



## Board of Selectmen

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, June 9, 2015 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.

- I. Announcements and Public Comment [7:00]** Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.
- II. Public Hearing(s) [7:05] - NONE**
- III. Licenses/Appointments/Reappointments/Use of Town Property**
  - A. Licenses**
    - 1) One day beer and wine license and request for waiver from General Bylaws Article VII, section 19 by Cape Cod Bay Challenge, Jody Craven 8/22/15, 2 pm – 9 pm at Baker Field
  - B. Appointments**
    - 1) Richard Ciotti to Housing Authority with term ending with the 2016 Annual Town Election.
    - 2) Charles P. Cole to the Energy Committee with term ending June 30, 2018.
  - C. Reappointments**
    - 1) Kevin LaRocco, George Spirito, Ryan Murphy and Joseph Conroy to full time Police Officer for the period July 1, 2015 - June 30, 2016.
    - 2) Laceio De Oliveira, Scott Higgins, Jonathan Hale and Jerre Austin to Special Police Officer for the period July 1, 2015- June 30, 2016
    - 3) Paul Cullity to Special Police Officer – Department Chaplain for the period July 1, 2015- June 30, 2016
    - 4) Leslie Reynolds, Craig Thatcher, Steve Glaser, Christopher Anderson, W. Russell Hughes, Christopher Hartsgrove, Eric Trudeau, Timothy Morrison, Ryan Peterson and Anne Peterson of the NPS to be re/appointed to Special Police Officer for the period July 1, 2015- June 30, 2016
    - 5) Detective Adam Bohannon and Officer Ryan Dagle of Eastham PD, Detective Sergeant David Perry of Truro PD, Detective Richard Alves and Detective Meredith Lobur of Provincetown PD to Special Police Officer for the period July 1, 2015- June 30, 2016
    - 6) Diane Galvin and John Duane to Board of Assessors with terms ending June 30, 2018.
    - 7) Hugh Guilderson to Building and Needs Assessment Committee with term ending June 30, 2018.
    - 8) Thomas Cole, Richard Gurnsey & Jeffrey Tash to Cable Advisory Committee with terms ending June 30, 2016.
    - 9) Curt Felix to Cape Cod Water Protection Collaborative Technical Advisory Committee with term ending June 30, 2017.
    - 10) Peter Hall to the Community Preservation Committee with term ending June 30, 2018.
    - 11) Edward Simpson and Trudy Vermerhen to the Conservation Commission with terms ending June 30, 2018.
    - 12) Ernest Bauer, Maureen Schraut and Evelyn Sheffres to the Council on Aging Board with terms ending June 30, 2018.
    - 13) Madeleine Entel, Paula Erickson and Michele Olem to the Cultural Council with terms ending June 30, 2018.
    - 14) Janet Drohan and Gary Locke to the Board of Health with term endings June 30, 2018.
    - 15) Lawrence Franke, Richard Elkin and Jeffrey Tash to the Energy Committee with terms ending June 30, 2018.
    - 16) Maria Burks, Lydia Vivante and Thomas Siggia to the Historical Commission with terms ending June 30, 2018.
    - 17) Paul Cullity, Robert Dubeau, Stephen Durkee, Barbara Knapp and Gary Sorkin to Local Housing Partnership with terms ending June 30, 2016.
    - 18) Frederick Felix, Joel Fox, William Iacuesssa, Alice Iacuesssa, Martha Wilson and John A. Wolf to the Marina Advisory Committee with terms ending June 30, 2018.
    - 19) John Duane and Ned Hitchcock to Natural Resources Advisory Board with terms ending June 30, 2018.

Meeting materials are available on the Town of Wellfleet web site: <http://www.wellfleet-ma.gov>. Motions may be offered and votes may be taken by the Board on any agenda item except for Announcements & Public Comment

- 20) Bruce Hurter, Robert Jackson, Elizabeth McDonald, Nancy Rea, Thomas Slack, Lynn Southey and Nancy Golden to Open Space Committee with terms ending June 30, 2016.
- 21) Arlene Kirsch to Personnel Board with term ending June 30, 2016.
- 22) Andrew Freeman and Gerald Parent to Planning Board with terms ending June 30, 2020.
- 23) Bethia Brehmer to the Recycling Committee with term ending June 30, 2018
- 24) Betsey Patterson to Registrar of Voters with term ending June 30, 2018.
- 25) Barbara Austin, Rebecca Taylor, John Duane and James O'Connell to Shellfish Advisory Board with terms ending June 30, 2018.
- 26) Susan Messina to Taxation Aid Committee with term ending June 30, 2017.
- 27) Neil Gadwa and Hannelore Vanderschmidt to the Board of Water Commissioners with terms ending June 30, 2018.
- 28) Roger Putnam, Trevor Pontbriand and Donald Palladino to Zoning Board of Appeals with terms ending June 30, 2018.

**D. Use of Town Property:**

- 1) Request from Charlene Weber to use LeCount Hollow Beach from June 22 – until August 23 from 7:30 am to 8:30 am on Sundays, Mondays, Wednesdays and Fridays for “Well Fit” Class. Application fee paid; event fee TBD. Continued from May 26, 2015.
- 2) Request from Jody Craven and Christa von der Luft to use Mayo Beach and Baker Field on August 22, 2015 from noon to 9:00 pm for stand up paddle boarding event for the Cape Cod Bay Challenge. Nonprofit; Application fee not paid, event fee TBD. Continued from May 26, 2015.
- 3) Request from Voyages Bernard Gendron to use Newcomb Hollow Parking lot – bus, trailer, small table on June 16, September 5, October 4 and October 10 between 11:30 AM– 1 PM. Application fee paid; use fee TBD.
- 4) Request from Scott Nagle, Brohaun to use Cahoon Hollow Beach on July 26, 2015 9am – 5 pm. Application fee unpaid; event fee TBD.

**IV. Business**

- A. Authorization of affordable housing rental restriction for property of Laurie Frottier, 249 Gross Hill Road, Chairman to Sign [Community Development Partnership]
- B. Consider and act on a revised charge to Building and Needs Assessment Committee. Note: Documents will not be available until after the Building and Needs Assessment Committee meeting on June 8<sup>th</sup>. [BOS]
- C. Herring River Restoration status update (status review of MOU III and recommendation of design alternative for High Toss Road) [TA]
- D. Preschool Voucher Program review and approval of program and forms. [TA]
- E. Status report from the Citizens Economic Development Committee.
- F. Presentation of re-landscaping proposal for Town Hall lawn. [TA]
- G. Appeal of Muro Van Meter regarding award of Newcomb Hollow concession contract.
- H. Review of Selectmen's goals for prior year and discussion of goals for 2015-2016. [Pilcher]
- I. Coast Guard request that the Town offer beach stickers at Wellfleet resident rates to guardsmen stationed at Provincetown.
- J. Request for waiver of claims against the Commonwealth associated with railroad right of way taking by Massachusetts DCR. [TA]
- K. Review and approval of extension to the IT support contract with Barnstable County. [TA]

**V. Town Administrator's Report**

**VI. Future Concerns (consideration of items for future Board agendas)**

**VII. Correspondence and Vacancy Report**

**VIII. Minutes [May 26, 2015]**

**IX. Executive session**

- A. To conduct a grievance hearing involving the Wellfleet Police Officer's Union [TA]

**X. Adjournment**

*Meeting materials are available on the Town of Wellfleet web site: <http://www.wellfleet-ma.gov>. Motions may be offered and votes may be taken by the Board on any agenda item except for Announcements & Public Comment*



TOWN OF WELFLEET  
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

1. Applicant ☐ Jody Craven  
Address ☐ P.O. Box 1743 WELFLEET MA 02667 Telephone ☐ 774-722-347
2. Affiliation/Group ☐ CAPE COD Bay Challenge For Profit ☐ Non Profit ☒ X
3. Type of License ☐ All Alcohol (\$100.00/day) ☐ Beer and Wine (\$50.00/day) ☒ X
4. Type of Activity Being Conducted ☐ POST PADDLE REGISTRATION @ BAKER FIELD
5. Date ☐ 8/22/15 ☐ Hours of Service ☐ 2 PM - 9 PM
6. Description of Premises ☐ BAKER FIELD TENT AREA

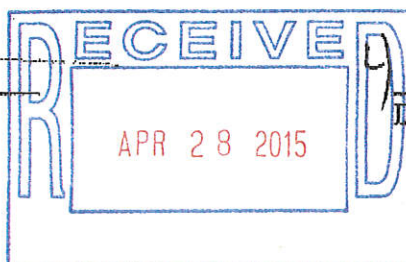
7. Name, Address, Telephone of Designated Manager (person responsible for activity)

Jody Craven / CHRISTA VONDERVET / MIKE CHASE  
P.O. Box 1743 WELFLEET MA 02667  
774-722-3479

8. If activity involves food service, please describe fully (i.e. raw shellfish, heated casseroles, bakery goods, etc.)

CATERED BY FAMILY CREST CATERING

Applicant's signature



Date

Police Dept. Signature [Signature]  
Comments/Conditions OK.

Building Dept. Signature [Signature]  
Comments/Conditions [Signature]

Fire Dept. Signature [Signature]  
Comments/Conditions OK 5.27.2015

Health Dept. Signature [Signature]  
Comments/Conditions PRIVATE EVENT.

DPW Dept. Signature [Signature]  
Comments/Conditions Fresh and recycling

Recreation [Signature]  
~~Other~~  
Comments/Conditions With the same

removal is the responsibility of  
event staff  
5/28/15

Supervision as past years  
this is fine. No problem

TA: Need liability ins naming the Town as an  
additional insured to include liquor  
liability and limits of at least \$1M.  
BOS needs to allow an exception to the  
Alcohol on Town property by law -

Date Received Article VII Sec 19. Fee HTA. Date Issued

RET'D MAY 28 2015





TOWN OF WELFLEET  
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name RICHARD CIOTTI Date MAY 30 2015

Mailing Address 85 OLD WHARF ROAD  
WELFLEET MA 02667

Phone (Home) 508 349 7545 (cell) 508 274 7261

E-mail ciotti\_family@comcast.net  
^ underscore

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town:

SECONDARY SCHOOL TEACHER (33 YEARS), VARIOUS POSITIONS IN TEACHER'S ASSOCIATION (30 YEARS) BOTH IN NEW YORK STATE, TRUSTEE, WELFLEET CONSERVATION TRUST (9 YEARS), ST VINCENT DE PAUL SOCIETY A OUR LADY OF LOURDES, WELFLEET (10 YEARS)

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

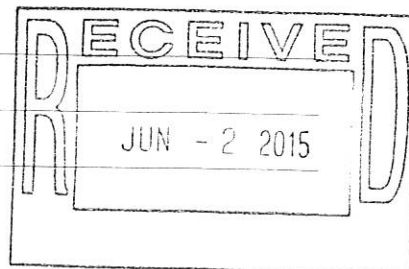
PERMANENT CERTIFICATION - (NEW YORK STATE) TEACHER OF SOCIAL STUDIES 7-12

☐ Committees/Boards of Interest: 1)

Housing authority

2)

3)



## Michaela Miteva

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**From:** emcilroy@wellfleet-ma.gov  
**Sent:** Thursday, May 28, 2015 11:06 AM  
**To:** michaela.miteva@wellfleet-ma.gov  
**Subject:** Fwd: Housing Authority

Hi Michaela,

Could you please include this letter from Richard Ciotti with the letter I submitted yesterday asking to have Richard appointed to fill a term on the WHA.

Thanks,

Elaine

---

**From:** "ciotti family" <[redacted]>  
**To:** "Elaine McIlroy" <[redacted]>  
**Sent:** Wednesday, May 27, 2015 7:09:39 PM  
**Subject:** Re: Housing Authority

Dear Elaine,

For a little over ten years I have been involved with the St. Vincent de Paul Society here at Our Lady of Lourdes

parish. During that time I have become aware of the problems related to housing on the Lower Cape. The work I've been

involved in has been more focused on assisting people to insure they are able to stay in their current housing or to get

established in a new housing situation. The St Vincent de Paul Society works closely with the Lower Cape Outreach Council and the Homeless Prevention Council. As a result of this experience I have become aware of the need for more affordable housing options.

The work of the Housing Authority comes at the problem from a different perspective and with a more long range view but it addresses the essence of the problem, "availability". I hope I may be able to be useful and contribute to the work of the Housing Authority.

Thank you very much for your encouragement.

Richard Ciotti

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**TOWN OF WELLFLEET**  
**APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP**

RECEIVED  
MAR 16 2015

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☒ Name CHARLES P. GLO Date 3-16-15

Mailing Address P.O. 72

50. Wellfleet

Phone (Home) 508-349-2954 (cell) -

E-mail SUNSPIRIT@CAPECOD.NET

☒ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: \_\_\_\_\_

Yes -

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ Committees/Boards of Interest: 1) \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

Energy Committee (Re-Appointed)  
Missed 3 Meetings!

## TOWN OF WELLFLEET BOARDS & COMMITTEES

Bike and Walkways Committee  
Board of Assessors  
Board of Health  
Board of Water Commissioners  
Building & Needs Assessment  
\*Bylaw Committee  
Cable Advisory Committee  
Cape Cod Commission  
Cape Cod National Seashore Advisory Commission  
Cape Cod National Seashore Collaborative  
Charter Review Committee  
Citizens Economic Development Committee  
Commission on Disabilities  
Community Preservation Committee  
Conservation Commission  
Council on Aging  
Cultural Council  
Energy Committee  
\*Finance Committee  
Health Care Campus Committee  
Historical Commission  
Historical Review Board  
Herring River Restoration Project  
Local Comprehensive Plan Implementation Committee  
Local Housing Partnership  
Marina Advisory Committee  
Natural Resources Advisory Board  
Open Space Committee  
Pay as you Throw Committee  
Personnel Board  
Planning Board  
Recreation Committee  
Recycling Committee  
Shellfish Advisory Committee  
\*Social/Human Services Committee  
Wastewater Planning Committee  
Zoning Board of Appeals

*\* Appointed by Moderator*



Town of Wellfleet  
Police Department

May 19, 2015

To: Board of Selectmen  
From: Chief Ronald L. Fisette

Subject: FULL TIME POLICE OFFICERS REAPPOINTMENT


Full time police officers require annual appointments for the first 5 years of their career, and thereafter they are tenured and require no further appointments.

I request the following individuals be reappointed as a Full Time Police Officer:

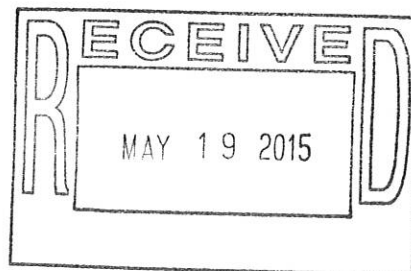
Appointment Period:            July 1, 2015 through June 30, 2016

<u>Officer:</u>	<u>Initial Appointment</u>
Kevin LaRocco	7/01/2011
George Spirito	10/01/2011
Ryan Murphy	9/08/2014
Joseph Conroy	1/26/2015

Respectfully submitted for your information and consideration.

  
Ronald L. Fisette,  
Chief of Police

cc: Harry Terkanian, Town Administrator  
Joseph Powers, Town Clerk



Town of Wellfleet  
Police Department

May 19, 2015

To: Board of Selectmen  
From: Chief Ronald L. Fisette

Subject: SPECIAL POLICE OFFICERS REAPPOINTMENT

I request the following individuals be reappointed as a Special Police Officer:

Appointment Period: July 1, 2015 through June 30, 2016

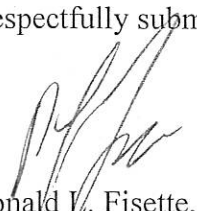
Laceio De Oliveira

Scott Higgins

Jonathan Hale

Jerre Austin

Respectfully submitted for your information and consideration.



Ronald L. Fisette,  
Chief of Police

cc: Harry Terkanian, Town Administrator  
Joseph Powers, Town Clerk



Town of Wellfleet  
Police Department

May 19, 2015

To: Board of Selectmen  
From: Chief Ronald L. Fisette

Subject: SPECIAL POLICE OFFICERS – Department Chaplain


Reverend Paul Cullity, First Congregational Church, Wellfleet has expressed an interest in serving as our Department Chaplain.

I request the following individual be reappointed as a Special Police Officer – Department Chaplain:

Appointment Period:            July 01, 2015 through June 30, 2016

Paul Cullity

Respectfully submitted for your information and consideration.



Ronald L. Fisette  
Chief

cc: Harry Terkanian, Town Administrator  
Joseph Powers, Town Clerk

Town of Wellfleet  
Police Department

May 19, 2015

To: Board of Selectmen  
From: Chief Ronald L. Fisette

Subject: SPECIAL POLICE OFFICERS APPOINTMENT / REAPPOINTMENT

Due to the large portion of Wellfleet being part of the National Park it is common for law enforcement personnel of the National Park Service assist us in different law enforcement ventures. This provides us the opportunity for co-jurisdiction and a valuable resource that has flourished over the past twenty plus years.

I request the following individuals be appointed / reappointed as a Special Police Officer:

Appointment Period:            July 1, 2015 through June 30, 2016

Leslie Reynolds	Craig Thatcher	Steve Glaser
Christopher Anderson	W. Russell Hughes	Christopher Hartsgrove
Eric Trudeau	Timothy Morrison	Ryan Peterson
Anne Peterson		

Respectfully submitted for your information and consideration.



Ronald L. Fisette,  
Chief of Police

cc: Harry Terkanian, Town Administrator  
Joseph Powers, Town Clerk

Town of Wellfleet  
Police Department

May 19, 2015

To: Board of Selectmen  
From: Chief Ronald L. Fisette

Subject: SPECIAL POLICE OFFICERS REAPPOINTMENT

Due to the cooperative efforts between the Detectives from Eastham, Truro, Provincetown and Wellfleet, we have been able to conduct mutual criminal investigations within the four towns. This has lead to arrests and leads in criminal matters affecting our area. While we believe our mutual aid agreement allows for these cooperative efforts, we believe it is prudent to limit a defense attorney argument of police jurisdiction that the area Detectives be appointed as Wellfleet Special Police Officers. The Board of Selectmen for the towns of Eastham, Truro and Provincetown are being asked to make the same Special Officer appointments for their respective towns.

I request the following Detectives be appointed as a Wellfleet Special Police Officer:

Appointment Period:            July 01, 2015 through June 30, 2016

Detective Adam Bohannon, Eastham Police Department

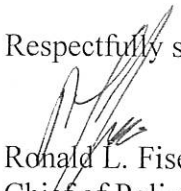
Officer Ryan Dagle, Eastham Police Department

Detective Sergeant David Perry, Truro Police Department

Detective Richard Alves, Provincetown Police Department

Detective Meredith Lobur, Provincetown Police Department

Respectfully submitted for your information and consideration.



Ronald L. Fisette,  
Chief of Police

cc: Harry Terkanian, Town Administrator  
Joseph Powers, Town Clerk  
Ed Kulhawik, Eastham Police Chief  
Kyle Takakjian, Truro Police Chief  
Jim Golden, Provincetown Acting Police Chief

LOCAL HOUSING PARTNERSHIP

1 year term

Paul Cullity  
Robert Dubeau  
Stephen Durkee  
Barbara Knapp  
Gary Sorkin

MARINA ADVISORY COMMITTEE

3 year term

Frederick Felix  
Joel Fox  
William Iacuesssa  
Alice Iacuesssa  
Martha Wilson  
John A. Wolf

NATURAL RESOURCES  
ADVISORY BOARD

3 year term

John Duane  
Ned Hitchcock

OPEN SPACE COMMITTEE

1 year term

Bruce Hurter  
Robert Jackson  
Elizabeth McDonald  
Nancy Rea  
Thomas Slack  
Lynn Southey  
Nancy Golden

PERSONNEL BOARD

1 year term

Arlene Kirsch

PLANNING BOARD

5 year term

Andrew Freeman  
Gerald Parent

RECYCLING COMMITTEE

3 year term

Bethia Brehmer

REGISTRAR OF VOTERS

3 year term

Betsey Patterson

SHELLFISH ADVISORY COMMITTEE

3 year term

Barbara Austin  
Rebecca Taylor  
John Duane  
James O'Connell

TAXATION AID COMMITTEE

2 year term

Susan Messina

WATER COMMISSIONERS

3 year term

Neil Gadwa  
Hannelore Vanderschmidt


ZONING BOARD of APPEALS

3 year term

Roger Putnam  
Trevor Pontbriand  
Donald Palladino



TO: Board of Selectmen

FROM: Jeanne Maclauchlan, Principal Clerk 

DATE: June 5, 2015

RE: Committee/Board Members SEEKING REAPPOINTMENT

The following members are seeking reappointment by the Board of Selectmen as their terms expire June 30, 2015. **Please remind all members that they are required to be sworn in by the Town Clerk before they meet, per MGL. c.41 §107, Wellfleet Home Rule Charter and the Wellfleet General Bylaws.**

BOARD of ASSESSORS

3 year term

Diane Galvin

John Duane

BUILDING & NEEDS ASSESSMENT

3 year term

Hugh Guilderson

CABLE ADVISORY COMMITTEE

1 year term

Thomas Cole

Richard Gurnsey

Jeffrey Tash

CAPE COD WATER PROTECTION

COLLABORATIVE TECHNICAL

ADVISORY COMMITTEE

2 year term

Curt Felix

COMMUNITY PRESERVATION

COMMITTEE

3 year term

Peter Hall

CONSERVATION COMMISSION

3 year term

Edward Simpson

Trudy Vermerhen

COUNCIL ON AGING BOARD

3 year term

Ernest Bauer

Maureen Schraut

Evelyn Sheffres

CULTURAL COUNCIL

3 year term

Madeleine Entel

Paula Erickson

Michele Olem

BOARD of HEALTH

3 year term

Janet Drohan

Gary Locke

ENERGY COMMITTEE

3 year term

Lawrence Franke

Richard Elkin

Jeffrey Tash

HISTORICAL COMMISSION

3 year term

Maria Burks

Lydia Vivante

TOWN OF WELLFLEET  
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Charlene Weber

Affiliation or Group self

Telephone Number 508-214-0313

Mailing Address 15 Franklin Lane

Email address c22461@aol.com

Wellfleet MA 02667

Town Property to be used (include specific area) LeCount Hollow Beach

Date(s) and hours of use: Mons/Weds/Fris/Suns 7<sup>30</sup>-8<sup>30</sup> AM 6/22/15 -  
8/23/15

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

"WellFit" class. For a \$20 fee, participants will be led through a "boot-camp" style work-out on the beach. The purpose is to increase participant health on the most beautiful beach in the world ☺. Number of participants will vary, no equipment will be used (bodyweight), parking will be onsite, and no food or beverages will be served.

Describe any Town services requested (police details, DPW assistance, etc.)

N/A

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

\_\_\_\_\_ Approved as submitted

\_\_\_\_\_ Approved with the following condition(s): \_\_\_\_\_

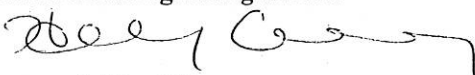
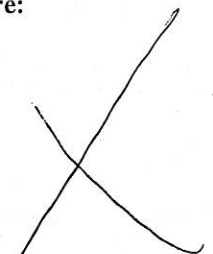
\_\_\_\_\_ Disapproved for following reason(s): \_\_\_\_\_



Date: 4/27/15 JMM


Processing Fee: 20.00 paid

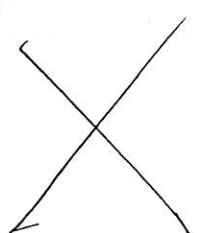
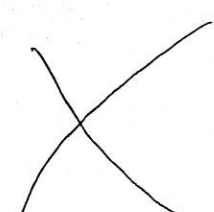
Fee: \_\_\_\_\_

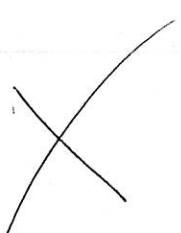
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

<b>Health/Cons. Agent Signature:</b>  <b>Comments/Conditions:</b>  <b>Permits/Inspections needed:</b> OK	<b>Inspector of Buildings Signature:</b>  <b>Comments/Conditions:</b>  <b>Permits/Inspections needed:</b> 
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<b>Police Dept. Signature:</b>  4/28/15 <b>Comments/Conditions:</b> OK	<b>Fire Dept. Signature:</b>  <b>Comments/Conditions:</b>
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<b>DPW Signature:</b> Paul Bridley OK 4/29/15 <b>Comments/Conditions:</b>	<b>Beach Dept. Signature:</b>  - (NC) <b>Comments/Conditions:</b> This should be discussed and maybe be put out to bid.
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<b>Shellfish Constable Signature:</b>  <b>Comments/Conditions:</b> 	<b>Harbormaster Signature:</b>  <b>Comments/Conditions:</b> 
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<b>Recreation Dept. Signature:</b>  <b>Comments/Conditions:</b> 	<b>Town Administrator:</b> HSR <b>Comments/Conditions:</b> Commercial activity fee should reflect use 4 days/week for 2 months.
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Lacount Hollow is Town's  
smallest ocean beach.  
Public events now in progress.



TOWN OF WELLFLEET  
APPLICATION FOR PERMIT TO USE TOWN-OWNED PROPERTY

Applicant : Jody Craven/Christa von der Luft

Telephone Number: (774) 722-3479/(617) 721-1868

Affiliation or Group: Cape Cod Bay  
Challenge, Inc.

Mailing Address: c/o Jody Craven, PO Box 1743,  
Wellfleet, MA 02667

Town Property to be used (include specific area): Mayo Beach, Baker Field

Date(s) and hours of use: Saturday, August 22, 2015; Mayo Beach: SUP demo 2-4 pm and paddler landing; Baker Field Tent area: 12-9 pm

Describe activity including purpose- number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also, please indicate if fees will be charged by applicant.

The Cape Cod Bay Challenge (CCBC) is a non-profit organization that hosts a series of annual stand-up paddleboarding (SUP) events. The CCBC's primary goal is to raise money for Christopher's Haven by bringing together a group of people who forge new friendships and deep bonds as they physically and mentally challenge themselves through the sport of stand-up paddleboarding. Christopher's Haven's mission is to make a tangible difference in the lives of families with children who are receiving prolonged cancer treatment at Massachusetts General Hospital (MGH) by providing them with an affordable, comfortable and nurturing place to stay during their child's treatment.

The CCBC's signature event is an approximately 35-mile SUP across Cape Cod Bay. For the past five years, the 35-mile crossing has ended in Wellfleet at Mayo Beach, with the post-event celebration occurring at Baker Field, which we would like to continue this year. In 2008, the CCBC's first year, 8 paddlers made the crossing; in 2014, there were approximately 60. For 2015, we expect 65-75 paddlers would land at Mayo Beach. The paddlers will be accompanied by support boats some of which will obtain overnight moorings/dock space from the Wellfleet Harbormaster. This event is not a race – we envision paddlers gathering off Jeremy Point and paddling in as a tight group on the incoming tide for a spectacular group finish.

After landing mid-afternoon at Mayo Beach, the paddlers and CCBC supporters would congregate at Baker Field for a post-event celebration and fundraiser. We anticipate offering live music (the Rip It Ups have provided excellent music for us in the past), catered food, and pursuant to a one-day beer and wine license, beer through CCBC sponsor Wachusett Brewery and wine through another sponsor. (Barefoot Wines has provided wine in the past). Part of the after-event is a raffle of donated items, which ranged last year from local art work and jewelry to a Kialoa SUP paddle and Naish SUP board. We estimate the total number of paddlers and supporters for the Wellfleet landing and post-event gathering to be approximately 300-400. In the past, we have rented a tent to supplement the existing Baker Field tent that is in place during the summer. A limited number of demo SUP boards would also be available for use at Mayo Beach Saturday afternoon. Parking will be at the Mayo Beach or Town Pier parking lots. CCBC paddlers will pay a registration fee of \$100 and be expected to each raise \$650 (including registration fee) for the benefit of Christopher's Haven. After event attendees would be charged a fee to cover food and beverage costs. (For the 2014 event, the adult per person charge was \$45). Baker Field activity will end by 9 pm.

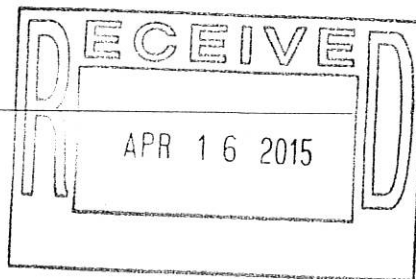
The CCBC very much appreciates the town's support in hosting this event and would like to continue the relationship. In 2014, the CCBC donated \_\_\_ stand-up paddleboards and adjustable paddles to Wellfleet's recreation program which are used in the summer recreation program.

Applicant is Responsible for Obtaining all Necessary Permits and Inspections (see page 2)

Action by Board of Selectmen:

\_\_\_\_\_ Approved as submitted:

\_\_\_\_\_ Approved with the following condition(s)  
\_\_\_\_\_





APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTION

Health/Cons. Agent Signature: <u>[Signature]</u>	Inspector of Buildings Signature: : <u>DGS / OK</u>
Comments/Conditions: <u>CATERED EVENT</u>	Comments/Conditions: <u>*ANY LARGE TENTS REQUIRE A PERMIT</u>
PERMITS/INSPECTIONS NEEDED:	PERMITS/INSPECTIONS NEEDED:

Police Dept. Signature: <u>[Signature]</u> 4/23/15	Fire Dept. Signature: : <u>[Signature]</u> 4/27/15
Comments/Conditions: <u>OK</u>	Comments/Conditions: <u>OK</u>
PERMITS/INSPECTIONS NEEDED: <u>Same as previous years</u>	PERMITS/INSPECTIONS NEEDED:

DPW Signature: <u>[Signature]</u>	Beach Dept. Signature: : <u>SG Thomas</u>
Comments/Conditions: <u>Trash removal is the responsibility of event staff</u>	Comments/Conditions: <u>Field must be in good condition - responsibility of Capicod Bay Challenge</u>
PERMITS/INSPECTIONS NEEDED: <u>4/29/15</u>	PERMITS/INSPECTIONS NEEDED:

Shellfish Constable Signature: _____	Recreation Harbormaster Signature: <u>[Signature]</u>
Comments/Conditions: _____	Comments/Conditions: <u>Would like to meet w/ DPW &amp; representatives of 1st 10 sisters for event -</u>
PERMITS/INSPECTIONS NEEDED: _____	PERMITS/INSPECTIONS NEEDED: _____

TA: OK no fee charged in 2014  
If alcohol is served BOS should  
require insurance including Liquor  
liability with the town as an  
add'l insured. \$20 processing fee.

**TOWN OF WELFLEET  
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY**

Applicant Voyages Gendron Affiliation or Group Voyages Bernard Gendron inc  
Telephone Number 450 373 8747 Mailing Address 1465 blvd yge Langlas  
Email address c.paulin@voyagesgendron.com Valleyfield Qc J6S 1C2  
Town Property to be used (include specific area) Leuxomb hollow beach in  
Welfleet

Date(s) and hours of use: May 13<sup>th</sup> / June 16<sup>th</sup> / October 4<sup>th</sup> / Sept 5<sup>th</sup> / Oct 10<sup>th</sup>  
around 11h30 to 1pm.  
Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

We will have a picnic for our guest (Max 31) they  
arrive by bicycle. We will have a bus (31 passengers)  
a trailer, a small table. We will need a parking  
space. No fees will be charged at our - guest

Describe any Town services requested (police details, DPW assistance, etc.)

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

\_\_\_\_\_ Approved as submitted

\_\_\_\_\_ Approved with the following condition(s): \_\_\_\_\_

\_\_\_\_\_ Disapproved for following reason(s): \_\_\_\_\_

Date: \_\_\_\_\_

Processing Fee: 20.00 Paid

Fee: \_\_\_\_\_

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

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Police Dept. Signature:

*[Signature]*

5/20/15

Comments/Conditions:

OK

Fire Dept. Signature:

*[Signature]*

Comments/Conditions:

5/20/15

OK

DPW Signature:

*Paul G. [Signature]*  
5/26/15

Comments/Conditions:

Trash and recyclable material  
to be removed by event  
staff

Beach Dept. Signature:

*SB Thomas*  
5/29/15

Comments/Conditions:

OK -

--	--

Town Administrator:

Comments/Conditions:

Applicant Scott Nagle Affiliation or Group Brohaun

Telephone Number 508-364-5797 Mailing Address 36 Tam-o-Shanter Way

Email address info@brohaun.com S Yarmouth, MA 02664

Town Property to be used (include specific area) Cahoon Hollow Beach

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

Charity Beach Volleyball Tournament. 2 Volleyball nets with announcements and boundaries

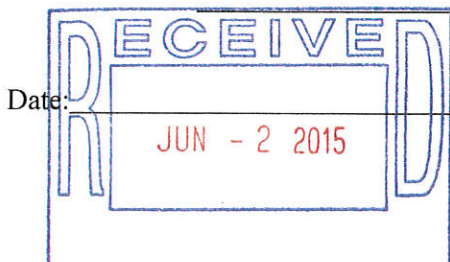
Describe any Town services requested (police details, DPW assistance, etc.)

Action by the Board of Selectmen:

\_\_\_\_\_/ Approved as submitted

\_\_\_\_\_ Approved with the following condition(s): \_\_\_\_\_

\_\_\_\_\_ Disapproved for following reason(s): \_\_\_\_\_





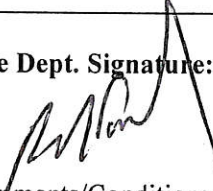
Processing Fee:\_\_\_\_\_

Fee: \_\_\_\_\_



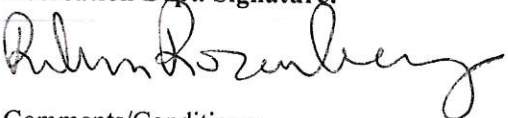
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

<b>Health/Cons. Agent Signature:</b>  Comments/Conditions:  Permits/Inspections needed: OK	<b>Inspector of Buildings Signature:</b>  Comments/Conditions:  Permits/Inspections needed: X
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<b>Police Dept. Signature:</b>  5/22/15 Comments/Conditions: OK	<b>Fire Dept. Signature:</b>  5/22/15 Comments/Conditions: OK
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<b>DPW Signature:</b> Paul B. [Signature] 5/26/15 Comments/Conditions: Trash generated at this event needs to be removed from the beach and disposed of. (not in cans at top of dunes)	<b>Beach Dept. Signature:</b> SG Thomas Comments/Conditions: -Trash per DPW -
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<b>Shellfish Constable Signature:</b>  Comments/Conditions: X	<b>Harbormaster Signature:</b>  Comments/Conditions: X
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<b>Recreation Dept. Signature:</b>  Comments/Conditions: Very worthwhile event, happy to support (See attached comment)	<b>Town Administrator:</b>  Comments/Conditions: Cleaning per DPW Liability Ins with Town is a named insured
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## APPLICATION USE OF TOWN PROPERTY

CAHOON HOLLOW BEACH, Volleyball Tournament, July 26, 2015 from 9-5.

The Wellfleet Recreation and Beach Departments are pleased to co-sponsor this event with Scott Nagle and Brohaun. The tournaments he has held on beaches in other towns on Cape Cod have been very well received, he comes highly recommended. Beach volleyball is a very popular sport among Wellfleet residents and visitors alike. Hosting a tournament will bring excitement for the sport and encourage more people to play. All of the proceeds from the tournament are being donated to the Recreation Department to support an ongoing adult volleyball program. We are looking forward to facilitating this worthwhile event.

Becky Rosenberg  
Recreation Director

# Volleying for a cause

By ETHAN CENTER  
egcenter@capecodonline.com

DENNIS - Hundreds of beachgoers looked on as 14 four-man teams duked it out Sunday at the first Brohaun Beach Volleyball Tournament.

About four months ago, Scott Nagle, a 27-year-old entrepreneur and teacher from West Yarmouth, brought the idea before the Dennis selectman and said he would donate the proceeds, which he estimated to be around \$1,000, to Cape Cod Young Professionals and the Dennis Beach Department. A member of the CCYP, Nagle wanted to have alternatives to the organization's usual events.

"It's not just about housing and jobs," he said. He also wanted to change the perception that young people went to the beach only to get inebriated.

After getting approval from the

selectman, Nagle and his girlfriend, Alanna Ridge, began promoting the event as a family-friendly outing through radio and Facebook.

capecodonline

.com

See a photo gallery:

capecodonline.com/media

When the gruff grunts of rapper Rick Ross started to come over the speakers, Nagle leapt to his feet and changed the song.

"Don't think we need that playing," he

mumbled.

The teams proved the tournament was a family affair. One matchup featured a father and uncles playing sons and nephews. Colin Hokanson of Sandwich said he had multiple cousins in the tournament.

Before his match, Marshall Starace began naming almost every player on the court. Even though his team's

name was Bump, Set, Destroy, he said all the competitors were on friendly terms.

"Everybody's pretty respectful," he said.

Even off-Cape teams got in on the action.

Erin Sampson came from central Massachusetts along with her twin brother Sean, and former high school classmates Tyler Coyne and Victoria Sutphen.

They saw there was a tournament while they were vacationing from Worcester and decided to sign up. The four all played indoor volleyball, but were adapting to the beach.

"We're definitely the palest team here," Sean Sampson said.

Nagle tried to hold the tournament three years ago, but "didn't go through the proper channels," he said.

He left his artistic director posi-

tion at Cuffy's and started his own brand of beach gear, Brohaun. He also began working at the printing and production center at Cape Cod Regional Technical High School and became a graphic design professor at Cape Cod Community College.

After getting some more financial security so he could handle costs like a required insurance policy, Nagle decided the time was right to hold a real tournament, he said while watching the first-round matches; his team had a bye. They would later lose to Hokanson's Purple Haze squad.

Nagle didn't seem too broken up about the early exit.

"I'm just trying to have a good time and have an event everyone can enjoy on the beach," he said.

Follow Ethan Center on Twitter: @EthanGenterCCT.

**Community Development Partnership Housing Rehabilitation Program  
Affordable Housing Rental Restriction**

This Agreement is entered into this 3<sup>rd</sup> day of February, 2015 between Laurie E. Frottier whose address is 249 Gross Hill Road Wellfleet MA 02667, and her successors, heirs, and assigns (hereinafter referred to as "Owner") and undersigned Town of Wellfleet, acting through the Board of Selectmen of the Town of Wellfleet whose address is 300 Main Street, Wellfleet, MA 02667 and its successors and designees (hereinafter called "Town").

WHEREAS, the Owner's execution of this Restriction is a condition of approval for a Deferred Payment Loan (hereinafter called the "Loan") in the amount of **THIRTY FOUR THOUSAND FOUR HUNDRED AND THIRTY DOLLARS AND THIRTEEN CENTS DOLLARS (\$34,430.13)** for the rehabilitation of the residential property located at 249 Gross Hill Road, Unit A Wellfleet MA 02667, MA which has or will have residential dwelling units after rehabilitation (hereinafter called the "Property");

WHEREAS, property contains one residential unit occupied by the Owner, and one residential apartment unit which shall be rented to a tenant or tenants as provided below (the "Affordable Unit");

WHEREAS, the Owner understands and agrees that the Affordable Unit shall be restricted as provided below; and

WHEREAS, Lower Cape Cod Community Development Corporation d/b/a the Community Development Partnership, with an address of 3 Main Street Mercantile Unit 7, Eastham, MA (hereinafter called "Monitoring Agent") is the Monitoring Agent for the Town in connection with the Loan;

NOW, THEREFORE, in consideration of the Loan to Owner, the parties hereby agree as follows:

With respect to the Affordable Unit, Owner hereby agrees to the following for a period of fifteen years from the date of the completion of the Property rehabilitation (the "term"):

1. Owner agrees during the term to furnish each tenant at the time of execution or renewal of any lease, or upon initial occupancy if there is no lease, with a written notice in the following form:

*"The rents charged tenants in this building are subject to a Regulatory Agreement between the landlord and the Town of Wellfleet for a period of fifteen years from the date of the Loan Closing by and between the Owner and the Town of Truro financed in whole or in part by a loan under Massachusetts Community Development Block Grant – Housing Rehab Loan Program. One copy of this Agreement will be made available to each tenant by the landlord with a Rent Schedule for the unit to be occupied by said tenant."*



The inclusion of the foregoing language in any lease, prominently displayed, shall be conclusive evidence of its receipt by the tenant. If there is no lease, Owner shall maintain a file copy of each such notice delivered to each tenant, with a signed acknowledgment of receipt by the tenant.

The Owner shall provide a signed tenant acknowledgement of receipt of the aforementioned Agreement and Rent Schedule to the Monitoring Agent.

2. The gross monthly rental charge for the Affordable Unit at the time of Owner's application for participation in the Community Development Partnership Housing Rehabilitation Program shall, for the purposes of this Restriction, constitute the Base Rent. The Base Rent for the Affordable Unit is to be documented on Attachment 1 - Rent Schedule. Increases in rent shall be limited to those specified in the rent schedule which is attached hereto and which is made part of this Restriction.

Rents for units vacant at the time of Owner's application to the Community Development Partnership Housing Rehabilitation Program shall be calculated taking into consideration the operating expenses the Owner incurs for the unit as well as the Owner's share of the rehabilitation cost. However, in no event shall the base rent of vacant units exceed the **Fair Market Rents for Barnstable County** as published periodically by the U.S. Department of Housing and Urban Development. Except that where the tenant is responsible for paying for some or all utility costs, the base rent will be reduced according to the Utility Allowance Schedule as published by the U.S. Department of Housing and Urban Development. (Attachment 2 – Current Fair Market Rent).

If the Affordable Unit becomes vacant during the term of this Restriction, then the rent shall be determined as of the time of occupancy, but in no case shall rents exceed Fair Market Rents as described above.

The foregoing gross monthly rent will include the following utilities or other facilities or services for all tenants, members of their families who regularly reside with such tenants, and guest thereof as permitted by the terms of the lease (if any) except as otherwise specified below:

*(List the utilities, services, and facilities normally included in rent and any exceptions thereto).*

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(Attachment 3 – Utility Allowance Schedule)

3. Owner agrees that units that are vacant at the time of Owner's application to the Community Development Partnership Housing Rehabilitation Program or become vacant during the term of this Restriction shall be made available to, and rented to, only those persons who are defined as Low and Moderate Income as established by the Income Limits published periodically by

the U.S. Department of Housing and Urban Development for the Barnstable County Area for use in its Section 8 Existing Housing Program. In any case, Owner shall agree to notify the Town of the availability of units and shall not refuse to rent to tenants holding Section 8 Existing Housing Certificates, Chapter 707 Certificates, or other recognized housing voucher certificate except for due cause.

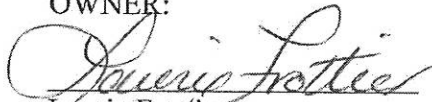
4. Owner agrees that during the term of this Restriction to limit rental increases to the rate allowed by **Fair Market Rents for Barnstable County** published periodically by the U.S. Department of Housing and Urban Development for use in its Section 8 Existing Housing Program. Owner further agrees that such rental increases shall be limited as follows:
  - a. If there is no existing lease, rents can be increased according to the AAF only upon completion of the rehabilitation, the date of which shall be evidenced by the date of the Certification of Final Inspection as executed by the Rehabilitation Specialist under the Home Improvement Program.
  - b. If the unit is under lease, rental increases cannot occur until the expiration of that lease.
  - c. If a vacant unit is rented pursuant to Section 3 of this Agreement, a rental increase can occur one (1) year from the date of the new lease. Therefore, additional rental increases during the term of this extension shall occur only at yearly intervals, and that increase shall be limited to the **Fair Market Rents for Barnstable County** as noted above.
5. Owner agrees to notify the Monitoring Agent in writing of each rent increase no less than thirty (30) days before the effective date of the rent increase. Such notification shall be deemed made when personally delivered or mailed by the Owner to the Monitoring Agent and to the Town at the addresses specified above.
6. At the request of the Monitoring Agent, the Owner shall furnish periodic occupancy reports and shall give specific answers to questions upon which information is desired from time to time relative to income, assets, liabilities, contracts, operation, and condition of the Affordable Unit. (Attachment 4 - Annual Certification of Compliance with the Rent Regulatory Agreement)
7. The invalidity of any paragraph or provision of this Restriction shall not affect the validity of the remaining paragraphs and provisions thereof.
8. Upon a violation of any provision of this Restriction by the Owner, the Town may give written notice thereof to the Owner by registered or certified mail, addressed to the Owner at the address specified above. If such violation is not corrected to the satisfaction of the Town within thirty days after the date such notice is mailed, the Town may declare a default under this

Restriction and under the mortgage from Owner to the Town securing the Loan, and may proceed to initiate any or all remedies at law or in equity provided in the event of a default.

9. This Restriction shall be effective for a period of fifteen calendar years from the date of the loan closing for the rehabilitation of the Property. This Restriction shall automatically terminate at the expiration of this fifteen-year period.
10. If suit is instituted by the Town to enforce this Restriction, the Owner agrees to pay all costs of such collection, including a reasonable attorney's fee and court costs.
11. This Restriction is a covenant running with the land and is binding upon the Owner and her successors and assigns.

Executed as a sealed instrument as of the date first above written.

OWNER:

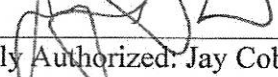
  
Laurie Frottier

TOWN OF WELLFLEET

By: \_\_\_\_\_  
Chairman of the Board of Selectmen,  
Duly Authorized

MONITORING AGENT:

Lower Cape Cod Community Development Corporation  
d/b/a Community Development Partnership

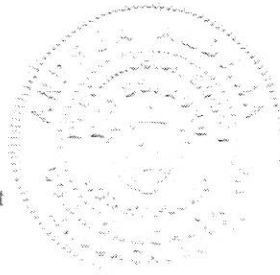
By:   
Duly Authorized: Jay Coburn, Executive Director, Community Development Partnership

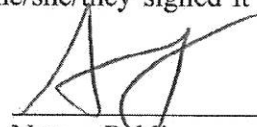
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

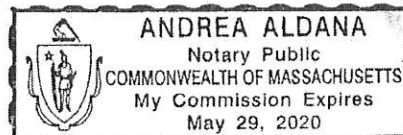
On this 30th day of April, 2015, before me, the undersigned notary public, personally appeared Laurie Frottier, proved to me through satisfactory evidence of identification, which were: Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Rent Regulatory Agreement



  
Notary Public

My Commission Expires: \_\_\_\_\_

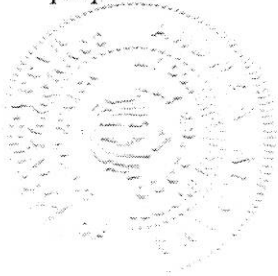



Page 4 of 5

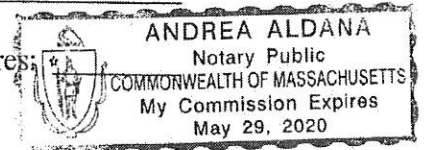
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 30th day of April, 2015, before me, the undersigned notary public, personally appeared Jay Coburn, proved to me through satisfactory evidence of identification, which were: Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_



COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were: \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WELFLEET  
ZONING BOARD OF APPEALS



Certificate of Granting of Special Permit

(Massachusetts General Laws, Chapter 40-A, Section 11)

The Zoning Board of Appeals of the Town of Wellfleet, Massachusetts hereby certifies a Special Permit has been granted to the following:

**Special Permit 13-33**

**Laurie Frottier**

**Application for Affordable Accessory Dwelling Unit**

Affecting the rights of the owner with respect to land and/or buildings at the following location:

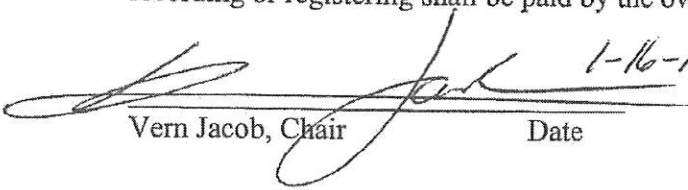
**249 Gross Hill Road**

**Map 9, Parcel 7**

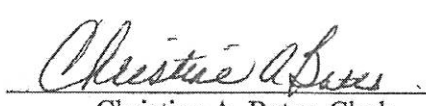
**Registered 153989**

And the said Zoning Board of Appeals further certifies that the Decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said Decision, and of all plans referred to in the Decision, have been filed with the Town Clerk.

The Zoning Board of Appeals also calls to the attention of the owner and/or applicant that Massachusetts General Laws, Chapter 40-A, Section 11 (last paragraph) provides that no Special Permit, or any extension, modification or renewal thereof, shall take effect until the Decision bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the Office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, it has been dismissed or denied, is recorded in the Barnstable County registry of Deeds and indexed in the grantor index under the name of the owner of record and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or the applicant.

  
Vern Jacob, Chair

1-16-14.  
Date

  
Christine A. Bates, Clerk



WELLFLEET ZONING BOARD OF APPEALS  
Town Hall  
300 Main Street  
Wellfleet, MA 02667

December 27, 2013

**DECISION OF THE WELLFLEET ZONING BOARD OF APPEALS.**

**13-33 Laurie Frottier**, 249 Gross Hill Rd., Map 9, Parcel 7: Application for Affordable Accessory Dwelling Unit under WZB 6.21.

Pursuant to a Notice of Petition and Public Hearing, which was published in the Cape Codder newspaper on 11/29/13 and 12/06/13, and which was posted in the Town Hall from 12/06/13, and which was sent to abutters and parties in interest on 11/22/131, the public hearing of the petition cited above, for the property cited above, was opened on Thursday, December 19, 2013, 2013 at 7:55 pm in the Wellfleet Senior Center.

The Board consisted of Vern Jacob, Bruce Drucker, Manny Heyliger, William Nicholson and Roger Putnam. Alan Cabral, Designer and Laurie Frottier came to the table and Ms. Frottier felt that in order to keep her home, an affordable accessory dwelling unit was the answer. One bedroom in the main house will be taken out of the main house in order for there to be one bedroom in the AADU. There will be no change in the footprint or elevations. There will be a total of 735 square feet livable space in the AADU. Roger Putnam moved for Findings of Fact:

1. This is an application under WZBL 6.21 to convert part of an existing garage to an affordable accessory dwelling unit.
2. The livable floor area of the proposed affordable accessory dwelling unit is 735 ft.<sup>2</sup>.
3. There currently exists on the property a principal dwelling, a garage and a shed.
4. According to the Wellfleet Department of Health the septic system is for a maximum of three bedrooms.
5. There are three bedrooms in the principal residence and there will be one bedroom in the affordable accessory dwelling unit. One of the bedrooms in the principal residence will have to be eliminated or the existing septic system will have to be upgraded to accommodate four bedrooms as provided for in paragraph 5 of the Standard Conditions below.
6. No abutters have objected to the application.
7. After considering the District Objectives for the zoning district as provided for in WZBL 3.2 and the relevant criteria set forth in WZBL 8.4.2, the Board finds that the benefits of the proposal will outweigh any adverse effects on the Town and the vicinity.

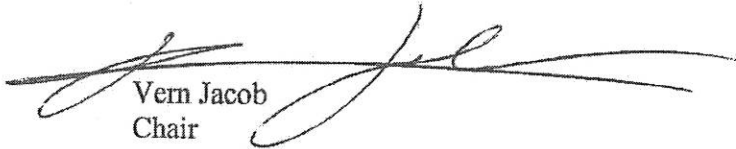
Roger Putnam moved the Findings of Fact; seconded by Manny Heyliger; passed

5-0. Roger Putnam moved to grant the special permit based on the Findings of Fact; seconded by Manny Heyliger; passed 5-0 subject to the following conditions:


**STANDARD CONDITIONS FOR AFFORDABLE ACCESSORY DWELLING UNITS  
IN ACCORDANCE WITH SECTION 6.21 OF THE WELLFLEET ZONING BY-LAW**

1. The special permit conditions that follow shall be deemed an affordable housing deed restriction in a form satisfactory to the Zoning Board of Appeals in accordance with Section 6.21.2 of the Wellfleet Zoning Bylaw. Failure to comply with any of these provisions shall be considered a violation of special permit requirements and may be subject to fines established in Section 8.3 of the Zoning Bylaw and/or to enforcement requiring removal of the unit.
2. All occupants of the affordable accessory dwelling unit described herein shall upon initial application and annually thereafter on the first of September submit to the Town or its agent documentation to confirm their eligibility for the dwelling unit. All dwelling units must be rented to those meeting established guidelines for low or moderate income families. For the purpose of this section of the Bylaw low income families shall have an income less than 80% of the Town of Wellfleet median family income, and moderate income families shall have an income between 80% and 120% of the Town of Wellfleet median family income, as determined by the United States Department of Housing and Urban Development (HUD) published Income Guidelines, as may from time to time be amended.
3. Maximum rents for the affordable accessory dwelling unit described herein shall be established in accordance with HUD published Fair Market Rental Guidelines. Property owners are required to submit to the Town or its agent information on the rent to be charged. Each year thereafter on the first of September they shall submit information on annual rents charged to the Town or its agent on forms provided for this purpose. Rents may be adjusted annually in accordance with amendments to the HUD Fair Market Rental Guidelines.
4. The property owner named herein shall complete and submit to the Building Inspector an application for a Building Permit to allow a change in use.
5. The septic system is required to meet current Title 5 standards; it shall be appropriate for the total number of bedrooms on the property; and shall be reviewed and approved by the Health Agent prior to the issuance of a certificate of occupancy for the affordable accessory dwelling unit.
6. The Inspector of Buildings and Health Agent shall inspect the premises for compliance with public safety and public health codes.
7. The property owner named herein shall obtain a Certificate of Occupancy from the Building Inspector prior to the affordable accessory dwelling unit being occupied.
8. The affordable accessory dwelling unit shall not be separated by ownership from the principal dwelling unit or principal structure.
9. The lot containing an affordable accessory dwelling unit shall be subject to a recorded restriction that shall restrict the lot owner's ability to convey interest in the

affordable accessory dwelling unit, except leasehold estates, for the term of the restriction.



Vern Jacob  
Chair



Christine A. Bates  
Committee Secretary

**ZONING BOARD OF APPEALS  
TOWN OF WELLFLEET**

**Town Hall  
300 Main Street  
Wellfleet, MA 02667**

**CERTIFICATION OF THE TOWN CLERK**

I, Dawn E. Rickman, Town Clerk, Town of Wellfleet, Massachusetts, do hereby certify that twenty (20) days have elapsed since the filing with this Office of the Decision of the Wellfleet Zoning Board of Appeals in:

**Special Permit 13-33**

**Laurie Frottier**

**249 Gross Hill Road**

**Map 9, Parcel 7**

**Registered 153989**

**Application for Affordable Accessory Dwelling Unit**

and that no notice of appeal of said decision has been filed with me, or if such appeal has been filed, it has been dismissed or denied.

Dated

Signed

*Dawn E. Rickman*  
Dawn E. Rickman, Town Clerk

BARNSTABLE COUNTY  
REGISTRY OF DEEDS  
A TRUE COPY, ATTEST

*John F. Meade*  
JOHN F. MEADE, REGISTER

**BARNSTABLE REGISTRY OF DEEDS**

DRAFT

Dear Members of the Board,

We are writing to request that you make it a priority to create a policy **and budget process** that will adequately and consistently provide funds for the maintenance and repair of municipal buildings.

Despite having a policy that created a process for identifying, scheduling, and contracting for any and all necessary repairs and improvements (the policy is attached to this memo), there is no policy, or other administrative tool, in place to provide for those funds in our annual budget.

The Town has a vehicle rollover policy that enables the purchase of vehicles in a timely manner. The Town uses Community Preservation Funds to preserve the Town's historic structures. The Town has funds to pave and repair streets and roads on an annual basis. Yet the budget to repair our buildings was reduced from \$246,800 in FY15 to \$82,500 in FY16.

If this practice continues, we will eventually be in the position of other Cape Towns that must replace buildings that are no longer usable or safe. Deferred maintenance could, in our case, cost us \$70 million in today's dollars.

You can avoid that situation by providing adequate funds every year for the maintenance of municipal buildings.

Respectfully submitted,

Jarrold Cabral  
Sean Donoghue  
*Hugh L. Guilderson*  
Jay Horowitz



BOARD OF SELECTMEN  
Policy on Town Building Projects  
Original Date: November 13, 2012  
2012-1

The purpose of this policy is to establish a successful preventive and remedial maintenance and repair program for existing municipal buildings. Also to establish procedures that will ensure the achievement of the desired results in a cost effective manner.

1. All town buildings will be inspected annually by the Town Administrator, the DPW, the Building, Plumbing, and Electrical inspectors and the Building and Needs Assessment Committee. Individual building components will be assessed to determine those that should be included in a long-term capital plan and annual capital budget. The building program should be evaluated to determine if any building modifications are necessary to address changing departmental program needs.
2. The Director of Public Works and Town Administrator shall be responsible for preparing such a plan in consultation with the relevant town department heads and the Building and Needs Assessment Committee. The proposed plan and budget shall be submitted to the Board of Selectmen
3. The Director of Public Works and Town Administrator shall develop preliminary plans and cost estimates for all identified projects. It will be necessary to retain reliable professional services to obtain plans and preliminary and final cost estimates for larger, more complex projects. Funds for that purpose shall be budgeted annually.
4. Projects shall be prioritized and scheduled based on the following criteria;
  - a. Emergency need
  - b. Health & Safety
  - c. Budgetary economies achieved through building improvements
  - d. Remaining life expectancy of the building system or equipment
  - e. Maintenance of departmental programs
  - f. New or expanded departmental programs and services

Note: Projects shall be properly sequenced to avoid damage to new repairs/replacements.

5. The Director of Public Works shall develop efficient, effective, procedures and practices for completing modest repairs and maintenance projects and preventive maintenance. This includes projects utilizing in-house staff or contractors.
6. Projects of less than \$10,000 shall be expedited utilizing a standard set of bidding and contracting documents that ensure quality work, limit the town's liability, and safety of town personnel and property.

7. Projects of \$10,000 or more shall require a formal bid process utilizing detailed plans and specifications as required by MGL c. 149.

8. Other relevant laws and regulations

**Massachusetts General Laws** regulate design and building construction projects.

1. Design Services - MGL c. 7 ss38A1/2-O contains procedures for selecting designers if the design fee is estimated to cost \$10,000 or more or construction is estimated to cost more than \$100,000.

2. Building Construction Contracts – MGL c. 149 applies to construction contracts and also maintenance and repair. Generally it is applicable for projects over \$10,000.

3. Prevailing Wage Requirements – MGL c. 149 ss 26 requires use of Prevailing Wages on building construction projects.

### **Town Charter**

Town Administrator – Section 5-3-2(h) be responsible for the purchasing for all Town functions and departments excepting those of the School Department.

Department of Public Works – Section 5-7-2(b) DPW is responsible or the maintenance and repair of all buildings (except School Dept.)

### **Board of Selectmen Policies**

Policy on Designer Selection Procedures

**MOU III Revised Draft**  
**Herring River Restoration Project**  
**May 14, 2015**

This Memorandum of Understanding is effective upon signature by and among the National Park Service (NPS), a bureau of the United States Department of the Interior, acting through the Superintendent of the Cape Cod National Seashore, and the Towns of Wellfleet and Truro, municipal corporations located in Barnstable County, Massachusetts, acting through their Boards of Selectmen. The purpose of this Memorandum of Understanding is:

- 1) To ratify the detailed restoration plan set forth in the Final Environmental Impact Statement/Report (FEIS/EIR) for the restoration of the Herring River estuary, completed by the Herring River Restoration Committee pursuant to a previous (November 2007) Memorandum of Understanding (referred to as MOU II) between NPS and the Towns of Wellfleet and Truro;
- 2) To enable additional planning, engineering, funding, construction and implementation of the agreed-upon restoration plan, using an Adaptive Management Plan, as set forth in the FEIS/EIR.
- 3) To set forth the structure and responsibilities of an intergovernmental team to direct the Restoration Project.
- 4) To generally describe the responsibilities of an independent organization which the parties could engage to undertake specified activities in the restoration process.

**WITNESSETH**

WHEREAS, the National Park Service (hereinafter NPS) administers and manages the Cape Cod National Seashore (hereinafter CCNS), located partially within the Towns of Wellfleet and Truro (hereinafter "the Towns") and including more than 800 acres within the Herring River floodplain; and whereas CCNS is legally authorized by U.S.C. Sections 1-3, 459b-459b-8 as a unit of the National Park System to enter into memoranda of understanding, and;

WHEREAS, the Town of Wellfleet maintains ownership of the Chequessett Neck Road (CNR) Dike, which currently controls tidal flow to the Herring River system, and the Town includes lands and waters within the Herring River estuary that may be affected by the restoration of tidal flow through the Dike, and;

WHEREAS, the Town of Truro includes lands and waters within the Herring River estuary that may be affected by the restoration of tidal flow through the Chequessett Neck Road Dike, and;

WHEREAS, High Toss Road, which crosses the Herring River floodplain, is located within Cape Cod National Seashore and is on land owned by the National Park Service, while the Town of Wellfleet holds rights for public access across it and maintains the road, and;

WHEREAS, the Town of Wellfleet and CCNS, pursuant to a (August 2005) MOU (referred to as MOU I) worked together to determine that restoration of the natural functions to the Herring River estuary is feasible and desirable, and to complete a Conceptual Restoration Plan, which was accepted by both the Towns of Wellfleet and Truro and CCNS pursuant to a second MOU (MOU II) executed in November 2007, and;

WHEREAS, pursuant to MOU II, the Towns and CCNS agreed that it was imperative that a Detailed Restoration Plan (DRP) be developed with continued public involvement and, when completed, the DRP represent the full consensus of the three primary entities; and whereas, the Towns and the CCNS agreed that alternatives analysis and public involvement approaches of the Massachusetts Environmental Policy Act (MEPA) and the National Environmental Policy Act (NEPA) would provide a mechanism for accomplishing these objectives, and;

WHEREAS, pursuant to MOU II, the Towns and the CCNS organized an interdisciplinary team, the Herring River Restoration Committee (hereinafter HRRC) to develop a detailed and comprehensive plan for restoration of the estuary and directed the Committee to:

- a. Review the Herring River Conceptual Restoration Plan (CRP) accepted under MOU II.
- b. Review all scientific and engineering reports in support of the CRP;
- c. Develop a Detailed Restoration Plan (DRP) that addresses environmental and social concerns through an integrated MEPA/NEPA process of alternatives analysis and public involvement;
- d. Develop a Detailed Restoration Plan that is suitable for local, state and federal permitting requirements of procedures;
- e. Seek funding sources;
- f. Inform the public on a regular basis through public meetings, reports or other forms of outreach, in addition to the public process required by MEPA and NEPA;
- g. Produce a third MOU for the Towns' and CCNS's approval, agreeing to collaborate on project implementation per the Detailed Restoration Plan;
- h. Deliver products of the MEPA/NEPA process, and;

WHEREAS, the HRRC has developed a DRP that addresses environmental and social concerns through an integrated MEPA/NEPA process of alternatives analysis and public involvement procedures as set forth in the Final Environmental Impact Statement/Report, and;

WHEREAS, the parties have determined that it is in the public interest to enter into this Memorandum of Understanding setting forth a cooperative arrangement between the parties for the next phase of the Herring River Restoration Project including additional planning, engineering, funding, construction and implementation of the agreed-upon Detailed Restoration Plan, using an Adaptive Management Plan, as set forth in the FEIS/EIR, this phase to be known as the implementation phase, and;

WHEREAS, the implementation phase will continue for many years, but at some point in time management responsibilities for tidal control infrastructure will be greatly reduced, and the estuarine system will be self-sustaining, this phase to be known as the long-range phase;

NOW THEREFORE, in consideration of the foregoing, the Towns and the CCNS agree as follows:

1. The Town of Wellfleet, the Town of Truro and CCNS hereby accept the Detailed Restoration Plan, including the Preferred Alternative D as set forth in the Final Environmental Impact Statement/Report, attached to this MOU.
2. The Town of Wellfleet, the Town of Truro and CCNS agree to cooperate on implementation of the Detailed Restoration Plan, as set forth below. Representatives of the Town of Wellfleet, the Town of Truro and CCNS will form an intergovernmental team to direct the Restoration Project consisting of the following elements:
  - a. The Towns and Cape Cod National Seashore shall form a Herring River Executive Council (HREC) to: coordinate project implementation activities; serve as a forum for establishing and providing policy direction; monitor progress; and ensure compliance with laws, policies and regulations of member towns and the CCNS, project permits and agreements and other applicable legal regulations. The HREC shall meet quarterly or as needed and shall consist of seven members as follows:
    - 1) Two members of the Wellfleet Board of Selectmen and the Town Administrator, to be appointed by a vote of the Board;
    - 2) Two members of the Truro Board of Selectmen and the Town Administrator, to be appointed by a vote of the Board;
    - 3) The Superintendent of Cape Cod National Seashore or his/her designee.The HREC shall operate by consensus decision-making, recognizing that the towns and Cape Cod National Seashore all have obligations to their own established laws, policies and regulations.
  - b. The Herring River Restoration Committee (HRRC) established in MOU II as an interdisciplinary management team shall continue to exist and shall serve as an advisory group to the HREC, with representation from the Towns of Wellfleet and Truro, the Cape Cod National Seashore, Commonwealth of MA Division of Ecological Restoration (DER), U.S. Fish and Wildlife Service (USFWS), U.S.



Natural Resources Conservation Service (NRCS) and the National Oceanic and Atmospheric Administration (NOAA). The HRRC will:

- 1) Make project management and funding recommendations to the Herring River Executive Council (HREC);
- 2) Direct and oversee approved elements of the Restoration Project;
- 3) Provide planning, engineering, technical, operational and scientific coordination for the Project.

- c. The HREC and the HRRC will work with any regulatory oversight group as may be established through federal, state and regional permitting processes.
- d. The HREC may establish local working committees or task groups, as needed, such as a stakeholder committee and science committee.

3. Through separate contracts for services and/or Cooperative Agreements, the Towns and/or the CCNS may engage the services of an independent organization to undertake some or all of the responsibilities and functions outlined below, in coordination with HRRC:

- a. Provide and manage professional level technical and administrative staff necessary for the completion of all project elements;
- b. Compete for, receive, and administer available project funding from state, federal, and private sector sources;
- c. Prepare and submit permit applications, ensure compliance with all permit conditions, noticing requirements, and other environmental compliance obligations;
- d. Prepare and advertise bid solicitation packages, manage and oversee competitive bidding processes, select and manage contractors, oversee construction activities, pay invoices, and comply with funder and contractor stipulations;
- e. Facilitate agreements with affected landowners;
- f. Conduct operations and maintenance of public infrastructure in cooperation with the towns and CCNS as stipulated in any contract agreement(s);
- g. Implement the adaptive management plan under the technical direction of HRRC;
- h. Perform public outreach and education activities.

4. The Town of Wellfleet, the Town of Truro and CCNS generally agree that the owners of the underlying land should own the components of the new project infrastructure during the implementation phase and for the long-term, as follows:

a. Chequessett Neck Road (CNR) Bridge: *The Town of Wellfleet should continue to own the CNR dike/bridge.*

b. Chequessett Neck Road Tide Gates: *The Town of Wellfleet should own the new CNR tide gates.*

c. Mill Creek Dike: *CCNS should own the new Mill Creek dike.*

d. Mill Creek Tide Gates: *CCNS should own the new Mill Creek tide gates.*

e. High Toss Road: *High Toss Road is within the NPS boundary and on land under federal ownership, with the Town of Wellfleet holding rights for public access. The parties agree in principle that High Toss Road should be discontinued and the causeway should be removed, subject to final town approval. After the road is removed, CCNS and the Town agree to work together toward maintaining safe pedestrian access over the Herring River and the abandoned right-of-way. If Town Meeting decides that the road should remain in place, the Town of Wellfleet will continue to maintain it as an unpaved, unimproved single lane access to Griffin Island.*

f. High Toss culvert: *CCNS should own and maintain any new culvert at High Toss Road. Should the road be removed, no culvert would be needed.*

g. Pole Dike Road: *The Town of Wellfleet should continue to own Pole Dike Road. The Herring River Restoration Project should fund the raising of the road.*

h. Pole Dike culvert/tide gate: *If a tide gate is installed at Pole Dike Road, the Town of Wellfleet should own the new tide gate.*

i. Old County Road/culverts: *The Town of Wellfleet should continue to own Old County Road and its culverts. The Herring River Restoration Project should fund the raising of the road and installation of new culverts.*

j. Bound Brook Road/culverts: *The Town of Wellfleet should continue to own Bound Brook Road and its culverts. The Herring River Restoration Project should fund the raising of the road and installation of new culverts.*

5. The owners (i.e. the Towns and/or CCNS) of the different elements of Restoration Project tide control infrastructure may wish to engage the services of an independent management organization to construct, operate and maintain this infrastructure (such as bridges, dikes, tide gates and culverts) during the implementation phase, or the owners may wish to perform these functions in-house. Long-term, operation and maintenance responsibilities should be the responsibility of the owner of each element of Project infrastructure.

## 6. Funding

a. This Memorandum of Understanding and the obligations of the NPS hereunder shall be subject to the availability of funding and staffing, and nothing contained herein shall be construed as binding the NPS to expend in any one fiscal year any sum in excess of appropriations made by Congress and administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the NPS in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

b. This Memorandum of Understanding and the obligations of the Towns hereunder shall be subject to the availability of funding and staff, and nothing herein shall be construed as binding the Towns to expend in any one fiscal year any sums in excess of those appropriated by Town Meeting and made administratively available for the purpose of this Agreement for the fiscal year.

c. Each party shall bear its own costs associated with its participation in this Memorandum of Understanding without reimbursement.

7. This Memorandum of Understanding and the obligations of the NPS hereunder are subject to the laws, regulations and policies governing the NPS and CCNS whether now in force or hereafter enacted or promulgated.

8. This Memorandum of Understanding and the obligations of the Towns hereunder are subject to the laws, regulations, Town Meeting votes and policies governing the Towns, whether now in force or hereafter enacted or promulgated.

9. No Member of, Delegate to, or Resident Commissioner in, Congress shall be admitted to any share or part of this Agreement or to any benefit to arise there from, unless the share or part or benefit is for the general benefit of a corporation or company.

10. No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct foreign policy, counter-intelligence, intelligence or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31.

11. This Agreement contains the sole and entire agreement of the parties. No oral representations of any nature form the basis of or may amend this Agreement.

12. Failure to enforce any provision of this Agreement by either party shall not constitute waiver of that provision, nor a waiver of a claim for subsequent breach of the same type, nor a waiver of any other term of this Agreement. The waiver of any provision must be express and evidenced in writing.

13. This Memorandum of Understanding may be amended by a unanimous vote of all of the participating parties. It shall remain in effect until superseded by a further MOU or inter-municipal agreement(s) to implement its purposes.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective duly authorized representatives on the day and year indicated.

To be signed by:

Northeast Regional Director, National Park Service

Chair, Wellfleet Board of Selectmen

Chair, Truro Board of Selectmen





## Friends of Herring River

June 4, 2015

### Herring River Restoration Project Briefing Summary - Wellfleet Board of Selectmen

Since the last report in January there has been increased design and public interaction activity. A summary of that work and planned activities this year follows.

1. The grants awarded this year to Friends of Herring River include \$752,000 from NOAA (Year 2 of a three year \$3 million grant), \$612,000 from the State Capital Investment Plan plus \$62,800 through Division of Ecological Restoration for project coordination, \$50,000 from Massachusetts Environmental Trust, \$20,000 from MA Bays Program and \$20,000 from Coastal America Foundation. The funds have been used for the following:
  - a. Completion of 25% design for the Chequessett Neck Road Bridge and award of a new contract to prepare permit ready design by this fall.
  - b. An engineering contract was awarded on January 6<sup>th</sup> to elevate low-lying roadways and replace culverts as needed (Pole Dike, Old County and Bound Brook Roads). A 0% design public forum took place on February 4, 2015. Since then the roads have been surveyed and preliminary engineering plans are being prepared to include a control structure at Pole Dike Road. We have scheduled a public meeting on, June 24<sup>th</sup> to present the plans to the public for comment.
  - c. Also on January 6<sup>th</sup>, an engineering contract was awarded to develop concepts and a design to improve tidal flow through the High Toss Road crossing of the floodplain. A 0% design public forum took place on February 12<sup>th</sup> with a make up on February 25<sup>th</sup>. A third public meeting was held June 2<sup>nd</sup>. Details are presented in a separate Briefing Paper titled Briefing Summary, Wellfleet Board of Selectmen, High Toss Road.
  - d. An ongoing project has been investigation of mitigation measures needed on private property to protect structures. Surveys are underway to confirm topographic data. Contact has been made with affected property owners to determine the necessity for mitigation, define it if needed and ultimately agree on a way forward.
  - e. A contract has been awarded to conduct initial studies for the dike and control structure at Mill Creek Dike. Discussions are underway with CYCC regarding needed mitigation measures.
  - f. Cultural resource and rare species studies are underway.
2. We are awaiting guidance from Federal and State funding sources regarding the FY 16 grant activity. State Capital Investment Plan funds expire June 30 – those funds support the majority of work cited above so we must complete contract work authorized under current State funding by that date. We expect additional funds from NOAA for FY 16 effective September 1st as the third year of the \$3 million grant awarded in FY 14.
3. The Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is currently under agency review. It is expected to be released this summer.
4. Our school program and herring count activities have just concluded successfully.
5. On May 28<sup>th</sup> we advertised a position opening for an Executive Director as part of the effort to build the capacity of Friends of Herring to assume the growing workload.





## Friends of Herring River

June 4, 2015

### Herring River Restoration Project Briefing Summary - Wellfleet Board of Selectmen High Toss Road

A primary purpose of the Herring River Restoration Project is “To the extent practicable, given adjacent infrastructure and other social constraints, re-establish the natural tidal range, salinity distribution, and sedimentation patterns of the 1,100-acre estuary.” (Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR), Oct 2012 pp. iii).

To that extent, the Draft EIS/EIR notes: “Hydrodynamic modeling has shown that the [existing] culvert [at High Toss Road] would cause a major restriction if tidal flow were increased at Chequessett Neck Road. The road would be overtopped daily by seawater under any restoration scenario and ebb tide drainage would be impeded by the causeway.” (EIS/EIR Para 2.6.3, pg 63).

Appendix 1 to this Briefing Summary contains extracts of the relevant sections of the Draft EIS/EIR, October 2012. The final EIS/EIR is expected to be released this summer but the content regarding High Toss Road is not expected to change significantly.

The Herring River Restoration Committee is in the process of developing detailed restoration plans and is considering options to address the unrestricted tidal flow constraint caused by High Toss Road. A contract was awarded in January to ESS Group to develop alternative concepts to remove the High Toss Road constraint. Before any design activity took place, two public meetings were held in February to obtain information about public uses and other matters. A summary of public input is contained in Appendix 2 below.

On June 2<sup>nd</sup> a public meeting was held to present alternative concepts to the public and obtain further comment. Four alternative concepts were presented:

- A. Complete removal of High Toss Road
- B. A long pedestrian timber boardwalk (either standard timber boardwalk or “delux” similar to Uncle Tim’s Bridge).
- C. A pile supported concrete, timber or fiberglass multiple bridge and elevated trail segments.
- D. A heavier load multi-use bridge segment and elevated roadway.

From an ecological perspective and to best meet the restoration goals Alternative A would be the best option. However, the Herring River Restoration Committee, taking into consideration the public access interests expressed at the February public meeting, presented Alternative B as the “preferred alternative.”

During the public meeting on June 2<sup>nd</sup> participants clearly wished to maintain public access to Griffin Island but expressed concerns about building a structure, particularly a long timber boardwalk that would accommodate only pedestrians, from a number of perspectives. Concerns about the structural alternatives included: The environmental impacts of constructing and maintaining chemically-treated wood structures; safety and potential conflicts of use among



## Friends of Herring River

different users such as pedestrians, vehicles and horses; cost to the town for future maintenance obligations; and changes in the natural environment and quality of life. Participants also noted that Alternative B (the timber boardwalk alternative) would not accommodate equestrian use. A summary of comments at the June 2<sup>nd</sup> public meeting is contained at Appendix 3 below.

So in summary, the public feedback favored Option A with some modification to include maintaining the pedestrian access to Griffin Island with a small bridge across the main channel. The existing roadway would be removed so access across the marsh would be limited according to tidal fluctuations. If this option is chosen there will have to be additional engineering work to refine the information and evaluate the impacts and effect on the restoration objectives and include recreational use.

At its May 2015 meeting, the Herring River Restoration Committee reviewed an evaluation matrix for the High Toss alternatives and generally agreed that while Alternative A provided the most environmental benefit and the least cost, Alternative B would provide better public access. However, given the public input provided at the June 2, 2015 meeting, it might make more sense for the Board of Selectmen to support Alternative A for the next phase of design.

### Appendices:

1. Draft Environmental Impact Statement / Draft Environmental Impact Report, October 2012 (Para 2.6.3, pg 61).
2. Meeting Minutes, Public Meeting, February 12, 2015
3. Meeting Notes, Public Meeting, June 2, 2015
4. HRRC Decision Matrix





## Friends of Herring River

### **Appendix 1: Draft Environmental Impact Statement / Draft Environmental Impact Report, October 2012 (Para 2.6.3, pg 61)**

#### **High Toss Road Culvert**

The Herring River passes under High Toss Road, the second road that crosses the river, approximately one mile upstream from Chequessett Neck Road. The road is an earthen berm that was built across the salt marsh in the 19th century. The road is unpaved and infrequently traveled by vehicles, but can accommodate emergency vehicle access to Griffin Island. The river passes under the road at the western end through a 5-foot-diameter concrete culvert. Hydrodynamic modeling has shown that the culvert would cause a major restriction if tidal flow were increased at Chequessett Neck Road. The road would be overtopped daily by seawater under any restoration scenario and ebb tide drainage would be impeded by the causeway.

Complete removal of the tidal restriction at High Toss Road is a major component of the project under all action alternatives. Increased tidal exchange from a rebuilt Chequessett Neck Road Dike could be accommodated at High Toss Road by replacing the existing 5-foot-diameter concrete culvert with either a properly designed box culvert or an open channel. An open channel could include a small bridge spanning the river if pedestrian and/or vehicle access were continued. In either case, a tidal channel approximately 30 feet wide would be needed for adequate tidal water conveyance.

Further hydrodynamic modeling and analysis would be conducted to more precisely size this culvert or open channel. Direct and indirect impacts would be the same under each action alternative.

#### **High Toss Road Culvert**

#### **High Toss Road Flooding**

Under all of the action alternatives, High Toss Road would be flooded at high tides greater than approximately 3 feet. Although replacement of the culvert, as described previously, is the only action necessary to allow unrestricted tidal exchange through the causeway, additional measures would be needed to address impacts to the road and causeway from increased tides in the Herring River. Options are

**Elevate**—If full-time vehicle access to High Toss Road is deemed necessary the road surface must be elevated to prevent overtopping from increased Herring River tides. In addition, because the embankment would be subject to more frequent and higher water velocities and storm surges, stabilization of the side slopes would be needed to minimize erosion and undermining. Depending on the elevation of the final road surface, widening of the base might also be necessary, which would impact approximately 13,000 square feet of adjacent wetlands. In addition, if the High Toss Road culvert is replaced by an open channel, a bridge designed for suitable vehicle loading would be required.

**Abandon and Remove**—Contingent on further public comment and consultation between the Town of Wellfleet and Cape Cod National Seashore (the Seashore), the length of road from Rainbow Lane to the parking area at Duck Harbor Road (approximately 1,000 feet) could be decommissioned and the causeway removed to the elevation of the surrounding wetland. If continued pedestrian and bicycle access is desired, a boardwalk could be constructed across the flood plain and river.



## Friends of Herring River

### **Periodic Closure**

High Toss Road could remain at its current elevation with the understanding that low portions of the road would be impassable during at least some high tide periods. However, even if the elevation remained unchanged, the embankment side slopes would need to be stabilized as they would be subject to increased flow and velocity. In addition, if the High Toss Road culvert is replaced by an open channel, a bridge designed for suitable vehicle loading would be required.

### **Public Access and Recreational Opportunities (pp, ix)**

1. The Herring River estuary is included in the Seashore's natural zone, and is managed to protect natural processes with limited infrastructure. Given this National Seashore planning objective, it is anticipated that any development of public access points or visitor facilities would occur at the discretion of adjacent landowners or stakeholders, such as the Towns of Wellfleet and Truro, Wellfleet Conservation Trust, or the Friends of Herring River.
2. To the extent practicable, given adjacent infrastructure and other social constraints, re- establish the natural tidal range, salinity distribution, and sedimentation patterns of the 1,100-acre estuary.





## Friends of Herring River

### Appendix 2: Meeting Minutes, Public Meeting, February 12, 2015

MEETING DATE:	February 12, 2015	ESS PROJECT NO.:	F451-000
LOCATION:	Wellfleet Council on Aging	MINUTES PREPARED BY:	Craig Wood
SUBJECT:	High Toss Road 0% Design Public Meeting	DATE PREPARED:	February 23, 2015
ATTENDEES:	See Signup List	DISTRIBUTION:	File

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Preparers Note: While comments were entertained throughout the meeting, they are presented at the end of the notes organized by general heading and not in the order in which they were heard.

A High Toss Road 0% Design Public Meeting was held at 4:00 PM at the Wellfleet Council on Aging. D. Palladino began the meeting by welcoming the audience and introduced the project team in attendance. He reviewed the meeting agenda and laid out the primary purpose of the meeting, which was to 1) describe why changes to High Toss Road are needed, 2) hear public concerns, needs, and questions for consideration during the design phase, and 3) prepare for developing concepts and the start of engineering and design of High Toss Road to accommodate tidal restoration. A clear distinction was made between the portion of the roadway which crosses the floodplain (between Snake Creek Road and Duck Harbor Road) and the section between Snake Creek Road and Pole Dike Road. It is recognized that the maintenance of vehicular access on this latter portion is critical and provisions will be made to accommodate this use into the future. While no design has occurred at this point, the range to possible alternatives would include the complete removal of the roadbed with no accommodation for public access to the construction of a boardwalk-type structure spanning the entire distance between Snake Creek Road and Duck Harbor Road designed to accommodate full tidal restoration.

D. Palladino also reviewed to reasons why the project as a whole is necessary to restore self-sustaining, tidally influenced natural habitats and emphasized that with the restricted tidal flow we have today, the marsh will not stay the same and will continue to degrade. He also reviewed the wide range of both natural and social benefits of the project including nutrient cycling; improvements to water quality; restoration of finfish and shellfish habitat and eel and herring runs; sediment deposition to compensate for sea-level rise; replacement of existing degraded habitats with healthy tidally-dependent vegetation; public access; enhanced opportunities for recreation including boating, birding/wildlife viewing, finfishing, and shellfishing; and improved control of nuisance mosquitoes.



## Friends of Herring River

He then reviewed the overall project schedule and introduced S. Spear who presented more detail on the development and results of the hydrodynamic model and described why changes to High Toss Road are needed to achieve restoration goals. He explained how the existing culvert under the roadway is greatly undersized to pass future tidal flows and how the roadway, once overtopped, limits the ability for the upstream marsh to drain on an ebbing tide. If left in current state, portions of the roadbed will erode.

C. Wood reviewed a series of photographs and presented a profile of the roughly 1,000 liner foot floodplain crossing showing the relationship between the existing elevations of the road and predicted Mean High Water from the model.

Comments and concerns raised during the meeting include the following:

### User Groups

Current recreational uses noted along High Toss Road include hiking/walking, jogging, dog walking, horseback riding, cross country skiing, birding, hunting, mountain biking, ATV use, and kayak/canoe launching.

With regard to frequency of use, there was general consensus that the roadway is frequently used by a wide range of user groups. It was noted that approximately 10 horseback riders use the roadway. Regarding horses, a comment was made that an earthen surface would be much preferred over a structural crossing.

It was noted that the roadway is used by both the abutting neighborhood as well as individuals who are travelling some distance from other points in town or just visitors to the Cape Cod National Seashore (CCNS).

It was recognized that kayak/canoe launching would not be possible at this point with no vehicle access. Future improved access is proposed above and below this location to accommodate this use.

It was mentioned that shallow fords in the road bed would negatively impact mountain bikers by exposing the bike chain to salt water.

Uncle Tim's Bridge was mentioned as a good low-impact example of a non-vehicular structure. Alternatives need to fit with the natural setting.

In general, there was strong support for the need to accommodate the existing broad range of non-vehicular uses year around. Restoration is likely to increase recreational opportunities (e.g., shellfishing) and the number of users. Additional access points and parking should be considered.

### Public Safety

Concern was raised about the current and potential future flooding of Duck Harbor Road, which in turn could limit access for fire fighting vehicles should vehicular use of High Toss Road be





## Friends of Herring River

eliminated. At present there are no plans by the CCNS to improve low-lying portions of Duck Harbor Road.

Concern was raised regarding portions of the High Toss Road access being overtopped during some portion of the tide (e.g., Lieutenant Island) as visitors would be unfamiliar with these unique access issues.

### Miscellaneous

A comment was made that otters are frequently observed at the existing culvert.

A comment was raised concerning on-going beach erosion and whether these issues (including a breach of the Gut) could impact future tide heights in Herring River.

A concern was raised regarding how the Town is weighting in on the issue. The makeup of the HRRC was explained as an opportunity for the Town to be involved with the project as a whole. The Town's position on the fate of the High Toss Road floodplain crossing is not clear at this point, no decisions have been made, nor is it clear what aspects would need to come to Town Meeting.

General concern was raised regarding restrictions placed on ATV use and this group can be an important review source if its use were more broadly accommodated within the Town. Travel within the power line corridor paralleling Route 6 could be an important route during an emergency.

### Funding

A comment was raised concerning sources of funding for the entire restoration project. It was explained that the project is estimated to be in the range of \$40-50 million and would require a combination of state and federal funds appropriated through legislative action.

### CNR Dike

A comment was raised concerning provisions for maintaining traffic during reconstruction of the dike and whether High Toss Road may be important as a second point of access to Griffin Island. It was explained that the reconstruction of the dike will accommodate alternating one-way traffic throughout the construction period.

A comment was raised concerning how the dike openings would be adjusted over time.

### Ownership

A comment was raised regarding current ownership of the High Toss Road floodplain crossing. It was explained that the land is owned by CCNS but the Town has a right-of-way. The actual wording of this access will require deed research.

### History of the High Toss Road Crossing

A comment was raised about the history of the roadway and when it was constructed. Based on historic mapping, the roadway predates CNR so originally would have been subject to substantial



## Friends of Herring River

tidal influence. Some believe there was a steel bridge over Herring River at some point in the past. The Friends of Herring River (FHR) will investigate the history further and share on their website.

A comment was raised that a portion of the floodplain adjacent to High Toss Road was once maintained as a field with tile drains in the soil.

One resident mentioned that portions of the road bed have oyster shells, it was unclear if this is part of an historic oyster bed or placed as a source of fill.

### Next Steps

In response to the concerns raised prior to this meeting, another meeting is scheduled for February 26 for those who were unable to attend the February 12 meeting. A request was made to have CCNS staff present so the community feels their concerns are being heard.



## Friends of Herring River

### Appendix 3: Meeting Minutes, Public Meeting, June 2, 2015

Meeting Notes  
High Toss Road Public Meeting  
June 2, 2015

The main points covered by questions/comments from the 35-40 people in attendance include the following:

- Would horses be prohibited on the boardwalk? Steve Spear answered that the boardwalk could be built to hold horses but that horses would likely not cross a boardwalk that long. There would also be an increase in user conflict which would raise safety concerns.
- One attendee said that this was the first time he had heard that the Town will buy and maintain a structure on High Toss. Harry Terkanian replied that because High Toss is a town road, the town has an obligation to maintain it. Also mentioned that “project costs” would be used to build any structure. This should be confirmed.
- Several people said that they didn’t agree with the use of current horse numbers as determined by current stable permits. Currently only 2 stable permit holders have horses within walking distance of High Toss Road. These numbers fluctuate over the years. The only straight stretch of road in town to run a horse is High Toss Road.
- Questions about budget for the entire project and why were costs for this relatively small part of the project being considered now. Don Palladino explained that all elements of the project need to be considered from a cost perspective and the sum of the parts established the overall project budget, which is currently between \$40-\$50 million. Need to consider best use of public funds.
- Many attending thought that the most important part of the decision making was to consider the restoration and environmental aspects of the project and thought full removal of High Toss Road with no replacement structure would be best option. “High Toss could be sacrificed for the greater good.”
- Some thought Option B was a good option versus option C but were concerned about maintenance costs. On further consideration, may be better not to have anything there.
- Question about what would walking across the new marsh surface be like after restoration if no structure were there. Steve Spear said that it would be wet during certain cycles of the tide and maybe damp and squishy during other times. He compared it to a trail at Cape Cod Museum of Natural History that goes through the marsh.
- Suggestions to consider full removal of High Toss Road with just a bridge at the channel to provide access.
- Concerns about pressure-treated wood and use of CCA. Craig Wood from ESS explained that other non-leaching, non-toxic materials could be used, but would be more expensive. Selection of materials would determine overall costs.
- Suggestion to leave road and let tide take it away





## Friends of Herring River

- This area, as well as Duck Harbor, has changed over time and change is natural and should be accepted.
- Cross-country skiers would like to see access maintained.
- Steve Spear mentioned that other options could and will be considered for horseback riding and hiking opportunities elsewhere nearby




M. Rheinhardt- June 4, 2015

In addition, two messages were received, one from a couple who could not attend the public meeting – the message was read at the meeting – and a second from an individual who did attend. The former message expressed strong support for Plan B but also access to accommodate all users, opening up of Duck Harbor Road, canoe/kayak access and similar recreational amenities. The second message reinforced the individual's comments at the meeting supporting Option A and expressing serious concern about damage to the environment from any structural solution.

D. Palladino – June 4, 2015



## High Toss Road Flow Improvements and Public Access - Alternatives Matrix

	Concerns	Alternatives			
		Option A Complete Removal	Option B Long Pedestrian Boardwalk	Option C Multiple Bridge Segments & Elevated Trail Segments	Option D Heavier Load Multi-use Bridge Segments & Elevated Roadway
 <b>Natural Resources</b>	<b>Water Flow:</b> Meet project objectives for salinity and tidal prism, as well as water and sediment quality	Replacing undersized culvert with open naturalized tidal channel and removal of the existing roadbed to optimize predicted tidal prism and salinity penetration above High Toss Road. Water quality would be greatly improved from present conditions.	Same as Option A.	Option includes one 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings, as necessary, to remove any restrictions to predicted tidal prism or salinity penetration above High Toss Road. Water quality would be greatly improved from present conditions.	Same as Option C.
	<b>Sediment Transport and Soils:</b> Promote natural sediment transport mechanisms, in part thru tidal channel restoration	Replacing undersized culvert with open naturalized tidal channel and removal of the roadbed would promote unobstructed sediment transport mechanisms.	Same as Option A.	Replacing undersized culvert with open naturalized tidal channel and removal of the roadbed would substantially improve sediment transport. Roadway segments to remain could obstruct transport mechanisms related to sheet flow over the marsh platform.	Same as Option C.
	<b>Wetland Habitats and Vegetation:</b> Loss and potential restoration of wetland habitats	Removal of the existing roadbed would provide roughly 0.3 acres of salt marsh restoration.	Same as Option A. Boardwalk would be designed to promote adequate light penetration.	Elevating existing roadbed would impact roughly 0.3 acres of existing degraded wetland and limit salt marsh restoration opportunities to bridge segments.	Same as Option C.
	<b>Aquatic Species including Migratory Fish:</b> Promote restoration of estuarine fish assemblage and avoidance of fish passage barriers	Replacing undersized culvert with open naturalized tidal channel would eliminate fish passage barriers. Restored salt marsh within roadbed would provide roughly 0.3 acres of additional nursery habitat for both resident and transient fish species and for estuarine macroinvertebrates, increasing their abundance.	Same as Option A.	Replacing undersized culvert with open naturalized tidal channel would eliminate fish passage barriers. Elevating existing roadbed would impact existing degraded wetland and limit salt marsh restoration opportunities to bridge segments.	Same as Option C.
	<b>State-listed Rare, Threatened, and Endangered Species:</b> Consequences to State-listed birds, reptiles and insects	Tidal creek improvements and restoration of roughly 0.3 acres of salt marsh within the roadbed would improve habitat for Diamondback Terrapin. No impacts to other State-listed species are anticipated.	Same as Option A.	Tidal creek improvements would improve habitat for Diamondback Terrapin. Salt marsh restoration opportunities to bridge segments. No impacts to other State-listed species are anticipated.	Same as Option C.
 <b>Cultural Resources</b>	<b>Wildlife:</b> Consequences to birds, mammals, reptiles and amphibians	Existing roadbed is not considered important habitat to birds, mammals, reptiles or amphibians. For salt marsh dependent bird species roughly 0.3 acres of habitat would be restored.	Existing roadbed is not considered important habitat to birds, mammals, reptiles or amphibians. For salt marsh dependent bird species roughly 0.3 acres of habitat would be restored. Human presence could discourage use of habitat by some species.	Elevating existing roadbed would impact existing degraded wetland and limit salt marsh restoration opportunities to bridge segments. Human presence could discourage use of habitat by some species.	Same as Option C.
	<b>Archaeological resources:</b> Minimize potential impacts to areas of archaeological sensitivity	There is a potential for adverse effects to archaeological resources in the APE from construction or other ground disturbance. Additional archaeological assessment would occur prior to construction.	Same as Option A.	Same as Option A.	Same as Option A.
 <b>Socioeconomics</b>	<b>Recreational Experience and Public Access:</b> Consistency with public access objectives and recreational opportunities.	Existing recreational access for a variety of user groups including, hiking/walking, jogging, dog walking, horseback riding, cross country skiing, birding, hunting, mountain biking, ATV use, and kayak/canoe launching would be eliminated at this location. There would be a substantial loss in public access.	Existing access to be improved for most non-vehicular uses. Option B would not accommodate equestrian uses. After restoration, there would be improvements to recreational shellfishing, finfishing, wildlife viewing, boating, and visual aesthetics. Access for paddlecraft launching is proposed elsewhere. There would be limited net loss in public access.	Existing access to be improved for all non-vehicular uses. After restoration, there would be improvements to recreational shellfishing, finfishing, wildlife viewing, boating, and visual aesthetics. Access for paddlecraft launching is proposed elsewhere. There would be no net loss in public access.	Same as Option C.
	<b>Viewscape:</b> Consistency with project objectives and aesthetics and maintains current natural setting	Removal of the existing roadbed and re-establishing an open naturalized tidal channel would return site to an undeveloped setting.	Marsh restoration within the former roadbed along with pile-supported timber boardwalk consistent with coastal landscape character and national park setting.	Pile-supported timber boardwalk consistent with coastal landscape character and national park setting. Elevating low-lying roadway impacts current natural setting.	Same as Option C.
	<b>Low-lying Property Access:</b> Meet objectives without restricting short and long-term access to private properties	Possible short-term access limitations during construction. No long-term access impacts to private properties.	Possible short-term access limitations during construction. No long-term access impacts to private properties with proper accommodations for park visitors.	Same as Option B.	Same as Option B.

**Option A:** Remove approximately 1050-ft segment of High Toss Road (including Herring River culvert) and restore main channel/former roadbed. No future recreational access provided.

**Option B:** Remove approximately 1050-ft segment High Toss Road (including Herring River culvert) and restore main channel/former roadbed. Replace with 1050-ft long/6-ft wide/6-ft high, pile-supported, pedestrian timber boardwalk (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in railing, no material upgrades). Design Live Load H-5: 10,000 lbs). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 10-ft wide stone dust trail, 2 ft shoulders, 3:1 reinforced slopes. Restore main channel/create secondary channel.






**Option C:** Construct 6-ft wide/6-ft high pile-supported equestrian timber bridges (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in railing, no material upgrades). Design Live Load H-5: 10,000 lbs). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 8-ft wide stone dust trail, 2 ft shoulders, 3:1 reinforced slopes. Restore main channel/create secondary channel.

**Option D:** Construct 10-ft wide pile-supported multi-use timber bridges (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in railing, no material upgrades). Design Live Load 7.5 ton). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 10-ft wide stone dust trail, 1 ft shoulders, 3:1 reinforced slopes bridges. Restore main channel/create secondary channel.





## High Toss Road Flow Improvements and Public Access - Alternatives Matrix

Alternatives				
	Option A Complete Removal	Option B Long Pedestrian Boardwalk	Option C Multiple Bridge Segments & Elevated Trail Segments	Option D Heavier Load Multi-use Bridge Segments & Elevated Roadway
Concerns				
 <p>Avoid hazards to public safety regarding headspace and velocities; Avoid user conflicts</p>	<p>Alternative would remove all infrastructure so avoids any public safety concerns or user conflicts</p>	<p>Boardwalk would be designed to accommodate adequate headspace. Open channel design would limit any velocity increases at crossing. Increases at crossing. Boardwalk intended to limit user groups.</p>	<p>Bridge would be designed to accommodate adequate headspace. Open channel design would limit any velocity increases at crossing. Shorter bridge segment length specifically designed to minimize potential user conflicts. Additional width may increase opportunities for multiple user types to cross simultaneously.</p>	<p>Option A: Remove approximately 1050-ft segment of High Toss Road (including Herring River culvert) and restore main channel/former roadbed. No future recreational access provided.</p> <p>Option B: Remove approximately 1050-ft segment High Toss Road (including Herring River culvert) and restore main channel/former roadbed. Replace with 1050-ft long 6-ft wide 6-ft high, pile-supported, pedestrian timber boardwalk (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in handrail, no material upgrades).</p> <p>Option C: Construct 6-ft wide 6-ft high pile-supported equestrian timber bridges (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in railing, no material upgrades, Design Live Load H-5: 10,000 lbs). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 8-ft wide stone dust trail, 2 ft shoulders, 3:1 reinforced slopes. Restore main channel/create secondary channel.</p> <p>Option D: Construct 10-ft wide pile-supported multi-use timber bridges (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in railing, no material upgrades, Design Live Load 7.5 ton). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 10-ft wide stone dust trail, 1 ft shoulders, 3:1 reinforced slopes bridges. Restore main channel/create secondary channel.</p>
 <p>Anticipated Cost: Create infrastructure investments that are reasonable to construct and provide the best value for function and purpose, including cost of channel construction</p>	<p>Least anticipated cost due to lack of infrastructure construction and beneficial reuse of excavated roadbed material. Costs for channel naturalization work similar for all alternatives.</p> <p>General Construction Cost Estimate: \$54,000-80,500</p>	<p>Substantial construction cost due to proposed length of boardwalk. Costs slightly offset by beneficial reuse of excavated roadbed material. Costs for channel naturalization work similar for all alternatives.</p> <p>General Construction Cost Estimate: \$351,000-526,500</p> <p>Preparer's Note: Based on pressure treated piles which may be an issue with ConComm</p>	<p>Costs similar to Option C with additional infrastructure costs (approximately 20%) associated with increased width and live load railing.</p> <p>General Construction Cost Estimate: \$321,000-481,500</p> <p>Preparer's Note: Based on 160 ft combined structure length and pressure treated piles which may be an issue with ConComm</p>	<p>Option B: Remove approximately 1050-ft segment High Toss Road (including Herring River culvert) and restore main channel/former roadbed. Replace with 1050-ft long 6-ft wide 6-ft high, pile-supported, pedestrian timber boardwalk (2.50 CCA timber butt pilings on 10-ft centers, timber abutments, 54-in handrail, no material upgrades, Design Live Load H-5: 10,000 lbs). One 60-foot crossing of the Herring River channel and at least two additional 50-foot crossings as necessary to remove any tidal restriction. Roadway elevated to 6 ft NAVD 88 w/ 8-ft wide stone dust trail, 2 ft shoulders, 3:1 reinforced slopes. Restore main channel/create secondary channel.</p>
 <p>Construction Impacts: Minimize construction-related impacts to environment and public access</p>	<p>Least anticipated construction impacts but eliminates public access.</p>	<p>Minor construction-related environmental impacts anticipated, pile driving noise impacts greatest for this alternative. Public access to be restricted during construction period.</p>	<p>Minor construction-related environmental impacts anticipated but longer in duration in comparison to Options A or B. Public access to be restricted during longer construction period.</p>	<p>Same as Option C.</p>
 <p>Life Expectancy: Provide resilient solutions over life cycle</p>	<p>No infrastructure requiring replacement.</p>	<p>With proper maintenance life expectancy of infrastructure should exceed 25 years. Highest replacement costs at end of life cycle.</p>	<p>With proper maintenance life expectancy of infrastructure should exceed 25 years. Lower anticipated replacement costs but dependent on overall bridge segment length.</p>	<p>Same as Option C.</p>
 <p>Maintenance Requirements: Anticipated maintenance over life cycle</p>	<p>No infrastructure or trail segments requiring maintenance.</p>	<p>Timber boardwalk would require application of protective coating (every 5-10 years), periodic replacement of damaged/worn components. No trail segments requiring maintenance.</p>	<p>Timber bridge segments would require application of protective coating (every 5-10 years), periodic replacement of damaged/worn components. Regular maintenance required to remove manure from bridge segments. Equipment limitations for anticipated maintenance/repair of trail embankments.</p>	<p>Same as Option C. Heavier live load rating and wider bridge segments improves equipment access for anticipated maintenance/repair of trail embankments.</p>
 <p>Project Continuity: Overall consistency with the EIS project purpose and objectives in taking action. Permitability: Compliance with Cape Cod National Seashore</p>	<p>Consistent with objective to reestablish the natural tidal range, salinity distribution, and sedimentation patterns of the estuary. Eliminating access impacts objectives to educate visitors and enhance recreational opportunities over a diversity of restored wetland and open-water habitats.</p> <p>The Herring River estuary is included in the Seashore's natural zone, and is managed to protect natural processes with limited infrastructure.</p>	<p>Consistent with objective to reestablish the natural tidal range, salinity distribution, and sedimentation patterns of the estuary. Consistent with objectives to educate visitors and enhance recreational opportunities over a diversity of restored wetland and open-water habitats. Option B avoids wetland fill.</p> <p>The NPS would work with adjacent landowners or stakeholders by providing guidance on resource protection and interpretation.</p>	<p>Generally consistent with objective to reestablish the natural tidal range, salinity distribution, and sedimentation patterns of the estuary. Consistent with objectives to educate visitors and enhance recreational opportunities over a diversity of restored wetland and open-water habitats. Roughly 0.3 acres of fill in wetlands for trail segments would be a regulatory hurdle.</p> <p>The NPS would work with adjacent landowners or stakeholders by providing guidance on resource protection and interpretation.</p>	<p>Same as Option C.</p>





# TOWN OF WELFLEET

300 MAIN STREET WELFLEET MASSACHUSETTS 02667

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

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

May 18, 2015

Dear Parent or Guardian:

Funding was approved at the 2015 Wellfleet Annual Town Meeting and at the Town of Wellfleet Election on May 4, 2015, to provide financial assistance to the parents and guardians of all Wellfleet children who have achieved the age of four (4) years by August 31, 2015 to attend Pre-school. A child who lives in Wellfleet and who attends an accredited and certified Pre-school program may qualify for up to \$7,000 in tuition assistance for the school year from September 2015 through June of 2016.

Guidelines for this new and exciting program and the application form are contained in this mailing. If you are interested in applying for this assistance, please fill out and mail the application so that it is received no later than July 31, 2015 and send it to:

Town of Wellfleet Social and Human Services  
715 Old Kings Highway  
Wellfleet, MA 02667

If you have questions about the program please contact the Director of Community Services, Suzanne Grout Thomas at [suzanne.thomas@wellfleet-ma.gov](mailto:suzanne.thomas@wellfleet-ma.gov) or by telephone 508-349-0313.

Yours truly,

---

Paul Pilcher, Chairman, Board of Selectmen

"No one has yet fully realized the wealth of sympathy, kindness and generosity hidden in the soul of a child. The effort of every true education should be to unlock that treasure."

**Emma Goldman**



**Town of Wellfleet Pre-School Voucher Program  
2015 Application**

Name of child: \_\_\_\_\_

Date of birth: \_\_\_\_\_

**(child must be four (4) years old on or before August 31, 2015 to apply)**

Name(s) of parent(s) or Guardian(s):

\_\_\_\_\_

Wellfleet street address: \_\_\_\_\_

Mailing address (if different): \_\_\_\_\_

Telephone: \_\_\_\_\_

Name of School: \_\_\_\_\_

Address: \_\_\_\_\_

Contact person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_  
(Signature of parent or guardian)

\_\_\_\_\_  
Date

## Checklist

Completed application

Copy of birth certificate of child

Proof of Residency

- ☐ Voter in Wellfleet  
(Parent or Guardian) Yes \_\_\_\_ No \_\_\_\_
- ☐ On Wellfleet Street Census Yes \_\_\_\_ No \_\_\_\_
- ☐ Driver's license with Wellfleet street address  
(Parent or Guardian) Yes \_\_\_\_ No \_\_\_\_

**Purchase Description: Preschool; \_\_\_\_\_**

The Town of Wellfleet is interested providing a tuition voucher for Wellfleet residents who have achieved the age of four (4) by August 31, 2015.

*Scope of Services & Schedule of Performance*

- Services must be provided in FY16 (July 1, 2015 –June 30, 2016).
- Services must be provided to children and families who are residents of the Town of Wellfleet.
- Vendors must be licensed and accredited preschools. No contracts will be made with private individuals.
- In no case will the voucher exceed the amount of Seven Thousand Dollars (\$7,000) for the fiscal year.
- Payments will be based on actual costs per child for each quarter of FY16.

Contract terms:

- Vendors will submit bills for payment on a quarterly basis and provide the Town with
  1. Name of child
  2. Number of days child was scheduled to attend
  3. Number of days in actually in attendance
  4. Cost for that quarter
- Successful vendors are required to provide the town with:
  1. Proof of certification and accreditation
  2. Signed agreement to be paid retroactively each quarter.

FOR: Board of Selectmen,  
Town of Wellfleet

FROM: Judith Stiles  
Economic Development Committee

RE: PROJECTS SUMMARY – EDC

DATE: June 9, 2015

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Dear Board of Selectmen;

On behalf of the Economic Development Committee, thank you for this opportunity to summarize the work and accomplishments of the EDC, as well as update you on our goals for the future.

The members of the EDC are volunteers from the Wellfleet community who meet once a month and thoughtfully address many issues related to:

- promoting business activity In the shoulder season
- improving year round employment opportunities
- helping younger community members start micro-businesses
- improving cultural and commercial activities that define Wellfleet

When we focus on these issues we **always** keep in mind how to further cultural and commercial activities in a way that will totally be in keeping with the lovely "small community" nature of Wellfleet. To clear up any misconceptions, we do not encourage any business or festival development that would expand Wellfleet in a way that would run contrary to the "small community" atmosphere. Much of what shapes our discussion and efforts revolves around the conundrum: How can we grow business, create year round employment, provide meaningful work for the younger demographic of citizens, without "ruining the small-town atmosphere" of Wellfleet? At the same time we fully recognize that citizens of all ages have a difficult time surviving on the income from three months of tourist commerce if they want to be year round residents. We believe the answer can be found in continuing with some of the past programs as well as pursuing some of the exciting new ones.

Below is a list of our projects to date and future projects, which will be explained in the meeting.

Current and Past Projects:

Holiday Stroll  
 Wellfleet Blossoms  
 Open University of Wellfleet  
 Harborfest  
 Wellfleet Historical Museum Holiday House Tour  
 Blue Lights  
 Marina Sign  
 Preservation Hall Film Series  
 Lower Cape Sprint Triathlon  
 WESP Community Development  
 Creating Wellfleet Cultural District

Additional Future Projects:

Harborfest 2016  
 Youth-Business Mentorship Program  
 Certified Kitchen Space for Micro-food businesses  
 Digital Art Gallery  
 \*Internet Sales and Services Database-for Wellfleet businesses  
 \*Community Business Incubator Program

GRANTS AWARDED 2013 - 2014

Wellfleet Chamber of Commerce Holiday Stroll Grant Awarded October 16, 2013	\$1,150
Wellfleet Preservation Hall Film at the Hall Grant Awarded October 3, 2013	\$500
Wellfleet Preservation Hall Open University of Wellfleet Grant Awarded October 3, 2013	\$1,060
Wellfleet Blossoms  Grant Awarded November 18, 2013	



Wellfleet Historical Museum Holiday House Tour Grant Awarded on November 18, 2013	\$1,000
Wellfleet Chamber of Commerce Blue Lights Grant Awarded on December 5, 2013	\$1,000
Wellfleet Historical Society From here to There Grant Awarded on February 13, 2014	\$736.75
Wellfleet Chamber of Commerce Harborfest Bonfire Grant Awarded on June 19, 2014	\$200
WOMR for Lower Cape Sprint Triathlon  Grant Awarded on June 20, 2014	\$876
Wellfleet Chamber of Commerce Marina Sign Grant Awarded on June 20, 2014	\$1,000
Wellfleet Chamber of Commerce Harborfest and Marina Sign oyster branding Grant Awarded on June 17, 2014	\$2,500
Wellfleet Blossoms  Grant Awarded on March 31, 2015	\$2,250
Wellfleet Chamber of Commerce Holiday Stroll Grant Awarded on April 24, 2015	\$1,500
Wellfleet Historical Society PR and Marketing Grant Awarded on April 24, 2015	\$1,500
Wellfleet Chamber of Commerce Blue Lights Grant Awarded on April 24, 2015	\$100
	\$992.05

## Creating a Wellfleet Cultural District

Community Information Meeting  
May 2015

Brian Carlson, Assistant Town Administrator

## What is a Cultural District?

A cultural district is a specific geographical area in a city or town that has a concentration of cultural facilities, activities, and assets.

It is a walkable, compact area that is easily identifiable to visitors and residents and serves as a center of cultural, artistic and economic activity.

No two cultural districts will be alike.

## Who Can Apply?

Any city or town is eligible to apply.

The city or town, after identifying a specific geographic area, must establish a partnership with other organizations and stakeholders.

A municipality may apply for more than one cultural district designation in its city or town, but each designation requires a separate application.

## Cultural District Goals

- Attract artists and cultural enterprises
- Encourage business and job development
- Establish the district as a tourist destination
- Preserve and reuse historic buildings
- Enhance property values
- Foster local cultural development

## Length of Designation

- A cultural district designation will be in effect for five years.
- An Annual Progress Report is required each year.
- A designation may be renewed for an additional five years if the district partnership has maintained compliance with annual reporting requirements in prior years, and the city or town recommits to its cultural district's work.

## Partnerships and Management

Prior to submitting an application, the city or town must form a cultural district partnership.

The partnership must be comprised of a diverse mix of organizations and businesses that represent the shared interests of the district.

The majority of organizations in the partnership must be located in the district.



## Partnerships and Management

The town may elect to assign the day to day management responsibility to one of the cultural district partners who will act as the municipality's agent.

The partner must be in good financial standing, and have the capacity to lead the partnership.

Is this something the community would like to do? If so, what organization?

## Partnerships and Management

If the day to day management of the district is assigned to a third party, there must be a written agreement between the city or town and the designated partner that outlines the responsibilities of each party.

The agreement should be in line with local municipal regulations and reviewed by the municipality's legal counsel prior to submitting an application.

## Partnerships and Management

The partnership must establish a management plan involving agreed upon objectives that prioritizes tasks, allocates resources, establishes timelines and milestones, and provides a means to measure success

## Partnerships and Management

The partnership must include at least one cultural organization incorporated in Massachusetts.

The partnership may include cultural for-profit or not-for-profit organizations outside the geographic boundaries of the district, provided those organizations produce regular cultural programming within district boundaries

## Forming a Cultural District Partnership

What businesses and organizations would like to be part of a formal partnership with the Town to advance the creation and implementation of a Cultural District?

This is a community driven initiative.

## Resolution by the City/Town

Any city or town applying for a state-designated cultural district must:

- Hold at least one community input meeting so that residents, businesses and interested parties can learn about and discuss the proposed cultural district map and goals. (This required meeting will be held on Monday, June 15<sup>th</sup>.)

Following the community input meeting(s):

- The city or town must pass a resolution making a commitment to establish a state-designated cultural district. (This requirement is slated to be on the Board of Selectmen Agenda on July 14<sup>th</sup>.)



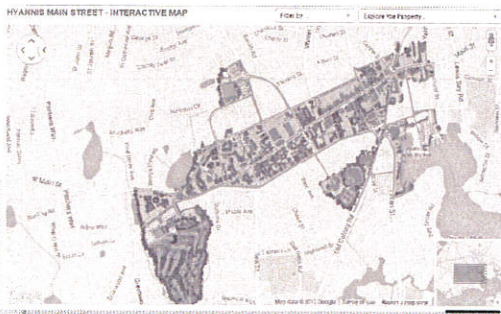
## What are the cultural facilities, activities, and assets in Wellfleet?

- Brainstorm and identify these resources.
  - What are some cultural assets?
  - What are some facilities?
  - What types of activities?

## Creating a District Map

- Generate a list of cultural assets within the town. Organizations, activities, sites, events.
- Identify a geographical area that encompasses the cultural assets of the Town.
- Work to connect the assets within the geographical area.

## Hyannis Main Street Example...



## Resources for Cultural Districts

- The Massachusetts Cultural Council offers a variety of funding programs that might benefit the planning and implementation of a cultural district. Each program offers a combination of financial and/or technical resources to support the development of a cultural district's goals and implementation plan. MCC program staff is available for consultation for each program.
- **Adams Arts Program:** The Adams Arts Program supports projects that revitalize communities, create jobs, grow creative industries, and increase engagement in cultural activities by Massachusetts residents and visitors
- **Cultural Facilities Fund:** Cultural Facilities Fund (CFF) grants support projects that create jobs in construction and cultural tourism; expand access and education in the arts, humanities, and sciences; and improve the quality of life in cities and towns across the Commonwealth.
- **Local Cultural Council Program:** The Local Cultural Council (LCC) Program is the largest grassroots cultural funding network in the nation supporting thousands of community-based projects in the arts, humanities, and sciences annually.

## Next Steps...

A Public Hearing will be held on Monday, June 15<sup>th</sup> with the Mass Cultural Council, Program Manager, Meri Jenkins.

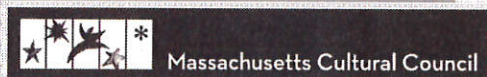
Board of Selectmen will discuss the draft Resolution for the creation of a Cultural District at their July meeting.

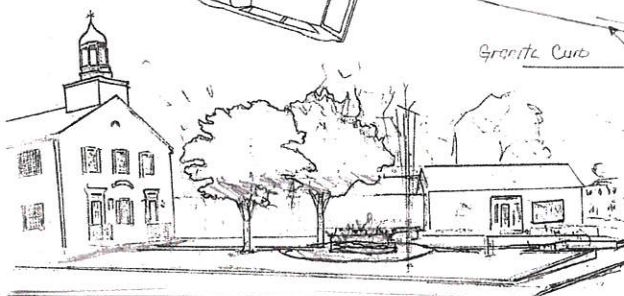
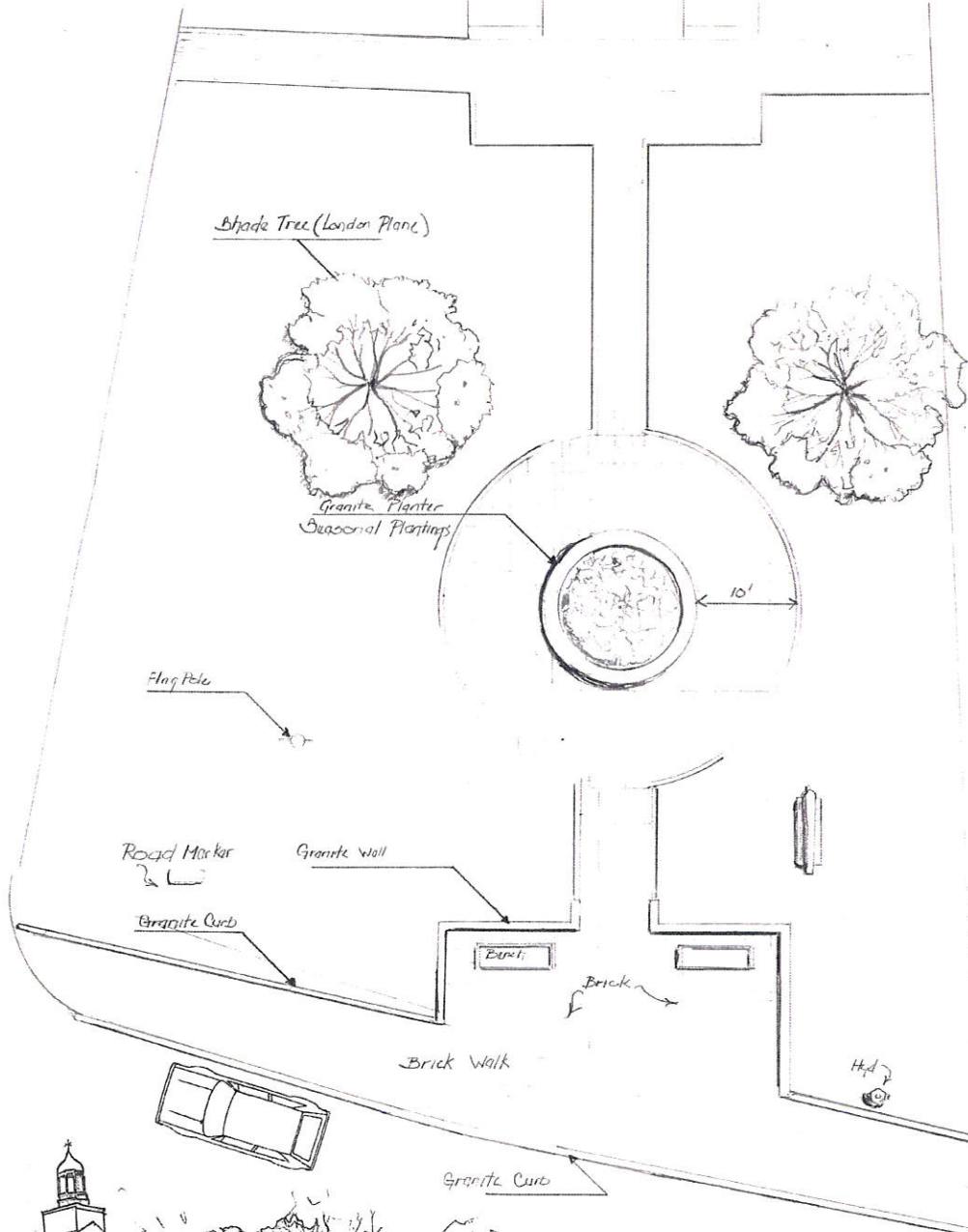
A map of the geographical area for the proposed cultural district will be created and open for review and comment by the public.

A formal Cultural District Partnership Group will be created.

A formal application to establish a Cultural District will be submitted to the State for approval.

## Questions? Comments?





	10'	20'	30'
bridge	\$36K	granite ?	
trees	10K		
im.	7K		
grad	2K		

Wellfleet Town Hall  
300 Main Street  
Wellfleet, MA

Plan Showing Entry Walk  
&  
Tree Plantings

Scale: 1"=10'  
date: March 5, 2013  
revised: April 13, 2015

prepared by  
Land Design Associates  
63 Brock Trail Road  
Brewster, MA  
508-255-8525

1



---

**From:** Harry Terkanian <harry.terkanian@wellfleet-ma.gov>  
**To:** murro@vanmetertable.com **Cc:** Paul Pilcher <paulpilcher@comcast.net>  
**Date:** 06/02/2015 09:24 AM  
**Subject:** Re: [Wellfleet MA] vending appeal

---

Mr Van Meer:

As I indicated to you yesterday, your "appeal" will be on the agenda for the Selectmen's meeting on June 9, 2015.

You should be aware that procurement of goods and services is regulated by Massachusetts statutes, particularly general laws, chapter 30B. In order to award a contract pursuant to an invitation for bids, the award must be made to a "responsible and responsive" bidder. A bid that does not include all required elements of the invitation to bid as of the date and time set for the opening of bids is incomplete and therefore non responsive and must be rejected.

Failure to include required information is not a minor informality which can be cured by a late submission. In the instance of the beach concession procurement, before acting I consulted the Office of the Inspector General to determine whether the failure to include a required item was a minor informality which could be cured by a late submission and was advised that it was not.

It will be my recommendation to the Selectmen that your failure to submit a complete response at the date and time of bid opening required the rejection of your response and that there is no basis for reversing the actions taken in the handling of that bid opening. I will also be advising the selectmen that there is no provision in the Commonwealth's procurement laws providing for an appeal from a procurement decision to the board of selectmen. Any appeal rights you may have lie elsewhere.

Harry Sarkis Terkanian, Town Administrator  
Town of Wellfleet  
300 Main Street  
Wellfleet, MA 02667  
(508) 349-0300

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---

**From:** Murro Van Meter [<mailto:murro@vanmetertable.com>]  
**To:** [townadministrator@wellfleet-ma.gov](mailto:townadministrator@wellfleet-ma.gov)  
**Sent:** Mon, 01 Jun 2015 12:23:50 -0500  
**Subject:** Re: [Wellfleet MA] vending appeal

Mr. Terkanian,

Thank you very much for getting back to me and thank you for putting the matter on the agenda.

Sincerely,  
Murro



---

**From:** Harry Terkanian <harry.terkanian@wellfleet-ma.gov>  
**To:** Murro Van Meter <murro@vanmetertable.com> **Cc:** Paul Pilcher <paulpilcher@comcast.net>  
**Date:** 06/01/2015 11:39 AM  
**Subject:** Re: [Wellfleet MA] vending appeal

---

Mr. Van Meter:

Your request to appeal the award of the beach concession contract will appear on the June 9, 2015 Board of Selectmen meeting agenda. The meeting will begin at 7:00 PM and will be held at the Town of Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet. The agenda will be posted on Friday, June 5th. It is impossible to predict the exact time when this matter will come up for action.

Please note that inclusion of the matter on the agenda does not mean that the Selectmen are empowered to hear an appeal of this type.

Harry Sarkis Terkanian, Town Administrator  
Town of Wellfleet  
300 Main Street  
Wellfleet, MA 02667  
(508) 349-0300

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Confidentiality Notice: This fax/e-mail transmission, with accompanying records, is intended only for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged information belonging to the sender, including individually identifiable health information subject to the privacy and security provisions of HIPAA. This information may be protected by pertinent privilege(s), e.g., attorney-client, doctor-patient, HIPAA etc., which will be enforced to the fullest extent of the law. If you are not the intended recipient, you are hereby notified that any examination, analysis, disclosure, copying, dissemination, distribution, sharing, or use of the information in this transmission is strictly prohibited. If you have received this message and associated documents in error, please notify the sender immediately for instructions. If this message was received by e-mail, please delete the original message and destroy any hard copies you may have created. The sender does not accept any liability for any errors or omissions in the contents of this message that arise as a result of email transmission. Thank you.

---

**From:** Murro Van Meter [mailto:murro@vanmetertable.com]  
**To:** [harry.terkanian@wellfleet-ma.gov](mailto:harry.terkanian@wellfleet-ma.gov)  
**Sent:** Mon, 01 Jun 2015 11:03:00 -0500  
**Subject:** [Wellfleet MA] vending appeal

hterkanian,

Someone has sent you a message using your contact form on the Wellfleet MA site.

If you don't want to receive such e-mails, you can change your settings at <http://www.wellfleet-ma.gov/users/hterkanian>.

Message:

Good morning Mr. Terkanian,

This is a request to put the following appeal on the agenda of the board of selectmen.

My name is Murro Van Meter and I submitted a bid for the concessions services at Newcomb Hollow beach to the town of Wellfleet a few months ago. My proposal was to sell coffee, bagels, sandwiches and nonalcoholic drinks.

Although I was the highest bidder, my bid was deemed incomplete because one page of the application, the health form (which was signed and dated the day before the deadline), was submitted 15 minutes late. This seems to me to be a very small technicality. The town gave this concessions spot to a large ice cream truck company based out of Hyannis that has yet to make an appearance at Newcomb Hollow beach. The contract clearly states that the "Lessee shall have service available on all fair weather days during the contracted season (May 21st through September 7, 2015) from the hours of 10am-4pm."

I am appealing the towns decision to deny my bid. I am asking the town to cancel their contract with the ice cream company because the ice cream company has clearly (and in no small way) violated the terms of the contract. I am asking the town to honor my bid.

Please and thank you for your time and consideration,

Murro

Murro Van Meter  
105 Aunt Sallys Way  
Wellfleet MA 02667-0715  
(508) 360 7659

=====

Message sent by: Murro Van Meter ([murro@vanmetertable.com](mailto:murro@vanmetertable.com))

=====





# TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667  
Tel (508) 349-0300 Fax (508) 349-0305  
[www.wellfleetma.org](http://www.wellfleetma.org)

## FINAL BOARD OF SELECTMEN GOALS 2014-2015

No goals appeared on all 5 Selectmen's list. All goals appeared on at least 1 list.

### The following goals appeared on 4 lists:

1. Create universal pre-school program for Wellfleet residents for 2015-16 school year
2. Move ahead with dredging plans: complete engineering and permitting; present plan with price tag and time line to TM

### The following goal appeared on 3 lists:

3. Create plan for harbormaster and shellfish constable shacks

### The following goals appeared on 2 lists:

4. Include as budget item funding for post-employment benefits.
5. Keep overall increase in 2016 operating budget to 2 1/2% max
6. Create and pursue list of options to raise new revenue: consider short-term rental tax & summer parking at Marina
7. Each Department Head review fees and suggest feasible increases

### The following goals appeared on 1 list:

8. Work with DPW & Water Commissioners to create plan whereby Town can install water mains.
9. Finalize plans for new police station with price tag and timeline
10. Finalize disposition re Mayo Creek
11. Implement plan for former COA building
12. Maintain current level of services without hiring additional full-time employees
13. Bring back July 4th fireworks

7/26/14

**Michaela Miteva**

---

**From:** paulpilcher@comcast.net  
**Sent:** Monday, June 01, 2015 10:31 AM  
**To:** Terkanian, Harry  
**Cc:** Michaela Miteva  
**Subject:** Item for BIOS agenda

**Please forward this note to all members of the BOS.**

We will begin the process of setting Selectmen goals for 2015-16 at our next meeting.

Please bring to the meeting 1-3 goals that you feel are priorities for the Board to address during the coming year.

We will have a brief discussion to make sure everyone understands what is being proposed and I will then ask you to prioritize the goals as presented.

My hope is that we will have a final set of goals before the end of the month.

I am also asking Harry to suggest goals for us.

Michaela, please make sure we have a copy of this year's BOS goals in our packet.

Thank you.

U.S. Department of  
Homeland Security

United States  
Coast Guard



Officer in Charge  
U.S. Coast Guard  
Station Provincetown

125 Commercial Street  
Provincetown, Ma 02657  
Phone: (508)487-0077  
Fax: (508)487-3048  
E-mail: John.S.Harker@uscg.mil

May 18, 2015

Town of Wellfleet  
Beach and Recreation Department  
255 Commercial Street  
Wellfleet, MA.

Dear Sir or Ma'am:

My name is Chief John Harker, the Officer in Charge of Coast Guard Station Provincetown. The reason I am reaching out to your municipality, and more particularly your recreational departments, was on a request from our active duty members stationed in Provincetown whom service and protect your maritime community. Many of our members live outside the Outer Cape area due to lack of housing availability and affordability based on our housing allowance, thus not able to enjoy the beautiful beaches and surrounding areas within your community. Our request is simply to enjoy these pleasures as well, to have the opportunity to frequent the areas we so often see from a waterside perspective without our friends and family. If you would consider, we at Station Provincetown are respectfully requesting an opportunity to be afforded, or apply for, a residential beach stickers for our members to your local beaches. Your assistance and repeated consideration on this matter is very much appreciated and we thank you again for your support in years past. Please feel free contact me at anytime.

Sincerely,

A handwritten signature in black ink that reads "John S. Harker, Bme". The signature is stylized and fluid.

John S. Harker  
Chief Boatswains Mate  
Officer in Charge  
U. S. Coast Guard

## **Coast Guard Station Provincetown Roster**

- John Harker
- Joshua Gunn
- Holly Beck
- Krystyna Duffy
- Matthew Wernicke
- Jason Chilson
- Dustin Tucker
- Joshua Brodeur
- Jose Emiliani
- Jacob Vincej
- John Mulder
- Brian Glora
- Michael Raccio
- Michael Dugan
- Shane Parkèr
- Amanda Bartenbach
- Joseph Contrino
- Meghan Fuller
- Robert Brown
- Nabil Tavaréz
- Nicholas Loquerico

\*\*\*All members must present a valid military ID and verify they are members of Coast Guard Station Provincetown\*\*\*



## ORDER OF TAKING

The Commonwealth of Massachusetts, acting by and through the Commissioner of the Department of Conservation and Recreation, with a mailing address of 251 Causeway Street, Boston, Suffolk County, Massachusetts 02114, by virtue of the authority conferred by Sections 3 and 3A of Chapter 132A of the Massachusetts General Laws, as amended, and the vote of the Wellfleet Board of Selectmen and the vote of the Stewardship Council for the Department of Conservation and Recreation, which votes are appended hereto as Exhibit B and Exhibit C, respectively, does hereby take in fee, in accordance with Chapter 79 of the General Laws, in perpetuity and for the purposes set forth in Article 97 of the Amendments to the Massachusetts Constitution and for conservation and recreation purposes, and for the purpose of establishing and confirming title in The Commonwealth of Massachusetts, the land located in the Town of Wellfleet, Barnstable County, Commonwealth of Massachusetts, containing 13.933 acres, more or less, shown as a strip of land designated MAE 000 571 on a plan entitled "Land In Wellfleet Massachusetts Owned By Penn Central Railroad Co." made by Renay Brothers, Inc., Registered Engineers and Surveyors, dated August 4, 1977, recorded at the Barnstable County Registry of Deeds in Plan Book 343, Pages 35-37 (hereinafter "the Plan"), the land hereinafter referred to as the "Premises" and further described in Exhibit A attached hereto.

SUPPOSED OWNERS:      Commonwealth of Massachusetts  
                                 Town of Wellfleet  
                                 Owners Unknown

Included in this taking is any interest in abutting roads, ways, water courses or other linear monuments as provided in Chapter 183, Section 58, of the Massachusetts General Laws.

Trees and structures located upon the Premises hereby taken are also included in the taking.

Excepted and excluded from the rights hereby taken are all easements, if any, for wires, cables, conduits, pipes, poles and other appurtenances for the conveyance of water, sewage, gas, oil and electricity and for the transmission of telephone or data communication, now lawfully in or upon the Premises hereby taken.

Also excepted and excluded from the rights hereby taken by the Commonwealth are:

A right of way described in a deed to Dale C. Smith and Marion N. Smith dated October 26, 1981, recorded at the Barnstable County Registry of Deeds in Book 3399, Page 132, as confirmed by the Land Court in Land Court Registration Case No. 41680.

Rights described in a Grant of Easements and Restrictions to Robert L. Paine and Sheila L. Paine, Trustees of the Land Steward Trust, dated August 20, 2012, recorded at said Registry of Deeds in Book 26608, Page 301.

Rights described in a lease to Cape and Vineyard Electric Company dated March 30, 1962, recorded at said Registry of Deeds in Book 1308, Page 1017, to the extent still in force and applicable.

Rights in the public, if any, to use Duck Pond Road, so-called, as allowed by law.

Rights in the United States of America, if any.

Meaning and intending to take and hereby taking all and same property shown within the bounds portrayed on the Plan, subject to the exceptions as set forth hereinabove, and including in the taking all appurtenant rights and restrictions benefiting the Premises, and including in addition all rights conveyed in the following instruments: deed of Robert L. Paine and Sheila L. Paine, Trustees of the Land Steward Trust, to Dale C. Smith dated August 22, 2012, recorded at the Barnstable County Registry of Deeds in Book 26608, Page 298; deed of Thomas H. Reinhart and Janet M. Reinhart to Dale C. Smith dated September 17, 2012, recorded at said Registry of Deeds in Book 26678, Page 288; deed of Dale C. Smith to the Commonwealth of Massachusetts dated September 13, 2012, recorded at said Registry of Deeds in Book 26678, Page 291; deed of the Trustees of Wellfleet Conservation Trust to the Commonwealth of Massachusetts dated January 28, 2013, recorded at said Registry of Deeds in Book 27102, Page 349, and deed of Wellfleet Housing Authority to the Commonwealth of Massachusetts dated July 11, 2013, recorded at said Registry of Deeds in Book 27612, Page 290.

For damages sustained by reason of the aforesaid taking, and in accordance with the provisions of Chapter 79, Section 6, of the General Laws, as amended, awards may be made. The right is reserved to amend an award or modify the amount of damages to be paid at any time prior to payment thereof for good cause shown.

All names of owners herein given, although supposed to be correct, are stated only as a matter of opinion and belief.

IN WITNESS WHEREOF, the Commonwealth of Massachusetts has caused these presents to be executed in its name and behalf by John P. Murray, its Commissioner of the Department of Conservation and Recreation, hereunto duly authorized and who does hereto set his hand and seal this                      day of                      , 2015.

THE COMMONWEALTH OF MASSACHUSETTS  
Department of Conservation and Recreation

By: \_\_\_\_\_  
Carol I. Sanchez, Commissioner

COMMONWEALTH OF MASSACHUSETTS

Suffolk County, ss:

On this                      day of                      , 2015, before me, the undersigned Notary Public, personally appeared Carol I. Sanchez, Commissioner of the Department of Conservation and Recreation, who proved to me through satisfactory evidence of identification, being my personal knowledge of her identity, to be the person whose name is signed on the preceding or attached document, and who acknowledged to me that she signed it voluntarily for its stated purpose as Commissioner of the Department of Conservation and Recreation.

\_\_\_\_\_  
Notary public:

My commission expires:

## EXHIBIT A

All that strip or parcel of land 82.5 feet wide, situate in the Town of Wellfleet, County of Barnstable and Commonwealth of Massachusetts, lying 41.25 feet to either side of the centerline of location of the railroad of the former Penn Central Railroad Company, said strip or parcel of land being designated MAE 000 571 on three of four plans of survey recorded at the Barnstable County Registry of Deeds in Plan Book 343, Page 35 - 37, and entitled "Land In Wellfleet Massachusetts Owned By Penn Central Railroad Co." made by Renay Brothers, Inc., Registered Engineers and Surveyors, and dated August 4, 1977, the centerline thereof being described according to said survey plans as follows; viz:

BEGINNING at a point at railroad valuation survey station 3654 + 43.23 on a tangent on the centerline of the location of the railroad of the former Penn Central Railroad Company at the intersection of the north-westerly line of LeCounts Hollow Road with said centerline of location, said point being distant North 71 degrees 25 minutes 50 seconds East, measured on the northwesterly line of LeCounts Hollow Road, 17.79 feet from the northeasterly terminus of a curve on said Northwesterly line that has a radius of 455.48 feet;

THENCE North 33 degrees 22 minutes 30 seconds West, by said centerline of location, 197.85 feet to railroad survey station 3656+41.08 at the beginning of a curve to the left;

THENCE Northwesterly, by said centerline of location, by a curve to the left that has a radius of 5729.65 feet, an arc distance of 336.11 feet to railroad survey station 3659+77.19 at the northwesterly terminus of said curve;

THENCE North 36 degrees 44 minutes 10 seconds West by said centerline of location 3870.39 feet to railroad survey station 3698+47.58 at the beginning of a curve to the left;

THENCE Northwesterly and westerly, by said centerline of location, by a curve to the left that has a radius of 2864.93 feet, an arc distance of 2137.22 feet to railroad valuation survey station 3719+84.80 at the westerly terminus of said curve;

THENCE North 79 degrees 28 minutes 50 seconds West, by said centerline of location, 815.20 feet to railroad valuation survey station 3728+00.00 at a line extended at right angles across said 82.5 foot wide strip or parcel of land, being the westerly terminus of the parcel of land herein to be taken which has a total centerline length of 7,356.77 feet.

CONTAINING 13.933 acres of land, more or less, as shown on Sheets #1, #2 and #3 of four of the aforesaid survey plans.



**COMMONWEALTH OF MASSACHUSETTS**  
**TOWN OF WELLFLEET**

At a regularly scheduled meeting of the Board of Selectmen for the Town of Wellfleet, held on the 11th day of September, 2012, on motion duly made and seconded, it was:

VOTED: To approve the exercise of the power of eminent domain by the Commissioner of the Department of Conservation and Recreation acting pursuant to and in accordance with Sections 3 and 3A of Chapter 132A of the General Laws to acquire the fee or any lesser interests in approximately 13.9 +/- acres of land located on the north side of LeCount's Hollow Road in the Town of Wellfleet, said land being a former railroad corridor and generally 82.5 feet in width, now or formerly owned by Smith Family Realty Trust and other parties and shown on a plan of land recorded at the Barnstable County Registry of Deeds in Plan Book 343, Pages 35-37.

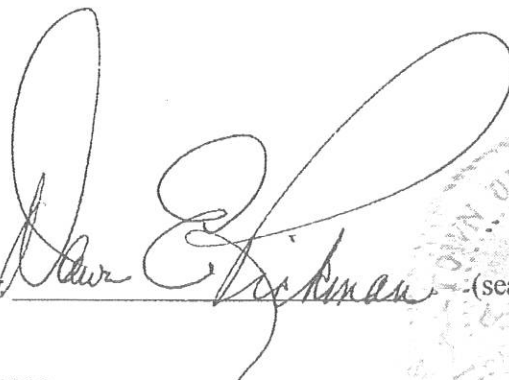
I, Dennis Murphy, do hereby certify that I am the Clerk of the Board of Selectmen in the Town of Wellfleet, and that, at meeting of said Board, duly called and held at the Wellfleet Council On Aging Building at 715 Old Kings Highway, Wellfleet, Massachusetts, on September 11, 2012, a quorum present and voting, the Board of Selectmen did vote as set forth above.

Board of Selectman Clerk:



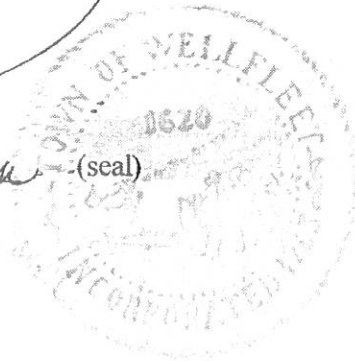
ATTEST  
A true copy:

Wellfleet Town Clerk:



(seal)

Date: November 14, 2012







## RELEASE

**KNOW ALL PERSONS BY THESE PRESENTS** that the Town of Wellfleet, acting by and through its Board of Selectmen (hereinafter "Town"), in consideration of the sum of One Dollar (\$1.00) nominal consideration paid by the Commonwealth of Massachusetts, the receipt and sufficiency of which are hereby acknowledged, in settlement of all claims related to a taking hereinafter described, does hereby remise, release and forever discharge the Commonwealth of Massachusetts, its former, current and future agencies, officials, departments, offices, employees, agents and servants, including but not limited to the Department of Conservation and Recreation (DCR) and its officials, employees, agents and servants (collectively the Commonwealth), from any and all claims, cross claims, counterclaims and third party claims of every name and description whatsoever, known and unknown, both in law and in equity, including but not limited to interest, attorneys fees and costs, that the Town or its successors and assigns now have, ever had, could have had, or in the future may have, arising out of or in consequence of the taking by eminent domain of the land located in the Town of Wellfleet, Barnstable County, Massachusetts (the "Subject Land") taken or to be taken by the Commonwealth, acting through DCR, the Subject Land being a strip of land containing 13.933 acres, more or less, designated as MAE 000 571 on a plan entitled "Land In Wellfleet Massachusetts Owned By Penn Central Railroad Co." made by Renay Brothers, Inc., Registered Engineers and Surveyors, dated August 4, 1977, recorded at the Barnstable County Registry of Deeds in Plan Book 343, Pages 35-37, and as further described in an Order of Taking dated \_\_\_\_\_, 2015, and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_. The above terms of release shall apply to all claims related to the Subject Land actually taken by eminent domain and to claims related to any other land of the Town, whether or not contiguous to the Subject Land, possibly affected by the taking; in other words, also including in this release all claims for severance damages. Included also in this release is the Town's right to assign or take any other action that would authorize, permit or enable a person or entity to bring an action against the Commonwealth on the Town's behalf, in the Town's name, or in the Town's place arising from or in consequence of the above-described taking.

IN WITNESS WHEREOF, we, the undersigned members of the Wellfleet Board of Selectmen, duly authorized, do hereunto set our hands and seals this \_\_\_\_\_ day of June in the year 2015.

\_\_\_\_\_  
Paul Pilcher

\_\_\_\_\_  
Dennis Murphy

\_\_\_\_\_  
Helen Miranda Wilson

\_\_\_\_\_  
Berta Bruinooge

\_\_\_\_\_  
Jerry Houk

COMMONWEALTH OF MASSACHUSETTS

Barnstable County, ss:

On this \_\_\_\_\_ day of June, 2015, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me through satisfactory evidence of identification, being ☐ my personal knowledge of his identity, ☐ a Massachusetts driver's license, ☐ other, being \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and who acknowledged to me that he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public:

My Commission Expires: \_\_\_\_\_



**INTERMUNICIPAL AGREEMENT  
FOR INFORMATION TECHNOLOGY SERVICES  
BETWEEN BARNSTABLE COUNTY  
AND THE TOWN OF WELLFLEET**

**AMENDMENT #3**

WHEREAS, Barnstable County and the Town of Wellfleet are parties to an intermunicipal agreement executed under date of May 20, 2013 (the "Agreement");

WHEREAS, said Agreement provides for the furnishing of information technology services by Barnstable County to the Town of Wellfleet as more fully set forth in said Agreement;

WHEREAS, said Agreement expires on June 30, 2015; and

WHEREAS, the County of Barnstable and Town of Wellfleet desire to modify said Agreement and to extend the term thereof.

NOW THEREFORE, the parties hereto agree as follows:

1. The term of said Agreement is extended to June 30, 2016.
2. The annual fee for services for July 1, 2015 through June 30, 2016 shall be \$93,173 payable in twelve equal monthly installments of \$7,764.42 with each installment payable as provided in said Agreement.
3. The On-site Support provision set forth in the Service Level Agreement for the Service Desk addendum is amended by adding the following: "On days when on-site support is provided, on-site support shall be provided during the hours of 9:00 AM to 3:30 PM., four days per week, or 26 hours per week.
4. Monthly fees for software licensing and subscriptions provided and not to exceed: \$15.00 per user for Microsoft Office 365 Government E3, and \$4.00 per user for Microsoft Enterprise Bridge Client Access Licensing Suite.
5. In all other respects said Agreement is ratified and confirmed.

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed by their individual representatives whose signatures are hereto affixed.

COUNTY OF BARNSTABLE  
BOARD OF COUNTY COMMISSIONERS

TOWN OF WELLFLEET  
BOARD OF SELECTMEN

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Dated:

\_\_\_\_\_  
\_\_\_\_\_

Dated:



## TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667  
Tel (508) 349-0300 Fax (508) 349-0305  
www.wellfleetma.org

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Town Administrator's Report  
Date: June 5, 2015

This report is for the period May 22, 2015 through June 4, 2015.

- 1 As required by the recently approved collective bargaining agreements with the Wellfleet Employees Association, a RFP for a wage and classification study for the WEA and non union positions has been issued. Proposals are due on June 15th.
- 2 The 2017 capital improvement plan was submitted to the Selectmen and Finance Committee on May 29, 2015. The Town Charter requires that the Finance Committee hold an advertised public hearing on the plan. The plan has been posted on the Town web site in the "Reports and Documents" section.
- 3 Snow and ice removal on private roads and private road maintenance. I have posted my memoranda from the May 26<sup>th</sup> selectmen's meeting along with a complete copy of a private road maintenance agreement on the Town web site. There is a link to the documents in the "Reports and Documents" section. I plan to meet with the police and fire chiefs to solicit their views on this issue prior to scheduling a public hearing on the matter.
- 4 I attended the conclusion of the community orientation portion of the Police Department's orientation for summer specials on May 22<sup>nd</sup>.
- 5 Two training sessions on the Open Meeting law were held on June 2<sup>nd</sup>. The sessions were conducted by attorney Carolyn Murray from Kopelman & Page. Approximately 30 town employees, elected officials and committee members attended. The presentation has been posted on the Town web site in the "Reports and Documents" section.
- 6 Dredging. An informal working group consisting has been assembled and met for the first time on May 29<sup>th</sup> to put together a presentation to state and federal officials documenting the need to dredge Wellfleet harbor.
- 7 Cash control policy. In response to issues in the auditor's management letter the Treasurer with my approval has revised the cash control policy and advised all department heads of the revised policy. We will review the policy with department heads and other impacted employees at a June 19<sup>th</sup> department meeting/information session.
- 8 OPEB investment. OPEB funds have been transferred to Rockland Trust for investment management. At present the investments are limited to only those "safe" investments approved by the Commonwealth and consistent with the current Selectmen's policy on investments. However, OPEB funds are

permitted by law to be invested under the so called "prudent man" standard which allows a wider choice of investments and the potential for better returns. In order to invest these funds in these types of investments we will need to include a separate investment policy for investment of OPEB funds as part of the current investment policy, which we will present to the Selectmen for review and possible adoption in the future.

9 Additional Meetings.

- a. May 22, 2015: Met with Water Commissioner Carlson to plan presentation to the Finance Committee.
- b. May 26, 2015. Attended the Cape Cod Purchasing Managers meeting.
- c. May 27, 2015. Participated in a hearing on a claim for unemployment benefits by a former town employee. Also participated in a briefing by the Board of Water Commissioners to the Finance Committee on water system operations, finances and plans.
- d. June 3, 2015. Attended a Personnel Board meeting to review a draft employee manual.

10 Personnel Matters:

- a. Administrative actions: none.
- b. Current employment vacancies (Charter 5-3-2 (i)):
  - i. Building – Building Inspector is part time.

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

Date: June 5, 2015  
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	6/30/2015 (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	1 year

Requesting Appointment: No applications on file.

### **Citizens Economic Development Committee (Infinite Members)**

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

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
12 positions	Board of Selectmen	3 years

Requesting Appointment: No application on file.



**Energy Committee** (11 members total)

Vacant Positions                      Appointing Authority  
1 regular Position                  Board of Selectmen  
2 (Alternate) Positions              Board of Selectmen  
Requesting Appointment: **One application on file.**

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

**Finance Committee** (9 members, 2 alternate)

Vacant Positions                      Appointing Authority  
1 Alternate Position                  Town Moderator  
Requesting Appointment: no applications on file

Length of Term  
3 years

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

Vacant Positions                      Appointing Authority  
1 Assistant Position                  Board of Selectmen  
Requesting Appointment: No applications on file.

Length of Term  
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                              Town Election/BoS  
Requesting Appointment: **One application on file**

Length of Term  
ATE 2019 (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)

**Recreation Committee** (5 members)

Vacant Positions                      Appointing Authority  
1 Position                              Board of Selectmen  
Requesting Appointment: No applications on file

Length of Term  
3 years

**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 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

TO: Board of Selectmen

FROM: Jeanne Maclauchlan, Principal Clerk 

DATE: June 5, 2015

RE: TERMINATION of Board/Commission Member - Terms expire June 30, 2015

As of this date, the following members have indicated that they **DO NOT** wish to be reappointed effective July 1, 2015:

CABLE ADVISORY BOARD	Betsy Williams
CAPE LIGHT COMPACT GOVERNING BOARD	Marcus Springer
ENERGY COMMITTEE	Marcus Springer
HISTORICAL COMMISSION	Geraldine Ramer Miriam Spencer
RECREATION COMMITTEE	Deirdre Poole
RECYCLING COMMITTEE	Erin Mitchell
SHELLFISH ADVISORY	Barbara Brennessel Joel Fox



DRAFT

**Wellfleet Board of Selectmen  
Minutes of May 26, 2015  
Wellfleet Senior Center**

**Present:** Paul Pilcher, Chairman, Dennis Murphy, Berta Bruinooge, Helen Miranda Wilson, Jerry Houk and Town Administrator Harry Sarkis Terkanian

Chairman Paul Pilcher opened the meeting to order at 7:00 pm.

**Announcements, Open Session and Public Comment**

- Pilcher announced an Energy Fair sponsored by the Wellfleet Energy Committee (WEC) on June 20, 2015 from 11 am – 4 pm at the COA. Pilcher said that WEC member Marcus Springer is not seeking reappointment and expressed his appreciation for Springer's service.
- Helen Miranda Wilson announced the retirement of Shellfish Advisory Board members Barbara Brennessel and Joel Fox and thanked them for their service.
- Town Administrator Harry Terkanian announced a Herring River Restoration Committee informational session on June 2, 2015 at 7:00 pm at the COA.
- Terkanian recognized and extended thanks to Jeremy Young for the replanting of Wilbur Ryder H. Square at his own expense.

**Licenses**

**MOTION 215-225:** Murphy moved and Bruinooge seconded to approve a Common Victualler's License for Lewis Brothers Ice Cream and Joey's Food Truck. The motion passed 5-0.

**Use of Town Property**

The selectmen reviewed the request of Charlene Webbers to use LeCount Hollow beach during the summer for "Well Fit" classes. Terkanian said that LeCount Hollow is the only beach not requiring a beach permit and that the presented request is for extensive use. Wilson pointed out the Beach Administrator's comments and asked for clarification. Suzanne Grout Thomas explained the background behind her concerns. Bruinooge expressed her opinion on future RFP and supported charging an appropriate fee for the extensive use of the beach. Murphy wanted to know if there is an alternative location. Pilcher suggested deferring action on this to the next meeting, so Miss Weber can attend the meeting and speak about her request.

**MOTION 215-226:** Wilson moved and Murphy seconded to table the request of Charlene Weber to use LeCount Hollow Beach from June 22 – until August 23 from 7:30 am to 8:30 am on Sundays, Mondays, Wednesdays and Fridays for "Well Fit" Class. The motion passed 5-0.

Discussion ensued on the request from Jody Craven and Christa von der Luft to use White Crest Beach on June 13, 2015 for stand up paddle boating event.

**MOTION 215-227:** Murphy moved and Wilson seconded to approve the request of Jody Craven and Christa von der Luft to use White Crest Beach on June 13, 2015 from 9:00 to 3:00 pm for stand up paddle boarding event for the Cape Cod Bay Challenge. Application fee and liability insurance are required; Nonprofit organization, no event fee charged.

DRAFT

The Selectmen reviewed the request of Jody Craven and Christa von der Luft to use Mayo Beach and Baker Field on August 22, 2015 for stand up paddle boarding event. Wilson expressed her concerns about serving liquor at the event; Terkanian said that a liquor license application has not been received yet. As result of the discussion a tent permit concerns came up. Houk asked to postpone decision on this request until the next meeting.

**MOTION 215-228:** Houk moved and Bruinooge seconded to table the request of Jody Craven and Christa von der Luft to use Mayo Beach and Baker Field on August 22, 2015 from noon to 9:00 pm for stand up paddle boarding event for the Cape Cod Bay Challenge. The Selectmen requested to see an application for liquor license, tent permit and payment of the application fee, security deposit TBD. The motion passed 5-0.

Selectman Dennis Murphy recused himself from the discussion and vote of Michael Manchuk's request to use the Town Landing at the end of Old Wharf Rd for a dump truck and front loader. The applicant Michael Manchuk presented his request. Pilcher said that this will require liability insurance and pictures before and after the project. Bruinooge wanted to know the exact location for the sand dumping. Wilson expressed her concerns about the Conservation Commission Order of Condition and the designated area. Don Munroe from Coastal Engineering joined the discussion and explained the ConsCom Order of Conditions. Roger Putnam wanted to know if the public use of the landing will be disturbed. Terkanian disclosed prior relationship with property owners Eric and Denise Kandel of Bay View Rd, but said that the relationship does not exist at the present.

**MOTION 215-229:** Wilson moved and Pilcher seconded to approve the request of Michael Manchuk to use Town Landing at the end of Old Wharf Rd for a dump truck and front loader from 8 am to 4 pm, May 27 - May 31, 2015. The motion passed 4-0.

Murphy returned to the meeting.

**MOTION 215-230:** Bruinooge moved and Wilson seconded to approve the request of Zena Bibler & Katie Schetlick to use White Crest, Uncle Tim's Bridge, Town Hall Lawn, Wellfleet Harbor, Long Pond, Mayo Beach for Fleet Moves Dance Festival July 6 – 10, 2015. The motion passed 5-0.

Eric Gustafson presented the request of Fun Seekers to use Long Pond, Gull Pond, Chipman's Cove and Paine Hollow for stand up paddling lessons; Chipman's Cove and Gull Pond for Windsurf lessons; The Gut and Duck Harbor for Kitesurfing lessons and talked about the concerns of the Beach Administrator. Suzanne Thomas confirmed that her concerns have been addressed. Gustafson had a question about the live vest requirement for children 12 and under. Thomas explained the Massachusetts Law aka Christian's Law about the requirement for life jackets for children 12 and under. Murphy reminded about the insurance policy rider requirement of \$1M liability coverage.

**MOTION 215-231:** Wilson moved and Murphy seconded to approve the request of Eric Gustafson and Fun Seekers to use Long Pond, Gull Pond, Chipman's Cove and Paine Hollow for stand up paddling lessons; Chipman's Cove and Gull Pond for Windsurf lessons; The Gut and Duck Harbor for Kitesurfing lessons from May 1 until October 15, 2015. Conditions for the use: Fee \$350 use fee; \$1M liability insurance coverage required; providing life jackets for children 12 and under; No stand up paddle boards on Long Pond and no activities at Gull Pond until after swimming lessons and Extended Day Recreation program are over. The motion passed 5-0.



### **Review of Town policy on plowing of private roads.**

Pilcher opened a discussion on the Policy on Plowing Private Roads. He clarified that no decision will be made at this meeting. Terkanian had couple of adjustments in terms of public and private roads length to his memo<sup>1</sup> and presented two email communications<sup>2</sup> – one from Bruce Drucker and one from unidentified resident. Fred Young talked about his email communication to the Selectmen on Thoreau Way and its previous plowing history<sup>3</sup>. David Penfield of Lt. Island talked about public safety as a reason for plowing private roads. John Wolf also talked about his concerns of living on a private road not being plowed by the Town and the fact that fire trucks cannot get to people in case of emergency. Mr. Jenks also supported the request to have private roads plowed. Roger Putnam, owner of property on Beach Street, said that property owners on private roads pay the same taxes as everyone else and should be plowed. Bruinooge agreed with Putnam's position. Pilcher summarized the issues discussed: 1. Treatment of private versus public roads in terms of maintenance by the Town; 2. Condition of private roads. Putnam added that some private roads hold road maintenance agreements. Dick French of 30 Day Rd presented his appeal included in the Selectmen's packets<sup>4</sup> about Town's agreement for plowing and maintaining Day Rd and suggested that the Town should honor previously existing agreements. Pilcher asked DPW director Mark Vincent how many agreement roads are in Wellfleet. Vincent explained that there are eight agreements covering 15 roads. Vincent gave a brief overview of why private roads have been plowed in the past and how the new policy emerged in 2005. Wilson talked about the TA memorandum on the subject and recommended that everyone reads it. She talked about emergency access and efficiency. Houk, who was a Selectman at the time those agreements were signed, talked about the roads with agreements and the Selectmen's and owners' expectation to have the roads maintained and said that those agreements should be honored. Jan Morrissey wanted to know if the Town Clerk has a record of the list of private and public roads. Terkanian said that there is such list. Young suggested including all private roads for plowing and making them part of the budget. Virginia Barnhouse of Day Rd agreed with Houk's position. Wilson requested to see these road maintenance agreements. Pilcher said that a public hearings for plowing all private roads and plowing and maintaining private roads with maintenance agreements will be scheduled for the second meeting in June or the first meeting in July. The discussion concluded with Pilcher requesting the Police and Fire Chiefs' input and their position on this matter.

### **Update on Community Policing**

Pilcher referred to the Town Administrator's memo<sup>5</sup> on Community Policing. Terkanian briefed the selectmen on his most recent discussion with Police Chief Fisette and said that the training cost of \$7,500 is manageable, but timing might be an issue to have the training before the summer season. Wilson said that she attended the Community Policing event on May 22, 2015 and according to her the community policing is already being implemented. Wilson suggested that perhaps this should become practice for every new set of people in each department. Martha Gordon, part of the committee that planned the Community Policing event expressed how happy she was with the participation of Town officials during of WES Fest activities. Christine Chants recognized Lt. Michael Hurley for being the point of contact for the Community Policing event on May 22. Pillar Clements expressed her disagreement with the Town Administrator's memo asking the community to define what community policing is and said that it should not be the burden on the people to define community policing. Pilcher said that based on what he just heard; the concerns of the TA and Police Chief are valid. Ms. Chants suggested that a joint meeting may be helpful. Terkanian agreed that a meeting and a discussion is necessary, and added that his memo had the intent to narrow the issues, not to burden the public. Wilson suggested that this subject should be tailored to Wellfleet, but budget and costs should be kept in mind. Pilcher added two comments: 1) continue with the ongoing opportunities for interaction such as the coffee hour with Policy Officers; and 2) the existence and keeping up with anonymous hot lines. The future meetings on this subkect should be between the

group, the Town Administrator, the Police Chief and a Selectman. Selectperson Wilson volunteered to be the liaison for the Board.

### **Dredging planning**

Joseph Aberdale, Chair of the Marina Advisory Committee went over his communication regarding the possible State and Federal funding for the dredging project. Pilcher said that it is very encouraging that there are some leads identified and proposed forming a group of people to carry on this task. Terkanian said that Don Paladino, retired from the Army Corps of Engineers will be willing to assist with this process. Terkanian went over the issues that shell fishermen and the Harbormaster are facing on daily bases due to the current state of the Harbor. He supported the idea of forming a small group to represent the interests of all affected parties. Pilcher volunteered to be the representative of the Selectmen and suggested other possible members – the Town Administrator, SPAT representative, Don Palladino and several shell fishermen. Harbormaster Michael Flanagan said that he is trying to partner with Michelle Insley, SPAT Executive Director, to include her in the process. Pilcher tasked Terkanian to recommend a group of people to serve, but Terkanian said that a committee may not be needed, since this will not be a public body taking action. Murphy wanted to know if the Cape Cod Commission would be supportive of the project.

### **Town Administrator's Report**

Terkanian presented his report<sup>6</sup> of May 19, 2015 and added:

1. Two open meeting law sessions are scheduled on June 2, 2015 at 2:00 pm and 6:00 pm at the Library for employees and board & committee members.
2. According to the Harbormaster the Army Corps of Engineers had agreed to let dredging spoil be disposed at the Cape Cod Bay disposal area, which will represent a significant saving to the dredging project.
3. New cash control policy has been introduced by Town Treasurer Diane Midura.
4. Rockland Trust has been selected by the Town Treasurer to be the vendor for OPEB investments.
5. Litigation appealing the grant of a special permit by the ZBA has been dismissed by agreement of the parties, allowing the decision has allowed the ZBA decision to stand.

### **Future Concerns**

1. Wilson said that there is a need for further amendment of the Shellfish Advisory Board Rules and Regulations in terms of equipment height restrictions and equipment left on grants.
2. Wilson said that a request from the Provincetown Coast Guard has been received asking the Town to provide resident beach stickers to their seasonal employees and should be reviewed.
3. Pilcher said that Judith Stiles would like to come and present a report by the Citizens Economic Development Committee.
4. Terkanian recommended looking into combining Mooring and Marina Rules and Regulations into one document for easier access and user friendliness.
5. Terkanian said that the Mayo Creek Restoration Committee would like to attend the June 23, 2015 meeting regarding the removal of the duct bill.
6. Terkanian presented request by John Arsenault that had arrived after the agenda has been approved to be on the agenda regarding food truck permitting process.

John Arsenault presented his request for a food truck and talked about his experience with the Health Agent and the Building Inspector and suggested that the Selectmen should define it more clearly. Pilcher suggested that this is Planning Board matter.

### **Correspondence<sup>7</sup> and Vacancy<sup>8</sup> Report**

Wilson presented the correspondence report and talked about a letter for Article 46.

### **Minutes**

Picher had few corrections to the minutes of May 12, 2015<sup>9</sup>: 1. On page 4 lobbying should be replaced with lobbying and exiting with existing. Wilson had addition to her comment on page 1 regarding the eligibility of Rafe Emond for hardship exemption for commercial shellfish license.

**MOTION 215-232**: Murphy moved and Pilcher seconded to approve the minutes of May 12, 2015 as amended. The motion passed 5-0.

### **Executive session**

Pilcher read the purpose of the executive session in public meeting: *Approval of executive session minutes from 2013 and 2014 and review for public release.*

**MOTION 215-233**: Wilson moved and Pilcher seconded to enter into executive session and not go back into public session. The motion passed by each Pilcher, Murphy, Bruinooge, Wilson and Houk saying "Aye". The public meeting adjourned at 9:05 pm

Respectfully submitted,

Michaela Miteva, Executive Assistant

### **Public Record Documents**

<sup>1</sup> TA Memo on Snow Plowing of Private Roads

<sup>2</sup> Memo from Bruce Drucker to the BOS dated May 26, 2015

<sup>3</sup> Fred Young email of May 5, 2015 regarding snow plowing on Thoreau Way

<sup>4</sup> Richard A French Appeal for Plowing Day Road

<sup>5</sup> TA memo on Community Policing dated May 21, 2105

<sup>6</sup> TA report of May 19, 2015

<sup>7</sup> Correspondence report of May 26, 2015

<sup>8</sup> Vacancy report of May 21, 2015

<sup>9</sup> Minutes of May 12, 2015