

***Wellfleet Selectboard  
Hybrid Meeting  
Zoom/715 Old Kings Highway  
Tuesday March 21, 2023; 7pm  
Meeting Minutes***

**Members Present:** Ryan Curley, Chair; Michael DeVasto, Vice Chair; Barbara Carboni, Kathleen Bacon, John Wolf

**Others Present:** Rich Waldo, Town Administrator, Jennifer Goldson, Housing production plan; Elaine McIlroy, Harry Terkanian, Michael Hurley, Police Chief; Lisa Brown, SPAT; Deidre Oringer, SPAT; Nancy Civetta, Shellfish Constable, Katie Murphy, Field point Oyster farm, Berta Bruinage, Shellfish Grant Holder; Helen Miranda Wilson, Resident; Stephen Pickard, Chad Williams, Jude Ahern, Rebecca Taylor, Shellfish grant holder; Samuel Blakslee

Chair Curley Called the meeting to order at 7:01pm

And asked that the Planning Board call their meeting to order.

Planning Board Called the meeting to order:

**Planning Board Members Present:** Beth Singer, Bonnie Shepard, David Mead-Fox, Olga Kahn, Alfred Pickard.

**I. *Announcements, Open Session and Public Comments***

**Note:** Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

There were no comments or announcements.

**II. *Consent Agenda***

- A.** Wellfleet United Methodist Church ~ Sunrise Easter Service ~ Newcomb Hollow Beach ~ April 9, 2023, 5:45am-6:15pm.

**Chair Curley Moved; Board Member Seconded; and it was voted to adopt the consent agenda as drafted.**

**Roll Call Vote: 5-0**

**III. *Joint Selectboard & Planning Board***

- A.** Housing Production Plan ~ Housing Production Plan Work Group

Goldson shared her screen to present the slide show of the draft housing production plan. She explained the housing needs and went through the slides which explained the goals and strategies. She went into detail during her presentation to explain what is being worked on and being developed for this plan. There were some questions from the board, questioning mobile home units. Terkanian made some comments to the board about the needs for housing with the town. The board discussed this plan at great length. It was expressed gratitude for the amount of participation from community members that took place for the making of this plan. Kahn questioned why ADU's weren't on the plan. Goldson

explained that they need to be on a long-term deed restriction. Disposition of town owned land was discussed over by Duck Creek. Picard spoke to this area and stated that if the town could design a septic system for this area then the town should look at this again and not give it to the open space committee allowing housing to be addressed.

**Board Member Bacon Moved, Board Member DeVasto seconded; and it was voted to approve the Housing Production plan as presented in the draft.**

**Roll Call Vote: 5-0**

**Board Member Shepard Moved; Board Member Kahn seconded; and it was voted to approve the Housing Production Plan.**

Kahn asked if she could send some editing issues to Goldson. She was asked to send them to her tonight after the meeting. Kahn stated there was some concern cottage colonies.

**Roll Call Vote: 5-0**

**Singer Moved; Kahn Seconded; and it was voted for the Planning Board to adjourn their meeting.**

**Roll Call Vote: 5-0**

**Planning Board adjourned 8:05pm**

#### **IV. NPS**

##### **A. Cahoon Hollow Beach Safety Messaging & NPS Regulation Change**

Chief Hurley came before the board with the Park Service staff. Hurley began explaining the issues the town and the Seashore staff have had with Cahoon Hollow Beach with regard to the large crowds of people, the over drinking and traffic. He explained one of the options which is listed in the packet, the town has a no alcohol consumption bylaw where on the seashore there is alcohol allowed. He explained that the beach is cut in the middle of the seashore part of the town. Causing issues with alcohol intake. The National Park Service explained that they are moving forward with the prohibition of all alcohol consumption for Cahoon Hollow Beach. He explained the options they have come up with regarding traffic and crowds. Chief Hurley couldn't stress enough how much this plan is driven by public safety. There were some comments made on the plan and stated numerous times how sad it is that these actions need to be taken. The board stressed their gratitude to the seashore for their willingness to work with the town.

**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to support the Wellfleet Police Department and The National Seashore's proposed regulatory strategy in terms of addressing problematic behavior at Cahoon Hollow Beach.**

**Roll Call Vote: 5-0**

#### **V. Licenses**

##### **A. Wellfleet SPAT ~ Special Alcohol License ~ October 14<sup>th</sup> & 15<sup>th</sup>, 2023. ~ Oysterfest**

**Chair Curley took the SPAT license out of order.**

Chief Hurley gave an update that there is one location added explaining the parking lot across from preservation hall would need to be included in the license, there were no issues.

**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve Wellfleet SPAT's special event alcohol license for Wellfleet Oysterfest on October 14, & 15<sup>th</sup> 2023 from 10am to 4:30pm for a fee of \$200.**

**Roll Call Vote: 5-0**

## **VI. *Public Hearings***

**Board Member DeVasto Recused from all Shellfish Hearings.**

**Chair Curley opened the hearings:**

**Chair Curley asked that the people in the audience please remain respectful of town staff and each other.**

- A.** Application received 1/18/2023 for the transfer of shellfish grant license # 85-F consisting of one acre on Indian Neck from Richard Blakeley (Wellfleet, MA) to Richard Blakeley and Eben Kenny (Wellfleet, MA).

Civetta began with the first hearing explaining the details and stated Eben is already on a grant and has been a shellfisherman for many years and she recommended this be approved. There were some questions regarding the grant and the owners of the grant. There were no issues with this grant transfer.

**Board Member Bacon Moved; Board Member Wolf Seconded; and it was voted to approve the transfer of Grant License #85-F consisting of one acre on Indian Neck Road from Richard Blakely to Richard Blakely and Eben Kenny.**

**Roll Call Vote: 4-0-1**

- B.** Application received 1/18/2023 for the transfer of shellfish grant license #s 855, 855-B and 855-C totaling approximately 3.6 acres on Field Point from Michael DeVasto (Wellfleet, MA) and Michael Ramsdell (Wellfleet, MA) to Northern Collective, Inc. (Wellfleet, MA).

Civetta Continued with the next application, she stated the shellfish regulations allow a corporation. Chair Curley disagreed stating the Northern Collective doesn't possess a shellfishing permit for 2023. He stated it is a requirement that the board adopted in December. Murphy read a letter to the board stating that the reason they are trying to do this is to limit their liability so that their personal assets from litigation, stating that they are selling raw products that have potential to cause risk for the consumers. Chair Curley again stated his disagreement with what was read. There was a long-detailed discussion on this transfer. DeVasto referred to the previous public hearings that spoke about commercial shellfishing. DeVasto spoke about the businesses that have liquor licenses and all are small businesses that are listed under a corporation to limit liability. Bruinage spoke to the board stating that a corporation on a grant is a very slippery slope. DeVasto's employees spoke to the board in favor of the regulations. Chair Curley continued to disagree with them being a corporation. Carboni spoke about some legal issues that town counsel did not address. Williams spoke to the board referring to the regulations. Ahern questioned the extension and DeVasto's uncle being on the grant and questioned if

his address was legal. DeVasto stated it wasn't her business. There was much discussion about the legality of

**Board Member Bacon Moved; Board Member Carboni Seconded; and it was voted to continue the transfer of shellfish grant license #s 855, 855-B and 855-C totaling approximately 3.6 acres on Field Point from Michael DeVasto (Wellfleet, MA) and Michael Ramsdell (Wellfleet, MA) to Northern Collective, Inc. (Wellfleet, MA), until April 18, 2023.**

**Roll Call Vote: 4-0**

- C. Application received 1/27/2023 for a grant extension (to be numbered #734A ext.) to shellfish grant license #734A consisting of approximately one acre on Mayo Beach from Rebecca Taylor (Wellfleet) and Myron Taylor (Wellfleet, MA). Civetta began with this application stating this was an area on Mayo Beach that Taylor believed this grant had gone through all the approvals. Civetta stated there are no maps demonstrating the boundary lines. Civetta gave the background of this area stating that Osowski put in a grant transfer knowing that Taylor thought this grant was hers. Civetta took responsibility for this. She stated she believed that this should be granted given the history of the board's actions. The board discussed this transfer with Taylor, stating that she did her due diligence in following the paper trail. Chair Curley read a letter into the minutes from Jon A. Ciraulo, lawyer for Osowski. Writing to the board asking that the board take no action on this application and the Osowski application, asking that the board participate in a site inspection. Taylor spoke to the board stating that all the paperwork was included in her application. They discussed this. Pickard spoke to the board regarding this transfer stating that coordinates are missing. Blakeslee spoke on behalf of Taylor. Alfred Pickard spoke again questioning ARC and that they still have product on Taylor's grant. Civetta stated she would be willing to mediate between the parties and see if there could be some type of solution.

**Board Member Carboni Moved; Board Member Wolf Seconded; and it was voted to approve the modified grant extension to Rebecca Taylor and Myron Taylor newly numbered grant license #734A of approximately once acre on Mayo Beach.**

**Roll Call Vote: 4-0**

- D. **CONTINUED FROM JANUARY 31, 2023**, ~Application received 1/10/2023 for a grant extension (to be numbered #99-1 Ext) to shellfish grant license #99-1 consisting of approximately .43 acres on Mayo Beach from Angela Osowski (Wellfleet, MA), Robert Mallory (Wellfleet, MA) and Mary Mallory (Wellfleet, MA).

**Chair Curley Moved; Board Member Carboni Seconded; and it was voted to continue this hearing until April 18, 2023.**

**Roll Call Vote: 4-0**

## **VII. *Business***

- A. Participation in New Opioid Settlement Proposals

Chair Curley spoke to this stating he feels there will be more coming before the town, and he would like the Town Administrator to handle them. Carboni disagreed stating that they could be presented to the board efficiently.

**NO ACTION**

**B. 2023 ATM Warrant ~ Continued to March 23, 2023**

**C. 2023 Annual Town Election Ballot ~ Continued to March 23, 2023**

**VIII. *Selectboard Reports***

Board Member Wolf gave an update on the Dredging Task Force meeting.

Waldo gave a brief update on the town's progress with finances.

**IX. *Topics for Future Discussion***

**X. *Vacancy Reports***

**XI. *Minutes***

**A. March 7, 2023**

**B. March 9, 2023; open session minutes**

**Board Member Bacon Moved; Board Member Carboni Seconded; and it was voted to approve the minutes of March 7, 2023, and March 9, 2023 as printed in draft.**

**Roll Call Vote: 5-0**

**XII. *Adjournment***

**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to adjourn.**

**Roll Call Vote: 5-0**

**Meeting adjourned 10:45PM**

**\*\*\* *Public Documents* \*\*\***

*Application from United Methodist Church for sunrise Easter Service*

*Housing Production Plan*

*Cahoon Hollow Beach Safety Plan*

*SPAT application for special alcohol license.*

*Shellfish Hearing paperwork.*

*Opioid Settlement Documents*

*2023 Town Meeting Warrant*

*Meeting Minutes ~ 3/7/23 & 2/9/23 open session*