



**Meeting of the Mashpee Planning Board  
Wednesday, December 1, 2021  
Waquoit Meeting Room  
Mashpee Town Hall  
16 Great Neck Road North  
Mashpee, MA 02649  
7:00 PM**

**\*Broadcast Live on Local Channel 18\***

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

### Call Meeting to Order

- Pledge of Allegiance

### Approval of Minutes

- Review of Meeting Minutes from November 17, 2021

### Public Discussion

#### Public Hearing – 7:10 PM

**Applicant:** Southworth Mashpee Properties LLC (Continued from November 17, 2021)  
**Location:** Willow Circle - Lots addressed as 178-186 Quinaquisset Avenue  
(Assessors Map 69 Blocks 23, 24, 25 and 26)  
**Request:** The applicant proposes to modify the Willowbend Country Club Special Permit by amending an approved cluster subdivision subject to the special permit by adding one (1) additional lot. The total number of lots would increase from five to six.

#### Public Hearing – 7:15 PM

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

### Preliminary Plan

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



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## New Business

- Vote to set public hearing date for an application made by Lisciotti Development Corporation to construct a retail paint store to be located at 413 Nathan Ellis Highway, Map 72, Parcel 56A.
- Discussion of motel conversion zoning bylaw for seasonal workforce housing.
- Falmouth Planning Board Waiver Request – Failure to notice abutting town planning boards of zoning article public hearings.
- Review Planning Board Meeting Dates for 2022

## Chairman's Report

- Miscellaneous Updates

## Town Planner Report

- LCP Update
- Open Meeting Law Complaints – Attorney General Declines to Review

## 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

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

## Additional Topics (not reasonably anticipated by Chair)

## Adjournment

MASHPEE TOWN CLERK

NOV 24 2021

RECEIVED BY: \_\_\_\_\_



# *Town of Mashpee*

# *Planning Board*

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Mashpee, Massachusetts 02649

**Mashpee Planning Board  
Minutes of Meeting  
Wednesday, November 17, 2021 at 7:00PM  
Mashpee Town Hall - Waquoit Meeting Room  
16 Great Neck Road North  
Mashpee, Ma 02649**

**Broadcast Live on Local Channel 18**

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

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

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

**Also Present:** Evan Lehrer – Town Planner, Allan Isbitz – Chairman Affordable Housing Committee, Melinda Baker – Affordable Housing Committee, Bruce Willard – Affordable Housing Committee

**Absent:** Jack Phelan- Planning Board, Noelle Pina – Affordable Housing Committee

## **CALL TO ORDER**

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

## **APPROVAL OF MINUTES – November 03, 2021**

Mr. Hansen noted two edits, both on p.5. The third paragraph should read Mashpee Commons, not comments. Also, his name was misspelled. Corrections made to minutes before submission.

## **MOTION:**

**Mr. Balzarini makes a motion to accept the minutes with aforementioned edits. Mr. Callahan seconded. All in favor. Ms. Waygan is abstaining from approving the minutes.**

## **PUBLIC DISCUSSION**

**Arden Russell-** You must be courteous and kind. You must keep your comments to two minutes or you will be cut off. Your comments must be relevant to this meeting's agenda or immediate prior meeting. She directs her focus to Chairman Fulone stating he must know these rules as he created them and continues to enforce since becoming Chair. Public Comment at Planning Board meetings has been a controversial topic of conversation. It even elicited an Open Meeting Law violation complaint against you. For these reasons, it was so disturbing to witness the hypocrisy of Chairman's actions at the last Planning Board meeting. There was Public Comment that was not held to any of these rules. She continues to address Mr. Chairman, how quickly you dispersed with your own rules when it's a comment you are in agreement with, aligns with your opinions, and serves your personal purpose. Your rules only apply to some and not to others. Your partiality appears front and center, even in enforcement of your own rules. What this Community wants and needs from this Board is fairness and



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impartiality. We want a Board that steers clear of personal attacks and focusses on the important business of Mashpee.

**Lynne Barbee-** She wants to express her dismay at the slanderous comments that were made about herself and others at the previous Planning Board meeting. She is the author of any letter she sends to the press, to allege otherwise is an affront and slander. She prepared a statement she would like to read. The recent shocking personal attacks on the Planning Board member Mary Waygan are very disturbing. Mary Waygan is a long term leader on the Planning Board bringing extraordinary expertise to its deliberations. We appreciate all her efforts to provide citizens of Mashpee with correct and impartial advice and information on all issues that come before the Board. At Planning Board meetings her questions to applicants and to others who are presenting concerns are a key element to the public's understanding of the complex issues, as they are presented to the Board. Mary's years of expertise, institutional memory, and knowledge of legal and procedural processes, have proved invaluable to the Board, especially in recent years. In addition to her elected position, Mary is also an exemplary citizen who encourages residents to attend meetings, voice their concerns, and volunteer for Town committees. She responds to constituents requests and provides accurate unbiased information for those seeking to understand the how's and why's about Planning Board's decisions. Ms. Barbee commends her integrity and dedication and supports Mary's valuable presence on the Planning Board. Those are her own sentiments, but many other people have expressed their support for this statement. If anyone is interested in talking to her about this, she can be contacted through *Envision Mashpee's* website or Facebook page. In reference to the agenda, she is so happy the Affordable Housing Committee is here. She goes to their meetings and learns as much as she can about Affordable Housing. She is aware of two projects in the works for affordable, workforce, or low income housing. She believes many residents are not aware of the progress the Town is making to address housing issues, such as 108 Commercial Street, Red Brook Village, and the work Habitat continues to do. She looks forward to hearing the report and thanks them for coming and sharing this evening.

## **PUBLIC HEARING – 7:10P.M.**

**Applicant:** Southworth Mashpee Properties, LLC  
**Location:** Willow Circle – Lots addressed as 178-186 Quinaquisset Avenue (Assessors Map 69 Blocks 23, 24, 25, and 26)  
**Request:** The applicant proposes to modify the Willowbend Country Club Special Permit by amending an approved cluster subdivision subject to the Special permit by adding one (1) additional lot. The total number of lots would increase from 5 to 6.

Chairman Fulone is in receipt of a letter from the applicant requesting a continuance of the Public Hearing until December 1, 2021.

Ms. Waygan asked at 7:10p.m.?

Mr. Lehrer noted there are no other Public Hearings scheduled for December 1<sup>st</sup>.





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## **MOTION:**

**Ms. Waygan makes a motion to honor the request for a continuance of the Public Hearing for December 1, 2021 at 7:10p.m. Seconded by Mr. Balzarini. All in favor.**

## **PUBLIC HEARING – 7:15P.M.**

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

## **MOTION:**

**Mr. Balzarini makes a motion to set the Public Hearing date to December 1, 2021 at 7:15p.m. Mr. Callahan seconded. All in favor.**

## **CONVENE JOINT MEETING WITH THE AFFORDABLE HOUSING COMMITTEE**

Chairman Isbitz opened up the joint meeting with the Affordable Housing Committee at 7:16P.M.

Mr. Lehrer would like to make a statement regarding what necessitated the Affordable Housing Committees presence this evening and what the Board can expect to hear. Ultimately, Mr. Lehrer heard throughout the past 6 months, particularly in regards to Mashpee Commons, the concern for the future of housing development in Mashpee. He studied public policy in graduate school, he thinks what people are hungry for is definition of need. Define the problem, find the problem, and analyze it to be able to mitigate and solve. Ms. Barbee alluded to this, and he discussed recently at the Affordable Housing Committee meetings, there are only so many tools in our tool box to produce or incentivize affordable housing. Generally, the Town is taking advantage of many of its tools. There are ongoing friendly 40B projects, Habitat is a continued partner, but data will show a short fall in the ability to produce needs. This will be helpful for the Community and the Board as we approach the LCP update and visioning work and any subsequent potential land use changes. We will have an opportunity to find the actual need and identify short falls. Chairman Isbitz will provide data that can be used to approach future deliberations and conversations regarding land use and affordable housing production, and understand limitations to do better.

## **PRESENTATION**

**Affordable Housing Committee Chairman Allan Isbitz will make a presentation regarding affordable and workforce housing needs in Mashpee.**

*Slideshow presentation will be loaded to the Planning Department website.*

Mr. Isbitz opens up his presentation by thanking everyone. Most of this data currently being used is from the 2010 census, as the recent census is not available at the municipal level.



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### **Population Growth in Mashpee**

1990-2010 the population exploded, increasing by 78%. Growing desirability for Mashpee and Cape Cod, investment properties and continuing a trend projected to grow by 30% by 2030. Generally, that would be favorable, but it doesn't produce a balanced growth, pressures at lower income levels. Boston is a world class city, desirability for professionals.

### **Mashpee Population in 1990 vs. 2010**

- In younger age groups, decline in the young adult area ages 20-34 have decreased to 14%.
- The senior population has increased to 25%.
- Ages 35-64 age group is 43% but is not being replenished. Harder to set up families in a home of their own, separate from elders.

### **Mashpee Population Projection 2030**

- Ages 35-64 age group is 36%
- Seniors 41%
- Seeing imbalanced growth and pressures

### **H.U.D Income levels**

- Low Income: 50-80% AMI (\$55,000-\$78,000)
- Very Low: 30-50% AMI (\$34,000-\$48,000)
- Extremely Low: >30% (\$20,000-\$29,000)
- Barnstable County AMI \$89,000

### **Housing Cost Burden**

*When is a family spending too much of their income on housing?*

- Normal unburdened family cost is 30% of income or lower.
- A family that is housing cost burdened is paying more than 30% of income on rent/housing costs.  
# Of households in Mashpee paying more than 30% - **1,430 families**
- A family that is severely housing cost burdened is spending half of their earnings for housing.  
# Of households in Mashpee spending 50% - **1,055 families**
- 2,480 out of 5,200 families. Half of the families in Mashpee were housing cost burdened.

Ms. Waygan asked if the red number on the top on the graph is the number of households that have a housing cost burden, not total number of households, to which was responded "yes".

### **Balance of Income 2021**

- After housing costs, for a family of 4 with income less than 80% AMI. Average median rent in Mashpee is \$1,431.
- Extremely low income, monthly wages are \$2,400. The remaining \$900 goes to medical, child, food, now left with \$200.
- Very low income – \$240-\$600 left over monthly
- Low income – \$600-\$1,000 left over monthly



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## **Housing supply shortfall for families with less than 80% AMI 2010**

- Extremely low - 760 families – could not afford any homes at all, 72 rentals available, 688 units short.
- Very low – 655 families – 290 homes affordable, 466 rentals affordable, 199 units short.
- Low Income – 1005 families – 550 affordable homes, 371 rental units, and 81 units short.
- Need for 2010: 968 homes/ rentals short
- The current need in Mashpee is at least 1,000 units.

## **Affordable Housing in Mashpee 2010 SHI Eligible Units Ownership vs. Rental**

- Meets the three criterias
- 4.9% SHI Total units: 6,473. 10% is 647. 298 were affordable
- Owner occupied: 5,030, Rental occupied: 1,088
- Homeowner units produced 36 affordable units, which is 7%.
- Renter occupied units produced 262 out of 1,088, that's 24%.
- Better strategy to meet the real need is to invest in rental units rather than home owner units, get more for your money. To meet the need you have to focus on rental housing.

## **SHI 2020**

- None of the towns have reached 10%, Provincetown is the closest.
- Since 2010, we have increased in our ranking, 343 affordable units, sixth highest. Mashpee ranks in the middle.
- Rankings aren't what we should be looking at if we are talking about meeting the need.

## **Who is building Affordable Housing in Mashpee?**

*What is the proposed and what is likely to be built?*

- Mostly 40B
  - In some cases, there are second phases to projects, but not all these projects in the pipeline develop into fruition. It takes years to get through construction and occupancy phase.
  - Add up all that are currently being worked on by the developers, plus the ones where the sites are about to come into play like 108 Commercial Street: 533 units of future affordable, 21 estimated homeowner, 227 affordable. Eligible for SHI under 40B: 521 units.
- If we built all of that, we would still be short.

Chairman Fulone noted the need in 2010 was 1,000 units. Even if we built everything available, we would only be halfway there.

Mr. Isbitz stated there are currently 340 units on the SHI that are done and occupied, added to this would equal 900 units, we would still be short. We know all of these units will not be developed. To name a couple, Cotuit Road and Main St. Village phase two look like they won't happen, at least 16 units that will not get built. It is hard to estimate the rest to be built at this point. We are short. These are all the resources, Town owned land mostly. We really need the private sector to step up to meet our goals and needs, which is a partnership. That's how it has been happening on the Cape, as long as the private sector is meeting the need. That's where the application and negotiation takes place.



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## **Workforce Housing Needs in Mashpee**

- Labor shortages on Cape Cod and housing and land cost increases, created stress on higher income levels as well.
- 100% AMI and 120% AMI renters: 2015 gap figures show the shortages for these income groups.
- This is a 2017 source, the needs have not increased substantially in lower income groups, and there is no one who will stay here as they cannot afford to live here.
- 120% AMI level shows significant increase, that has almost doubled projected 2025.
- Owners in the 100% AMI in 2015: (teachers, firefighters, municipal administrators etc.) That's where the labor shortages are. Increasingly, we cannot ignore both ends.
- To get a balanced economy we need to focus on the 100% as well. A gap of 4,000 units as part of the need. The need has been growing without the resources following suit. The problem gets worse and worse. No funding incentives for housing to appeal to this group. Increasingly, developers are picking this up.

## **2021 Household income levels for affordable and workforce**

- Low income workforce: \$58,000- \$77,000
- Moderate income level: \$107,000
- 60% AMI - 80% AMI workforce, there is an overlap. HUD or agencies providing assistance in that range are calling it 'workforce housing'.

## **MASS Housing Workforce Housing Initiative**

This has been done in Orleans, Bourne, and Falmouth. The Red Brook Village developer has experience with workforce housing in Falmouth. We have developers on the Cape that have done this before. MASS Housing will provide up to \$100,000 per unit for a workforce unit. It costs \$400,000 per unit. Up to about 25% of the unit can be covered by public funding.

## **AFL-CIO**

Housing investment trust for a few decades, they are committed to workforce housing. Also involved in affordable in 80%AMI or lower with a strong commitment to union labor. They invest and employ union workers to build and reside in this housing. There is \$6.8 Billion in this trust and they have financed \$9.3 Billion in construction, included workforce. This is a viable source of money for tax credits.

## **Mashpee Affordable Housing Goals**

- Affordable Housing for very low and extremely low income renters, typically multifamily rental.
- Workforce housing for low to moderate, homeowner could be housing or rentals.
- We are currently waiting for the hired consultant for the HPP to do their studies.

## **Discussion relative to housing needs moving forward and strategies to address those needs.**

Ms. Waygan would like to share comments, she noted that was a great overview. Ms. Waygan admired his graphs and would like to use some of them. She watches the news on affordable housing. She asked if Mr. Isbitz has read the Affordable Housing Bylaw for Falmouth. It's very simple. They did some studies at big intersections where the town would accept height and density. Some lots were pinpointed



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throughout Falmouth, they have a bylaw for up to 3 stories, 25% affordable if rental and 50% if ownership. It is not Chapter 40B, it's a local bylaw, so the developer doesn't have the burden of 40B regulations. She thinks that would be good for Mashpee to look at. This Town became a brick and mortar development late, she thinks there are some properties that are right for redevelopment. Some underused commercial, other properties used for different things that are looking sad. A redevelopment into affordable housing under a nice bylaw, coming from the Planning Board, might lower the impact on the Town, with respect to environment and traffic. She instructed Mr. Isbitz to look at Town owned land for the HPP and lots that can be redeveloped.

Mr. Isbitz stated there is a time to put it on the pipeline and a time to not, pipedreams realistic or not, he would not put on the list until there was some act of consideration going on.

Ms. Waygan was thinking more for zoning initiatives.

Mr. Isbitz agreed from a zoning point of view, you need to take that possibility into account. We are looking at more than Town own land, privately owned land, which of those are underutilized where the owner may have an interest in upgrading, converting use, or selling.

Ms. Waygan found you can get the interest of the State and federal government when you have a development that's 39 units or above, neighborhoods are receptive to affordable housing if they fit into the character of the neighborhood. More than one unit per lot, but not something that would overwhelm.

Mr. Isbitz had some conversations with Habitat, may not necessarily put one house on a lot, and they could realistically put a couple houses on a lot, like Mendes Way, and have a very satisfactory environment for two families. Even though it doesn't meet minimum square footage threshold in zoning ordinance, that's one area where he would encourage exploration. What is an incentive for a Habitat program to get involved in sites that predate minimum one acre threshold?

Ms. Waygan noted there could be an affordable lots bylaw where some of those site requirements are waived if you do an affordable unit.

Mr. Balzarini reiterated you could build four or five houses on a one acre lot very easily.

Ms. Waygan informed him there was gathering of the regulatory boards last week to discuss wastewater. She lives off of Rt. 130, which has less sensitive environmental issues than other parts of Town. That was another thought she had, if we are going to talk about height and density, we also have to look at environmental impacts. Her neck of the woods, Rt. 130, would be a good place to put some of that. She thanked the Affordable Housing Committee for coming tonight and presenting.

Mr. Fulone asked Mr. Lehrer, based on what was heard, if he had to wrap it up, what his takeaway would be.





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Mr. Lehrer echoed Ms. Waygan's first point, and Mr. Isbitz essential findings. We need to grow the number of tools to produce affordable units. We do that by incentivizing the use of the private sector. There are a number of properties, in existing commercial districts, where we can incentivize by redeveloping underutilized lots. Under current zoning, it's the highest best use of the property. After the LCP process and visioning, we need to identify properties that would benefit from such zoning and identify parameters and building typologies. We can produce as many units of detached single family houses, we will not shift the demand curve. We need housing types that are nonexistent and we need to focus on rental housing specifically. The shortfalls we cannot meet, we should incentivize with a zoning solution like Ms. Waygan sites, and other zoning tools. Beyond what we already know exists, as the need for moderate, low, and extremely low, but also teetering just above, is growing more difficult across all income levels. Zoning solutions are where we need to focus. Caution against further incentivizing for production of single family homes, especially in respect to environmental impacts. We also need to be considerate of where and when phases are going to come online for wastewater. These are problems that need to be taken into consideration together, not an either or strategy. Growth needs to occur in the appropriate places, with appropriate building types, with parameters and design criteria and building types, which meet the Community need and fulfill Community vision. Zoning that doesn't further incentivize a sprawl pattern but meets demand, missing middle, and speaks to building types. There are so many detached single families or larger multi families, but nothing in the middle. A goal should be to identify underperforming commercial zoning districts and discuss as a Community how we can incentivize mixed use development of housing typologies that fall within that range and appropriate criteria and slated to be on wastewater treatment. He is eager to see most recent census figures. We can assume the problem has gotten worse, but Covid-19 changed things also. We were already trending in a negative direction, then Covid exacerbated those trends and put the housing market in an unstable position, and Mr. Lehrer is unsure this will change without intervention. We know the areas of focus and know the issues cannot be dealt with individually. In closing, it was a wonderful presentation and a lot of good information came out of this. This will provide a good start to the LCP and visioning work to strategize in mitigating and solving the housing crisis.

Chairman Fulone would like to adjourn the meeting with the Affordable Housing Committee at this time.

## **MOTION:**

**Mr. Willard made a motion to adjourn the Affordable Housing Committee joint meeting with the Planning Board at 8:17p.m. Ms. Baker seconded. All in favor.**

## **ADJOURN JOINT MEETING WITH THE AFFORDABLE HOUSING COMMITTEE**

## **APPROVAL NOT REQUIRED**

**Applicant:** Evergreen Energy, LLC

**Location:** 751 Main Street

**Request:** To create Lots 1 and 2 from former Lot 58 as shown on Mashpee Map 13.



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A representative with JC engineering is present. He is looking to create two lots from one existing lot. Lot 58 on Assessors map 13, both lots will front on Main St. Rt. 130. Both lots have adequate frontage and lot area in this zoning district.

Mr. Lehrer noted this plan is entitled to endorsement. This subdivision is well within scale. No statement on the plan relative to zoning compliance, only a requirement if plan alludes to non-conformity.

Ms. Waygan asked if this was Landcorp land, to which was responded "no".

## **MOTION:**

**Mr. Balzarini makes a motion to endorse this plan for approval not required. Mr. Callahan seconded. All in favor.**

Mr. Callahan signed the ANR.

## **NEW BUSINESS**

Mr. Fulone read that a vote is needed to set a Public Hearing date for review of a Special Permit application made by Longfellow Design Build to construct a retail grocery store at 647 Falmouth Road / 9 Shellback Way.

Mr. Lehrer made reference to this application being recently withdrawn and now being resubmitted, which he anticipated. When the Public Hearing date is set, this will be deferred to the Cape Cod Commission for a DRI. Abutters were notified of recent changes, and will be notified for the upcoming Public Hearing. This is the same applicant before us with the same issues. He is suggesting a Public Hearing for January 5<sup>th</sup>. The Planning Board will open the Public Hearing then it will be an automatic deferral to the Commission.

## **MOTION:**

**Ms. Waygan makes a motion to set the Public Hearing date to January 5, 2021 at 7:10p.m. Mr. Balzarini seconded. All in favor.**

## **CHAIRMANS REPORT**

Chairman has a couple of comments. He has received many comments and concerns about the allegations made at the meeting on November 3, 2021. He has been asked specifically how he will address these issues. At the advice of Town Manager and Town Counsel, he will closely follow the Attorney Generals and Ethics investigation. He asks that we remained focused on the important work ahead of us with the LCP. In the packet he has included some materials on conflict of interest for the Planning Board, including ethical conduct from the Select Board. He also included Pierce v. Mulhern, a legal document that Counsel provided to him. It talks about honesty, integrity, and fairness as well as non-judgmental behavior.

## **TOWN PLANNER REPORT**

**LCP Update Community Engagement Calendar and request for information**



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Mr. Lehrer has a rough outline indicating a launch kickoff and beginnings. He would like to get through the Holidays to give the consultant enough time to analyze reports and data. The completion date for the final draft proposed to the Town, if on track, September 2022. It took longer to procure, which could push out further, but it's about a 12 month process. They sent a rough outline of studies, reports, and existing plans (approved or adopted) and there is more to be given with some thought. He is sending a request of relevant information to all boards, committees, and department heads to provide as much information as possible. Weston and Sampson took a stab at what they were able to identify online, with the assumption there is more. Water quality reports such as Santuit Pond, traffic studies, HPP, the Affordable Housing presentation given this evening, are all relevant documents. He is asking long serving Planning Board members to review the list, anything that comes to mind notify Mr. Lehrer via E-mail. Additionally, he asked about what web based options are available for community engagement and data collection. The current online platform is limited, very standard website, doesn't provide opportunity for data collection. There are a lot of great platforms which were provided to him that he needs to vet. He intends to have a unique website dedicated to the LCP to allow functional data collection. He will be reviewing the options over the coming week to see what will be beneficial to enable as much participation as possible. Lastly, they obtained a list of stakeholders they were able to locate online. Mr. Lehrer would like the Board to review the document and let him know by E-mail of anyone who is missing. A Marketing campaign will be a crucial piece to this launch. We will look to January 2022 for the formal launch.

Mr. Fulone asked if there were formal meetings set up yet.

Mr. Lehrer stated this is the time for assembling and collecting data. The action plan is as broad reaching as possible, the engagement plan will look like events and workshops. This is about getting as many groups on the ground, as many people understanding why we are doing this, how they can be involved, and opportunities to have their voices heard. Post Holidays there will be a full engagement plan.

Ms. Waygan asked if he will be coordinating the website with Weston and Sampson.

Mr. Lehrer needs to narrow down his options to function and cost. If the Board would like to look into this, he would be happy to take feedback. Basically, functionality of platform and how much it costs are what's important. Weston and Sampson came in under budget at \$125,000. Our allotment is around \$150,000. The price for the website he is looking around \$5,000 for the license for an entire year. This is well within the budget window and it will serve great purpose.

## **Consultant Procurement**

He wanted to update, as the Development Agreement has terminated, they have received bids for the consultants for traffic and environmental studies relative to the Development Agreement. Are we going to do anything with them? He has the bids compiled on his desk and he has given no recommendations to Town Manager or contacted the applicants.

Ms. Waygan said put it on hold.





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Mr. Fulone asked Mr. Lehrer to see if the Town Manager will still get the money and if they could reallocate the funds toward the LCP.

Ms. Waygan asked if they should take vote because it all started with a vote.

## **MOTION:**

**Ms. Waygan makes a motion to suspend the procurement of consultants for traffic and environmental studies for the initial stages of the three party Development Agreement that is now void. Seconded by Mr. Callahan. All in favor.**

## **Community Preservation Committee Application for Housing Production Plan Funding**

Mr. Lehrer provided a draft letter of support for consideration as he did not provide any support letters with his initial application. He is asking to authorize the Chair to sign the drafted letter.

## **MOTION:**

**Ms. Waygan authorizes the Chairman to sign a letter of support on behalf of the Planning Departments application for funds for update to the HPP. Mr. Callahan seconded. All in favor.**

Mr. Lehrer has it in his office for signature. He also wanted to note he received correspondence a few days prior that was not on the agenda but was put into the packets.

## **COMMITTEE REPORTS**

**Cape Cod Commission-** No Report

**Community Preservation Committee-** Mashpee is a Community Preservation Community. These funds are raised from a 2% surcharge on property tax and a match from the State. This year is a historic high for distribution of funds- \$79 Million Statewide. Mashpee FY21, the Town raised \$1.5 Million for Community Preservation funds. The match from the State is \$700,000, a 34% match, one of the highest in years. Those funds can be used for Affordable Housing, historic, open space, and recreation.

The CPC received 8 applications thus far:

The Planning Department \$25,000 for update of the HPP.

Mashpee Community Garden Advisory Committee \$18,000 to expand the community garden.

Mashpee Housing Authority **1.** \$265,000 for siding, windows, and new roof at Breezy Way.

**2.** \$168,000 for a new roof at Homeyer Village

Mashpee Historical Commission **1.** \$2,145 for restoration of Lakewood Cemetery **2.** \$25,000 HVAC unit for the One Room School House **3.** Cost TBD -Overage costs for the War Memorial at Community Park.

DPW \$1.7 Million for a new multipurpose track and field stadium at the Middle/High school. The total project is \$2.8 Million.

Every year there is a Public Hearing. It is always nice to know from other committees what their future asks are so they can budget accordingly. If anyone plans on asking for funds soon, write a letter to Chairman Andrew Gottlieb to give him a heads up of what you're thinking about.



# Town of Mashpee

## Planning Board

16 Great Neck Road North  
Mashpee, Massachusetts 02649

**Design Review-** No Meeting

**Plan Review-** Reviewed an application for a new contractor's yard on Bowdoin Road off Rt. 28. The current property owner owns the adjacent property operating a marine dock construction lot, will be used for storage materials. Recommended approval for Board of Appeals.

**Environmental Oversight Committee-** No Meeting

**Historic District Commission-** No Meeting

**Military Civilian Advisory Council-** No Meeting

### **ADJOURNMENT**

**Mr. Balzarini makes a motion to adjourn the meeting at 8:36p.m. Seconded by Mr. Callahan. All in favor.**

The meeting ended at 8:36p.m.

**Next Meeting:** Wednesday, December 01, 2021 at 7:00P.M.

Respectfully Submitted,

Christine M. MacDonald  
Board Secretary



# Town of Mashpee

# Planning Board

16 Great Neck Road North  
Mashpee, Massachusetts 02649

## **LIST OF DOCUMENTS**

*Additional documents may be available in the Planning Department.*

- Barry and Jewel Blake, E-mail correspondence, dated 11/07/2021
- Mary J. LeClair, written correspondence, undated, received 11/12/2021
- Anne Malone, written correspondence, undated
- Buff Chace, written correspondence, dated 11/10/2021
- Town of Falmouth Notices
- September 2021 Discharge Monitoring Report for South Cape Village – N=3.3
- August 2021 Discharge Monitoring Report for South Cape Village – N=2.6
- July 2021 Discharge Monitoring Report for South Cape Village – N=5.8

DRAFT







**JACK McELHINNEY**  
Attorney at Law

63 Shore Road, Suite 23  
Winchester, MA 01890

Phone 781-729-7299  
Fax 781-729-3506  
E-mail- jmcclhin@aol.com

October 13, 2021

By Email and Hand Delivery

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

Attn: Evan Lehrer, Town Planner

Re: Willowbend Country Club – Request for Modification of Special Permit

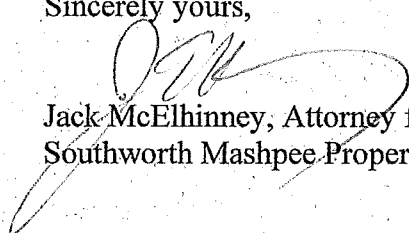
Dear Members of the Planning Board:

Enclosed please find an application for: (i) a further Modification of the Willowbend Special Permit made by Southworth Mashpee Properties LLC with respect to the Willow Circle Neighborhood approved by this Board in May 2010 as Modification No. 27 (attached), and (ii) a Modification of the Definitive Subdivision Plan for Willow Circle approved by the Planning Board on May 5, 2010. The present applications seek to modify the previously approved plans for the neighborhood by adding one additional lot to the previously approved five lot subdivision. The additional lot is comprised of land originally restricted by the State Natural Heritage Program as habitat for the Eastern Box Turtle, which restriction was lifted earlier this year as the area in question is no longer mapped as potential habitat for the turtle.

Enclosed please find a check for the application fee in the amount of \$500.00 as well as a check for \$5,000 to cover the engineering peer review fee. We are requesting that this be application be scheduled for the next available hearing date. # 200.-

Please feel free to contact me should you have any questions.

Sincerely yours,

  
Jack McElhinney, Attorney for  
Southworth Mashpee Properties LLC

cc: Matt Eddy, P.E.



Town of Mashpee

Planning Board

16 Great Neck Road, North Mashpee, Massachusetts 02649

APPLICATION FOR SPECIAL PERMIT MODIFICATION

Date received by Town Clerk: 10-13-21 Town Clerk Signature / Seal: Deborah D.

The undersigned hereby applies for a Modification of the Special Permit approved by the Mashpee Planning Board on April 15, 1987 for a project entitled Willowbend.

The original Special Permit and any Modifications have been recorded in the Barnstable County Registry of Deeds at the following Book(s) and Page(s): Bk 5707, Pg. 290, Mod.No. 27, Bk. 24685, Page 109.

Name of Applicant Southworth Mashpee Properties Phone 508-539-5200

Address 130 Willowbend Drive, Mashpee, MA

Owner, if different Phone

Address

Attach copies of (a) most recent recorded deed and (b) tax bill or Assessors' certification. Deed of property recorded in Barnstable County Registry Book 26395 Page 258 or Land Court Certificate of Title No.

Location and description of property: Willow Circle (Previously approved subdivision road)

MASHPEE TOWN CLERK

Mashpee Assessors Map(s) and Block(s): Plan 69, Block 23-26

Zoning District(s) in which property is located: R-3 OCT 13 2021

How long have you owned the property? Nine Years RECEIVED BY: [Signature]

Section(s) of the Zoning Bylaw which require(s) the permit you seek:

Present use of property: Residential/Vacant

Description of proposed modification (attach plans and documents as required by the Zoning By-law and Special Permit Regulations):

Applicant is seeking to modify the five lot subdivision approved and annexed into Willowbend via Modification No. 27 to include a sixth lot located within the area of the former Natural Heritage Restriction Area, such restriction having been released on August 11, 2021. A modified definitive subdivision plan is being applied for simultaneously.

Signature of Owner or Authorized Representative [Signature]

Attach written authorization signed by owner. Atty for Owner





**FORM C**  
MODIFICATION  
**APPLICATION FOR APPROVAL OF DEFINITIVE PLAN**

Date October 13, 2021

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

Name of Subdivider Southworth Mashpee Properties LLC Phone 508-539-5200

Address 130 Willowbend Drive, Mashpee, MA 02649

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

Address \_\_\_\_\_

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

Engineer or Surveyor Baxter Nye Engineering & Surveying Phone 508-771-7502


Address 78 North Street, Hyannis, MA 02601

Deed of property recorded in Barnstable County Registry Book 26395 Page 258

or Land Court Certificate of Title No. \_\_\_\_\_

Location and description of property

Mashpee Assessors Map(s) and Block(s) Map 69, Parcels 23-26

Signature of Owner or Authorized Representative 

*John McEthan Atty for Applicant*

*Attach written authorization signed by owner.*

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



**FORM N**

**NOTICE OF APPLICATION FILING WITH THE MASHPEE PLANNING BOARD**

To the Mashpee Town Clerk:

This is to notify you that on October, 2021 an application for

endorsement of a plan believed not to require approval

approval of preliminary plan

approval of definitive plan

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

Southworth Mashpee Properties LLC 130 Willowbend Drive, Mashpee, MA

Applicant name

Applicant address

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

as 69 - Parcels 23-26

and is generally described as located

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

Received by Planning Board on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
for Mashpee Planning Board



# Town of Mashpee

Planning Board

16 Great Neck Road North, Mashpee, MA 02649  
Telephone (508) 539-1400 ext. 520 • Fax (508) 539-0954  
Email: [planning@ci.mashpee.ma.us](mailto:planning@ci.mashpee.ma.us)

## PLANNING BOARD DECISION WILLOWBEND SPECIAL PERMIT MODIFICATION NO. 27

Quinaquisset Avenue, Mashpee, MA 02649

### I. Proposal.

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

The applicant proposes to modify the special permit and site plans to allow expansion of the Special Permit project area onto 4 previously subdivided lots comprising 3.19 acres on the north side of Quinaquisset Avenue west of the original project area (Assessors' Map 69, Blocks 23-26, located on the north side of Quinaquisset Avenue between North Glen Drive and Orchard Road) and to re-subdivide that area into 5 single-family lots under the cluster subdivision zoning regulations applicable to the project, including construction of a new subdivision street and turnaround having a gated access from Quinaquisset Avenue, and to increase the currently permitted overall residential units in the project from 255 to 260.

### II. Jurisdiction.

The application was made and this decision has been issued by the Mashpee Planning Board pursuant to Section 174-24.C. of the Mashpee Zoning By-Law as it existed on May 5, 2010, the date on which this special permit modification was approved by the Mashpee Planning Board. As the proposal does not increase square footage of any use by more than ten percent (10%), the provisions of Section 174-24.C.(9)(d) of said by-law provide that the land involved in this application is subject to the dimensional and other relevant provisions of the Zoning By-law as it existed on November 6, 1985, the date on which a preliminary subdivision plan was filed on the property, freezing the zoning in effect at the time that this special permit was originally issued on April 15, 1987. Expansion of the project area is permitted under Section 174-24.C.(9)(g) of the Zoning By-law if approved by the Planning Board. With regard to the prohibition contained in Section 174-24.C.(9)(f) on increasing the number of units in a development, the proposed 260 units are less than the 338 units allowed under the original 1987 Special Permit.

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

The Cape Cod Commission, by letter from Kristy Senatori, Chief Regulatory Officer, dated May 4,

5

2010, indicated that the proposal is not subject to review as a mandatory Development of Regional Impact by the Commission.

### **III. Chronology.**

Application for this Special Permit Modification was filed with the Town Clerk and Planning Board on November 18, 2009, along with an accompanying Definitive Subdivision Plan. A hearing was opened before the Mashpee Planning Board at the Mashpee Town Hall, 16 Great Neck Road North, Mashpee, Massachusetts on January 6, 2010 at 7:05 p.m. Notice was duly given to abutters in accordance with Massachusetts General Laws Chapter 40A. Notice was also given by publication in the Mashpee Enterprise, a newspaper of general circulation in the town of Mashpee, on December 18 and 25, 2009. The hearing was continued on February 3, February 17, April 7, April 21 and May 5, 2010. The applicant had submitted letters extending the Board's statutory timeframe for acting on the Definitive Subdivision Plan, along with letters requesting certain continuations of the public hearings on this Special Permit and the Definitive Plan.

The applicant met with the combined Design Review and Plan Review Committees regarding the project on April 8, 2010.

On May 5, 2010, the Planning Board voted to close the hearing, make the following findings and grant the proposed special permit modification, subject to the conditions enumerated below. The members of the Board were recorded voting as follows: Thomas O'Hara, Dennis H. Balzarini, Joseph Mullen, James Leonard and Mary Waygan were recorded as voting in favor of approval of the proposed modification; no members were recorded as voting against. Member Leonard was not present at the April 21, 2010 hearing continuation at which substantive matters were discussed, but was able to familiarize himself with the

### **IV. Findings.**

1. The proposed modification involves less than 10% increase in the area of any use and is therefore, under the provisions of Section 174-24.C.(9)(d) of the Zoning By-law, subject to the dimensional and other relevant provisions of the Zoning By-law as it existed on November 6, 1985, the date on which a preliminary subdivision plan was filed on the property, freezing the zoning in effect at the time that this special permit was originally issued on April 15, 1987. At that time the property was in an R-3M zoning district. This subdivision is proposed under the cluster subdivision zoning regulations applicable to the project on that date.
2. The proposed modifications lie outside the "Original Project" area (on 3.19 acres consisting of four lots previously owned and subdivided by others). The current proposal constitutes an expansion under the November 6, 1985 zoning applicable to the "Original Project" area per the 10% rule cited in Finding #1, increasing said area to 330.14 acres in Mashpee and 3.39 acres in Barnstable.
3. Under the provisions of Sections 9.3 and 9.4 of the applicable 1985 Zoning By-law, a minimum of 92.0 acres of open space was required within the "original project area". Current open space is 237.9 acres, well in excess of the required acreage.
4. Under the 1985 special permit, the project would have been allowed 341 residential units and was permitted for 338 units. Modification #19 reduced the allowed units to 217, which was subsequently increased to 255 by Modification #26. The current proposal increases that number

to 260, which the Board finds to be permissible under Section 174-24.C.(9)(f), as it is less than the originally permitted 338 units, and hereby approves said increase.

5. The project satisfies the requirements of Massachusetts General Law Chapter 40A, in that it complies with the general purposes and intent of the Mashpee Zoning By-Law on the applicable dates.
6. The project includes a 0.41 acre area of Lot 3 to be made subject to a conservation restriction pursuant to the regulations and determinations of the Massachusetts Natural Heritage and Endangered Species program, which will be fenced with a post and rail fence, including a gate for emergency access to the restricted area.
7. The Board has approved enhanced plantings and a 7½ foot high decorative fence ("Wood Privacy Fence With Lattice" shown on Sheet C-9 of approved plans listed under Conditions below) to maintain a visual buffer between the project and abutting properties on Orchard Road. The fence will be located 10 feet in from the western property line of lots 1 and 2 and the 10 feet will be landscaped as shown on the approved plans.
8. The applicant has agreed to an increased setback at the rear of lots 1 and 2, based on a 45 foot setback from the existing residence at 132 Orchard Road.
9. The applicant has agreed to donate an existing 1400 sq. ft. duplex building currently located on the property to the Town or another agency for relocation to another site for use as affordable housing, and to assist with such relocation. In the alternate, if such relocation is not feasible within the timetable required for development of the proposed new street and 5 lots, the applicant will provide \$1000 per unit, at the time building permits are issued for each of the 5 houses, towards the construction of affordable housing in Mashpee.
10. The project was reviewed by the combined Design Review and Plan Review Committees on April 8, 2010. The Committees voted to endorse the plans with the following recommendations: 1) street name to be changed from "Willowbend Circle" due to public safety concern over similarity to existing "Willowbend Drive"; 2) residential sprinklers are recommended, in exchange for the possibility of an alternate "T" turnaround; 3) a 30 foot rear setback requirement should be considered; 4) a landscape plan for the proposed buffer area should be provided.
11. The Board received letters dated December 30, 2009, April 21, 2010 and May 3, 2010 from its Consulting Engineer Charles L. Rowley identifying a number of specific comments and recommendations for changes to the filed plans.
12. In conformance with the provisions of Article VI, Section 174-24.C.(2) of the Zoning Bylaw, the Planning Board finds that the proposal will not adversely affect public health or safety, will not cause excessive demand on community facilities, will not significantly decrease surface or ground water quality or air quality, will not have significant adverse impact on wildlife habitat, estuarine systems, traffic flow, traffic safety, waterways, fisheries, public lands or neighboring properties, will not cause excessive levels of noise, vibration, electrical disturbance, radioactivity or glare, will not destroy or disrupt any species listed as rare, endangered or threatened by the Massachusetts Natural Heritage program or any known historic or archaeological site, will not produce amounts of trash, refuse or debris in excess of the town's landfill and waste disposal capacities, will properly dispose of stumps, construction debris, hazardous materials and other wastes, will provide adequate off street parking, will not cause excessive erosion or cause increase runoff into

neighboring properties or into any natural river, stream, pond or water body and will not otherwise be detrimental to the town or the area.

**V. Conditions.**

1. Total residential units allowed within the "Original Project area" shall be 260, including the 5 units proposed under this Modification.
2. The project shall be constructed in conformance with the following site plans, which are the same plans approved by the Board for these proposed 5 lots under the Subdivision Control Law:

"Definitive Road Construction Plans, Willow Circle Subdivision, 178, 182, 184 & 186 Quinaquisset Avenue, Mashpee, Massachusetts, Willowbend Country Club, Inc.," by Baxter Nye Engineering & Surveying, Hyannis, MA 02601, revision date April 21, 2010, consisting of 11 sheets as follows:

- C-1 Cover Sheet – Definitive Road Construction Plans
- C-2 Legend and General Notes
- C-3 Existing Conditions Plan
- C-4 Layout and Materials Plan
- C-4.1 Buffer Landscape Plan
- C-5 Road Plan & Profile – Station 0+00 to 5+01.26
- C- 5.1 Stormwater Management Plan
- C-6 Utility Plan
- C-7 Detail Sheet 1 of 3
- C-8 Details
- C-9 Detail Sheet 3 of 3

"Willow Circle Definitive Subdivision Plan, 178, 182, 184 & 186 Quinaquisset Avenue, Mashpee, MA", Sheet SV, prepared for Willowbend Country Club, Inc. by Baxter Nye Engineering & Surveying, Hyannis, MA 02601, revision date April 21, 2010 – the Definitive Subdivision Plan signed by the Board members for recording

3. Said plans shall conform to the recommendations and comments made by the Board's Consulting Engineer Charles L. Rowley in his letter to the Board dated April 21, 2010.
4. The applicant shall maintain a 10 foot landscaped buffer area along the western property line of lots 1 and 2, (as shown on Sheet C-4) within which the Board has approved enhanced plantings (as shown on Sheet C-4.1) and a 7½ foot high wood privacy fence with lattice (per detail shown on Sheet C-9) to maintain a visual buffer between the project and abutting properties on Orchard Road. Where existing wooded areas remain within the project area adjacent to the 10 foot buffer, the applicant shall, where practicable, attempt to retain additional portions of said areas in their natural, or in an enhanced state, to provide additional buffer and maintain the natural habitat and nitrogen reduction functions of said wooded areas.
5. Lots 1 and 2 shall be subject to an increased rear setback, based on a 45 foot setback from the existing residence at 132 Orchard Road, as shown on Sheet C-4 of the plans referenced in Condition #2.
6. The applicant has agreed to donate an existing 1400 sq. ft. duplex building currently located on the property to the Town or another agency for relocation to another site for use as affordable housing, and to assist with such relocation. In the alternate, if such relocation is not feasible

within the timetable required for development of the proposed new street and 5 lots, the applicant will provide \$1000 per unit, at the time building permits are issued for each of the 5 houses, to the Mashpee Housing Authority to be deposited into a fund for the construction of affordable housing in the Town of Mashpee. Any disbursements from said fund shall require the approval of the Planning Board (simple majority vote).

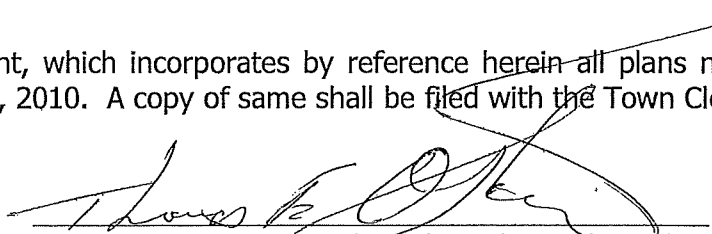
- 7. Local contractors and suppliers will be given first preference with regard to contracts for construction of the project.
- 8. No lot shall be cleared until a building permit is issued for construction on said lot, except as necessary relative to removal of the existing structures on the property or for connection of the property to utilities or in connection with the project's Stormwater management facilities.
- 9. Except where modified by the provisions of this decision, all previous Special Permit conditions regarding the project shall remain in full force and effect.
- 10. All conditions of this special permit and modification shall be binding not only upon the applicant but also on all successors-in-interest and assigns of the applicant.
- 11. This Special Permit Modification Decision is accompanied by a Definitive Subdivision Plan as described under Condition #2 above. Both this decision and said definitive plan shall be recorded within 60 days of their endorsement by the Board, with a notice provided to the Board of the Book and Page at which each was recorded.

**VI. Expiration, Extension or Modification.**

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

**VII. Signature and Filing.**

This special permit modification document, which incorporates by reference herein all plans noted, has been approved on this 5<sup>th</sup> day of May, 2010. A copy of same shall be filed with the Town Clerk in accordance with applicable law.

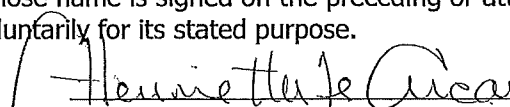
  
 \_\_\_\_\_  
 Mashpee Planning Board - Duly Authorized Member

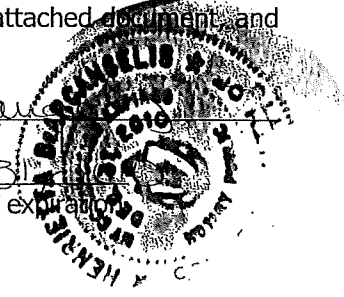
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

5/3/10  
 date

On this 5<sup>th</sup> day of May 2010, before me, the undersigned notary public, personally appeared Thomas O'Neil, proved to me through satisfactory evidence of identification, which were known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he/she) signed it voluntarily for its stated purpose.

  
 \_\_\_\_\_  
 Notary Public  
 My Commission expires: Dec. 31 date of expiration



A copy of this decision and the accompanying plans approved by the Planning Board have been duly filed on May 6,, 2010 with the Town Clerk of Mashpee.

Deborah F. Dami  
Town Clerk

Notice of this decision was mailed on MAY 6, 2010 to the applicant, to any parties in interest to whom such notice is required under Massachusetts General Law. Any appeal should be made pursuant to Section 17 of Chapter 48 of the Massachusetts General Laws 20 days after the date of such filing.

I, Debra Dami, Town Clerk of the Town of Mashpee, hereby certify that a copy of this decision and the accompanying plans approved by the Planning Board were filed with the office of the Town Clerk on May 6, 2010 and that no appeal of that decision was filed within 20 days thereafter.

Deborah F. Dami  
Town Clerk  
Date: June 2, 2010

Upon expiration of the statutory appeal period with no appeal having been filed, this special permit decision has been endorsed by the undersigned members of the Mashpee Planning Board on June 2, 2010, 2010 and may be recorded.

W. Elizabeth Wagner  
Dennis H. Babarini  
Thomas F. [Signature]  
James Leonard  
JM

Attn. Randi Regan  
Willowbend Country Club, Inc.  
130 Willowbend Dr.  
Mashpee, MA 02649





JOHN E. McELHINNEY ATTORNEY AT LAW

63 SHORE ROAD SUITE 23  
WINCHESTER, MA 01890

53-7157/2113

1782

DATE Oct 13, 2021 MP

PAY TO THE  
ORDER OF

Town of Mashpee

\$ 200.00

Two Hundred

DOLLARS

Heat  
Reactive  
INK



WINCHESTER  
CO-OPERATIVE BANK  
WINCHESTER, MA 01890

MEMO

⑆ 2113715731 ⑆

917787611782

LOOK FOR FRAUD-DIFFERING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT REACTIVE INK. DETAILS ON BACK

**SOUTHWORTH MASHPEE**

LLC  
130 Willowbend Drive  
Mashpee, MA 02649

DEDHAM SAVINGS BANK 211371722

1077 Great Plain Ave  
Needham, MA 02492

|              |           |
|--------------|-----------|
| Oct 12, 2021 | 004215    |
| DATE         | CHECK NO. |

\$5,000.00

Pay Five Thousand Dollars and 00 Cents

to the Order of:

**TOWN OF MASHPEE**  
16 GREAT NECK ROAD NORTH  
MASHPEE, MA 02649

*Wan...*

⑆ 211371722 ⑆

547032185

⑆004215

After recording return to:  
Jack McElhinney, Esq.  
63 Shore Road, Suite 23  
Winchester, MA 01890

**RELEASE OF DECLARATION OF RESTRICTION**

The Town of Mashpee, a municipal corporation of the Commonwealth of Massachusetts acting by and through its Conservation Commission and having its usual place of business at 16 Great Neck Road North, Mashpee, Massachusetts 02649 (the "Town") and the Commonwealth of Massachusetts, acting by and through the Division of Fisheries and Wildlife, signing pursuant to the Massachusetts Endangered Species Act (MESA) (MGL. c. 131A) and its implementing regulations (321 CMR 10.00) (the "Division") having the benefit of certain restrictions set forth in the Declaration of Restriction dated October 1, 2009 and recorded with the Barnstable County Registry of Deeds in Book 24685, Page 114 (the "Declaration"), hereby release for themselves, their successor and assigns, all restrictions set forth in the Declaration encumbering that certain parcel of land known as Willowbend Circle, Mashpee, Massachusetts (the "Property"), and any and all rights to enforce the same.

The parties hereby agree that the Declaration is hereby terminated and is of no further force or effect.

*{Signature page to follow}*

Willowbend Circle, Mashpee

WITNESS the execution hereof under seal this 11<sup>th</sup> day of ~~June~~<sup>August</sup>, 2021.

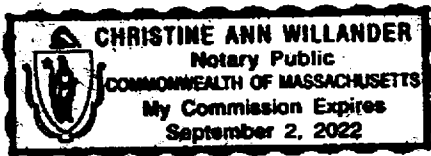
TOWN OF MASHPEE  
By its Conservation Commission

By: Chad R Smith  
Print Name: Chad Smith  
Title: Chairman

COMMONWEALTH OF MASSACHUSETTS

Barnstable County, ss.

On this 11<sup>th</sup> day of ~~June~~<sup>August</sup>, 2021 before me the undersigned notary public, personally appeared Chad Smith, who proved to me through satisfactory evidence of identification, which was MA Drivers License, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily, as their free act and deed, for its stated purpose as Chair of the Conservation Commission of the Town of Mashpee.



Christine Ann Willander  
Notary Public: Christine Ann Willander  
My Commission Expires: 9-2-2022

WITNESS the execution hereof under seal this 25<sup>th</sup> day of ~~June~~ August, 2021.


DIVISION OF FISHERIES AND WILDLIFE

By: [Signature]  
Print Name: EVEROSE SCHULTER  
Title: Assistant Director

Worcester COUNTY, ss. COMMONWEALTH OF MASSACHUSETTS

On this 25<sup>th</sup> day of August, 2021 before me the undersigned notary public, personally appeared EVEROSE SCHULTER, who proved to me through satisfactory evidence of identification, which was PERSONAL KNOWLEDGE, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily, as their free act and deed, for its stated purpose as Assistant Director of the Division of Fisheries and Wildlife.

[Signature]  
Notary Public: Melany Cheeseman  
My Commission Expires: January 24, 2025

 **MELANY CHEESEMAN**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
January 24, 2025

**JACK McELHINNEY**

Attorney at Law

63 Shore Road, Suite 23  
Winchester, MA 01890  
jmcclhin@aol.com

Office: 781.729.7299  
Cell: 617.816.4092

November 16, 2021

By Email

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

Attn: Evan Lehrer, Town Planner

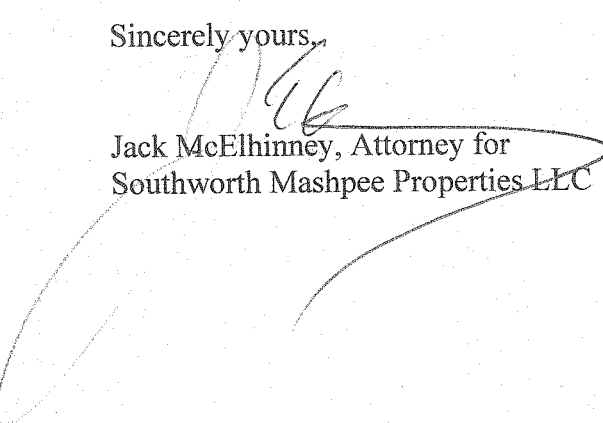
Re: Willowbend Country Club – Willow Circle, Request for Modification of  
Special Permit

Dear Members of the Planning Board:

The applicant in this matter, Southworth Mashpee Properties LLC, hereby requests that the Board continue the November 17, 2021 public hearing on this matter to December 1, 2021.

Please feel free to contact me should you have any questions.

Sincerely yours,

  
Jack McElhinney, Attorney for  
Southworth Mashpee Properties LLC

cc: Matthew Eddy, P.E.

Registered Professional Engineers  
and Land Surveyors

78 North Street - 3rd Floor  
Hyannis, Massachusetts 02601

Phone - (508) 771-7502  
Fax - (508) 771-7622  
www.baxter-nye.com

STAMP STAMP



CONSULTANT

CONSULTANT

PREPARED FOR:  
**SOUTHWORTH MASHPEE**  
PROPERTIES, LLC  
130 Willowbend Drive  
Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
**Quinaquisset Avenue**  
Mashpee, MA, 02601

DATE DESCRIPTION

SHEET TITLE  
**Willow Circle**  
**Definitive Subdivision**  
**Plan**

SHEET NO  
**SV**

DATE: SEPTEMBER 10, 2021

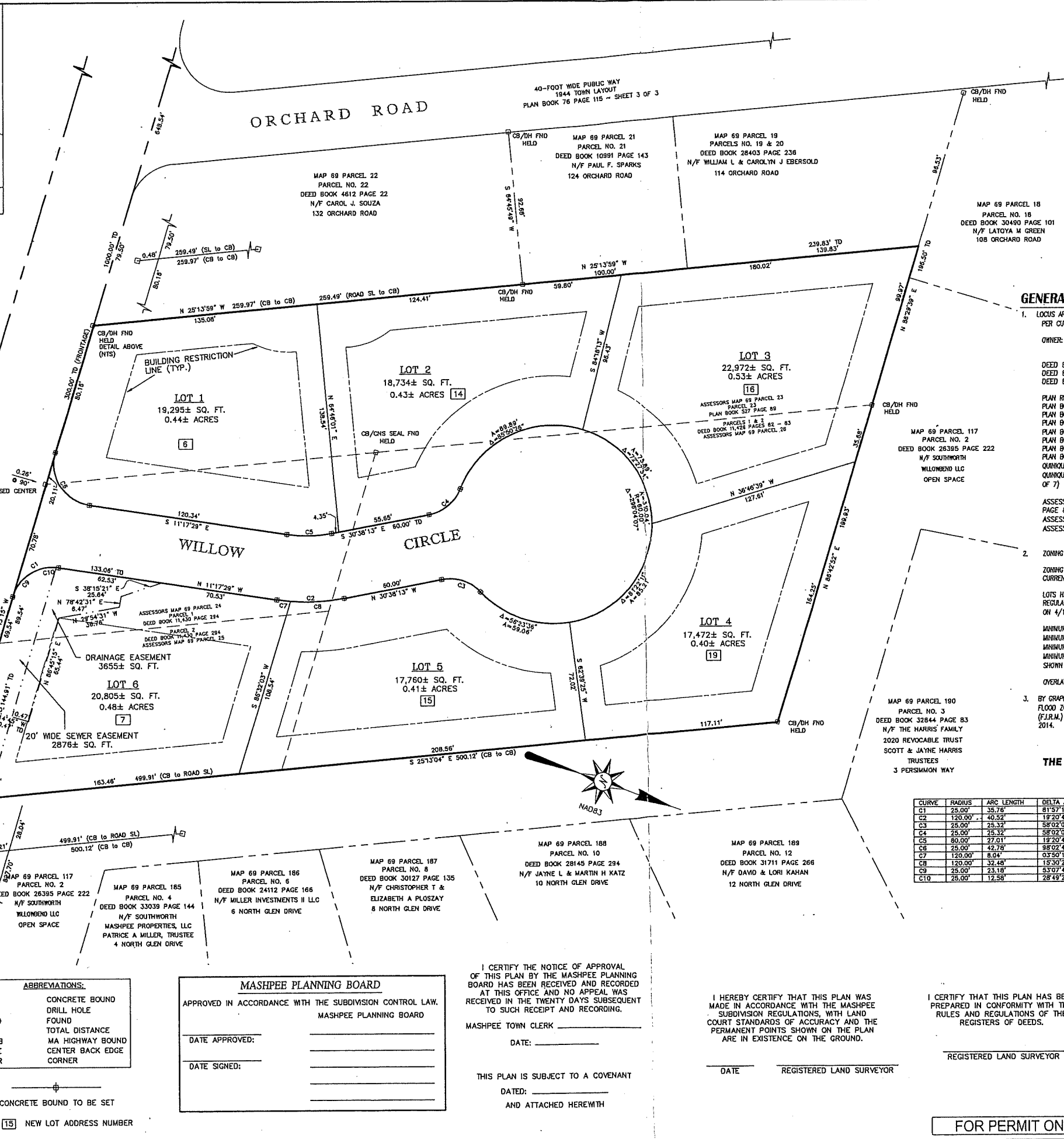
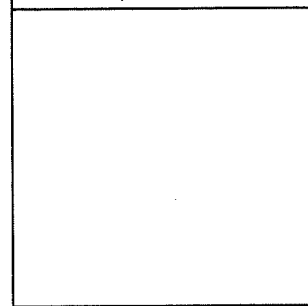
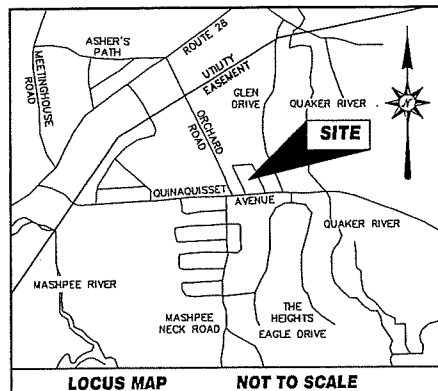
30 0 30 60

SCALE IN FEET

SCALE: 1"=30'

DRAWN BY: SDW CHECKED BY: MWE

JOB NO: 2006-018 FILE: 2006-018 SV.dwg



**GENERAL NOTES :**

- LOCUS AREA IS COMPRISED OF:  
PER CURRENT ASSESSOR'S RECORDS:  
  
OWNER: SOUTHWORTH CAPE DEVELOPMENT LLC  
130 WILLOWBEND DRIVE MASHPEE, MA 02649  
  
DEED BOOK 11,384 PAGE 30  
DEED BOOK 11,426 PAGE 82  
DEED BOOK 11,430 PAGE 294  
  
PLAN REFERENCES:  
PLAN BOOK 527 PAGE 89  
PLAN BOOK 536 PAGE 83  
PLAN BOOK 255 PAGE 5  
PLAN BOOK 247 PAGE 123 (CONFIRMATION OF L. C. PLAN 33880A)  
PLAN BOOK 149 PAGE 28 FIG. 1  
PLAN BOOK 275 PAGE 22  
PLAN BOOK 76 PAGE 115  
QUINQUISSET 1916 STATE HIGHWAY L. O. #1685 (SH. 4 & 5 OF 9)  
QUINQUISSET 1963 DISCONTINUANCE STATE HIGHWAY L. O. #537 (SH. 4 & 5 OF 7)  
  
ASSESSOR'S MAP 69 PARCEL 23 ~ LOT 23 @ PLAN BOOK 527 PAGE 89  
ASSESSOR'S MAP 69 PARCEL 26  
ASSESSOR'S MAP 69 PARCELS 24 & 25
- ZONING INFORMATION:  
  
ZONING DISTRICT: R3  
CURRENT MINIMUM ZONING REQUIREMENTS:  
  
LOTS HEREON ARE PROPOSED IN ACCORDANCE WITH THE CLUSTER SUBDIVISION REGULATIONS AND AS A MODIFICATION TO THE ORIGINAL SPECIAL PERMIT ISSUED ON 4/15/1987 AS RECORDED AT BOOK 5707 PAGE 290:  
  
MINIMUM LOT AREA = 15,000 SQ. FT.  
MINIMUM LOT FRONTAGE = 75'  
MINIMUM FRONT YARD SETBACK = 30'  
MINIMUM SIDE AND REAR YARD SETBACK = 15'/20' (AND AS ADDITIONALLY SHOWN HEREON)  
  
OVERLAY DISTRICTS: NONE
- BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 250001 0752 J EFFECTIVE DATE JULY 16, 2014.

**THE INTENT OF THIS PLAN IS TO SUBDIVIDE THESE PARCELS INTO SIX (6) LOTS**

| CURVE | RADIUS  | ARC LENGTH | DELTA ANGLE | TANGENT |
|-------|---------|------------|-------------|---------|
| C1    | 25.00'  | 35.78'     | 81°57'16"   | 21.71'  |
| C2    | 120.00' | 40.52'     | 19°20'44"   | 20.45'  |
| C3    | 25.00'  | 25.32'     | 58°02'04"   | 13.87'  |
| C4    | 25.00'  | 25.32'     | 58°02'04"   | 13.87'  |
| C5    | 80.00'  | 27.01'     | 19°20'44"   | 13.87'  |
| C6    | 25.00'  | 42.78'     | 98°02'44"   | 28.78'  |
| C7    | 120.00' | 8.04'      | 03°50'18"   | 4.02'   |
| C8    | 120.00' | 32.48'     | 15°30'26"   | 16.34'  |
| C9    | 25.00'  | 23.18'     | 33°07'48"   | 12.50'  |
| C10   | 25.00'  | 12.58'     | 28°49'28"   | 6.42'   |

**ABBREVIATIONS:**

|     |                  |
|-----|------------------|
| CB  | CONCRETE BOUND   |
| DH  | DRILL HOLE       |
| FND | FOUND            |
| TD  | TOTAL DISTANCE   |
| MHB | MA HIGHWAY BOUND |
| CBE | CENTER BACK EDGE |
| COR | CORNER           |

**MASHPEE PLANNING BOARD**

APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

MASHPEE PLANNING BOARD

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

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

I CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE MASHPEE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED IN THE TWENTY DAYS SUBSEQUENT TO SUCH RECEIPT AND RECORDING.

MASHPEE TOWN CLERK \_\_\_\_\_

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

THIS PLAN IS SUBJECT TO A COVENANT DATED: \_\_\_\_\_ AND ATTACHED HEREWITH

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

DATE \_\_\_\_\_ REGISTERED LAND SURVEYOR

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE \_\_\_\_\_ REGISTERED LAND SURVEYOR

**FOR PERMIT ONLY - NOT FOR CONSTRUCTION**

# Definitive Road Construction Plans

Issued for : **Definitive Plan Approval/Special Permit Approval**

Date Issued : 09/09/21

Job Number : 2006-018

APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

|               |                        |
|---------------|------------------------|
| DATE APPROVED | MASHPEE PLANNING BOARD |
| DATE SIGNED   |                        |

THIS PLAN SUBJECT TO COVENANT DATED: \_\_\_\_\_ AND ATTACHED HERETO.

THIS LAYOUT PLAN WAS FILED WITH THE TOWN CLERK ON: \_\_\_\_\_

I, \_\_\_\_\_, CLERK OF THE TOWN OF MASHPEE, HEREBY CERTIFY THAT THIS PLAN AS APPROVED BY THE PLANNING BOARD, HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS AFTER SUCH FILING, IN ACCORDANCE WITH THE MASSACHUSETTS GENERAL LAW, CHAPTER 82, SECTION 23.

DATE: \_\_\_\_\_ TOWN CLERK

## Index

| No.  | Drawing Title                                |
|------|--|
| C1.0 | Cover Sheet                                  |
| C2.0 | Legend and General Notes                     |
| C3.0 | Existing Conditions                          |
| C4.0 | Layout and Materials Plan                    |
| C4.1 | Buffer Landscape Plan                        |
| C5.0 | Road Plan & Profile- Station 0+00 to 5+01.26 |
| C5.1 | Stormwater Management Plan                   |
| C6.0 | Utility Plan                                 |
| C6.1 | Utility Notes                                |
| C7.0 | Detail Sheet 1 of 3                          |
| C8.0 | Detail Sheet 2 of 3                          |
| C9.0 | Detail Sheet 3 of 3                          |

# Willow Circle Subdivision

178, 182, 184 & 186 Quinaquisset Avenue  
Mashpee, Massachusetts

Prepared For : **Willowbend County Club, Inc.**

Applicant :

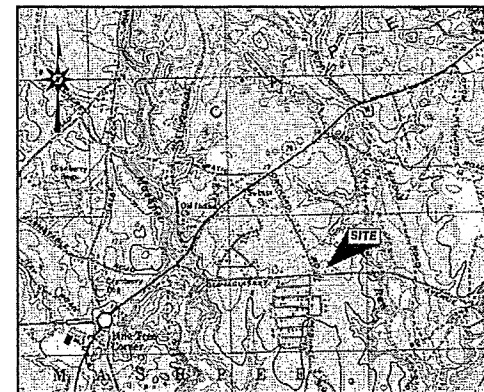
Southworth Mashpee Properties LLC  
130 Willowbend Drive  
Mashpee, MA 02649  
Phone - (508) 539-5316  
Fax - (508) 539-5252  
Attn : Mr. Jack McElhinney

Owner:

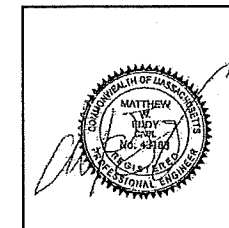
Southworth Cape Development LLC  
130 Willowbend Drive  
Mashpee, MA 02649  
Phone - (508) 539-5316  
Fax - (508) 539-5252

Site Engineer/Surveyor:

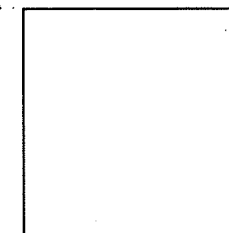
**BAXTER NYE ENGINEERING & SURVEYING**  
Registered Professional  
Engineers and Land Surveyors  
78 North Street - 3rd Floor, Hyannis, MA 02601  
Phone - (508) 771-7502 Fax - (508) 771-7622  
ATTN : Matthew Eddy



Locus Map Scale 1" = 2000'



ENGINEER:  
MATTHEW W. EDDY  
MASSACHUSETTS REGISTERED  
PROFESSIONAL ENGINEER REG# 43183



SURVEYOR:  
SHANE MALLON  
MASSACHUSETTS REGISTERED  
PROFESSIONAL LAND SURVEYOR REG# \_\_\_\_\_

|   |     |       |         |                |
|---|-----|-------|---------|----------------|
|   |     |       |         | DATE: 09-10-21 |
|   |     |       |         | <b>C1.0</b>    |
| REV.                                      | BY: | DATE: | REMARKS | DRAWING NUMBER |
| O:\2006\2006-018\CIVIL\LOT\2006-018CV.dwg |     |       |         |                |
| Job # 2006-018                            |     |       |         |                |

○ = Construction Revision  
△ = Plan Revision  
Blank = Submittal Action

LEGEND

Table with columns for EXIST and PROP (BLACK TEXT REPRESENTS "PROPOSED" INFORMATION). It lists various symbols and line styles for property lines, easements, roads, utilities, and structures.

LEGEND

Table with columns for EXIST and PROP (BLACK TEXT REPRESENTS "PROPOSED" INFORMATION). It lists various symbols and line styles for drainage lines, catch basins, manholes, and other utility features.

ABBREVIATIONS

Table listing abbreviations for general terms, utility types, and specific materials or components used in the project.

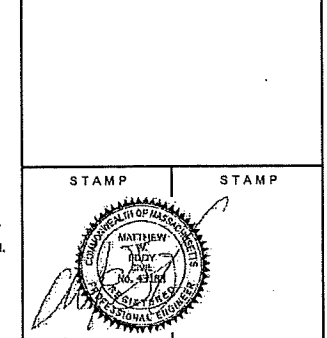
GENERAL CONSTRUCTION NOTES

21. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH MASSDOT, HIGHWAY DIVISION, STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES (MASSDOT-SSHB), AS CURRENTLY AMENDED, UNLESS OTHERWISE NOTED. IF THERE ARE CONFLICTS IN ANY OF THE SPECIFICATIONS OR PROJECT DOCUMENTS, THE HIGHER STANDARD SHALL APPLY.

28. RIM ELEVATIONS OF DRAINAGE AND SANITARY SEWER MANHOLES ARE APPROXIMATE. FINAL ELEVATIONS ARE TO BE SET FLUSH AND CONSISTENT WITH GRADING PLANS. ADJUST ALL OTHER RIM ELEVATIONS OF MANHOLES, GAS GATES, WATER GATES AND OTHER UTILITIES TO FINISHED GRADE WITHIN THE LIMITS OF THE SITE WORK.

BAXTER NYE ENGINEERING & SURVEYING

BAXTER NYE ENGINEERING & SURVEYING
Registered Professional Engineers and Land Surveyors
78 North Street - 3rd Floor
Hyannis, Massachusetts 02601



STAMP STAMP
CONSULTANT

CONSULTANT

PREPARED FOR:
SOUTHWORTH MASHPEE PROPERTIES, LLC
130 Willowbend Drive
Mashpee MA 02549

PROJECT TITLE
178, 182, 184 and 186
Quinacisquet Avenue
Mashpee, MA, 02601

Table with columns for DATE and DESCRIPTION, used for tracking project milestones.

SHEET TITLE
Legend & General Notes
SHEET NO
C2.0
DATE: SEPTEMBER 10, 2021
SCALE: NTS
DRAWN BY: SM CHECKED BY: MWE
JOB NO: 2006-018 FILE: 2006-018 LGD.dwg

APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.
DATE APPROVED \_\_\_\_\_ MASHPEE PLANNING BOARD
DATE SIGNED \_\_\_\_\_

FOR PERMIT ONLY - NOT FOR CONSTRUCTION





**BAXTER NYE**  
ENGINEERING &  
SURVEYING

Registered Professional Engineers  
and Land Surveyors

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PROPERTIES, LLC  
130 Willowbend Drive  
Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
Quinaquisset Avenue  
Mashpee, MA, 02601

**NOTES:**

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH MHDS, TOWN ORDINANCES, REQUIREMENTS, AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL CONTACT THE ENGINEER TO SCHEDULE A PRE-CONSTRUCTION MEETING AT LEAST TWO (2) WEEKS PRIOR TO COMMENCING CONSTRUCTION.
3. THE CONTRACTOR SHALL MAKE SUBMITTALS TO THE ENGINEER FOR APPROVAL BEFORE ANY FABRICATION OR DELIVERY OF PRODUCTS OR MATERIALS.
5. ALL PROPOSED WALKWAYS WILL BE HANDICAPPED ACCESSIBLE. ALL PROPOSED RUNNING SLOPES ON WALKWAYS SHALL BE LESS THAN 5% AND ALL CROSS SLOPES < 2%. THESE ARE MAXIMUM SLOPES WITH NO TOLERANCE. ALL WORK WILL BE IN ACCORDANCE WITH THE MOST CURRENT REQUIREMENTS OF THE U.S. ACCESS BOARD, AMERICANS WITH DISABILITIES ACT & COMMONWEALTH OF MASSACHUSETTS, ARCHITECTURAL ACCESS BOARD.
6. DEMOLISH/REMOVE ALL EXISTING STRUCTURES, FOUNDATIONS, CONCRETE PADS, FENCES AND APPURTENANT ITEMS UNLESS OTHERWISE NOTED TO SAVE, SALVAGE OR RESET. SALVAGE EXISTING PAVEMENT IN AREA OF PARKING WHERE ASPHALT IS STRUCTURALLY SOUND, SHOWS NO SIGN OF CRACKING, AND MEETS PROPOSED GRADES SHOWN ON GRADING PLAN.
7. EXISTING PAVING EDGES SHALL BE SAWCUT TO CREATE A CLEAN EDGE WHERE IT IS TO BE TIED INTO NEW PAVING, OR WHERE ASPHALT IS REMOVED ADJACENT TO ASPHALT WHICH IS TO REMAIN. BROKEN OR UNSTABLE PAVEMENT SHALL BE REMOVED AND SUBBASE REPLACED WITH SUITABLE COMPACTED MATERIAL PER PAVEMENT SECTION DETAIL HEREIN. ANY SAWCUT LINES SHOWN ON THE PLANS ARE APPROXIMATE ONLY. THE EXACT EDGE OF SAWCUT SHALL BE DETERMINED BY THE CONTRACTOR IN THE FIELD TO PROPERLY BLEND TO THE SURROUNDING GRADES. PROPOSED ASPHALT SHALL BE PROPERLY BUTTED AND BLENDED TO SURROUNDING ASPHALT WHICH IS TO REMAIN. THE BLENDED TRANSITION BETWEEN PROPOSED AND EXISTING ASPHALT SHALL BE WITH AN APPROXIMATE 1.5% GRADE UNLESS OTHERWISE IDENTIFIED. THE JOINT SHALL NOT BE ABRUPT.
8. DIMENSIONS SHOWN ARE TO OUTSIDE FACE OF FOUNDATION OR TO THE FACE OF CURB/BERM WHERE APPLICABLE. SETBACKS TO PROPERTY LINES SHOWN ARE PER THE PROPERTY LINE SET BY THE REGISTERED PROFESSIONAL LAND SURVEYOR (PLS) AS SHOWN ON THE EXISTING CONDITIONS PLAN AS SEALED BY THE PLS WITHIN THIS PLAN SET.
10. ALL CURBING SHALL BE INSTALLED SO THAT WHEN A TERMINAL END OF A CURB EXISTS IT SHALL HAVE A TAPERED END PER MOOT SPECIFICATIONS SO THAT THERE IS NOT A BLUNT SQUARE END PROJECTING.
11. THE CONTRACTOR SHALL NOTIFY AND COORDINATE A SITE MEETING WITH THE ENGINEER PRIOR TO PLACING FINAL PAVING COURSE. LAYOUT AND FINAL REQUIRED DIMENSIONS ARE TO BE REVIEWED AT THIS MEETING PRIOR TO PAVING OPERATION. REQUIREMENTS SHALL BE PER MASSDOT STANDARD SPECIFICATIONS.
- ALL PAVEMENT MARKINGS AND STRIPING SHALL FOLLOW MUTCD STANDARDS. TYPICAL LINE WIDTH FOR LANE AND PARKING STALL STRIPING SHALL BE 4 INCHES UNLESS OTHERWISE NOTED. PARKING STALL COLOR SHALL BE WHITE, TYPICAL, UNLESS OTHERWISE NOTED.
12. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

| ZONING TABLE                     |                    |   |                  |
|----------------------------------|--------------------|---|------------------|
| ZONING DISTRICT:                 | R-3 (RESIDENTIAL)  |   |                  |
| OVERLAY DISTRICTS:               | NONE               |   |                  |
| ALLOWED USE:                     | RESIDENTIAL        | PROPOSED USE:                                 | RESIDENTIAL      |
| EXIST USE:                       | RESIDENTIAL        | EXIST BLDGS TO BE DEMOLISHED                  |                  |
| TOTAL PARCEL AREA:               | 139,061 ± S.F.     |   |                  |
| LOT AREA:                        | REQUIRED/ALLOWED   | REQUIRED/ALLOWED BY WILLOWBEND SPECIAL PERMIT | PROVIDED         |
| FRONTAGE:                        | 150 FT             | 75 FT   | 75.89 FT. (MIN.) |
| BUILDING SETBACKS:               | 40 FT              | 30 FT   | 30 FT            |
| FRONT SETBACK                    | 15 FT              | 15 FT   | 15 FT            |
| SIDE SETBACK                     | 15 FT              | 20 FT   | 20 FT            |
| REAR SETBACK                     | 15 FT              | 20 FT   | 20 FT            |
| MAX. BLDG. HEIGHT (STORIES)      | 2 STORIES/35 FT.   | 2 STORIES/35 FT.                              | 2 STORIES/35 FT. |
| MAX. % LOT COVERAGE (STRUCTURES) | 20% (27,812± S.F.) | N/A   | N/A              |
| TOTAL PARCEL:                    | 139,061± S.F.      |   |                  |

| SIGN SUMMARY      |               |        |              |
|-------------------|---------------|--------|--------------|
| M.U.T.C.D. NUMBER | SPECIFICATION | HEIGHT | TEXT/ SYMBOL |
| R1-1              | 30"           | 30"    | STOP         |
| R2-1              | 24"           | 30"    | STOP 25      |

STREET SIGN PER OPW STANDARD

ALL SIGNAGE MUST BE IN CONFORMANCE WITH THE FEDERAL HIGHWAY ADMINISTRATION "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD), LATEST EDITION, ALL APPLICABLE CODES, AND LOCAL REQUIREMENTS, ORDINANCES, AND BYLAWS.

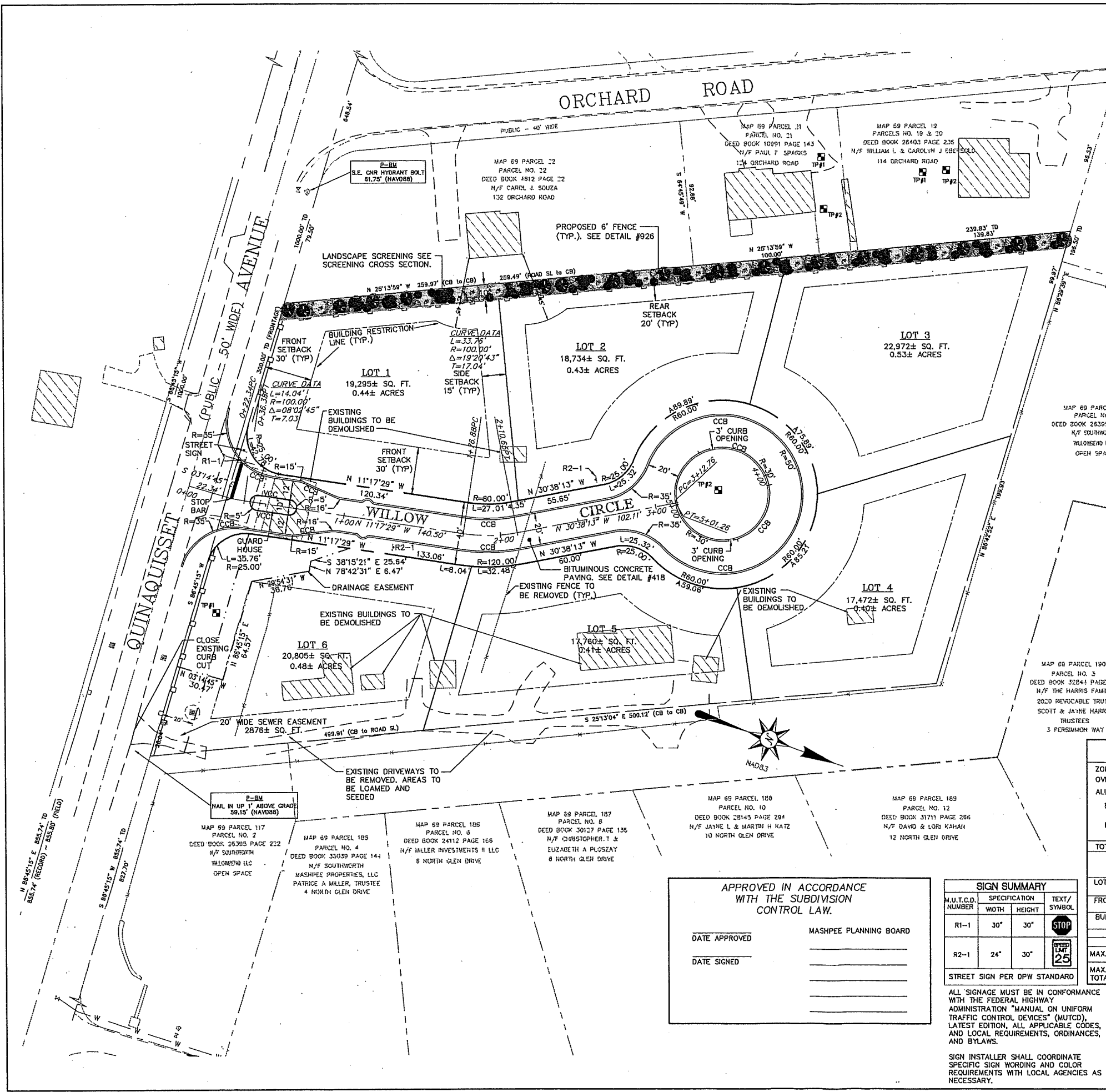
SIGN INSTALLER SHALL COORDINATE SPECIFIC SIGN WORDING AND COLOR REQUIREMENTS WITH LOCAL AGENCIES AS NECESSARY.

APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

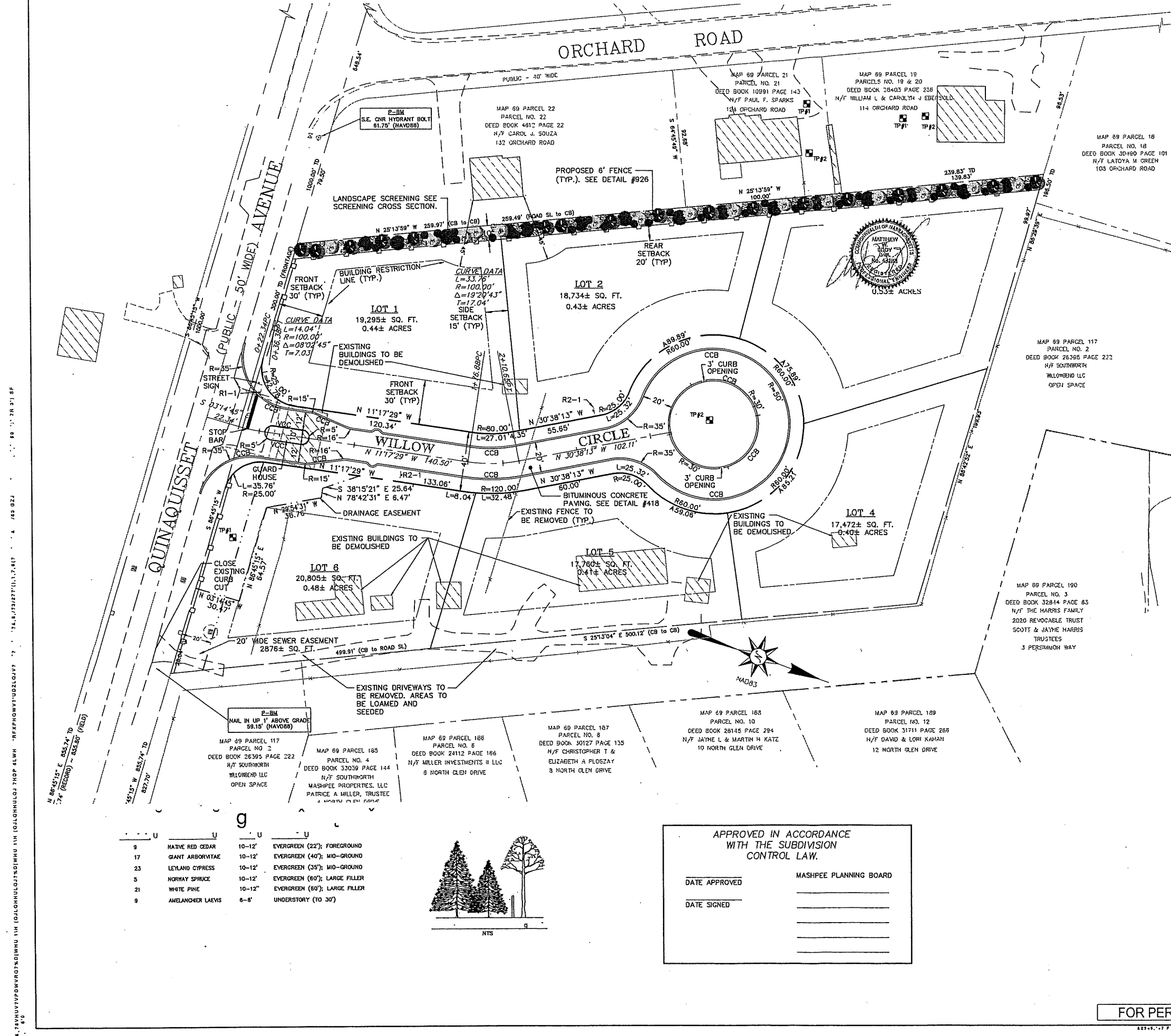
DATE APPROVED \_\_\_\_\_ MASHPEE PLANNING BOARD

DATE SIGNED \_\_\_\_\_

**FOR PERMIT ONLY - NOT FOR CONSTRUCTION**



Customer: Southworth Mashpee Properties, LLC; Project: 178, 182, 184 and 186 Quinaquisset Avenue, Mashpee, MA; Date: 09/10/2021; Scale: 1"=30'; Drawn by: SM; Checked by: VWE; Job No.: 2006-018; File: 2006-018-04.dwg

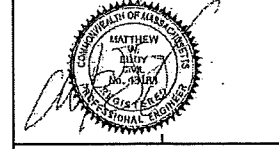


1. PLANT SOIL SHALL BE 1/3 SPHAGNUM PEAT MOSS AND 2/3 FERTILE FIELD LOAM BY VOLUME.
2. MULCH SHALL BE HORTICULTURAL QUALITY HEMLOCK BARK. WHERE MULCH BEDS ARE AROUND A BUILDING THE MULCH SHALL BE HELD 20" OFF THE BUILDING AND 3/8" LANDSCAPE PEASTONE SHALL BE PLACED WITHIN THIS 20" AS A DRAIN EDGE AROUND THE BUILDING PERIMETER. PEASTONE COLOR TO BE SELECTED BY OWNER/ARCHITECT.
3. TREE PLANTINGS SHALL BE COMMON VARIETIES CAPABLE OF REACHING A HEIGHT OF 30' @ MATURITY.
4. SHRUB PLANTINGS SHALL BE COMMON VARIETIES CAPABLE OF A MINIMUM HEIGHT OF 3' @ MATURITY.
5. LOWER STORY PLANTINGS: SHRUBS 30-46 INCHES
6. PLANTS SHALL CONFORM TO MOST RECENT STANDARDS OF THE AMERICAN NURSERYMENS ASSOCIATION.
7. PROVIDE 4" TOPSOIL & FINE GRADE & SEED ALL AREAS NOT OTHERWISE NOTED.
8. ALL PLANTINGS AT DRIVE WAY ENTRANCES WILL BE MAINTAINED TO A HEIGHT OF 3' OR LESS AS TO NOT OBSCURE TRAFFIC VISIBILITY.
9. SEED MIX SHALL BE ERNST SEEDS "RETENTION BASIN FLOOR MIX - LOW MAINTENANCE" SEED MIX OR EQUAL WITHIN STORMWATER SURFACES (SIDE SLOPES AND BOTTOM).

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 Hyannis, Massachusetts 02601  
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 Fax - (508) 771-7622  
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STAMP STAMP



CONSULTANT

CONSULTANT

PREPARED FOR:  
**SOUTHWORTH MASHPEE PROPERTIES, LLC**  
 130 Willowbend Drive  
 Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186 Quinisset Avenue Mashpee, MA, 02601**

| DATE | DESCRIPTION |
|------|-------------|
|      |             |
|      |             |
|      |             |
|      |             |
|      |             |
|      |             |
|      |             |
|      |             |
|      |             |

**Buffer Landscape Plan**

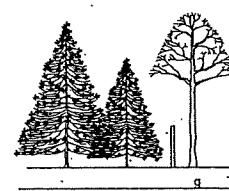
SHEET NO  
**C4.1**

DATE: SEPTEMBER 10, 2021

SCALE IN FEET  
 SCALE: 1"=30'

DRAWN BY: SWM CHECKED BY: MNE  
 JOB NO: 2008-018 FILE: 2008-018-C4.1

- |    |                  |        |                               |
|----|------------------|--------|-------------------------------|
| 9  | NATIVE RED CEDAR | 10-12' | EVERGREEN (22'); FOREGROUND   |
| 17 | GIANT ARBORVITAE | 10-12' | EVERGREEN (40'); MID-GROUND   |
| 23 | LEYLAND CYPRESS  | 10-12' | EVERGREEN (35'); MID-GROUND   |
| 5  | NORMAN SPRUCE    | 10-12' | EVERGREEN (60'); LARGE FILLER |
| 21 | WHITE PINE       | 10-12' | EVERGREEN (60'); LARGE FILLER |
| 9  | ANELANCHER LAEYS | 6-8'   | UNDERSTORY (TO 30')           |



APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

DATE APPROVED \_\_\_\_\_ MASHPEE PLANNING BOARD

DATE SIGNED \_\_\_\_\_

FOR PERMIT ONLY - NOT FOR CONSTRUCTION

STAMP STAMP



CONSULTANT

CONSULTANT

PREPARED FOR:  
**SOUTHWORTH MASHPEE**  
PROPERTIES, LLC  
130 Willowbend Drive  
Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
Quinquisset Avenue  
Mashpee, MA, 02601

DATE DESCRIPTION

SHEET TITLE

**Willow Circle -**

**Plan and Profile**

**Station 0+00 to 5+01.26**

SHEET NO

**C5.0**

DATE: SEPTEMBER 10, 2021

30 0 30 60

SCALE IN FEET

SCALE: 1" = 30'

DRAWN BY: SDM CHECKED BY: WNE

JOB NO: 2008-018 FILE: 2008-018 P2.dwg

**GRADING AND DRAINAGE NOTES:**

2. DEBRIS, STUMPS, EXCESS, AND UNSUITABLE MATERIALS FROM THE CLEARING & DEMOLITION OPERATIONS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER BY THE CONTRACTOR.
3. DISTURBED AREAS SHALL BE PROTECTED AT ALL TIMES TO CONTROL SEDIMENT TRANSPORT BEYOND THE LIMITS OF WORK.
4. DISTURBED AREAS SHALL BE TREATED WITH WATER DURING EXCAVATION, OR APPROVED ALTERNATIVE, TO CONTROL THE DUST.
5. THE SITE SUBCONTRACTOR SHALL PROVIDE ALL EXCAVATION, BACKFILL AND COMPACTION NECESSARY TO ACHIEVE THE FINISH GRADES SHOWN ON THE PLANS AND FOR INSTALLATION OF BUILDING STRUCTURES, PAVING, STORMWATER MANAGEMENT AND ALL UTILITIES (INTERIOR AND EXTERIOR). SITE CONTRACTOR TO REFER TO SITE ELECTRICAL, MEP AND LANDSCAPE PLANS FOR ADDITIONAL INFORMATION AND DETAIL.
- EXISTING PAVING EDGES SHALL BE SAW CUT TO CREATE A CLEAN EDGE WHERE IT IS TO BE TIED INTO NEW PAVING, OR WHERE ASPHALT IS REMOVED ADJACENT TO ASPHALT WHICH IS TO REMAIN. BROKEN OR UNSTABLE PAVEMENT SHALL BE REMOVED AND SUBBASE REPLACED WITH SUITABLE COMPACTED MATERIAL PER PAVEMENT SECTION DETAIL HEREIN. ANY SAWCUT LINES SHOWN ON THE PLANS ARE APPROXIMATE ONLY. THE EXACT EDGE OF ASPHALT SHALL BE DETERMINED BY THE CONTRACTOR IN THE FIELD TO PROPERLY BLEND TO THE SURROUNDING GRADES. PROPOSED ASPHALT SHALL BE PROPERLY BUTTED AND BLENDED TO SURROUNDING ASPHALT WHICH IS TO REMAIN. THE BLENDED TRANSITION BETWEEN PROPOSED AND EXISTING ASPHALT SHALL BE ACCOMPLISHED WITH AN APPROXIMATE 1.5% GRADE UNLESS OTHERWISE IDENTIFIED. THE JOINT SHALL NOT BE ABRUPT.
8. ALL PIPE OUTFALLS, CURB OPENINGS, STONE WEIRS, CHECK DAMS, AND OTHER DRAINAGE OUTFALLS AND OUTLET AREAS SHALL HAVE RIPRAP EXTENDED FROM THE OUTLET TO THE BOTTOM OF SLOPE WITH A MINIMUM 10 FT X 10 FT RIPRAP LEVEL SPREADER, UNLESS OTHERWISE SPECIFICALLY DETAILED. ALL STONE OUTFALLS SHALL BE PROPERLY SHAPED SO THE RUNOFF IS CONTAINED WITH THE STONE LINING. SEE TYPICAL DETAILS FOR ADDITIONAL INFORMATION.
7. ALL DISTURBED AREAS NOT OTHERWISE TREATED SHALL BE STABILIZED WITH 4" LOAM SEED, & MULCH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR AREAS UNTIL VEGETATION HAS BEEN PERMANENTLY ESTABLISHED. SLOPES IN EXCESS OF 3:1 AND AREAS THAT SHOW SIGNS OF EROSION FROM CONCENTRATED FLOWS SHALL BE FURTHER STABILIZED WITH EROSION CONTROL BLANKETS (ECB) OF CURB DOUBLE NET - CURLEX II BY AMERICAN EXCESSOR COMPANY OR EQUAL. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE REQUIRED ECBS AND PROPERLY STABILIZE ALL AREAS OF THE SITE.
8. ALL DRAINAGE STRUCTURES AND PIPING SHALL BE DESIGNED AND INSTALLED FOR H-20 LOADING. SETTING OF CATCH BASINS AND MANHOLE STRUCTURES SHALL BE ADJUSTED WITH CONCENTRIC OR OFFSET TOPS AS NEEDED FOR MINOR ADJUSTMENTS TO AVOID CONFLICTS WITH UNDERGROUND UTILITIES OR OTHER STRUCTURES. THE GRATE OR MANHOLE COVER SHALL ALSO BE ADJUSTED OVER THE STRUCTURE TO NOT CONFLICT WITH THE STRUCTURE.
9. A 25' MINIMUM SEPARATION SHALL BE MAINTAINED BETWEEN ALL STORM WATER MANAGEMENT INFILTRATION FACILITIES AND SANITARY SEWER/SEPTIC DISPOSAL AREAS AND HAZARDOUS STORAGE TANKS/TACLES. A 10 FEET MINIMUM SHALL BE MAINTAINED BETWEEN ALL STORM WATER MANAGEMENT INFILTRATION FACILITIES AND SANITARY SEWER/SEPTIC LINES, MANHOLES AND TANKS.
10. FOR STORMWATER MANAGEMENT FACILITIES, THE CONTRACTOR SHALL VERIFY IN FIELD, WITH ENGINEER PRESENT, SOIL INFILTRATION RATE AND GROUNDWATER ELEVATION PRIOR TO ORDERING OF MATERIALS OR COMMENCEMENT OF CONSTRUCTION (ASSUMED 8.27 INCHES/HR. INFILTRATION RATE). IF RATE VARIES FROM ASSUMPTION OR GROUNDWATER IS PRESENT, SYSTEM MAY HAVE TO BE REDESIGNED AS DETERMINED BY THE ENGINEER. ANY MATERIALS ORDERED OR CONSTRUCTION COMMENCED PRIOR TO THIS OCCURRING IS AT THE CONTRACTOR'S OWN RISK.
11. CPP - HIGH DENSITY POLYETHYLENE CORRUGATED PIPE WITH SMOOTH INTERIOR WALL TO MEET ADS H-12 PIPE SPECIFICATION OR EQUAL. CPP PIPE USE SHALL BE ALLOWED AS NOTED, WITH A DIAMETER UP TO AND INCLUDING 24". BACK FILLING CPP MUST FOLLOW MANUFACTURER'S RECOMMENDATIONS AND SPECIAL CARE MUST BE EXERCISED (SEE ADS PRODUCT NOTE 3.115).
14. ALL PIPE INSTALLATIONS SHALL FOLLOW PROJECT SPECIFICATIONS AND PIPE MANUFACTURER RECOMMENDATIONS.
15. ALL GRADING WORK SHALL BE DONE IN A WORKMANLIKE MANNER ACCOMPLISHED TO CREATE POSITIVE DRAINAGE AND ELIMINATE ANY PUDDLING OR PONDING. WHERE NOT OTHERWISE NOTED OR DEFINED ON THE PLAN, ALL CUT AND FILL SHALL BE BLENDED TO DAYLIGHT AT EXISTING GRADE WITH A 3:1 SLOPE.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER WITH ANY GRADE ISSUES OR QUESTIONS PRIOR TO PERFORMING THE FINISH GRADING WORK.
16. TYPICAL CURB REVEAL IS TO BE 6 INCHES (FOR VERTICAL FACE) UNLESS OTHERWISE NOTED BY TOP OF CURB (TOC) AND BOTTOM OF CURB (BOC) ELEVATIONS. WHERE THESE ARE NOTED THE CONTRACTOR SHALL REVIEW TO PROVIDE REQUIRED REVEALS AND THEN PROPERLY TAPER THE CURB AND FINISH GRADE BACK TO THE TYPICAL 6 INCH REVEAL. IF TOC OR BOC LABELS ARE NOT SHOWN, ALL SPOT ELEVATIONS ARE BOTTOM OF CURB WHEN ADJACENT TO A CURB FACE.
18. STORMWATER MANAGEMENT FACILITIES SHALL BE PROTECTED FROM SEDIMENT AND SILTATION AT ALL TIMES. JUST PRIOR TO COMPLETION, THE SITE SUBCONTRACTOR SHALL PERFORM A FINAL INSPECTION AND CLEANING OF THE STORM WATER MANAGEMENT SYSTEM. ALL SEDIMENT AND SILTATION SHALL BE REMOVED FROM THE BASINS, FOREBAYS, ETC. AND THESE AREAS SHALL BE SHAPED TO FINAL CONTOURS AND ELEVATION PER THE PLANS. ALL REPAIRS SHALL BE MADE AS NECESSARY TO THE SATISFACTION OF THE ENGINEER PRIOR TO PLACING FINAL TOPSOIL, MULCH, VEGETATION, SEEDING, ETC.
19. ANY DEWATERING OPERATION WHEN REQUIRED AS PART OF THE CONSTRUCTION PROCESS SHALL ENSURE ALL DEWATERING OCCURS THROUGH A PROPER DEWATERING BASIN (STONE, FILTER FABRIC AND HAYBALES OR OTHER ACCEPTABLE MEANS) PRIOR TO DISCHARGE FROM THE SITE.
20. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.

**EXCAVATION/FILL NOTES:**

1. SIDE SLOPES OF TRENCH EXCAVATIONS DEEPER THAN 4 FEET SHOULD BE FLATTENED (AS REQUIRED BY SITE CONDITIONS) TO AT LEAST 1H:1V OR SUPPORTED WITH TRENCH BOX OR SIMILAR DEVICE. ALL WORK SHALL BE PERFORMED SAFELY AND IN ACCORDANCE WITH OSHA AND MSHA REQUIREMENTS. CONTRACTOR SHALL OBTAIN TRENCH PERMIT AS REQUIRED.
2. AFTER REMOVAL OF TOPSOIL AND INADEQUATE MATERIALS, GENERAL FILL SUBGRADE SHOULD BE PROOF-ROLLED WITH A LOADED 10-WHEEL TANDEM-AXLE DUMP TRUCK. THE PROOF-ROLLING SHOULD BE PERFORMED AS DIRECTED BY A GEOTECHNICAL ENGINEER. NO FILL SHOULD BE PLACED UNTIL THE SUBGRADE IS APPROVED BY A GEOTECHNICAL ENGINEER. BORROW MATERIALS FOR FILL OPERATIONS FOR GENERAL SITE GRADING SHOULD MEET AASHTO DESIGNATION A-2-4 (CLASS B) OR MORE GRANULAR AND BE APPROVED BY A GEOTECHNICAL ENGINEER. ALL FILLS SHOULD BE CONSTRUCTED IN 8" LOOSE LIFTS AND COMPACTED AS FOLLOWS, UNLESS OTHERWISE NOTED IN PROJECT SPECIFICATIONS:
  - FILLS SUPPORTING FOUNDATIONS AND FLOOR SLABS, 95% OF ASTM D-1557 (AASHTO T-180)
  - TOP 24 INCHES OF ROADWAY SUBGRADE AND SUBBASE, 95% OF ASTM D-1557 (AASHTO T-180)
  - RETAINING WALLS AND FILLS WITHIN ROADWAY (BELOW TOP 24 INCHES OF SUBGRADE AND SUBBASE), 92% OF ASTM D-1557 (AASHTO T-180)
  - FILLS IN GREEN SPACE, 90% OF ASTM D-1557 (AASHTO T-180)
3. FILLS UNDER AND AROUND STRUCTURES, MANHOLES, TANKS, VAULTS, ETC. AND PIPE EMBEDMENT (BEDDING, HAUNCHING AND INITIAL BACK FILL), 95% OF ASTM D-1557 (AASHTO T-180)

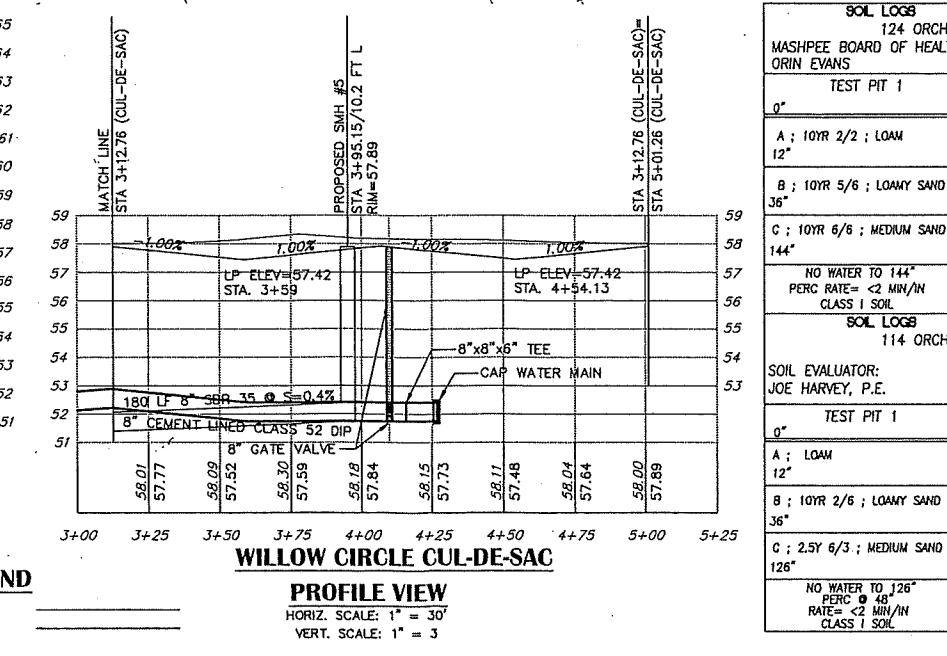
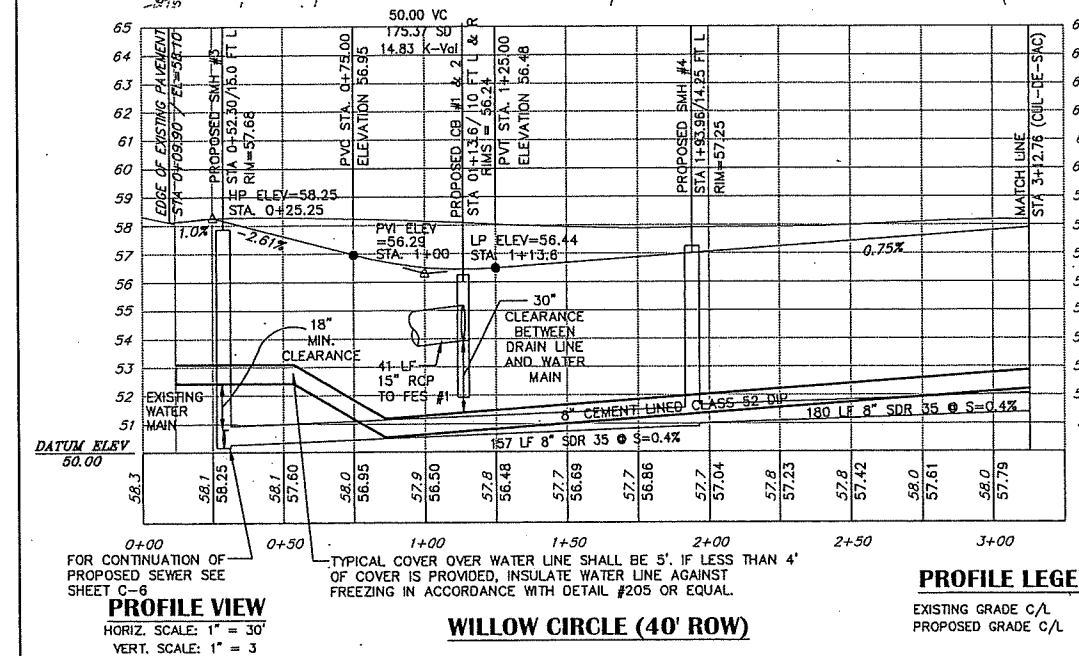
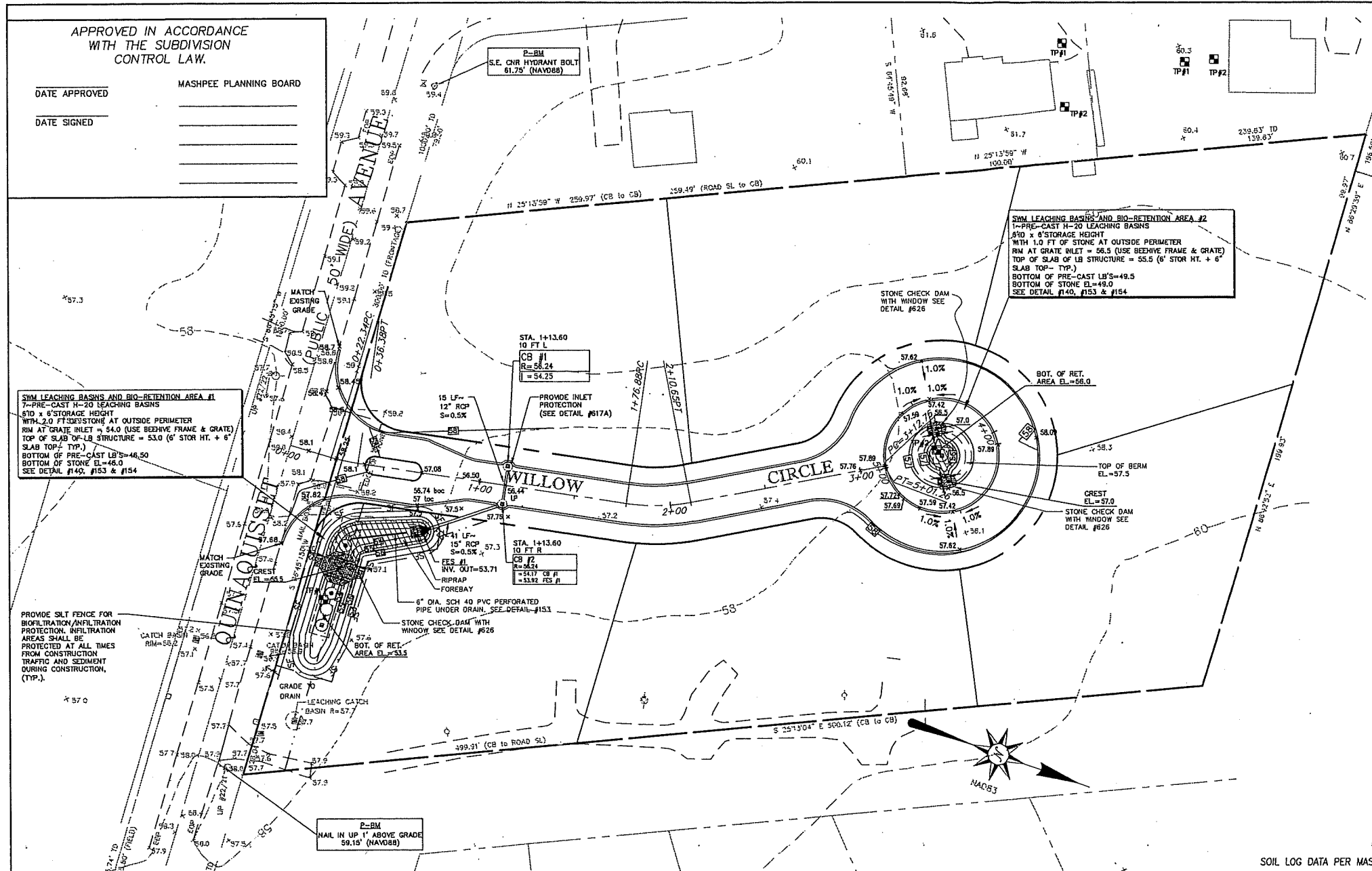
**GENERAL CONSTRUCTION NOTES:**

1. OFFSET DISTANCES NOTED ARE TO THE CENTER OF STRUCTURE.
2. SET CENTER OF CATCH BASINS GRATE 1' BACK FROM FACE OF CURB LINE WITH A 0.1' LOCAL DEPRESSION. WRAP CAPE COD BERM AROUND BACK OF GRATE WITH A 3' CURB TAPER.

**ABBREVIATIONS**

|     |                          |
|-----|--------------------------|
| BOC | BOTTOM OF CURB           |
| BOS | BOTTOM OF SLOPE          |
| BB  | BOTTOM OF WALL           |
| BF  | FINISHED FLOOR ELEVATION |
| GB  | GRADE BREAK              |
| HP  | HIGH POINT               |
| LP  | LOW POINT                |
| TOC | TOP OF CURB              |
| TOW | TOP OF WALL              |

FOR PERMIT ONLY - NOT FOR CONSTRUCTION



**SOIL LOG DATA PER MASHPEE HEALTH DEPARTMENT**

SOIL LOGS DATE: 8/29/08  
124 ORCHARD ROAD  
MASHPEE BOARD OF HEALTH AGENT:  
ORIN EVANS

| TEST PIT 1   | TEST PIT 2   |
|--|--|
| 0" A : 10YR 2/2 ; LOAM                                   | 0" A : 10YR 2/2 ; LOAM                                   |
| 12" B : 10YR 5/6 ; LOAMY SAND                            | 12" B : 10YR 5/6 ; LOAMY SAND                            |
| 36" C : 10YR 6/6 ; MEDIUM SAND                           | 36" C : 10YR 6/6 ; MEDIUM SAND                           |
| 144" NO WATER TO 144" PERC RATE = <2 MIN/IN CLASS I SOIL | 144" NO WATER TO 144" PERC RATE = <2 MIN/IN CLASS I SOIL |

SOIL LOGS DATE: 4/19/01  
114 ORCHARD ROAD  
MASHPEE BOARD OF HEALTH AGENT:  
VERONICA WARDEN

| TEST PIT 1   | TEST PIT 2                     |
|--|--------------------------------|
| 0" A : LOAM  | 0" A : LOAM                    |
| 12" B : 10YR 2/6 ; LOAMY SAND                                  | 12" B : 10YR 2/6 ; LOAMY SAND  |
| 36" C : 2.5Y 6/3 ; MEDIUM SAND                                 | 36" C : 2.5Y 6/3 ; MEDIUM SAND |
| 126" NO WATER TO 126" PERC @ 48" RATE = <2 MIN/IN CLASS I SOIL | 120" NO WATER TO 120"          |



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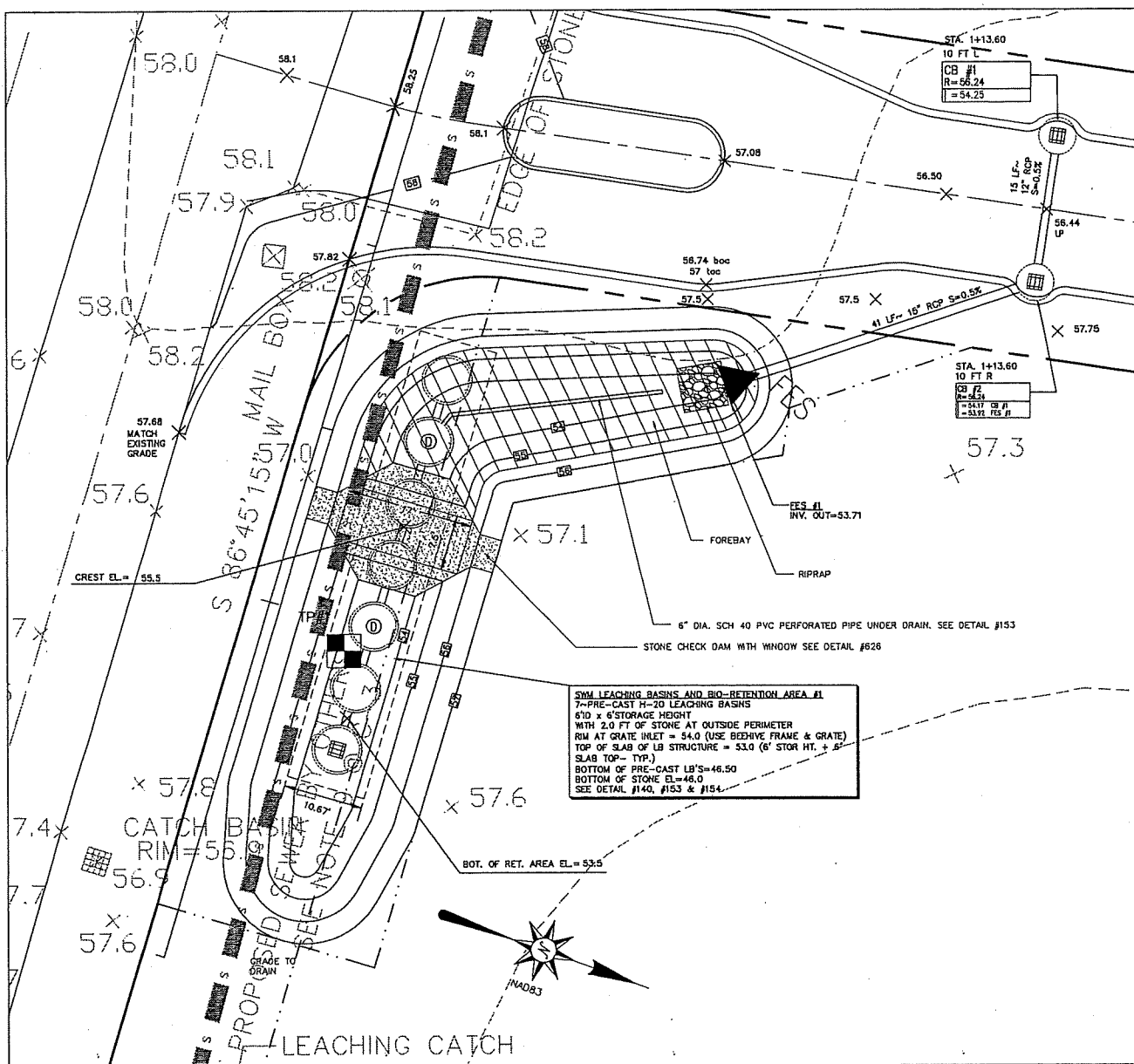


CONSULTANT

CONSULTANT

PREPARED FOR:  
**SOUTHWORTH MASHPEE**  
**PROPERTIES, LLC**  
130 Willowbend Drive  
Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
**Quinaquisset Avenue**  
**Mashpee, MA, 02601**



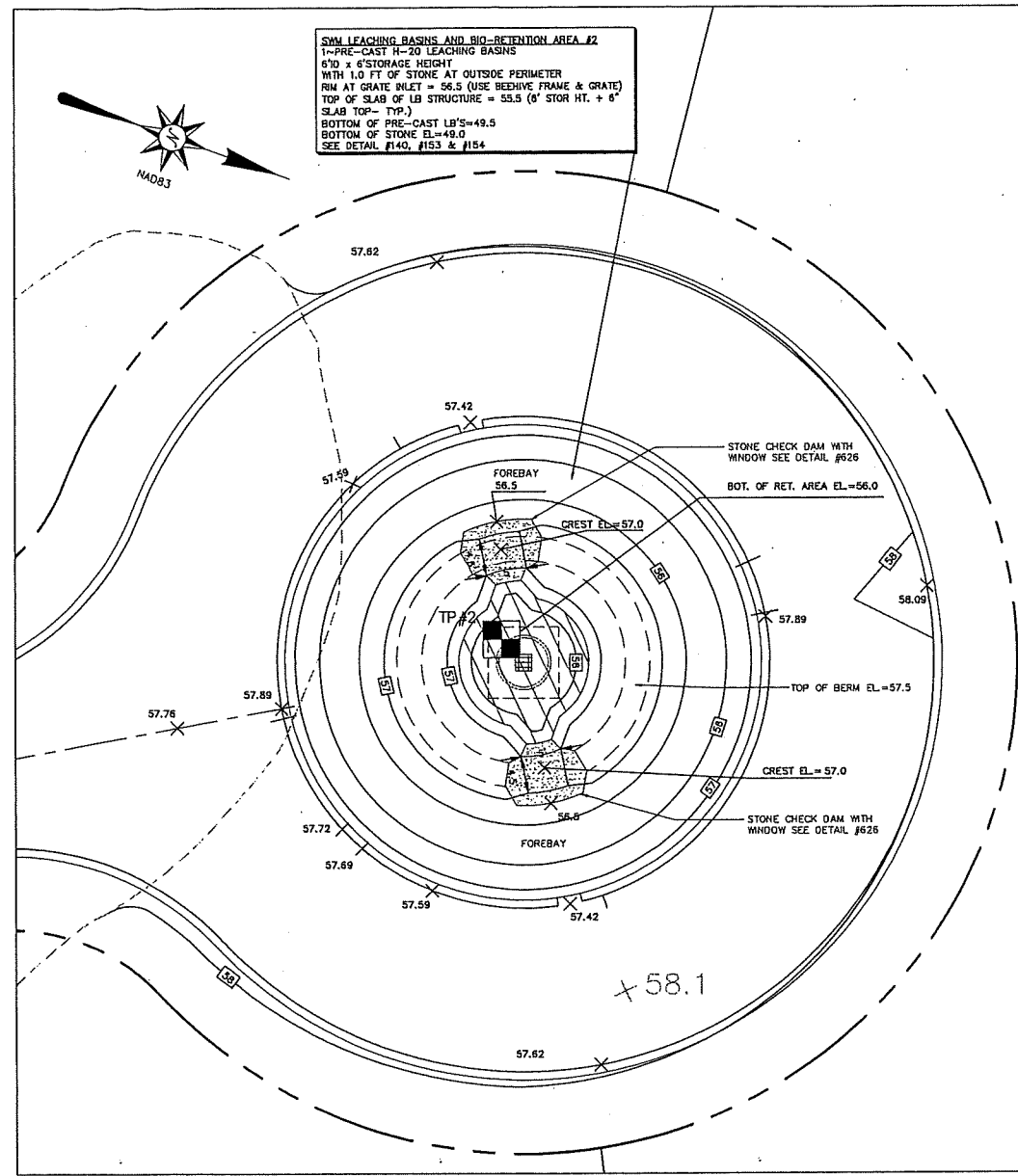
**SWM LEACHING BASINS AND BIO-RETENTION AREA #1**  
7-PRE-CAST H-20 LEACHING BASINS  
6'10" x 6' STORAGE HEIGHT  
WITH 2.0 FT OF STONE AT OUTSIDE PERIMETER  
RIM AT GRATE INLET = 54.0 (USE BEEHIVE FRAME & GRATE)  
TOP OF SLAB OF LB STRUCTURE = 53.0 (6' STOR HT. + 8" SLAB TOP - TYP.)  
BOTTOM OF PRE-CAST LB'S = 48.50  
BOTTOM OF STONE EL = 48.0  
SEE DETAIL #140, #153 & #154.

SOIL LOGS DATE: 04/30/10  
SOIL EVALUATOR: STEPHEN MATSON, P.E.

| TEST PIT 1                                    | TEST PIT 2                                    |
|---|---|
| 0" G.S.E. = 57.0                              | 0" G.S.E. = 58.0                              |
| A ; 10YR 4/7 ; SANDY LOAM<br>8" (ELEV 56.33)  | A ; 10YR 4/2 ; SANDY LOAM<br>12" (ELEV 57.00) |
| B ; 10YR 5/6 ; SANDY LOAM<br>32" (ELEV 54.33) | B ; 10YR 5/6 ; SANDY LOAM<br>40" (ELEV 54.66) |
| C ; 10YR 6/3 ; MED. SAND<br>156" (ELEV 44.00) | C ; 10YR 6/3 ; MED. SAND<br>132" (ELEV 47.00) |
| NO WATER AT 156"<br>(ELEV 44.00)              | NO WATER AT 132"<br>(ELEV 47.00)              |

**GENERAL NOTES:**

- IN ORDER TO PRESERVE THE INFILTRATION RATE OF THE SOIL IN THE BASINS, ALL AREAS CONTRIBUTING RUNOFF TO THE PROPOSED INFILTRATION DEVICES MUST BE STABILIZED PRIOR TO THE DEVICES RECEIVING SURFACE RUNOFF.
- MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES SHALL BE IN ACCORDANCE WITH THE EXECUTED INSPECTION AND MAINTENANCE AGREEMENT FOR PRIVATE STORMWATER MANAGEMENT FACILITIES AND SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE ASSIGNEES.



**SWM LEACHING BASINS AND BIO-RETENTION AREA #2**  
1-PRE-CAST H-20 LEACHING BASINS  
6'10" x 6' STORAGE HEIGHT  
WITH 1.0 FT OF STONE AT OUTSIDE PERIMETER  
RIM AT GRATE INLET = 56.5 (USE BEEHIVE FRAME & GRATE)  
TOP OF SLAB OF LB STRUCTURE = 55.5 (6' STOR HT. + 8" SLAB TOP - TYP.)  
BOTTOM OF PRE-CAST LB'S = 49.5  
BOTTOM OF STONE EL = 49.0  
SEE DETAIL #140, #153 & #154.

APPROVED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

MASHPEE PLANNING BOARD

DATE APPROVED \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

**FOR PERMIT ONLY - NOT FOR CONSTRUCTION**

| DATE | DESCRIPTION |
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SHEET TITLE  
**Stormwater Management Plan**

SHEET NO  
**C5.1**

DATE: SEPTEMBER 10, 2021

SCALE: 1"=10'

SCALE IN FEET

DRAWN BY: SOM CHECKED BY: MWE

JOB NO: 2006-018 FILE: 2006-018\_SWM\_01.dwg

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STAMP STAMP



CONSULTANT

CONSULTANT

PREPARED FOR:  
SOUTHWORTH MASHPEE  
PROPERTIES, LLC  
130 Willowbend Drive  
Mashpee MA 02549

PROJECT TITLE  
178, 182, 184 and 186  
Quinaquisset Avenue  
Mashpee, MA, 02601

DATE DESCRIPTION

SHEET TITLE  
**Willow Circle - Utility Plan**  
Station 0+00 to 5+01.76

SHEET NO  
**C6.0**

DATE: SEPTEMBER 10, 2021

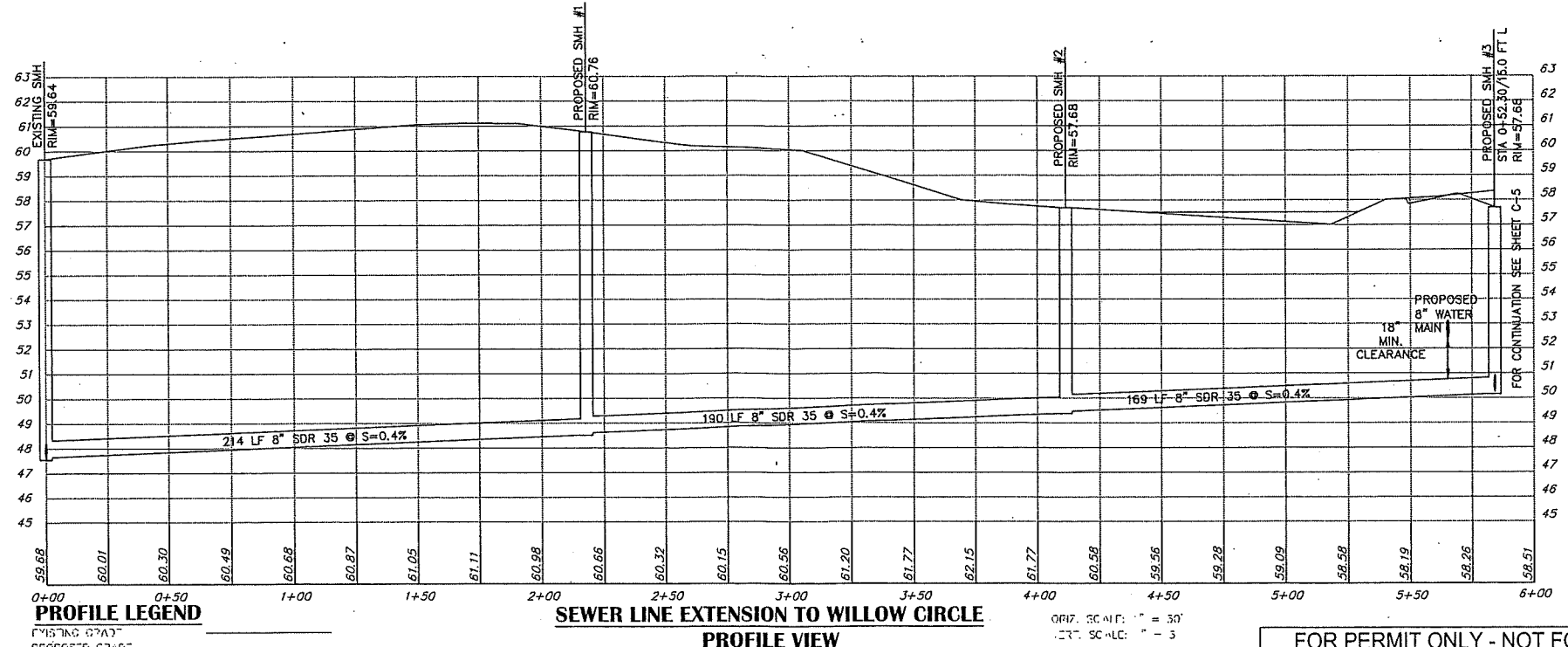
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DRAWN BY: SWW CHECKED BY: WNE  
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APPROVED IN ACCORDANCE  
WITH THE SUBDIVISION  
CONTROL LAW.

MASHPEE PLANNING BOARD

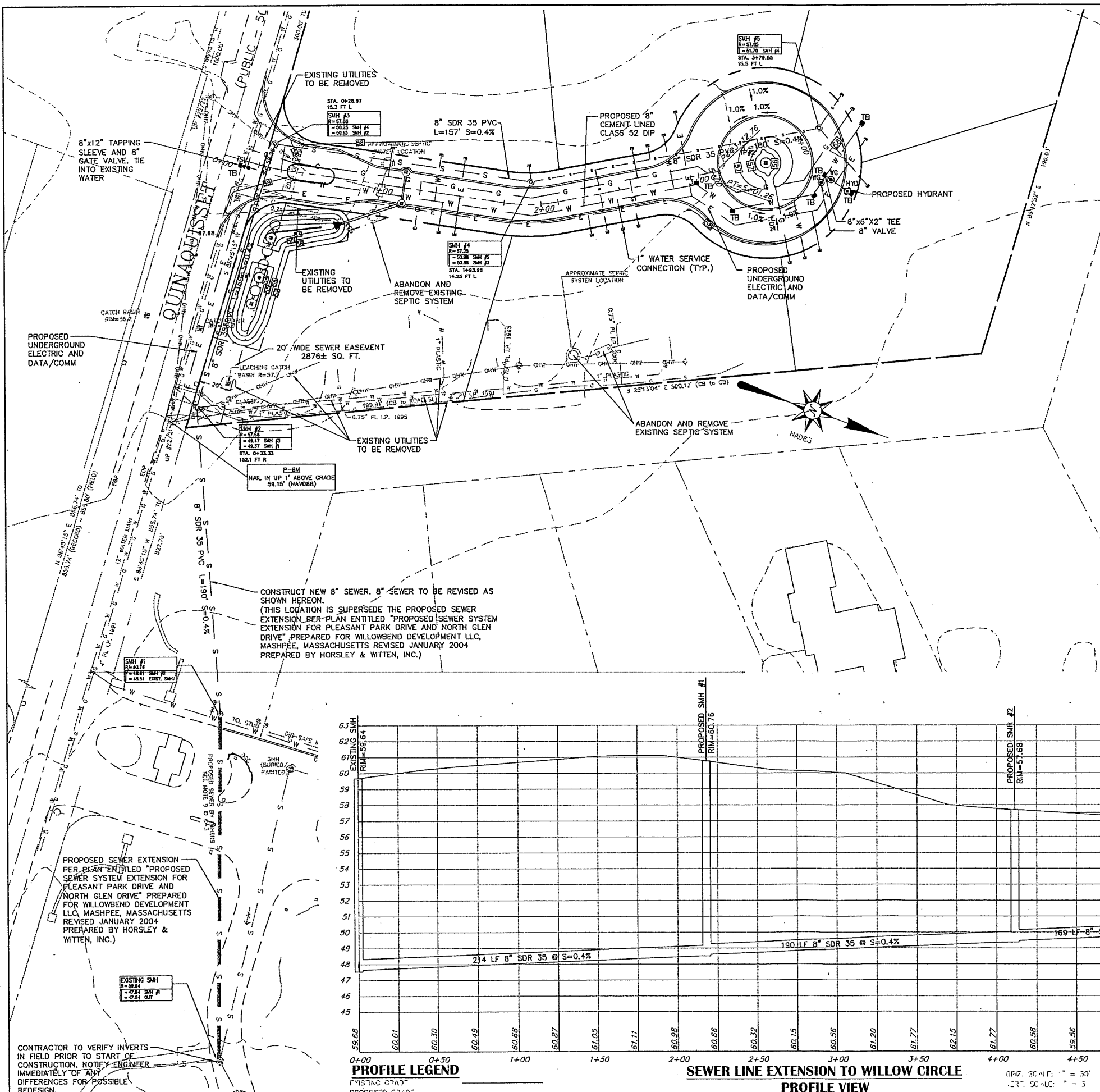
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DATE SIGNED \_\_\_\_\_



**PROFILE LEGEND**  
PROPOSED GRADE  
PROPOSED CURB

**SEWER LINE EXTENSION TO WILLOW CIRCLE**  
**PROFILE VIEW**

FOR PERMIT ONLY - NOT FOR CONSTRUCTION



CONTRACTOR TO VERIFY INVERTS  
IN FIELD PRIOR TO START OF  
CONSTRUCTION. NOTIFY ENGINEER  
IMMEDIATELY OF ANY  
DIFFERENCES FOR POSSIBLE  
REDESIGN.

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**UTILITY NOTES:**

1. CAUTION: THE CONTRACTOR SHALL CONTACT DIG SAFE (AT 1-888-DIG-SAFE) AND UTILITY COMPANIES TO LOCATE ALL EXISTING UTILITIES. AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION, BOTH HORIZONTALLY AND VERTICALLY, OF ALL EXISTING UTILITIES BEFORE THE START OF ANY WORK. THE LOCATION OF EXISTING UNDERGROUND SYSTEMS, INFRASTRUCTURE, UTILITIES, CONDUITS AND LINES ARE SHOWN IN AN APPROXIMATE WAY ONLY, MAY NOT BE LIMITED TO THOSE SHOWN HEREIN AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER, THE ENGINEER, OR ITS REPRESENTATIVE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO LOCATE SAID SYSTEMS, INFRASTRUCTURE AND UTILITIES EXACTLY. IF ELEVATION INFORMATION DIFFERS FROM PLAN INFORMATION, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY FOR POSSIBLE REDESIGN. AT UTILITY CROSSINGS, VERIFY IN FIELD THE LOCATION AND INVERTS OF WATER, ELECTRIC, GAS, TELEPHONE & DATA/COMM AND RELOCATE IF CONFLICTING WITH PROPOSED INVERTS PER THE ENGINEER'S DIRECTION. THE CONTRACTOR SHALL PRESERVE ALL UNDERGROUND SYSTEMS, INFRASTRUCTURE AND UTILITIES AS REQUIRED.
2. 12" MINIMUM VERTICAL CLEARANCE SHALL BE MAINTAINED BETWEEN ALL UTILITY CROSSINGS.
3. A MINIMUM 10' HORIZONTAL SEPARATION SHALL BE MAINTAINED BETWEEN WATER AND SEWER LINES. WHERE WATER LINES CROSS SEWER LINES, THE SEWER LINE SHALL BE LOCATED WITH A MINIMUM VERTICAL CLEARANCE OF 18" BELOW THE WATER LINE. THE SEWER LINE JOINTS SHALL BE LOCATED EQUIDISTANT AND AS FAR AWAY FROM THE WATER LINE AS POSSIBLE. WHEN IT IS IMPOSSIBLE TO ACHIEVE HORIZONTAL AND/OR VERTICAL SEPARATION AS STIPULATED ABOVE, BOTH THE WATER LINE AND SEWER LINE AT THE CROSSING LOCATION SHALL BE CONSTRUCTED OF MECHANICAL JOINT CEMENT-LINED DUCTILE IRON PIPE FOR ONE FULL 20' PIPE LENGTH OR ANOTHER EQUIVALENT THAT IS WATERTIGHT AND STRUCTURALLY SOUND. THE JOINTS FOR BOTH PIPES SHALL BE LOCATED AS FAR AWAY FROM THE CROSSING AS POSSIBLE. BOTH PIPES SHOULD BE PRESSURE TESTED TO 150 PSI TO ENSURE THAT THEY ARE WATERTIGHT.
4. SEWER MAINS TO BE 8" MIN. SDR-35 PVC WITH A MIN. SLOPE OF 0.40% UNLESS OTHERWISE NOTED. SEWER MAINS AND SEWER FORCE MAINS TYPICAL COVER OVER SEWER LINE SHALL BE 6". IF LESS THAN 4" OF COVER IS PROVIDED, INSULATE SEWER LINE AGAINST FREEZING IN ACCORDANCE WITH DETAIL #205 OR EQUAL.
5. RESIDENTIAL SEWER BUILDING CONNECTIONS SHALL BE 4" MIN. SCHEDULE 40 PVC, U.O.N., AT A MIN. SLOPE OF 2.2% U.O.N. INSTALL A CLEANOUT ON EACH SERVICE LINE AT DISTANCE OF 10'-0" (U.O.N.) OFF THE FOUNDATION, AT A CHANGE OF HORIZONTAL DIRECTION GREATER THAN 45° OR MORE THAN ONE CHANGE OF HORIZONTAL DIRECTION GREATER THAN 45° OCCURS WITHIN 40 FEET. CLEANOUTS SHOULD BE LOCATED AT INTERVALS OF NOT MORE THAN 100 FEET.
6. ALL WATERLINE MATERIALS AND WORKMANSHIP TO CONFORM TO THE RULES, REGULATIONS AND SPECIFICATIONS OF THE TOWN OF MASHPEE WATER DEPARTMENT AS AMENDED TO PRESENT. DIVISION HAS AUTHORITY TO AMEND PLANS. IF ANY CONFLICTS WITH THE CONTRACT DOCUMENT OCCUR THE HIGHER STANDARD SHALL APPLY. THE WRITTEN SPECIFICATIONS OF THE TOWN WATER DEPARTMENT ARE HEREBY INCLUDED BY REFERENCE AND CONSIDERED A PART OF THE CONTRACT DOCUMENTS. ALL WATER LINE ABANDONMENT SHALL BE DONE AT THE MAIN, NOT LEAVING A STUB LINE, UNLESS OTHERWISE APPROVED BY THE WATER DEPARTMENT.
7. WATER MAINS TO BE CEMENT LINED DUCTILE IRON PIPE CLASS S2, U.O.N. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE AS REQUIRED BY, AND IN ACCORDANCE WITH THE TOWN OF MASHPEE WATER DEPARTMENT AND APPLICABLE AWWA SPECIFICATIONS. DOMESTIC SERVICE TO BE 200 PSI CTS PLASTIC LINE U.O.N., TO DIVISION SPECIFICATIONS SLEEVES WHERE REQUIRED.
8. GATE VALVES SHALL BE MUELLER ONLY. IRON BODY, BRONZE MOUNTED, DOUBLE DISC, WITH TWO INCH OPERATING NUT WITH MECHANICAL JOINT NUTS. GATE VALVES SHALL CONFORM IN EVERY RESPECT TO ALL APPLICABLE AWWA STANDARDS. VALVES SHALL BE DESIGNED FOR 200 PSI WORKING AND 300 PSI TEST PRESSURE AND SHALL OPEN LEFT.
9. VALVES SHALL ALSO CONFORM TO THE SPECIFICATIONS OF THE AWWA AS TO SIZE, STEM, PICK OFF, BRIDLE, GASKET SEATING AREA SHALL BE FULLY MACHINED TO THE FIXED DIMENSIONS AND TOLERANCES AS PER AWWA SPECIFICATIONS. ALL VALVES SHALL BE PROVIDED WITH "O" RINGS. THE DESIGN OF THE VALVES SHALL BE SUCH THAT THE SEAL PLATE CAN BE FITTED WITH NEW "O" RINGS WHILE THE VALVE IS UNDER PRESSURE IN THE FULLY OPEN POSITION.
10. VALVE BOXES AND CURB BOXES SHALL BE BUFFALO OR PIONEER AND SHALL BE FURNISHED AND INSTALLED FOR ALL VALVES. THEY SHALL BE CAST IRON, TAR COATED, SLIDING TYPE ADJUSTABLE VALVE BOXES TOGETHER WITH CAST IRON COVERS. SEE WATER DEPARTMENT REGULATIONS.
11. TYPICAL COVER OVER WATER LINE SHALL BE 5". IF LESS THAN 4" OF COVER IS PROVIDED, INSULATE WATER LINE AGAINST FREEZING IN ACCORDANCE WITH DETAIL #205 OR EQUAL.
12. WATERLINE INSTALLATION REQUIRES THRUST BLOCKS TO BE INSTALLED AT ALL BENDS, ENDS OF LINE, VALVES AND FIRE HYDRANTS IN ACCORDANCE DETAIL #301.
13. GAS, ELECTRIC, DATA/COM IS SHOWN SCHEMATICALLY HEREON. ALL LABOR, WORK, EQUIPMENT AND MATERIALS FOR INSTALLATION OF THESE UTILITIES SHALL BE OWNED AND PERFORMED BY THE CONTRACTOR. UTILITIES SHALL BE INSTALLED WITH A MINIMUM COVER OF 3 FEET U.O.N. OR OTHERWISE DIRECTED BY THE CONTROLLING UTILITY COMPANY. CONTRACTOR SHALL COORDINATE ALL FINAL LAYOUTS AND DETAILS WITH APPLICABLE UTILITY COMPANY.
14. POWER AND COMMUNICATION DUCT BANKS SHALL BE INSTALLED IN ACCORDANCE WITH DETAIL #C-832. WHERE A DESIGN BY THE UTILITY COMPANY OR MEP ENGINEERS ARE PROVIDED THOSE SHALL SUPERSEDE #C-832.
15. EXTERIOR RESIDENTIAL LIGHTING SHALL BE LOW WATTAGE TYPE AND DIRECTED SO AS TO KEEP ALL LIGHTING WITHIN SUBJECT LOT. ANY SITE LIGHTING USED SHALL BE LOW WATTAGE STREET LANTERNS ON 15' MAXIMUM POLE LOCATED ADJACENT TO SUBJECT LOT DRIVEWAY, PARKING OR WALKWAYS. LIGHTING FIXTURES TO BE FULL 90° CUTOFF ("DARK SKY" COMPLIANT).
16. ALL UTILITY CUTS THROUGH EXISTING CONCRETE OR BITUMINOUS CONCRETE PAVED SURFACES SHALL BE SAW CUT. BACK FILLING OF TRENCH SHALL INCLUDE 12" IN DEPTH FLOWABLE FILL TO BE THE BASE COURSE OF THE SURFACE TREATMENT. THE SURFACE TREATMENT SHALL THEN BE REPLACED IN KIND.
17. SITE CONTRACTOR TO OWN ALL EXCAVATION, TRENCHING, & BACKFILLING FOR ALL UTILITIES AND MISCELLANEOUS WORK INCIDENTAL TO THE SCOPE OF THE PROJECT AND CONTRACT DOCUMENTS. CONTRACTOR SHALL REFER TO LANDSCAPE PLANS FOR ADDITIONAL INFORMATION AS APPLICABLE.
18. ALL WORK WITHIN THESE PLANS SHALL BE PERFORMED AND PROVIDED BY THE CONTRACTOR IN ACCORDANCE WITH THE CONSTRUCTION DETAILS PROVIDED IN THIS PLAN SET WHETHER OR NOT THE DETAIL NUMBER IS SPECIFICALLY REFERENCED.
19. ALL COVERS, CURB BOXES, GRATES, AND OTHER FINISH SURFACES SHALL BE RESET TO THE NEW FINISH GRADE.
20. WHERE UTILITIES CALLED OUT TO BE ABANDONED IN PLACE OR REMOVED AS NEEDED CONTRACTOR SHALL OWN REMOVING PIPE AND APPURTENANCES AS NEEDED WHERE THEY CONFLICT WITH PROPOSED WORK.

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Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
Quinacisset Avenue  
Mashpee, MA, 02601

DATE DESCRIPTION

SHEET TITLE

**Willow Circle -  
Utility Notes**

SHEET NO

**C6.1**

DATE: SEPTEMBER 10, 2021

SCALE: NTS

DRAWN BY: SM CHECKED BY: MNE  
JOB NO: 2006-018 FILE: 2006-018 UT.dwg

APPROVED IN ACCORDANCE  
WITH THE SUBDIVISION  
CONTROL LAW.

DATE APPROVED \_\_\_\_\_ MASHPEE PLANNING BOARD

DATE SIGNED \_\_\_\_\_

**FOR PERMIT ONLY - NOT FOR CONSTRUCTION**

STAMP STAMP



CONSULTANT

CONSULTANT

PREPARED FOR:  
**SOUTHWORTH MASHPEE**  
PROPERTIES, LLC  
130 Willowland Drive  
Mashpee MA 02549

PROJECT TITLE  
**178, 182, 184 and 186**  
**Quinquecent Avenue**  
**Mashpee, MA, 02601**

APPROVED IN ACCORDANCE  
WITH THE SUBDIVISION  
CONTROL LAW.

DATE APPROVED \_\_\_\_\_ MASHPEE PLANNING BOARD  
DATE SIGNED \_\_\_\_\_

DATE DESCRIPTION

SHEET TITLE

**Detail Sheet 1 of 3**

SHEET NO

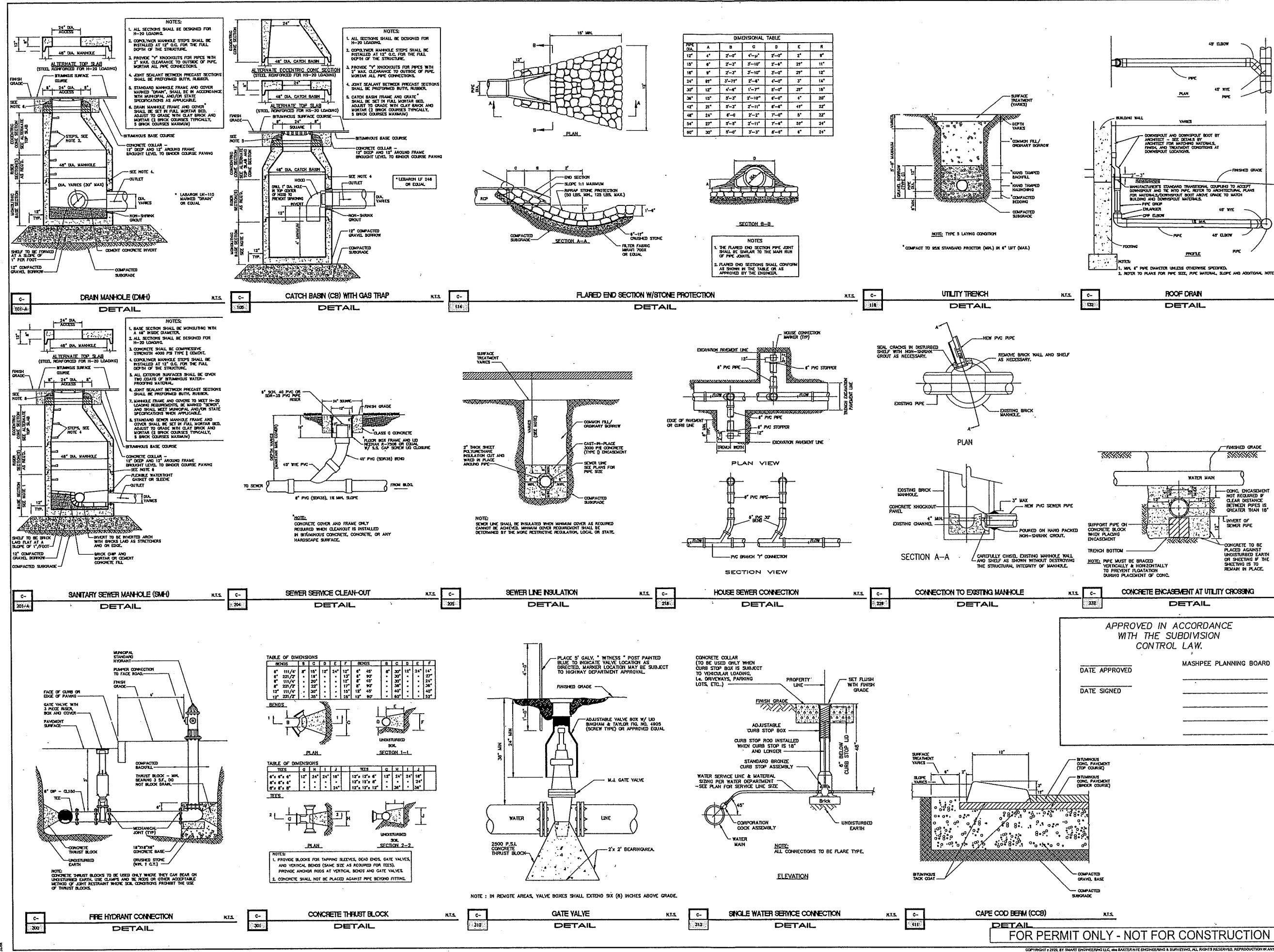
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DATE: SEPTEMBER 10, 2021

SCALE: NTS

DRAWN BY: SMW CHECKED BY: WNE

JOB NO: 2008-018 FILE: 2008-018 DT.dwg



**DIMENSIONAL TABLE**

| PIPE DIA. | A   | B     | C      | D     | E      | R   |
|-----------|-----|-------|--------|-------|--------|-----|
| 12"       | 4"  | 2'-0" | 4'-0"  | 2'-0" | 2"     | 9"  |
| 15"       | 6"  | 2'-3" | 5'-10" | 2'-6" | 2 1/2" | 11" |
| 18"       | 8"  | 2'-3" | 5'-10" | 3'-0" | 2 1/2" | 12" |
| 24"       | 8"  | 3'-7" | 2'-4"  | 6'-0" | 3"     | 14" |
| 30"       | 12" | 4'-6" | 1'-7"  | 5'-0" | 3 1/2" | 18" |
| 36"       | 12" | 5'-3" | 2'-10" | 6'-0" | 4"     | 20" |
| 42"       | 21" | 5'-3" | 2'-11" | 6'-4" | 4 1/2" | 22" |
| 48"       | 24" | 6'-0" | 2'-2"  | 7'-0" | 5"     | 22" |
| 54"       | 27" | 5'-8" | 2'-11" | 7'-8" | 5 1/2" | 24" |
| 60"       | 30" | 5'-0" | 3'-3"  | 6'-0" | 6"     | 24" |

**TABLE OF DIMENSIONS**

| INCHES | A       | B   | C   | D   | E      | F   |
|--------|---------|-----|-----|-----|--------|-----|
| 6"     | 11 1/4" | 8"  | 14" | 13" | 8"     | 24" |
| 8"     | 22 1/2" | 18" | 13" | 8"  | 8"     | 27" |
| 10"    | 11 1/4" | 20" | 12" | 8"  | 8"     | 24" |
| 12"    | 22 1/2" | 22" | 11" | 8"  | 8"     | 27" |
| 15"    | 11 1/4" | 30" | 12" | 12" | 4 1/2" | 20" |
| 18"    | 22 1/2" | 30" | 21" | 12" | 8"     | 27" |

**TABLE OF DIMENSIONS**

| INCHES | A  | B  | C   | D   | E   | F   |
|--------|----|----|-----|-----|-----|-----|
| 6"     | 4" | 4" | 14" | 15" | 10" | 14" |
| 8"     | 4" | 4" | 14" | 15" | 10" | 14" |
| 10"    | 4" | 4" | 14" | 15" | 10" | 14" |
| 12"    | 4" | 4" | 14" | 15" | 10" | 14" |
| 15"    | 4" | 4" | 14" | 15" | 10" | 14" |
| 18"    | 4" | 4" | 14" | 15" | 10" | 14" |

**FOR PERMIT ONLY - NOT FOR CONSTRUCTION**

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# Town of Mashpee

# Planning Board

16 Great Neck Road North  
Mashpee, Massachusetts 02649

## FORM B

### APPLICATION FOR APPROVAL OF PRELIMINARY PLAN

Date November, 2021

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

Name of Subdivider Forestdale Road, LLC Phone c/o DKM&G (508) 477-6500

Address 171 Locke Drive (Suite 114), Marlboro, MA 01752

Owner, if different ---- Phone -----

Address -----

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

Engineer or Surveyor BSC Group Phone (508) 778-8919

Address 349 Route 28 (Unit D), West Yarmouth, MA 02673

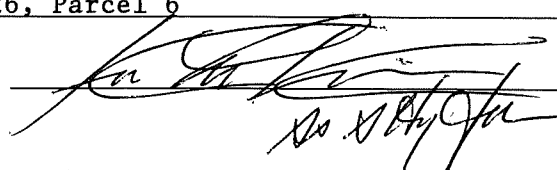
Deed of property recorded in Barnstable County Registry Book 24390 Page 193  
or Land Court Certificate of Title No. -----

Location and description of property

532 Main Street (Route 130)

18.04 ± acre parcel of undeveloped land situated in both commercial and residential  
~~Districts.~~

Mashpee Assessors Map(s) and Block(s) Pam 26, Parcel 6

Signature of Owner or Authorized Representative 

*Attach written authorization signed by owner*

MASHPEE TOWN CLERK

NOV 08 2021

RECEIVED BY: SM



LM CAPITAL LLC  
171 LOCKE DR SUITE 114  
MARLBOROUGH, MA 01752

269

53-7075/2113  
01

10/25/21

Date

CHECK ARMOR  
Photo Safe Deposit  
Details on back

Pay to the  
Order of

TOWN OF MASHPEE

\$

200 ~~xx~~

Two Hundred Dollars and ~~no~~

Dollars



Photo Safe Deposit  
Details on back



Main Street  
BANK

MARLBOROUGH, MA 01752  
BankMainStreet.com

For

532 MAIN ST

MP

⑆ 211370752⑆ 892219475⑆ 0269

Harland Clarke

INTOUCH CUSTOM CREATIONS

LM CAPITAL LLC  
171 LOCKE DR SUITE 114  
MARLBOROUGH, MA 01752

270

53-7075/2113  
01

10/25/21

Date

CHECK ARMOR  
Photo Safe Deposit  
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Pay to the  
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5,000 ~~xx~~

FIVE THOUSAND DOLLARS AND ~~no~~

Dollars



Photo Safe Deposit  
Details on back



Main Street  
BANK

MARLBOROUGH, MA 01752  
BankMainStreet.com

For

532 MAIN ST

MP

⑆ 211370752⑆ 892219475⑆ 0270

Harland Clarke

INTOUCH CUSTOM CREATIONS



# PRELIMINARY SUBDIVISION PLAN SORI DRIVE

532 MAIN STREET (ROUTE 130)  
MASHPEE, MASSACHUSETTS

AUGUST 27, 2021

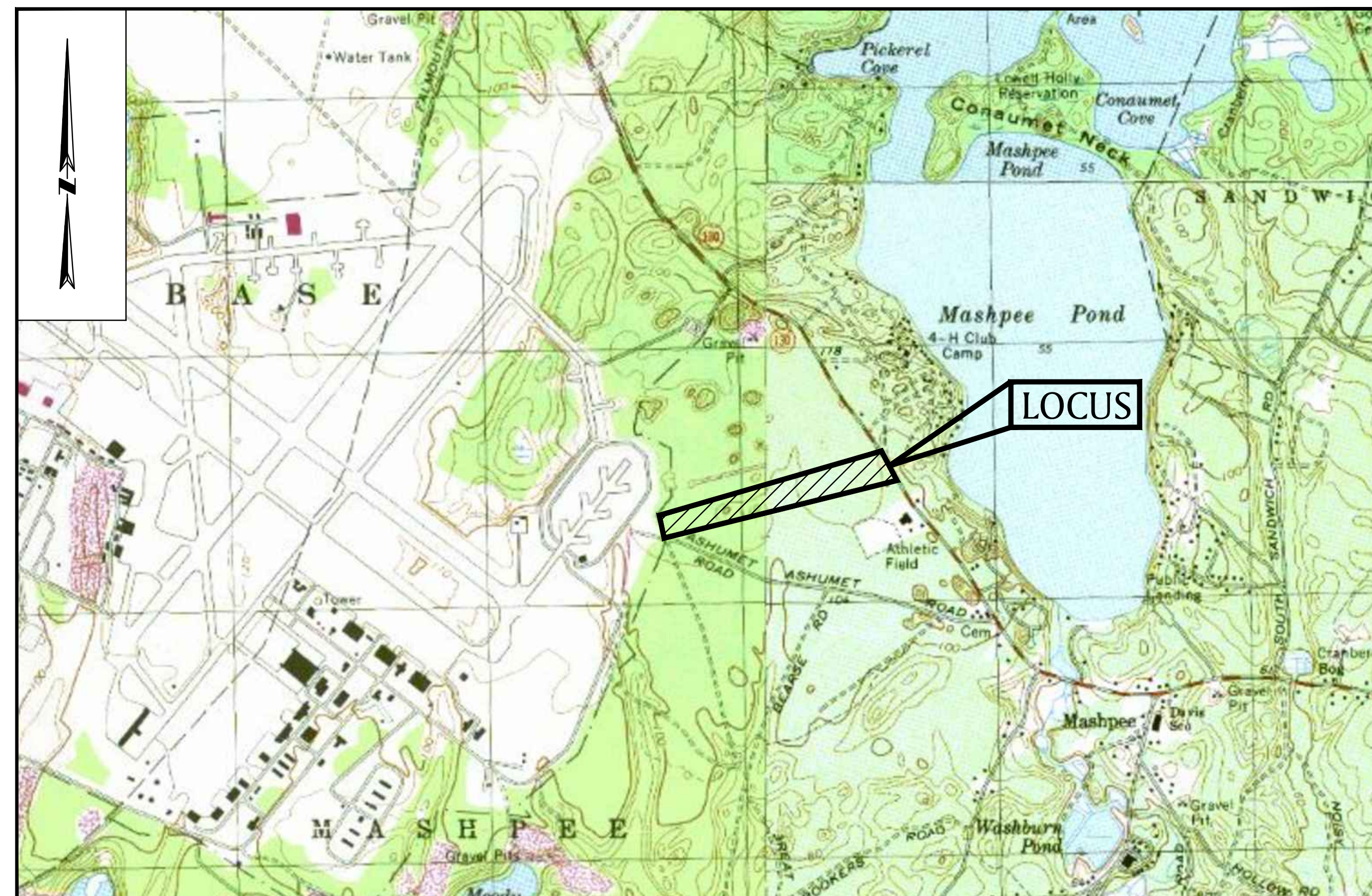
## INDEX OF DRAWINGS

- 1 TITLE SHEET
- 2 OVERALL LOT PLAN
- 3-4 PLAN & PROFILE
- 5 EROSION & SEDIMENT CONTROL PLAN
- 6-7 DETAIL SHEETS

### ZONING COMPLIANCE TABLE

ZONING DISTRICT: C3, I1, & R5

|                                     | C3            | I1           | R5            |
|-------------------------------------|---------------|--------------|---------------|
| MINIMUM LOT SIZE                    | 40,000 S.F.   | 40,000± S.F. | 80,000± S.F.  |
| MINIMUM LOT FRONTAGE                | 200'          | 200'         | 150'          |
| MINIMUM BUILDING FRONT YARD SETBACK | 75'           | 75'          | 40'           |
| MINIMUM BUILDING SIDE YARD SETBACK  | 20'           | 50'          | 15'           |
| MINIMUM BUILDING REAR YARD SETBACK  | 20'           | 30'          | 15'           |
| LOT COVERAGE                        | 20%           | 25%          | 20%           |
| MAXIMUM BUILDING HEIGHT (STORIES)   | 2-1/2 STORIES | 2 STORIES    | 2-1/2 STORIES |
| MAXIMUM BUILDING HEIGHT (FEET)      | 35'           | 35'          | 35'           |



LOCUS MAP

SCALE: 1" = 1,200'

PREPARED FOR:

MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601

PREPARED BY:

**BSC GROUP**

349 Route 28, Unit D  
West Yarmouth, MA 02673

508-778-8919



10/25/21



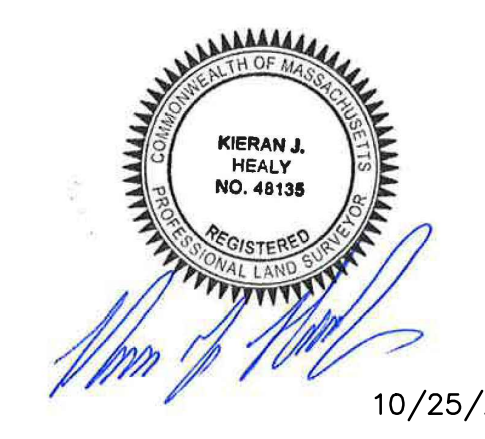
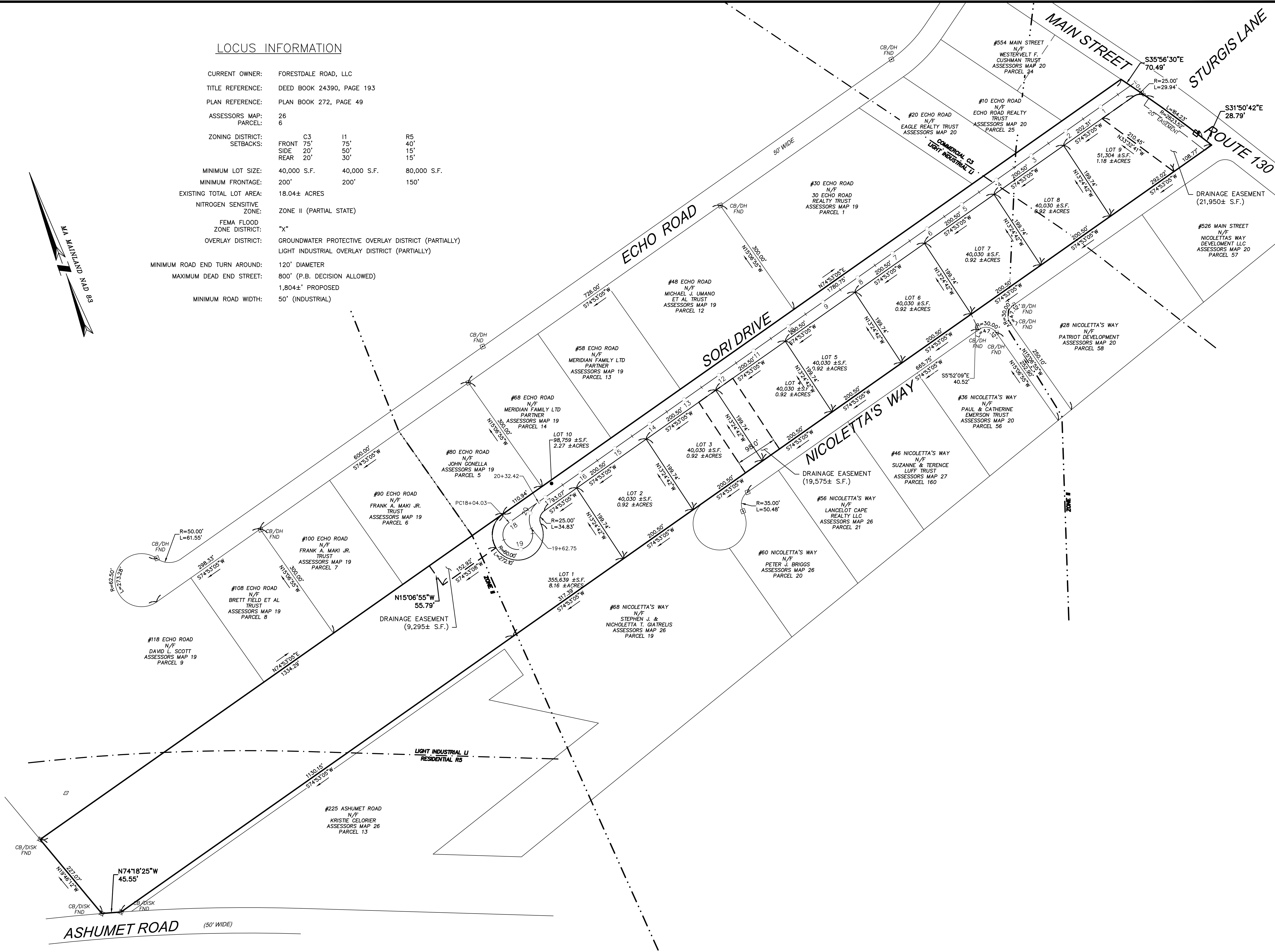
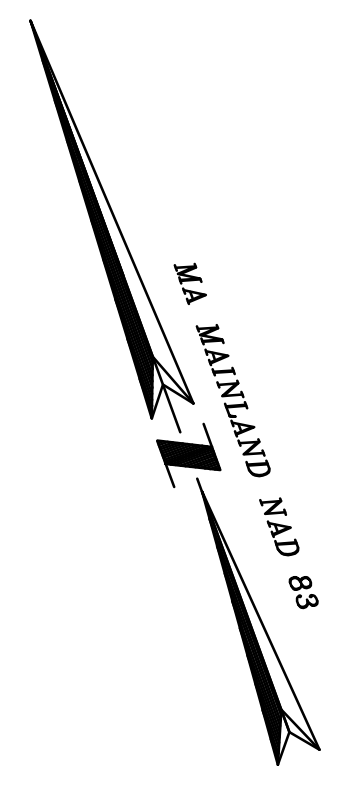
10/25/21

ISSUED FOR PERMITTING  
NOT FOR CONSTRUCTION



**LOCUS INFORMATION**

CURRENT OWNER: FORESTDALE ROAD, LLC  
 TITLE REFERENCE: DEED BOOK 24390, PAGE 193  
 PLAN REFERENCE: PLAN BOOK 272, PAGE 49  
 ASSESSORS MAP: 26  
 PARCEL: 6  
 ZONING DISTRICT: C3 11 R5  
 SETBACKS: FRONT 75' 75' 40'  
 SIDE 20' 50' 15'  
 REAR 20' 30' 15'  
 MINIMUM LOT SIZE: 40,000 S.F. 40,000 S.F. 80,000 S.F.  
 MINIMUM FRONTAGE: 200' 200' 150'  
 EXISTING TOTAL LOT AREA: 18.04± ACRES  
 NITROGEN SENSITIVE ZONE: ZONE II (PARTIAL STATE)  
 FEMA FLOOD ZONE DISTRICT: "X"  
 OVERLAY DISTRICT: GROUNDWATER PROTECTIVE OVERLAY DISTRICT (PARTIALLY)  
 LIGHT INDUSTRIAL OVERLAY DISTRICT (PARTIALLY)  
 MINIMUM ROAD END TURN AROUND: 120' DIAMETER  
 MAXIMUM DEAD END STREET: 800' (P.B. DECISION ALLOWED)  
 MINIMUM ROAD WIDTH: 1,804±' PROPOSED  
 50' (INDUSTRIAL)



KIERAN J. HEALY  
 PROFESSIONAL LAND SURVEYOR  
 DATE

**PRELIMINARY  
 SUBDIVISION  
 PLAN OF LAND**

532 MAIN STREET (ROUTE 130)

IN  
 MASHPEE  
 MASSACHUSETTS  
 (BARNSTABLE COUNTY)

**OVERALL LOT PLAN**

AUGUST 27, 2021

REVISIONS:

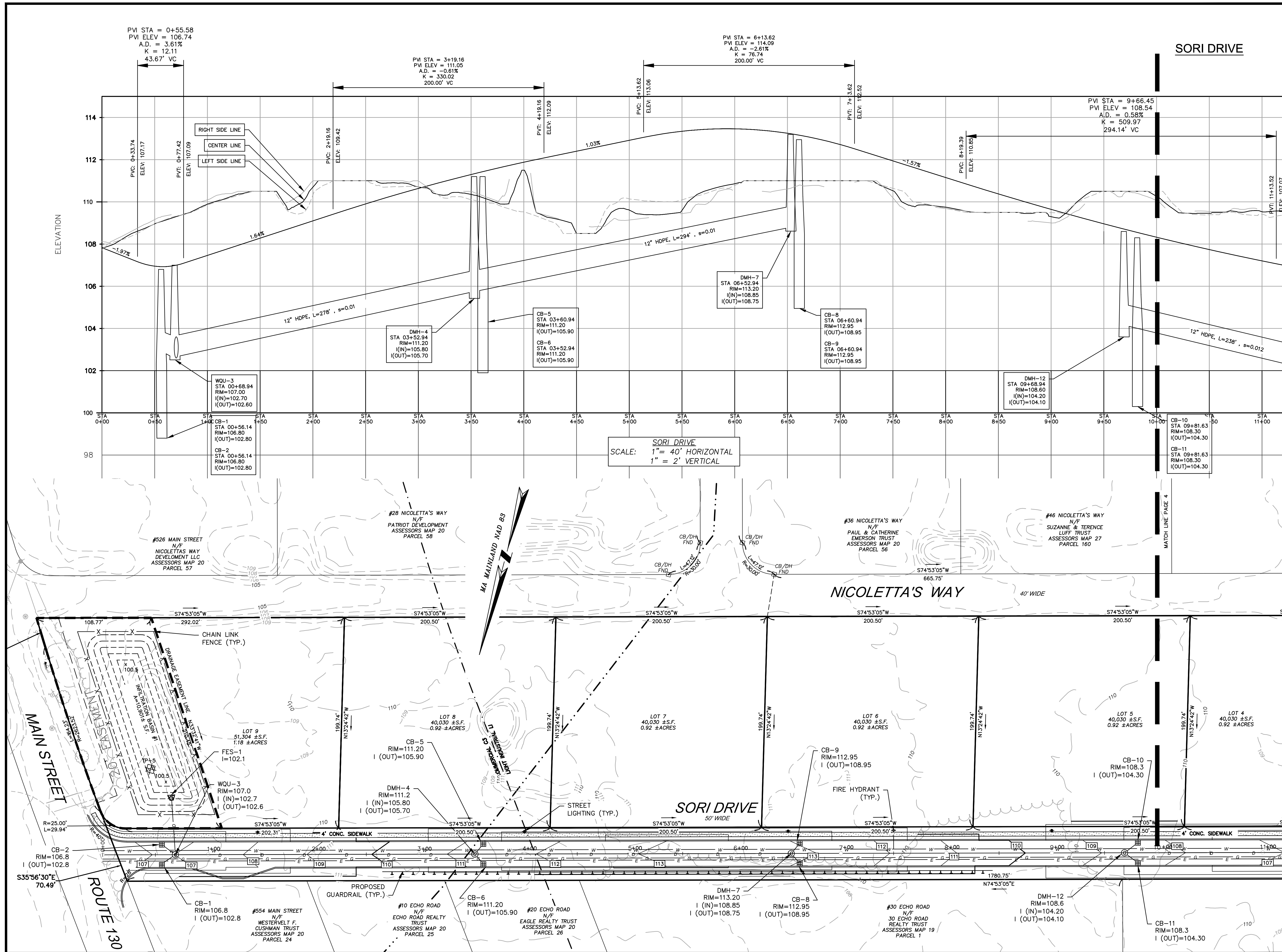
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PREPARED FOR:  
 MARCELLO MALLEGNI  
 80 AIRPORT ROAD  
 HYANNIS, MA 02601

349 Main Street - Route 28  
 West Yarmouth, Massachusetts  
 02673  
 508 778 8919

© 2021 The BSC Group, Inc.  
 SCALE: 1" = 100'





SORI DRIVE



10/25/21

BRIAN G YERGATIAN  
PROFESSIONAL ENGINEER

PRELIMINARY  
SUBDIVISION  
PLAN OF LAND

532 MAIN STREET (ROUTE 130)

IN  
MASHPEE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)

PLAN & PROFILE  
SORI DRIVE

AUGUST 27, 2021

REVISIONS:

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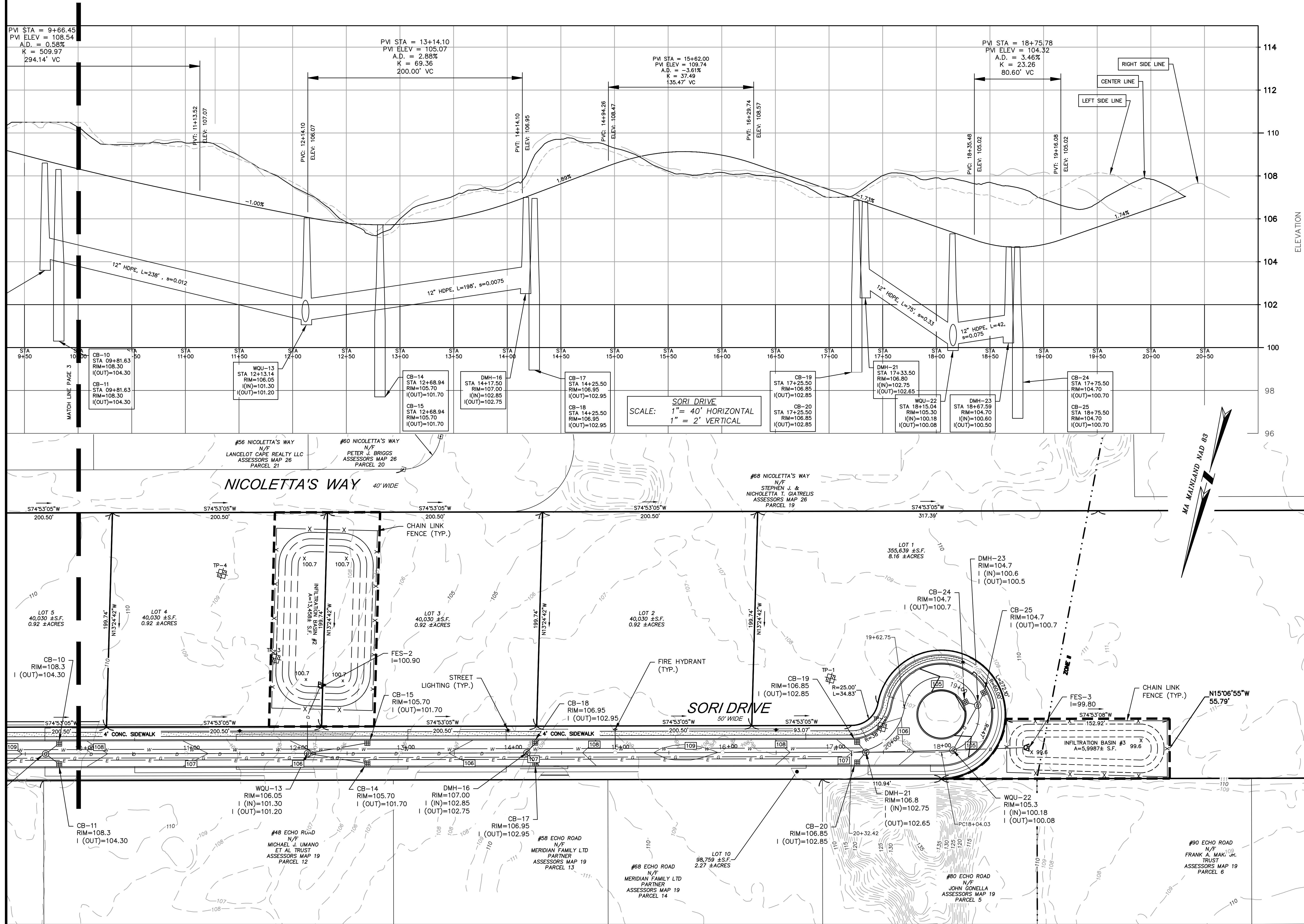
PREPARED FOR:  
MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601

**BSC GROUP**  
349 Main Street - Route 28  
West Yarmouth, Massachusetts  
02673  
508 778 8919

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SCALE: 1" = 40'  
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JOB. NO: 5-0474.00 SHEET 3 OF 7



**SORI DRIVE**



ELEVATION



10/25/21

BRIAN G. YERGATIAN  
PROFESSIONAL ENGINEER

**PRELIMINARY  
SUBDIVISION  
PLAN OF LAND**

532 MAIN STREET (ROUTE 130)

IN  
MASHPEE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)

**PLAN & PROFILE  
SORI DRIVE**

AUGUST 27, 2021

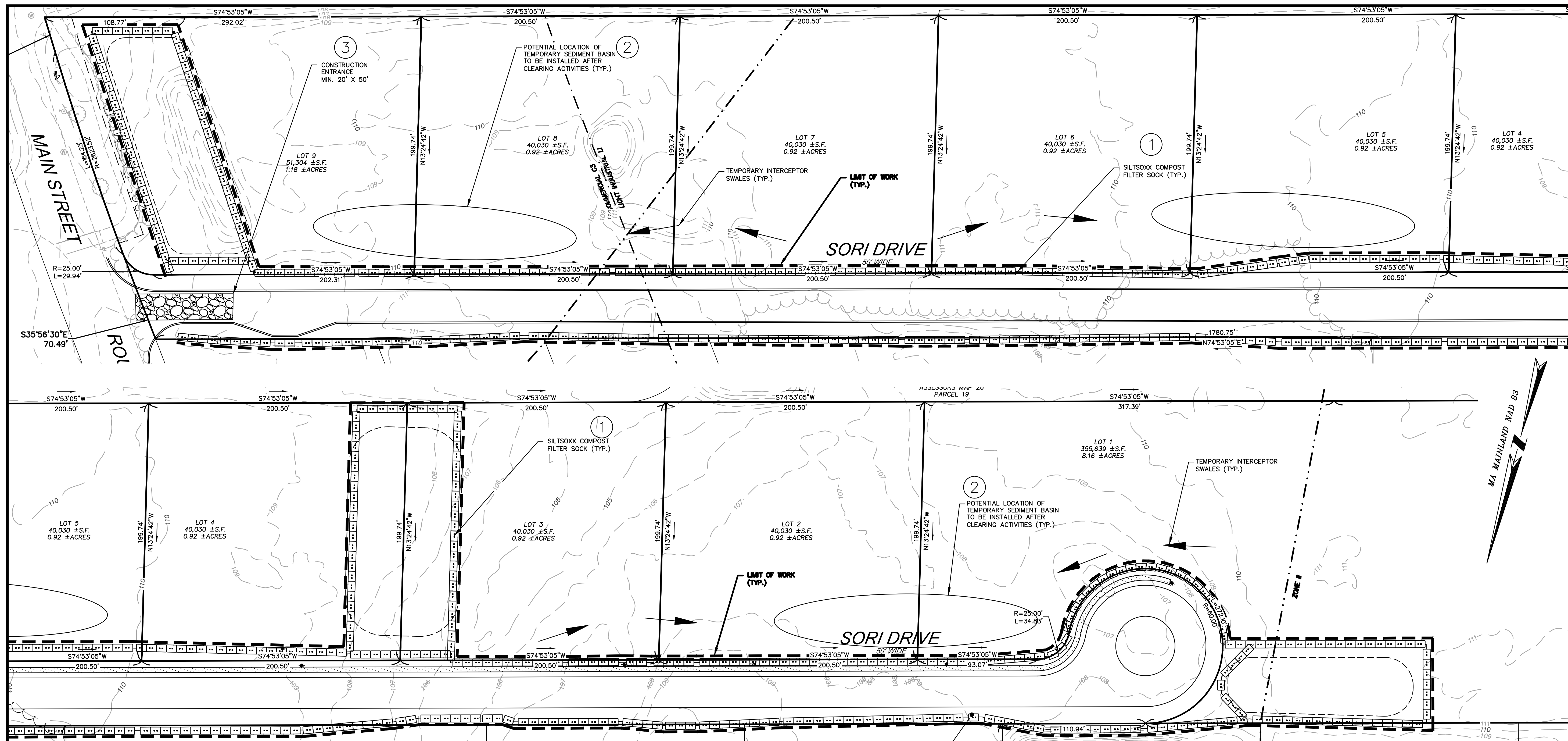
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PREPARED FOR:  
MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601

**BSC GROUP**  
349 Main Street - Route 28  
West Yarmouth, Massachusetts  
02673  
508 778 8919





**LEGEND**

- SILTSOXX COMPOST FILTER SOCK
- LIMIT OF WORK

**BEST MANAGEMENT PRACTICES (BMPs)**

- ① SILTSOXX COMPOST FILTER SOCK
- ② TEMPORARY SEDIMENT BASIN WITH INTERCEPTOR SWALES
- ③ CONSTRUCTION ENTRANCE/EXIT

**EROSION AND SEDIMENT CONTROL NOTES:**

1. PRIOR TO ANY LAND DISTURBANCE ACTIVITIES COMMENCING ON THE SITE, THE DEVELOPER SHALL PHYSICALLY MARK LIMITS OF NO LAND DISTURBANCE ON THE SITE WITH TAPE, SIGNS, OR ORANGE CONSTRUCTION FENCE, SO THAT WORKERS CAN SEE THE AREAS TO BE PROTECTED. THE PHYSICAL MARKERS SHALL REMAIN IN PLACE UNTIL A CERTIFICATE OF COMPLETION HAS BEEN ISSUED.
2. APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO SOIL DISTURBANCE. MEASURES SHALL BE TAKEN TO CONTROL EROSION WITHIN THE PROJECT AREA. SEDIMENT IN RUNOFF WATER SHALL BE TRAPPED AND RETAINED WITHIN THE PROJECT AREA. WETLAND AREAS AND SURFACE WATERS SHALL BE PROTECTED FROM SEDIMENT.
3. MINIMIZE TOTAL AREA OF DISTURBANCE AND PROTECT NATURAL FEATURES AND SOIL.
4. THE CONTRACTOR SHALL SEQUENCE ALL ACTIVITIES TO MINIMIZE SIMULTANEOUS AREAS OF DISTURBANCE. MASS CLEARING AND GRADING OF THE ENTIRE SITE SHALL BE AVOIDED.
5. MINIMIZE SOIL EROSION AND CONTROL SEDIMENTATION DURING CONSTRUCTION.
6. DIVERT UNCONTAMINATED WATER AROUND DISTURBED AREAS.
7. INSTALL AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND GOOD ENGINEERING PRACTICES OR IN ACCORDANCE WITH THE 2017 EPA CONSTRUCTION GENERAL PERMIT.
8. PROTECT AND MANAGE ON AND OFF-SITE MATERIAL STORAGE AREAS (OVERBURDEN AND STOCKPILES OF DIRT, BORROW AREAS, OR OTHER AREAS USED SOLELY BY THE PERMITTED PROJECT ARE CONSIDERED A PART OF THE PROJECT).
9. COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS INCLUDING WASTE DISPOSAL, SANITARY OR SEWER REGULATIONS, AND AIR QUALITY REQUIREMENTS, INCLUDING DUST CONTROL.
10. SEDIMENT SHALL BE REMOVED ONCE THE VOLUME REACHES 1/4 TO 1/2 THE HEIGHT OF THE EROSION CONTROL DEVICE. SEDIMENT SHALL BE REMOVED PRIOR TO REACHING THE LOAD-BEARING CAPACITY OF THE SILT FENCE WHICH MAY BE LOWER THAN 1/4 TO 1/2 THE HEIGHT.
11. SEDIMENT FROM SEDIMENT TRAPS OR SEDIMENTATION PONDS SHALL BE REMOVED WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50 PERCENT.
12. BMPs TO BE USED FOR INFILTRATION AFTER CONSTRUCTION SHALL NOT BE USED AS BMPs DURING CONSTRUCTION UNLESS OTHERWISE APPROVED IN WRITING BY THE ENGINEER AND THE TOWN OF BOURNE. MANY INFILTRATION TECHNOLOGIES ARE NOT DESIGNED TO HANDLE THE HIGH CONCENTRATIONS OF SEDIMENTS TYPICALLY FOUND IN CONSTRUCTION RUNOFF, AND THUS MUST BE PROTECTED FROM CONSTRUCTION RELATED SEDIMENT LOADINGS.
13. SOIL STOCKPILES MUST BE STABILIZED OR COVERED AT THE END OF EACH WORKDAY. STOCKPILE SIDE SLOPES SHALL NOT BE GREATER THAN 2:1. ALL STOCKPILES SHALL BE SURROUNDED BY SEDIMENT CONTROLS.
14. FOR ACTIVE CONSTRUCTION AREAS SUCH AS BORROW OR STOCKPILE AREAS, ROADWAY IMPROVEMENTS AND AREAS WITHIN 50 FEET OF A BUILDING UNDER CONSTRUCTION, A PERIMETER SEDIMENT CONTROL SYSTEM SHALL BE INSTALLED AND MAINTAINED TO CONTAIN SOIL.
15. A TRACKING PAD OR OTHER APPROVED STABILIZATION METHOD SHALL BE CONSTRUCTED AT ALL ENTRANCE/EXITS POINTS OF THE SITE TO REDUCE THE AMOUNT OF SOIL CARRIED ONTO ROADWAYS AND OFF THE SITE.
16. ON THE CUT SIDE OF ROADS, DITCHES SHALL BE STABILIZED IMMEDIATELY WITH ROCK RIP-RAP OR OTHER NON-ERODIBLE LINERS, OR WHERE APPROPRIATE, VEGETATIVE MEASURES SUCH AS HYDROSEEDING OR JUTE MATTING.
17. PERMANENT SEEDING SHALL BE UNDERTAKEN IN THE SPRING FROM MARCH THROUGH MAY, AND IN LATE SUMMER AND EARLY FALL FROM AUGUST TO OCTOBER 15. DURING THE PEAK SUMMER MONTHS AND IN THE FALL AFTER OCTOBER 15, WHEN SEEDING IS FOUND TO BE IMPRACTICAL, APPROPRIATE TEMPORARY STABILIZATION SHALL BE APPLIED. PERMANENT SEEDING MAY BE UNDERTAKEN DURING THE SUMMER IF PLANS PROVIDE FOR ADEQUATE MULCHING AND WATERING.
18. ALL SLOPES STEEPER THAN 3:1 (H:V, 33.3%), AS WELL AS PERIMETER DIKES, SEDIMENT BASINS OR TRAPS, AND EMBANKMENTS MUST, UPON COMPLETION, BE IMMEDIATELY STABILIZED WITH SOD, SEED AND ANCHORED STRAW MULCH, OR OTHER APPROVED STABILIZATION MEASURES. AREAS OUTSIDE OF THE PERIMETER SEDIMENT CONTROL SYSTEM MUST NOT BE DISTURBED.
19. TEMPORARY SEDIMENT TRAPPING DEVICES MUST NOT BE REMOVED UNTIL PERMANENT STABILIZATION IS ESTABLISHED IN ALL CONTRIBUTORY DRAINAGE AREAS.
20. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED AFTER FINAL SITE STABILIZATION. DISTURBED SOIL AREAS RESULTING FROM THE REMOVAL OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED WITHIN 30 DAYS OF REMOVAL.
21. PROPERLY MANAGE ON-SITE CONSTRUCTION AND WASTE MATERIALS.
22. PREVENT OFF-SITE VEHICLE TRACKING OF SEDIMENTS.
23. DUST SHALL BE CONTROLLED AT THE SITE.
24. ALL PREVIOUSLY DISTURBED LAND SHALL BE STABILIZED BY APPROVED METHODS AFTER 14 DAYS IF LEFT UNDISTURBED, THIS INCLUDES STOCKPILES, CONSTRUCTION ENTRANCES, GRADED AREAS AND OTHER CONSTRUCTION ACTIVITY RELATED CLEARING.
25. IF WORK IS HALTED OVER WINTER MONTHS THE CONTRACTOR SHALL BE RESPONSIBLE FOR STABILIZING THE AREA THROUGH GROUND COVER PRACTICES.



10/25/21

BRIAN G. YERGATIAN  
PROFESSIONAL ENGINEER

**PRELIMINARY  
SUBDIVISION  
PLAN OF LAND**

532 MAIN STREET (ROUTE 130)

IN  
MASHPEE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)

**EROSION & SEDIMENT  
CONTROL PLAN**

AUGUST 27, 2021

**REVISIONS:**

| NO. | DATE | DESC. |
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PREPARED FOR:

MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601



349 Main Street - Route 28  
West Yarmouth, Massachusetts  
02673

508 778 8919

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SCALE: 1" = 40'

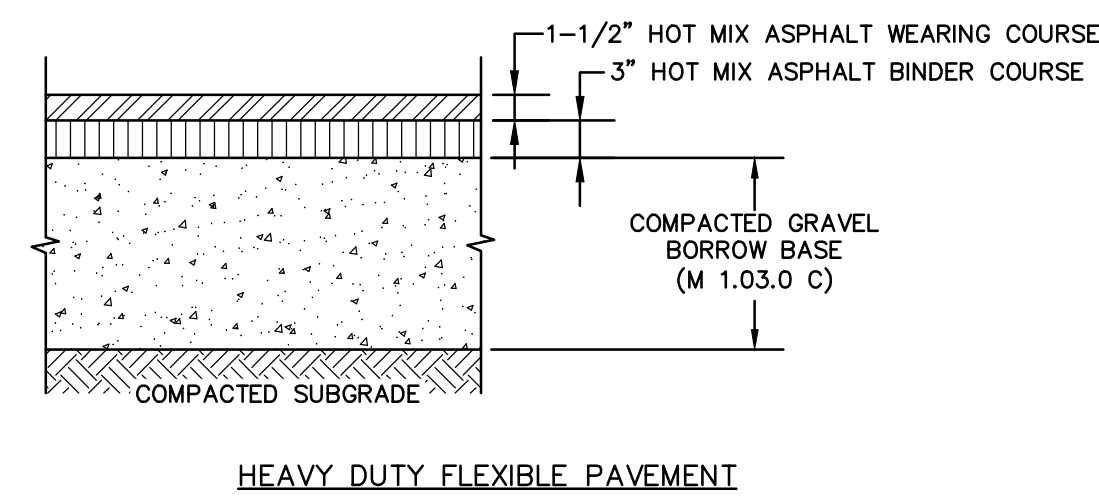


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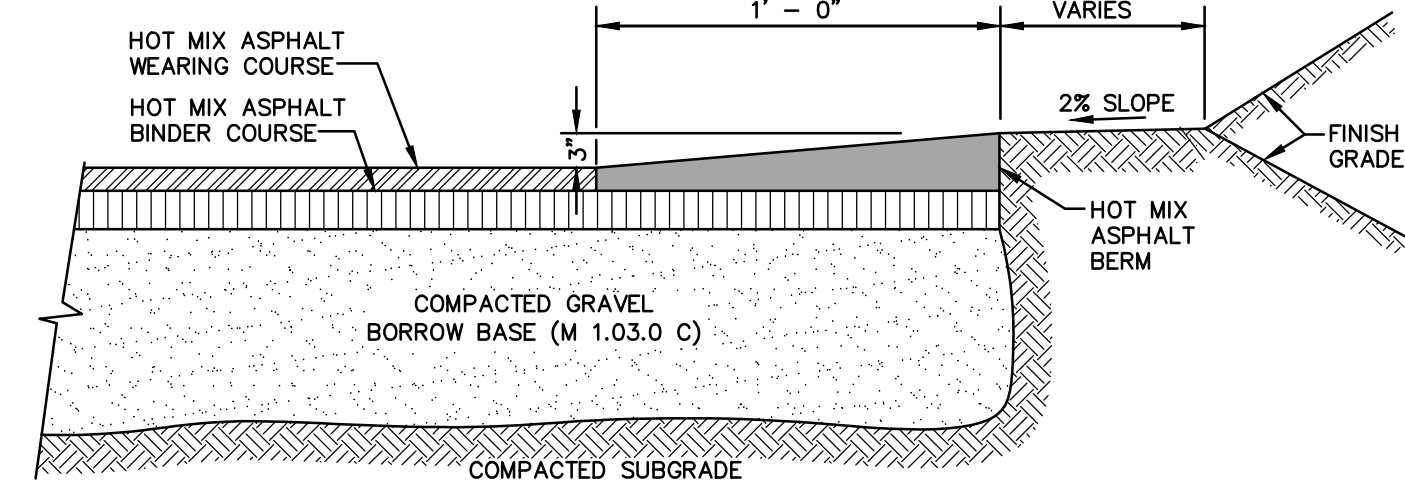
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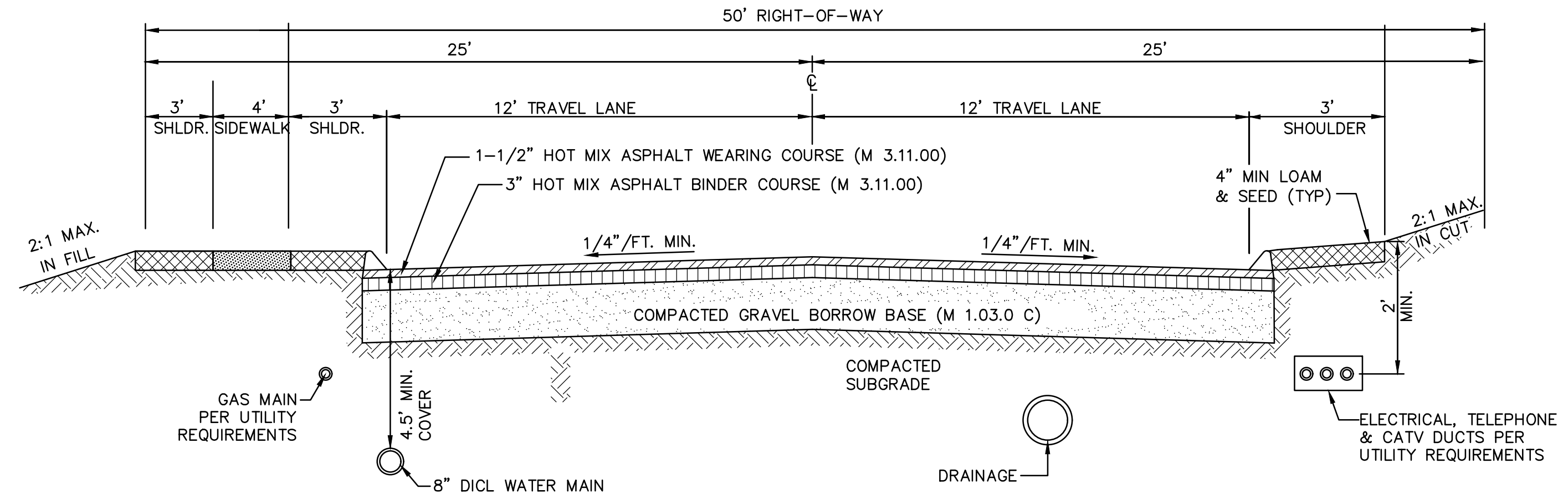




HEAVY DUTY FLEXIBLE PAVEMENT



MODIFIED CAPE COD BERM



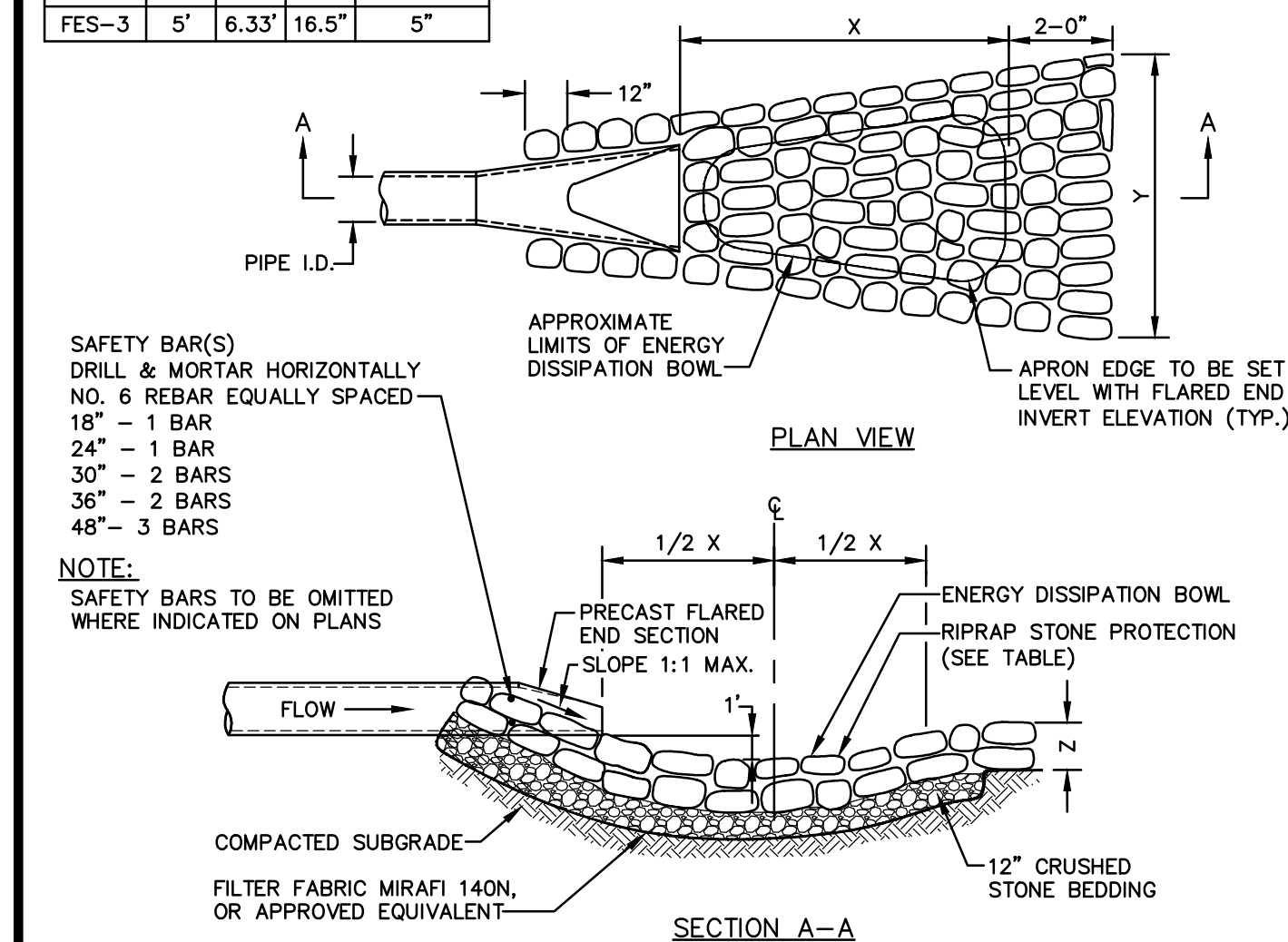
TYPICAL ROADWAY PAVEMENT SECTION

NOTE:  
PAVEMENT SECTIONS ARE SUBJECT TO CHANGE AND WILL BE BASED ON THE RESULTS OF GEOTECHNICAL INVESTIGATIONS

HOT MIX ASPHALT PAVEMENT SECTIONS

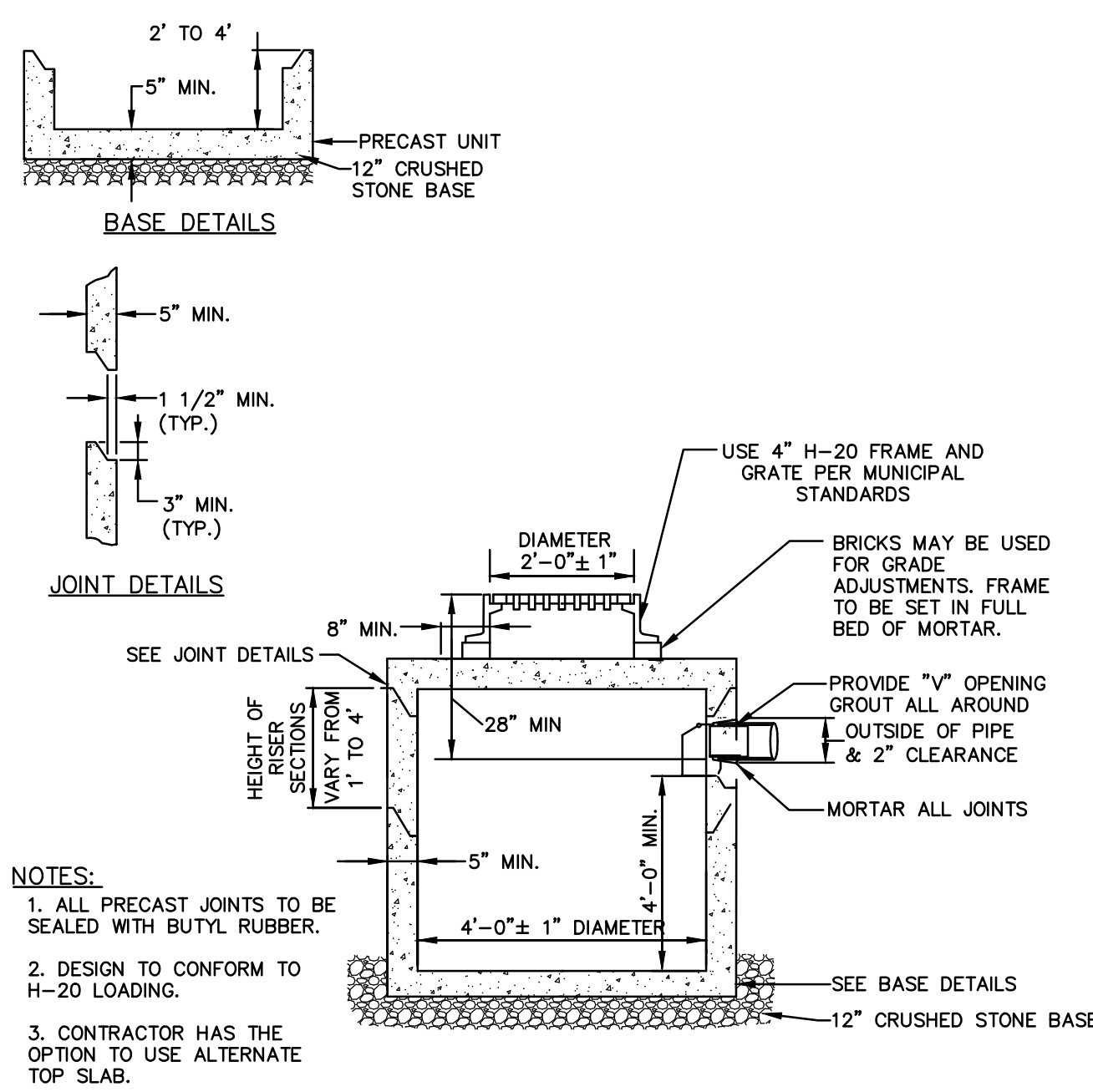
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| OUTLET NO. | X  | Y     | Z     | STONE DIA. (D50) |
|------------|----|-------|-------|------------------|
| FES-1      | 5' | 6.33' | 16.5" | 5"               |
| FES-2      | 5' | 6.33' | 16.5" | 5"               |
| FES-3      | 5' | 6.33' | 16.5" | 5"               |



FLARED END SECTION W/ STONE PROTECTION (DISSIPATION BOWL)

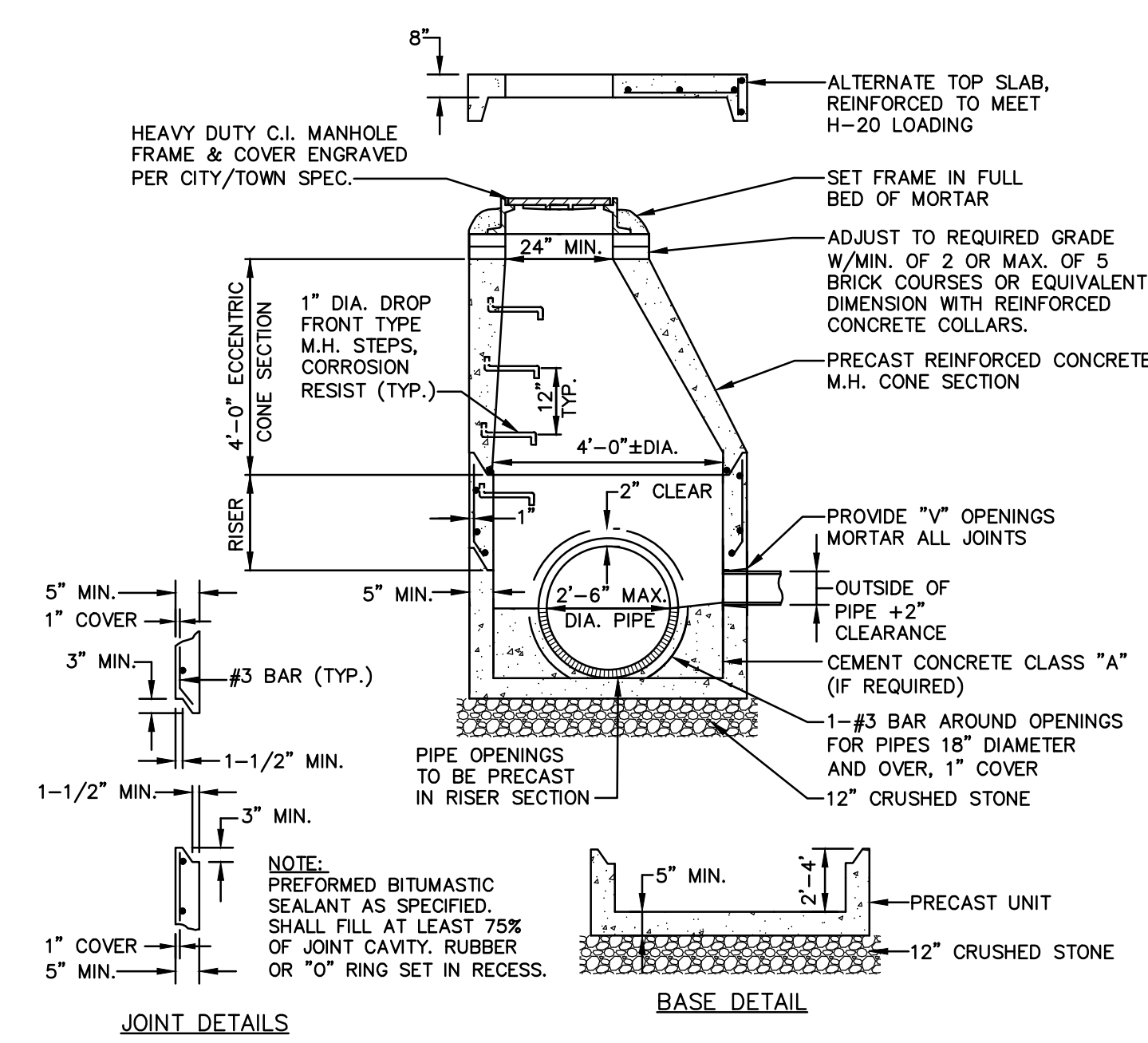
SCALE: NONE



NOTES:  
1. ALL PRECAST JOINTS TO BE SEALED WITH BUTYL RUBBER.  
2. DESIGN TO CONFORM TO H-20 LOADING.  
3. CONTRACTOR HAS THE OPTION TO USE ALTERNATE TOP SLAB.

PRECAST CONCRETE CATCH BASIN

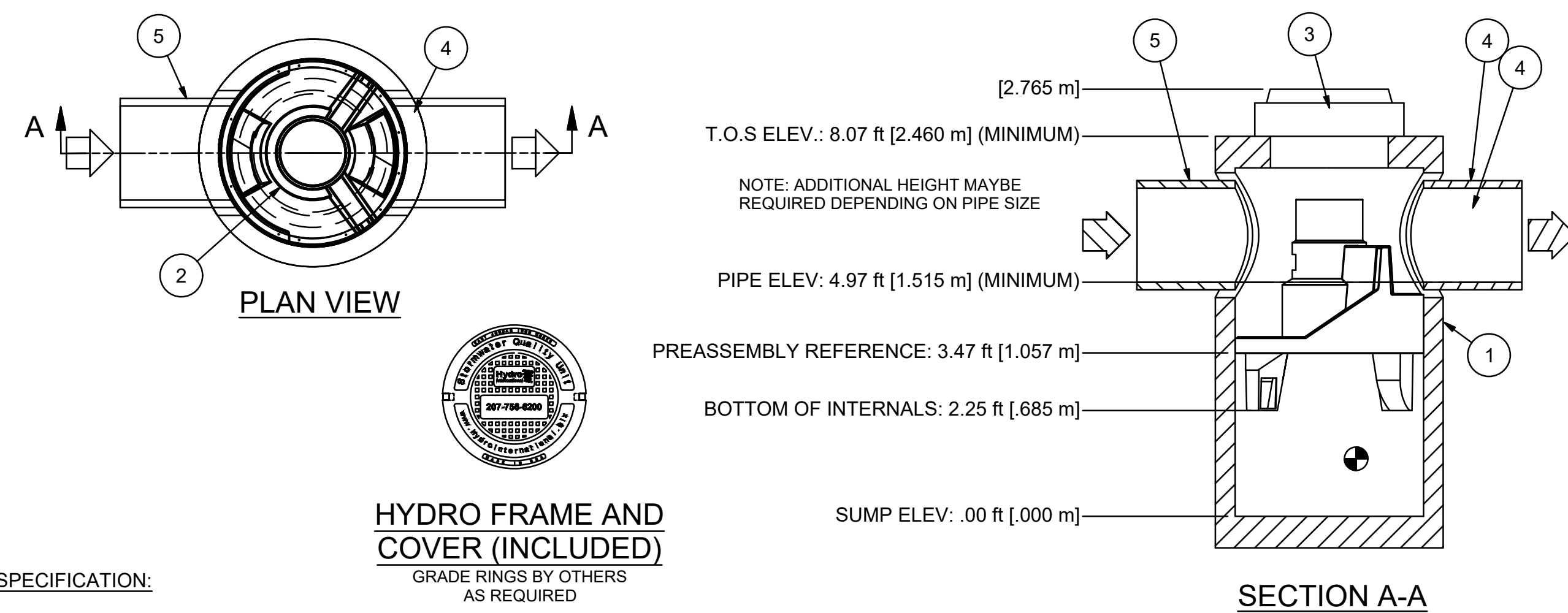
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NOTE:  
PREFORMED BITUMASTIC SEALANT AS SPECIFIED, SHALL FILL AT LEAST 75% OF JOINT CAVITY. RUBBER OR "O" RING SET IN RECESS.

PRECAST CONCRETE DMH

SCALE: NONE



PRODUCT SPECIFICATION:

1. PEAK HYDRAULIC FLOW: 18.0 cfs (510 l/s)
2. MIN SEDIMENT STORAGE CAPACITY: 0.7 cu. yd. (0.5 cu. m.)
3. OIL STORAGE CAPACITY: 191 gal. (723 liters)
4. MAXIMUM INLET/OUTLET PIPE DIAMETERS: 24 in. (600 mm)
5. THE TREATMENT SYSTEM SHALL USE AN INDUCED VORTEX TO SEPARATE POLLUTANTS FROM STORMWATER RUNOFF.
6. FOR MORE PRODUCT INFORMATION INCLUDING REGULATORY ACCEPTANCES, PLEASE VISIT <https://hydro-int.com/en/products/first-defense>

- GENERAL NOTES:  
1. General Arrangement drawings only. Contact Hydro International for site specific drawings.  
2. The diameter of the inlet and outlet pipes may be no more than 24".  
3. Multiple inlet pipes possible (refer to project plan).  
4. Inlet/outlet pipe angle can vary to align with drainage network (refer to project plan.s)  
5. Peak flow rate and minimum height limited by available cover and pipe diameter.  
6. Larger sediment storage capacity may be provided with a deeper sump depth.

| PARTS LIST |     |           |           |                                     |
|------------|-----|-----------|-----------|-------------------------------------|
| ITEM       | QTY | SIZE (in) | SIZE (mm) | DESCRIPTION                         |
| 1          | 1   | 48        | 1200      | I.D. PRECAST MANHOLE                |
| 2          | 1   |           |           | INTERNAL COMPONENTS (PRE-INSTALLED) |
| 3          | 1   | 30        | 750       | FRAME AND COVER (ROUND)             |
| 4          | 1   | 24 (MAX)  | 600 (MAX) | OUTLET PIPE (BY OTHERS)             |
| 5          | 1   | 24 (MAX)  | 600 (MAX) | INLET PIPE (BY OTHERS)              |



10/25/21

BRIAN G. YERGATIAN DATE  
PROFESSIONAL ENGINEER

PRELIMINARY  
SUBDIVISION  
PLAN OF LAND

532 MAIN STREET (ROUTE 130)

IN  
MASHPEE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)

DETAIL SHEET I

AUGUST 27, 2021

REVISIONS:

| NO. | DATE | DESC. |
|-----|------|-------|
|     |      |       |
|     |      |       |
|     |      |       |
|     |      |       |

PREPARED FOR:  
MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601



349 Main Street - Route 28  
West Yarmouth, Massachusetts  
02673  
508 778 8919

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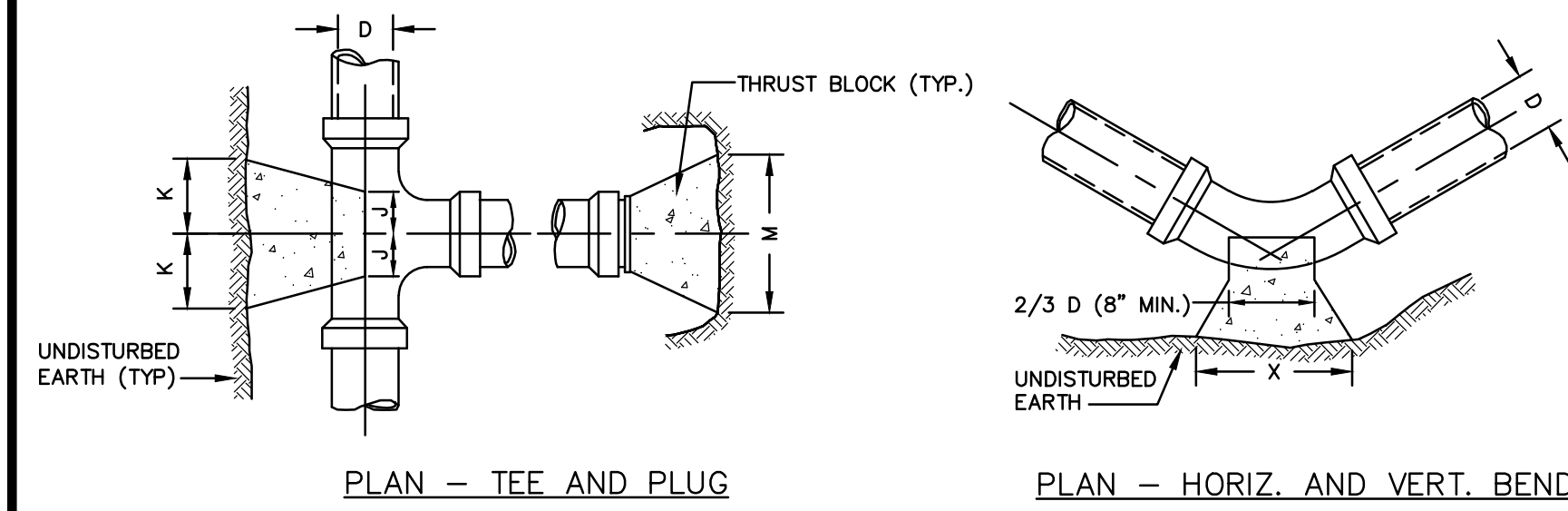
SCALE: NOT TO SCALE

FILE: Projects-YAR\50474.00\C\50474.00-PP.dwg

DWG.:

JOB. NO: 5-0474.00 SHEET 6 OF 7

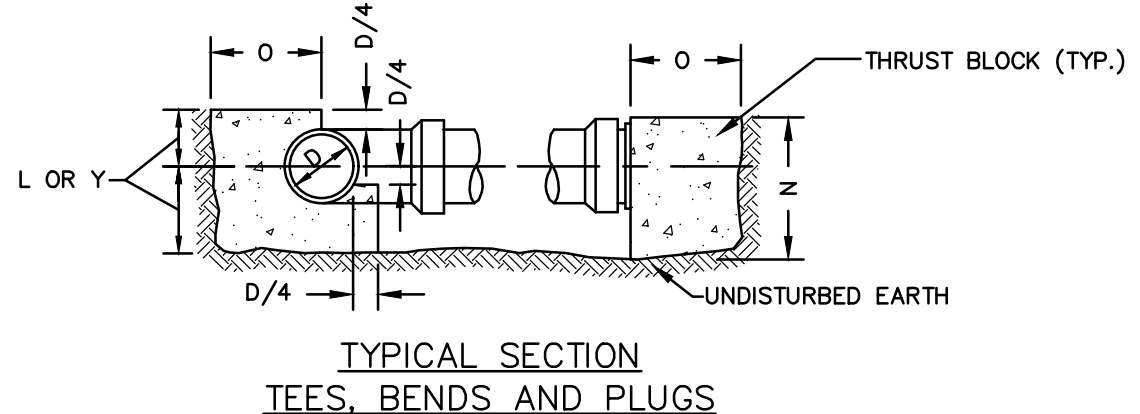




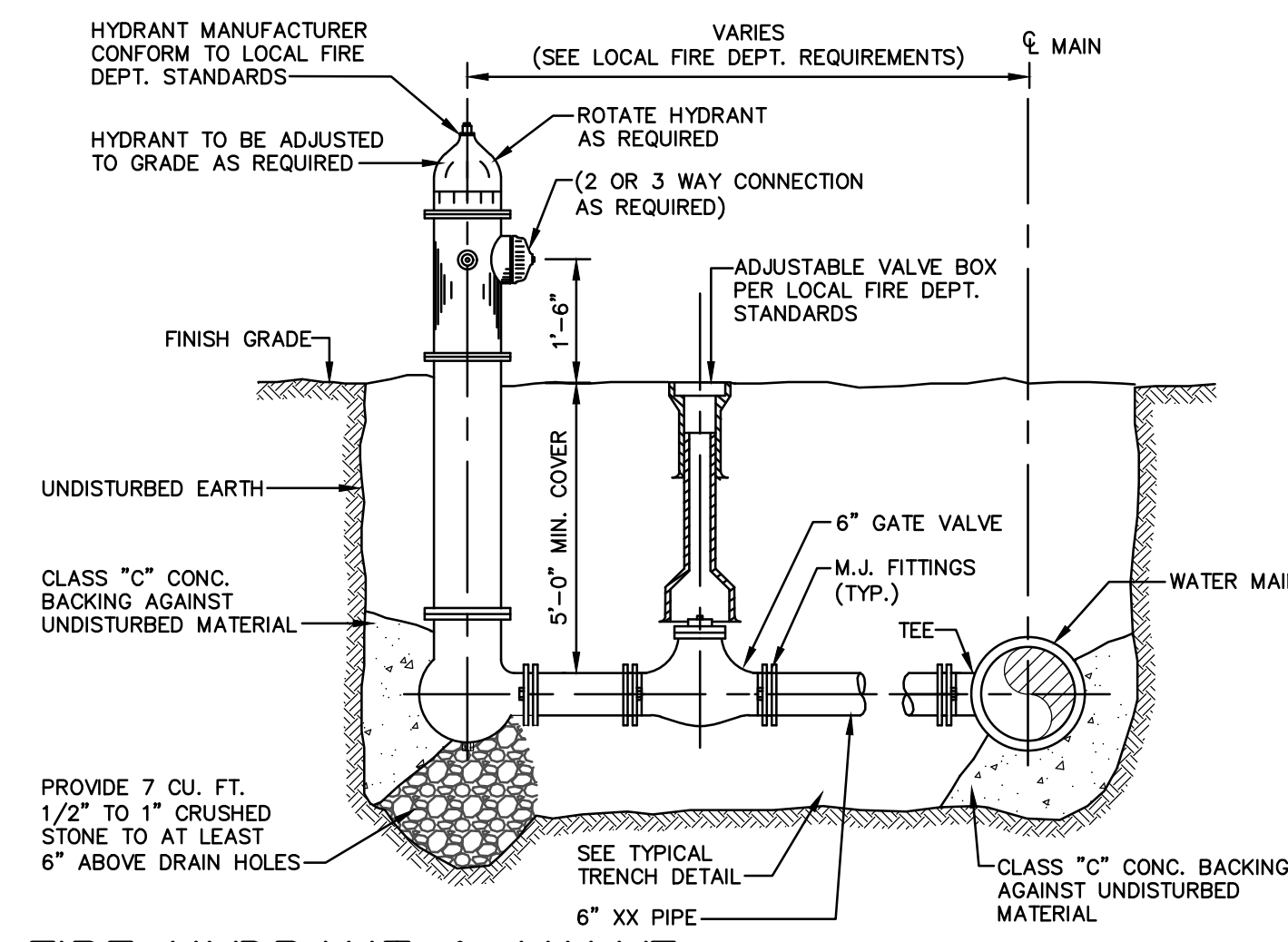
| SIZE OF BRANCH | J     | K     | L     | M      | N      | O     |
|----------------|-------|-------|-------|--------|--------|-------|
| 4" THRU 8"     | 10"   | 10"   | 1'-0" | 2'-0"  | 1'-6"  | 10"   |
| 10" THRU 16"   | 1'-0" | 1'-6" | 1'-8" | 3'-10" | 2'-10" | 1'-6" |
| 24"            | 1'-4" | 2'-0" | 2'-6" | 5'-0"  | 3'-6"  | 1'-8" |

| TEES AND PLUGS |          | BENDS         |                 |
|----------------|----------|---------------|-----------------|
| D              | 4" TO 8" | 90 & 45 BENDS | 22 1/2 & 11 1/4 |
| X              | 1'-8"    |               |                 |
| Y              | 1'-2"    |               |                 |

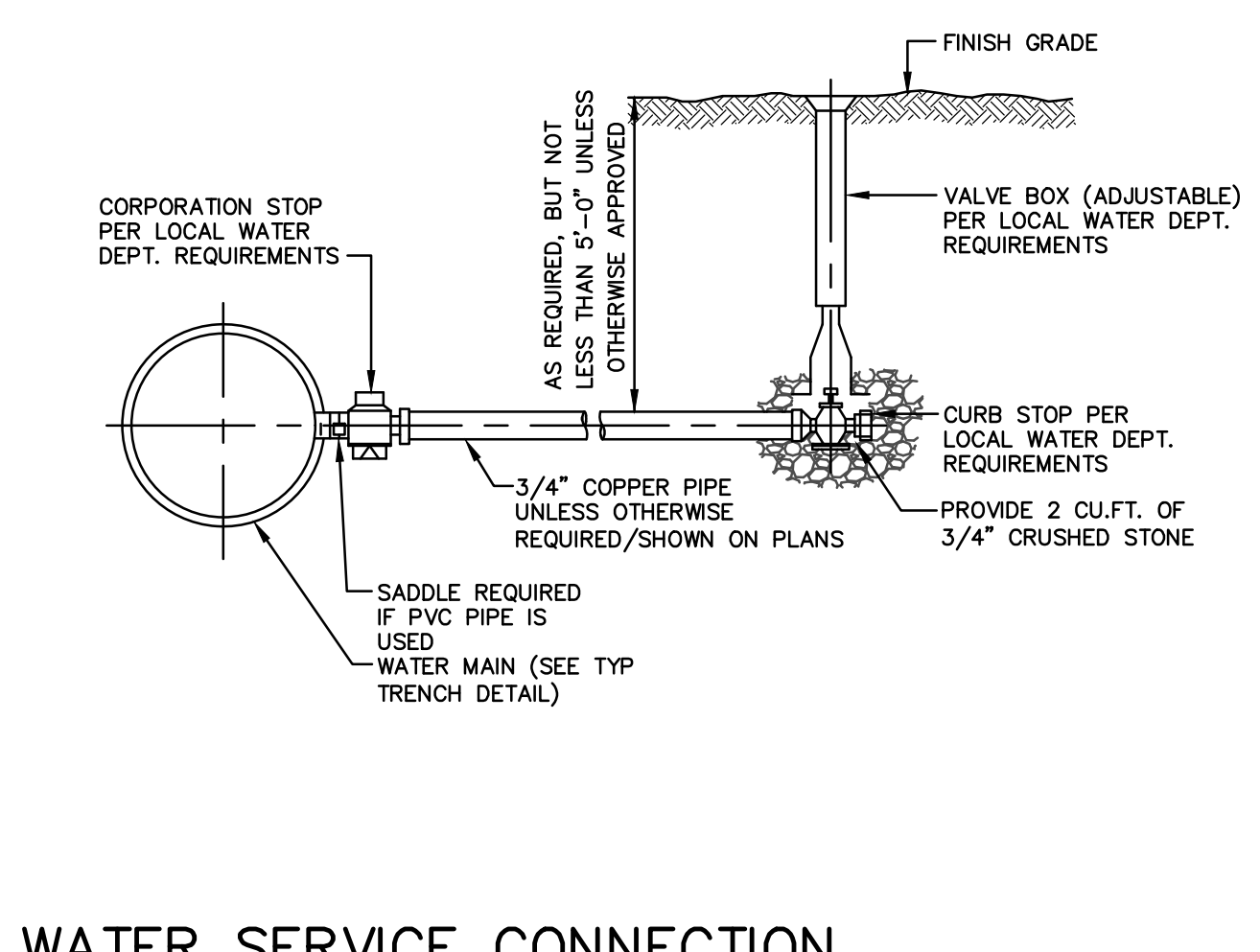
- NOTES:**
1. PROVIDE 3000 PSI CONCRETE THRUST BLOCKS AT ALL BENDS, DEAD ENDS, & TEES UNLESS OTHERWISE DIRECTED. CONCRETE FOR ALL THRUST BLOCKS TO BE PLACED AGAINST FIRM, UNDISTURBED SOIL. PROVIDE APPROVED ANCHOR HARNESS RODS & SOCKET CLAMPS AS SPECIFIED & IN ACCORDANCE WITH PIPE MANUFACTURERS RECOMMENDATIONS WHERE SOIL HAS BEEN DISTURBED OR THRUST BLOCKS CANNOT BE USED, AS DIRECTED BY THE ENGINEER.
  2. ALL SOCKET CLAMP METAL SHALL BE COATED WITH BLACK ASPHALTUM OR OTHER WATER DEPARTMENT APPROVED COATINGS.
  3. CONCRETE THRUST BLOCKS POURED BEHIND 3-WAY TEE & HYDRANT SHOE TO BE USED WITH SOCKET CLAMPS.
  4. NO CONCRETE SHALL COVER PIPE JOINTS, FITTING JOINTS, BOLTS OR HYDRANT DRAINS.



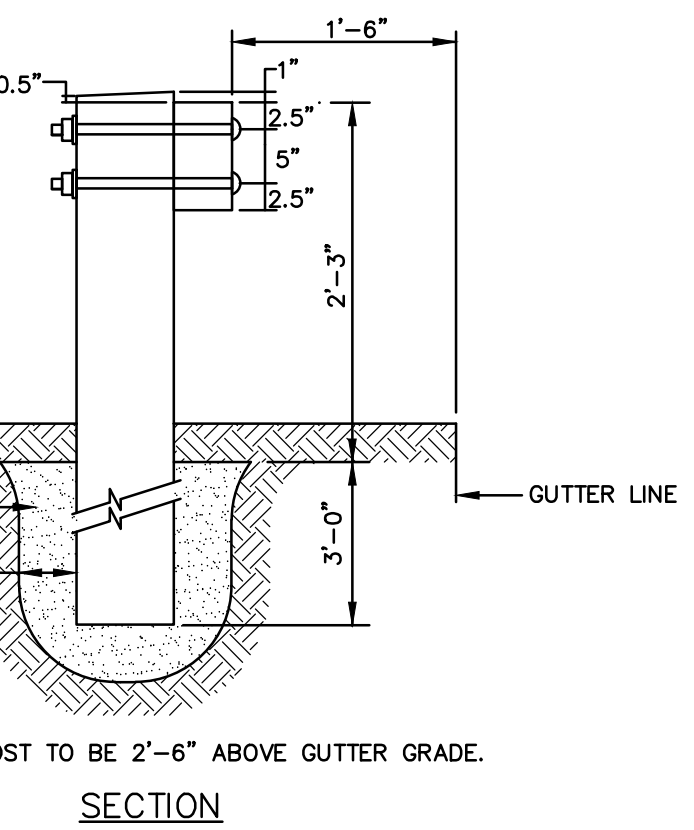
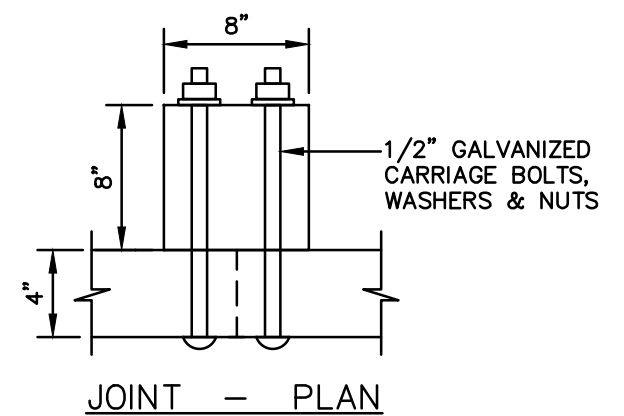
**CONCRETE THRUST BLOCK FOR PRESSURE PIPE**  
SCALE: NONE



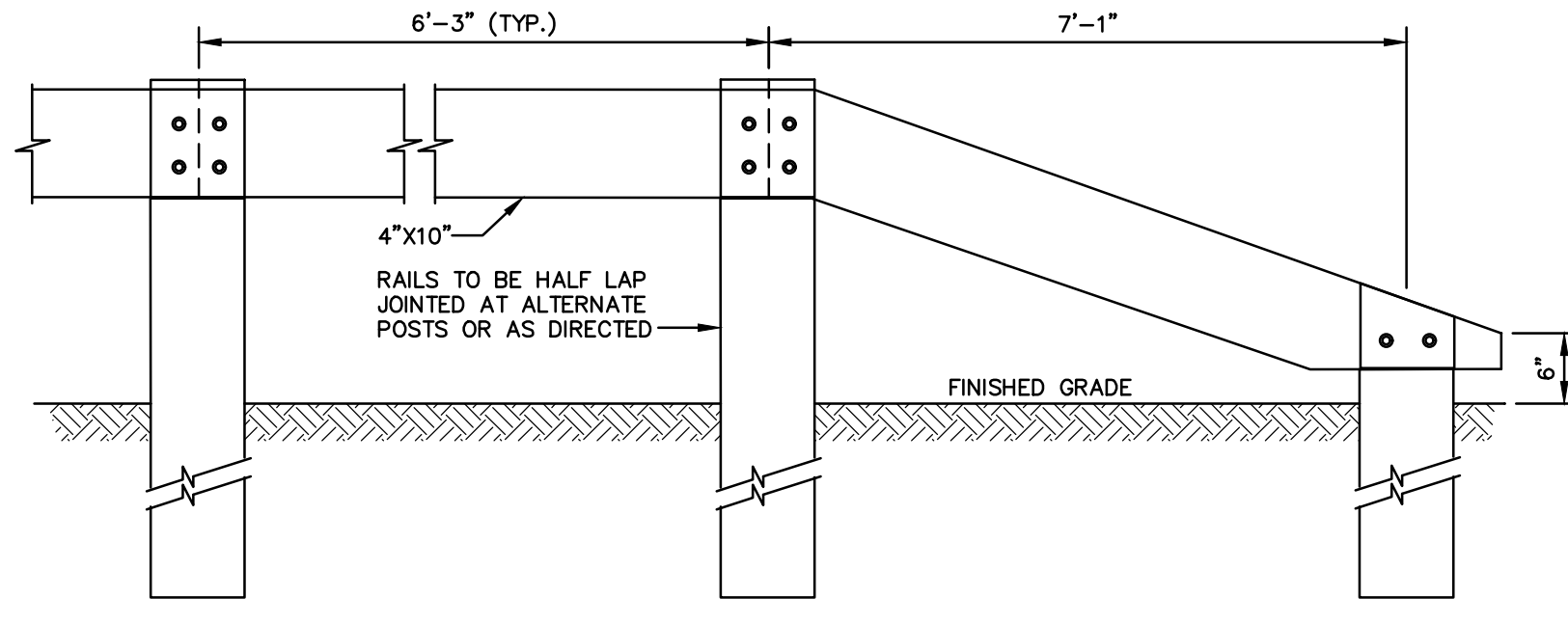
**FIRE HYDRANT & VALVE**  
SCALE: NONE



**WATER SERVICE CONNECTION**  
SCALE: NONE

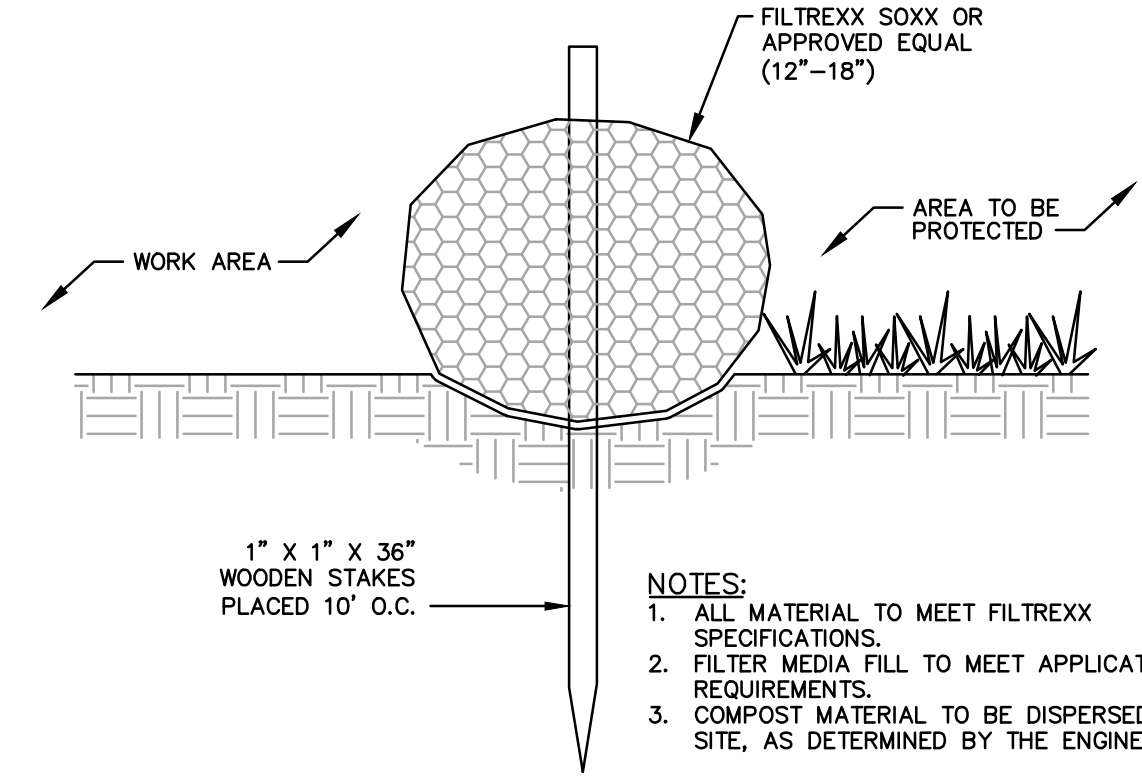


**SINGLE FACE WOOD GUARD RAIL**  
SCALE: NONE

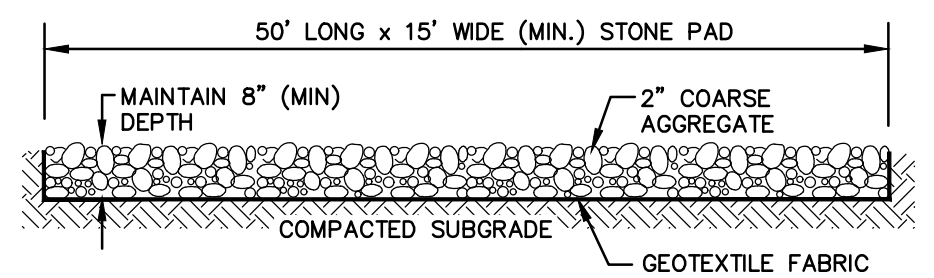


**ELEVATION - END TREATMENT**

- CONSTRUCTION NOTES:**
1. WOOD RAILS AND POSTS TO BE SOUTHERN YELLOW PINE STRUCTURAL GRADE OR BETTER.
  2. TIMBER PRESERVATIVES SHALL CONFORM TO THE REQUIREMENTS OF AASHTO 14-133 AND THE AMERICAN WOOD PRESERVERS ASSOCIATION STANDARDS C1, C2, AND C3. ANY CUTS MADE IN THE FIELD SHALL BE PAINTED WITH TWO BRUSH COATS OF TIMBER PRESERVATIVE.



**SILTSOXX COMPOST FILTER SOCK**  
SCALE: NONE



**TEMPORARY CONSTRUCTION ENTRANCE**  
SCALE: NONE



10/25/21

BRIAN G. YERGATIAN DATE  
PROFESSIONAL ENGINEER

**PRELIMINARY SUBDIVISION PLAN OF LAND**

532 MAIN STREET (ROUTE 130)

IN  
MASHPEE  
MASSACHUSETTS  
(BARNSTABLE COUNTY)

**DETAIL SHEET II**

AUGUST 26, 2021

**REVISIONS:**

| NO. | DATE | DESC. |
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PREPARED FOR:  
MARCELLO MALLEGNI  
80 AIRPORT ROAD  
HYANNIS, MA 02601

**BSC GROUP**  
349 Main Street - Route 28  
West Yarmouth, Massachusetts  
02673  
508 778 8919

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SCALE: NOT TO SCALE

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**From:** epesce@comcast.net <epesce@comcast.net>  
**Sent:** Monday, November 29, 2021 9:07 AM  
**To:** Evan Lehrer <ELehrer@mashpeema.gov>  
**Cc:** 'Yergatian, Brian' <byergatian@bscgroup.com>  
**Subject:** Review of the Preliminary Subdivision Plans for Sori Drive - 532 Main Street

**WARNING! EXTERNAL EMAIL:** : This message originated outside the Town of Mashpee mail system and could be harmful. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Hi Evan,

I have reviewed the Preliminary Subdivision Plans for Sori Drive, located at 532 Main St., Mashpee (7 sheets, dated August 27, 2021, and stamped/signed Oct. 25, 2021).

These plans look pretty good and the design information & construction details conform to the Mashpee Subdivision Rules & Regulations.

Should the Planning Board agree and approve the applicant to move forward to prepare the Definitive plans, I would recommend the following for the future submission:

- That the plans be reviewed by the Mashpee Fire Dept. for the suitability of design for the access/circulation of emergency vehicles, and the placement (and number) of fire hydrants
- Preparation and submission of the full drainage/stormwater analysis report
- The addition of a silt sack detail (to protect the catch basin inlets during construction) to Sheet 5, Erosion & Sediment Control Plan

Thank you and please let me know if you have any questions,

ED

---

**Edward L. Pesce, P.E., LEED® AP**  
**Pesce Engineering & Associates, Inc.**  
43 Porter Lane  
West Dennis, MA 02670

*(A Veteran Owned Small Business)*

Cell: 508-333-7630  
Office: 508-258-5123  
[epesce@comcast.net](mailto:epesce@comcast.net)



DRAFT



### MEMORANDUM

**To:** Town Planner Evan Lehrer  
Chair Fulone and the Honorable Members of the Planning Board

**From:** Patty Maguffin, Administrative Secretary

**Date:** November 23, 2021

**Re:** Planning Board Meeting Schedule 2022

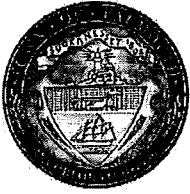
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Listed below are the dates for the upcoming Planning Board meetings for 2022. All meetings, unless otherwise noted, will take place at the Mashpee Town Hall in the Waquoit Meeting Room.

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|           |                         |         |
|-----------|-------------------------|---------|
| Wednesday | January 5, 2022         | 7:00 PM |
| Wednesday | January 19, 2022        | 7:00 PM |
| Wednesday | February 2, 2022        | 7:00 PM |
| Wednesday | February 16, 2022       | 7:00 PM |
| Wednesday | March 2, 2022           | 7:00 PM |
| Wednesday | March 16, 2022          | 7:00 PM |
| Wednesday | April 6, 2022           | 7:00 PM |
| Wednesday | April 20, 2022          | 7:00 PM |
| Wednesday | May 4, 2022             | 7:00 PM |
| Wednesday | May 18, 2022            | 7:00 PM |
| Wednesday | June 1, 2022            | 7:00 PM |
| Wednesday | June 15, 2022           | 7:00 PM |
| Wednesday | July 6, 2022            | 7:00 PM |
| Wednesday | July 20, 2022           | 7:00 PM |
| Wednesday | August 3, 2022          | 7:00 PM |
| Wednesday | August 17, 2022         | 7:00 PM |
| Wednesday | September 7, 2022       | 7:00 PM |
| Wednesday | September 21, 2022      | 7:00 PM |
| Wednesday | October 5, 2022-Holiday | 7:00 PM |
| Wednesday | October 19, 2022        | 7:00 PM |
| Wednesday | November 2, 2022        | 7:00 PM |
| Wednesday | November 16, 2022       | 7:00 PM |
| Wednesday | December 7, 2022        | 7:00 PM |
| Wednesday | December 21, 2022       | 7:00 PM |





## Falmouth Planning Board

59 Town Hall Square, Falmouth, MA 02540

Telephone: 508-495-7440 Fax: 508.495.7443 email: [planning@falmouthma.gov](mailto:planning@falmouthma.gov)

November 12, 2021

John Fulone, Chairman  
Mashpee Planning Board  
16 Great Neck Road North  
Mashpee, MA 02649

Dear Mr. Fulone,

The Town of Falmouth Planning Board held public hearings on July 13, 2021 and September 14, 2021 (copies attached) to discuss 3 zoning articles proposed for the Falmouth Annual Fall 2021 Town Meeting. The notice was published correctly in the local newspaper, however, the Notice of Planning Board Hearing was not mailed to the planning boards of each abutting town.

Because of this procedural defect, we respectfully request that the Mashpee Planning Board grant a waiver of the requirement that Notice of Planning Board Hearing be mailed to the planning boards of each abutting town.

Thank you for your kind attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Bott", written over a horizontal line.

Thomas Bott  
Falmouth Town Planner





In accordance with Section 5, Chapter 40A MGL and Article XXXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing beginning on Tuesday, July 13, 2021 at 6:30 pm, in the Selectmen's Meeting Room Town Hall, 59 Town Hall Square, Falmouth, MA 02540, to discuss the following proposed amendment(s) to the Falmouth Zoning Bylaw:

To see if the town will vote to amend the Zoning Bylaw by adding a new Article XLVIX Mixed Residential and Commercial Overlay District- and to amend the Official Zoning Map by adding a Mixed Residential and Commercial Overlay District in certain eligible locations in existing B-1, B-2, and Business Redevelopment zoning districts, as shown in a document entitled Article XLVIX Mixed Residential and Commercial Overlay District DRAFT 6/8/21 and Maps entitled "B1, B2, & BR Zoning" dated June 24, 2021 showing proposed Mixed Residential and Commercial Overlay Districts, as shown below: And further to amend the Official Zoning Map's Legend for Mixed Residential and Commercial Overlay District and Falmouth Zoning Overlay Districts Map to "Refer to Article XLVIX of the Zoning Bylaws". Full text and Map are available for public inspection in the Falmouth Planning Office and the Falmouth Town Clerk's Office, 59 Town Hall Square, Falmouth Massachusetts 02540, Monday through Friday 8:00 am to 4:30 pm. Maps and Draft Zoning Bylaw can also be found at the Planning Board website page <https://www.falmouthma.gov/342/Planning>

#### **Article XVIX Mixed Residential and Commercial Overlay District DRAFT 6/8/21**

##### **240- 256 Purpose**

- To enable the town to reach its goal of 10% of its housing on the Subsidized Housing Inventory (SHI)
- To incentivize developers and property owners to create workforce, senior, and affordable family rental and ownership housing opportunities by increasing residential density and mixed use where appropriate.
- To promote economic vitality and a greater diversity of housing opportunities in Falmouth.
- To mitigate traffic congestion by promoting housing proximate to compatible commercial uses.
- To promote consistency, quality, and flexibility in site layout and building design.
- To provide housing for people at all stages of life and all levels of income, as set forth in the town's Local Comprehensive Plan.
- To enable the creation of livable, walkable neighborhoods in the town's business districts.

##### **240- 257 Definitions**

- **Affordable dwelling unit:** A dwelling unit that complies with 760 CMR 56 or successor regulations regarding unit inclusion on the town's Subsidized Housing Inventory (SHI) occupied by an Eligible Household.
- **Affordable housing restriction:** A deed restriction meeting statutory requirements in MA GL chapter 184, section 31, in a form consistent with MA Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) guidelines or otherwise allows for inclusion of an Affordable Dwelling Unit on the Town's Subsidized Housing Inventory, which runs with the land and is recorded with the Barnstable Registry of Deeds or Land Court Registry District, and which effectively restricts the occupancy of a low or moderate income housing unit to income eligible households. The term of affordability shall be in perpetuity or for the longest

term allowed by law. Said restriction shall contain terms and conditions for the resale of a home ownership unit, including definition of the maximum permissible sale price, and for the subsequent rental of a rental unit, including definition of the maximum permissible rent. Said restriction shall require that tenants of rental units and owners of homeownership units shall occupy the units as their principal residences.

- **Applicant:** The person or persons, including a corporation or other legal entity, who applies for approval of a multiunit/mixed use development hereunder. The applicant must own or be the beneficial owner of all the land included in the development or have authority to act for the owners or hold an option or contract duly executed by the owners and the applicant giving the applicant the right to acquire or lease the land to be included in the development.
- **As of right:** development that may proceed under a zoning by-law without the need for a special permit, variance, zoning amendment, or other discretionary zoning approval.
- **Eligible household:** an individual or household whose annual income is less than 80% of area wide median income as determined by the US Department of Housing and Urban Development (HUD) adjusted for household size for Barnstable County, with income computed using HUD rules for attribution of income to assets.
- **Eligible location:** areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed-use zoning districts, including without limitation (1) areas near transit stations, bus and ferry terminals, or (2) areas of concentrated development, including town centers and other existing commercial districts.
- **Mixed use development:** a development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, or other uses, including modifications to existing buildings.
- **Multi-family dwelling:** a building designed and constructed so as to contain three or more suites of one or more rooms, each suite provided with individual cooking and other facilities for independent housekeeping, used or intended to be used for the non-transient housing of three or more family units.
- **Permit Granting Authority:** The Planning Board shall be the sole permit granting authority pursuant to any provision of this bylaw."
- **Three Quarter ¾ Story** That portion of a building under any type of sloping roof, which is potentially habitable as defined under Massachusetts Building Code and within which the number of square feet in area is never more than 3/4 of that of the story below. If the square foot area of the subject portion is greater, that portion shall be deemed a story.

#### **240- 258. Establishment/ delineation**

- A. There is hereby established a Mixed Residential and Commercial Overlay District which is an overlay district superimposed at certain eligible locations in existing B-1, B-2, and Business Redevelopment zoning districts.
- B. The aforesaid eligible locations are shown on a map entitled "Mixed Residential and Commercial Overlay District, town of Falmouth" dated xxxx xx xxxx, scale: 1" 1500 feet. This map, as it may be amended from time to time, is hereby made part of the Town Zoning Bylaw and is on file at the office of the town Clerk.

#### **240-259 Uses allowed by right**

- A. All uses currently allowed in B-1, B-2, and Business Redevelopment Districts.
- B. All use allowed by right as set forth under this section, provided that all necessary permits, orders, or approvals required by local, state or federal law are also obtained including Site Plan Review by the Planning Board.
- C. Mixed use development.

- D. Residential multifamily dwelling units with density up to 20 units per 40,000 square feet of upland.

#### **240- 260 Affordability Requirements**

The following requirements shall apply to developments in the Mixed Residential and Commercial Overlay District:

- A. Developments must be eligible for approval as local action units (LAUs) through the Local Initiative Program (LIP) or otherwise shown to be eligible for inclusion in the town's Subsidized Housing Inventory (SHI).
- B. Developments must include an executed regulatory agreement in a form to be approved by the Town Select Board and by the Department of Housing and Community Development (DHCD).
- C. 25% of the rental residential dwelling units shall be Affordable Dwelling units, occupied by Eligible Households. 100% of the rental dwelling units shall be eligible for inclusion on the town's Subsidized Housing Inventory."
- D. 50% of the ownership residential multifamily dwelling units shall be Affordable units, occupied by Eligible Households and eligible for inclusion on the town's Subsidized Housing Inventory (SHI).
- E. The applicant will be required to contract with a public, non-profit, or private monitoring agency qualified by the MA Department of Housing and Community Development (DHCD) or its successor, and approved by the Planning Board, to ensure that all affordable rental and ownership units initially and thereafter continue to qualify for the town's subsidized Housing Inventory (SHI).
- F. All residential rental dwelling units leased to an Eligible Household shall be leased for a minimum of one year and shall be occupied as the principal residence of the tenant (s). Rentals for less than one year are prohibited.

#### **240-261 Development Requirements**

- A. Developments must include a minimum of four dwelling units
- B. Developments must have a minimum lot size of 10,000 square feet.
- C. Maximum building height shall be 35 feet and no more than 2.75 stories.
- D. Developments must provide a minimum of one parking space per dwelling unit on the property or on other property within 300 feet of the property that contains the dwelling unit. Shared parking with commercial users of the property may be allowed by the Planning Board under Site Plan Review.
- E. Sidewalks may be required by the Planning Board under Site Plan Review.
- F. The maximum percent of lot coverage by structures/paving/parking shall not exceed 70%.
- G. Setbacks for buildings in the mixed residential and commercial overlay district shall be the same as those in the Business Redevelopment Zone for new construction (20 feet front, 10 feet side yard setback, 10 feet rear yard setback.) or no more nonconforming than the existing building provided that the proposed change or alteration is not substantially more detrimental than the existing nonconforming building as determined by the Planning Board". If the new mixed-use building(s) abuts residentially zoned property then a 20" setback is required to separate mixed use from residential use.
- H. In reviewing proposed developments under Site Plan Review, the Planning Board may reduce the requirements concerning the bulk of structures, setbacks, parking, and building coverage requirements to allow for the additional housing units beyond what would be otherwise permitted.
- I. Developments shall meet title V requirements. If not connected to the town sewer and if located in a coastal pond overlay district, they may be required to install a denitrification system approved by the Board of Health.

**240- 262 Decisions**

The Planning Board under Site Plan Review may approve a proposed Mixed-Use Development provided it makes the following findings: 1) the proposed development complies with all applicable requirements 2) the proposed development provides affordable dwelling units as set forth in this section; 3) the proposed development does not cause a substantial adverse effect to the neighborhood.

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

Per Order of the Falmouth Planning Board

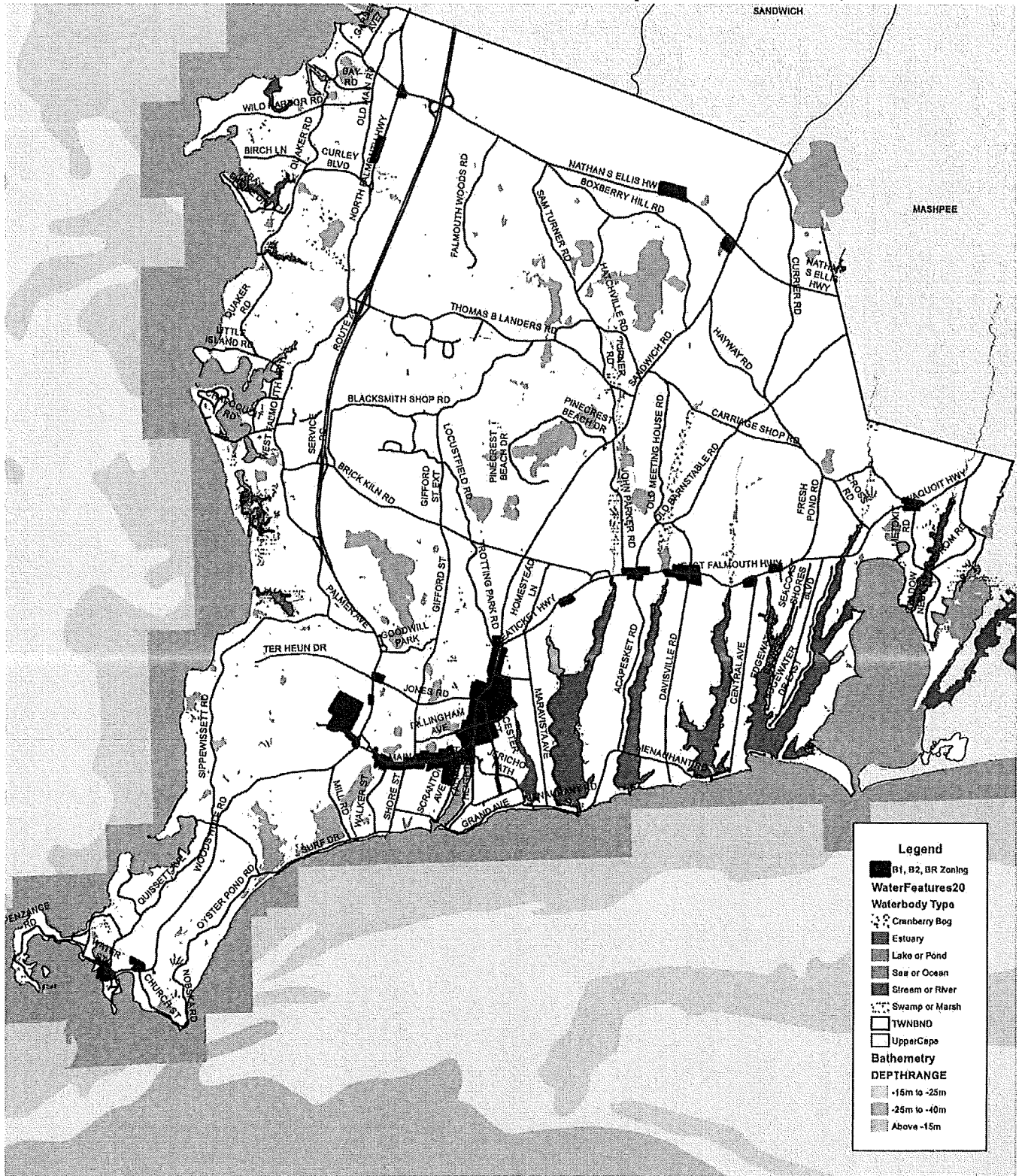
Paul Dreyer, Clerk

Falmouth Enterprise

6/25/21

7/2/21

# Potential Mixed Residential and Commercial Overlay Districts June 24, 2021









In accordance with Section 5, Chapter 40A MGL and Article XXXXIII of the Falmouth Zoning Bylaw, the Falmouth Planning Board shall conduct a public hearing on Tuesday, September 14, 2021 at 6:30 pm, at the Town Hall, 59 Town Hall Square, Falmouth, MA 02540, to discuss the following proposed amendments to the Falmouth Zoning Bylaw:

**Article:** To see if the town will vote to amend the Zoning Bylaw by adopting the Recodification of the existing Zoning Bylaws as shown in a document entitled "Zoning Bylaw Town Code Chapter 240 Articles 1 – 14 October 2021"

Full text is available for public inspection in the Falmouth Planning Office and the Falmouth Town Clerk's Office, 59 Town Hall Square, Falmouth Massachusetts 02540, Monday through Friday 8:00 am to 4:30 pm. The Recodified Zoning Bylaw can also be found at the Planning Board website page <https://www.falmouthma.gov/342/Planning>

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

**Article:** To see if the town will vote to amend the Zoning Bylaw Section 240-13 Definitions by adding a new definitions related to Article XLVIX Mixed Residential and Commercial Overlay District  
Full text available for public inspection in the Falmouth Planning Office and the Falmouth Town Clerk's Office, 59 Town Hall Square, Falmouth Massachusetts 02540, Monday through Friday 8:00 am to 4:30 pm. Maps and Draft Zoning Bylaw can also be found at the Planning Board website page <https://www.falmouthma.gov/342/Planning>

#### **240-13 Definitions**

- **Affordable housing restriction:** A deed restriction meeting statutory requirements in MA GL chapter 184, section 31, in a form consistent with MA Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) guidelines or otherwise allows for inclusion of an Affordable Dwelling Unit on the Town's Subsidized Housing Inventory, which runs with the land and is recorded with the Barnstable Registry of Deeds or Land Court Registry District, and which effectively restricts the occupancy of a low or moderate income housing unit to income eligible households. The term of affordability shall be in perpetuity or for the longest term allowed by law. Said restriction shall contain terms and conditions for the resale of a home ownership unit, including definition of the maximum permissible sale price, and for the subsequent rental of a rental unit, including definition of the maximum permissible rent. Said restriction shall require that tenants of rental units and owners of homeownership units shall occupy the units as their principal residences.
- **Applicant MRCOD:** The person or persons, including a corporation or other legal entity, who applies for approval of a multiunit/mixed use development hereunder. The applicant must own or be the beneficial owner of all the land included in the development or have authority to act for the owners or hold an option or contract duly executed by the owners and the applicant giving the applicant the right to acquire or lease the land to be included in the development.
- **As of right:** development that may proceed under a zoning by-law without the need for a special permit, variance, zoning amendment, or other discretionary zoning approval.

- **Eligible household:** an individual or household whose annual income is less than or equal to 80% of the area wide median income as determined by the US Department of Housing and Urban Development (HUD) adjusted for household size for Barnstable County, with income computed using HUD rules for attribution of income to assets.
- **Eligible location:** areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed-use zoning districts, including without limitation (1) areas near transit stations, bus and ferry terminals, or (2) areas of concentrated development, including town centers and other existing commercial districts.
- **Mixed use development:** a development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, or other uses, including modifications to existing buildings.
- **Multi-family dwelling:** a building designed and constructed so as to contain three or more suites of one or more rooms, each suite provided with individual cooking and other facilities for independent housekeeping, used or intended to be used for the non-transient housing of three or more family units.
- **Permit Granting Authority:** The Planning Board shall be the sole permit granting authority pursuant to any provision of this bylaw.
- **Three Quarter Story:** That portion of a building under any type of sloping roof, which is potentially habitable as defined under Massachusetts Building Code and within which the number of square feet in area is never more than 3/4 of that of the story below. If the square foot area of the subject portion is greater, that portion shall be deemed a story.

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

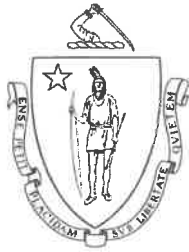
**Article:** To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by amending § 240-193 B. by changing the notice to abutters from 100 feet to 300 feet so that the revised section will read:

§ 240-193 **Procedure.**

**B.** Before approval of a site plan review, the Planning Board shall solicit public comment at the public meeting where the plan is being discussed. Notice that the Board will be accepting public comments shall be given by advertisement in a local newspaper once at least one week prior to the date of the Board's meeting and by notice to abutters within 300 ~~100~~ feet of any part of the land of the applicant, by regular mail, at least one week prior to the date of the Board's meeting.

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

Publications: 8/27/21, 9/3/21



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY  
ATTORNEY GENERAL

TEL: (617) 727-2200  
[www.mass.gov/ago](http://www.mass.gov/ago)

November 19, 2021

**VIA EMAIL ONLY**

Meredith Kilpatrick  
[mlmkilpatrick@gmail.com](mailto:mlmkilpatrick@gmail.com)

**RE: Open Meeting Law Complaint**

Dear Ms. Kilpatrick:

This office received two complaints from you on October 14, 2021,<sup>1</sup> alleging that the Mashpee Planning Board (the “Board”), and specifically its Chair, John Fulone, violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaints were originally filed with the Board on July 21 and September 24. The Chair responded to both complaints by letter dated September 27, and the Board provided additional response by letter dated October 13. The complaints allege that 1) the Chair has behaved in an unprofessional manner; 2) the Chair has denied or limited public comment; and 3) the Board failed to timely respond to the July 21 complaint. For the following reasons, we decline to review your complaints.

**The July 21 Complaint**

We decline to review the July 21 complaint because it does not allege violations of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The July 21 complaint alleges that 1) the Chair has behaved in an unprofessional manner; and 2) the Chair has denied or limited public comment. The Open Meeting Law states that “[n]o person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent.” G.L. c. 30A § 20(g). The Law does not require that a public body allow public participation, but rather gives the chair of the public body discretion to decide whether to permit public comment during a meeting, and if public comment will be permitted, to set restrictions on public comment. See OML 2019-138; OML 2020-9; OML 2017-189; OML 2014-23; OML 2012-78.<sup>2</sup> We note that, although there is no legal requirement under the Open Meeting Law to allow public comment at

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<sup>1</sup> All dates are in 2021 unless otherwise stated.

<sup>2</sup> Open Meeting Law determinations and declinations may be found at the Attorney General’s website, [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting).

an open meeting, we do encourage public bodies to allow for as much public participation as time and circumstances permit.<sup>3</sup>

Additionally, although we certainly discourage uncivil and unprofessional behavior, an allegation of unprofessional conduct or incivility does not constitute a violation of the Open Meeting Law. See OML 2020-36, n. 5; OML 2019-166; OML Declination 6-28-16 (Kingston Board of Selectmen). Because the July 21 complaint raises allegations that, even if true, would not constitute a violation of the Open Meeting Law, we decline to review this complaint.

### **The September 24 Complaint**

We decline to review the September 24 complaint as it was not timely filed with the Board. To be considered timely, an Open Meeting Law complaint must be filed with the public body within 30 days of the alleged violation, or, if the alleged violation could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered. G.L. c. 30A, § 23(b); 940 CMR 29.05(4). The Open Meeting Law and the Attorney General's Open Meeting Law Regulations require that, within 14 business days after receiving a complaint, a public body must meet to review the complaint's allegations; take remedial action, if appropriate; and send to the complainant a response and a description of any remedial action taken. G.L. c. 30A, § 23; 940 CMR 29.05(5). The public body shall simultaneously provide the Attorney General with a copy of the complaint, the response, and a description of any remedial action taken. 940 CMR 29.05(5).

The July 21 complaint was filed with the Board on July 21, and the Board's response was due on August 10. The Board's failure to timely respond to the July 21 complaint was therefore discoverable on August 10 and a complaint alleging that the Board failed to respond to the July 21 complaint should have been filed with the Board on or before September 9. Where the complaint alleging that the Board failed to respond to the July 21 complaint was not filed with the Board until September 24, the complaint is untimely and we therefore decline to review it. Although we decline to formally review the September 24 complaint, we take this opportunity to remind the Board of its obligation to comply with all requirements of the Open Meeting Law including the requirement to review and respond to Open Meeting Law complaints within 14 business days.

For the above reasons, we decline to review your complaints. We now consider the complaints addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with the Board or with our office. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

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<sup>3</sup> The Division of Open Government's review concerns compliance with the Open Meeting Law, G.L. c. 30A, §§ 18-25. We express no opinion about whether the Board or its chair may have violated any other law or policy.

Sincerely,



Elizabeth Carnes Flynn  
Assistant Attorney General  
Division of Open Government

cc: Patrick J. Costello, Esq., Louisan, Costello, Condon & Pfaff, LLP  
(via email: [pcostello@lccplaw.com](mailto:pcostello@lccplaw.com))  
John Fulone, Chair of the Mashpee Planning Board (via e-mail: [jfulone@comcast.net](mailto:jfulone@comcast.net))

# Meredith L. M. Kilpatrick

508-539-1990 (H) 978-621-1489 (C) P.O. Box 1481; Mashpee, MA 02649 meredith.kilpatrick@exprealty.com

19NOV21 – via email

Elizabeth Carnes Flynn, Assistant Attorney General  
Division of Open Government,,One Ashburton Place  
Boston, MA 02108

Dear Attorney Carnes Flynn,

Thank You for your prompt response to the Open Meeting Law Complaints from July and September 2021.

I have read your response and find some confusion on dates and perhaps a misunderstanding in your interpretation and ask for another review based on a few points.

1. The July 2021 Complaint did NOT receive a formal response until AFTER the September 2021 Complaint was submitted.
  - a. Please note – simultaneous to this complaint, I had been advised to seek out a “local” solution to the lack of Public Comment in the Planning Board meetings.
  - b. In so doing, I was pleased with the response from Planning Board Chair Fulone and that he was open to discussion and intended to include a “Public Dialog” in future meetings.
2. The September 2021 - It was **per the instruction of the Attorney General’s office hotline** in September that I was informed “No response to an Open Meeting Law is in fact a violation.” When I inquired as to how to proceed, I was instructed during this call to submit a new complaint using the same form/process.
  - a. I reviewed the dates carefully with the attorney during that call and at no time was I notified that I was outside of any requisite timeline.
  - b. I reviewed the 73 prior Planning Board meetings which had omitted Public Comment by a previous Chair of the Planning Board and was advised to include that in the communications.
  - c. I was informed by the Attorney General’s office on 28OCT21 via email (see attached) that I was offered the extended **date of 03DEC21 for a review**.
3. Ultimately, the longstanding issue or practice or condoned behavior pertains to specifically to the years long, **over 73+ Public meetings removal of the Public Comment** from the Town of Mashpee, Planning Board meetings.

We all agree, per Open Meeting Law, G.L. c. 30A § 20(g). The Law does not require that a public body allow public participation, however, as outlined within the Open Meeting Training Materials the “**Attorney General encourages public bodies to allow as much public participation as time permits.**”

The Attorney General’s Office could not possibly condone the intentional omission of Public Comment in any Massachusetts Municipal Board. It remains my concern, that the Town of Mashpee Planning Board conducted themselves outside of the legal parameters the Open Meeting Law, G.L. c. 30A and outside of the parameters and guidance of suggestions of the Attorney General’s office.

Per the extended 03DEC21 review date offered to me on 28OCT21. I ask for a review and further instruction as to how to proceed in investigating this prolonged neglect for the Open Meeting Law within the Town of Mashpee, Planning Board.

Kind Regards,

*Meredith L. M. Kilpatrick*, signed electronically 19NOV21

Meredith L. M. Kilpatrick

N.B. -Mashpee Select Board Chair, Carol Sherman

-Mashpee Town Manager, Rodney Collins

-Mashpee Town Clerk, Deborah Dami

-MA State Senator Julian Cyr, &-Office of MA -Office e of MA State Senator Cyr – Legislative Aide, Ashley Benson & Legal Counsel, Elizabeth Ganz

# Meredith L. M. Kilpatrick

508-539-1990 (H) 978-621-1489 (C) P.O. Box 1481; Mashpee, MA 02649 meredith.kilpatrick@exprealty.com

**OpenMeeting (AGO) [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us) via [mass.gov](https://mass.gov)**

Mon, Oct 18,  
2:23 PM

to mkilpatrick@kw.com, Patrick

Dear Ms. Kilpatrick,

We understand that on July 21, 2021, you filed a complaint with the Mashpee Planning Board ("Board") alleging a violation of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Board is required to notify our office of the complaint and any remedial action taken to address the complaint. G.L. c. 30A, § 23(b); 940 CMR 29.05(5). Our office received notification and a response from the Board on October 13, 2021.

Under the Open Meeting Law, our office may only review your complaint after 30 days have passed from the time you first filed your complaint with the Board. G.L. c. 30A, § 23(b); 940 CMR 29.05(7). After 30 days have passed since you filed your complaint with the Board, you may file a request with our office for further review of your complaint.

Thirty days have now passed since you first filed your complaint with the Board. Typically, under the Open Meeting Law, a complainant may file a complaint with our office for further review up until 90 days have passed since the alleged violation date. However, because the Board was granted an extension and took 45 days beyond the standard 14 business days to respond to your complaint, your deadline to file the complaint with our office for further review will also be extended by 45 days. 940 CMR 29.05(7). If you wish to request further review of your complaint, we must receive your request for further review and a copy of the initial complaint by **December 3, 2021**. If we do not receive a request from you for further review by that date, we will presume that the action taken by the Board was sufficient and will close the file.

Please feel free to contact us if you have any questions about the Open Meeting Law complaint process.

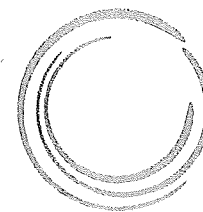
Sincerely

*Erica (Rickie) Warren (she/her/hers)*  
*Paralegal, Division of Open Government*  
*Massachusetts Office of the Attorney General*  
*One Ashburton Place*  
*Boston, MA 02108*  
*Phone: (617)-963-2451*

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

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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)



CAPE COD  
COMMISSION

November 16, 2021

NOV 23 2021

South Cape Village  
c/o Eliza Cox, Esq.  
Nutter, McClennen & Fish LLP  
1471 Iyannough Rd, Unit 1  
Hyannis, MA 02601

**RE: Preliminary Certificate of Compliance  
South Cape Village, Commission File No. TR97007/MOD02030**

Dear Ms. Cox,

Enclosed please find the Preliminary Certificate of Compliance for the South Cape Village, Route 28 & Donna's Lane, Mashpee, MA.

Please do not hesitate to contact our office if you have any questions.

Sincerely,

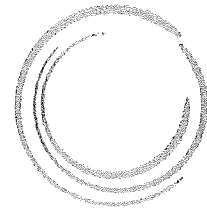
Lisa Dillon  
Commission Clerk

Enclosure

cc: Evan Lehrer, Town Planner, Town of Mashpee  
David Morris, Building Commission, Town of Mashpee



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



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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

CAPE COD  
COMMISSION

**PRELIMINARY CERTIFICATE OF COMPLIANCE**

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Date: November 12, 2021

To: Owner/ Applicant DPF Mashpee LLC  
C/O Atty. Eliza Cox, Nutter McClennen & Fish LLP  
PO Box 1630, Hyannis, MA 02601

Project: South Cape Village  
Cape Cod Commission No. TR97007/MOD02030

Project Site: Route 28 & Donna's Lane, Mashpee, MA

Title  
Reference: Land Court CTF Title No. 205910  
Land Court Plan No. 32122-C  
BCRD Deed Book 28780 Page 94  
BCRD Plan Book 271 Page 63  
BCRD Plan Book 634 Pages 43 & 44

Assessor's  
Parcel Id: 81-4; 81-16; 81-25; 81-128

**DRI Decision Filed w/ Land Court as Doc. No. 969,897**

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Pursuant to the Development of Regional Impact decision dated December 14, 2000, as modified by Major Modification decisions dated April 10, 2003 and March 31, 2005, a Minor Modification Type 2 decision dated May 11, 2017, and six (6) Minor Modification Type 1 decisions (hereafter, "Decision") issued for the above-referenced project, the Cape Cod Commission ("Commission") hereby issues this Preliminary Certificate of Compliance in turn authorizing issuance of a building permit by the Town of Mashpee's building

South Cape Village, Mashpee, MA  
Certificate of Compliance Building G – November 2021

turn authorizing issuance of a building permit by the Town of Mashpee's building department for the construction of Building G with associated site improvements. The Commission certifies and acknowledges that the Applicant has satisfied and complied with the terms and conditions of the Decision sufficient for issuance of this Certificate.

The Project shall remain in compliance with all terms and conditions of the Decision.

***SEE NEXT PAGE FOR SIGNATURE***

**SIGNATURE**

Executed this 12th day of November 2021.

For the Commission by:

Kristy Senatori  
Kristy Senatori, Executive Director

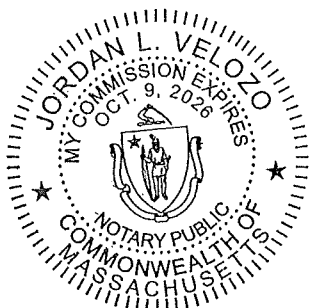
**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

November 12, 2021

Before me, the undersigned notary public, personally appeared Kristy Senatori, in her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that she signed such document voluntarily for its stated purpose on behalf of the Cape Cod Commission. The identity of such person was proved to me through satisfactory evidence of identification, which was [ ] photographic identification with signature issued by a federal or state governmental agency, [ ] oath or affirmation of a credible witness, or [X] personal knowledge of the undersigned.

SEAL



Jordan L. Velozo  
Notary Public  
My Commission Expires: 10/09/2026



NOV 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 Martin Thomas Griffin, 134 Gifford Street, Falmouth, Ma.

(Map 38A Lot 001) **under 240-3 C.** of the Zoning By-Law, as amended to **grant** the special permit to raze and reconstruct the nonconforming detached 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 **November 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](mailto:Noreen.stockman@falmouthma.gov) if you have any questions or comments  
full text of decision available at <http://www.falmouthmass.us>



**BOARD of APPEALS**

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

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

*NOV 16 2021*

The Sandwich Board of Appeals will hold a Public Hearing on the application of Hauck Properties LLC, Property Owner and Matthew Kalaher, Applicant, for a Special Permit under Sections 1330, 1380, 2200 and 5000 of the Sandwich Protective Zoning By-Law for property located at 3 Jan Sebastian Drive, Sandwich, MA, Assessor's Map #27 Parcel #28, for the purpose of operating a truck and automotive repair business. The Public Hearing will be held on November 23, 2021, in the upper meeting room of the Human Services Building, 270 Quaker Meetinghouse Road, East Sandwich, MA at 6:00 p.m. The public record information can be viewed at the Planning & Development office, 16 Jan Sebastian Drive, Sandwich, MA, Monday-Friday 8:30 a.m. to 4:30 p.m.

Erik Van Buskirk, Chair  
Sandwich Board of Appeals  
Publication: Sandwich Enterprise  
Publication Dates: November 5 and November 12, 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](mailto:planning@sandwichmass.org)

TOWN CLERK  
TOWN OF SANDWICH

NOV 18 2021

Special Permit  
Certificate of Approval

2 HY0 M P 8  
RECEIVED & RECORDED  
Petition #

**Applicant/Property Owner(s):** Donald A. & Cheryl K. Warner  
**Property Address:** 97 North Shore Boulevard  
**Map, Parcel** 70-94

NOV 23 2021

On November 16, 2021 the Board of Appeals voted to approve a special permit from Sections 1330 & 4300 of the Sandwich Zoning By-law for property located at 97 North Shore Boulevard as shown on Assessor's Map 70, Parcel 94, for the purpose of demolishing and constructing two structures over 301 s.f. in the floodplain.

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

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

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

  
Board of Appeals Member

11/18/21  
Date

## **PROCEDURAL HISTORY**

1. Application from sections 1330 & 4300 of the Zoning By-Law for property located at 97 North Shore Boulevard was filed on October 1, 2021.
2. After proper notice was given the public hearing was opened on November 9, 2021 and closed on November 9, 2021.
3. The application was accompanied by a Site Plan entitled:  
Plan Showing Proposed Site Improvements  
97 North Shore Boulevard  
Dated: July 13, 2021
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk  
James Killion  
Christopher Neeven  
Robert Jensen  
Chase Terrio

## **FINDINGS**

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
2. Subject property is located within the Shore Zoning District and the Flood Plain Overlay District.
3. The property consists of 0.250 acres with 50 ft. of frontage on North Shore Boulevard.
4. The property is located in the FEMA Zone VE elevation 16.
5. Applicant proposes to demolish the existing two structures and construct two new structures.
6. The proposed addition does not increase the non-conforming nature of the structure by over 30%.
7. Section 1330 requirements:
  - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;
  - b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;
  - c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;

- d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.
8. Section 4350 (2) requirements:
- a) The Board of Appeals finds that susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property is minimal.
  - b) The Board of Appeals finds that there are not alternative locations for the proposed use which are not subject to flooding or erosion.
  - c) The Board of Appeals finds necessity to the facility of a waterfront location.
  - d) Board of Appeals finds that the relief requested is the minimum necessary.
9. The Board of Appeals finds the applicant will be placing approximately 100 cubic yards of fill on the property due to the removal of a utility shed.
10. No new grade changes proposed.

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

Second: Chase Terrio

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

**CONDITIONS:**

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

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
  - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
  - b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue



or await the determination of an appeal referred to in MGL C 40A, Section 17.

3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
4. Erosion controls must be in place prior to construction and maintained throughout.

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

Second: Chase Terrio

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

**DECISION:**

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 97 North Shore Boulevard as shown on Assessor's Map 70, Parcel 94, for the purpose of demolishing and constructing two structures over 301 s.f. in the floodplain and placing fill in the floodplain.

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

Second: Robert Jensen

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | Yes |
|       | James Killion      | Yes |
|       | Christopher Neeven | Yes |
|       | Robert Jensen      | 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](mailto:planning@sandwichmass.org)

TOWN CLERK  
TOWN OF SANDWICH

NOV 18 2021

Special Permit  
Certificate of Approval

2:40 PM  
RECEIVED & RECORDED

NOV 23 2021


**Petition #:** 21-26  
**Applicant/Property Owner(s):** William Richardson/Richardson Realty Trust  
**Property Address:** 3 Almy Avenue  
**Map, Parcel:** 93-29

On November 16, 2021 the Board of Appeals voted to approve a special permit from section 2420 of the Sandwich Zoning By-law for property located at 3 Almy Avenue, as shown on Assessor's Map 93, Parcel 29, for the purpose of demolishing and reconstructing a non-conforming structure by over 30%.

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

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

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

  
Board of Appeals Member

11/18/21  
Date

## **PROCEDURAL HISTORY**

1. Application from sections 2420 of the Zoning By-Law for property located at 3 Almy Ave was filed on October 13, 2021.
2. After proper notice was given the public hearing was opened on November 9, 2021 and closed on November 9, 2021.
3. The application was accompanied by a Site Plan entitled:  
Proposed Site & Septic located at  
#3 Almy Avenue Sandwich MA.  
Dated: May 6, 2021
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk  
James Killion  
Christopher Neeven  
Robert Jensen  
Chase Terrio

## **FINDINGS**

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
2. Subject property is located within the R-1 Zoning District.
3. Applicant proposes to demolish the existing structure and construct a larger single family home.
4. The proposed addition increases the non-conforming nature of the structure by over 30%.
5. The reconstruction of a non-conforming structure is not substantially more detrimental to the neighborhood than the existing nonconforming structure.
6. Section 1330 requirements:
  - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;
  - b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;
  - c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
  - d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.

7. The subject property consists of two lots which were joined in accordance with 2550 (c). The total lot area is 10,000 sq. ft.

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

Second: Christopher Neeven

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

**CONDITIONS:**

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

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

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

Second: Christopher Neeven

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | Yes |
|       | James Killion      | Yes |
|       | Christopher Neeven | Yes |

|               |     |
|---------------|-----|
| Robert Jensen | Yes |
| Chase Terrio  | Yes |

**DECISION:**

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 3 Almy Avenue, as shown on Assessor's Map 93, Parcel 29, for the purpose of demolishing and reconstructing a non-conforming structure by over 30%.

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

Second: Robert Jensen

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | Yes |
|       | James Killion      | Yes |
|       | Christopher Neeven | Yes |
|       | Robert Jensen      | 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](mailto:planning@sandwichmass.org)

TOWN CLERK  
TOWN OF SANDWICH

NOV 18 2021

2 H 46 M P M  
RECEIVED & RECORDED

Special Permit  
Certificate of Denial

NOV 28 2021

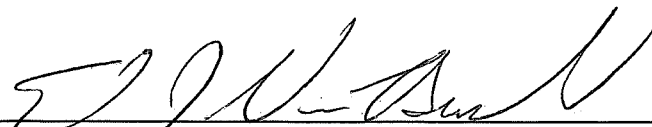
**Petition #** 21-21  
**Name of Applicant:** Sheldon Stewart  
**Address:** 327 Quaker Meetinghouse Road

On November 16, 2021 the Board of Appeals voted to deny a special permit from Section 1330 of the Sandwich Zoning By-law for property located at 327 Quaker Meetinghouse Road, as shown on Assessor's Map 33, Parcel 11, for the purpose of operating a contractor's yard, an accessory office and a four-bedroom dwelling unit.

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

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

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

  
Board of Appeals Member

11/18/21  
Date

## **PROCEDURAL HISTORY**

1. Application from Section 1330 of the Zoning By-Law for property located at 327 Quaker Meetinghouse Road was filed by Sheldon Stewart on September 16, 2021.
2. After proper notice was given the public hearing was opened on October 12, 2021 and closed on November 9, 2021.
3. The application was accompanied by a plan entitled:  
CONCEPTUAL SITE PLAN  
327 QUAKER MEETINGHOUSE ROAD  
SANDWICH, MA 02563  
Date: September 13, 2021
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk\*  
James Killion  
Robert Jenson  
Christopher Neeven  
Chase Terrio

\*Board member missed no more than one meeting and listened to a full audio recording of the Public Hearing at which he was not present, which allows for participation in the deliberation of a Decision under General Law c. 39.

## **FINDINGS**

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A
2. Subject property is located within the Ridge District Zoning District.
3. Subject property has 2.03 acres.
4. Subject property has approximately 292 feet of frontage on Quaker Meetinghouse Road.
5. Subject property was previously used for educational purposes.
6. Applicant proposes to park approximately 24 vehicles on site.
7. Applicant proposes to build an accessory structure to store supplies and equipment.

8. Applicant proposes to create an office accessory to the operation of the contractor's yard.

Motion: I, James Killion, move to adopt these findings 1 – 8 as the findings of the Board of Appeals.

Second: Robert Jensen

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | Yes |
|       | James Killion      | No  |
|       | Robert Jensen      | Yes |
|       | Christopher Neeven | Yes |
|       | Chase Terrio       | Yes |

9. Applicant states there will be 10 office staff and approximately 24 laborers.

10. Applicant is proposing the creation of 40 new parking spots for a total of 57 parking spots.

11. Applicant has proven the proposed site plan does meet 25% maximum lot coverage.

12. Applicant states the hours of operation will be: M-F 7:30-5.

13. Applicant is proposing screening with a stockade fence.

14. Applicant is proposing a four-bedroom residential home.

15. Single-Family use is by right within the Ridge District.

Motion: I, Robert Jensen, move to adopt these findings 9-15 as the findings of the Board of Appeals.

Second: Christopher Neeven

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

16. Section 1330 requirements:

a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;

Motion: I, James Killion, move to adopt this finding as a finding of the Board of Appeals.

Second: Robert Jensen



Vote: Erik Van Buskirk Yes  
James Killion No  
Robert Jenson Yes  
Christopher Neeven Yes  
Chase Terrio No

b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;

Motion: I, Robert Jensen, move to adopt this finding as a finding of the Board of Appeals.

Second: Christopher Neeven

Vote: Erik Van Buskirk Yes  
James Killion No  
Robert Jenson Yes  
Christopher Neeven Yes  
Chase Terrio No

c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;

Motion: I, Robert Jensen, move to adopt this finding as a finding of the Board of Appeals.

Second: Christopher Neeven

Vote: Erik Van Buskirk Yes  
James Killion No  
Robert Jenson Yes  
Christopher Neeven Yes  
Chase Terrio No

d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.

Motion: I, Robert Jensen, move to adopt this finding as a finding of the Board of Appeals.

Second: Christopher Neeven

Vote: Erik Van Buskirk Yes  
James Killion No  
Robert Jenson Yes  
Christopher Neeven Yes  
Chase Terrio No

17. All parking shall be located on impervious surfaces as proposed on the site plan.

Motion: I, James Killion, move to adopt this finding as a finding of the Board of Appeals.

Second: Robert Jensen

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

### **CONDITIONS:**

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

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
  - (a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or
  - (b) If no substantial construction or occupancy takes place within three (3) years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
4. Applicant will provide parking lot screening consistent with Sandwich Protective Zoning By-law section 3520.
5. Applicant will provide screening for exterior waste receptacles located on site.

**No conditions moved**

**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 special permit application for property located at 327 Quaker Meetinghouse Road, Sandwich assessor's map 33, parcel 11 for the purpose of constructing a contractor's yard, an accessory office and a four-bedroom dwelling unit.

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

Second: Chase Terrio

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | No  |
|       | James Killion      | Yes |
|       | Robert Jenson      | No  |
|       | Christopher Neeven | No  |
|       | 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  
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E-mail: [planning@sandwichmass.org](mailto:planning@sandwichmass.org)

TOWN CLERK  
TOWN OF SANDWICH

NOV 18 2021

2 H 40 M P M  
RECEIVED & RECORDED

Special Permit  
Certificate of Approval

NOV 28 2021

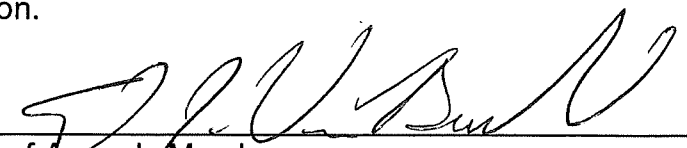
**Petition #** 21-24  
**Current Property Owner(s):** Philip R. Doherty Revocable Trust - 2008  
**Applicant:** Patrick Martin  
**Property Address:** 8 Victory Drive  
**Map, Parcel** 28-49

On November 16, 2021 the Board of Appeals voted to approve a special permit from Sections 1330, 1380 & 5000 of the Sandwich Zoning By-law for property located at 8 Victory Drive, as shown on Assessor's Map 28, Parcel 49, for the purpose of operating an automotive service facility.

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

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

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

  
\_\_\_\_\_  
Board of Appeals Member

11/18/21  
\_\_\_\_\_  
Date

## **PROCEDURAL HISTORY**

1. An application was filed on October 4, 2021 under sections 1330, 1380 & 5000 of the zoning bylaw for property located at 8 Victory Drive.
2. After proper notice was given the public hearing was opened on November 9, 2021 and closed on November 9, 2021.
3. The application was accompanied by a Site Plan entitled:  
Preliminary Plans and Elevations  
Proposed Building for Roundel Motorwerks  
8 Victory Drive, Sandwich MA  
Dated: September 27, 2021
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk  
James Killion  
Christopher Neeven  
Robert Jensen  
Chase Terrio

## **FINDINGS**

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A.
2. The Board of Appeals finds that the subject property lies within the Flex and R-2 zoning districts and a portion of the property lies within the Water Resource Overlay District.
3. The Board of Appeals finds that the subject lot is currently vacant.
4. The Board of Appeals finds that the lot consists of 2.47 acres with 414.08 ft. of frontage on Victory Drive.
5. The applicant is proposing to construct a 5,421 s.f. automotive service facility. The applicant has requested the following waivers:
  - a) Photographs of premises and all adjoining structures
  - b) Site Plan
6. Section 1330 requirements:
  - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;
  - b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;

- c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
  - d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will not be satisfied.
7. The Board of Appeals finds that the proposed use is subject to section 5000 of the Zoning By-Law
  8. Applicant stated that there will be no underground storage of hazardous materials.
  9. Applicant has delineated 52 parking spots on the Preliminary Plans & Elevation dated 9-27-2021. Number of parking spaces required is 28.
  10. Applicant states that waste oil shall be removed monthly as necessary.
  11. Applicant states that all waste oil will be securely contained on site.
  12. Hours of operation shall be Mon-Fri 7:30-5:30 and occasional Saturday operation.
  13. Applicant states there shall be a trench drain connected to a tight tank to collect inadvertent discharge of materials.

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

Second: Christopher Neeven

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

**CONDITIONS:**

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

1. Failure to comply with all the conditions set forth in this decision shall terminate the grant of this special permit.
2. Pursuant to the requirements of Sandwich Protective Zoning By-law Section 1330, the grant of special permit shall expire upon:
  - a) Transfer of ownership, prior to initiation of substantial construction on or occupancy of the site unless such transfer is authorized in this permit, or

- b) If no substantial construction or occupancy takes place within (3) three years of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in MGL C 40A, Section 17.
3. The special permit shall not take effect until it is recorded at the Barnstable County Registry of Deeds and a copy of the recorded special permit is provided to the Board of Appeals.
  4. Hours of operation are as follows: Monday – Friday 7:30 am – 5:30 pm, occasional Saturday hours 8am-12pm.
  5. The applicant is to have a spill kit on site of adequate size to clean up a spill and maintain a spill with written procedures.
  6. Any fuel storage is subject to meeting Fire Department regulations and any other applicable state/federal regulations.
  7. Applicant shall submit a water quality certificate to the Health Department.
  8. Applicant shall supply all necessary documentation to indicate compliance with Sections 1380, 1382 and 1390.
  9. Applicant shall submit a certified plot plan prior to the issuance of this Special Permit.

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

Second: Chase Terrio

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

**DECISION:**

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 8 Victory Drive, as shown on Assessor's Map 28, Parcel 49, for the purpose of operating an automotive service facility.

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

Second: Robert Jensen

|       |                    |     |
|-------|--------------------|-----|
| Vote: | Erik Van Buskirk   | Yes |
|       | James Killion      | Yes |
|       | Christopher Neeven | Yes |
|       | Robert Jensen      | 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](mailto:planning@sandwichmass.org)

TOWN CLERK  
TOWN OF SANDWICH

NOV 18 2021

*2 H 40 M P M*  
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Special Permit  
Certificate of Approval

**Petition #:** 21-25  
**Applicant/Owner(s):** ASD Cotuit MA Solar, LLC  
**Property Address:** 180 Cotuit Road  
**Map, Parcel:** 13-44

NOV 23 2021

On November 16, 2021 the Board of Appeals voted to approve a special permit from Section 3560 of the Sandwich Zoning By-law for property located at 180 Cotuit Road, as shown on Assessor's Map 13, Parcel 44, for the purpose of constructing an 8.5-foot-high fence.

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

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

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

*[Signature]*  
Board of Appeals Member *11/18/21*  
Date



## **PROCEDURAL HISTORY**

1. Application from Section 3560 of the Zoning By-Law for property located at 180 Cotuit Road was filed on October 8, 2021.
2. After proper notice was given the public hearing was opened on November 9, 2021 and closed on November 9, 2021.
3. The application was accompanied by a Site Plan entitled:  
Proposed Site Development Plans at  
180 Cotuit Road  
Sandwich Massachusetts  
Dated: May 6, 2019 and revised September 1, 2020
4. The Board reviewed the application and all other materials submitted prior to the close of the public hearing. The Board received and gave due consideration to the testimony given at the public hearing.
5. The following members attended the public hearing:

Erik Van Buskirk  
James Killion  
Robert Jensen  
Christopher Neeven  
Chase Terrio

## **FINDINGS**

The Zoning Board of Appeals finds that:

1. The Board of Appeals finds that this application meets the requirements of Section 9, M.G.L. Chapter 40A
2. Subject property is located within the R-2 District.
3. Subject property consists of 18.8 acres with 1309.4 feet of frontage on Cotuit Road.
4. Under section 3560 a fence may exceed 6 ft. in height within a required side or rear yard if granted a special permit by the Board of Appeals.
5. Applicant wishes to construct an 8.5-foot-high above grade stockade fence along all property lines to screen a large scale ground mounted solar array.
6. The increased height will not create hazard, unreasonably obstruct visibility from adjacent properties or habitable rooms in any dwelling, or create an unsightly departure from the character of the environs.
7. Section 1330 requirements:
  - a) The Board of Appeals does not find that there are conditions peculiar to this case but not generally true for similar permitted uses on other sites in the same district;

- b) The Board of Appeals finds that nuisance, hazard or congestion will not be created;
  - c) The Board of Appeals finds that there will not be substantial harm to the neighborhood;
  - d) The Board of Appeals finds that there is no derogation from the intent of the bylaw such that the districts' objectives will be satisfied.
8. The proposed 6' front yard fence shall be located beyond the front yard setback.

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

Second: Christopher Neeven

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

**CONDITIONS:**

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

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

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

Second: Robert Jensen

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

**DECISION:**

After reviewing the application, the plan and other materials submitted and after giving due consideration to testimony given at the public hearing, the Board hereby approves the special permit application for property located at 180 Cotuit Road, as shown on Assessor's Map 13, Parcel 44, for the purpose of constructing an 8.5-foot- above grade high fence.

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

Second: Chase Terrio

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

## **CONSIDER AN INNOVATIVE/ALTERNATIVE SEPTIC SYSTEM TO ACCELERATE CLEAN-UP OF OUR POLLUTED SURFACE WATERS.**

For those homes in Mashpee which will never get sewers, the Town officials should consider installing innovative/alternative septic systems in addition to treatment plants and sewers, to accelerate the clean up of our polluted surface waters. Dr. Brian Howes and other environmental experts have told us that many of our ponds in Mashpee have reached eutrophication and our coastal waters are impaired. This sad state of affairs exists because we have done virtually nothing to stop the pollution of our surface waters for 30 plus years. We, as a town, are in crisis and realistically will face declining property values, health challenges, and loss of Mashpee as a tourist destination if decisive action is not taken soon.

A grass roots organization, Barnstable Clean Water Coalition (BCWC), has taken the lead in this crisis and will be installing a total of 15 KleanTu NiTROE systems (i.e., enhanced innovative/alternative septic systems) in Marstons Mills around Shubael Pond resulting in a significant reduction of nitrogen going into the leaching field. Shubael Pond homeowners have the good fortune of having the NiTROE system provided free of charge through private funds. The system is provisionally approved by the state and BCWC anticipates general use approval by the Massachusetts Department of Environmental Protection within a few years.

We know that our conventional septic systems do little, if anything, to reduce nitrogen load from our homes. The NiTROE system can be retrofitted to a conventional septic system and works, as follows: Solid waste and liquids from toilets, washing machines and sinks enter the septic tank, where solids sink to the bottom. The ammonia from the liquid portion is directed into the first chamber of the NiTROE tank, an aeration chamber, whereby the ammonia is converted to nitrate. The nitrate then moves into the second chamber, the wood chip chamber, where nitrate is converted into odorless nitrogen gas and released into the air. The balance of the nitrate effluent enters the leach field and is absorbed in the soil. Of 18 NiTROE installations in Martha's Vineyard and Falmouth, average nitrogen effluent is between 6.7 and 8.7 mg/L.

According to the New England Water Environment Association (NEWEA) the 2020 Cape Cod nitrogen load from homes on Title 5 measured 26-42 mg/L, for untreated cesspools 45-65 mg/L and for sewer/treatment plants, 5 mg/L. If NiTROE is giving us 6.7 as the low number, we certainly should consider this system to accelerate our clean-up of our surface waters.

Title 5 requires that the property owner of an I/A system have in place at the time of the installation an operation and maintenance contract with a Massachusetts certified wastewater operator and such contract must continue through the life of the system, (20 to 30 years). It is my understanding that if the property owner installs an approved I/A system with

an operation and maintenance contract in place, the property owner will not be required to hook up to the sewer, if and when it becomes available. (The property owner should confirm this in writing with the Mashpee Health Department before installation of an I/A system.)

Centralized treatment plants/sewers is the current paradigm on the Cape. The NiTROE system might be the best option not only where there are no plans for sewers but also in areas where sewers will not be built for 10-30 years. So, are we going to wait five years or more for a treatment plant/sewer hook-up for a small portion of Mashpee, and just let the nitrogen build-up and render the waters DEAD? The cost of the NiTROE system ranges between \$18,000- \$20,000 for a retrofit (NiTROE tank fit to existing Title 5 system and leach field) and between \$28,000 to \$30,000 for a full replacement (new Title 5 system plus NiTROE tank plus new leach field). The problem is many homeowners cannot afford such a huge capital expenditure. While this system is in the provisional approved stage with MassDEP, state- supported financing, and/or grants and/or tax incentives may not be available. Would some wealthy homeowners around Popponesset Bay be willing to pay for and have a NiTROE system installed on their property? Is there a way to shorten the time for general approval of the system? Massachusetts permits an owner of a residential property who occupies the residential property as his principal residence a "Title 5 Tax Credit", which is available for the repair

or replacement of a failed septic system or cesspool. Shouldn't these new I/A systems have the same opportunity for funding?

Of all the possible funding plans, the most promising prospect for obtaining funds for Mashpee in the near term is under the American Rescue Plan Act. Barnstable County will receive \$41 million under the Act. Water and sewer will be the top two priorities. Barnstable County will solicit comments as to how this money will be spent by contacting elected and appointed officials in all Cape towns, the county's legislative delegation, the Assembly of Delegates, community and business leaders and members of the public. It is important, that we, as residents of Mashpee make our voices heard.

We should not wait for science to create the perfect I/A septic system while we wait for sewers. Action is needed right now to remediate our water pollution as the nitrogen laden groundwater continues its relentless march to our ponds and the ocean.

To learn more about the NiTROE system and see an installation that was completed in August, 2021, take a look at the video that Barnstable Clean Water Coalition produced. (Type in- Shubael Pond Innovative/Alternative (I/A) septic system project youtube)

Karen D. Faulkner  
205 Asher's Path West, Mashpee  
(954) 562-8066

To: Mashpee Planning Board  
Evan Lehrer, Town Planner

Fr: Lynne Barbee, 73 Surf Drive - 508-681-0400

A handwritten signature in black ink, appearing to be 'L. Barbee', written over the 'Fr:' line of the email header.

RE: Document for public comment and to be included in the Meeting Packet

Enclosed you will find a document "Statement of Support" that includes several pages of signatures.

For your convenience, I've printed up the signatures, grouped by page.

Please include the entire document in the Meeting Packet for Dec. 1, 2021 Planning Board.

This is submitted as part of the public comment.

Thank you.



Signers - grouped by the individual sheets signed

Judy Conway  
Sheila Connolly  
Marion Baker  
Linda Genest  
Eleanor Cummings  
Joe Cummings  
Judith McHugh  
Anne Malone  
Joe McCarthy  
Pat Boland  
Elinor Glener

Kari Fietek  
Wayne Lobo  
Suzanne McCluskey

Ann Shea  
John Shea  
Thomas Fudala  
Stephanie Simpson  
Abraham Brody  
Richard Klein  
Karen D. Faulkner  
Jessie Little Doe Baird

Greg Auger  
Wendy Williams  
David Bloomfield  
Ann Bloomfield  
Kathy Jacobson  
Catherine Gallagher  
Cloe Gallagher  
Nancy K. Soderbergh  
Alan Peterson

Kathleen Irwin  
Mark Bracco  
Julie DeSorgher  
Richard DeSorgher  
Edward Schmuhl  
Therese Bilodeau  
Margaret Bent  
Peter Readel

Rosa Whiting  
Seth Stoffregen  
Jewel Blake  
Barry Blake  
Margaret Sabin  
Bertha Hennessy  
Dwight Hennessy

Laurence Hecht  
Marjorie Hecht

Wendy Henley  
Michael Henley  
Pamela McCarthy

Glenn McCarthy  
Georgena Falzon

Marlene E. Lopez  
George F. Green Jr.  
June Hendricks Tiexeira  
Gina Marcellino  
Mark Harding  
Paula Peters  
Wilson Harding  
Jermaine Peters  
Elise Pocknett  
Brian Weeden  
Winona Pocknett

Shaun Gallagher  
J. Marie Stevenson  
Robert Rebello  
Dawn Rebello  
Jane Lebel  
John Lebel

Yvonne Courtney  
Virginia Scharfenberg  
Michael Talbot  
Lori Fenton  
Mark Hayden

Arden Russell  
Beth Needel  
Luke Cadrin  
Kacey Cadrin

Cindy S. Collins  
Shawn Collins

Matilda Ligon  
B. Lynne Barbee

Stephanie McCluskey  
Ken McCluskey  
Priscilla Bartlett  
Robert Bartlett

Terry Ronhock  
Jean Alessandro  
Rebecca Newman  
Robert Alessandro  
Michael Ronhock  
Dennis Scannell  
Diane Scannell  
Susan Gable  
Jen McDonald  
Chris McDonald  
Debra Nelson  
Emily Weston  
Robert Nelson

Carolyn Markowski  
Ed Markowski  
Mary Michalik  
Bob Michalik  
Janet Cocuzzo  
Anthony Cocuzzo  
Sandy Bornstein  
Larry Bornstein

Ebony Gunn  
Beatrice Jackson  
Taryn Medina  
Shirley A. Ghale  
Lotoya M. Green  
Barbara Jonas  
Carol Lopez  
Marie A. Stone


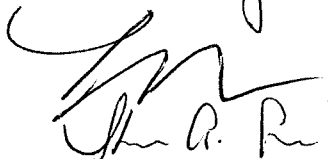
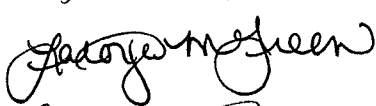
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 Ebony Gunn  
Beatrice Jackson - Beatrice Jackson  
 Tonyn Medina  
Shirley A. Gale SHIRLEY A. GHALE  
 Latoya M. Green  
Barbara Jonas Barbara Jonas  
Carol A Lopez Carol Lopez  
Marie A Stone Marie A Stone

---

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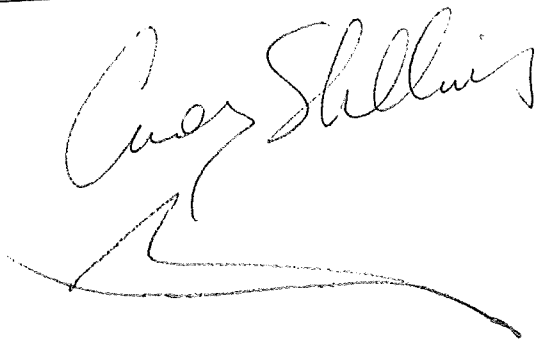
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*Craig Shilline*



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*Stephanie McCluskey*  
Stephanie McCluskey  
182 Wheeler Road,  
Mashpee, MA 02649  
KEN McCUSKEY  
182 WHEELER ROAD  
MASHPEE MA.

*Russella Bartlett*  
31 Highland Street  
Mashpee, MA 02649

*Ralph Bartlett*  
31 Highland St  
Mashpee MA 02649

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Carolyn Markowski Larry Bornstein

Ed Markowski

Mary Michalik

Bob Michalik  
Loret Coezze

Anthony Coezze

Sandy Bornstein

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*Yvonne Courtney*  
35 Prestwick Lane

*Virginia Schaeferberg*  
3 Pequod Ave.

*Meredith J. White*  
3 Pequod Ave.

*John* *Mark O'Hayler*  
32 DEVONSHIRE



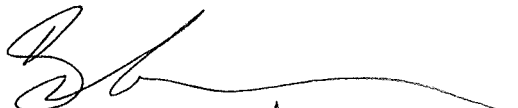
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J. Marie Stevenson  
Robert Rebell  
Diane Rebell  
John Rebell  
MS 1/1/12


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*Ardery Russell*  
*Beth Meedel*  
*Beth Meedel*  
  
*Luke Cadrin*  
*Raay Cadrin*

*Sturgis Lane*  
*Maple St*

*Sturgis Lane*

*Sturgis Lane*

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Marlene E. Lopez  
MARLENE E. LOPEZ

Gay Green

George F. Green, Jr.

Jane Hendricks Gierpino  
Dina Manellin

Mark Harding

Mark Harding

Paula Peters

Paula Peters

Wilson Harding

WILSON HARDING

Jermaine Peters

Elsie Pocknett

Brian Weeden  
Winona Pocknett

Brian Weeden  
Winona Pocknett

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Matilda Ligon  
43 Gold Leaf Lane  
Mashpee, MA 02649

B. Lynne Barbee  
Lynne Barbee

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Terry Ronbeck

Jean Alessandio

Rubens Newman

Robert Alessandio



Dennis Scull

Diane Scannell

)

Susan Bable

Susan Bable

79 S Sandwich Road

Mashpee

Jen McDonald



Debra C Nelson

Emily Weston

113 DeGrass Rd

Robert K Nelson 113 DeGrass Rd

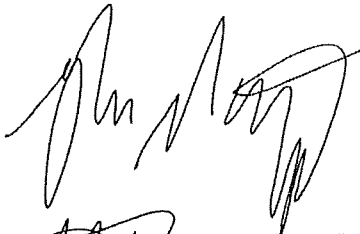
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 Glenn McCarthy

 Georgelna Fabron

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Wendy J. Henley

112 Bog River Bend

Michael M. Henley

117 BOG RIVER BEND

Alan Case

14 Learnington Lane

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Rosa Whiting ROSA WHITING 30 CUTLASS LANE  
Seth Stoffregen 5 Riverview Ave  
Newell Blake NEWELL BLAKE 709 Great Neck SO.  
Barry Blake BARRY BLAKE 709 Great Neck SO.  
Margaret Sabin MARGARET SABIN 23 Pebble Beach Ave  
Bertha Hennessey BERTHA HENNESSEY 51 BUCCANEER WAY  
Dwight G. Hennessey DWIGHT HENNESSEY 51 BUCCANEER WAY



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Judith Conway 64 Blue Spruce Way  
Hilda Connolly 78 Blue Spruce Way  
Marion Baker  
Linda J. Jensen 42 Gold Leaf Lane  
Deanne Cummings 49 Gold Leaf Lane  
Joseph P. Cummings 49 Gold Leaf Lane  
Judith McHugh 27 Red Cedar Road 02649  
Ann Malone 14 Red Cedar Rd  
Joe [unclear] 64 Blue Spruce Way  
Pat [unclear] 66 Blue Spruce Way, 02649  
Elinor Jensen 16 Red Cedar Rd

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Laurence Hecht  
Laurence Hecht  
240 Hoopole Rd.

Marjorie Hecht  
MARJORIE HECHT  
240 Hoopole Rd.

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*Kari Fietek*  
Kari Fietek  
38 Shorewood Dr.

*Suzanne McCloskey*  
SUZANNE MCCLOSKEY  
182 Wheeler Rd.

*Wayne F Lobo*  
Wayne F Lobo  
30 HIGHLAND ST

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Ann Shea

John Jessie Little Doe Baird

John D. Shea

Thomas Inda

Stephanie Simpson

Abraham D. Dwyer

Richard Allen

Karen D. Faulkner

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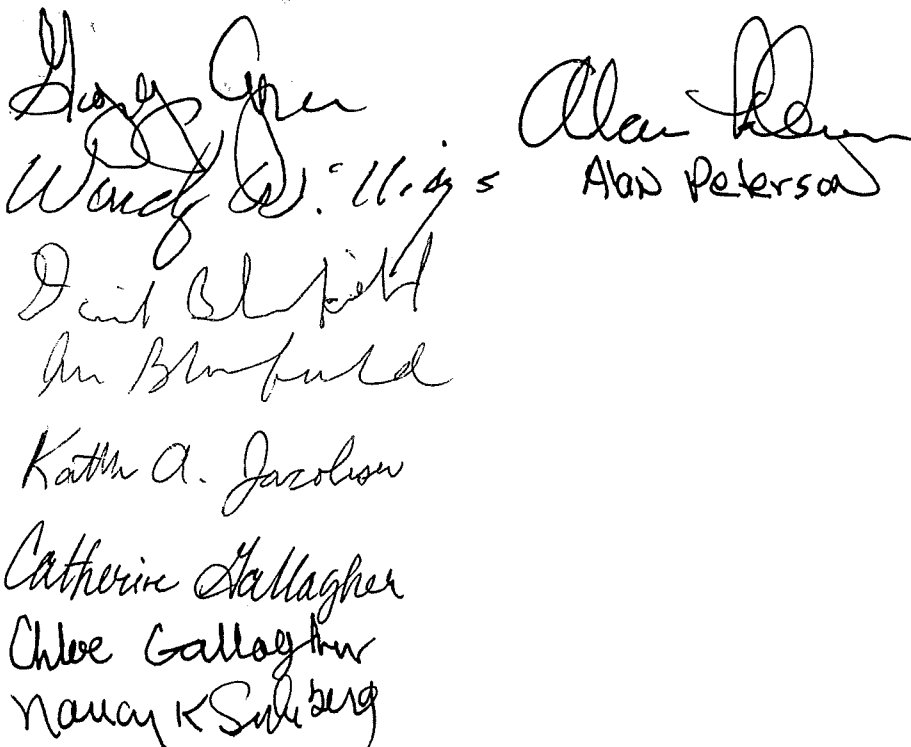
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A collection of handwritten signatures in black ink, arranged in two columns. The signatures are: Wendy W. Ugg, Alan Peterson, Dick Bluff, Ann Bluff, Kath A. Jacobson, Catherine Gallagher, Chloe Gallagher, and Nancy K. Suberg.

Wendy W. Ugg

Alan Peterson

Dick Bluff

Ann Bluff

Kath A. Jacobson

Catherine Gallagher

Chloe Gallagher

Nancy K. Suberg



Massachusetts Department of Environmental Protection

# eDEP Transaction Copy

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Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **EBELAIR**

Transaction ID: **1321094**

Document: **Groundwater Discharge Monitoring Report Forms**

Size of File: **1609.85K**

Status of Transaction: **Submitted**

Date and Time Created: **11/19/2021:10:04:12 AM**

**Note:** This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



**Groundwater Permit**  
DISCHARGE MONITORING REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT MONTHLY              |
| 3. Sampling Month & Frequency |

**A. Facility Information**

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

10/13/2021

a. Date Sampled (mm/dd/yyyy)

RI ANALYTICAL

b. Laboratory Name

NICOLE SKYLES ON

c. Analysis Performed By (Name)

**B. Form Selection**

1. Please select Form Type and Sampling Month & Frequency

Discharge Monitoring Report - 2021 Oct Monthly

All forms for submittal have been completed.

2.  This is the last selection.

3.  Delete the selected form.





**Groundwater Permit**  
DISCHARGE MONITORING REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT MONTHLY              |
| 3. Sampling Month & Frequency |

**D. Contaminant Analysis Information**

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled

| 1. Parameter/Contaminant    | 2. Influent | 3. Effluent | 4. Effluent Method<br>Detection limit |
|-----------------------------|-------------|-------------|---------------------------------------|
| Units                       |             |             |                                       |
| BOD                         | 74          | ND          | 3.0                                   |
| MG/L                        |             |             |                                       |
| TSS                         | 130         | 3.0         | 2.0                                   |
| MG/L                        |             |             |                                       |
| TOTAL SOLIDS                | 400         |             |                                       |
| MG/L                        |             |             |                                       |
| AMMONIA-N                   | 19          |             |                                       |
| MG/L                        |             |             |                                       |
| NITRATE-N                   |             | 1.2         | 0.050                                 |
| MG/L                        |             |             |                                       |
| TOTAL NITROGEN(NO3+NO2+TKN) |             | 2.7         | 0.50                                  |
| MG/L                        |             |             |                                       |
| OIL & GREASE                |             | 2.6         | 0.50                                  |
| MG/L                        |             |             |                                       |



# Groundwater Permit

## DISCHARGE MONITORING REPORT

|  |
|--|
| 668  |
| 1. Permit Number   |
| <div style="background-color: black; height: 15px;"></div> |
| 2. Tax identification Number                               |
| 2021 QUARTERLY 4   |
| 3. Sampling Month & Frequency                              |

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1. Facility name, address:

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a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

10/13/2021

a. Date Sampled (mm/dd/yyyy)

RI ANALYTICAL

b. Laboratory Name

NICOLE SKYLESON

c. Analysis Performed By (Name)

### B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Discharge Monitoring Report - 2021 Quarterly 4

All forms for submittal have been completed.

2.  This is the last selection.

3.  Delete the selected form.



**Groundwater Permit**  
DISCHARGE MONITORING REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 QUARTERLY 4              |
| 3. Sampling Month & Frequency |

**D. Contaminant Analysis Information**

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled

| 1. Parameter/Contaminant | 2. Influent | 3. Effluent | 4. Effluent Method<br>Detection limit |
|--------------------------|-------------|-------------|---------------------------------------|
| Units                    |             |             |                                       |
| TOTAL PHOSPHORUS AS P    |             | 7.8         | 0.010                                 |
| MG/L                     |             |             |                                       |
| ORTHO PHOSPHATE          |             | 8.8         | 0.020                                 |
| MG/L                     |             |             |                                       |



# Groundwater Permit

## MONITORING WELL DATA REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 QUARTERLY 4              |
| 3. Sampling Month & Frequency |

### A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

10/13/2021

a. Date Sampled (mm/dd/yyyy)

RI ANALYTICAL

b. Laboratory Name

NICOLE SKYLES ON

c. Analysis Performed By (Name)

### B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Monitoring Well Data Report - 2021 Quarterly 4

All forms for submittal have been completed.

2.  This is the last selection.

3.  Delete the selected form.



**Groundwater Permit**  
MONITORING WELL DATA REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 QUARTERLY 4              |
| 3. Sampling Month & Frequency |

**C. Contaminant Analysis Information**

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled
- DRY = Not enough water in well to sample.

<

| Parameter/Contaminant              | P-1       | P-2       | P-4       | P-6       | Well #: 5 | Well #: 6 |
|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Units                              | Well #: 1 | Well #: 2 | Well #: 3 | Well #: 4 |           |           |
| NITRATE-N<br>MG/L                  | 2.6       | DRY       | 2.5       | 2.5       |           |           |
| TOTAL NITROGEN(NO3+NO2+TK)<br>MG/L | 3.10      | DRY       | 10.8      | 2.5       |           |           |
| TOTAL PHOSPHORUS AS P<br>MG/L      | 0.11      | DRY       | 1.7       | 2.3       |           |           |
| ORTHO PHOSPHATE<br>MG/L            | ND        | DRY       | 1.2       | 2.8       |           |           |



# Groundwater Permit

## MONITORING WELL DATA REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT MONTHLY              |
| 3. Sampling Month & Frequency |

### A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

10/13/2021

a. Date Sampled (mm/dd/yyyy)

WHITEWATER

b. Laboratory Name

JAIME STEWART

c. Analysis Performed By (Name)

### B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Monitoring Well Data Report - 2021 Oct Monthly

All forms for submittal have been completed.

2.  This is the last selection.

3.  Delete the selected form.



**Groundwater Permit**  
MONITORING WELL DATA REPORT

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT MONTHLY              |
| 3. Sampling Month & Frequency |

**C. Contaminant Analysis Information**

- For "0", below detection limit, less than (<) value, or not detected, enter "ND"
- TNTC = too numerous to count. (Fecal results only)
- NS = Not Sampled
- DRY = Not enough water in well to sample.

<

| Parameter/Contaminant | P-1       | P-2       | P-4       | P-6       |           |           |
|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Units                 | Well #: 1 | Well #: 2 | Well #: 3 | Well #: 4 | Well #: 5 | Well #: 6 |
| PH                    | 6.4       | DRY       | 6.1       | 6.2       |           |           |
| S.U.                  |           |           |           |           |           |           |
| STATIC WATER LEVEL    | 18.6      | DRY       | 46.5      | 50.2      |           |           |
| FEET                  |           |           |           |           |           |           |
| SPECIFIC CONDUCTANCE  | 1075      | DRY       | 501       | 950       |           |           |
| UMHOS/C               |           |           |           |           |           |           |



# Groundwater Permit

## DAILY LOG SHEET

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT DAILY                |
| 3. Sampling Month & Frequency |

### A. Facility Information

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



1. Facility name, address:

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

2. Contact information:

MYLES OSTROFF

a. Name of Facility Contact Person

6174311097

b. Telephone Number

myles@chartweb.com

c. e-mail address

3. Sampling information:

10/31/2021

a. Date Sampled (mm/dd/yyyy)

WHITEWATER

b. Laboratory Name

JAIME STEWART

c. Analysis Performed By (Name)

### B. Form Selection

1. Please select Form Type and Sampling Month & Frequency

Daily Log Sheet - 2021 Oct Daily

All forms for submittal have been completed.

2.  This is the last selection.

3.  Delete the selected form.





**Groundwater Permit**  
DAILY LOG SHEET

|                               |
|-------------------------------|
| 668                           |
| 1. Permit Number              |
| [REDACTED]                    |
| 2. Tax identification Number  |
| 2021 OCT DAILY                |
| 3. Sampling Month & Frequency |

**C. Daily Readings/Analysis Information**

| Date | Effluent Flow GPD | Reuse Flow GPD | Irrigation Flow GPD | Turbidity | Influent pH | Effluent pH | Chlorine Residual (mg/l) | UV Intensity (%) |
|------|-------------------|----------------|---------------------|-----------|-------------|-------------|--------------------------|------------------|
| 1    | 9725              |                |                     |           |             | 7.5         |                          |                  |
| 2    | 9726              |                |                     |           |             |             |                          |                  |
| 3    | 9725              |                |                     |           |             |             |                          |                  |
| 4    | 7744              |                |                     |           |             | 7.4         |                          |                  |
| 5    | 7949              |                |                     |           |             | 7.2         |                          |                  |
| 6    | 3290              |                |                     |           |             | 7.3         |                          |                  |
| 7    | 7778              |                |                     |           |             | 7.3         |                          |                  |
| 8    | 9884              |                |                     |           |             | 7.1         |                          |                  |
| 9    | 9884              |                |                     |           |             |             |                          |                  |
| 10   | 9884              |                |                     |           |             |             |                          |                  |
| 11   | 11080             |                |                     |           |             | 7.9         |                          |                  |
| 12   | 7375              |                |                     |           |             | 8           |                          |                  |
| 13   | 8643              |                |                     |           |             | 7.2         |                          |                  |
| 14   | 10098             |                |                     |           |             | 7.5         |                          |                  |
| 15   | 8928              |                |                     |           |             | 6.9         |                          |                  |
| 16   | 8928              |                |                     |           |             |             |                          |                  |
| 17   | 8928              |                |                     |           |             |             |                          |                  |
| 18   | 7663              |                |                     |           |             | 6.6         |                          |                  |
| 19   | 10934             |                |                     |           |             | 6.7         |                          |                  |
| 20   | 7088              |                |                     |           |             | 7           |                          |                  |
| 21   | 11221             |                |                     |           |             | 7.5         |                          |                  |
| 22   | 8285              |                |                     |           |             | 7.1         |                          |                  |
| 23   | 8285              |                |                     |           |             |             |                          |                  |
| 24   | 8285              |                |                     |           |             |             |                          |                  |
| 25   | 7869              |                |                     |           |             | 7.4         |                          |                  |
| 26   | 11540             |                |                     |           |             | 7.2         |                          |                  |
| 27   | 7319              |                |                     |           |             | 7.4         |                          |                  |
| 28   | 11225             |                |                     |           |             | 7.2         |                          |                  |
| 29   | 9050              |                |                     |           |             | 7.2         |                          |                  |
| 30   | 9050              |                |                     |           |             |             |                          |                  |
| 31   | 9050              |                |                     |           |             |             |                          |                  |



# Groundwater Permit

668

1. Permit Number

2. Tax identification Number

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



Any person signing a document under 314 CMR 5.14(1) or (2) shall make the following certification

If you are filing electronic-ally and want to attach additional comments, select the check box.



## Facility Information

SOUTH CAPE VILLAGE

a. Name

672 FALMOUTH ROAD/RTE. 28

b. Street Address

MASHPEE

c. City

MA

d. State

02649

e. Zip Code

## Certification

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

ELIZABETH BELAIR

a. Signature

11/19/2021

b. Date (mm/dd/yyyy)

## Reporting Package Comments

PLANT MET ALL DISCHARGE PERMIT REQUIREMENTS FOR OCTOBER 2021.