The Community Meeting about Spring Bars Road was a positive forward-moving meeting. The turnout of concerned people was good, we had responses from people who watched it on FCTV, and the input was helpful.

It is important that people understand that this development is not a Town driven public development, although the purchase of the 21 acres was made by Community Preservation money. Once the draft Request for Proposals is completed by the CPC and a professional consultant through the Massachusetts Housing Partnership, it will go to the town attorney for legal approval, then to a vote by the Board of Selectmen (BOS) before being released. The CPC has developed an evaluation tool by which each developer will be scored, an interview held, references checked, and the design concept assessed. And, after the due diligence is completed, the recommended developer will be presented to the BOS for their final review and action.

It is anticipated that the developer will choose the 40B process and the project will move through the Town committees as all comprehensive permits do. That will give community members an additional chance to ask questions, follow the project, and see the project design.

Once the Development Team is chosen, they are in charge of building the project, working with the appropriate Town Departments, and managing the on-going tenant-relations and property maintenance. The Town will have no burden construction or of on-going management.

At the Community Meeting on December 1, of the questions and comments were helpful in confirming many of the decisions of the CPC and allowed the CPC to measure the community’s understanding of the project and process. The CPC itself has learned that some of our wishes may be too prescriptive to include in the RFP. The consultant from the Massachusetts Housing Partnership (MHP) is helping the CPC to define an RFP that is open ended with wording that will indicate the “philosophy” of standards desired. An evaluation tool will be used for each RFP and will demonstrate to responders the method scoring for each proposal.

It is important for the community to recognize that the Conservation Commission has jurisdiction over the whole property, because of the flood plain, the wetlands, and a commitment on the part of the three partners in developing this project—the Conservation Commission, the 300 Committee and the Community Preservation Committee. The chosen developer will work closely with the ConCom to ensure the integrity, preservation, and restoration of the acreage.

At the meeting the CPC divided the response topics into 4 headings. The comments below incorporate questions and comments from the community with comments from the CPC regarding processes and decisions.

Please note that *community comments are italicized font* and CPC responses are plain font.

1) Land Disposition and Use in the Parcel to Be Developed
   
   • Although, the CPC has talked about leasing the developer the whole 11.4-acre buildable parcel to the developer, *people asked if the separate smaller .6 acre parcel could be set aside* (this is the easterly spur of the 11.4 acres on which something could be built) for
building something else (although the expense of running utilities there might be expensive); or if it could be used as a recreation space for the residents of the development. The CPC could consider keeping it available for a later decision about how it might be best used. Community concern was that it was in inappropriate location for housing.

- **Another person asked if there could be a small section set aside for homeownership.** This has been discussed but the CPC decided that the overriding need in Falmouth, as indicated by needs studies conducted by the Cape Cod Commission, is for affordable rental housing so that is why the decision was to build the 30 rental units. There also is more available subsidy money for rental construction than for ownership.

- **A further question about recreation space was asked, will there be recreation space elsewhere on the property.** The answer is yes. The adjacent Conservation property will be available to the community of Falmouth and the community at Spring Bars Rd.

- **One community member asked if the elevation of property and set-backs for wetland protection will have to be changed by significant use of fill.** At this point the CPC does not have a final answer, except that the first floor of dwellings must be above the 50 year flood stage. This may depend on where the developer builds or whether dwellings are elevated in some other manner. If the developer does have to add fill, he/she will need to pay attention to “low impact development” rules for water runoff and flows. Jennifer McKay is researching the language we might have to use in the RFP that would make this clear to the developer. It is possible that building more to the western side of the property would eliminate a lot of fill. The community members will be kept informed about this through the 40B process.

2) **Utilities, energy efficiency & smart or sustainable building**

- **One e-mail suggested that this project could be a GREEN model for our town.**

- **A concern was expressed about nitrogen going into Little Pond.** The CPC has already had surveys done and has state approval to extend the sewer to the property line, the developer will be responsible for connecting it into the development and for the Wastewater Pump Station. There will be no net increase in nitrogen to Little Pond.

- **A person asked if we are adamant about Stretch Code as being the minimum we would accept for the buildings (considering this was not passed by town meeting) and, another commented that possibly the energy measures should be more stringent.** Another suggested there be an opportunity for photovoltaic array either on roofs or on and nearby. **He stated only a 7 year payback for the placement.** The RFP will be written to require minimums and to give higher assessments for more ambitious outcomes, but it cannot be written so specifically that the developer cannot have options for meeting the desired outcomes. This will be an issue of balancing cost of building against forms of subsidy or credits. *The CPC wants to encourage sustainable design with effective energy measurement systems (i.e. HERS rating, LEED certifiable, stretch code) that are used in buildings to attain maximum energy efficiency and site design that reduces*
resource usage (i.e. Falmouth Friendly Lawns). This will be detailed farther in the RFP to be issued.

- A question was asked about requiring or encouraging composting toilets, saving water is one of the components of energy conservation. As with other specific techniques or methods, the RFP becomes improperly prescriptive if it requires only one way to accomplish outcomes.

3) **Basic Housing Parameters**

- A community member asked if more than the specified 10% accessible units could be added. The percentage of units included for the development is above the required percentage. The CPC has discussed making more of the units “visitab,” which the Cape Organization of the Rights of Disabled indicated, has become more important in building. Both elements do add costs to the overall building. A more positive evaluation can be given for a higher number of units that are visitable.

- The rental development is being built with families, couples and single working people in mind. Needs assessment completed by the Cape Cod Commission indicates that affordable rental housing is needed throughout the Cape.

- An e-mailer asked about the town managing the property, which they will not be. The land will be leased to the developer in answer to questions such as: how will the management of the property be done to ensure good maintenance and tenant responsibility. The CPC will require good property management experience on the part of the developer or development company chosen, references will be required.

- Questions were asked about the design of the units. The development will be designed to fit into the “vernacular” of the neighborhoods and in the surrounding Cape- style housing.

- In answer to a question about whether the building will be built in one phase or stages, it is expected to be built in one stage.

4) **Conservation Land**

- One person asked who owns the parcel on the east of the Town conservation property, probably in reference to access to the public land and to the Pond. The land to the extreme East is a wetland and the Trade Center owns the paved area. To the west of the Trade Center entrance is on conservation land. ** (see site plan included)

- A community member asked where the entrance to the open space parcel would be. The open space parcel will have a separate entrance and parking, with walking trails but no paved roadways to a Little Pond landing and access for kayaks. The parcel will include nature trails; access to Little Pond; protected seating in a proposed gazebo; community
gardens; restoration of previously disturbed land; parking. Con Com will oversee landscaping, including plant selection and vegetation retention.

- The same person noted that Little Pond prohibits motorized craft and asked for signage about that.

- A concern was expressed about protecting the sensitive conservation areas. The ConCom will require storm drain contours and analysis to ensure that there will be no impact on the cedar swamp or any other land around the property.

- An e-mailer expressed concern about the current dumping at the site. The Fire Department and Police have been contacted about this. The Fire Department wants access to remain open in case they need to get to a fire (which they have had to do in the past). The CPC could consider a barrier to prevent dumping.

- Another concern was expressed about the capital requirements needed for the project and where the development will be placed on the site (given its topography). The topography has been mapped out by Warwick and Associates, but the developer will be responsible for siting the units, the landscape plan (working with Conservation, and other topographical and environmental concerns) and for the financials related to the project.

Other Questions and Comments:

- Question was asked about Falmouth residents being limited to 70 percent of the units available. There will be a lottery where Falmouth “residents” will be the exclusive pool for 70 percent of the units. Note that in State housing regulations a Falmouth resident can include people who work in Falmouth, have lived here and want to return, and who have family here, as well as those actually living in town. But then Falmouth residents not chosen in the “preference” round are eligible also for other rounds of the drawing.

- One resident noted that she has attended many of the committee’s meetings and praised the committee for their efforts to develop a creative design suitable for the site. She urged residents to attend CPC meetings and offer comments about the Spring Bars Road Project, which is the first item on the committee’s agenda. She said the committee has been receptive to her comments.

- It was recommended the committee might take the time to be visionaries by determining what the future quality of life will be for this neighborhood considering the likely development of the adjacent properties. It was suggested that Harvard (or other) students be invited to develop their visions for the site, which might enhance the project greatly. This was seconded on a couple of e-mails sent. One suggested a prize of a winning design for the development and included specific “looks” the development might have. The CPC has expressed an openness to participate.
• A letter asked about the availability of a conceptual plan, location of proposed buildings, a landscaping plan, and the cost of the development. This is something that responding developers will provide, as well as the financials.

• A resident asked about the income levels of the proposed tenants and the corresponding rental fees that a developer can charge, with specific concern about whether the project could be financially feasible.

**Monthly Rent Limits Including Utilities – Falmouth 2011**

<table>
<thead>
<tr>
<th></th>
<th>Studio</th>
<th>1 BR</th>
<th>2BR</th>
<th>3BR</th>
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<td>$1,642</td>
<td>$1,847</td>
<td>$2,135</td>
</tr>
</tbody>
</table>

• One e-mailer said he could not support housing with incomes more than an 80% AMI. He was concerned that all the units count toward the town’s percentage. There will have to be at least 25% at 80% in order to qualify for a 40B – then all that are at or below 100% would count in a rental development. But CPC investigation indicates that the 100% rent levels are in this current economy above market levels. Also, developers can’t get subsidies (except CPA) for units above 100% of AMI. But as a rental development they would count. Actually, subsidy funding may dictate the income levels that will reside in the development.

It is our hope that we have recorded and addressed the concerns expressed at the meeting and in the e-mails sent. If there are any other questions, corrections, or additions, please feel free to contact dconverse@falmouthmass.us.

The minutes from the meeting will be posted after CPC meeting approval on December 15.

Site Plan
ZONE: LIA
PARCEL ID: 39 15 047 001 & 39 15 046 002
FLOOD ZONES: AE (EL 10) & X
Panel Nos. 25001C0737J & 25001C0737J (EFFECTIVE DATE 6/6/2011)
PLAN REFERENCE: BOOK 635 PAGE 29
BENCHMARK DATUM: NAVD BB

"PLAN REVISIONS"

DRAWN BY: GL
DATE: 3/24/2011
CHECKED BY: SHEET 1 OF 1

N/F WILLIAM C. RUGG
TRUSTEE

N/F
A & B BROWN
REAL ESTATE LLC

N/F
BLAICON PROPERTIES

N/F
JONATHAN PORKKA

N/F
OURANIA H.
TSORVAS

N.F
STEPHEN C. TSORVAS

VERNAL POOL
NEEDS TO BE EXPOSED;
LAND SUBJECT TO COASTAL

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
X

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
X

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
AE (EL 10)

FLOOD ZONE
AE (EL 10)

HELMI'S CIRCLE
(NOT CONSTRUCTED)