

TOWN OF FALMOUTH
BOARD OF SELECTMEN
Meeting Minutes
MONDAY, FEBRUARY 11, 2019
SELECTMEN'S MEETING ROOM
TOWN HALL

Present: Susan Moran, Chairperson; Megan English Braga, Vice Chairperson; Doug Jones; Sam Patterson; Doug Brown.

Others Present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager.

SITE VISIT

1. Edward Marks Building, 744 Main St.
2. "Old" Senior Center Building, 300 Dillingham Ave.

OPEN SESSION

1. Call to Order by Chair Moran at 7 p.m.

2. Pledge of Allegiance

3. Recognition

Ms. English Braga recognized a family member who passed away and received great end of life care at Falmouth Hospital and appreciation for the resource in the community.

4. Announcements

Chair read correspondence from the Cape Cod Regional Transit Authority, there was a meeting for a new bus coming online in Falmouth. There were community concerns with the initial plan to change from one bus to another and may deter folks from making use of that service. A letter was received from Tom Cahir, CCRTA Administrator, which Chair Moran read into the record. The CCRTA will continue to send the Whoosh Trolley to Woods Hole as requested.

5. Public Comment

Mark Finneran, Precinct 6, sought to comment about a personnel matter, the Board of Selectmen deferred that matter noting personnel matters are not a part of the public comment period. Mr. Finneran commented that problems in Housing Authority were attended to and the person replaced and problem was solved. There is an empty unit at the Falmouth Housing Authority, he checked around and found that homeless are looking for housing and going off cape, for over 3 months about 12-14 units that have been empty. Mr. Finneran reviewed the locations of empty units and stated that this should be attended to.

Malcolm Donald, 124 Ambleside Drive., Precinct 6, commented about the wind turbines and \$3.5 million owed by Falmouth to the MA Water Resource Authority will be a windfall to the MA. The original \$5 million loan came from federal government and got channeled through the Water Resource Authority and turned from a grant to a loan with stipulation to pay back if turbines did not turn. Congress voted to relieve any payback obligations on the \$5 million, so when and if Falmouth pays the \$3.5 million back to the MA WRA, it will be a windfall for the State.

Mr. Donald is putting together a tree campaign to plant trees in Falmouth. Hoping people will plant trees in Falmouth and join the effort.

Ron Zweig, Falmouth Representative to the Cape Light Compact, and Chair of the Board of Directors. Talked about the Energy Efficiency program and provided number 800-797-6699 and includes rental properties. Low income housing program through the Housing Assistance Corp 508-771-5400.

SUMMARY OF ACTIONS

1. Licenses
 - a. Approve Application for Change of Name of an All Alcoholic Common Victualler License – Celestino's Inc. d/b/a The Talk, Located at 444 North Falmouth Highway, North Falmouth

The assistant manager was present and noted they are seeking to change their name and continue with the same management.

Mr. Jones motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

- b. Approve Application for Lodging House License – Triple S. Hospitality, LLC d/b/a Inn on the Sound, Located at 313 Grand Avenue, Falmouth

John Saunders, Manager, said they will continue to manage the Inn as it has been.

Mr. Brown motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

2. Administrative Orders

- a. Approve Grant of License to Buzzards Bay National Estuary Program (MZCM) to Install and Maintain Monitoring Well within Herring Brook Estuary behind the Old Silver Beach Dirt Parking Lot, North Falmouth

Mr. Johnson-Staub explained that this is a proposal to install monitoring wells to monitor sea level, it has been cleared with Conservation Commission approval and reviewed by Town Counsel. This is a collaboration with Buzzards Bay Coalition and government group.

Mr. Patterson motion approval. Second Ms. English Braga. Vote: Yes-5. No-0.

- b. Approve Request for Waiver of Building Permit Fees – Nobska Keeper’s House/Museum Renovation/Construction

Catherine Bumpus, Executive Director, Friends of Nobska Light, explained they are preparing to do the rehabilitation of the house. They request building permit fees waived and understand the inspectional fees may not be waived.

Mr. Jones motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

3. Special Events

Recurring - Recommended:

- a. Easter Egg Scramble – Falmouth Village Association – Library Lawn and Peg Noonan Park – Saturday, 4/20/19

Ms. English Braga motion approval. Second Mr. Patterson. Vote: Yes-5. No-0.

- b. Movies in the Park – Falmouth Village Association – Peg Noonan Park – Wednesdays, 7/3, 7/17, 7/24, 7/31, 8/7, 8/14, 8/21 and 8/28/19

- c. Bike Parade – Falmouth Village Association – St. Barnabas Lot to Mullen-Hall School (Main St. to Shore St. Ext.) – Thursday, 7/4/19

- d. Concerts in the Park – Falmouth Village Association – Peg Noonan Park – Thursdays, 7/5, 7/12, 7/19 and 7/26/19

- e. Arts & Crafts Street Fair – Falmouth Village Association – Main St. (Post Office Rd. to Shore St. Ext.) – Wednesday, 7/10/19

- f. Holiday Stroll – Falmouth Village Association – Queens Buyway to Main St. to Shore St. Ext. and Peg Noonan Park – Saturday, 12/7/19

- g. Seagull Six Spring Classic Road Race – Falmouth Track Club – Start/Finish Woods Hole Community Center, Water St. – Sunday, 3/31/19

- h. Liam Maguire’s Irish Pub Almost Five Miler – PCB Race Management – Start/Finish Town Hall Square – Sunday, May 5, 2019

- i. Spring at Spohr (formerly Daffodil Days) – William Kerfoot – Spohr Gardens, Fells Road – Saturday, 5/18/19

- j. Falmouth Farmers Market – Lindsey Close – Marina Park – Thursdays, 5/23 – 10/10 and Tuesday, 11/26/19

- k. Falmouth June Jog – Melissa Keefe – Falmouth Heights Beach to East Falmouth Elementary School – Sunday, 6/2/19

- l. Classic Car Show – Falmouth Classic Car Club – Marina Park – Sundays, 6/9, 7/14 and 8/11/19
 - m. Arts Alive Festival – Arts Falmouth, Inc. – Library Lawn and Shore St. Ext. – Friday – Sunday, 6/21, 6/22 and 6/23/19
- Mr. Jones motion approval of items B through M. Second Ms. English Braga. Vote: Yes-5. No-0.**
- n. Jazz Stroll (JazzTober) – Arts Falmouth, Inc. – Queen’s Buyway, Along Main St. and Peg Noonan Park – Saturday, 10/19/19
 - o. Run Jack Run Family Fun Run/Walk – Samantha Mueller, Jack’s PACT – Trotting Park Soccer Field and Track – Thursday, 7/4/19
 - p. Falmouth Sprint Triathlon – New England Endurance Events, LLC – Surf Drive Beach – Sunday, 7/14/19
 - q. Rockin’ Recovery (concert) – Recovery Without Walls – Old Silver Beach – Wednesday, 7/17/19
 - r. Butterfly Garden Day – William Kerfoot – Spohr Gardens, Fells Road – Saturday, 8/3/19
 - s. The Falmouth Walk – Tom Walrath – Town Hall Square to St. Barnabas (sidewalks) – Saturday, 8/17/19
 - t. New Balance Falmouth Road Race – Jennifer Edwards, Falmouth Road Race – Woods Hole to Falmouth Heights, partial use of Bristol Beach – Sunday, 8/18/19
 - u. Rotary Club Craft Fair – William Kerfoot, Falmouth Rotary Club – Bandshell & Marina Park – Saturday, 8/31 and Sunday, 9/1/19
 - v. Wounded Warrior Project Soldier Ride Cape Cod – Carole Kenney, Falmouth Military Support Group – Bike Path – N. Falmouth to Woods Hole to N. Falmouth – Thursday, 9/12/19
 - w. Striper Fest – On the Water, LLC – Marina Park and Bandshell – Saturday, 9/28/19
 - x. Zooma Women’s Half Marathon and 10K – Sarah Ratzlaff – Old Silver Beach Lot, N. Falmouth – Sunday, 9/29/19
 - y. Cape Cod Marathon Kids’ Fun Run – Jack Afarian, Falmouth Track Club – St. Barnabas Church Campus – Sunday, 10/27/19
 - z. Falmouth in the Fall Road Race – Don Facey – Woods Hole to Falmouth Heights – Sunday, 11/3/19

Mr. Jones motion approval of items n through z. Second Mr. Patterson. Vote: Yes-5. No-0.

New – Recommended:

- a. Grave Marking – David S. Martin, Sons of American Revolution, Cape Chapter – Old Burial Ground, 8 Cemetery Lane, off Mill Rd. – Saturday, 5/18/19
- b. Nebassin (bass fishing) – Joseph Russell – Coonamessett Pond, parking in dirt lot – Sunday, 7/14/19
- c. Coast Fest (concert) – Luke Vose – Bandshell – Saturday, 8/3/19.
- d. Katharine Lee Bates Poetry-Birthday Festival – Falmouth Historical Society – Falmouth Public Library and Library Lawn – Monday, 8/12/19
- e. Wedding Ceremony – Catherine Walsh/John Stecich – Bristol Beach – Saturday, 9/21/19

Mr. Jones motion approval of items a through e. Second Chair Moran. Vote: Yes-5. No-0.

BUSINESS

1. Update/Discussion on Status of Four Town-Owned Buildings:

- a. Edward Marks Building
Historic building zoned for public use and listed on the State Register of Historic Places and MA Preservation Restriction that pertains to the interior and exterior of the building.
Reviewed pictures of the building.

Future uses include relocating Human Services to 1st floor space and affirmed by the Board of Selectmen in 2013. \$100,000 was approved by November 2018 Town Meeting for relocation of Human Services to this building and funding approved in prior years for roof replacement and HVAC.

Second Floor use presents challenges regarding ADA compliance, elevator costs, etc. Second floor preservation work could be undertaken in the future.

Barbara Wayan, Falmouth Preservation Alliance, drew attention to fact they have generated 2 pages of questions for the Board of Selectmen to consider in the documentation passed out to the Board of Selectmen during the tour.

Malcolm Donald, Precinct 6, said this is on the national registry of historic places. If the Town is really interested in keeping this gem, natural shingle roof would go a long way to preserve the building.

Ms. English Braga would like more information about how to conform to the historic preservation and meet the needs of the Human Services Department for confidentiality and privacy.

Susan Shepherd, told the Board of Selectmen that we are losing things in this town, the Poor House has enormous amount of historical items still in it. The building should be restored not renovated. The building will be a focal point in the area, it needs to be brought back to something more respectful of what it was. If we are going to put money into the building, let's do it right and think of a more creative way to use it. Nonprofit groups work on these things and may be able to assist. This is the oldest building in Falmouth.

b. "Old" Senior Center Building

Mr. Johnson-Staub described the location, 1.6 acres zoned residential C and could potentially be changed to adjacent Commercial B2. Located within the state/Town wetland buffer zone and Flood Zone A. Future redevelopment limited by floodplain and wetlands. Reviewed pictures and plans of the area. Potential uses include sell without restriction, sell with preference for commercial use, affordable housing, demolish the structure and retain for satellite parking, or lease to a nonprofit which may require special permit. Municipal use may require a permit, some uses would be allowed.

Ahmed Mustafa, Precinct 4, noted it has been a dream for many to make it a Veteran's Service Center. The Board of Selectmen should have received a packet of information regarding this idea.

c. Emerald House

Recently leased to the Falmouth Service Center and thrift shop was operated there, the lease has since been terminated. 4.92 acre zoned residential A and acquired in 1995 for public recreation. Adjacent Raposa parcel acquired in 2007 for public recreation and municipal purposes. House is included on the Town list of significant buildings, excellent interior condition, a half kitchen and half bath. Pictures were reviewed.

Potential uses are limited by residential zoning, there is a proposal for all peoples playground to Town Meeting in April 2019 by the Disability Commission, discussion of community garden and athletic field, lease to a nonprofit and a special permit may be required, and subdivide 67 Davisville Road parcel and sell the house lot with historic preservation deed restriction, playground access and parking would have to be provided from 81 Davisville Road parcel.

Mr. Jones asked about detail of the 67 Davisville acquisition. Mr. Johnson-Staub read the town meeting transcript and the idea at the time was partly historic preservation and a lot of discussion about adjacency to the school and an athletic field. The superintendent and Patrick Murphy do not see it has a high priority for a school athletic field.

Richard Kendall, Chaired the Emerald House Committee when it was about to be torn down, he noted Portuguese American Club, Historic Commission, the house was an effort and represented the last vestige of recognition of what the strawberry industry was in Falmouth. Joe Netto was the VP of the committee.

Joe Netto told the Board of Selectmen they had an article in front of Town Meeting to tear the property down and were able to defeat the article. The Board of Selectmen at the time formed a committee with a goal to preserve the building to reflect on the Portuguese history of strawberry farming. For the Town to consider selling any of these buildings he finds appalling, this one the most. He would like to see that line stricken. Falmouth Service Center ran a successful thrift shop, so successful that the building was no longer adequate. He hopes the Town will put out an RFP. All interior restoration was done at no cost to the Town by volunteers. They went into the community and promised them that nothing would be done there without contacting them first, now there is an article in Town Meeting for a playground, yet no contact has been made with the local community or civic associations. One of their goals was community gardens and relation with the East Falmouth Elementary School. We do not sell buildings and land in Falmouth, we buy them and preserve them, he hopes an RFP is put out and a great tenant is in there.

Mr. Netto urged the Board of Selectmen to immediately put out an RFP along the lines of the former RFP. It served the community, which was a goal of the committee. The RFP should include that it preserve the heritage of the community. The community did not want a municipal building open daily.

Mr. Netto asked about the plan for the playground, Mr. Johnson-Staub noted the details are yet to be determined, the general idea was to use the Emerald House parking for the playground and may need to be expanded. It could be 67 Davisville and could encroach on the 81 Davisville parcel. He suggested protecting what we have and what is already there.

Ms. English Braga noted the Disability Commission is trying to get more input and have the conversation with the community. She is trying to gain more support and get public input.

According to Mr. Patterson, there is history of the Emerald family online.

Barbara Wayan found it disconcerting that the playground proposal is losing the story that Mr. Netto and others have spoken about. This is the last building we have that represents a heritage and way of life. The stories behind the buildings are important to heritage tourism.

Ms. English Braga said they could raise the awareness around the history with an exhibit or presentation while at the same time having a playground.

Mr. Jones appreciates the Town Manager and Mr. Johnson-Staub's financial status of the town. We are in the business of purchase and preservation of the properties, Mr. Jones wants to take the sale off the table.

d. Andrews Farm House

.93 acre lot, acquired for municipal purposes, zoning agricultural A, house and garage in fair to poor condition per appraisal, storage sheds in poor condition according to appraisal. Reviewed pictures. Potential uses include sell for residential purposes, sell for affordable housing, lease to a nonprofit (special permit may be required), and retain for use of Andrews Farm lessee and consider demolition of house and sheds. If the Town continues to own the property, they should consider demolition of all of the structures including the house.

Jennifer Christian, Farming Falmouth, explained this is a nonprofit that formed from the effort to save Tony Andrews Farm. They feel best for property to be with the farm, educational nonprofit, farming is a community service, and farmers are not in it for the money. Any benefit you can give a farmer to help the viability of its business is amazing. Feel multiple farming operations could be supported. The conservation restriction on the rest of the farm leaves only this area where they could build new operations, no new foundations can be put on any other property except this one. The value of that space for diversification of farming operation and storage are important. Supporting the farmer, lessees trying to create local food, having town owned property, nonprofit trying to get more involved, will all help the diversity of that property. Workforce housing is important too because the wage rate of farm works does not allow for living in this Town. All add into supporting the farmer on this property. Education could be done with that building renovated. Have a place for public to go and

include the local history of strawberry farming. Storing equipment, equipment upgrading, she would like the Board of Selectmen to explore keeping that property linked to the farm to keep it viable. Their nonprofit may be interested in taking it off the Board of Selectmen hands. The nonprofit is working with the group that was taken out of their garden space, part of goal is community garden in every village in Falmouth, including Emerald House property.

Ms. English Braga would like to link in the farming aspect to touch the young people and the space allows for the interaction of the public/students is important.

Mr. Brown likes idea of keeping the house tied to the farm.

Mr. Johnson-Staub provided background information and decisions regarding future uses. Considerations include best use for community, honoring intent of town acquisition, any lease or sale to a private entity requires competitive procurement to select lessee or purchaser, fiscal considerations, and staff resources. Considerations of other traditions that need to take place in acquisition of the property.

The Board of Selectmen asked what the appraisal was on that parcel, they did not have one because it was not a segregated parcel at that time, they will need to get an appraisal for that parcel.

Mr. Brown commented that there is no bathroom on the second floor of the Marks Building, so it would be disruptive to the first floor tenant in the future. Mr. Johnson-Staub noted that given the access challenges and cost to upgrade the second floor for any public use, would the Town want to take this on? Chair Moran stated there is also an access issue for handicap accessibility; for any public use ADA upgrades would be required. The exception may be doing tours of the historical building; that would need to be looked at in detail.

Mr. Jones was not comfortable with something on the first floor that shuts off possibility the second floor will ever be used.

Board of Selectmen discussed the roofing material, asphalt v. wood.

Mr. Suso had an architect assess the building and confirmed structurally sound and investment of public funds to make sure it is intact and sound. They can explore planning for the first floor while also allowing for future expansion of the second floor.

Chair Moran noted the only property with immediate plans is the Marks Building. Mr. Suso explained the funding voted by Town Meeting on three occasions to relocate the Human Services Function to the Marks Building first floor. Funds were also allocated for roof replacement, a contract has been awarded and will go forward. The roof will be fixed and then Human Services will move in, this has been mapped out. They will then finalize the plans for utilization of the first floor to be occupied by Human Services, along with temporary wall structures, which are soundproof and have proper support so they are not permanent. Mr. Suso will share information with the Historical Commission. The architect developed several concept level floor plans, no detailed drawings or cost estimates; that would be the next step.

Mr. Jones is now is not in favor of doing the work on the Marks Building and asked if the old senior center could serve Veterans and Human Services and the Marks Building become renovated as the Poor House.

Julian Suso explained the process, need to think it through in greater detail. The first floor transformed to office space, not sure how to remove what has been transformed and turn it back to something that was the case 20-40 years ago. The first floor work that was done removed historical elements that are no longer there. The ones that are there will remain.

Some of the money earmarked for the Marks Building, would need to go back to Town Meeting to have it go somewhere else.

Ms. English Braga said that could utilize first floor in a different way, it could have a different set up that is not a town office, could have exhibits.

The Board of Selectmen considered it could be more difficult for Human Services to move twice, four buildings they are looking at, and now is the time to look at the various considerations.

Mr. Brown said if considering restoring it correctly, heading in wrong direction with an RFP with an asphalt roof. Mr. Suso noted the contract has been awarded and MA Historic has approved proceeding.

Mr. Suso said the Poor House and Human Services are logical because the Poor House was the early version of Falmouth Human Services, a small portion to be inhabited by Human Services. He appealed to the Board of Selectmen stating that there is a place for it and recognizing it can be done in a manner that does not compromise the history or attractiveness of the building.

Ms. English Braga suggested designing for both needs of preservation and Human Services.

2. Authorize Permitting Application for Menauhant Beach Stabilization – Ray Jack, Director of DPW

Ray Jack, DPW Director offered a PowerPoint presentation. Provided an overview picture and explained that John Ramsey gave the Board of Selectmen a presentation on the project. The focus is on Menauhant Beach west. Substantial erosion has occurred since 2004, without any action in less than 40 years the road and bridge will be gone. Photos showed the erosion that has occurred over the years. Protect or retreat was discussed, also talked about abandonment.

Coastal Dunes/barrier beach was reviewed. Preservation would preserve the beach, natural habitat, extends the life cycle of the road, and question is do we build a bridge that does not have a road or what will be do about that?

Bridge life 50 + years, preserves the water main. Consider erosion, sea level rise, his primary concern at this point is an extreme weather event which will take out the road. Bridge project improves pond flushing/tidal exchange, provides wastewater improvements necessary, and replaces the aging bridge. The beach project extends the beach and road life cycle, increases return on the bridge investment, protects pond shore properties.

(Coastal Resiliency Action Committee (CRAC) recommendation was for nourishment only, end point would be loss of beach/road, dead end, and what to do at that point.

Recommendation he is introducing which is nourishment and addition of two groins. Preserving community beach, coastal scenic road, community/environment value, about improving pond water quality, and preservation and stabilizing onshore transport of sand.

Hard armoring v. soft armoring was discussed.

Removing the old revetment and replacing with groins. Not adding to the structure. Compared with groins cost about \$360-480,000 and extends nourishment life 25%, without groins nourish 8 years v. 10 or more years cost is \$164,000 over 8 years and \$984,000 over 50 years. Differences reviewed with and without the groins.

Reviewed Falmouth Heights Beach preservation in 1959, 7 groins were used to slow the long shore sand transport. Great Pond Bridge reviewed, the road is maintained with seawall and 2 groin structures.

Groins and nourishment is more cost effective, extends nourishment life cycle, reduces dredging costs, no net adverse effect, and so his recommendation is nourishment and 2 additional groins. He would like to move forward.

Chair Moran noted that Mr. McCaffrey sent memo noting the Coastal Resiliency Action Committee recommendation is to include nourish the beach without additional groins.

Charlie McCaffrey, Chair Coastal Resiliency Committee, the committee reviewed the report and concluded while project is necessary the Town should avoid the construction of groins. Many benefits can be achieved without the groins.

Jeff Thomas, Chair Waterways Committee, their concern is anything that reduces the lateral movement of sand will decrease need for dredging. Conceptually they agree with Mr. Jack's recommendation for groins.

John Ramsey agrees with what Mr. Jack said, generally groins are difficult to permit and approved in selective situations. Would have to make sure no additional impact on down drift beaches if it gets through permitting.

Bruce Mogardo, Beach Superintendent, concerned about immediacy to open the beach in 4 months, down to 4 guards on the beach. Looking for immediate timelines of what we can do to get nourishment on the beach and/or get it ready to open.

Joe Netto, Precinct 9, you do not see groins once you head south because they realize groins do not work. If groins worked, would have a beach at Menauhant now. Beach nourishment yes, take the sand from the ocean and put back on the beach. A jetty protects entrance to a harbor. Why dredge Green Pond yearly, because the jetties build up sand on one side and blocks the inlet. He will not vote to extend funds for groins. We would build a bridge if it was washed out, no need to acquire more land. Re-nourish the beach now. Do the neighbors have a lawsuit about widening the bridge, Mr. Jack noted that was resolved. The Town is going against their committee's recommendation.

Paul Miskovsky, going to lose the road if a storm comes, something needs to be done.

Lynn Shipper? The east of the Washburn Island has 6 groins from 1800's, the island has evolved. What are they going to do to help the Menauhant area?

Dan Foley, Seacoast Shores Association, not just Menauhant, the sand is causing a problem in Eel River West, they want a comprehensive solution.

Mr. Brown noted Mr. Netto's seeing the big sand bar from previous nourishment, he is receptive to considering the groins in this area.

Ms. English Braga thinks they are going to have different remedies for different areas groins are not generally favored, but this area is seeing change each year. She hopes to have an answer timely, hope on coming agenda have some idea of what will happen short term.

Chair Moran asked Mr. Jack about the timing and staffing beach. Mr. Jack said the bridge goes forward 2 years to replace, they do not expect the project to begin prior to 2020. To improve the beaches for this season, material placed on parking lot, the beach nourishment could be deferred to Mr. Mogardo and work out the best situation.

Mr. Mogardo, work with the Conservation Commission, when talking about nourishment, he has sand stored but needs permission to nourish.

Jennifer McKay, Conservation Administrator, explained that Menauhant west not allowed to receive nourishment because of the project done in Woods Hole, so the Town would have to request an amendment to that order to place on Menauhant West. Through a hearing process. Because affects to Bourne's pond inlet, they stopped at that time until the Town took a more holistic approach because at that point the sand was causing a problem in the inlet.

Mr. Brown motion to approve Mr. Jack's request for permitting this design, including groins. Second Mr. Patterson. Vote: Yes-4. No-1 (Chair Moran).

3. Interview, Vote and Appoint Committee Members:
 - a. Zoning Board of Appeals
 - b. Gerald Potamis, Precinct 2, found it interesting to be on the board and frustrating sometimes because the regulations are fragmented. Attending meetings as an associate member for the last 2 years.
 - c. Mark Cool, Precinct 6, would like to be permanent member, 2013-16 associate member, then filled another's position as temporary member of Planning Board. Enjoys the job.
 - d. Robert Dugan, associate member on the board for 2 years, never missed application hearing, fills in when needed. Appointed representative for accessory apartment working group.

Mr. Patterson motion to appoint Gerald Potamis to a term ending 6/30/20. Second Ms. English Braga. Vote: Yes-5. No-0.

Ms. English Braga motion to appoint Robert Dugan to a term ending 6/30/19. Second Mr. Patterson. Vote: Yes-05. No-0-.

e. Steamship Authority Board of Governors

Elizabeth Gladfelter, Precinct 6, she likes all who she interacts with and an opportunity to represent Falmouth on a regional committee, the votes taken are to support the running of the organization. Most important is the terminal reconstruction, she is disappointed with the SS administration with communicating with the Town. The public meeting was disappointing and she went back to explain that and she understands Woods Hole's frustration. There are many things happening in the village at the same time and can work with the Steamship Authority. The consultant's report is an issue now, she is concerned with a better understanding of the Martha's Vineyard community given the problems this year. The Steamship Authority administration is down several people and working with HMS to help implement some of the factors in the report.

Mr. Brown asked about comments he has heard about dredging questions and related issues to the waterfront where she was recusing herself because of the Conservation Commission job she does. Ms. Gladfelter noted she is required to, what is happening down there, part of the order of conditions she learned after the fact, they have an outside overseer and the 1 time someone from Woods Hole called her, she talked to the person in charge and called Bob Davis. She would try to rectify any decision. She noted that she would not be participating because anytime there is a violation, Jennifer McKay would address it.

James Morse, not present.

Kathryn Wilson, Precinct 1, interested in regional issues and how Falmouth fits into the bigger picture regarding the islands and the towns. Three big issues facing the Steamship Authority, keeping business going as usual with safety and reliability; next is keeping an eye on the big picture and how the Steamship Authority can enhance what they are doing and mindful of going forward and keep an eye on regarding traffic congestion, diverting traffic; communication in event of difficulties with scheduling last year and talking to passengers and communicating with the Town. Her legal practice has given her training being familiar with reading documents,, dealing with contracts, and various issues. She is familiar with insurance issues and general liability questions.

Ms. Wilson noted it is possible the enabling act is ripe for modifications, it has had them in the past, she has not looked at it carefully enough to have ideas for specifics, but it is worth looking at it.

Ms. Wilson noted the status quo tends to move perpetually, she will bring new influence.

Mr. Patterson motion to appoint Elizabeth Gladfelter to the term ending 12/31/20. Second Ms. English Braga. Vote: Yes-1 (Mr. Patterson). No-4.

Discussion:

Mr. Patterson noted Ms. Gladfelter is articulate, has a wealth of experience, Falmouth not well served by taking someone else without that experience. Maintaining viable operation and mutual respect. The HMS report calls for changes, the kind of changes need to come from within the organization. Mr. Patterson noted that once the conditions are established, it is up to staff to enforce them.

Mr. Jones concurs with Mr. Patterson's statements, but is concerned about Ms. Gladfelter recusing herself on every conservation issue concerns him greatly to not have Falmouth voice in that conversation.

Mr. Jones motion to appoint Kathryn Wilson to a term ending 12/31/20. Second Ms. English Braga. Vote: Yes-4. No-1 (Mr. Patterson).

Discussion:

Chair Moran noted many demands and enabling legislation has been of concern, a lawyer will be helpful when question comes up regarding the Enabling Act and any changes may affect the operation.

Ms. English Braga thinks the Steamship Authority as an institution is very comfortable, things generally go in direction they want it to go. She believes that based the projects they are involved in, there is a need for discomfort or newness, statement to the Steamship Authority that there is some displeasure/critique on how things have gone on some issues. Want this to be more on equal footing.

Sam Patterson believes that it is naïve to believe this change in representative will generate any resonance at all.

4. Presentation of Petition Articles for April 2019 Town Meeting – 5 Minutes Each

- a. Present Petition Article 21 – Gerald Potamis
Made a PowerPoint presentation and on the existing overlay district was reviewed. This is to remove the term enhanced. Fairness to county, environmentally sustainable, will take 3-5 years for the Town to develop state approvable definition of term enhanced, this allows the Board of Health to approve nitrogen reduction systems in the absence of approved watershed plans with onsite requirements, improves neighborhood, avoids \$20-30,000 to put in an enhanced system plus the \$1,000 annual maintenance.
- b. Present Petition Article 22 – John Banner
Concerning accessory apartment bylaw that was originally passed and intent was to broaden range of housing choices in Falmouth by increasing small dwelling units for rent. Last November Town Meeting voted to amend the bylaw by a working group, one major amendment was minimum lot size of 7500 square feet, original had no lot size. Majority of 800 single family house lots in Maravista are less than 7500 sq. ft. and excluded from the opportunity. He hired surveyor and architect on his lot and meets all criteria except the lot size, he suggests larger than 7,000 sq ft.
- c. Present Petition Article 23 – Marc Finneran
Accessory apartment bylaw amendment to add section 3, 7,000 sq. ft. lot size in sewer service areas. No nitrogen released into the land if no sewer system. There are many 2 bedroom dwellings on Maravista and could use these to keep them in their homes.
- d. Present Petition Article 24 – Michael Heylin-not present.
- e. Present Petition Article 25 – Daniel H. Webb
PowerPoint presentation made. Amend zoning bylaws to support facilitating the adoption of solar energy as part of the Planning Board’s site review. This is consistent with existing Town policies. Local comprehensive plan energy element adopted to Town Meeting April 8, 2013. Reviewed the current site plan review criteria. The language of the performance requirements bylaw is difficult to understand. Proposed item I. improve the collection of solar energy by photovoltaic and or hot water systems.
- f. Present Petition Article 29 – Marc Finneran
Second water meter in sewer service area and he gave presentation, allowance for second water meter or formula to discount the water rate. Charging 2 rates for the same product is not right and he plans on a roll call vote.
- g. Present Petition Article 30 – Paul Dreyer
Made a power point presentation, Shiverick’s pond working group formed to prepare a phased action plan for the pond trail. Project development was described. Summary of phase 1 elements include viewing platform, vista pruning, and Katharine Lee Bates Road sidewalk. Reviewed the plans and pictures. Timeline was reviewed consideration funding by spring 2020. Public benefits reviewed. Cost is about \$40,000 for Phase 1.
- h. Present Petition Article 31 – Ronald D. Zweig
Made a PowerPoint presentation. Follow on to another article from fall 2016 for water quality monitoring in Bournes Pond to improve water quality and asks for \$75,000 to finance water

quality monitoring and Town's Marine and Environmental Services Department's ongoing shellfish production activities. Bournes Pond map reviewed. Sewering the area is the main thrust, there are other options that could be applied. Recommend the town consider this.

NOTE: There will be no public discussion of articles; the proper place for such public discussion is Town Meeting floor.

5. Minutes of Meetings:
Public Session –January 28, 2019
None.

6. Individual Selectmen's Reports

Mr. Brown:

Committee handbook continues to be worked on.

Water Quality Management meeting regarding discharge options and less expensive to discharge in Nobska, West Falmouth is more expensive. Land based options are effective, much work could be done for future sewerage needs for Green and Great pond.

Attended Woods Hole meeting with Steamship Authority to discuss orientation and construction of terminal building, expansive roof, asked them to consider a more narrow compact building. At end of meeting they seemed to be listening.

Mr. Patterson:

Attended the Finance Committee meeting and Falmouth Police Department Recognition Ceremony.

Attended Cape Cod Selectman and Counselors Association meeting Friday, looked at rooms tax revenue that will be generated and what the Town needs to do to prepare receiving it.

Ms. English Braga:

Solid Waste Advisory Committee meeting with Mr. Johnson-Staub and Mr. McConarty, talked about applying for grant through the State for enforcement and education regarding recycling.

Chair Moran:

Attended Awards Ceremony with the Falmouth Police Department by Chief Dunne and reflecting the bravery of the officers. The Board of Selectmen asked the Town Manager to address appreciation of all Town employees.

7. Town Manager's Report

Mr. Suso attended the Finance Committee meeting Tuesday, they will meet again tomorrow. Thursday night Route 28 Citizen Advisory Committee meeting last week. General recommendations in draft form and going to consultant to rework the plans to return to them end of the month.

Attended the Water Quality Management Committee meeting.

Met with upper cape managers in the state regional compact on wastewater and in furtherance of the grant received.

Joined with the Harbor Master's office meeting with the Cape Cod Commission and others for presentation on the regional harbor assessment, including maintaining, threats to viability, net benefits of continued operation. The final report is expected in about a year.

Monday is President's Day; Town offices will be closed.

Mr. Johnson-Staub reported on the Senior Center Building Committee progression. They have had recommendations with proposed change orders, process went well. The Town Manager accepted the recommendations from the Committee. There will be no generator for the building, it will have a hook up. They have a start date for the framing

Met with the Shellfish Advisory Committee, working on a novel approach in forming joint partnership with aquaculture growers and licensing involved and procurement process.

8. Review and/or Discuss Correspondence Received

Mr. Jones motion to adjourn at 11:05 pm. Second Ms. English Braga. Vote: Yes-5. No-0.

Respectfully Submitted,

Jennifer Chaves
Recording Secretary