerning the Proposer's experience with similar projects.

Scope of Services:

The Consultant will be expected to complete the following tasks, at a minimum:

1. The selected consultant will assist in implementing a Community Engagement Action Plan as defined by the Mashpee Planning Board to promote 'Visioning' workshops and opportunities to engage with staff, stakeholder groups, and Mashpee's community members and residents.
2. Along with Town Staff and the Planning Board, the selected consultant will lead the visioning workshops as defined in the Community Engagement Action Plan and compile and analyze collected data so that the consultant, in coordination with Town Staff, can draft an updated Vision statement as required by the 2018 Regional Policy Plan.
3. The selected consultant will be expected to propose necessary changes to the community engagement action plan and visioning workshops based on the awarded consultant's own internal infrastructure and knowledge skills and abilities of their team.
4. Upon completion of the Visioning Process, the consultant will produce an updated Vision Statement consistent with the requirements of the Cape Cod Commission's local comprehensive planning regulations.
5. Complete a comprehensive analysis of existing conditions and projections of likely future conditions for all Local Comprehensive Plan elements in coordination with Town staff. The consultant should consolidate, where practicable, multiple elements into a single chapter to reduce redundancies. Additionally, the awarded consultant should propose any new chapters that may be required pursuant to the 2018 Regional Policy Plan update, such as Community Design. The elements as broken down in the 1998 Comprehensive Plan are:
 - a) **Affordable Housing** – This section of the Comprehensive Plan should build upon the Town's Housing Production Plan (approved 2015) and include strategies to support the recommendations in the Housing Production Plan and, if possible, connect housing initiatives to other community goals including land conservation, pedestrian connections, historic preservation, and economic development.
 - b) **Coastal Resources** – This section should reflect and build upon the information generated during the Municipal Vulnerability Preparedness Program planning process and include strategies that support the community's priority issue areas of Water Quality and Coastal Green Infrastructure. Additionally, (talk to Ashley about priorities).

- c) **Economic Development** – In this section the consultant should review the town as a whole and also focus on the commercial and industrial zoning districts surrounding the Mashpee Rotary and located along the Routes 151, 130, and 28. The area known as Mashpee Commons is poised for further mixed-use expansion and other areas of the Town are ripe for redevelopment. A particular challenge is how to support these growth initiatives and ensure the continued success without compromising the Town’s character.
- d) **Energy** – This section should include a discussion on energy and explore locally feasible land use strategies or actions to maximize energy efficiency and renewable energy opportunities; support land, energy, water and materials conservation strategies, local clean power generation, and addressing climate change by reducing greenhouse gas emissions and the consumption of fossil fuels.
- e) **Health and Human Services** – This section should contemplate what services and facilities are currently being offered in support of the physical mental and emotional health of all residents and project future service, facility, and personnel needs given new and emerging trends.
- f) **Heritage Preservation** – This section should be updated to reflect any new findings regarding historic or archaeological resources and developments in the Historic District on Main Street. The inventory of cultural and historic resources should be updated and included.
- g) **Land Use and Growth Management** – This section of the Comprehensive Plan must include an analysis of the distribution of existing uses and density and identify potential future locations for new residential, commercial, industrial and mixed-use development in town as well as areas that should be protected for open space and recreational uses. This section should also review existing growth management policies and provide analysis regarding their impacts on potential growth in the future with suggested policy changes. Additionally, this section must include an existing land use map, housing and growth projections, and a built out analysis for both residential and commercial uses based on existing regulations and a modified analysis showing the results of any recommended changes to the Zoning Bylaw and Map.

- h) **Municipal Buildings and Facilities** – The consultant should update the inventory of existing municipal facilities including buildings and infrastructure. This section of the Comprehensive Plan should include information from the Council on Aging, Parks and Recreation, Mashpee Library, Police and Fire Departments, Harbormaster, Department of Natural Resources. (review existing)
- i) **Open Space** – **NEEDS WORK**
- j) **Public Safety** – This section should contemplate what public safety services and facilities are currently being offered and what projected needs are going to be in consideration of any recommended changes to the zoning bylaw that would impact buildout. Additionally, this section should address the Town’s goals and objectives for public safety.
- k) **School Facilities** - This section should contemplate what Educational services and facilities are currently being offered and what projected needs are going to be in consideration of any recommended changes to the zoning bylaw that would impact buildout. Additionally, this section should address the Town’s goals and objectives for educational facilities and programs.
- l) **Solid and Hazardous Waste Management** – This section should assess the existing waste management programs, technology, and infrastructure in the Town in consideration of new and emerging technologies and trends. This section should also identify and assess problem areas in the municipal waste management system and make recommendations to improve the systems efficiency, overall environmental impact, and overall fiscal impact.
- m) **Transportation** – This section of the Comprehensive Plan should analyze the existing and proposed transportation system with a focus on primary thoroughfares, pedestrian and bicyclist facilities, parking, and public transportation. This section should include but not be limited to an analysis of overall traffic patterns and the street network with capacities and projected traffic volumes. The consultant should reference traffic studies and road safety audits recently completed by the Cape Cod Commission and MassDOT in its analysis and data collection. The section should identify and assess problem areas in the local transportation system and opportunities to improve and enhance vehicular and pedestrian safety. A particular focus should be made to reduce auto-dependency and improve multi-modal transportation options where feasible.

n) **Water and Waste Water resources and Facilities** – This section should include maps and information on the water utility service areas. It should make references to the Comprehensive Watershed Nitrogen Management Plan and make appropriate updates regarding progress on the design and construction of the town-wide wastewater treatment facility and collection system. Additionally, it should include an assessment of the adequacy of existing and proposed water supplies to meet projected demands, water quality and treatment issues....

6. Analyze potential impacts of pending legislation, litigation, or regulatory changes relative to resources, land use, housing, etc.
7. Develop and implementation program that defines and prioritizes the specific municipal actions necessary to achieve the goals and objectives of the Comprehensive Plan in accordance with the policies outlined. This implementation program shall specify recommended courses of action by the municipality's appropriate regulatory bodies or structures, including updates and amendments to zoning bylaws, subdivision control regulations, general bylaws, and local regulations in order to be consistent with the Comprehensive Plan.

Deliverables

Upon completion of the Local Comprehensive Plan update the consultant must provide the following deliverables to the Town:

- Ten (10) bound copies of the Comprehensive Plan, including a separate Executive Summary, along with electronic copies of each document in Microsoft Word and pdf format; GIS data files that contain shape and data files for any maps or graphics prepared for the plan.

Available Resources

- Comprehensive Watershed Nitrogen Management Plan
- Affordable Housing Planned Production Plan
- Open Space and Recreation Plan?
- Mashpee Rotary Study – Cape Cod Commission
- Route 28. Eastern Mashpee Corridor Study
- Municipal Vulnerability Preparedness Program report
- Route 151 Corridor Improvements Plan

Minimum threshold criteria

The following are **minimum criteria** for Proposal consideration. Proposals that do not clearly and fully convey compliance with these minimum criteria will not be considered.

1. Complete conformance with all submission requirements
2. Proposer must have completed at least two (2) Comprehensive/Master Plans for other communities.
3. Proposer must show a successful track record of projects of similar scope with at least 3 references.
4. Developer availability to commence work within 90 days of selection; show sufficient staff resources and availability to perform required services
5. Completed required forms at Attachments H, I & J:
 - a. Certificate of non-collusion
 - b. Tax compliance
 - c. Disclosure of beneficial interests form as required by M.G.L. c. 7C, section 38 (formerly c. 7, section 40J)

Comparative evaluation Criteria

Proposals that meet the minimum threshold criteria will be reviewed and judged on the following additional comparative evaluation criteria as further explained and outlined in **Attachment XX:**

- *Community Engagement and Public Participation Plan:*
- *Strength and Credibility of Past Performance*
- *Experience and Technical Expertise*
- *Determination of Best Price*
- *Quality of Proposed Plan of Services and Understanding of project components.*

DRAFT



ATTACHMENT 1

Comparative Evaluation Criteria

Patricia Maguffin

CRITERIA CATEGORY & DESCRIPTION	UNACCEPTABLE (No Points)	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
<i>Community Engagement and Public Participation: 25 Points</i>	0 Points	Maximum 10 Points	Maximum 20 Points
The proposal aims to maximize the levels and quality of public participation in the Local Comprehensive Planning Process. The proposal provides a clear and concise plan to reach and involve all community members, especially those that do not traditionally participate or are non-active in local government. The proposal identifies the methods and methodologies for community engagement as well as in survey design, implementation, and analysis.	A community engagement plan is proposed but does not demonstrate consistency with the Community Engagement Action Plan in attachment XX.	The proposal demonstrates the ability of the consultant to, at a minimum, carry out the community engagement action plan and visioning process as outlined by the Mashpee Planning Board and includes engagement with the public, elected and appointed officials, and staff during the process. Surveys are contemplated but minimal.	The proposal demonstrates that they can carry out the community engagement action plan and visioning process defined by the planning board. The proposal is dynamic and thorough and goes above and beyond the outlined Community Engagement Action Plan in Attachment XX. The proposal indicates the use of digital resources and surveys. The proposal provides a concise schedule of events at favorable times of day as well as expands upon the format of in person or virtual workshops and events.

CRITERIA CATEGORY & DESCRIPTION	UNACCEPTABLE	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
<i>Strength and Credibility of Past Performance: 20 Points</i>	No Points	Maximum 7 Points	Maximum 15 Points
The proposal demonstrates significant experience conducting comprehensive/master planning processes in towns similar to Mashpee, particularly in coastal communities. The proposal aims to show that other municipal clients have been satisfied with the working relationship developed, project management capabilities, time management and technical expertise of the consultant/firm. The proposal includes adequate examples of Master/Comprehensive Plans completed for other communities for evaluation.	The firm provided no evidence of having completed at least 2 comprehensive plans. The proposal did not provide adequate references, or references called did not corroborate firms ability to execute in a timely manner and/or the firms technical expertise	The firm provided sufficient evidence of having completed at least two comprehensive plans. References were provided and were generally satisfied with the work conducted.	The firm had a substantial track record and submitted evidence of having completed more than two comprehensive plans for other municipalities. References that were provided were diverse and the references were extremely satisfied with the firms project management skills, technical expertise, and work product.

CRITERIA CATEGORY & DESCRIPTION	UNACCEPTABLE	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
<i>Experience and Technical Expertise: 20 Points</i>	No Points	Maximum 7 Points	Maximum 15 Points
The proposal demonstrates significant experience among its collective team members. The consultant's team is composed of a diverse group of professionals with adequate experience and technical expertise to carry out the scope of services defined in the RFP. Teams should have at least one member of that is certified by the American Planning Association and a demonstrated commitment from senior staff members (10+ years experience leading the consulting team.	The proposal did not provide any evidence that the consulting team has the background or experience to accomplish the scope of work in a timely manner. No member of the team is AICP and no senior staff dedicated to the project.	No member of the team is AICP but the proposal indicates a diverse group of professionals capable of managing the proposed scope of work. Senior staff participation is adequate but minimal. It is possible to achieve points in this category if there are no senior staff and no AICP but evaluation team finds that the team can accomplish the scope without them based on the information presented.	The firm has at least one member of its team that is a planner certified by the APA and has AICP designation. The team is very diverse in its skillset and the proposal demonstrates a clear commitment from senior staff to the project. The proposal indicates that the firm is more than capable of exceeding expectations with regard to technical aspects of the work required.

CRITERIA CATEGORY & DESCRIPTION	UNACCEPTABLE	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
<i>Determination of Best Price: 15 Points</i>	No Points	Maximum 7 Points	Maximum 15 Points
\$150,000 has been approved by Mashpee Town Meeting for the purposes of updating the proposed plan. The most desirable proposals are those that can demonstrate the firm's ability to achieve the desired goals of the process and deliver the highest quality product at the best price.	The proposal includes a price that exceeds \$150,000.	The proposal is at or within 10% of the \$150,000 threshold.	The proposal includes a proposed price that is more than 10% less than the \$150,000 threshold.

CRITERIA CATEGORY & DESCRIPTION	UNACCEPTABLE	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
<i>Quality of Proposed Plan of Services and Understanding of project components : 20 Points</i>	No Points	Maximum 7 Points	Maximum 15 Points
The proposal demonstrates the consulting teams diverse technical skillsets and includes senior staff (10+ years experience) and others.	The proposed plan of services is not sufficiently detailed to fully evaluate or does not address all of the required components.	The plan of services proposes a basic scheme for producing a complete report that addresses all of the required components.	The plan of services proposes a detailed, logical, thorough and highly efficient scheme for producing a comprehensive plan that addresses all of the required components.

DRAFT



COMMUNITY ONE STOP FOR GROWTH

Notice of Funding Availability

Fiscal Year 2022 Round

A. Background & Overview

The Baker-Polito Administration is committed to supporting community economic development. Together with the Community Compact, the Executive Office of Housing and Economic Development (EOHED) and partner agencies Department of Housing and Community Development (DHCD) and Massachusetts Development Finance Agency (MassDevelopment), the administration is pleased to collaboratively launch the Community One Stop for Growth (One Stop).

This joint application process will support collaborative public investment in economic development projects in communities across the state. These agencies have long-standing histories of supporting economic development projects, with each agency offering multiple programs to support different aspects of economic development. The new One Stop will allow applicants to use a single application portal to access ten different grant programs (see list in Appendix) and will facilitate coordination and referral to over thirteen additional programs across multiple agencies (see list in Appendix).

The impetus to develop a coordinated method for accessing state grants and agencies was informed by the year-long process of researching and writing the Commonwealth's 2019 economic development plan - *Partnerships for Growth: A Plan to Enable the Commonwealth's Regions to Build, Connect and Lead*. In sessions across the Commonwealth, the Economic Development Planning Council heard from both small and large communities about the resource-intensive work necessary to identify and apply for the myriad of state funding sources needed to tackle the broad range of economic development challenges.

"Building Vibrant Communities" is one of four key pillars identified in *Partnerships for Growth*. A core strategy of the economic development plan is to transform the Commonwealth from a funding source into a partner in local economic development strategies. The One Stop collaborative process will not only make it easier for applicants in all 351 communities in the Commonwealth to access funding, it will also provide a means for applicants to further their economic development priorities.

B. Approach of the One Stop —the Development Continuum

The One Stop allows applicants to apply to multiple grant programs at once with a standard application. The following programs are fully integrated into the One Stop application process. Please see Appendix for a link to program guidelines and details for each of these programs.

Executive Office of Housing and Economic Development

[Mass Works Infrastructure Program](#)

[Urban Agenda](#)

[43D Expedited Permitting](#)

Department of Housing and Community Development

[Housing Choice Community Capital Grants](#), supported by Mass Works

[Massachusetts Downtown Initiative](#)

[Community Planning Grants](#) (New)

[Rural and Small Town Development Fund](#) (New)

MassDevelopment

[Brownfields](#)

[Site Readiness Program](#)




[Under Utilized Properties](#) (New)

The Development Continuum

To help guide applicants, the One Stop uses a Development Continuum or lifecycle that describes how a typical economic development project moves from concept to reality within diverse communities.

The One Stop requires applicants to think about their economic development priorities in the context of the Development Continuum, both to guide applicants towards best practices and strategies and to help applicants identify the types of projects that will help achieve their economic development priorities. Applicants should consider this spectrum of activities as it prepares to submit applications to the One Stop, thinking fully about the steps necessary for progress in the development of a project.

This continuum separates economic development activities into two broad categories. The first, “Preparing for Growth,” includes the initial steps that typically need to occur before specific development projects are able to move forward, as well as capacity-building economic development activities. The second, “Catalyzing Specific Projects,” covers various forms of project-specific activities, particularly for projects that have private development identified and are shovel ready.

Preparing for Growth			Catalyzing Specific Projects		
					
Community Capacity Building	Planning & Zoning	Site Preparation	Predevelopment & Permitting	Buildings (vertical)	Infrastructure (horizontal)

Preparing for Growth Overview

The development of certain districts, sites or the advancement of certain economic development initiatives requires a series of initial steps by applicants in order to attract and guide private investment. Recognizing that these initial steps are applicable for almost all communities, whether a strong or weak market, grants within the “Preparing for Growth” category help support activities related to:

1. Community Capacity Building

Community Capacity Building projects will provide consultant technical assistance or operating funds for improving a downtown or commercial center, early stage strategy development, or strategy implementation by an existing consortium. These are technical assistance and implementation grants. Projects may focus on a geographic area such as a district, community, region, or they may focus on a target population. Projects may fund consultants or in certain cases staff time.

The programs associated with this category of funding are Mass Downtown Initiative and Urban Agenda. Grants in this category will likely be \$25,000-\$100,000; however, funding for projects in this category that focused on Downtown technical assistance will not exceed \$25,000. Please see program guidelines, linked in Appendix, for more details.

Examples of these projects include:

- A request by a business association representing a consortium of building owners to explore the feasibility of developing a Business Improvement District.
- A request from a community coalition to fund English language training and other prerequisite trainings, including coverage for child care and transportation, to prepare low income residents for new jobs available in the region due to the expansion of a major employer.

2. Planning and Zoning

Planning and Zoning grants may be used for a variety of activities related to land use, but not limited to development. Activities may include the development of a Master Plan, Housing Production Plan, Zoning Review and Updates, Urban Renewal Plan, Land Use Plan, Downtown Plan, Parking Management Plan, Feasibility Study, or Other Strategic Plan. These are planning grants, and projects must produce a planning document with the funds.

The programs associated with this category of funding are Mass Downtown Initiative and Planning and Zoning Grants. Grants in this category will likely be \$25,000-\$75,000. Please see program guidelines, linked in Appendix, for more details.

Examples of these projects include:

- A request to create a housing production plan to better understand housing needs of the community and identify strategies to reduce gaps in existing housing relative to identified needs.

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- A request to study the area with a ½ mile of a commuter rail station and create strategies to intensify development in that area.
- A request to prepare a corridor study of a commercial area that runs through multiple towns and seeks land use alternatives to promote multi-modal access, introduce mixed-use and achieve more compact commercial development.
- A request to review current zoning to identify and remove language that excludes certain housing types.
- A request to develop 40R Smart Growth or Starter Home zoning districts.

3. Site Preparation

This category includes funding for an applicant working to progress a key site toward development; a final developer or end use is not necessarily identified at this phase. This may include a Site Concept Plan, Site Market Study, Site Acquisition and related tasks, demolition & construction of site related upgrades, brownfields site assessment or brownfields remediation. Projects must have an identified site. All applicants in the category can indicate their desire to have a site considered for expedited permitting from the state through M.G.L. c. 43D.

The programs associated with this category of funding are Site Readiness and Brownfields. Grants in this category will likely be \$50,000 - \$1,000,000. Please see program guidelines, linked in Appendix, for more details.

Examples of these projects include:

- A request to acquire of land in an industrial zone to allow for business expansion.
- A request to remediate a brownfield site to prepare it for the development of a new industrial complex for businesses.

Catalyzing Specific Projects Overview

In areas where “Preparing for Growth” activities may have already occurred, certain projects within a community may be ready for implementation by public and private investment. Grants within the “Catalyzing Specific Projects” category will be used to incentivize and leverage private commercial, industrial, and/or residential investment projects that further the community vision.

4. Predevelopment & Permitting Activities

These grants are for projects that result in studies or reports that help to advance a project. Private development does not need to be identified at the time of application, however, the project must have an identified site. These grants may be used to produce infrastructure and site planning documents such as engineering documents, pre-permitting & permitting, pro-forma development or due diligence. Or the grants may be used to produce documents related to the development of a building(s), such as a building condition study, structural engineering reports, code compliance studies, development feasibility studies, indoor survey, or seismic code assessments.

The programs associated with this category of funding are Site Readiness, Under Utilized Properties and MassWorks Infrastructure Program. Grants in this category will likely be \$15,000 - \$100,000. Please see program guidelines, linked in appendix for more details.

Examples of these projects include:

- A request to pre-permit a large industrial site through the Massachusetts Environmental Policy Act (MEPA) process.
- A request to produce a site specific market study to determine the viability of a proposed development.
- A request to develop architectural drawings for a new facility on a cleaned up former brownfield site.

5. Building (vertical)

Funding is available for capital improvements that are essential to the occupancy of a blighted, abandoned, vacant or underutilized property. Funding in this category is limited to projects with a strong public purpose and benefit. These are capital grants for construction ready projects. Projects in this category must be ready for construction, and have the building secured with building and/or site control, an identified end use, and a clear public purpose.

The programs associated with this category of funding is the Under Utilized Properties Program. Grants in this category will likely be \$250,000 - \$2,000,000. Please see program guidelines, linked in appendix for more details.

Examples of these projects include:

- A request to fit-out retail space within a property that was previously vacant.
- A request to install an elevator in a city-owned property to open up second floor space for a new housing development.

6. Infrastructure (horizontal)

Funding is available to support improvements to public land and infrastructure that leverages and supports private investment in the community. These are implementation grants for shovel ready projects that propose to improve public infrastructure such as roadways, streets, bridges, culverts, water/sewer, other public utilities, etc. and are at least 75% designed. (Applicants with a project that has less than a 75% design set completed are encouraged to instead submit a request through the Predevelopment category.) Investments will be targeted to projects that require the infrastructure improvements or expansion to support and/or facilitate new growth or address road safety issues.

The program associated with this category of funding is the MassWorks Infrastructure Program. Grants in this category will likely be \$500,000-\$5,000,000. Please see program guidelines, linked in Appendix, for more details.

Examples of these projects include:

- A request for water and sewer upgrades to a previously used site that will be converted into market rate housing.
- A request to update a culvert under a road way leading to a mixed-use private development that creates new industrial space and rental housing.
- A request to repair at-risk municipal bridges that affect evacuation routes and/or access to commercial centers or transportation nodes.

Special Consideration for Housing Choice, Rural, and Small Towns Overview

Addressing the housing crisis in Massachusetts is a top policy priority for the Baker-Polito Administration. The Administration is also committed to increasing investments in rural and/or small towns, understanding that they work at a smaller scale for economic development. Therefore, the One Stop provides additional opportunities exclusively for Housing Choice Communities and Rural and/or Small Town.

All Housing Choice and Rural and/or Small Town Communities are encouraged to submit projects through any of the appropriate categories in the Development Continuum, and will continue to receive priority consideration, including for set-aside capital funds and already established bonus points in various grant programs.

7. Other: Special Project in a Housing Choice Community

Any Housing Choice Community that has a capital project need that may not fall within one of the categories outlined in this One Stop application is allowed to submit a project proposal for special consideration. Eligible communities are invited to complete the related “Other: Special Project” section of the application to outline the proposed scope of work and answer the required additional questions.

The program associated with this category of funding is Housing Choice Capital Grants. Only current Housing Choice designated communities are eligible for this funding. Grants in this category will likely be \$50,000-\$250,000. Please see program guidelines for more details.

Examples of eligible projects include:

- A request for water and sewer upgrades to a publicly owned site that will be developed with mixed-income housing.
- A request for funding to design of sidewalks connecting residential development to commercial activities to promote walkability.
- A request to fund an innovative septic system for a small-scale residential project on municipal land that may be a model for other communities.

8. Other: Special Project in a Rural and/or Small Towns

Any Rural and/or Small Town Community that has a capital project need that may not fall within one of the categories outlined in this One Stop application is allowed to submit a project proposal for special consideration. Eligible communities are invited to complete

the related “Other: Special Project” section of the application to outline the proposed scope of work and answer the required additional questions.

The program associated with this category of funding is the Rural and/or Small Town Development Fund. Eligible municipalities must have populations of less than 7,000 or a population density of less than 500 persons per square mile (based on the 2010 US Census). Grants in this category will likely be \$50,000-\$400,000. Please see program guidelines for more details.

Examples of eligible projects include:

- A request to fund the rehabilitation of an underutilized property in a rural community to bring housing back onto the market.
- A request for funding the design or construction of a new water line connection to an adjacent town for an area served only by wells.

D. Application Structure

Expression of Interest

The Expression of Interest is a short form that allows an applicant to indicate its economic development priorities and seek guidance from EOHEd and its partner agencies. A community may submit up to five (5) project ideas for feedback and guidance. This will allow applicants to explore how their projects align to the Development Continuum, by providing information about a project and to best determine what type(s) of applications should be submitted in the full application.

The application is organized into the following sections:

- **Section 1 - Applicant Information**: Identifying information of the applicant, and partners, if applicable.
- **Section 2 - Applicant / Community Background**: Information about the applicant main goals, challenges, and past projects. This section seeks information about the community’s engagement in state initiatives and includes a checklist of various economic and housing development tools and strategies.
- **Section 3 - Project Summary**: This section allows applicants to describe up to five top priority projects or initiatives that they intend to submit in a One Stop application for grant consideration. Applicants will describe the projects, areas, and/or sites and indicate the types of funding sought, even if they are unsure about the specific funding sources. This section is meant to provide state reviewers with insight into the prospective projects.

Full Application

When submitting a full application to the One Stop all applicants must fill out Core Questions that are required for every submission. In the Core Questions the applicant must indicate the category or categories of funding for which they would like the project to be considered. The categories are outlined in the Development Continuum, above.

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Additional questions are required depending on the type of funding being requested by the applicant. The online application will automatically populate the appropriate questions depending on the particular funding category or categories selected in the Core Questions.

The application is organized into the following sections:

Core Questions (Sections 1, 2, 3, and 4), plus site information, if applicable,

- **Section 1 - Applicant Information**: Identifying information of the applicant, and partners, if applicable.
- **Section 2 - Applicant / Community Background**: Information about the applicant main goals, challenges, and past projects. This section seeks information about the community's engagement in state initiatives and includes a checklist of various economic and housing development tools and strategies.
- **Section 3 - Project Summary**: Identification of all the categories for which the applicant seeks funding support. This section includes the project name, abstract, and project type. Applicant will indicate of the category of funding for which they would like the project to be considered in question 3.1, which will drive additional questions.
- **Section 4 - Project Details / Core Information**: An applicant will submit the project narrative and respond to questions about leadership and the ability to execute the project, and will outline any notable progress made to date. This section also includes questions related to the project timeline and anticipated outcomes. Applicants to the Site Preparation, Predevelopment and Permitting, Buildings and Infrastructure category must complete the Site Information questions, which include identification of the specific site, ownership, zoning, as well as responses to the climate resiliency questions.

Additional Questions (Sections 5 through 10), based on the development continuum and the project components selected by the applicant in Section 3, Question 3.1,

- **Section 5 – Community Capacity Building Additional Questions**: This section is where applicants will provide detail about the project for which capacity building funding is requested. Includes detailed scope of work, description of the community coalition and target population, and budget.
- **Section 6 – Planning and Zoning Additional Questions**: This section is where applicants will provide detail about the proposed planning project, outcomes, leadership and implementation.
- **Section 7 – Site Preparation Additional Questions**: This section is where applicants will provide detail about the specific project site for which funding is requested. Includes detailed scope(s) of work, site details, historic environmental reports, and budget. Additional questions are required for Brownfields related applications.
- **Section 8 – Predevelopment and Permitting Additional Questions**: This section is where applicants will provide detail about the predevelopment activities for which the funding is requested, including detailed scope(s) of work, budget, and planned uses for the project site.
- **Section 9 – Building Additional Questions**: This section is where applicants will provide detail about the specific capital building project for which funding is requested. Includes

detailed scope(s) of work, public purpose, details about the property, planned use, and budget.

- **Section 10 - Infrastructure (Horizontal Construction) Additional Questions**: This section is where applicants will provide detail about the specific public infrastructure project for which funding is requested. Includes detailed scope(s) of work, budget, design and permitting status, and for non-STRAP requests, questions about the specific private development being leveraged.

Additional Questions for Special Projects (Sections 11 and 12). Only for communities designated as Housing Choice, Rural, and/or Small Town,

- **Section 11 – Housing Choice Community Additional Questions**: This is the section that a special project requesting funding under the Housing Choice that is not submitted in another category must complete. This section of the application is similar to past Housing Choice Community grant applications, with questions about Housing Choice best practices.
- **Section 12. Rural and Small Town Additional Questions**: This is the section that a special project requesting funding under the Rural and/or Small Town that is not submitted in another category must complete. This is where applicants provide details about a project requesting funding under the Rural and Small Town Development Fund.

Certification of Application Submission Authority (Section 13),

- **Section 13 - Certification of Application Submission Authority**: Signature page certifying the authority to submit the application on behalf of the applying entity, and attesting that all responses are true and accurate.

Required Attachments (Section 14), primary repository for required attachments, and

- **Section 14 - Attachments**: This section is for uploading attachments.

Other Attachments (Section 15), for attachments related to special projects.

- **Section 15 - Attachments**: This section is for uploading attachments for special projects only.

All applications must be submitted electronically. The online application portal, *IGX*, can be accessed at <https://eohed.intelligrants.com>.

E. Review Criteria

All applications submitted through the One Stop will be reviewed by program staff to determine which of the One Stop programs is best suited to achieve the applicant's objective. This review will include an initial screening based on statutory and regulatory eligibility requirements and program guidance (See Appendix for links to program guidelines). All applications will then be evaluated based on the following core review criteria, in addition to the criteria noted in the program guidelines:

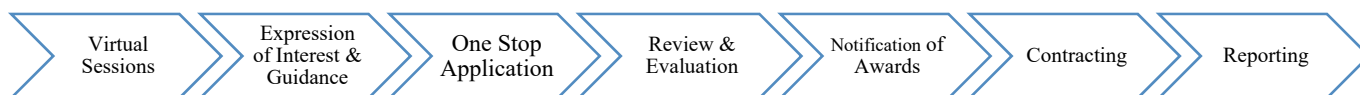
- **Achievable Project Scope**: Is the project feasible and achievable?
- **Ability to Execute & Leadership**: Does the project have appropriate leadership with the requisite experience and ability to execute the project?

- **Achievable Timeline:** Is the timeline of the project reasonable and achievable?
- **Reasonable Budget, Showing Commitment:** Is the project budget reasonable? Preference will be given to projects that leverage funding outside of the requested grant funds, but outside funding is not a prerequisite.
- **Outcomes and Impact:** What are the projected outcomes of this project and the impact this project may have on the community? Outcomes related to equitable opportunity and environmental impact will also be taken into consideration.
- **Progress to Date, Showing Commitment:** Does the applicant show commitment to the project through past activity and investment?

In addition to the criteria noted above, the One Stop for Growth will align with key priorities of the Baker Polito Administration. First, there is a housing crisis in Massachusetts and all applicants will be asked how the project impacts housing and whether a community has a housing moratorium or restricts new housing. Additionally, it is vital to provide equitable opportunity to key populations and in communities across the state. All applicants will be asked to consider the equitable opportunities their project provides in the community. Also, resiliency and future impact of climate change are key components to any development project and will be considered when reviewing the application. All applicants will be asked if there are environmental or resiliency benefits to their project. Finally, given the circumstances of the economy due to COVID-19, all applicants will be asked to consider whether the project furthers economic recovery.

F. Process Overview

The One Stop is an opportunity for the state’s economic development agencies to work with communities to define their objectives, submit applications and obtain funding for projects following a collaborative process:



Step 1: Virtual Sessions

There will be three (3) webinars to help applicants navigate the One Stop. Attending the live webinar or watching the recording is suggested before submitting an Expression of Interest or Full Application. It is highly recommended that all applicants watch webinars before developing applications to the One Stop. Overview of the webinars:

Webinar 1: One Stop Overview Webinar – How Has the Process Changed? What to Expect in the New Process.

Webinar 2: One Stop Application Guidance Webinar – How to Frame Applications for the Community One Stop for Growth.

Webinar 3: Technology Webinar – How to Use IGX and the One Stop Online Application.

Step 2: Expressions of Interest & Guidance (Optional)

The Expression of Interest is optional but highly encouraged. It is recommended that all applicants watch all three webinars before submitting a One Stop Expression of Interest. The Expression of Interest is a simple form that allows applicants to indicate their economic development priorities and seek guidance from EOHEd and its partner agencies. A community may seek guidance for up to five (5) projects.

Once the Expression of Interest is submitted, staff at all partner agencies will review the submissions and provide guidance and insight to strengthen applications. Applicants may also be referred to other available programs that are not fully integrated into the One Stop application. All applicants are encouraged to submit an Expression of Interest early in the process to allow for the maximum amount of time for feedback. Applicants may also request a meeting to review their priority projects with EOHEd.

Step 3: One Stop Full Application(s)

After the guidance phase of the process concludes, the One Stop portal will open to accept applications. Applicants are able to submit multiple projects for consideration, but must submit one application per project. The number of project applications submitted is not limited, but it is recommended that communities prioritize their requests to reflect the goals submitted in the Expression of Interest phase. Interested applicants will have full access to the online application the launch of the One Stop in January until the final submission deadline in June. During this time, applicants may draft and work on applications, but submissions will only be accepted between May 3 and June 4, 2021.

Step 4: Review & Evaluation

The participating agencies will review all applications. The agencies may also request additional information or clarification about applications submitted. All grants will be reviewed on the criteria noted in the Review Criteria section and the additional review criteria noted in specific program guidelines, linked to in the appendix. If an application is not fully clear, or the partner agencies have additional questions, the applicant will be notified to either have a follow up discussion with the state, amend the application submission or respond to questions via email.

Step 5: Notification of Award

The One Stop partners will review all applications and make determinations of grant amounts based upon availability of funds. All applicants will be notified of award(s) and the contracting process will begin with each agency. Reporting will be required.

By participating in this process and submitting either an Expression of Interest or a Full Application, a project will be automatically referred to relevant grant programs, particularly those under EOHEd, DHCD, and MassDevelopment. See Appendix for the programs that will be coordinated with the One Stop. If this process identifies additional needs that align with other programs not listed above, further coordination and referrals may be made on a case-by-case basis, including referrals to the programs identified in the Appendix.

G. Applicants

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All types of public entities are welcome and encouraged to submit a One Stop application. Municipalities will have access to all grants administered through the One Stop process.

Other entities, such as local housing or redevelopment authorities, will have access to most grants administered through the One Stop process, with the exception of Planning Grants, Housing Choice, and Rural and/or Small Towns.








Non-municipal public entities, such as regional housing or planning authorities, also are eligible to apply to the One Stop. However, any non-municipal applicant is encouraged to open a discussion with their municipal leadership to ensure coordination and local support.

Non-public entities may submit a One Stop application jointly with a public entity or with the written letter of support of the public entity, but will be considered for funding only under those programs that allow for financial assistance to non-public entities, specifically in the Community Capacity Building, Site Preparation (excluding Brownfields), Predevelopment and Permitting and Buildings categories.

Applications from non-public entities may not be submitted to the following categories of funding: Planning & Zoning, Brownfields, Infrastructure, Housing Choice, Rural and Small Towns. Non-public entities should partner with their municipality to submit applications in those categories.

Applications from for-profit entities are only able to apply for Building related Predevelopment and Buildings categories, if they can prove a public purpose for the grant.

All applications should include a letter of support from the municipal chief executive officer or, if not available, a letter from the applicant explaining why the municipal letter was not forthcoming.

	Preparing for Growth			Catalyzing Specific Projects		
 Applicant Type	 Community Capacity Building	 Planning & Zoning	 Site Preparation	 Predev & Permitting	 Buildings (vertical)	 Infrastructure (horizontal)
Public Entity						
Municipal	X	X	X	X	X	X
Other Public	X		X	X	X	X
Non-Public Entity						
Not For Profit	X		X	X	X	
For Profit				X	X	

H. Contracting

All grants in any category of funding are subject to appropriation. Once a project is approved, the contracting for the project will be handled by the relevant partner agency including the specifications of the duration, scope and final budget. Routine reporting will be required by the agencies and will be specified at the time of contracting.

I. Timeline

One Stop Official Launch	January 21, 2021
Webinar 1: One Stop Overview Webinar	January 28, 2021, 12PM
Webinar 2: One Stop Application Guidance Webinar	February 2, 2021, 12PM
Webinar 3: Technology Webinar	February 4, 2021, 12PM
Expressions of Interest Accepting Applications	February 8 – April 2, 2021
Full Application Accepting Applications	May 3, 2021 – June 4, 2021
Review & Evaluation	June-September, 2021
Notification of Award	October/November 2021
Anticipated Contracting	November/December 2021

J. Question Submission Process

If you have a question please submit them in writing to OneStop@mass.gov, please use the subject: One Stop for Growth Question. The One Stop partners will review and aggregate responses and post them regularly on the One Stop website, mass.gov/onestop.

K. Notes about Application Submission

- All applications must be submitted electronically. The online application portal, *IGX*, can be accessed at <https://eohed.intelligrants.com>. An online webinar outlining the use of the system will be available on the site.
- All applicants must set up a user account on *IGX* in order to submit an application for the Expression of Interest and/or Full Application. A review of all users accessing program systems shall be conducted annually to determine the accuracy of user access designations. If necessary, action shall be taken to change, revoke, or grant user access to reflect the appropriate designation.
- The application form template and link to the portal will also be available on the *EOHED* webpage. Applicants will have at least 12 weeks to review the application questions and prepare their project proposal.
- It is the responsibility of the applicant to be aware of all requirements and deadlines, and to ensure that their application is complete and submitted on time. All applications will be logged as to date and time received and kept on file as public record. Late submissions will not be considered.
- *EOHED* reserves the right to request additional information from the applicant or external sources as may be necessary in order to complete the application review. *EOHED* also reserves the right to recommend partial grant awards, as deemed appropriate.

Appendix

The following programs will be fully integrated into the One Stop.

Executive Office of Housing and Economic Development

[Mass Works](#)

[Urban Agenda](#)

[43D Expedited Permitting](#)

Department of Housing and Community Development

[Housing Choice Community Capital Grants](#), supported by Mass Works

[Massachusetts Downtown Initiative](#)

[Community Planning Grants](#) (New)

[Rural and Small Town Development Fund](#) (New)

MassDevelopment

[Brownfields](#)

[Site Readiness Program](#)

[Under Utilized Properties](#) (New)

The following programs will be coordinated referral programs with the One Stop:

Executive Office of Housing and Economic Development

[Seaport Economic Council Grant Program](#)

[Massachusetts Dredging Program](#)

Department of Housing and Community Development

[Community Development Block Grants \(non-entitlement communities\)](#)

[Urban Renewal](#)

MassDevelopment

[Transformative Development Initiative \(TDI\)](#)

[Commonwealth Places](#)

[Real Estate Services](#)

[Collaborative Workspace Program](#)

Mass Office of Business Development

[Regional Economic Development Organizations](#)

[Economic Development Planning Incentive, Storefronts Program](#)

[Community Development Capital Program](#)

Mass Growth Capital Corporation

[Technical Assistance Grant Program](#)

Community Compact

[Community Compact](#)

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E-mail: crsr63@verizon.net

February 24, 2021

Town of Mashpee Planning Board
Town Planner, Evan Lehrer
Town Hall
16 Great Neck Road North
Mashpee, MA 02649

Dear Board Members and Evan,

I received your package in this morning's mail and was overwhelmed by its contents!

First of all, let me say thank you to one and all for your kind remarks in the enclosed card. I consider you all with the deepest respect for the work that you do and for the support that you gave me over my years of service to the Town of Mashpee.

The beautiful plaque has already been given a prominent place on our den wall. I intend to frame the card as well and hang it underneath as a remembrance of your kindness.

My best to all, wishing every future success for the Town of Mashpee.

Very truly yours,



Charles L. Rowley, PE, PLS



**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by **Helmis Circle, LLC**, seven vacant lots off Worcester Court and Helmis Circle, Falmouth, plus an undeveloped right of way.

(Map 39 , Lot(s) 001A,003,004,005,005,007,009,010,16) under the Zoning By-Law, as amended to **grant** the modification of comprehensive permit #090-17.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 23, 2021** which is the date the Decision was filed in the office of the Town Clerk.

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



FEB 25 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by **Joseph W. Hazleton, II, 31 Tasina Drive, Waquoit, Ma.**

(Map 30, Lot 017) **under** 240-23G (1) (a) (b) the Zoning By-Law, as amended to **grant** the special permit to construct an attached garage addition with living space above; exceeding 900s/f in size.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 18, 2021** which is the date the Decision was filed in the office of the Town Clerk.

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



FEB 25 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Nancy Brunell, 27 Homer Avenue, North Falmouth, Ma.

(Map 02A, Lot 049) **under** 240-3 C. and 240-69 E. of the Zoning By-Law, as amended to **grant** the special permit to raze and rebuild the dwelling.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 18, 2021** which is the date the Decision was filed in the office of the Town Clerk.

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

Town of 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

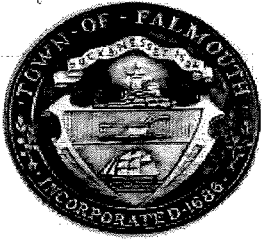
FEB 23 2021

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, March 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 Caren Berry, Applicant, and MACK LLC, Property Owner, for a Special Permit under Section 2420 of the Sandwich Protective Zoning By-Law for property located at 497 Route 6A, Sandwich, MA Assessor's Map #53 Parcel #12, for a change of use from office space to retail. 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: February 19 and February 26, 2021



TOWN OF FALMOUTH

ZONING BOARD OF APPEALS

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

FEB 18 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: 005-21

March 11, 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:

Kathleen G. Rausch, Trustee

of

Falmouth, Ma

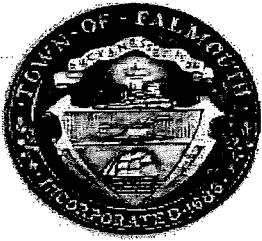
applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. of the Code of Falmouth to raze and rebuild the attached garage adding living space above and construct a porch addition to the dwelling on subject property know as 200 Mill Road, Falmouth, Ma.

Map 47 Section 03 Parcel 042 Lot(s) 016

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, March 11, 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

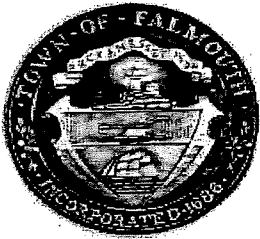
ZONING BOARD OF APPEALS

FEB 18 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:

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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

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

APPLICATION NO: 008-21
Cellco Partnership d/b/a Verizon Wireless
c/o Gehring and Associates, LLC
P.O. Box 98, West Mystic, CT

applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C., 240-23 E. and 240-216 of the Code of Falmouth (M.G.L. c.40A & 47 U.S.C. 332(c)(7)(b)) to remove existing cell tower and replace with a new tower and accessory equipment. The subject property is 132 East Falmouth Highway a/k/a 13 Old Barnstable Road, East Falmouth, Ma.

Map 33 Section 11 Parcel 009 Lot(s) 000A

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, March 11, 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

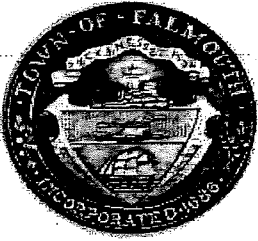
ZONING BOARD OF APPEALS

FEB 18 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:

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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.
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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: 007-21

March 11, 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:

Lawrence T. and Valerie N. Sullivan

of

Canton, Ma

applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-3 C. and 240-69 E. of the Code of Falmouth to raze and rebuild the preexisting nonconforming single family dwelling on subject property know as 345 Grand Avenue, Falmouth, Ma.

Map 46B Section 07 Parcel 010 Lot(s) 052

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, March 11, 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

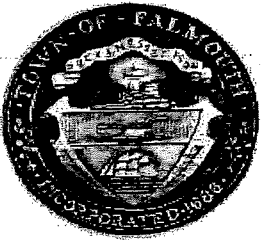
ZONING BOARD OF APPEALS

FEB 18 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:

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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

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

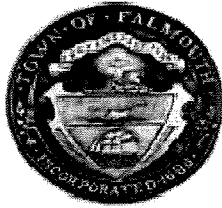
Application #010-21 Marilois Snowman, 21 Mallard Way, North Falmouth, Ma: Applied to the Board of Appeals for a special permit pursuant to section(s) 240-51 A (2), 240-51 A (5) and 240-3 C. of the Zoning Ordinance of Falmouth to convert the existing mixed use building to multi – family use with three (3) residential units. The subject property known as 25 Depot Avenue, Falmouth, Ma.

38A Section 01 Parcel 070A Lot(s) 000

A public hearing will be given on this application, in the Selectmen's Meeting Room, Town Hall, on **Thursday, March 11, 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 16 2021

TOWN OF FALMOUTH
MASSACHUSETTS

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Deirdre Karle, Trustee, 44 Grand Avenue, Falmouth, Ma.

(Map 46B, Lot 111) **under** 240-3 C. and 240-69 E. of the Zoning By-Law, as amended to **grant** the special permit to raze and reconstruct the dwelling and detached garage adding living space above the garage.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 9, 2021** which is the date the Decision was filed in the office of the Town Clerk.

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



FEB 13 2021

**TOWN OF FALMOUTH
MASSACHUSETTS**

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Richard M. and Jennifer M. Morrison, 117 Jericho Path, Falmouth, Ma (Map 46, Lot 008) under 240-3 C. and 240-69 E. of the Zoning by-Law, as amended to grant the special permit to construct an addition to the northeast side of the addition.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 5, 2021** which is the date the Decision was filed in the office of the Town Clerk.

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



TOWN OF FALMOUTH
MASSACHUSETTS

FEB 16 2021

BOARD OF APPEALS

Notice of Decision

Notice is hereby given that the Board of Appeals of the Town of Falmouth has made a decision on a petition by Nathaniel Miller, 296 Sam Turner Road, Hatchville, Ma.

(Map 11, Lot 003A) under 240-3 C. of the Zoning by-Law, as amended to grant the special permit to allow a second floor addition to the non-conforming garage.

Appeals, if any, shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after **February 5, 2021**, which is the date the Decision was filed in the office of the Town Clerk.

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

Town of 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 16 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 23, 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 Raymond D. Howard, Applicant, and Raymond D. and Lyndi M. Howard Family Trust of 2016, Property Owners, for a Special Permit under Section 3560 of the Sandwich Protective Zoning By-Law for property located at 138 Main Street, Sandwich, MA Assessor's Map #73 Parcel #185, for the purpose of installing a seven-foot fence along the side yard. 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: February 5 and February 12, 2021

Town of Sandwich
THE OLDEST TOWN ON CAPE COD



FEB 17 2021

Planning Board

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

TOWN CLERK
TOWN OF SANDWICH

FEB 10 2021

1 H 27 M P M
RECEIVED & RECORDED

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 proposed amendments to the Sandwich Protective Zoning By-Law. This meeting will take place on Tuesday, March 2, 2021 at 7:00 p.m. and **shall be convened remotely via a ZOOM videoconference and broadcast live on SCTV.**

Join Zoom Meeting

<https://zoom.us/j/93251389945?pwd=UTZkSUFjZ2Z4RGsyT2J5a0tMWTFNdz09>

Meeting ID: 932 5138 9945

Passcode: 2zug1r

Proposed Amendments:

- Proposed amendments to the Table of Contents to add missing sections and update new sections.
- Proposed amendment to Article I Section 1260 for the purpose of clarifying that a bond may not always be required.
- Proposed amendment to Article I Section 1330 for the purpose of lengthening special permit approval pursuant to M.G.L. Ch. 40A.
- Proposed amendment to Article II Section 2220 for the purpose of removing an un-regulated use.
- Proposed amendment to Article II Section 2220 for the purpose allowing Drive-Up and Drive Through Facilities in the B2 zoning district.
- Proposed amendment to Article II Section 2600g) for the purpose of removing a duplicate sentence.
- Proposed amendment to Article II Section 2420 for the purpose of clarifying non-conforming regulations.
- Proposed amendment to Article II Section 2540 for the purpose of clarifying the monitoring agent.
- Proposed amendment to Article III Section 3490 for the purpose of referencing additional environmental controls.

- Proposed amendment to Article IV Section 4114 for the purpose of clarifying driveway regulations and add clarity to the definition of an accessory apartment
- Proposed amendment to Article IV Section 4130 for the purpose of deleting and updating accessory dwelling unit bylaw.
- Proposed amendment to Article IV Section 4300 for the purpose of updating the Flood Plain District definitions and regulations.
- Proposed amendment to Article IV Section 4710 for the purpose of adding a rental option
- Proposed amendment to Article IV Section 4740 for the purpose of adding a rental option, clarify inspection regulations and add an affordable housing provision.
- Proposed amendment to Article IV to add Section 4457 for the purpose of adding an affordable housing provision.

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.

Full text of the proposed Zoning Amendments, along with the current Protective Zoning By-Law and current Zoning Map may be viewed in the following ways:

1. Request a PDF from the Office of Planning & Development at planning@sandwichmass.org
2. Visit the Office of Planning & Development at 16 Jan Sebastian Drive, Sandwich, MA Monday – Friday, 8:30 a.m. to 4:30 p.m.
3. Call (508) 833-8001 if other accommodations are needed.

Jeffrey R. Picard, Chair
Sandwich Planning Board
Publication: Sandwich Enterprise
Publication Dates: February 12 and February 19, 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 16 2021

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

TOWN CLERK
TOWN OF SANDWICH

FEB 10 2021

1 H 27 M P N
RECEIVED & RECORDED

PROPERTY ADDRESS: 9 Brant Hill, Sandwich, MA
NAME OF APPLICANT: Stephen Austin & Corinna M. Johnson

On February 9, 2021 the Board of Appeals voted to deny an Appeal of the Decision of the Building Commissioner for 9 Brant Hill, Sandwich, MA Assessors Map 67 Parcel 017, appealing the Building Commissioner's written interpretation of the Sandwich Zoning By-Law regarding Accessory Structures and Livestock.

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

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

Board of Appeals Member

2/10/2021

Date

PROCEDURAL HISTORY

1. Application for Appeal of the Decision of the Building Commissioner was received on January 6, 2021 for the purpose of overturning a written zoning determination of the Building Commissioner dated December 8, 2020.
2. After proper notice was given, the public hearing was opened and closed on February 9, 2021.
3. The application was not accompanied by a site plan.
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

James Killion
Christopher Neeven
Robert Jensen
Gerry Nye
Chase Terrio

FINDINGS

1. The Board of Appeals finds that this application meets the requirements of Section 8, M.G.L. Chapter 40A.
2. The Board of Appeals finds that the subject property is located in the R-2 zoning district.
3. The Board of Appeals finds that the building in question is an accessory building as defined in the protective zoning bylaw.
4. The Board of Appeals finds that a one story accessory building under 200 s.f. must maintain a side yard setback of 10 feet per Section 2600 d) of the zoning bylaw.
5. The Board of Appeals finds that the three sheep residing on the property does not constitute a farm under the bylaw, as the sheep are not used for gain.
6. The Board of Appeals finds that the sheep in question are the pets of the property owners.

Motion: I, Christopher Neeven, move to adopt these findings as the findings of the Board of Appeals.

Second: Robert Jensen

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

DECISION

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby denies the Appeal of the Decision of the Building Commissioner, for property located at 9 Brant Hill, Sandwich, MA Assessors Map 67 Parcel 017.

Motion: I, Christopher Neeven, move to deny the Appeal of the Decision of the Building Commissioner.

Second: Robert Jensen

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

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 17 2021

Appeal of the Decision of the Building Commissioner CERTIFICATE OF APPROVAL

TOWN CLERK
TOWN OF SANDWICH

FEB 11 2021

PROPERTY ADDRESS: 604 Route 6A, Sandwich, MA
NAME OF APPLICANT: Colleen Kanaley Dow

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RECEIVED & RECORDED

On February 9, 2021 the Board of Appeals voted to approve an Appeal of the Decision of the Building Commissioner for 604 Route 6A, Sandwich, MA, Assessors Map 36 Parcel 76, appealing the Building Commissioner's interpretation of Section 4110 of the Protective Zoning By-Law referencing Home Occupations.

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

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

Board of Appeals Member

2/11/2021

Date

PROCEDURAL HISTORY

1. Application for Appeal of the Decision of the Building Commissioner was received on January 15, 2021 for the purpose of overturning a written zoning determination of the Building Commissioner dated March 12, 2020.
2. After proper notice was given, the public hearing was opened and closed on February 9, 2021.
3. The application was not accompanied by a site plan.
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

James Killion
Christopher Neeven
Robert Jensen
Gerry Nye
Chase Terrio

FINDINGS

1. The Board of Appeals finds that this application meets the requirements of Section 8, M.G.L. Chapter 40A.
2. The Board of Appeals finds that the subject property is located in the R-2 zoning district.
3. The Board of Appeals finds that a home occupation is permitted by-right in the R-2 zoning district provided Section 4110 requirements are met.
4. The Board of Appeals finds that the applicant did not meet the requirements of a home occupation at the time the zoning determination dated March 12, 2020 was issued.
5. The Board of Appeals finds that the applicant used the property as a dance studio after the zoning determination was issued.
6. The Board of Appeals finds that on January 11, 2021 the Sandwich Building Commissioner issued a Cease and Desist Order.

Section 4110:

1. The Board of Appeals finds that all parking for a home occupation must be provided for off-street and not within a front yard setback
2. The Board of Appeals finds that not more than 30% of floor area may be used for the occupation.
3. The Board of Appeals finds that traffic generated for a home occupation will not exceed that normally expected in a residential neighborhood.
4. The Board of Appeals finds that a home occupation is defined as *A business or profession engaged in within a dwelling by a resident thereof as an accessory use of the dwelling.*
5. The Board of Appeals finds that the applicant agrees to mitigate any traffic congestion at the site.

Motion: I, Robert Jensen, move to adopt these findings as the findings of the Board of Appeals.

Second: Christopher Neeven

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

DECISION

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the Appeal of the Decision of the Building Commissioner, for property located at 604 Route 6A, Sandwich assessor's map 36 parcel 76.

Motion: I, Robert Jensen, move to approve the Appeal of the Decision of the Building Commissioner.

Second: Christopher Neeven

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

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 22 2021

TOWN CLERK
TOWN OF SANDWICH

FEB 18 2021

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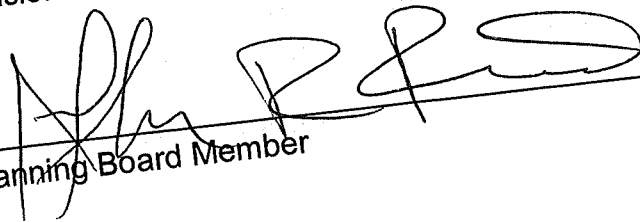
**CLUSTER SPECIAL PERMIT
CERTIFICATE OF APPROVAL**

On February 16, 2021, the Planning Board voted to grant a Cluster Special Permit under Article IV, Section 4400 of the Sandwich Protective Zoning By-laws for property located at 225, 227 & 229 Old County Road, Sandwich as shown on assessor's map 36, parcels 015, 098 & 099.

Planning Board certifies that the decision attached hereto is a true and correct copy of the decision to grant a special permit and that copies of said decision, and of all plans and documents attached to in the decision have been filed with the Planning Board and the Town Clerk.

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

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



Planning Board Member

PROCEDURAL HISTORY

1. On September 18, 2007 a Certificate of Approval of ANR and Cluster Special Permit was issued by the Planning Board for property located off Old County Road in Sandwich, under Section 4400 of the Protective Zoning By-Law. The special permit has since lapsed.
2. On February 5, 2019 the Cluster Special Permit was re-issued by the Planning Board for property located off Old County Road in Sandwich, under Section 4400 of the Protective Zoning By-Law. That special permit has since lapsed.
3. On January 19, 2021, a Cluster Special Permit was filed for the purpose of reinstating the 2019 permit. The applicant wishes to create a two lot cluster development with an additional open space lot, for property located at 225, 227 & 229 Old County Road, Sandwich, MA.
4. After proper notice was given the public hearing was opened on February 16, 2021 and closed on February 16, 2021.
5. The application was accompanied by a plan entitled "Plan of Land in Sandwich, Massachusetts prepared for Richard Thomas", drawn by Hood Survey Group LLC. and dated August 21, 2007.
6. In the October 2, 2007 Cluster Special Permit Decision the project's proposed division of land did not conform to the definition of a subdivision defined under M.G.L. Chapter 41, Section 81L and approval was not required for the project under said rules and regulations.
7. The Board reviewed the application, the plan and all other documents submitted prior to the close of the public hearing. The Board received testimony from the applicant and other interested parties in consideration to the testimony given at the public hearing.
8. The following members attended the public hearing:

Jeffrey Picard
Jennifer Reisig
Robert King
James Kalweit
David Darling
Mark Callahan

Protective Zoning By-Law Findings:

1. The Planning Board finds that the cluster subdivision plan substantially conforms to Section 4400 of the Sandwich Protective Zoning By-law and the Cluster Special Permit Regulations of the Sandwich Planning Board.
2. The Planning Board finds that the proposed project satisfies the requirements of Section 4432, as the land area is comprised of more than twice the lot area required in the R-2 Zoning District.
3. The Planning Board finds that the proposed project meets the criteria of Zoning By-Law Section 4440 as follows:

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- a) Section 4441a. The number of dwelling units is equal to the number that could be constructed with a conventional grid subdivision as demonstrated on the plan entitled Demonstration Plan.
 - b) Section 4443. The dimensions of the lots shown on the definitive plan as described herein conform to the dimensions set forth in this section.
 - c) Section 4446. The open space is preserved for recreation or conservation and does comprise not less than thirty percent (30%) of the area of the proposed development, excluding land subject to inland wetland regulations Section 40, Chapter 131 M.G.L and that building coverage within the open space does exceed five percent (5%) of the open space area.
4. The Planning Board finds that the proposed project is superior to a conventional grid subdivision in all the following ways:
- a) In preserving open space for conservation or recreation;
 - b) In utilizing natural features of the land;
 - c) In allowing more efficient provision of streets, utilities and other public services;
 - d) And is at least equal to a conventional plan in other respects.

Cluster Development Special Permit Regulation Findings:

- 1. 1.B.1.A. The Planning Board finds that the proposed cluster subdivision encompasses at least twice the lot area required in the R-2 Zoning District.
- 2. 1.B.1.B. The Planning Board finds that the plan does not involve more than one ownership.
- 3. 1.B.1.C. The Planning Board finds that the application includes proposed restrictions regarding landscaping and structures.
- 4. 1.B.2.A. The Planning Board finds that each landowner's interest in the land to be developed is included in the application materials.
- 5. 1.B.2.B. The Planning Board finds that the form of organization to own and maintain common open space is included in the application materials.
- 6. 1.B.2.C. The Planning Board finds that the covenants and grants of easement are included in the application materials.
- 7. 1.B.3.A The Planning Board finds that the cluster development open space is held for the common use of residents of the development according to the application materials.
- 8. 1.B.3.B The Planning Board finds that portions of the open space are not utilized for a 50' buffer.
- 9. 1.B.3.C. The Planning Board finds that common open space is to be preserved for recreation or conservation and that proposed building coverage is less than 5% of the open space area according to the application materials. The Planning Board finds that common open space comprises not less than 30% of the entire proposed development and shall be preserved for recreation and conservation for the community use of the residents.
- 10. 1.B.3.D The Planning Board finds that ownership of the common open space is arranged and maintenance of the open space is guaranteed to the community use and enjoyment of the residents of the development tract serving residents and non-paying guests or for recreation.

Motion: I, Robert King, move to adopt these as the findings of the Planning Board

Second: Jennifer Reisig

Vote: Jeffrey Picard	Yes
Jennifer Reisig	Yes
Robert King	Yes
James Kalweit	Abstain
David Darling	Yes
Mark Callahan	Yes

CONDITIONS of APPROVAL FOR GRANT OF SPECIAL PERMIT:

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

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
 - (a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit; or
 - (b) If no substantial construction or occupancy takes place within twelve (12) months of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Planning Board.
4. A common driveway must be used to access the subject lots.
5. The applicant and its successor in interest shall comply with the Town of Sandwich Planning Board Cluster Special Permit Regulations throughout the duration of the Cluster subdivision.

Motion: I, Robert King, move to adopt these as the conditions of the Planning Board.

Second: David Darling

Vote: Jeffrey Picard	Yes
Jennifer Reisig	Yes
Robert King	Yes
James Kalweit	Abstain
David Darling	Yes
Mark Callahan	Yes

DECISION

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the Cluster Special Permit application for property located at 225, 227 & 229 Old County Road, Sandwich as shown on assessor's map 36, parcels 015, 098 & 099 pursuant to Sandwich Protective Zoning By-law Section 4400, and as further described in the Cluster Development Special Permit Regulations of the Sandwich Planning Board.

Motion: I, Robert King, move to approve the Cluster Special Permit in consideration of the findings of the Planning Board and subject to the conditions as stated herein.

Second: David Darling

Vote: Jeffrey Picard	Yes
Jennifer Reisig	Yes
Robert King	Yes
James Kalweit	Abstain
David Darling	Yes
Mark Callahan	Yes

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