



## Board of Selectmen

**The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, December 9, 2014 at 7:00 p.m. at the Wellfleet Senior Center, 115 Old Kings Highway, Wellfleet, MA 02667.**

- I. Announcements, Open Session and Public Comment [7:00]**
- II. Public Hearing(s) [7:05]**
  - A. Community Development Strategy Grant hearing [Alice Boyd]
  - B. Permission for the Bombshelter Pub to remain open until 2:00 a.m. on New Year's Eve
  - C. Amendments to the Traffic Rules and Orders
- III. Licenses/Appointments/Reappointments/Use of Town Property**
  - A. Licenses - NONE
  - B. Appointments - NONE
  - C. Reappointments - NONE
  - D. Use of Town Property – NONE
- IV. Business**
  - A. Shellfish Department discussion regarding aquaculture gear issues and open areas for non commercial permit holders [Houk, Bruinooge]
  - B. Fiscal 2016 Budget introduction [TA]
  - C. Approval of 2015 BOS meeting & Town holiday schedule. [TA]
  - D. Proposed letter to the governor elect in support of solar energy. [Morrissey]
- V. Town Administrator's Report**
- VI. Future Concerns**
- VII. Correspondence and Vacancy Report**
- VIII. Minutes [November 25, 2014]**
- IX. Adjournment**

**Town of Wellfleet Public Hearing  
Community Development Strategy**

The Town of Wellfleet will hold a Public Hearing at 7:05 pm on Tuesday December 9, 2014 at the Wellfleet Council on Aging to discuss the revised Community Development Strategy. The public is invited and will be heard.



## Town of Wellfleet Community Development Strategy FY 2013 (to be updated for FY15)

### **PLANNING TOOLS**

Long and short term planning initiatives have been undertaken in a number of areas including Open Space and Recreation, Housing, Wellfleet Harbor, Shellfish Management, the Marina, Water Master Plan, Capital Improvement Plan and the Herring River Salt Marsh Restoration Plan. Many of these initiatives have been undertaken and coordinated by new professional planning staff.

### **Regional Policy Plan**

In 1990, the Cape Cod Commission was charged with reviewing and preparing a regional policy plan. This plan was created in the late 1990s and has been reviewed and updated every five years since that time. An update was completed in 2001, with another update completed in 2006. This plan is part of an extensive regional process that brings elected officials, county officials, the media, various consultants, community members and state representatives together to guide the future of our peninsula. There is an ongoing opportunity for public comment and input. The Regional Policy Plan provides the framework for Wellfleet's local comprehensive plan.

### **Wellfleet Local Comprehensive Plan:**

Wellfleet completed its first draft of the Local Comprehensive Plan (LCP) in November 1994. The Local Comprehensive Plan Update was completed in February, 2008. The Cape Cod Commission accepted the LCP and its seven elements: Land Use, Natural Resources, Economic Development, Community Facilities and Services, Community Housing, Open Space and Recreation and finally, Historic Preservation and Community Character, Harbor and Marina, Alternative Energy and Energy Conservation.

### **Affordable Housing Action Plan and Needs Assessment:**

Wellfleet's Affordable Housing Action Plan was adopted in 1995 and was approved by the Board of Selectmen, Local Housing Partnership, Wellfleet Housing Authority and Cape Cod Commission. The plan is now under final revision and guides our local affordable housing initiatives.

In June of 2006, the Town received a Housing Needs Assessment from John J. Ryan of Development Cycles. This was the first survey ever done of the quantity and types of housing needed by the community. This plan was prepared with assistance from the Mass Housing Partnership.

The Town has undertaken numerous efforts to improve the availability of Affordable Housing. These include; the creation of a Wellfleet Affordable Housing Trust Fund, the Affordable Accessory Dwelling Unit Program, Rental Assistance Program, the Affordable Housing Buydown Program, and Housing Rehabilitation through the CDBG program. Increasing the availability of affordable housing remains a major objective of the Town of Wellfleet.

## **ACTION PLAN:**

### **Land Use and Growth Management**

*To encourage sustainable growth and development consistent with the carrying capacity of Wellfleet's natural environment in order to maintain the town's economic health and quality of life, and to encourage the preservation of village centers that provide a pleasant environment for living, working and shopping for residents and visitors.*

Wellfleet has made changes to its zoning, has prioritized protecting our natural environment and has promoted the development of the downtown, tackling issues of concern such as the provision of a public water supply, public wastewater treatment and storm water remediation throughout the harbor area. This complies with *Sustainable Development Principles* including "concentrate development and mix uses." This correlates to the principles "Protect Land and Ecosystems" relating to our Shellfish Management Plan and seeding of public shellfish beds and our cultch program to encourage the natural propagation of oysters. This also relates to our conservation work on the town's waterfront and in the marsh and river habitats.

### **Natural Resources**

*To maintain the quality and quantity of Wellfleet's ground water in order to ensure a sustainable supply of high quality untreated drinking water and to preserve and improve the ecological integrity of the Town's marine and fresh surface waters.*

Wellfleet has taken a proactive stance to protect its drinking water and to insure its continued supply. The town has expanded wellhead protection areas and has expanded the Town's public water supply to several areas. Water testing at our coastline is ongoing, both to insure the integrity of our shellfish crop and to insure that residents and visitors will enjoy our pristine beaches and waterways for generations to come. *Sustainable Development Principles* including "protect land and ecosystems" and "use natural resources wisely" are both demonstrated in these initiatives.

### **Economic Development**



*To insure viable employment opportunity for our residents along with thriving centers for commercial activity.*

Economic development strategies are designed to encourage businesses that are compatible with our community's environment and would provide year round well paying jobs. This will be accomplished by establishing incentives for businesses to locate in a growth/activity center, relaxing development standards for growth incentive zones, promoting high-tech businesses, developing a technological workforce, and coordinating partnerships with other organizations. The Town has established a Citizen's Economic Development Committee that has working to develop a strategy to expand year round employment. The CEDC has undertaken several projects to extend the shoulder seasons. The Town also recognizes the need to support young families who are critical to our workforce by providing the childcare assistance, after-school programs and safe summer alternatives so that parents can work. The Town works closely with The Children's Place for childcare referrals and programming and the Lower Cape Cod CDP and their economic development committee to encourage small business growth through access to classes, loans and peer-to-peer expertise. *Sustainable Development Principles* include *Concentrate Development* and *Mix Uses* through the clustering of businesses and commercial enterprises, and *Increase job and business opportunities* to provide economic diversity in a varied economic base.

## **Community Facilities and Services**

*To foster the necessary community buildings and transportation systems in Wellfleet for present and future year-round needs which are safe, convenient, accessible, economical and consistent with the town's historic, scenic and natural resources.*

Wellfleet has recently completed the construction of a new DPW building and a new Senior Center. The Town Hall is now barrier free. A new Police and Fire Station was built and major additions and reconstruction of the Elementary School was completed. The Town Marina was upgraded with the help of CDBG funds, allowing the working waterfront to flourish safely. A tight tank system was installed to protect the water quality. The town constructed a Solid Waste Transfer Station to handle the majority of our solid waste with expansion anticipated. The town also upgraded the playground at Bakers Field, and constructed a recreation building at this site. Wellfleet is a part of a regional transportation initiative that now provides bus service through the community. *Sustainable Development Principles* include *Concentrate Development and Mix Uses*, as demonstrated by the barrier removal at Town Hall, the upgrading of the marina and the reconstruction of the existing elementary school; *Provide Transportation choice and Plan Regionally*, as demonstrated by our new regional bus service; *Protect Land and Ecosystems* is demonstrated by the town's construction of the transfer station.

## **Affordable Housing**

*To promote the provision of fair, decent, safe and affordable housing for rental or purchase that meets the needs of present and future Wellfleet residents. The town shall seek to raise its affordable housing stock to 10% of its all year-round units.*

Affordable housing was identified as one the major issues for our low and moderate-income residents. The Cape Cod Commission released in 1999 the Barnstable County Affordable Housing Need Analysis that reported that the affordable housing problem is acute. The Regional Policy Plan adopts a vision that ample affordable housing for both renters and homeowners is essential and it must be consistent with the other elements of the plan. Strategies include promoting growth in existing town centers and encouraging the development of different types of housing.

The plan recommends the redevelopment of existing structures to reduce the impact of new construction on the environment. Wellfleet has been the lead community for the regional housing rehabilitation program operated by the Lower Cape Cod CDP and has worked closely with that agency to construct affordable rental housing through a USDA grant. The town conveyed ten town-owned lots for construction of affordable single-family homes. Two of these parcels are over five acres and will be used for multi-family housing. One of these parcels is now out to bid for a developer. Habitat for Humanity and the Wellfleet Housing Authority were conveyed lots; Habitat has completed construction and Gull Pond Road has been awarded to the successful bidder. Other affordable housing initiatives are underway or being actively considered. *Sustainable Development Principles* include "Concentrate Development and Mix Uses" as demonstrated by the continue participation in the grant funded housing rehab program, *Expand Housing Opportunities* as demonstrated by the USDA funded rental housing operated by the LCCCDP, the Habitat single family home, Gull Pond Road and the town's conveyance of land.

## **Open Space and Recreation**

*To preserve and enhance the availability of open space in Wellfleet in order to provide wildlife habitat, recreation opportunities, and to protect the natural resources, scenery, and character of the Town.*

Changes to zoning regarding cluster development have been achieved to increase open space that provides direct benefit to wildlife and residents. The town is redeveloping the Bakers Beach playground and continues to aggressively manage the beaches and waterways. *Sustainable Development Principles* such as "Protect Land and Ecosystems" has been demonstrated by the town's significant work on shellfish management. "Use Natural Resource Wisely" has been demonstrated by zoning changes and the preservation of open space in recent years.

The Town also updated its Open Space and Recreation Plan in 2005. The Executive Office of Environmental Affairs, Conservation Services, certified the updated plan. The Town has also received a number of Self Help Grants from EOEA for open space purchases made in conjunction with the Cape Cod Land Bank.

## **Historic Preservation and Community Character**

*To protect and preserve the important historic and cultural features of the Town's landscape and built environment that are critical components of Wellfleet's heritage and economy.*

The protection and preservation of Wellfleet's many historic resources and natural landscapes will occur by the promotion of new development and redevelopment of buildings that respect the historic character of our town. This continues to being accomplished by promoting traditional patterns of growth within the Old King's Highway corridor and Main Street.

The town has been actively protecting open spaces, reusing existing structures, and promoting the preservation of historic buildings. Sustainable Development Principles including "concentrate development and mix uses", "protect land and ecosystems" have all been practices through the preservation of our historic buildings and the conservation of our natural resources.

In April of 2006, the Town adopted a new Main Street Overlay District. This by-law enables the development and redevelopment of Wellfleet's village center (a portion of Main Street) in keeping with its historic development patterns, including the size and spacing of structures and open spaces.

The Town has adopted a Demolition Delay Bylaw to assist with the preservation of Historically Significant structures. With the assistance of CPA funds the Town has assisted with the preservation of several historical structures including the former Catholic Church, now Preservation Hall, Wellfleet Historic Preservation Building, and the South Wellfleet Community Building.

## **FUNDING**

Wellfleet continues to be challenged by the many needs of our community. The Gull Pond Road affordable homeownership project is underway thanks to CDBG-R funding for Phase One. Most of the town's infrastructure has been updated thanks to the commitment of town voters and the assistance of a variety of state and federal funding sources. New jobs have been created through grant programs supporting aquaculture and business development. Affordable housing remains as one of our greatest challenges. Grant funds have been secured regionally for many of our housing and economic development initiatives. Locally, CDBG funds have supported aquaculture development and infrastructure improvements to our waterfront. The Town has participated in a regional housing rehab program. We are consistently seeking alternative forms of funding for community projects, including CDBG funds, MEMA, MDPH, EOEA, Barnstable County and Executive Office of Public Safety.

## COMMUNITY DEVELOPMENT PRIORITIES

1. Continue development of affordable housing – Continue to provide opportunities for rentals, home ownership and housing rehabilitation. Use CPA funds and money from the Affordable Housing Trust Fund to pay pre-development costs. Continue seeking funds for rehab of existing stock.
2. Renovate and restore historic structures – use CPA money and other sources of funding to preserve these important historical and cultural landmarks.
3. Expand the municipal water system – Install a water storage tank and explore the construction of a second well, in accordance with the Water Master Plan.
4. Work to revitalize downtown and encourage year-round businesses and activities – Support business owners and private individuals by improving infrastructure and services in the Central District
5. Use data analysis from Mass Estuaries Project to determine areas with maximum nitrogen loading and seek funding for coastal pollution remediation.
6. Improve infrastructure and streetscapes in the Central District – Use Chapter 90 funds and grants to improve sidewalks, curbs and other streetscape amenities.
7. Look at ways to reduce the per pupil costs at the Wellfleet Elementary School – The Town currently spends twice the state average per pupil. Examine options such as combining classes and reducing staff.
8. Continue to support the childcare subsidy program included in the regional CDBG grant. With the loss of so many young people from the region, this program may help retain workers filling entry-level jobs.
9. ???
10. ???

TOWN OF WELLFLEET  
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, December 9, 2014 at 7:05 p.m. in the Wellfleet Council on Aging to consider the following:

- Request received December 1, 2014, from Caroline Parlante, for permission for the Bombshelter Pub to remain open until 2:00 a.m. on New Year's Eve.

WELLFLEET BOARD OF SELECTMEN



## Bookstore & Restaurant, Inc.

PO Box 1434 ♦ 50 Kendrick Ave ♦ Wellfleet, MA 02667  
(508)349-3154 ♦ Fax (508)349-9799 ♦ [bookstre@cape.com](mailto:bookstre@cape.com)

Novembre 24, 2014

Town of Wellfleet  
300 Main St.  
Wellfleet, MA 02667

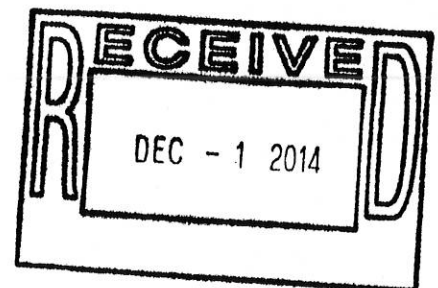
Dear Selectmen of Wellfleet,

I am writing to request permission for the Bombshelter Pub to remain open until 2am on New Years Eve, December 31, 2014 into New Year's Day January 1, 2015.

Thank you.

  
Sincerely,

Caroline J. Parlante  
Owner  
Bookstore & Restaurant, Inc.



TOWN OF WELFLEET  
PUBLIC HEARING

Notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, December 9, 2014 at 7:05 p.m. in the Wellfleet Council on Aging to consider amendments to the Traffic Rules and orders.



**ARTICLE VI**  
**OPERATION OF VEHICLES**

**Section 1. Obedience to Isolated Stop Signs**

- a. Obedience to Isolated Stop Signs. Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign or a flashing red signal indication shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of roadways. 720CMR9.06 (13) shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic-regulating sign, signal or device or as provided in 720 CMR 9.06(24) (c). In accordance with the foregoing, the erection and maintenance of an isolated stop sign, or signs or flashing red signals, as the case may be, are authorized as shown in **Appendix A**.
- b. Flashing Red – When a red lens is illuminated in a traffic control signal by rapid intermittent flashes, and its use has been specifically authorized by the Department of Public Works, Commonwealth of Massachusetts, drivers shall stop before entering the nearer line of crosswalk of the street intersection, or at a stop line when marked, and the right to proceed shall then be governed by provisions of Chapter 89, Section 8 of the General Laws (Ter. Ed.).
- c. Obedience to Yield Signs. Except when directed by a police officer, every driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way<sup>1</sup>. 720 CMR 9.06(14) shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device or as provided in 720 CMR 9.06(24)(c).

In accordance with the foregoing the erection and maintenance of “Yield” signs are authorized so as to face:

Eastbound drivers on Chequessett Neck Road at Kendrick Ave  
Northbound drivers on Kendrick Ave at Chequessett Neck Road

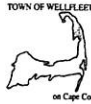
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<sup>1</sup> See, MGL c. 89, s. 9





# Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

## Wellfleet Shellfish Department Operations Plan

Created: December 1, 2015

The Wellfleet Shellfish Department's mission is first and foremost to ensure healthy levels of Shellfish throughout the harbor and to respect all user groups of the harbor to ensure balance and opportunity for everyone interested in shellfishing. This is accomplished through many tasks including enforcement, education and propagation.

1. **Enforcement Patrols:** The Wellfleet Shellfish Department is a seven day a week department conducting daily patrols on the flats in order to make sure every fisherman has a valid Wellfleet license, size limits and daily bag limits are respected. During winter months there is only one daylight tide due to shorter days, however, during summer months there are days when two patrols, are necessary. Depending on the height of the tide we typically come in two hours before low tide and finish up two hours after. During the summer months covering the whole harbor can be a challenge; traffic on Route 6 can make it difficult to reach access points in a timely fashion. The most important piece of equipment to perform this task is the Department trucks. Presently the Department operates a Ford Ranger pickup truck and a Ford F-150 pickup. The Ford Ranger trucks are very light duty and are in the shop on a regular basis. The DPW is responsible for the upkeep of these vehicles and oil changes are performed regularly. Additionally, in the summer months, Indian Neck is open to recreational fishing on Wednesdays and Sundays and must also be patrolled. Our all terrain vehicle (ATV) is used for this task as well as in our propagation program. In the winter months the ATV is used by the DPW to plow the sidewalks in town. When low tide is over, we wash the trucks daily. During summer months, there might be a few draggers working and we run our 24' boat out to check their catch as well.

- a. Staff required: Normally two staff work each tide, but days off and some other tasks, such as propagation can result in a single individual patrolling. Every attempt is made to schedule vacations when areas are closed and staff demands are the lightest.
- b. Equipment required. Equipment use depends on available staff:
  - i. ATV.
  - ii. Trucks – most commonly two trucks are used.
  - iii. Boat – the department has a single 24 foot skiff. This size boat was selected because in prior years larger boats proved unwieldy and smaller ones could not handle some rough conditions.



2. **Cultching:** Cultching is a practice which has been taking place in Wellfleet since the late 1980's. Cultching is deploying sea clam shells into the harbor in order to catch a "set" or seed oysters. Typically this takes place in the month of June and is completed by the fourth of July. It is essential to time this event since oysters start to spawn when the water temperature reaches 68 degrees which usually occurs in early July. If the shell is deployed too early, the shell can "slime" up and becomes smooth and won't catch a set since oysters need something rough to attach to. Years ago, fishermen would volunteer their time and labor to manually shovel the shell over which was back breaking and time consuming. Presently, we have an old highway sanding from the DPW. which deploys the shell from the Department barge. It is a two man operation, a Shellfish Department employee running the barge and a D.P.W. employee hauling the shell from the transfer station. The barge still functions well, however, it's not getting any younger and is a bit weathered. We are getting grants for higher amounts of cultch and a second barge would surely be required to handle the workload. During winter months, the barge stays in the water since hauling it would be a risk due to its age. Every fall the outboard fuel is treated so it will be good in the spring. The outboards remain on the barge during winter months. Maintenance is performed on the beach next to the L pier at low tide so hauling can be avoided.
  - a. Staff required:
    - i. While two staff per barge is preferable, the Department has historically used a single person crew on the barge.
  - b. Equipment:
    - i. Cultch barge(s): Currently one, a second one is being procured as part of the fiscal 2015 capital plan.
3. **Propagation:** In order to help with the wild stock of hardshell clams the Shellfish Department grows 300,000 clams a year purchased by our budget supplemented with approximately 200,000 additional clams from the County. These tiny clams "size of a grain of sand" are planted in 4' x 4' trays which we constructed a few years ago. They grow from June until September when they reach the size of a dime. Then they are planted directly into the ground and covered with nets which protect them against crabs and ducks which can wipe them out over night. Ten years ago these clams would get to legal size in just over two years however, for reasons unknown, quahogs now take four, five and in some cases six years to reach legal size. For this reason it has been increasingly difficult to satisfy fishermen wishing to harvest these species. Most of these clams supply Indian Neck during the summer months. Due to the slow growth, many fishermen who enjoy coming to the Cape in the summer to go clamming, have become more frustrated and in some cases down right angry towards the Department. Growing these clams takes a lot of time and effort. First, each cage must be lined with window screen each year to ensure the small seed clams stay in the trays. Two Department employees work on this gear in the winter months when the Department is not as busy. Next each cage must be filled with sand, hauled down to the town bed where the seed clams are then placed inside sealed, and secured to the bottom. After being planted and grown to legal size, they are harvested by hand using a bull rake, transported by boat, and spread out on the flats where they

are then quickly plucked out of the water by the hundreds of people who fish Indian neck in the summer months. In order to keep non commercial shellfish permit holders happy, one employee has to dig the grant at least two day a week and the other employee must patrol this area two days a week. This activity takes a lot of time which makes performing the Department's other tasks difficult. This year the Department is going to purchase clams from draggers to keep this program going as I believe it brings people into town where money is spent which boosts the local economy.

a. Staff required:

- i. One staff person patrols the non commercial areas two days each week. Another digs clams to distribute over the public areas one or two days per week. Both staff are used for these purposes during the entire period the flats are exposed. During the summer months the department is stretched thin and a part-time seasonal employee would certainly make a huge difference in performing all the necessary tasks which are expected of us.

b. Equipment:

- i. The ATV is used for patrols.
- ii. The skiff is used for digging clams and patrolling draggers.

4. **Public Relations and Education:** As town employees, it is necessary for us to conduct ourselves as professionals when dealing with the public even when this can be difficult. Many people visiting the Cape, especially during summer months, are curious about shellfishing and ask a lot of questions. It is important to answer their questions as well as possible while being friendly and respectful. We really enjoy sharing something new and interesting as these people come from all walks of life and in some cases have not even seen the ocean before. We like to explain what we do but also enjoy hearing what they do since it's usually something completely new to us. Education is something important in our line of work. Many new license holders need to be taught how to measure an oyster or just where to go to get the best catch. Over the years several talks have been given in schools, for the boy scouts, and the general public such as my annual talk at OysterFest. The Department has also been on the news, and several papers and magazines promoting the product.

a. Staff required:

- i. Shellfish Constable, as opportunities arise.

5. **The Private Sector:** Wellfleet is currently the largest aquaculture town in Massachusetts with approximately two hundred and forty acres of licensed areas. There are three types of aquaculturists in town. Those who are full time, those who grow shellfish as a supplement to another business, and finally those who do the bare minimum. As well as our duties to the general public, the Shellfish Department has certain duties it must perform in the private sector. My duties as Constable include assigning new grants, assign or denying extensions to existing grants, renewing grant licenses, making sure minimal productions have been met, visiting grants to ensure all regulations are being met as well as all essential paper work. Due to our daily patrols we see most grants daily on Indian Neck, Lieutenants' Island, and Mayo Beach. Egg Island is more difficult due to monitor

due to tides which hide a lot of these grants and their equipment. Town shellfish regulations require a once a year inspection by the Shellfish Constable. The time of year when you can observe everything or a particular grant is in the spring and summer months since days are longer and the best extreme tides are always early morning and late in the afternoon. Winter time presents more of a challenge since a lot of these grants are not accessible during daylight hours. The Department's plan this year is to visit each grant every month and write a report for each grant to ensure regulations are followed.

a. Staff required:

- i. There are approximately 100 shellfish grants in Wellfleet Harbor. Excluding the deep water grants which do not reveal much during an inspection, the Department still lacks the staff necessary to inspect each grant monthly. The Department estimates that they do 15 grant inspections monthly.

6. **Working with the Division of Marine Fisheries:** The Shellfish Department works with the DMF on a regular basis. We bring a member of the DMF out on our boats monthly to take water samples throughout the harbor to ensure that the shellfish that are harvested are safe for human consumption. We also work together on surveying areas for potential shellfish grants, creating regulations, as well as monitoring diseases such as *Vibrio* which recently has become an issue in the summer months and will be highly regulated this coming season. We also work with county biologists performing regular tests on our shellfish to help detect and understand other diseases which affect our shellfish.

a. Staff required:

- i. Shellfish Constable. Once or twice a month DMF biologists are taken to sites using the Department skiff for water samples. This usually takes 1 – 2 hours each time. The department also supports DMF in assisting with the setting and removal of temperature sensing gear annually.

b. Equipment:

- i. Department skiff.

7. **Equipment Maintenance:** All of our equipment is serviced regularly per manufacturer's recommendations, which includes oil and fluid changes, as well as worn out parts such as water pumps breaks tires etc. I have recently set up a spread sheet on our computer so I can more accurately document all maintenance done on equipment.

Andrew Koch  
Shellfish Constable



# TOWN OF WELFLEET

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300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

[www.wellfleetma.org](http://www.wellfleetma.org)

Fiscal 2016 Budget documents can be found at <http://www.wellfleet-ma.gov/reports-documents/pages/fiscal-2016-town-administrators-budget-submission>

# TOWN OF WELFLEET

## BOARD OF SELECTMEN 2015 MEETING SCHEDULE

REGULARLY SCHEDULED AT 7:00 P.M. ON THE SECOND AND FOURTH TUESDAY OF THE MONTH  
AT THE COUNCIL ON AGING (715 OLD KING'S HIGHWAY) UNLESS OTHERWISE NOTED.

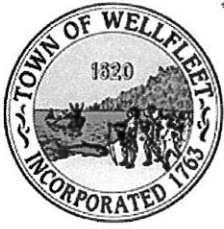
2015 Board of Selectmen Meeting Dates	Location of Meeting	Filing Deadline for Board Agenda Items
January 13	COA	January 8
January 27	COA	January 22
February 10	COA	February 5
February 24	COA	February 19
March 10	COA	March 5
March 24	COA	March 19
April 7	COA	April 2
April 21	COA	April 16
April 27 (ATM, 6:00 p.m.)	School	April 23
May 12	COA	May 7
May 26	COA	May 20
June 9	COA	June 4
June 23	COA	June 18
July 14	COA	July 9
July 28	COA	July 23
August 11	COA	August 6
August 25	COA	August 20
September 8	COA	September 2
September 22	COA	September 17
October 13	COA	October 7
October 27	COA	October 22
November 10	COA	November 5
November 24	COA	November 19
December 8	COA	December 3
December 15	COA	December 10

*ADDITIONAL MEETINGS MAY BE SCHEDULED AS NEEDED.*

### LEGAL HOLIDAYS TOWN HALL WILL BE CLOSED

January 1, 2015 New Year's Day - Observed	Jan 19, 2015 Martin Luther King Day	Feb 16, 2015 Presidents' Day
April 20, 2015 Patriots' Day	May 25, 2015 Memorial Day	July 4, 2015 (observed July 3) Independence Day
September 7, 2015 Labor Day	October 12, 2015 Columbus Day	November 11, 2015 Veterans Day
Nov 26, 2015 Thanksgiving Day	December 25, 2015 Christmas Day	





# TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

[www.wellfleetma.org](http://www.wellfleetma.org)

December 9, 2014

Charlie Baker, Governor Elect  
Office of the Governor  
Room 280  
Massachusetts State House  
Boston, MA 02133

Dear Governor-elect Baker,

As the Board of Selectmen of the Town of Wellfleet, we encourage you to make solar energy a key element of Massachusetts' energy future.

By using solar energy to power our homes, businesses, schools, farms and government buildings, we can reduce pollution, cut energy bills, and boost local economies. Currently, only a small fraction of Massachusetts' power comes from the sun.

Solar is growing, in Massachusetts and across the country. Over past three years solar capacity grew by 127 percent per year in Massachusetts. In the first half of 2014, more than half of the new electric power capacity installed in the U.S. was solar. Recent progress shows that by working together we can accelerate this trend.

Solar helps the environment, boosts local economies, and creates local jobs that cannot be outsourced. The solar industry jobs grew ten times faster than the rest of the economy in 2013. And because solar has no fuel costs, it helps protect us from rising fossil fuel prices.

For the sake of our environment, our health, and the economy, we ask that you join us in committing the state to getting 20 percent of our power from the sun by 2025. We can achieve that goal if we grow solar by 30 percent per year.

The cost of solar is declining. The cost of air and water pollution from fossil fuels is growing, along with the threats posed by climate change.

Please help to set strong goals for solar in Massachusetts, to put us on a path to clean energy leadership.

Sincerely,  
Wellfleet Board of Selectmen

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Paul Pilcher, Chairman

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Dennis Murphy, Vice Chairman

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John Morrissey, Clerk

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Gerry Houk

---

Berta Bruinooge





## TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

[www.wellfleetma.org](http://www.wellfleetma.org)

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Town Administrator's Report  
Date: December 5, 2014

This report is for the period November 21, 2014 through December 4, 2014.

- 1 Fiscal 2016 budget. The Town Administrator's fiscal 2016 budget has been completed. All documents are posted on the Town's web site at <http://www.wellfleet-ma.gov/reports-documents/pages/fiscal-2016-town-administrators-budget-submission>
- 2 Shellfish Department. Working with the shellfish constable and operations plan detailing department activities and resources required has been completed.
- 3 Additional Meetings. Herring River Restoration meeting with HRRC 11/24/14, Personnel Board 12/3/14, Planning Board (hearing on Habit for Humanity special permit) 12/3/14.
- 4 Housing Authority. RFP responses to develop 2082 State Highway were due on 11/24/14; no responses received.
- 5 Regulatory. On 11/26/14 issued an order to the DPW to remove and store the Chamber of Commerce sign at the Marina.
- 6 Procurement. A RFP for a new cultch barge has been posted with responses due on December 22, 2014.
- 7 Personnel Matters:
  - a. Administrative actions:
    - i. Herring Warden position advertised, applications due 12/22/14
    - ii. Assistant Health & Conservation Agent position advertised and posted with the union, applications due 12/22/14/
  - b. Current employment vacancies (Charter 5-3-2 (i)):
    - i. DPW. One vacancy:
      1. Facilities/Craftsman applications closed on October 2<sup>nd</sup>. Interviews by the DPW in completed and an offer has been extended.
    - ii. Building – Building Inspector is part time.
    - iii. Committee secretaries and Water Department. Working with the staff involved and WEA to restructure the staff assignments to respond to Mary Rogers' resignation as Planning Board and Finance Committee secretary. Job descriptions for a water department clerk and a supervisor, both part time positions are nearly complete.

## ***Town of Wellfleet Committee Vacancies***

Date: December 5, 2014  
To: Harry Terkanian  
From: Jeanne Maclauchlan  
Re: Appointments to Town Boards

The following provides the appointing authority with a comprehensive view of vacant positions on each Town Board. Each identifies the amount and type of positions that are vacant, the authority for making the appointment, the length of the term and the number of applications requesting consideration to fill a vacancy.

### **Barnstable Human Rights Commission (1 Wellfleet Representative)**

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file.

### **Bike & Walkways Committee (5 Members)**

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file.

### **Board of Health (5 members)**

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	2 years (to complete term)

Requesting Appointment: **One application on file.**

### **Building and Needs Assessment Committee (5 Members)**

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file.

### **Cable Advisory Committee (5 Members)**

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	

Requesting Appointment: No applications on file.

### **Commission on Disabilities (up to 7 Members)**

Vacant Positions	Appointing Authority	Length of Term
4 Positions	Board of Selectmen	3 years

Requesting Appointment: No applications on file.

### **Cultural Council (no more than 22 members)**

Vacant Positions	Appointing Authority	Length of Term
11 positions	Board of Selectmen	3 years

Requesting Appointment: No application on file.

### **Energy Committee (7 Members, 2 Alternates)**

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	2 years

Requesting Appointment: No applications on file.

**Herring Warden** (1 Warden, 1 Assistant Warden)

Vacant Positions	Appointing Authority
1 Position	Board of Selectmen
1 Assistant Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
3 years  
3 years

**Historical Commission** (7 Members)

Vacant Positions	Appointing Authority
1 Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
6/2015 (to complete term)

**Housing Authority** (5 Members)

Vacant Positions	Appointing Authority
1 Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
4 years (to complete term)

**Personnel Board** (4 Community Members)

Vacant Positions	Appointing Authority
1 Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
6/30/2015 (to complete term)

**Recycling Committee** (Up to 11 Members)

Vacant Positions	Appointing Authority
1 Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
3 years

**Shellfish Advisory Board** (7 Members, 2 Alternates)

Vacant Positions	Appointing Authority
1 Alternate Position	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
3 years

**Wastewater Planning Committee** (7 Members)

Vacant Positions	Appointing Authority
2 Positions	Board of Selectmen

Requesting Appointment: No applications on file.

Length of Term  
3 years



DRAFT

**Wellfleet Board of Selectmen  
Minutes of the Meeting of November 25, 2014  
Wellfleet Senior Center, 7:00 p.m.**

**Present:** Dennis Murphy, Vice Chairman, Berta Bruinooge, John Morrissey, Jerry Houk; Town Administrator Harry Terkanian

**Regrets:** Paul Pilcher, Chairman

Vice Chairman Dennis Murphy called the meeting to order at 7:00 p.m.

**Announcements, Open Session and Public Comment**

Police Chief Ronald Fisette announced:

- The Wellfleet Police Department is once again participating in the charitable program “Toys for Tots” and toys for needy families will be collected until Sunday, December 14, 2014.
- Fisette attended Route 6 Safety Group meeting on November 20, 2014 with Representative Sarah Peake and Outer Cape Town Officials. Several possible options were discussed in order to resolve the increased traffic accidents occurrence in Wellfleet. More details will be announced when the options are finalized.

**Licenses**

**Motion: 15-109:** Houk moved and Morrissey seconded to approve the requests for Common Victualler License for Box Lunch, Catch of the Day, Even'Tide Motel, Express Mart, Moby Dick's, Van Renssaelaer's, Wellfleet Harbor Actor's Theater, Winslow's Tavern. The motion passed 4-0.

**Motion: 15-110:** Houk moved and Morrissey seconded to approve the requests for Weekday Entertainment License for Van Renssaelaer's, Wellfleet Harbor Actor's Theater, Wellfleet Preservation Hall, Winslow's Tavern. The motion passed 4-0.

**Motion: 15-111:** Houk moved and Morrissey seconded to approve the request for Sunday Entertainment License for Wellfleet Harbor Actor's Theater. The motion passed 4-0.

**Public Hearing(s)**

Murphy opened the public hearing at 7:05 pm. Joseph Wanco, owner of Wander Inc, dba Lighthouse Restaurant spoke about his request to change from an Annual Liquor License to a Seasonal Liquor License. Morrissey had questions about the seasonal period of operation of the Lighthouse Restaurant if the request was granted. Wanco clarified that the restaurant will be open during the permissible time frame under the Seasonal Liquor License from April through November.



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**Motion: 15-112:** Houk moved and Bruinooge seconded to approve the request of Wander, Inc dba Lighthouse Restaurant to change from an Annual Liquor License to a Seasonal Liquor License. The motion passed 4-0.

Betsy Pontius presented the request of John Pontius to close Finely JP's from December 7, 2014 through January 15, 2015.

**Motion: 15-113:** Houk moved and Bruinooge seconded to approve the request of John Pontius to close Finely JP's from December 7, 2014 through January 15, 2015. The motion passed 4-0.

Murphy closed the public hearing at 7:15 pm.

### **Appointments**

Charles Thibodeau was present for interview and spoke about his desire to serve on the Recycling Committee.

**Motion: 15-114:** Houk moved and Morrissey seconded to appoint Charles Thibodeau to the Recycling Committee with term ending June 30, 2017. The motion passed 4-0.

### **Use of Town Property**

Jennifer Pierce, President of the Wellfleet Chamber of Commerce presented the Chamber's request for tree lighting ceremony on December 13, 2014 from 3:30 pm to 5:30 pm.

**Motion: 15-115:** Bruinooge moved and Houk seconded to approve Wellfleet's Chamber of Commerce request for tree lighting ceremony on December 13, 2014 3:30 pm to 5:30 pm. The motion passed 4-0.

### **Discussion of beach fire permits and related issues**

Bruinooge opened a continued discussion of beach fire permits and related issues. Community Services Director and Beach Administrator Suzanne Grout Thomas presented her recommendation<sup>1</sup> and suggested reducing the number of permits issued, changing the allowed hours for beach fires and possibly installing pre cast fire rings in order to designate specific locations for the bon fires. Discussion ensued. Bruinooge had concerns about the large number of beach fire permits being issued and the appearance of the beaches as result of it. Bruinooge supported the idea of reducing the number of permits being issued. Morrissey did not support reducing the number of beach fire permits, and suggested a financial model for charging a fee for beach fires permits to generate revenue that could be used to enforce compliance with the Beach Fire Rules and cover beach clean-up costs. Thomas explained that fees are currently not charged because of liability coverage concerns. People from the audience had concerns with the proposed time change of the beach fires and over regulation. Thomas asked the selectmen for guidance on how to proceed. The Selectmen directed Thomas to provide cost estimate on the proposed pre cast fire ring solution.

### **Conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)**

Denny O'Connell from the Conservation Trust presented the proposed conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)<sup>2</sup> owned by William R. Carlson and Lonni Jean Briggs.

**Motion: 15-116:** Bruinooge moved and Morrissey seconded to approve the conservation restriction on land off of Wireless Rd (Map 30, part of lot 605) as presented. The motion passed 4-0.

### **Review of proposed Senior Housing Independent Living Survey**

Elaine McIlroy, Library Director and Chair of the Wellfleet Housing Authority presented the proposed survey to measure the level of interest and need for independent affordable senior housing and asked the Selectmen for approval to launch it. The selectmen did not have any objections and authorized McIlroy to go forward with the survey launching.

### **Cape Cod Mosquito Control Budget**

Terkanian presented the proposed FY16 budget by the Cape Cod Mosquito Control<sup>3</sup> and did not recommend it since it represented an increase of over 4%, which is not in compliance with Proposition 2 ½ and the Board of Selectmen FY16 Budget Policy.

**Motion: 15-117:** Bruinooge moved and Morrissey seconded to not support the proposed FY16 Cape Cod Mosquito Control budget and authorized Terkanian to send a response relating this decision. The motion passed 4-0.

### **Possible Annual Town Meeting Article – Local Rooms Tax**

Terkanian gave a background on the Room Tax Special Legislation<sup>4</sup> and possibly placing an article on Local Room Tax for the Annual Town Meeting in April 2015. Discussion ensued.

**Motion: 15-118:** Morrissey moved and Bruinooge seconded to place a Local Rooms Tax article on the 2015 Annual Town Meeting warrant. The motion passed 4-0.

### **Request of Jeanne Hamilton for letter supporting remediation of Route 6 median in Sandwich**

Terkanian presented the proposed letter of support<sup>5</sup> to Jean Hamilton seeking remediation of Route 6 in Sandwich as a result of the NStar tree cutting.

**Motion: 15-119:** Morrissey moved and Bruinooge seconded to send a letter to Jeanne Hamilton expressing their support for remediation of Route 6 median in Sandwich. The motion passed 4-0.

### **Discussion of Chamber of Commerce sign at the Marina**

Murphy opened a discussion of the Chamber of Commerce sign at the Marina. Terkanian presented his memo on the Marina sign<sup>6</sup> and said that the sign has not been taken down, because a solution on how to deal with the fact that the sign was placed without the Building's Inspector permission is yet to be identified. Attorney Bruce Bierhans, representing the Wellfleet Chamber of Commerce and Jennifer Pierce, President of the Wellfleet Chamber of Commerce were present to speak about the sign. Attorney Bierhans explained that the sign was partially paid for with grant money from the Town's economic development fund. He noted that the entire process was done in good faith and transparency, with the intentions to promote local businesses and Town's points of interest in efforts to facilitate economic development. Birehans also said that he had filed two appeals with the ZBA as a result of the Building Inspector's sign permit denial. He expressed the Chamber of Commerce willingness to work with the Selectmen and Town officials in the process of possibly re-locating the sign or coming up with an alternate solution. People from the public talked about their disapproval of the size and aesthetics of the sign. The Selectmen acknowledged that the intents behind the sign were good, but had concerns that the proper permitting process was not followed with the Building Inspector. Murphy had concerns about the sign's ownership and liability issues as result of the ownership status and wanted to know if the sign has been wind rated. He suggested removing the sign until all issues are cleared.

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**Motion: 15-120:** Morrissey moved and Bruinooge seconded to direct the Town Administrator to have the DPW remove and store the sign pending a resolution of the issues. The motion passed 4-0.

### Town Administrator's Report

Terkanian presented his report of November 21, 2014<sup>7</sup> and added:

- Town Hall has been connected to Open Cape free public wireless network and within a week the existing Comcast internet accounts will be discontinued.
- FY16 budget presentations meetings with Department Heads have been completed.

### Future Concerns

- Morrissey requested to invite Shellfish Constable Andy Koch regarding the equipment left on the shellfish flats.
- Bruinooge asked for the hiatus for a year on non commercial shellfish licenses to be considered again in order to restore shellfish growth.
- Houk requested review of the Building Inspector's position to possibly become a full time.

### Correspondence<sup>8</sup> and Vacancy Report<sup>9</sup>

Morrissey reviewed the correspondence report and mentioned a letter received from the Wellfleet Montessori Preschool regarding missing the deadline to apply for a Town grant. Terkanian clarified that despite several reminding letters sent by Suzanne Grout Thomas the Preschool had failed to apply and Thomas had allocated the funds to other organizations.

### Minutes

**Motion: 15-121:** Bruinooge moved and Morrissey seconded to approve the minutes<sup>10</sup> of November 12, 2014. The motion passed 4-0.

### Adjournment into Executive Session

Murphy read the purpose of the executive session "*To consider the value of real property*" in open session. He stated that discussing this matter in public meeting may have a detrimental effect. The Selectmen Murphy, Houk, Bruinooge and Morrissey took a roll call vote by each saying "Aye" to close the public meeting and enter into executive session and not go back in public session.

The public meeting adjourned at 8:50 pm.

Respectfully submitted,  
Michaela Miteva, Executive Assistant

### Public Record Documents:

<sup>1</sup> Suzanne Grout Thomas recommendation on Beach Fire Regulations/policies dated November 17, 2014

<sup>2</sup> Proposed conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)

<sup>3</sup> Proposed FY16 Cape Cod Mosquito Control Budget

<sup>4</sup> Room Tax Special Legislation

<sup>5</sup> BOS letter to Jeanne Hamilton supporting remediation of Route 6 in Sandwich

<sup>6</sup> TA Memo on the Marina Sign dated November 20, 2014

<sup>7</sup> TA report of November 21, 2014

<sup>8</sup> Correspondence report of November 25, 2014

<sup>9</sup> Vacancy report of November 21, 2014

<sup>10</sup> Minutes of November 12, 2014