



Wellfleet Selectboard

Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, March 21, 2023, at 7:00 p.m.** The Chapter 107 of the Acts of 2022, this meeting will be conducted in person and as a courtesy via remote means, per 940 MCR 29.10 and the Town's Remote Participation Policy. While an option for remote attendance and/or participation is provided as a courtesy to the public, the meeting/hearing may not be suspended or terminated if technological problems interrupt the virtual broadcast unless otherwise required by law.

Joining the Meeting:

In-person at the Wellfleet ACC, 715 Old King's Highway, Wellfleet, MA, 02667

Join the meeting hosted in Zoom by using the following link:

<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMVdrdz09>

By Phone: **phone to +1 929 205 6099 and enter Meeting ID: 856 8960 4806 | Passcode: 611877** Landline callers can participate by dialing *9 to raise their hand.

To Participate during public comment:

- Zoom: Raise hand to be called on to speak.
- Phone: dial *9 to raise your hand.

It is at the Chair's discretion to call on members of the public. All speakers must be recognized to speak. If attending a meeting in person, please find the closest available microphone and confine any personal conversations to outside the meeting room. Anyone may record the session but must notify the Chair and may not interfere with the meeting to record it.

Additionally, the meeting will be broadcast live, in real time, via live broadcast on Comcast cable (Wellfleet Government TV Channel 18), also available via livestream or Video on Demand (VOD) recordings at wellfleet-ma.gov

I. *Announcements, Open Session and Public Comments*

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

II. *Consent Agenda*

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

III. *Joint Selectboard & Planning Board*

A. Housing Production Plan ~ Housing Production Plan Work Group

IV. *NPS*

A. Cahoon Hollow Beach Safety Messaging & NPS Regulation Change

V. *Public Hearings*

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

- B. Application received 1/18/2023 for the transfer of shellfish grant license #s 855, 855-B and 855-C totaling approximately 3.6 acres on Field Point from Michael DeVasto (Wellfleet, MA) and Michael Ramsdell (Wellfleet, MA) to Northern Collective, Inc. (Wellfleet, MA).
- C. Application received 1/27/2023 for a grant extension (to be numbered #734A ext.) to shellfish grant license #734A consisting of approximately one acre on Mayo Beach from Rebecca Taylor (Wellfleet) and Myron Taylor (Wellfleet, MA).
- D. **CONTINUED FROM JANUARY 31, 2023**, ~Application received 1/10/2023 for a grant extension (to be numbered #99-1 Ext) to shellfish grant license #99-1 consisting of approximately .43 acres on Mayo Beach from Angela Osowski (Wellfleet, MA), Robert Mallory (Wellfleet, MA) and Mary Mallory (Wellfleet, MA).
Recommendation of the Shellfish Constable will be available in the March 21, 2023, Selectboard's packet.

VI. ***Licenses***

- A. Wellfleet SPAT ~ Special Alcohol License ~ October 14th & 15th, 2023. ~ Oysterfest

VII. ***Use of Town Property***

VIII. ***Board/Committee Appointments and Updates***

IX. ***Business***

- A. Participation in New Opioid Settlement Proposals
- B. 2023 ATM Warrant
- C. 2023 Annual Town Election Ballot

X. ***Selectboard Reports***

XI. ***Town Administrator's Report***

XII. ***Topics for Future Discussion***

XIII. ***Vacancy Reports***

XIV. ***Minutes***

- A. March 7, 2023
- B. March 9, 2023; open session minutes

XV. ***Adjournment***



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

I

ANNOUNCEMENTS, OPEN SESSION, AND PUBLIC COMMENTS

REQUESTED BY:	Wellfleet Selectboard
DESIRED ACTION:	Announcements to the board and public
PROPOSED MOTION: SUMMARY:	NOTE: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

V

CONSENT AGENDA

REQUESTED BY:	Various Parties
DESIRED ACTION:	To approve the following without objection
SUMMARY:	I move to approve the following items with no objection: <ul style="list-style-type: none">• Wellfleet United Methodist Church, Sunrise Easter Service Newcomb Hollow Beach, April 9, 2023; 5:45am – 6:15am.

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Sieglinde Rogers, Pastor Affiliation or Group Wellfleet United Methodist Church

Telephone Number: Pastor's home 508-349-7928 / Church 508-349-7217

Mailing Address: Wellfleet UMC, 246 Main Street, Wellfleet, MA

Email address: wellfleetumc.pastor@gmail.com

Town Property to be used (include specific area): Edge of parking lot, right side, ocean side, to observe the sunrise. Brief words of welcome and liturgy will be presented during this time.

Date(s) and hours of use: Sunday, April 9, 2023; 5:45am - 6:15am

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.

An ecumenical invitation will be sent to invite the members of the Wellfleet UMC; the members of the Wellfleet First Congregational Church; and members of our Wellfleet community to attend a brief "Easter Sunrise Service" at Newcomb Hollow Beach. Anticipated attendance 35-40 persons.

No Equipment involved.

No food or beverage service

No fees will be charged by applicant.

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

None requested.

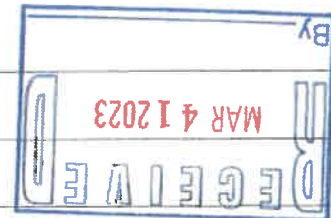
NOTE TO APPLICANTS: All applications must be accompanied by a non-refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. 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: \$50.00 pd cash

Fee: 3/14/23

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department: Comments/Conditions:	Fire Department: Comments/Conditions:
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DPW: Comments/Conditions	Community Services Director: Comments/Conditions:
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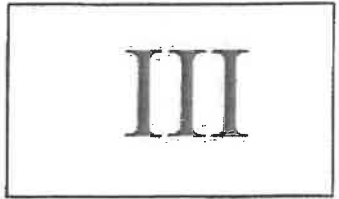
Harbormaster: Comments/Conditions	Shellfish: Comments/Conditions
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Recreation: Comments/Conditions	Town Administrator: Comments/Conditions
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023



Joint Selectboard & Planning Board

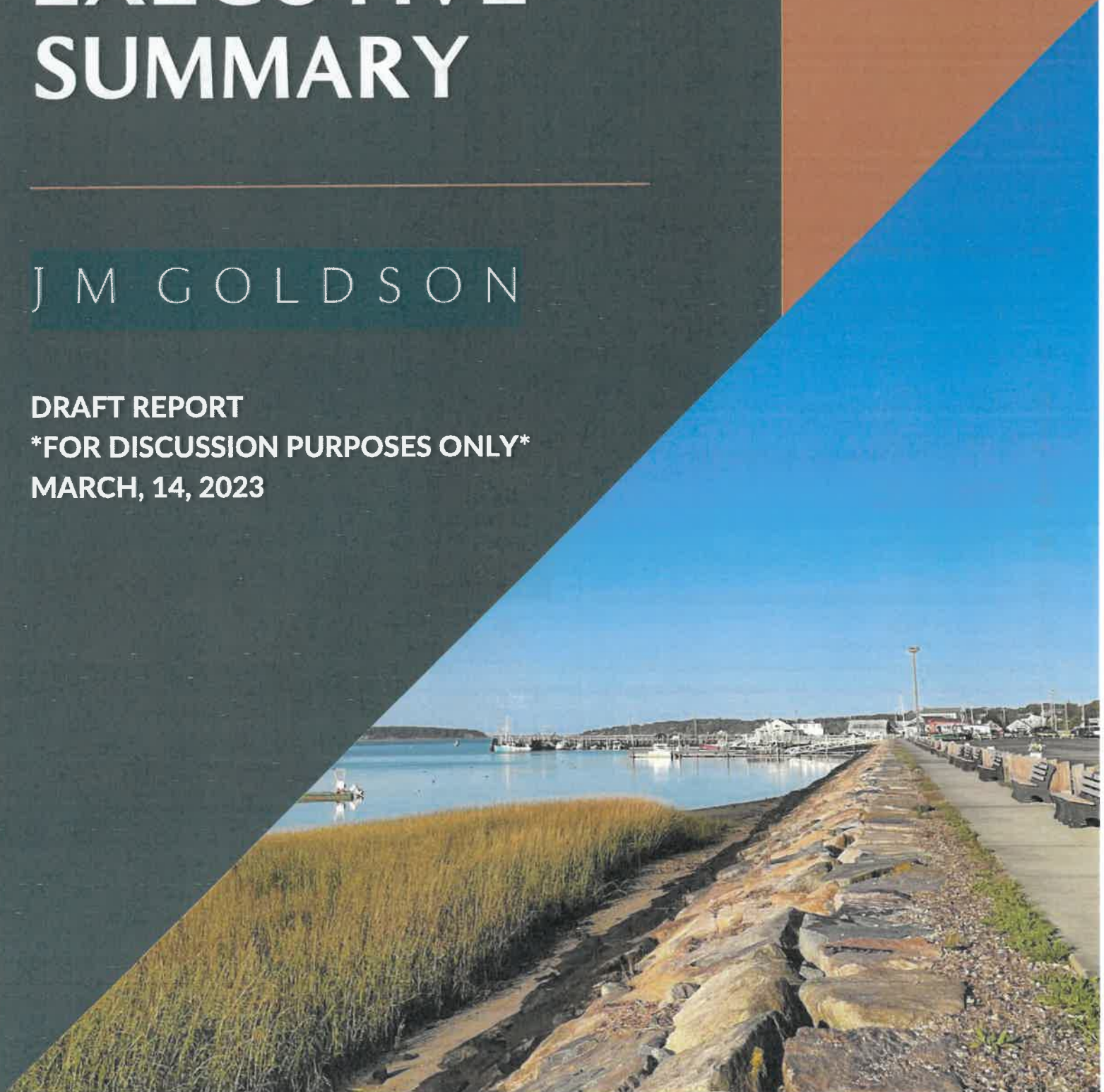
REQUESTED BY:	Housing Production Plan Work Group
DESIRED ACTION:	To Review the Draft Housing production plan
PROPOSED MOTION:	I move to approve the Housing Production plan as presented in draft.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

WELLFLEET HOUSING
PRODUCTION PLAN

EXECUTIVE
SUMMARY

J M GOLDSON

DRAFT REPORT
FOR DISCUSSION PURPOSES ONLY
MARCH, 14, 2023



WELLFLEET HOUSING PRODUCTION PLAN

INTRODUCTION

A Housing Production Plan (HPP) establishes a strategic five-year plan for the production of affordable and mixed-income housing that is based upon a comprehensive housing needs assessment and an analysis of development constraints. The Town's priority, through this plan's implementation, is to address its local housing needs in a way that best supports the Wellfleet community, including providing year-round housing that is affordable to its residents. This encompasses families with children, young adults, and older adults, as well as housing for the year-round and seasonal workforce, upon which the local and regional economy relies.

PROJECT TIMELINE

- September 28, 2022**
Meeting #1 – Project Kick Off
- October 27, 2022**
Community Tour and Focus Groups
- November 14, 2022**
Meeting #2 – Review Draft Chapters & Forum Prep
- November 23, 2022**
Close community survey
- December 8, 2022**
Community Forum
- January 3, 2023**
Meeting #3 – Review forum results and outline goals and strategies
- February 21, 2023**
Meeting #4 – Review draft HPP
- March 21, 2023**
Present HPP to Planning Board and Select Board; vote for approval
- [MONTH DD, YYYY]**
Submit to DHCD

WHAT DO WELLFLEET COMMUNITY MEMBERS SAY ABOUT HOUSING NEEDS?

Throughout this process, the project team provided different opportunities for the Wellfleet community to share their ideas and feedback including focus groups, interviews, a community forum, and a community survey. Here's what we learned from participants:

- There is a need for more affordable housing and year-round housing in Town, including year-round rental opportunities.
- Septic and public water are development constraints at the forefront of everyone's minds.
- The Town's seasonality poses as both a strength and threat to the Wellfleet economy.
- Community members are feeling the impacts of short-term rentals and seasonal/second homes.
- Wellfleet community members are interested in diversifying the housing stock through tiny homes, year-round cottage colonies, mobile homes, and mixed-use housing.
- Wellfleet's current housing market is not conducive for workers or young families, which is drastically changing the population.



720
PARTICIPATION POINTS

PROJECT TEAM

This Plan was the culmination of ideas between Wellfleet's three housing bodies: the Affordable Housing Trust, Housing Authority, and Local Housing Partnership. Each group was represented in a project working group that also included the Assistant Town Administrator and Director of the Council on Aging. Working group members included:

- Elaine McIlroy, Housing Authority
- Harry Terkanian, Affordable Housing Trust
- Rebecca Roughly, Assistant Town Administrator
- Sharon Rule-Agger, Local Housing Partnership
- Suzanne Grout Thomas, Council on Aging Director

WELLFLEET HOUSING PRODUCTION PLAN



FIVE YEAR GOALS

The housing goals and strategies detailed in this report are based on the demographic and housing analysis findings incorporated herein, as well as observations and preferences of community participants gathered through various engagement methods. The housing goals and strategies are intended to provide guidance for local housing policies and initiatives but do not bind future actions or decisions of local officials or Town Meeting.

Goals are an important part of this plan because they describe conditions to aim for that support achievement of the housing vision.

GOAL 1:

Encourage the preservation and creation of a diverse housing stock that offers housing choices, especially:

- Conversion of existing homes and cottages to year-round homes
- Year-round market-rate rental homes, including Accessory Dwelling Units
- Affordable year-round rental and ownership homes
- Accessible, service-enriched, and intergenerational housing
- Multi-family homes, particularly with smaller studio and one-bedroom units
- Housing options for Wellfleet's year-round workforce, including the shellfishing community and employees of local businesses and the Town

GOAL 2:

Support production of 59 SHI-eligible units that are planned, permitted, or otherwise pending at the time of this writing, including Paine Hollow, Old Kings Highway, Lawrence Road/Juniper Hill, Freeman Ave.

GOAL 3:

Actively plan and prepare for future housing production at other appropriate sites, especially the Town-owned Maurice's Campground site.

GOAL 4:

Strive to increase the percentage of homes included on the state's Subsidized Housing Inventory by at least 16 units on average per year to incrementally work towards achieving the state's goal under chapter 40B that 10 percent of Wellfleet's year-round housing units are included on its subsidized housing inventory.

GOAL 5:

Allocate local resources and utilize regulatory tools to create and preserve affordable year-round housing options for households with incomes ranging from at or below 30 percent AMI to 200 percent AMI, with the greatest priority for the lowest-income households.

GOAL 6:

As a secondary priority, support local and regional efforts to provide housing solutions for seasonal town employees and local businesses, such as dormitory style, single-room occupancy, or congregate housing.

GOAL 7:

Continue reinforcing and leveraging Wellfleet's local capacity to implement housing initiatives through increased dedicated housing funds and regional collaboration.

WELLFLEET HOUSING PRODUCTION PLAN



Site of future Lawrence Road/Juniper Hill Development

SUMMARY OF STRATEGIES

Achieving the community's five-year goals will require various regulatory, programmatic, and policy strategies. This section includes descriptions of local regulatory strategies, local initiatives, and strategies that deal with implementation capacity, education, and outreach. The intent of these strategies is not to suggest that the Town will implement them over five years but to offer multiple ways that the community can work to achieve its goals.

Many of these strategies are contingent on factors beyond the municipalities control, including market opportunities, infrastructure systems capacity, and funding availability. All strategies will require local approvals in accordance with all applicable laws and regulations.

STRATEGIES ARE GROUPED INTO THREE CATEGORIES:

PLANNING, POLICIES, AND ZONING STRATEGIES

The Town's authority to update zoning regulations can have powerful effects to encourage private responses to address local housing needs with minimal local expenditure. Strategies in this category incorporate recommendations for both local planning initiatives and zoning amendments.

LOCAL INITIATIVES AND PROGRAMMATIC STRATEGIES

Local initiative strategies refer to recommendations that the Town can undertake to foster the creation of more housing options, especially affordable housing. Strategies in this category are not regulatory in nature - they deal with allocation of Town resources including staff time, funding, and property.

CAPACITY, EDUCATION, AND COORDINATION

Strategies in this category are recommendations for expanding the Town's capacity to implement housing initiatives, promote education, and to coordinate housing initiatives with other local or regional entities.



Renderings of the future Juniper Hill townhouses and apartments, Source: Wellfleet Housing



WELLFLEET HOUSING PRODUCTION PLAN

PLANNING, POLICIES, AND ZONING STRATEGIES

1. Adopt Inclusionary Zoning provisions to encourage affordable housing units in market-rate developments through incentives.
2. Consider zoning amendments that provide more flexibility to key dimensional limitations, such as frontage requirements and height maximums, to encourage the creation of housing options, including year-round homes, multi-family housing, duplexes, and ADUs.
3. Consider zoning amendments to allow the construction of new year-round duplexes by right in certain areas or districts.
4. Amend zoning to allow for dormitory or employee housing to provide the ability to create housing for seasonal workers.
5. Consider allowing manufactured homes (i.e., trailer homes/mobile homes) as a permitted use.
6. Explore regulations for short-term rental standards and limitations and encourage compliance with the required short-term rental registration.
7. Consider zoning amendments to allow tiny home villages and/or tiny homes as stand-alone primary structures in addition to accessory dwelling units.
8. Amend zoning to allow congregate housing and other shared living environments explicitly.
9. Encourage conversion of existing cottage communities to year-round housing by reducing the minimum size requirements.

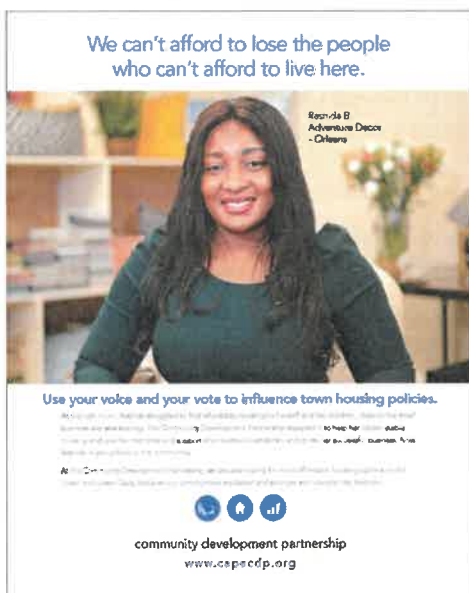
LOCAL INITIATIVES AND PROGRAMS

10. Create a property master plan for the Maurice Campground property, consider regulatory mechanisms and infrastructure investments to support the master plan, and issue an RFP to select a developer to implement the master plan.
11. Work to fund public sewer infrastructure for the Central District to support the production of more diverse housing options, including affordable and mixed-used housing options.
12. Work to fund and assist property owners outside the Central District to upgrade to enhanced alternative and innovative septic systems.
13. Continue to fund and implement the Wellfleet Housing Buy Down Program to create affordable homeownership units by converting existing market-rate homes.
14. Consider establishing a new local program to acquire deed restrictions to convert existing market-rate homes to affordable homes based on the Vail InDEED model.
15. Acquire vacant and/or underutilized properties, cottage communities, and condominiums to create affordable year-round housing and convert existing developed properties to affordable, mixed-income, and/or Town employee housing, including tax-foreclosed properties or other Town-owned properties.
16. Consider acquiring manufactured housing (a.k.a. mobile homes) to create emergency housing opportunities for low- or moderate-income households.
17. Actively work with condo and cottage colony associations to amend deed restrictions restricting seasonal units.

WELLFLEET HOUSING PRODUCTION PLAN

CAPACITY, EDUCATION, AND COORDINATION

18. Hire a town planner and housing coordinator to staff the Planning Board and work to support the adoption of zoning amendments to support the creation and preservation of affordable, mixed-income, and other housing options that address Wellfleet's housing needs and align with this HPP.
19. Actively work to provide additional funding to the Wellfleet Affordable Housing Trust to fund local affordable housing initiatives that create year-round affordable housing.
20. Continue and expand community outreach efforts to provide information about local and regional affordable housing needs and resources to assist with housing needs.



Images from CDP's 2021 Media Campaign, "We Can't Afford to Lose the People Who Can't Afford to Live Here," Source: Community Development Partnership

WELLFLEET HOUSING PRODUCTION PLAN

DEMOGRAPHIC PROFILE

POPULATION GROWTH:



Between 2010 and 2020, Wellfleet's year-round population increased **30 percent** and the number of year-round households increased **12 percent**.

AGING: Wellfleet's median age is 57 years old. The proportion of older adults is continuing to grow, with older adults making up 34 percent of the population and. More than **two out of five** (45 percent) Wellfleet residents are expected to be 65 or older by 2040.



DIVERSITY: Wellfleet saw significant growth in people who identify as Black, Indigenous, and People of Color (BIPOC), increasing **189 percent** between 2010 and 2020. However, the Town remains **91 percent white**.



NATIONAL ORIGIN AND LANGUAGE: An estimated **six percent** of Wellfleet's residents were born outside the United States. **one in eight** (13 percent) speak a language other than English in their homes, nine percent of which speak Indo-European languages.



DISABILITY STATUS: **One in eleven** (nine percent) Barnstable residents have some form of disability. This increases to **one in six**, for older adults.

HOUSEHOLD SIZE: Most Wellfleet residents live in one- or two- person households (**73 percent**). The proportion of households with children decreased **31 percent** between **2010** and **2020**.

SCHOOL ENROLLMENT: School enrollment has steadily declined since the mid-90s. Public school enrollment was **285 students** in 2020.

LABOR FORCE: Wellfleet's labor force declined by **13 percent** between 2010 and 2020. An estimated eight percent of the population work in the shellfishing industry and have a Wellfleet-residency requirement.

HOUSING PROFILE

HOUSING STOCK: Wellfleet has 4,264 total housing units per the 2020 decennial census, a **decrease** of 41 year-round units (**about one percent**) since the 2010 decennial census.

HOUSING PRODUCTION: Wellfleet permitted 225 total new units between 2010 and 2020, **94 percent** of which were single-family houses. Only 14 multi-family units were permitted in this time period.

HOUSING TYPE & TENURE: Most of Wellfleet's housing stock is single-family houses (**91 percent**). The Town has two mobile home communities, comprising of 4.5 percent of the Town's housing stock. On par with the County, **77 percent** of year-round rental units are owner-occupied.



HOUSING SIZE MISMATCH: **More than 70 percent** of household are one or two people; however, one- and two-bedroom units make up only **41 percent** of the overall housing stock. There is a mismatch between the number of people living in a housing unit and the number of bedrooms in the unit. This mismatch between household size and number of bedrooms suggests a need for smaller units, including studios and one-bedroom options in Wellfleet.



SEASONAL HOUSING: About **66 percent** of Wellfleet's total housing stock is estimated to be seasonal. There are **1,015 short-term rental units** in Wellfleet listed on the state registry of lodging operators.

WELLFLEET HOUSING PRODUCTION PLAN

HOUSING AFFORDABILITY

↑ HOUSING COST: Housing prices are on the rise. Between 2016 and 2022, the median sales price for a single-family home in Wellfleet grew **XX percent**. The median sales price for a single-family house in 2022 was \$940,000, with 70 percent of single-family houses selling for between \$600,000 and \$1,200,000. The median price for condominiums in 2022 was \$395,750. Because Wellfleet has very few year-round condominiums, these sales were likely for seasonal use. Rental costs have also increased, with the median gross rent in 2020 being **\$1,298**.

HOUSING COST BURDEN: A total of 495 households in Wellfleet (**31 percent**) are housing cost-burdened (spending more than 30 percent of monthly income on housing costs). This proportion **more than doubles (66 percent)** for low- and moderate-income (LMI) households.



SUBSIDIZED HOUSING INVENTORY (SHI)

 **2.45 PERCENT**

Wellfleet currently has **38 units** listed on the SHI, accounting for 2.45 percent of their 2010 Census Year-Round Housing Units.

IMPLEMENTATION CAPACITY AND RESOURCES

WELLFLEET HOUSING: Wellfleet housing is a collaboration between three local housing groups. The **Housing Authority** administers housing programs, the **Local Housing Partnership** handles education, outreach, and legislation, and the **Affordable Housing Trust** acts as the "housing bank" and property acquisition agency.



HOUSING AUTHORITY



LOCAL HOUSING PARTNERSHIP



AFFORDABLE HOUSING TRUST

Wellfleet also has the **Community Preservation Fund** which has spent \$6.2 million on Community Housing and the **Senior Citizen Tax Work-Off Program** which offers tax relief to older adults (aged 60 or older) who volunteer for the Town.

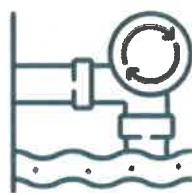
REGIONAL CAPACITY: There are several other local and regional organizations that support affordable housing initiatives financially and through technical assistance and regulatory guidance, including: **Cape Cod Commission, Community Development Partnership, Barnstable County HOME Consortium, Housing Assistance Corporation, Habitat for Humanity of Cape Cod, and Barnstable County Human Services,**

DEVELOPMENT CONSTRAINTS



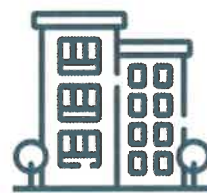
ENVIRONMENTAL CONSTRAINTS: More than half of Wellfleet (**63 percent**) is protected open space. Other

constraints include **soil and land characteristics, water resource considerations, and flood plains.**



INFRASTRUCTURE CONSTRAINTS: Considerations include **wastewater capacity, public water and wells,**

school capacity, and transportation access.



REGULATORY CONSTRAINTS: Wellfleet's zoning has historically been a barrier to promoting housing

production. Recently, the Town has adopted new regulations that support housing initiatives including by-right ADUs in five of six districts and year-round cottage colonies.

TOWN OF WELLFLEET

HOUSING PRODUCTION PLAN

2023-2027

PREPARED FOR:

Town of Wellfleet
300 Main Street
Wellfleet, MA 02567

PREPARED BY:

JM Goldson LLC

Draft 3/14/23

FOR DISCUSSION PURPOSES ONLY

DRAFT

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TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION.....	5
CHAPTER 2: HOUSING GOALS AND STRATEGIES.....	10
CHAPTER 3: DEMOGRAPHIC PROFILE	24
CHAPTER 4: HOUSING CONDITIONS	33
CHAPTER 5: DEVELOPMENT CONSTRAINTS	43
APPENDICES	62

DRAFT

Report Organization

This Housing Production Plan is organized in six chapters as follows:

- Chapter 1 provides an introduction and serves as an executive summary.
- Chapter 2 describes the Town's five-year housing goals, strategies, and action plan as identified through the planning process associated with development of this plan.
- Chapter 3 provides a demographic profile of the community's residents.
- Chapter 4 provides an analysis of local housing conditions.
- Chapter 5 describes local development constraints and limitations.
- Chapter 6 describes local and regional capacity and resources to create and preserve affordable and mixed-income housing in the community.

DRAFT

CHAPTER 1: INTRODUCTION

Plan's Purpose

A Housing Production Plan (HPP) establishes a strategic five-year plan for production of affordable and mixed-income housing that is based upon a comprehensive housing needs assessment and an analysis of development constraints. Although this plan is also a state-recognized planning tool, that is not the primary reason that Wellfleet created this plan.

The Town's priority, through this plan's implementation, is to address its local housing needs in a way that best supports the Wellfleet community, including providing year-round housing that is affordable to its residents. This encompasses families with children, young adults, and older adults, as well as housing for the year-round and seasonal workforce, upon which the local and regional economy relies.

State Recognized Planning Tool

The HPP is a state-recognized planning tool that, under certain circumstances, permits the community to influence the location, type, and pace of affordable housing development. This HPP has been prepared in accordance with the Massachusetts Department of Housing and Community Development (DHCD) requirements and describes how the community plans to create and preserve affordable and mixed-income housing.

Under Massachusetts General Laws Chapter 40B Section 20-23 (C.40B), the Commonwealth's goal is for all Massachusetts municipalities to have ten percent of total year-round housing units affordable to low/moderate income households or affordable housing on at least 1.5 percent of total land area.

Certification of the HPP

If a community has a DHCD approved HPP and is granted certification of compliance with the plan by DHCD, a decision by the Zoning Board of Appeals (ZBA) relative to a comprehensive permit application for affordable housing will be deemed "consistent with local needs" under MGL Chapter 40B. "Consistent with local needs" means the ZBA's decision will be upheld by the Housing Appeals Committee. If Wellfleet has approved at least eight dwelling units that count on the state's Subsidized Housing Inventory (SHI), the Town will achieve a "safe harbor" provision for one year, or for two years if the Town approves 16 dwelling units that count on the SHI.¹

Wellfleet's Subsidized Housing Inventory

As of November 10, 2022, 40 units in Wellfleet were included on the SHI, which is 2.58 percent of Town's total year-round housing units (1,550 according to the 2010 Census). Wellfleet would need to add 115 more units to the SHI to reach the ten percent affordability target (a total of 155 units) but the Town may need to create more—or less—units to reach the ten percent affordability threshold depending on whether the Town's total year-round housing units increases or decreases with the 2020 Census update and DHCD's biennial update to the SHI.²

Community Overview

Wellfleet is an historic seaside village on the Outer Cape that is known for its beaches, kettle ponds, and oysters. The Town is about 20.5 square miles and is bounded by the Atlantic Ocean, Town of Truro, Cape Cod Bay, and the Town of Eastham. About 61 percent of Wellfleet is part of The Cape Cod National Seashore, under the

¹ Massachusetts Department of Housing and Community Development. "G.L. c.40B Comprehensive Permit Projects Subsidized Housing Inventory," December 2014.

<https://archives.lib.state.ma.us/bitstream/handle/2452/630231/ocn980304129.pdf?sequence=1&isAllowed=y>.

² According the 2020 Census, the total number of housing units in Wellfleet decreased from 4,305 in 2010 to 4,263 in 2020 and the vacant units also decreased from 2,939 to 2,464, while occupied units increased from 1,366 to 1,799. This indicates that year-round units have increased despite a decline in overall units. This could be accounted for by a trend of seasonal owners converting to year-round during the pandemic. The Town will know the total year-round housing unit count for certain when the full 2020-census is released in May 2023.

administration of the National Park Service. Wellfleet has a town meeting form of government and is one of the fifteen towns comprising Barnstable County.

Planning Process

The Town and a project working group are made up of members from the Local Housing Partnership, Affordable Housing Trust, and the Housing Authority, as well as the Director of Community Services at the Adult Community Center. and the Assistant Town Administrator are working collaboratively to spearhead this planning process.

Focus Groups

The working group organized four focus group sessions, facilitated by the consultant, to identify housing issues and opportunities to consider as part of this plan. Twenty-four people participated, including representatives from local boards and commissions, business owners, realtors, regional organizations, and other residents. Some key takeaways gleaned from participants during these discussions include the need to increase affordable and year-round housing options, septic and water issues are a significant constraint, seasonal homes create constrained year-round housing supply, businesses are tremendously impacted by the housing shortage, and a lack of funding and inconsistent leadership were seen as issues. As housing in Wellfleet is an evolving topic, some of the sentiments raising and included in the summary no longer reflect the conditions of Wellfleet, see chapters three through six for verified information.

Increasing Affordable and Year-Round Housing

The participants communicated that there is a desire and support to increase affordable housing options in the area. They suggested strategies such as leveraging the recent purchase of Maurice's campground and changing zoning laws (to allow for smaller and mixed-use housing) and creating a municipal housing team to tackle this issue. The housing team would ideally communicate the importance and need of more affordable housing to the area and effectively get more funding opportunities through grants.

Participants also cited the local Cumberland Farms, Wellfleet Marketplace, and the C2 zoning district as examples of sites and areas that could be utilized for mixed-use housing development. Other ideas for new housing were converting cottage colonies to year-round housing³ and creating a community land bank.

Septic and Water Issues

One major challenge that was mentioned was wastewater since Wellfleet has no public sewer. Building wastewater treatment infrastructure is needed to encourage growth and more housing options, such as the improvements at 95 Lawrence Road. Building a public wastewater treatment infrastructure, especially in the central business district, was seen as high priority which could be supported with funding from the new Cape Cod Water Protection Fund, which is funded by the short-term rental tax.

Seasonal Homes & the Local Economy

Many of the participants acknowledge both the detriment and advantage of seasonal homes on the local economy. On the one hand it is critical to the local seasonal economy. On the other hand, the pressures for year-round residents to find year-round housing that they can afford stunt community vibrancy and create hardships for businesses who can't find enough workers to sustain their businesses. It was suggested that short-term rental restrictions be implemented and to increase incentives, such as tax incentives, for property owners to rent year-round.

To harvest shellfish commercially, which is Wellfleet's single largest industry, you must reside in Wellfleet, but candidates are still facing the issue of housing not accommodating for gear and expensive housing options. Another challenge for those employed in Wellfleet is the lack of reliable public transit, which makes commuting difficult for those that live in neighboring towns.

³This idea was raised by members of the Wellfleet community during October 2022 focus groups. Wellfleet as voted to allow cottage colony associations to choose to allow year-round condos.
Wellfleet Housing Production Plan DRAFT 3/14/23

Lack of funding and Inconsistent Leadership

Many participants expressed they didn't feel there was adequate leadership from the local government, especially the Planning board, however the Select Board has shown a great deal of leadership. Participants also cited the need for more funding. As a result of these insufficiencies, change is minimal and slow. Other participants mentioned the need for more local advocacy as well as maintaining an accurate inventory of affordable units.

Community Survey

The Wellfleet Housing Production Plan Working Group launched a survey between October and November 2022 to solicit community members' perspectives and gain a better understanding of their experiences navigating housing in Wellfleet as well as hear their direct observations of the housing needs and opportunities within the Town. The survey received 658 submissions from Wellfleet community members, please see the Appendix for a full survey summary including a breakdown on survey participants' demographic information as well as raw data. Wellfleet community members shared the biggest housing opportunities in Town were purchasing land for housing (i.e., Maurice's Campground and 95 Lawrence), tax-incentives to promote the Town's housing priorities, converting cottage colonies into year-round housing, and diversifying the housing stock through the inclusion of tiny homes, mobile homes, and mixed-use housing. Respondents felt the most pressing challenges were lack of affordable year-round ownership and rental housing opportunities, housing for workers and young families, lack of the available units on the market and developable land, and the impact of short-term rentals and seasonal/second homes on the market.

Community Forum

The Town of Wellfleet and JM Goldson hosted a virtual community forum on December 8, 2022 which was attended by 34 Wellfleet community members. Please see the Appendix for a full forum summary as well as a breakdown of who attended. This forum included a presentation of JM Goldson's eight key preliminary findings:

1. Wellfleet's housing growth is not keeping pace with the year-round population growth.
2. Wellfleet's population is growing older.
3. Housing costs are well-beyond the reach of year-round households.
4. There is little diversity of housing choices making it harder to live and thrive in all life stages.
5. There is a need for smaller housing units.
6. Short-term rentals and seasonal homes strain year-round housing stock.
7. Development sites are limited.
8. Planning infrastructure upgrades promote opportunities for development.

Generally, attendees agreed that the findings presented confirmed what they suspected and were unsurprised. Creative housing solutions offered by attendees included a quote on seasonal housing, reaching for more than ten percent affordable housing stock to meet local demands, adopting zoning amendments to allow for more diverse housing stock including ADUs and tiny houses, and more.

Summary of Housing Needs

Overall, Wellfleet's primary housing need is a more diverse housing stock that offers more choice, including year-round market-rate rental homes; affordable year-round rental and ownership homes; multi-family homes particularly with smaller studio and one-bedroom units; and housing options for seasonal workers.

Wellfleet's year-round population has grown but its number of total housing units has declined. The 29.7 percent increase over the 2010 population is likely partially attributable to part-time residents choosing to live in Wellfleet year-round during the pandemic. Wellfleet has 4,264 total housing units per the 2020 decennial census, a decrease of 41 units since the 2010 decennial census count of 4,305 units. This is a decrease of just under one

percent of the total housing stock. About 66 percent of Wellfleet's total housing stock are estimated to be seasonal based on the American Community Survey (ACS) 2020 5-year estimates.⁴

The year-round housing supply is critically constrained, pushing up housing prices and rents, making it nearly impossible for low/moderate income (LMI) households, including families, seniors, and employees of local businesses to find adequate and affordable housing in Wellfleet. Low/moderate income households are those making at or less than 80 percent of the Area Median Income.

Wellfleet has primarily permitted new single-family houses in the past decade (about 211 single family houses and 14 units in 3-4 family buildings between 2010 and 2020).⁵ There is very little housing diversity in the community – only nine percent of the total housing stock are alternatives to single-family and about 77 percent of the total housing is owner-occupied. About 66 percent of the total housing stock is estimated to be for seasonal use.

There is a mismatch of the size of existing units compared to the size of households. About 73 percent of the year-round households in Wellfleet are two-person households (44 percent) or one-person (29 percent). However, studios, one-bedroom, and two-bedroom units only comprise 41 percent of the total housing stock, indicating a need for smaller units.

The limited supply of year-round housing puts tremendous pressure on prices. While interest rates rose significantly in the past year, so did sales prices. The Massachusetts Association of Realtors reported the median sales price of a single-family home in Wellfleet was \$940K and \$525k for a condominium in 2022. These prices are well out of reach of a typical year-round resident of Wellfleet. A year-round household earning the median income for Wellfleet of \$82,990 can afford to purchase a home of up to about \$264,000.

The total LMI owner households that are estimated to be cost burdened (paying more than 30 percent of their income towards housing costs) is 310 households or about 29 percent of all year-round owners in Wellfleet. The total LMI renter households that are estimated to be cost burdened is 89 or about 43 percent of all year-round renters in Wellfleet.

The cost burden levels indicate a need for 217 affordable ownership units and 62 affordable rental units to meet current estimated local needs using a 30 percent benchmark.⁶ The most critical need for affordable units, especially small studio and one-bedroom units, is for Extremely Low Income (ELI) households. There are about 140 ELI households that are severally cost burdened, paying over half their income for housing costs.

The affordability analysis also indicates that Wellfleet could benefit from more affordable homeownership opportunities for 200 percent AMI, which would be an income of about \$231,200 for a four-person household per the FY2022 AMI of \$115,600.

The analysis indicates a need for affordable housing from ELI households up to 200 percent AMI in addition to unrestricted year-round market-rate rental housing.

About 635 workers are estimated to commute to Wellfleet, while about 251 workers live in Wellfleet. Of the commuters, about 36 percent (or 319 people) are estimated to commute between ten and 24 miles to get to work in Wellfleet and about 174 commute more than 25 miles. These data do not detail this population by seasonal or year-round workers. This analysis does not include data on the seasonal workforce.

⁴ Note, this report also cites the 2020 Census count of 4,264 total housing units. However, the Census has not released the 2020 count for seasonal units as of the time of this writing. That is why this section cites estimates from the most recent ACS instead.

⁵ Note that this does not represent net new housing units. Many of these units may likely be the result of demolishing existing units.

⁶ A 30 percent benchmark can help determine a rough estimate of affordable units needed to meet needs, meaning 30 percent of the total housing cost-burdened LMI population is subtracted from the total to estimate need so that no more than 30 percent of total LMI households are paying more than 30 percent of their income for housing costs. Source: MHP Housing Needs Assessment Workbook.

There is clearly also a need for seasonal workforce housing, based on anecdotal information, however the magnitude of this need would require further study.

Wellfleet is challenged to create a mix of housing options that meet local needs with limited buildable land due to environmental and infrastructure constraints as well as zoning barriers. With no public sewer infrastructure, which is the Town's most significant barrier to addressing the housing crisis, zoning and local initiative solutions will be limited.

CHAPTER 2: HOUSING GOALS AND STRATEGIES

A Housing Production Plan can help communities shape the location and type of future housing development and address housing needs. This plan emphasizes increasing Wellfleet's year-round market rate and affordable housing options to meet local and regional needs.

The housing goals and strategies detailed in this report are based on the demographic and housing analysis findings incorporated herein, as well as observations and preferences of community participants gathered through various engagement methods. The housing goals and strategies are intended to provide guidance for local housing policies and initiatives but do not bind future actions or decisions of local officials or Town Meeting.

Five-Year Housing Goals

The goals of this plan are consistent with the Comprehensive Permit Regulations (760 CMR 56) as required by DHCD for Housing Production Plans.

Types of Goals Required by DHCD for Housing Production Plans (760 CMR 56)

- a) *A mix of types of housing, consistent with local and regional needs and feasible within the housing market in which they will be situated, including rental, homeownership, and other occupancy arrangements, if any, for families, individuals, persons with special needs, and the elderly*
- b) *A numerical goal for annual housing production, pursuant to which there is an increase in the municipality's number of SHI-eligible housing units by at least 0.50 percent of its total units during every calendar year included in the HPP until the overall percentage exceeds the statutory minimum.*

1. Encourage the preservation and creation of a diverse housing stock that offers housing choices, especially:
 - a. Conversion of existing homes and cottages to year-round homes
 - b. Year-round market-rate rental homes, including Accessory Dwelling Units
 - c. Affordable year-round rental and ownership homes
 - d. Accessible, service-enriched, and intergenerational housing
 - e. Multi-family homes, particularly with smaller studio and one-bedroom units
 - f. Housing options for Wellfleet's year-round workforce, including the shellfishing community and employees of local businesses and the Town
2. Support production of 59 SHI-eligible units that are planned, permitted, or otherwise pending at the time of this writing, including Paine Hollow, Old Kings Highway, Lawrence Road/Juniper Hill, Freeman Ave.⁷
3. Actively plan and prepare for future housing production at other appropriate sites, especially the Town-owned Maurice's Campground site.
4. Strive to increase the percentage of homes included on the state's Subsidized Housing Inventory by at least 16 units on average per year to incrementally work towards achieving the state's goal under chapter 40B that 10 percent of Wellfleet's year-round housing units are included on its subsidized housing inventory.⁸
5. Allocate local resources and utilize regulatory tools to create and preserve affordable year-round housing options for households with incomes ranging from at or below 30 percent AMI to 200 percent AMI, with the greatest priority for the lowest-income households.

⁷ For details on the 59 units, see the Pipeline section in Chapter 4: Housing Conditions.

⁸ Note at the time of this writing (February 2023), Wellfleet has 40 units included on the SHI. To reach the state's 10 percent goal, Wellfleet would need to add 115 more units to the SHI. The incremental goal of at least 16 units on average per year, which is equivalent to 1 percent of the 2010 count of year-round housing units (the threshold for two-year certification). This would total 80 units over five years. Note, also that the Town is working to obtain SHI listing for several units created through the Town's buy down program.

- 6. As a secondary priority, support local and regional efforts to provide housing solutions for seasonal town employees and local businesses, such as dormitory style, single-room occupancy, or congregate housing.
- 7. Continue reinforcing and leveraging Wellfleet’s local capacity to implement housing initiatives through increased dedicated housing funds and regional collaboration.

STRATEGIES

Achieving the community's five-year goals will require various regulatory, programmatic, and policy strategies. This section includes descriptions of local regulatory strategies, local initiatives, and strategies that deal with implementation capacity, education, and outreach. The intent of these strategies is not to suggest that the Town will implement them over five years but to offer multiple ways that the community can work to achieve its goals.

Many of these strategies are contingent on factors beyond the municipalities control, including market opportunities, infrastructure systems capacity, and funding availability. All strategies will require local approvals in accordance with all applicable laws and regulations.

The strategies are organized into three categories and are in no specific order:

- A. Planning, Policies, and Zoning Strategies
- B. Local Initiatives and Programmatic Strategies
- C. Capacity, Education, and Coordination

A. PLANNING, POLICIES, AND ZONING

The Town’s authority to update zoning regulations can have powerful effects to encourage private responses to address local housing needs with minimal local expenditure. The following strategies incorporate recommendations for both local planning initiatives and zoning amendments.

Strategy 1

Adopt Inclusionary Zoning provisions to encourage affordable housing units in market-rate developments through incentives.

Inclusionary Zoning (IZ) requires or encourages developers to set aside a percentage of housing units on-site or off-site that are affordable for low- and moderate-income residents, pay into a fund for the purposes of affordable housing, or offer property to the Town or a housing trust for the purposes of creating affordable housing. Massachusetts has examples of Inclusionary Zoning (IZ) that are allowed by-right and others that are allowed by special permit and structured as more Incentive Zoning (typically with some form of density bonus as an incentive to create affordable units). Understanding local and regional market conditions will be important in designing an effective IZ bylaw. Determining which approval structure (by-right, special permit, or a combination) is best to foster the community’s goals will need consideration.

“There are relatively few mandatory IZ programs in Massachusetts, but this is changing. Most communities use the special permit process authorized by Section 9 of the Zoning Act to relax zoning requirements in exchange for providing a certain number of affordable housing units in residential development. In general, mandatory programs generate far more affordable units. Voluntary programs generate the most units when they either offer substantial subsidies to developers or function as

Types of Strategies Required by DHCD for Housing Production Plans
(2020 CMR 54)

- a) *The identification of zoning districts or geographic areas in which the municipality proposes to modify current regulations for the purposes of creating SHI Eligible Housing developments to meet its housing production goal*
- b) *The identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications*
- c) *Characteristics of proposed residential or mixed-use developments that would be preferred by the municipality (examples might include cluster developments, adaptive re-use, transit-oriented housing, mixed-use development, inclusionary housing, etc.)*
- d) *Municipally owned parcels for which the municipality commits to issue requests for proposals to develop SHI Eligible Housing; and/or*
- e) *Participation in regional collaborations addressing housing development.*

mandatory programs where discretionary permits are denied without a robust affordable housing component included in the project.” MAPC and RHSO, *Inclusionary Zoning + Payment in Lieu of Units Analysis*, page 11

The resource provided below under “more information” may be helpful in learning how other communities have structured their IZ bylaws.

Depending on market conditions and the specifics of IZ provisions, IZ can be effective and predictable in increasing affordable housing stock without requiring significant local funding outlays. IZ provisions are not one-size-fits-all. Many variations of IZ have been adopted throughout the Commonwealth with varying degrees of success. It is important to craft IZ that is customized to local and regional market realities to ensure its success.

Note it would be prudent that the Town adopts an IZ bylaw before expanding sewer infrastructure to ensure that unlocked development potential results in producing affordable units.

More information: Metropolitan Area Planning Council (MAPC) and Regional Housing Services Office (RHSO) [*Inclusionary Zoning + Payment in Lieu of Units Analysis*](#).

Strategy 2

Consider zoning amendments that provide more flexibility to key dimensional limitations, such as frontage requirements and height maximums, to encourage the creation of housing options, including year-round homes, multi-family housing, duplexes, and ADUs.

Even when uses are allowed per zoning provisions, the dimensional requirements associated with those uses can often effectively prohibit or limit the feasibility of developing the use. This often includes height, building coverage, frontage, and lot size requirements.

By-Right Multi-family: Wellfleet’s zoning bylaw allows multi-family housing by special permit from the Zoning Board of Appeals (ZBA) in the Commercial district alone and does not appear to allow duplexes other than through conversion of existing single-family home meeting certain requirements, including meeting the zoning district’s minimum lot size. In the C district, this analysis found that 216 parcels in Wellfleet’s C district would meet the minimum lot size requirement of 40,000 s.f. Note that per the zoning provisions for multi-family housing, an additional 8,000 s.f. is required for each unit above the 40,000 s.f. minimum lot. These lots range from 40,075 s.f. to 3,530,102 s.f. Note this analysis is limited as it did not include an identification of buildable land or factor in environmental constraints. However, there appear to be opportunities for multi-family development in the C district. The special permit requirement can present a barrier to development.

Consider a by-right path for multi-family homes in the C district, perhaps with a density bonus by special permit, and expanding where multi-family homes are allowed to include the Central District (or a subarea of this district). In the Central District, these provisions could include the conversion of larger single-family houses to multi-family, as appropriate.

Increase Height Maximum: Across all zoning districts, Wellfleet limits the maximum height of buildings to two stories or 28 feet. This limitation can be a barrier to encouraging year-round affordable, mixed-income, and market-rate housing options, especially when coupled with the maximum building coverage requirements (which range from 15 percent to 25 percent of a lot, depending on the zoning district). Consider increasing height maximums to three stories in certain locations and/or under specific conditions as appropriate and reducing the building coverage requirements.

Reduce Lot Size Minimums: About 40.5 percent of Wellfleet’s total existing residential properties (2,037 properties) do not meet the minimum lot size requirements. This limits the opportunities to convert existing properties to duplexes since the lot must comply with the minimum lot size requirements. Consider reducing lot size requirements for year-round units, possibly with enhanced septic system requirements.

Reduce Frontage Minimum: Additionally, 18.6 percent of Wellfleet’s existing residential properties (935 properties) do not comply with the zoning bylaws’ frontage requirements. Consider decreasing frontage

Strategy 5

Consider allowing manufactured homes (i.e., trailer homes/mobile homes) as a permitted use.

Wellfleet's existing zoning bylaws use regulations (Section 5.3) list trailer homes/mobile homes (i.e., sometimes known as manufactured homes) as an excluded or prohibited use in all zoning districts. However, Wellfleet has two existing manufactured home communities (Massasoit Hills in South Wellfleet and Harborside Village). According to the 2020 five-year American Community Survey (ACS) estimates, Wellfleet has 208 manufactured/mobile home units, which are about 4.5 percent of the Town's housing stock.

These communities can operate like co-op complexes with shared facilities (i.e., laundry, recreations, water, septic, rubbish removal) and, while not officially affordable housing that can be listed on the SHI, can provide financially attainable year-round ownership housing options for lower and moderate-income households. Manufactured home communities can be age-restricted or intergenerational, and ownership can be structured as co-ops (where residents share ownership of the property).

Consider zoning amendments to allow manufactured home communities as a permitted or special permit use to reduce barriers to expanding manufactured housing opportunities and to create clear, consistent site planning and dimensional regulations.

More information:

- Lam, Zachary, et al. [Journal of the American Planning Association: Why Do Planners Overlook Manufactured Housing and Resident-Owned Communities as Sources of Affordable Housing and Climate Transformation?](#) 21 June 2022.

Strategy 6

Explore regulations for short-term rental standards and limitations and encourage compliance with the required short-term rental registration.

Short-term rentals, which can enable residents to earn income from their properties, can also inherently impact the availability of year-round housing in a community. Balancing these interests can be difficult.

The Massachusetts legislature adopted a law in 2018 to regulate and tax short-term rentals in the state to help raise funds to address the impacts of short-term rentals. The law extends the room occupancy tax to all short-term rentals (properties rented for a period of 31 days or less). A local excise is collected for the Cape Cod and Islands Water Protection Fund on the Cape and Islands. Localities may adopt a local excise and a Community Impact Fee. Wellfleet collects both the local excise and Community Impact Fee. The Department of Revenue released [short-term rental regulations](#) in 2019.

Some communities in Massachusetts are exploring ways to regulate short-term rentals further. For example, the Town of Great Barrington, MA, adopted [short-term rental regulations](#) in May 2022 to help deter commercial interests from buying housing to use primarily as short-term rental businesses. The regulations allow unlimited days for short-term renting if the owner lives on the premises and a 150-day limit if the owner is not on the

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Modular home means a structure which is: (i) transportable in one or more sections; (ii) designed to be used as a dwelling when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems with the home; and (iii) certified by its manufacturers as being constructed in accordance with a nationally recognized building code; and (iv) designed to be permanently installed at its final destination on an approved foundation constructed in compliance with a nationally recognized building code.

The term "modular home" does not include manufactured housing as defined by the National Manufactured Housing Construction and Safety Standards Act of 1974.

Source: [LAW | PUBLIC](#)

premises. In addition, the bylaw allows an owner to have only one short-term rental unit in the Town and forbids corporations from owning rentals (but allows LLCs).

Explore best practices and consider adopting a short-term rental bylaw that regulates and provides reasonable limitations to short-term rentals. Also, explore ways to encourage or enforce compliance with the required short-term rental registration, such as limiting beach parking stickers.

More information:

- Binzer, Ulrik (Granicus), [A Practical Guide to Effectively Regulating Short-Term Rentals on the Local Government Level](#). (Note – Granicus is a private company that provides short-term rental compliance monitoring and enforcement for local governments.)
- [KP Law, eUpdate: Supreme Judicial Court Decides Use of Single-Family Home for Short-Term Rentals Not Permissible Under Local Zoning Law](#). July 8, 2021.

Strategy 7

Consider zoning amendments to allow tiny home villages and/or tiny homes as stand-alone primary structures in addition to accessory dwelling units.

TINY HOUSE VILLAGE - WORCESTER, MA

A "Housing First" Solution to Chronic Homelessness

Status: Permitting



Illustration of the proposed Worcester, MA Tiny House Village by Civico, a design and development company. Source: <https://www.civicodevelopment.com/tinyhousevillage>

Tiny homes are stand-alone dwelling units that are less than 400 s.f. Appendix Q of the International Building Code has been adopted in Massachusetts, effective January 1, 2020. This provides for building safety standards for tiny homes. However, local zoning provisions must also align with the requirements for tiny homes.

Some communities regulate tiny homes under the umbrella of detached accessory dwelling units, while others allow them as stand-alone primary structures and/or as tiny home villages. Some of the detached accessory dwelling unit regulations are not technically tiny homes as they may be larger than 400 s.f. Only one Massachusetts community (Nantucket, MA) currently allows tiny homes as the primary dwelling unit on a lot.

Planned clusters of tiny homes are called tiny home villages or communities. Tiny home villages can be developed at various prices, including affordable and efficient housing opportunities for extremely low-income households and people who are at risk or have experienced homelessness. There are examples of this type of tiny home village in various places, including those provided below from Worcester, MA (planned), Madison, WIS, and Wilmington, NC.

More information:

Individual Tiny Home Regulations

- [Nantucket Zoning Bylaw](#)
- [Monterey, MA \(detached ADU\)](#)

Tiny Home Villages

- [Worcester Tiny House Village](#)
- [NPR: Tiny homes, big dreams: How some activists are reimagining shelter for the homeless](#)
- [Next City: Tiny House 'Villages' for People Experiencing Homelessness Spreading Across the Country](#)

nature. In addition, federal laws prohibit municipalities from discriminating against persons with disabilities through their land use and zoning policies.¹⁰

Consider zoning bylaw amendments to ensure consistency with these laws and explicitly permit congregate and shared housing in all districts that allow residential use.

Strategy 9

Encourage conversion of existing cottage communities to year-round housing by reducing the minimum size requirements

Cottage communities have historically provided primarily seasonal housing in Wellfleet. Still, there are opportunities for some of these cottages to be converted for use as year-round housing with winterization upgrades. In 2022, Wellfleet Town Meeting approved an article allowing year-round use of cottages previously restricted to year-round use. About 150 units in existing cottage colonies are not in the National Seashore Park district.

The current zoning requirement is 500 s.f. minimum for cottages. Consider reducing the minimum to 250 s.f.

B. LOCAL INITIATIVES AND PROGRAMS

Local initiative and programmatic strategies refer to recommendations that the Town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature - they deal with the allocation of Town resources, including staff time, funding, and property.

Strategy 10

Create a property master plan for the Maurice Campground property, consider regulatory mechanisms and infrastructure investments to support the master plan, and issue an RFP to select a developer to implement the master plan.

Maurice's Campground site at 80 State Highway is a 21.5 acres property purchased by the Town for \$6.5 million. The Town's intent for this site is to develop year-round rental and/or ownership housing for households at a range of incomes and possibly seasonal workforce housing. The property is currently zoned as Residential 2, which permits single-family with a minimum lot size of 40,000 s.f. and does not permit multi-family housing. It is likely that a 40B Comprehensive Permit would be a viable regulatory path to develop affordable and mixed-income housing on this site, or the Town could rezone the property instead. Significant infrastructure improvements will likely also be needed to support future development. The Town should consider supporting the implementation of the pending property master plan by securing funding for the required infrastructure improvements, such as wastewater treatment, drinking water, and other utility needs.

Offering low/no-cost land for development to developers with a track record of context-sensitive affordable housing developments can provide a significant subsidy to help make an affordable housing development feasible. Based on the outcomes of the pending master plan, consider offering a portion or portions of the Maurice's property for the development of affordable and mixed-income homes.

To implement this strategy, the Town would issue a Request for Proposals (RFP) for the disposition of all or portions of the property (per MGL c.30B municipal property disposition requirements) that describes the Town's preferred development based on the outcome of the master plan. The Town may sell the property outright or retain ownership and lease it to a developer through a long-term ground lease. With a ground lease arrangement, the developer builds, owns, and manages the building, but the Town can establish certain criteria for the project that become restrictions and provisions in the ground lease. This ownership structure allows the Town to create housing without having to administer the construction or management of the housing itself and provides strong assurances for the long-term affordability of the units.

¹⁰ Federal laws referenced here include Section 504 of the Rehabilitation Act of 1973, the Fair Housing Amendments Act of 1988, and the American with Disabilities Act of 1990.

Note the Town has agreed to operate the campground for a period of six years, subject to feasible regulatory compliance. In this six-year time frame, it will be important to prepare for development with the creation of the property master plan, infrastructure improvements, zoning amendments/ permitting, and developer selection (not necessarily in this order).

In addition, throughout these planning and preparation stages, the Town should consider interim uses for the site, such as utilizing the existing cottages for affordable year-round housing options.

Strategy 11

Work to fund public sewer infrastructure for the Central District to support the production of more diverse housing options, including affordable and mixed-used housing options.

Wastewater in Wellfleet is handled by on-site septic systems (except for the upcoming development and surrounding institutional uses near the Lawrence Road/Juniper Hill housing development. Wellfleet Center, where the greatest housing density exists, is the only known water quality problem area with respect to nitrate. With a median lot size of 1/3 of an acre and almost urban density, water pollution potential is notably higher in the Center. A sewer and wastewater treatment system has been considered for years for the central district of Wellfleet. Wellfleet is a member town of the Cape Cod and Island Water Protection Fund (CCIWPF), which helps towns pay for wastewater infrastructure and water quality remediation projects.

Strategy 12

Work to fund and assist property owners outside the Central District to upgrade to enhanced alternative and innovative septic systems.

Four bedrooms would require almost one acre with a conventional septic system to meet nitrogen load requirements. With high land costs and little available developable land, this requirement impedes development. Work with the Board of Health to consider wastewater solutions such as enhanced innovative and alternative (EIA) systems and work to provide financial support for property owners to install these upgraded systems.

Strategy 13

Continue to fund and implement the Wellfleet Housing Buy Down Program to create affordable homeownership units by converting existing market-rate homes.

The Wellfleet Housing Buy Down Program is a program for low-to-moderate-income homebuyers. The program provides up to \$175,000 in subsidy towards purchasing a Wellfleet home, lowering the price, and making the home affordable. WHA has been running a Buy Down Program since 2010 and has successfully assisted eight moderate-income families in purchasing affordable homes. Wellfleet targets the program to buyers earning at or below 80% of the Area Median Income and is planning to have these units qualify for inclusion in the Subsidized Housing Inventory as Local Action Units.

Strategy 14

Consider establishing a new local program to acquire deed restrictions to convert existing market-rate homes to affordable homes based on the Vail InDEED model.

While this strategy would not create affordable homes that count on the SHI, it is a method to preserve the existing housing stock as year-round affordable rental and ownership housing and assist existing Wellfleet homeowners. The Vail, Colorado program (Vail InDEED) requires that tenants and owners of these deed-restricted units must be used as the individual's primary residence, and they must work a minimum of 30 hours per week in the county. The Vail program has no income cap and does not impose an appreciation cap or restrict sales prices. The restriction is focused on ensuring that the units are the principal residence of a worker who is employed in the Town or county.

More information: [Vail InDEED Program FAQ](#)

Strategy 15

Acquire vacant and/or underutilized properties, cottage communities, and condominiums to create affordable year-round housing and convert existing developed properties to affordable, mixed-income, and/or Town employee housing, including tax-foreclosed properties or other Town-owned properties.

The Trust, like a Community Land Bank, has the authority to acquire and dispose of real property through sale or lease to create and preserve housing for low- and moderate-income households. The Trust can acquire private property and receive property by gift or transfer (including the Town transfer of property to the Trust). There are several opportunities to consider regarding this strategy: tax-foreclosed property, Town-owned property, and acquisition of private property (such as cottages or condominiums). Below is provided more description of opportunities involving tax-foreclosed properties and Town-owned properties in the NPS.

Tax-Foreclosed Properties: The Trust, working closely with the Treasurer, should continue to actively maintain and regularly vet a current list and map of tax-foreclosed properties that may have the potential for affordable/mixed-income housing, including the conversion of existing homes to affordable homes. Pass a resolution through the Select Board to repurpose tax-foreclosed property to create affordable or mixed-income housing through new construction, redevelopment, and reuse of existing buildings. This option may not be appropriate for all Town-owned parcels but should be considered as an opportunity in evaluating the future development of municipal sites. Although according to local officials, Wellfleet has not had tax-foreclosed properties in several years, there have been tax title properties that could provide such opportunities.

Town-Owned Properties in the National Seashore Park: Town-owned properties located in the National Seashore Park (NSP) may have potential for the creation of housing options. According to Town officials, the Town owns substantial amounts of property (260.4 acres on 145 parcels) within the NSP. The NSP allows development for municipal uses. Explore the definition of municipal use to see if it allows housing, including affordable housing, in any circumstance and consider the legal limitations regarding municipal use to determine if Town employee housing, for example, would comply with this definition. Another idea that was raised during the community engagement process is the possibility of a land swap of an existing Town-owned parcel with the NSP for a property at the edge of the NSP boundary and associated modification to the boundary to exclude said property.

Strategy 16

Consider acquiring manufactured housing (a.k.a. mobile homes) to create emergency housing opportunities for low- or moderate-income households.

The Trust could consider acquiring manufactured housing at one of the existing mobile home communities to create emergency housing for low or moderate-income households.

Strategy 17

Actively work with condo and cottage colony associations to amend deed restrictions restricting seasonal units.

Despite the zoning amendment that allows cottages to be used for year-round housing, according to Town officials, there are still legal obstacles within property covenants that restrict some properties to be seasonal only. Cottage colony associations typically can amend their master deeds. Through the Wellfleet Affordable Housing Trust or other local housing boards, the Town could consider actively working with cottage colony associations to promote such amendments to enable the year-round use of cottages.

C. CAPACITY, EDUCATION, AND COORDINATION

The following strategies are recommendations for expanding local capacity to implement housing initiatives, promote education, and coordinate housing initiatives with other local or regional entities.

Strategy 18

Hire a town planner and housing coordinator to staff the Planning Board and work to support the adoption of zoning amendments to support the creation and preservation of affordable, mixed-income, and other housing options that address Wellfleet's housing needs and align with this HPP.

According to local officials, Wellfleet is the only Cape town with neither a planner nor a housing coordinator. With the benefit of professionals specializing in community planning and housing, the Town would amplify its ability to make progress on its key social, environmental, and economic goals. Professionals with this expertise would provide existing boards with technical assistance to facilitate zoning and housing initiatives and zoning amendments, development review, as well as long-range planning and community engagement. This could be one position that covers both land use planning and housing, or it could be two separate positions, either full-time or part-time, provided through consulting services and/or shared services with another town in the region. Note, at the time of this writing, the Town was in the process of considering funding for a new Housing/Community Preservation Committee Specialist position.

Strategy 19

Actively work to provide additional funding to the Wellfleet Affordable Housing Trust to fund local affordable housing initiatives that create year-round affordable housing.

Municipal Affordable Housing Trusts, per MGL c.44 s.55C, the state's Municipal Affordable Housing Trust Law, may generate revenue through a variety of funding mechanisms, including the Community Preservation Act (CPA) funds, Inclusionary Zoning in-lieu payments, negotiated developer payments, short-term rental tax, other taxes, general funds, sale of tax foreclosed properties, bonding CPA or general funds, private donations, among other sources. To provide additional funding to the Wellfleet Affordable Housing Trust to further local housing initiatives and help to support the implementation of this HPP, consider the following:

1. Apply for CPA funds to fund acquisitions of property to create affordable housing (including through the reuse of existing developed properties and conversion of existing market-rate homes to affordable homes
2. If state legislation enables, adopt a real estate transfer tax, and allocate revenue to the Trust.
3. Secure additional funding from the short-term rental tax as appropriate.
4. Secure funding from the local marijuana tax (set at three percent as of 7/1/2018).¹¹

¹¹ MA Department of Revenue: Data Analytics and Resources Bureau – Meals and Recreational Marijuana Taxes, data current as of 3/13/2023. https://revenue.wa.gov/sites/default/files/2023-03/ma_marijuana_tax_data_031323.pdf
Page#: 7; url: data: https://revenue.wa.gov/sites/default/files/2023-03/ma_marijuana_tax_data_031323.pdf; &idSort=(tblOptionsTaxa7e1-UR-511-91-1AX-7-ghumber%7c-67a6c0be-wPageNr=True!&idRequestForwarding=Form
Wellfleet Housing Production Plan DRAFT 3/14/23

Strategy 20

Continue and expand community outreach efforts to provide information about local and regional affordable housing needs and resources to assist with housing needs.



Wellfleet, through local housing boards, has been actively promoting outreach efforts to further the dissemination of information and resources pertaining to affordable housing needs and available assistance. Continue working with Community Development Partners (CDP) to develop and initiate local and regional outreach and housing projects. Continue working locally on housing needs awareness and fund-raising activities such as the Housing Angels Housing Story Slam, Housing Angels Summer Concert, art gallery events, and others. Continue occasional mailings, such as a recent letter suggesting homeowners looking to sell their property might consider selling to a local, year-round family at less than market price. Continue tax bill inserts requesting donations.

Action Plan

The matrix below provides a specific assignment of the responsible entity, supporting entity, and timeframe to implement each housing strategy.

#	Housing Strategies	FY2024	FY2025	FY2026	FY2027	FY2028	Lead Entity	Supporting Entities
1	Adopt Inclusionary Zoning provisions to encourage affordable housing units in market-rate developments through incentives.	X					Select Board	Housing Partnership Planning Board
2	Consider zoning amendments that provide more flexibility to key dimensional limitations, such as frontage requirements and height maximums, to encourage the creation of housing options, including year-round homes, multi-family housing, duplexes, and ADUs.		X	X			Select Board	Housing Partnership Planning Board
3	Consider zoning amendments to allow the construction of new year-round duplexes by right in certain areas or districts.	X					Select Board	Housing Partnership Planning Board
4	Amend zoning to allow for dormitory or employee housing to provide the ability to create housing for seasonal workers.			X	X		Select Board	Housing Partnership Planning Board
5	Consider allowing manufactured homes (i.e., trailer homes/mobile homes) as a permitted use.			X	X		Select Board	Housing Partnership Planning Board
6	Explore regulations for short-term rental standards and limitations and encourage compliance with the required short-term rental registration.	X	X				Select Board	Housing Partnership
7	Consider zoning amendments to allow tiny home villages and/or tiny homes as stand-alone primary structures in addition to accessory dwelling units.				X	X	Select Board	Housing Partnership Planning Board
8	Amend zoning to allow congregate housing and other shared living environments explicitly.	X					Select Board	Housing Partnership Planning Board
9	Encourage conversion of existing cottage communities to year-round housing by reducing the minimum size requirements	X	X				Select Board	Housing Partnership Planning Board
10	Create a property master plan for the Maurice Campground property, consider regulatory mechanisms and infrastructure investments to support the master plan, and issue an RFP to select a developer to implement the master plan.	X	X	X	X	X	Select Board	Maurice Planning Committee
11	Work to fund public sewer infrastructure for the Central District to support the production of more diverse housing options, including affordable and mixed-used housing options.	X	X	X	X	X	Select Board	Health/ Conservation Dept.
12	Work to fund and assist property owners outside the Central District to upgrade to enhanced alternative and innovative septic systems.			X	X	X	Select Board	Health/ Conservation Dept.
13	Continue to fund and implement the Wellfleet Housing Buy Down Program to create	X	X	X	X	X	Housing Authority	Housing Partnership

	affordable homeownership units by converting existing market-rate homes.							
14	Consider establishing a new local program to acquire deed restrictions to convert existing market-rate homes to affordable homes based on the Vail InDEED model.				X	X	Housing Trust	Housing Authority Housing Partnership
15	Acquire vacant and/or underutilized properties, cottage communities, and condominiums to create affordable year-round housing and convert existing developed properties to affordable, mixed-income, and/or Town employee housing, including tax-foreclosed properties or other Town-owned properties.			X	X	X	Housing Trust	Select Board Town Treasurer Housing Authority Housing Partnership
16	Consider acquiring manufactured housing (a.k.a. mobile homes) to create emergency housing opportunities for low- or moderate-income households.				X	X	Housing Trust	Housing Authority Housing Partnership
17	Actively work with condo and cottage colony associations to amend deed restrictions restricting seasonal units.	X	X				Housing Partnership	Housing Authority
18	Hire a town planner and housing coordinator to staff the Planning Board and work to support the adoption of zoning amendments to support the creation and preservation of affordable, mixed-income, and other housing options that address Wellfleet's housing needs and align with this HPP.	X	X				Select Board	Town Administrator
19	Actively work to provide additional funding to the Wellfleet Affordable Housing Trust to fund local affordable housing initiatives that create year-round affordable housing.	X	X	X	X	X	Housing Trust	Community Preservation Committee Select Board Town Administrator
20	Continue and expand community outreach efforts to provide information about local and regional affordable housing needs and resources to assist with housing needs.	X	X	X	X	X	Housing Authority	Housing Partnership

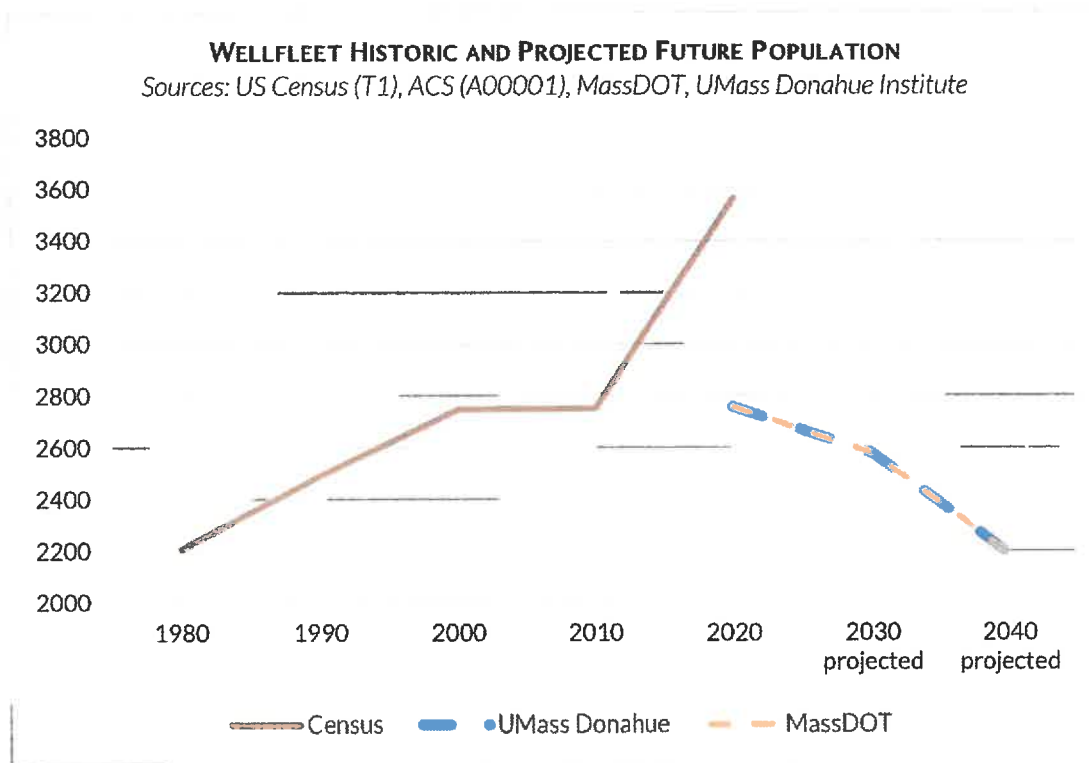
CHAPTER 3: DEMOGRAPHIC PROFILE

An analysis of local demographic data and housing stock reveals key characteristics and trends in Wellfleet that help explain housing needs and demand. The characteristics of a Town's residents — such as their life stage, wealth, race and ethnicity, and household size — are closely linked to the characteristics of a Town's housing stock. To understand the wider context of Wellfleet's housing needs, we compare the demographics of Wellfleet to Barnstable County and Massachusetts, as well as to surrounding communities: Brewster, Eastham, Orleans, Provincetown, and Truro.

Population

Wellfleet's total year-round population is 3,566 per the 2020 U.S. Census. Wellfleet saw growth of 29.7 percent between 2010 and 2020.

In the same period, the County population grew about 6.1 percent and the state about 7.4 percent. The population growth in Wellfleet outpaces predictions significantly. In fact, predictions indicated decline. Both Mass DOT and the UMASS Donahue Institute predicted that Wellfleet's population would continue to shrink after 2010. However, this data was released in 2018, prior to the COVID-19 pandemic which affected people's housing choices including part-time residents deciding to become year-round residents in Cape Cod communities. It is not known how much of Wellfleet's population growth is attributable to this trend. Updated population projections are needed that adequately account for current trends. Projecting future housing need is limited due to outdated projections.



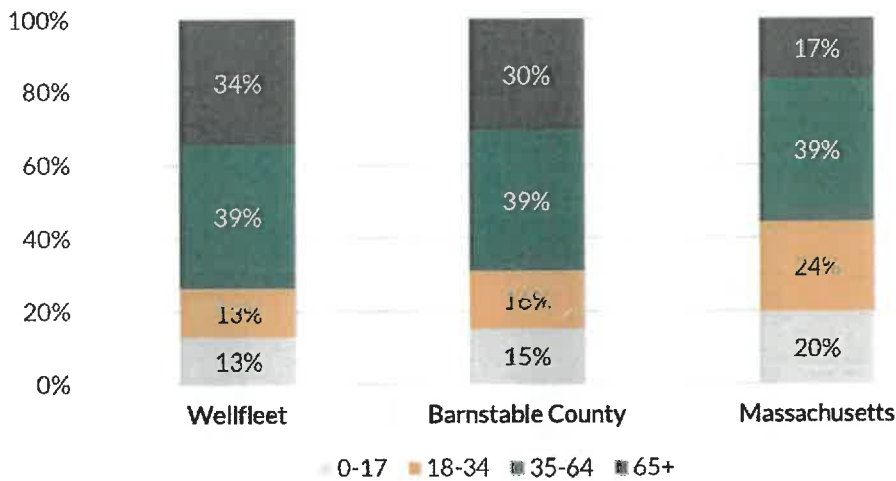
Age of Population

About 39 percent of Wellfleet's estimated year-round population is ages 35 to 64, with the median age being 57.2 years old. This is somewhat higher than the County (53.7 years old) and significantly higher than the state (39.6 years old).

Older adults, those 65 years and older, are the second largest age bracket in Wellfleet at about 34 percent of the population which is slightly higher proportionally than the County at 30 percent and significantly higher than the state at 17 percent. Those aged 17 and younger comprised 13 percent of the Town, which is slightly lower than the County at 15 percent and the state at 20 percent. Those aged 18 and younger comprised 13 percent of the Town, which is slightly lower than the County at 15 percent and the state at 20 percent. About 13 percent of Wellfleet's residents fall between 18 and 34 years of age, which is lower than the County at 16 percent but lower than the state at 24 percent.

WELLFLEET POPULATION BY AGE, 2020

Sources: US Census (T11) / ACS (B01001)

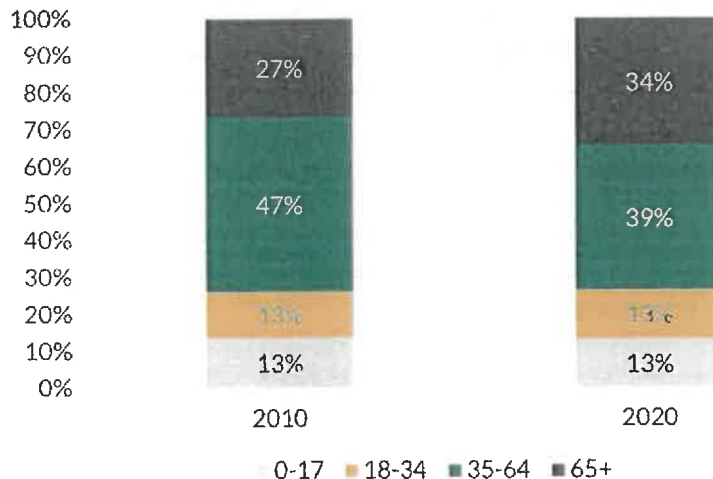


The proportion of the population that is aged 65 years or older increased about seven percentage points from 27 to 34 percent of Wellfleet's population from 2010 to 2020. Those aged 35 to 64 decreased about eight percentage points. The remaining two age brackets (0-17 and 18-34) stayed the same, both of which comprised 13 percent in 2010 and continued to comprise 13 percent in 2020.

Wellfleet's population is growing older, with all changes in age demographic stemming from those within the 35-64 age bracket aging out and moving into the 65+ age bracket between 2010 and 2020.

WELLFLEET POPULATION BY AGE, 2010-2020

Sources: US Census (T11) / ACS (B01001)

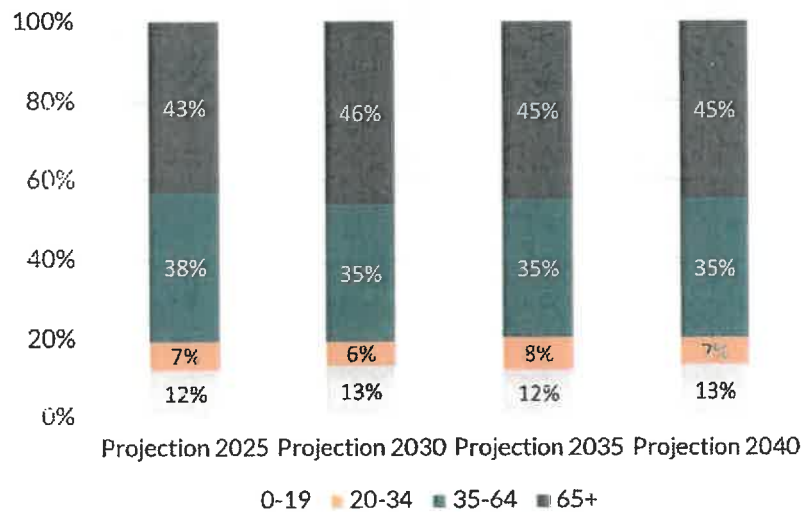


According to population projections from the UMass Donahue Institute, Wellfleet’s population is predicted to become increasingly older by 2030, and then the overall age demographics are expected to plateau. However, as noted above, these projections are outdated and may not adequately reflect current population age trends.

The UMass Donahue Institute projects that the proportion of older adults will continue to increase, reaching a high of 46 percent of the overall population by 2030.

WELLFLEET POPULATION BY AGE, 2025-2040 PROJECTIONS

Source: UMass Donahue Institute



Racial Composition of the Population

While Wellfleet has seen significant growth in people who identify as Black, Indigenous, and People of Color (BIPOC), increasing from 115 people in 2010 to 332 people in 2020 (indicating 189 percent growth). However, the community remains predominantly White at 90.7 percent.

Although this growth outpaced both the County and state trends whose BIPOC communities have increased at 46 percent and 86 percent, respectively, BIPOC residents still represent a small share of the Town’s population. Statewide, about 32 percent of the population identifies as BIPOC and about 15 percent of the County. Between 2010 and 2020, the percentage of the White population dropped from 95.8 percent to 90.7 percent. Wellfleet’s non-white population is largely comprised of those identifying as Two or More Races (3.8 percent) and Non-White Hispanic or Latinx (2.2 percent).

Foreign-Born Population and Language

In 2020, an estimated six percent of Wellfleet’s population were born outside of the United States. This is slightly less than the proportion of foreign-born population in the County (eight percent) and significantly less than the state (16 percent).

Of this population in Wellfleet, 71 percent were born in Latin American countries, mainly Brazil (38.6 percent) and Jamaica (31.9 percent). Wellfleet’s European share is 6.8 percent of the total foreign-born population. Wellfleet also has an Asian share of 5.3 percent. In Wellfleet, 86.8 percent of residents speak English at home, which is lower than the County (90.6 percent) but higher than the state (76.1 percent). Other Indo-European languages is the next highest percentage at 8.9 percent, likely Brazilian Portuguese, and Jamaican Patois, given the characteristics of Wellfleet’s foreign-born population.

Disability

The U.S. Census Bureau defines a disability as a long-lasting physical, mental, or emotional condition. Residents with one or more disabilities are more vulnerable to housing challenges in communities where there is a shortage of affordable, physically accessible housing, or housing with supportive services tailored to individual needs.

The 2020 ACS estimates that about nine percent of Wellfleet's non-institutionalized residents have one or more disabilities, and 17 percent of those 65 years have one or more disabilities. These statistics are lower than the County, 13 and 25 percent respectively. These statistics are also lower than the state, 12 and 31 percent respectively.

Households

Household Composition

The number and type of households within a community, along with household spending power, correlate to the housing unit demand, each household resides in one housing unit, regardless of the number of household members.

ACS estimates suggest Wellfleet had 1,524 total households in 2020, 12 percent more than in 2010 (1,366 households). This growth outpaces the County and state at less than one percent and four percent respectively.

Household

A household includes all the persons who occupy a housing unit as their usual place of residence. A household includes the related family members and all the unrelated people.

Family Household

A family household is a household maintained by a householder and one or more people related by birth, marriage, or adoption.

Non-family Household

A nonfamily household consists of a householder living alone or where the householder shares the home exclusively with people to whom they are not related.

This is a decrease in the overall share of families with children from 2010 (31 percent) but is an absolute increase of 43 households with children from about 219 in 2010.

Note that the number of households with children does not necessarily correlate with the change in number of total children in Wellfleet because this data does not account for the number of children in each household.

Hearing Difficulty

Deaf or having serious difficulty hearing

Vision Difficulty

Blind or having serious difficulty seeing, even when wearing glasses

Cognitive Difficulty

Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions

Ambulatory Difficulty

Having serious difficulty walking or climbing stairs

Self-care Difficulty

Having difficulty bathing or dressing

Independent living difficulty

Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor's office or shopping.

Source: U.S. Census Bureau

Household Size

The average household size in Wellfleet increased from an estimated 2.01 persons per household (pph) to 2.39 pph in 2020. This runs counter to the trend in the County, which had a slightly decreasing household size from 2.21 in 2010 to 2.20 in 2020. Statewide the household size increased slightly from 2.48 to 2.50 in this period. The average household size in Wellfleet is larger than the County average and smaller than the state.

The average household size for those who own their home is estimated to be 2.22 pph as compared to those who rent which is higher at 2.96 pph. This is atypical. In the County and state the average renter household size is smaller than owner households. In the County, the average owner household is 2.23 pph and renter household is 2.06 pph. In the state, the average owner household is 2.68 pph and renter household is 2.21 pph. The reasons that Wellfleet renter household size is so much larger are not clear. Note, however there are larger margins of error in smaller geographies such as Wellfleet, and the renter population is small, which limits the sample size even further so these data may not fully reflect trends in Wellfleet.

Despite the increased average household size, most of the households in Wellfleet (44 percent) are two-person households. Single-person households comprise about 29 percent of total households.

Economic Characteristics

Wellfleet Residents – Labor Force

The 2020 ACS survey estimates 1,588 residents are in the Wellfleet labor force with 17 being unemployed. This represents a 1.5 percent unemployment rate. A decade ago, per the 2010 ACS survey estimates, Wellfleet's labor force was 1,831 people with 91 unemployed (3.3 percent).

Since 2010, Wellfleet's estimated labor force has declined by 243 people (or about 13 percent).

As of July 2022, the Massachusetts Department of Economic Research reported Wellfleet's total labor force to be 1,727 with a 2.5 percent unemployment rate, slightly lower than the Cape and Islands average of 3.2 percent.¹² The state unemployment for period is three and a half percent. The Cape and Islands unemployment rate peaked at 22.9 percent in April 2022 (11.7 percent when adjusted for seasonal economy). While this is peak is consistent with every Massachusetts region, Cape Cod and the Islands' peak unemployment rate was more than four percent of the next closest region.¹³

Jobs in Wellfleet and Workforce Inflows/Outflows

The largest share of jobs in Wellfleet, 47 percent, are in management, business, science, and arts occupations which is on trend with County and state breakdowns. The prominent industries at 27.7 percent in Wellfleet is Education, Health Care, and Social Assistance. According to local sources, 299 individuals, or 8.3 percent of the population in 2020, work in the shellfishing industry.

The average salary for people employed in management occupations in Barnstable County is \$102,690; for education, kindergarten through secondary; the average salary is \$103,510, and for medical and health service managers the average salary is \$106,320. For those employed in farming, fishing, and forestry occupations in Barnstable County, however, the average salary was just \$42,000.¹⁴

About 635 workers are employed in Wellfleet and live outside of Wellfleet. About 832 workers live in Wellfleet and commute to work outside of Town. And about 251 workers live in Wellfleet. This analysis includes all jobs including seasonal jobs as estimated in 2019, pre-pandemic. Updated estimates are not currently available. . These data do not detail this population by seasonal or year-round workers.

¹² Massachusetts Department of Economic Research, Massachusetts Regional Labor Market Information City/Town Map. (23 August 2022). Massachusetts Regional Labor Market Information | Tableau Public

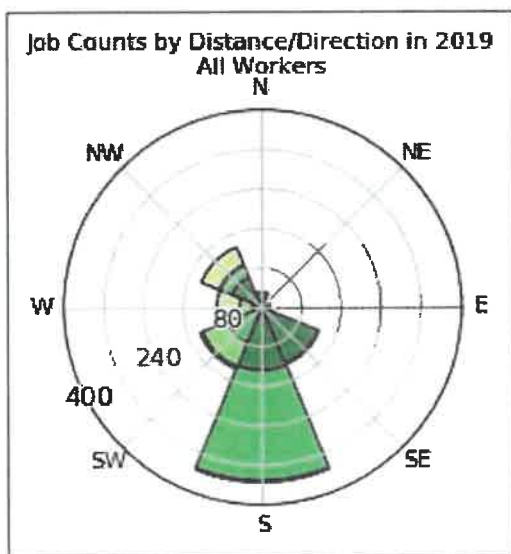
¹³ Massachusetts Department of Economic Research, Massachusetts Regional Labor Market Information Unemployment Rates. (23 August 2022). Massachusetts Regional Labor Market Information | Tableau Public

¹⁴ Source: U. S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics for Barnstable County Metro Area, May 2020, https://www.bls.gov/oes/2020/may/oes_70900.htm



ABOUT 635 PEOPLE TRAVEL TO WELLFLEET TO WORK, 2019

Source: U.S. Census LEHD, On the Map 2019



Jobs by Distance - Work Census Block to Home Census Block

	2019	
	Count	Share
Total All Jobs	888	100.0%
Less than 10 miles	393	44.4%
10 to 24 miles	319	36.0%
25 to 50 miles	81	9.1%
Greater than 50 miles	93	10.5%

ABOUT 55.6 PERCENT (OR 493 PEOPLE) OF THE LOCAL WORKFORCE TRAVEL 10 OR MORE MILES TO GET TO WORK IN WELLFLEET, 2019

Source: U.S. Census LEHD, On the Map 2019



MOST JOBS IN WELLFLEET ARE CONCENTRATED IN THE VILLAGE CENTER AREA, 2019

Source: U.S. Census LEHD. On the Map 2019

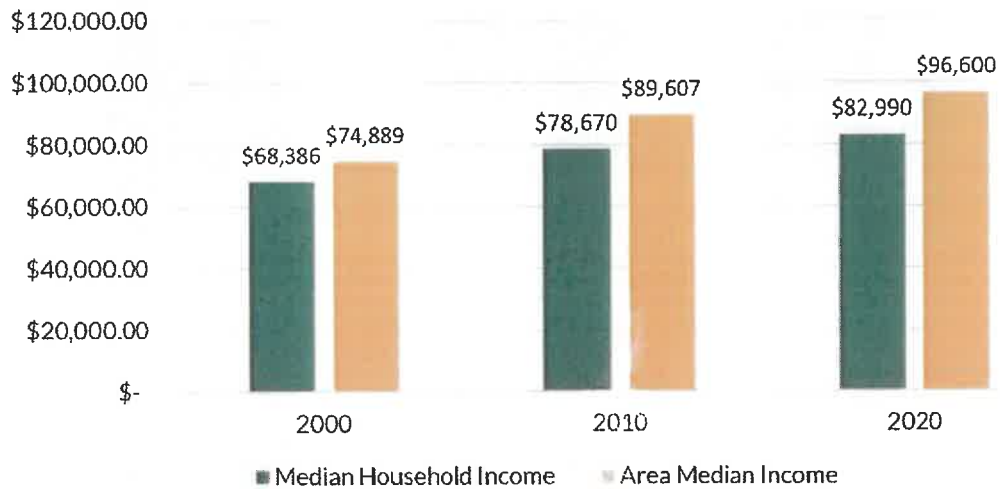
Household Income

In Wellfleet, an estimated 40 percent (630) of year-round households have low/moderate income. This includes ten percent with extremely low income (below 30 percent AMI), 15 percent very low income (between 30 and 50 percent AMI), and 15 percent moderate income (between 50 and 80 percent AMI).

The estimated median household income in the Town of Wellfleet was \$82,990 in 2020, which is \$13,610 less than the HUD Area Median Income (AMI) for Barnstable County (\$96,600). Between 2000 and 2020, Wellfleet median household income rose 21 percent (adjusted for inflation). Between 2010 and 2020, Wellfleet median household income rose five percent. Households whose total income is 80 percent or less of the AMI are considered low- or moderate-income.

WELLFLEET MEDIAN INCOME AND AREA INCOME, 2000-2020 (INFLATION-ADJUSTED)

Sources: US Census (T93, T95, T98, T100)/ACS (A14006, A14010, A14012, A14015)



It is important to note that median household income combines both family and non-family households as well as owner-occupied and renter-occupied households. Family households as well as owner-occupied households often have higher median household incomes. Wellfleet's 2020 estimated median renter household income was \$44,783, while estimated median owner household income was \$73,125.

Wellfleet's 2020 estimated median family income is \$104,366, which was the highest of the comparison communities, except for Orleans (\$107,708). Truro's estimated median family income was \$74,886; Provincetown \$89,875; Eastham \$93,861; and Brewster \$102,333.

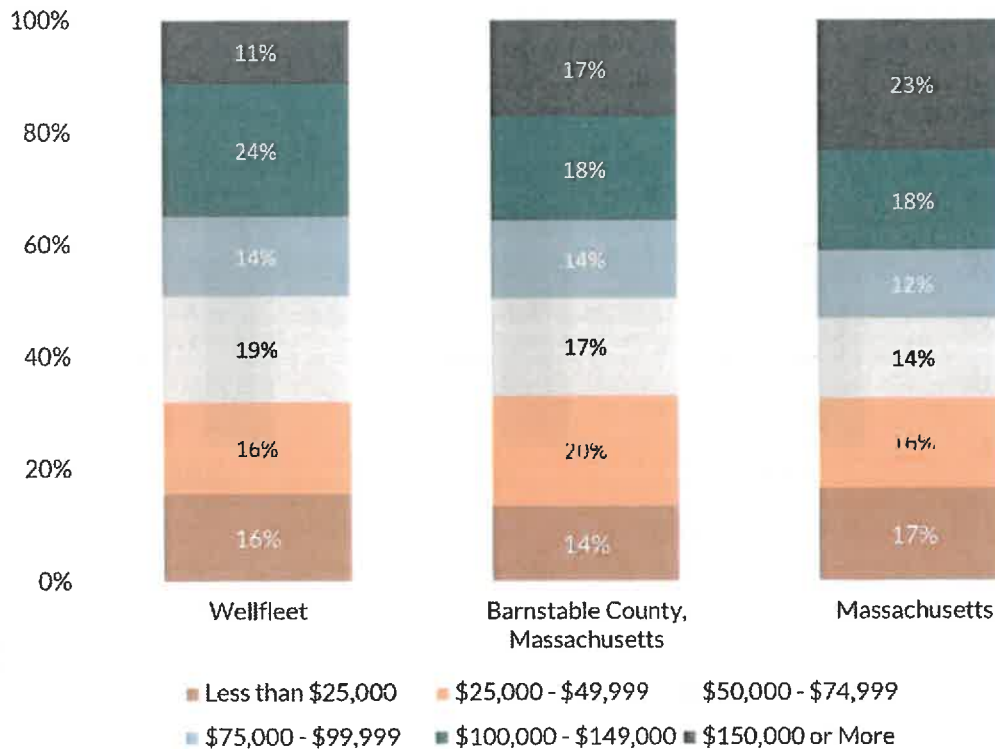
WELLFLEET MEDIAN INCOME, 2020

Sources: US Census (T93, T95, T98, T100)/ACS (A14006, A14010, A14012, A14015)



WELLFLEET HOUSEHOLD INCOME DISTRIBUTION, 2020

Source: ACS (A14001)



Income and Age

The 2020 ACS estimates that about 58 year-round households headed by an older adult (age 65 years and over) in Wellfleet are spending more than 35 percent of their income on rent. And about 99 households headed by older adults are spending over 35 percent of their income on ownership housing costs. In addition, about 66 owner households headed by an older adult are spending between 30 and 35 percent of their income on housing costs. Older adult headed households appear to be more cost burdened than any other age cohort as an absolute number. However, note that there are an estimated 14 owner households with a householder of 25 to 34 years and all of them are estimated to spend more than 35 percent of their income on housing costs.

This suggests a need for year-round affordable rental and ownership options for households headed by older adults as well as younger adults.

CHAPTER 4: HOUSING CONDITIONS

The following section examines Wellfleet's current housing supply and how it has changed over time. Understanding housing type, size, age, tenure, vacancy, and recent development will contribute to an understanding of current needs and demand in the community and thereby help inform future housing production planning.

Housing Supply and Trends

Wellfleet has 4,264 total housing units per the 2020 decennial census, a decrease of 41 units since the 2010 decennial census count of 4,305 units. This is a decrease of just under one percent of the total housing stock.

Year-Round and Seasonal Units

About 66 percent (or 3,068) of Wellfleet's total housing stock (4,645 units) are estimated to be seasonal based on the ACS 2020 5-year estimates.¹⁵ Per the 2019 5-year ACS estimates, Wellfleet's "other vacant" or seasonal units were 3,103 or 65 percent of total housing stock (4,701). The 2020 estimate shows 56 less units. Note these estimates are subject to margins of error which can be significant in small geographies such as Wellfleet so these figures should not be considered a count of units in the same way the decennial census is.

Massachusetts hosts a registry of lodging operators in accordance with M.G.L.c. 23A Section 68 and 400 CMR 4.00. All operators of short-term rental or traditional lodging properties that are not exempt from state and local room occupancy excise and local fees are legally required to register with the Department of Revenue. This registry lists 1,015 short-term rental units in Wellfleet.¹⁶

Housing Production

Wellfleet's housing production has focused on creating new single-family houses. Between 2010 and 2020 Wellfleet permitted 225 total new units, about 94 percent of which were in single-family houses.¹⁷ The 14 units in 3-4 family structures are deed restricted affordable units on Paine Hollow Road and Gull Pond Road (permitted in 2012 and 2013, respectively). Note that this does not represent net new housing units. It is likely many of these units' involved demolition of existing housing.

Wellfleet Building Permits by Housing Type, 2010-2020

Source: Massachusetts Data Center, US Census Building Permits Survey

Year	1 Family Units	2 Family Units	3-4 Family Units	5+ Family Units	Total
2010	14	0	0	0	14
2011	8	0	0	0	8
2012	17	0	8	0	25
2013	16	0	6	0	22
2014	22	0	0	0	22
2015	20	0	0	0	20
2016	26	0	0	0	26
2017	12	0	0	0	12
2018	14	0	0	0	14
2019	14	0	0	0	14
2020	24	0	0	0	24
Total	211	0	14	0	225

¹⁵ Note, this report also cites the 2020 Census count of 4,264 total housing units. However, the Census has not released the 2020 count for seasonal units as of the time of this writing. That is why this section cites estimates from the most recent ACS instead.

¹⁶ Massachusetts Department of Revenue, Registry of Lodging Operators: <https://www.mass.gov/info-details/public-registry-of-lodging-operators>

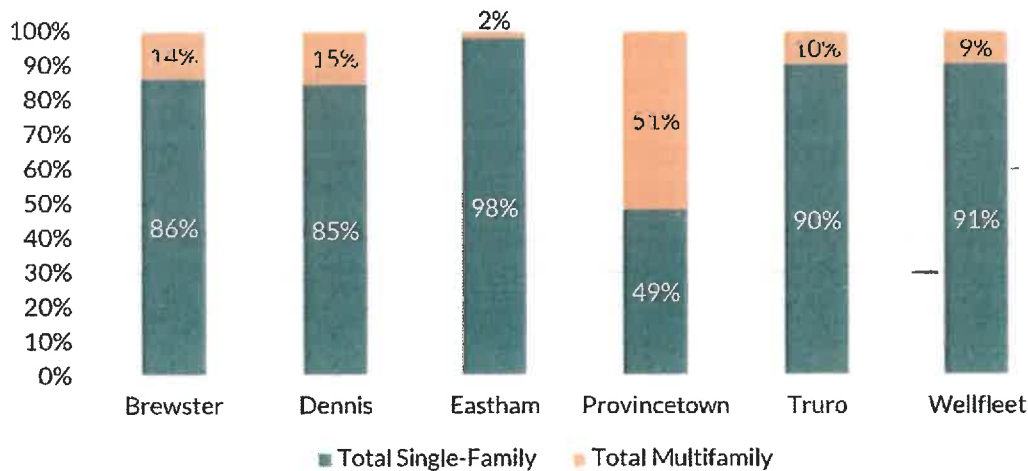
¹⁷ Massachusetts Data Center, US Census Building Permits Survey.

Type and Age

Per the 2020 five-year ACS estimates, 88.9 percent of housing units in Wellfleet were detached single-family homes. While this is slightly higher than the County estimate of 87 percent single-unit, it is much higher than the state at 57 percent. Subsequently, Wellfleet Town and Barnstable County have much lower percentages of multi-unit housing options than the state. Only three percent of housing units in Wellfleet are duplexes, and one percent are in buildings of three to nine units. For many of the neighboring communities, the percentage of single-family units and multi-family is like Wellfleet, with Provincetown as an outlier where 51 percent is multifamily housing.

SINGLE VS. MULTIFAMILY HOUSING IN WELLFLEET WITH REGIONAL COMPARISON, 2020

Source: ACS (B25024)



Manufactured Homes/Mobile Homes

Wellfleet has two existing manufactured home communities. These types of communities can provide financially attainable home ownership options for lower and moderate-income households. According to the 2020 five-year ACS estimates, Wellfleet has 208 manufactured/mobile home units which is about 4.5 percent of the Town's housing stock.

Age of Housing

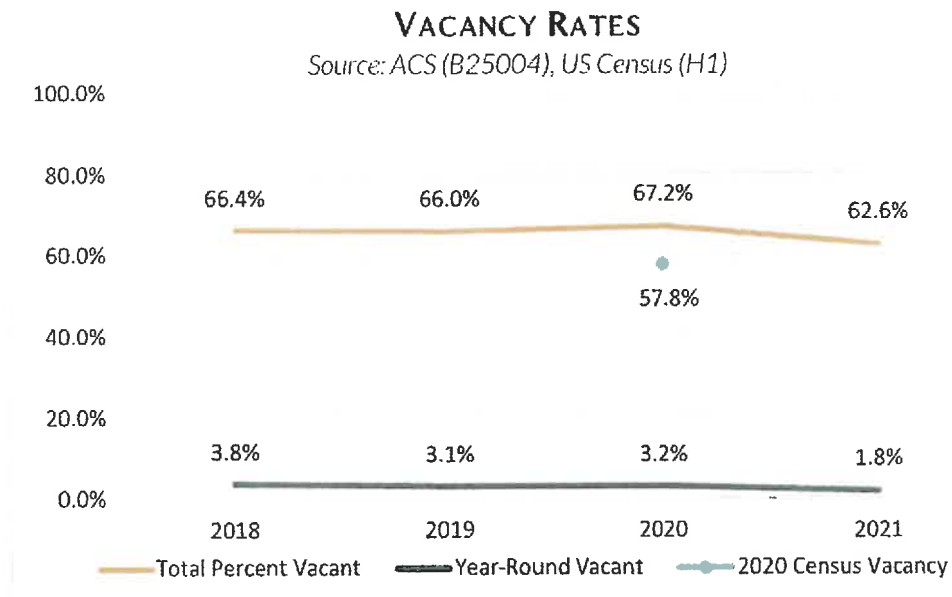
Massachusetts communities often have a higher percentage of older housing stock as our towns and cities were incorporated during early colonization periods; that said, homes in Wellfleet are relatively newer than state averages with only 32 percent of homes being built before 1960 as compared to 49 percent statewide. Barnstable County has a lower percentage than Wellfleet at 26 percent homes built before 1960.

Vacancy

One way to measure supply and demand of housing is through the vacancy rates. A low vacancy rate indicates that demand exceeds supply, placing upward pressure on housing prices. According to the 2022 *Greater Boston Housing Report Card*, research benchmarks assume a vacancy rate of about 5.5 to six percent in a healthy market for rental units and 1.5 to two percent for ownership units.

The 2020 ACS estimates, adjusted to discount estimated vacant for seasonal/recreational use, that Wellfleet currently has nearly a six percent vacancy rate for year-round rental units and near three percent vacancy rate for year-round homeownership, indicating a healthy market for rental and a bit high vacancy for ownership. Note, however, that these vacancy observations do not align with community perspectives about availability of year-round rental and ownership units. In geographies with small populations, such as Wellfleet, margins of error for these estimates are high, and therefore may not be accurate.

The chart below shows total vacancy rates as reported by the U.S. Census Bureau through the American Community Survey and 2020 Census as well as adjusted to discount estimated vacancies for seasonal/recreational use (Year-Round Vacant).

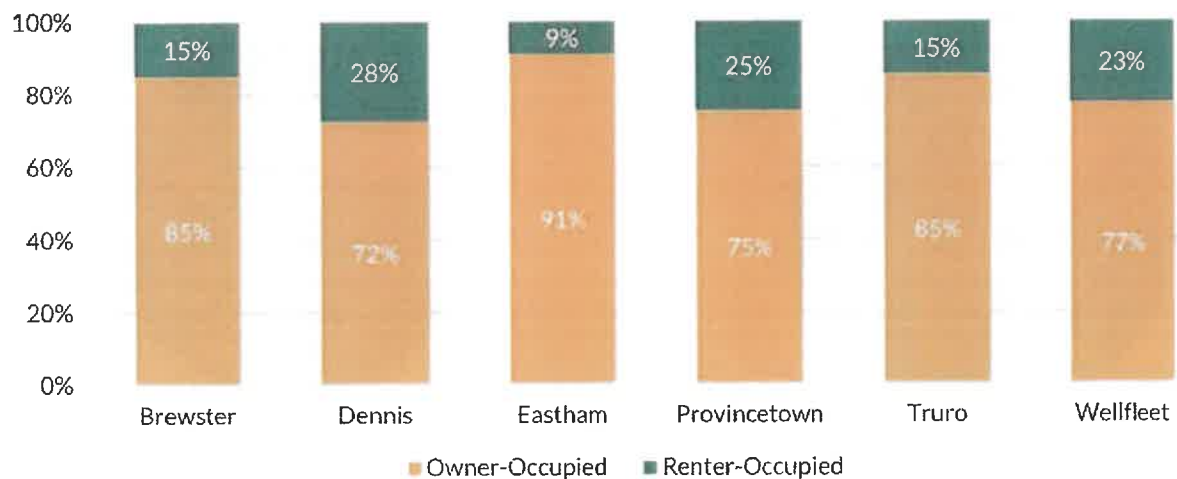


Tenure

About 77 percent of housing units in Wellfleet are owner-occupied, matching the County percentage. This figure is much higher than the state which is 63 percent owner-occupied.

TENURE IN WELLFLEET WITH REGIONAL COMPARISON, 2020

Source: ACS (A10060)



Rental units in Wellfleet exist across all housing types, with a little more than half of all rental units being in single-unit structures (52 percent detached, three percent attached).

WELLFLEET RENTAL UNITS BY TYPE, 2020

Source: ACS (A10053B)



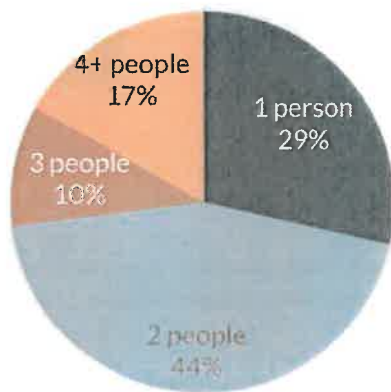
Housing Stock by Number of Bedrooms

About 11 percent of housing units in Wellfleet are studio or one-bedroom units, 30 percent are two-bedroom, 40 percent are three-bedroom, and 19 percent are four or more bedrooms.

One and two-person households make up 73 percent of the total year-round households however, one- and two-bedroom units make up only 41 percent of the overall housing stock. There is a mismatch between number of people living in a housing unit and the number of bedrooms in the unit.

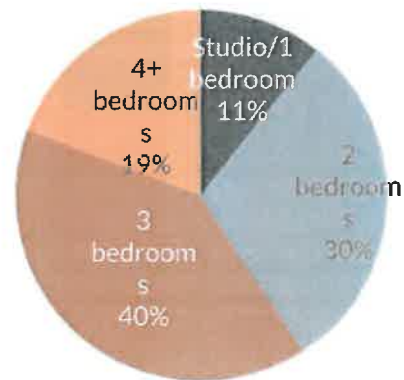
PEOPLE PER HOUSEHOLD IN WELLFLEET, 2020

Sources: ACS (B25041)



BEDROOMS PER HOUSEHOLD IN WELLFLEET, 2020

Source: ACS (B25041)



Although smaller households can live in, and may even prefer, units with more bedrooms, this mismatch exhibits a need for more smaller housing options for residents in smaller households as an often less expensive housing option to rent or buy, with lower heating/cooling and maintenance costs.

This mismatch between household size and number of bedrooms suggests a need for smaller units, including studios and one-bedroom options in Wellfleet.

Housing Market

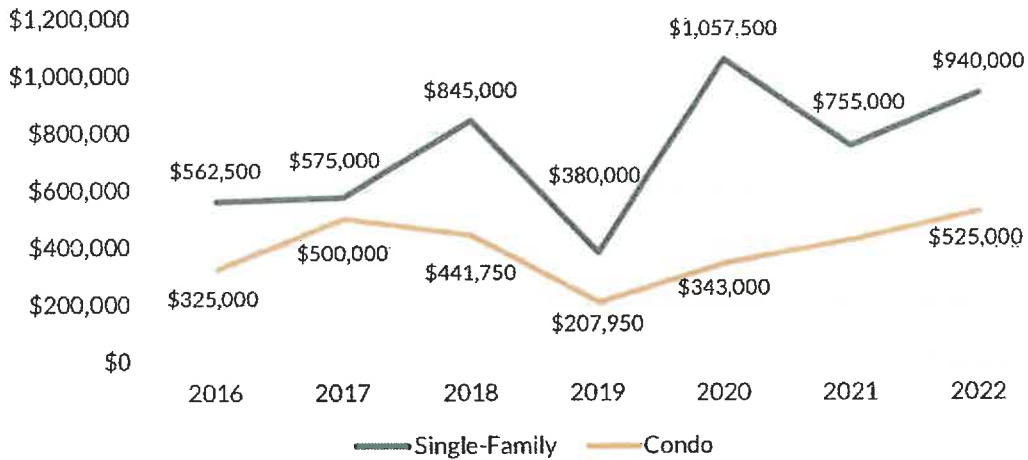
Housing costs within a community reflect numerous factors, including supply and demand. A constrained supply pushes sales prices and rents up. Mortgage interest rates play a significant role in ownership affordability as well.

In early November 2022, the rate for a 30-year fixed-rate mortgage was 6.95 percent, whereas just about a year ago rates were as low as 2.98 percent.¹⁸ This increase has a significant effect on the housing market.

While interest rates rose significantly, so did sales prices. The median sales price for a single-family house in 2022 was \$940,000¹⁹ and for a condominium was \$395,750²⁰. It's worth noting that Wellfleet has very few year-round condominium properties and these sales were likely for seasonal use.

MEDIAN SALES PRICE OF WELLFLEET HOMES, 2016-2022

Source: Massachusetts Association of Realtors Market Data

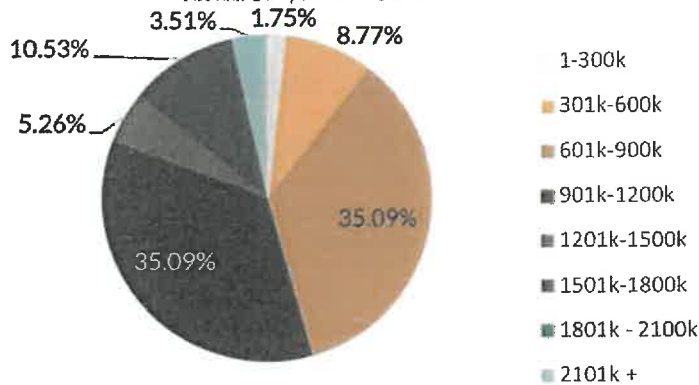


A report of all single-family homes sold in Wellfleet between January 1, 2022 and November 3, 2022 corroborated this median, finding that the median sale price of a single-family home for the first 11 months of 2022 was \$925,000.²¹

TOTAL WELLFLEET SINGLE-FAMILY HOUSE

SALE BY PRICE

Source: Compos Real Estate



The 2020 ACS estimated that the median gross rent for a year-round rental unit in 2020 was \$1,298, roughly a nine percent increase from 2019 and 29 percent increase from 2010. While ACS data regarding rents give us an overall picture of the rental market, there is a large margin of error given the small sample size and self-reporting

¹⁸ Freddie Mac. Accessed November 6, 2022; 2021 rate cited was for November 10, 2021.

¹⁹ Based on 61 closed sales; reported by Massachusetts Association of Realtors

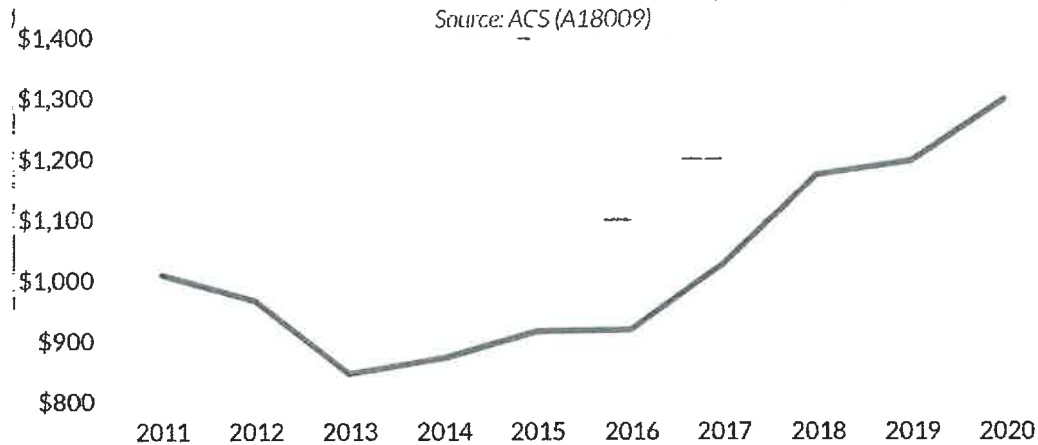
²⁰ Based on 14 closed sales; reported by Massachusetts Association of Realtors

²¹ Analysis completed by John Grieb, December 2022.

nature of the survey. Additionally, this information represents units that were leased any time prior to the survey response, and so may not paint an accurate picture of the current market.

MEDIAN GROSS RENT IN WELLFLEET, 2010-2020

Source: ACS (A18009)



Housing Affordability

Households Eligible For Housing Assistance

One measure of affordable housing needs is the number of households that may be eligible for housing assistance based on estimated household income. Federal and state programs use Area Median Income (AMI), along with household size to identify qualification status. The table below shows the U.S. Department of Housing and Urban Development (HUD) 2022 income limits for extremely low (below 30 percent AMI), very low (30-50 percent AMI), and low income (50-80 percent AMI) households by household size for the Wellfleet Town Metropolitan Statistical Area (MSA).

HUD FY2022 Affordable Housing Income Limits Wellfleet Town, MA MSA								
Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low Income (≤ 30 percent AMI)	\$22,850	\$26,100	\$29,350	\$32,600	\$35,250	\$37,850	\$41,910	\$46,630
Very Low Income (>30 and ≤50 percent AMI)	\$38,050	\$43,500	\$48,950	\$54,350	\$58,700	\$63,050	\$67,400	\$71,750
Low Income (>50 and ≤ 80 percent AMI)	\$60,900	\$69,600	\$78,300	\$86,950	\$93,950	\$100,900	\$107,850	\$114,800

Housing Cost Burden

Evaluating household ability to pay housing costs compared to their reported gross household income is one method to determine how affordable housing is in a certain community. The U.S. Department of Housing and Development (HUD) sets specific guidelines for which households qualify as cost-burdened, defined at right. Rental property owners and banks enforce these standards and will generally not sign a lease or qualify someone for a mortgage if they will be putting more than 30 percent of their gross income towards housing costs.

A total of 495 households (31 percent) in Wellfleet are cost-burdened, with 82 percent of cost burdened households being owner-occupied and 18 percent being renter-occupied.²²

Cost Burdened

A household is considered cost burdened if they are spending more than 30 percent of their income on housing costs.

Moderately Cost Burdened

A household is considered moderately cost burdened if they are spending between 30 and 50 percent of their income on housing costs.

Severely Cost Burdened

A household is considered severely cost burdened if they are spending more than 50 percent of their income on housing costs.

The rates of cost burden by housing tenure are comparable to the total share of renters and owner households (23 percent and 77 percent respectively). About 63 percent of all LMI households, or those earning less than 80 percent of the AMI, are cost burdened. Proportionally, renter households are more likely to be cost burdened in Wellfleet.

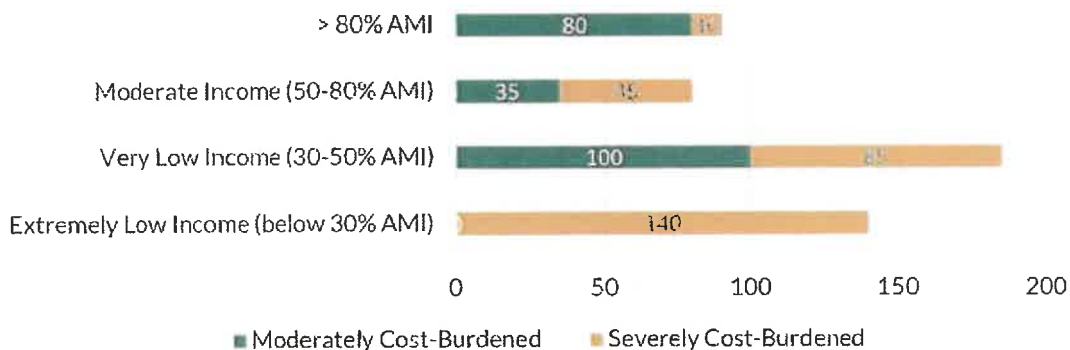
The lowest-income households in Wellfleet bear the highest degree of cost burden, with about 140 extremely low-income households spending more than 50 percent of their income on housing costs.

Wellfleet's households are less likely to be cost-burdened than Barnstable County or Massachusetts households. In the county, 34 percent of households are cost-burdened and 66 percent of LMI households are cost-burdened. Statewide, 33 percent of households are cost-burdened and 65 percent of LMI households are cost-burdened.

NUMBER OF HOUSEHOLDS IN WELLFLEET BY COST BURDEN

2014-2018

Source: HUD CHAS



Note: HUD CHAS data is released a few years behind ACS data. Therefore, the data shown in the above chart is from the 2014-2018 ACS. This is the most recent data available on cost burden at the time of this writing (November 2022).

²² Note that these cost burden data account for household income as a percent of housing costs, but do not account for household assets. These data limitations should be recognized when considering housing policy implications.

LMI Owner Cost Burden

The total LMI owner households that are estimated to be cost burdened is 310 households or about 22 percent of all year-round owners in Wellfleet.

About 115 (88 percent) owner households with extremely low income or below 30 percent of the AMI (ELI) are paying more than 50 percent of their income towards housing costs. This is considered severely cost burdened. About 45 (27 percent) owner households with very low income or ≥ 30 and ≤ 50 percent AMI (VLI) and 45 (26 percent) households with moderate income or > 50 and ≤ 80 percent AMI (MI) are severely cost burdened.

LMI Renter Cost Burden

The total LMI renter households that are estimated to be cost burdened is 89 or about 43 percent of all year-round renters in Wellfleet.

About 25 (71 percent) ELI renter households are severely cost burdened. About 40 (62 percent) VLI renter households and no MI renter households are severely cost burdened.

Affordability Gap

With the extremely high median single-family sales price of \$940,000 and condo price of \$525,000 in 2022, there is a large gap between what households in Wellfleet and the Wellfleet workforce can afford to buy and the costs purchasing a home.

A Wellfleet household earning the 2020 median household income of \$82,990 would be able to afford a maximum sales price of \$264,300. An LMI household earning 80 percent AMI would be about to afford a sales price of no more than \$199,510. There are no homes on the market at either of these prices – neither single family nor condos.²³

To afford the 2022 median single-family sales price, a household would need an income of about \$295,126 or about 356 percent AMI. And to afford the 2022 median condominium sales prices, a household would need an income of about \$168,331 or 203 percent AMI.

This indicates that Wellfleet could benefit from more affordable homeownership opportunities for 200 percent AMI, which would be an income of about \$231,200 for a 4-person household per the FY2022 AMI of \$115,600.

Rental

There is an affordability gap of about \$178 between what a median renter household can afford each month and the estimated median gross rent in Wellfleet of \$1,298. A household with the median renter income of \$44,783, could afford a monthly rent of \$1,120. Wellfleet's median renter household income, which is less than 80 percent AMI for a one-person household (\$60,900), is comparable to a VLI 2-person household (\$43,500). These households can largely afford the market rate rents. The more significant problem for VLI and LMI renter households is availability of year-round rental homes.

However, the situation is different and significantly more severe for ELI households, which could not afford the market rate rents if they were able to find a year-round rental at all. A one-person ELI household could afford to pay rent of only \$571/month; \$653/month for a two-person ELI household; and \$815/month for a four-person ELI household.

A snapshot search in November 2022 on Apartmentguide.com revealed no year-round rental units available at any price range. This analysis indicates a need for year-round market rate rental units and units affordable to households at or below 30 percent AMI.

²³ These calculations are based on a variety of factors including the current interest rate for a 30-year fixed mortgage of 6.95 (plus 0.25 percent, as recommended by DHCD's standard affordability calculator), Wellfleet's tax rate, and a ten percent down payment.
Wellfleet Housing Production Plan DRAFT 3/14/23

Cape Cod Commission Housing Market Analysis²⁴

In 2017, the Cape Cod Commission hired Crane Associates, Inc. and Economic and Policy Resources, Inc. to conduct a housing market analysis. One component of this study was to determine the affordability gap for each Cape community. Estimates suggest Wellfleet will need 342 units at 50 percent median household income (MHI), 514 units at 80 percent MHI, 668 units at 100 percent MHI, and 795 units at 120 percent MHI.

Current MGL chapter 40B Subsidized Housing Inventory

General Information

Under M.G.L. Chapter 40B, the state sets a goal for all municipalities to have a minimum of ten percent of their year-round housing stock reserved as affordable housing. Affordable housing units are units that are developed or operated by a public or private entity and are bound by affordability restrictions for eligible households earning at or below 80 percent of the AMI. In addition, all marketing and placement efforts follow Affirmative Fair Housing marketing guidelines per the Massachusetts Department of Housing and Community Development (DHCD).²⁵

Units that meet these requirements, if approved by DHCD, are included on the state's Subsidized Housing Inventory (SHI). Chapter 40B allows developers of LMI and mixed-income housing to seek a comprehensive permit from the local Zoning Board of Appeals to streamline the local approval process and request waivers from local zoning, other local regulations, and from the Cape Cod Commission Enabling Regulations, Regional Policy Plan, and Technical Bullets for review of proposals containing 30 or more residential units.

A municipalities percentage on the SHI fluctuates with new development of both affordable and market-rate housing. The percentage is determined by dividing the number of affordable units by the total number of year-round housing units according to the most recent decennial Census. As the denominator increases, or if affordable units are lost, more affordable units must be produced to reach, maintain, or exceed the ten percent threshold. DHCD is still basing the SHI percentages on the 2010 US Census count of year-round housing units because the 2020 Census has not yet been fully released at the time of this writing in November 2022.

Wellfleet's SHI & Expiring Affordability

As of September 30, 2022, Wellfleet has 38 housing units listed on the SHI, 19 of which are rental and 19 ownership units. This is 2.45 percent of the 2010 year-round housing stock. The rental units are not in perpetuity. One unit that appears to have been created through a housing rehabilitation loan program (administered through Lower Cape Cod Community Development Corporation) is set to expire in 2023. The others, Wellfleet Apartments on Fred Bell Way and Gull Pond Apartments on Gull Pond Road set to expire in 2041 and 2116 respectively.

Pipeline

There are five affordable and mixed-income housing developments in the pipeline, initiated by the Town on Town-owned property. There are 59 affordable units in the pipeline, not including Maurice's Campground (the development yield is not yet known for this property). At the Maurice's Campground site, the Town anticipates that a 40B Comprehensive permit may be the best regulatory mechanism, however this will be a subject for consideration as part of the upcoming property master plan.

Of these 59 units, 54 will be affordable rental and five affordable ownership units.

²⁴ Economic and Policy Resources, Inc. "Cape Cod Housing Market Analysis." Cape Cod Commission. Cape Cod Commission, 2017. ———
<https://www.capecodcommission.org/our-work/housing-market-analysis/>.

²⁵ See appendices for the full affirmative fair housing market guidelines
Wellfleet Housing Production Plan DRAFT 3/14/23

1. Project: Paine Hollow Rentals
 - 120 Paine Hollow Road, Parcel ID 29-300-0
 - Town owned land given to Housing Authority per Town Meeting vote.
 - 8 rental units, all affordable at up to 80 percent AMI
 - Received ZBA approval
 - Developer Ted Malone applying for funding under Community Scale Rental Initiative
 - Also received Wellfleet CPA funding
2. Project: Old Kings Highway Home Ownership
 - 2254 Old Kings Highway
 - Town owned land given to Housing Authority per Town Meeting vote
 - Habitat for Humanity Developer
 - 4 ownership homes; all affordable; 60 -80 percent AMI
 - ZBA approval
 - Abutters filed appeal, but court just voted in Habitat's favor; 30-day appeal period ends on Nov. 13, 2022
3. 95 Lawrence Road, now called: Juniper Hill
 - Town owned land
 - 46 rentals
 - 8 units at 30 – 50 percent AMI (LIHTC)
 - 27 units at 50 – 60 percent AMI (LIHTC)
 - 11 units at 60 – 80 percent AMI (Market Rate)
 - ZBA approval
 - Developer POAH/CDP applying for funding
4. Project: 90 Freeman Ave.
 - Town land given to Housing Authority per Town Meeting Vote
 - RFP about to be issued for one ownership home affordable up to 80 percent AMI
5. Project: Maurice's Campground
 - 80 State Highway, Wellfleet
 - 21.5 acres being purchased by Town for \$6.5million
 - Intent is to develop rental and or ownership housing from below 30 to 120 percent AMI

CHAPTER 5: DEVELOPMENT CONSTRAINTS

There are many factors that influence the feasibility of housing production, from physical limitations to regulations that shape development and land use. This chapter reviews environmental constraints, infrastructure constraints, and regulatory barriers. Many of the environmental challenges which Wellfleet faces are a direct result of its development pattern and lack of water and sewer infrastructure to support development and reduce environmental impacts.

Environmental Constraints

With surface water quality worsening from decades of wastewater treatment and septic systems contributing nutrients to water bodies on Cape Cod including the Cape's freshwater ponds, marine estuaries, and public drinking water, development to meet housing needs must be carefully planned and have adequate infrastructure to minimize negative impacts on water quality and other environmental features including habitat resources, climate resilience, and scenic resources. The following descriptions are largely based on, in some cases directly excerpted from, the 2005 Open Space and Recreation Plan (OSRP).

Protected Open Space and Habitat

According to the Natural Heritage and Endangered Species Program BioMap2, about 63 percent, or 8,476 acres, of Wellfleet is protected open space including about 8,303 acres of Core Habitat and 8,086 acres of Critical Natural Landscapes.

BioMap2 Core Habitat and Critical Natural Landscape in Wellfleet



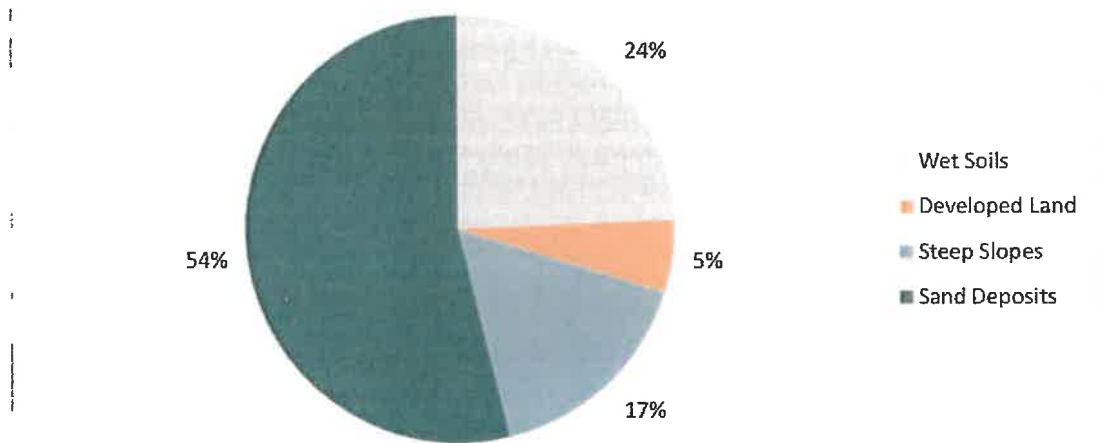
Soils & Land Characteristics

Soils are mapped based on properties such as natural permeability, texture, slope, and other features which can be interpreted to determine the limitations of a particular kind of soil for a specific purpose. Major factors limiting growth in the Town of Wellfleet, as in other Cape towns, are the limitations of on-site septic systems and contamination of the fragile water supply.

Soils with wetness problems (muck, peat, and saturated sands) account for about 1,560 acres, or 24 percent of Town land (not including land in the National Seashore). About 345 acres (five percent) is classified as urban land or developed with structures over more than 75 percent of the surface area. Steeply sloped land (surface slope over 15 to 35 percent) or surface slope so steep that construction is impractical, amounts to about 1,050 acres (16 percent). The remaining land, about 3,445 acres or 55 percent, consists of sand deposits.

WELLFLEET LAND CHARACTERISTICS (EXCLUDING CCNSS)

Source: OSRP



Importantly, although these remaining 3,445 acres comprise soils that would be classified as appropriate for septic leaching under Title V, extremely high permeability allows effluent (especially nitrates) to percolate freely and potentially affect groundwater supplies. In addition, soils and slopes which are currently unsuitable for construction, may be suitable in the future with engineering improvements. The use of composting and other alternative waste treatment systems can help to reduce the impacts of residential development even further but may also allow development on soils which were formerly unsuitable for leaching areas.

Water Resources

Groundwater

In 1982 the U.S. Environmental Protection Agency (EPA) designated all of Barnstable County as a Sole Source Aquifer in recognition of the region’s complete reliance on groundwater as its potable water supply. Wellfleet draws its water from two lenses, the Chequessett (shared with Truro) and the Nauset lens (shared with Eastham and Orleans). These lenses provide water for all of Wellfleet.

In 1992 the Lower Cape Water Management Task Force was formed. It consisted of representatives from the towns of Eastham, Wellfleet, Truro, Provincetown, the Cape Cod National Seashore, and the Cape Cod Commission. Its aim was to look at water resource issues on the lower Cape, using hydrogeological (the study of groundwater), rather than political, boundaries as the parameters for decision making. They looked at the four groundwater lenses of the lower Cape: Chequesset, Nauset, Pamet, and Pilgrim.

In Wellfleet, where most of the drinking water is supplied by private wells (with the exception of Wellfleet Center), water protection is a very local issue, related directly to the land use in the immediate vicinity of each well as much as it is to the larger recharge area.

Wellfleet Center, where the greatest housing density exists, is the only known water quality problem area, with respect to nitrate. With a median lot size of 1/3 of an acre and almost urban density, water pollution potential is notably higher in the Center. A sewer and wastewater treatment system has been considered for years for the central district of Wellfleet.

Wellfleet, because of its small median lot size (one-third of an acre) has several parcels which are designated as Nitrogen Sensitive Lots; that is, both private well water supply and septic systems are located on the same lot. In these cases, the State's revised Title V septic regulations require the use of alternative denitrification technology (A/I – alternative/innovative systems) when a system fails and needs replacement or improvements.

Freshwater Ponds & Lakes

The Town's primary freshwater resources are its 13 kettle ponds, totaling over 284 acres of surface area. These ponds are all located within the National Seashore boundaries, with five having public access managed by the Town of Wellfleet. The kettle ponds of the Cape Cod National Seashore are a unique and fragile resource with ecological, aesthetic, and recreational value. These ponds, dependent solely on the fluctuation in the aquifer's water table for their own surface level, often expose a wide shore during the summer when the water table is low.

These exposed shorelines comprise the unique habitat called "coastal plain pond shores," which harbor rare and endangered plants, such as Plymouth gentian and long-beaked bald rush, and rare animals, such as the comet darter and New England bluet (damselflies).

For several years, the National Park Service has conducted and coordinated monitoring and research programs on the kettle ponds to investigate the status of pond water quality. These and other studies indicated there are several areas of concern for pond water quality.

The top two most pressing concerns for Wellfleet's freshwater kettle ponds are excess nutrient addition resulting in cultural eutrophication (human induced addition of nutrients more than their natural quantity and rate of availability) due to shoreline development and recreational use of the ponds and sediment addition from shoreline erosion.

Seven of the ponds are greater than ten acres in size, which classifies them as Great Ponds of the Commonwealth. The public owns Great Ponds and is entitled to access, while other ponds can be owned privately by surrounding landowners and public access can be prohibited.

Wetlands

Wellfleet's vegetated wetlands are extensive, extending in all directions from the waters of Wellfleet Harbor. The Harbor's many inlets, bays and islands represent one of the largest estuarine systems on the Cape. It is protected from the onslaught of direct ocean waves by the peninsula of Great Island and Jeremy Point. This is the origin of the herring run and the recipient of water flowing from inland freshwater tributaries.

As with Wellfleet's ponds, freshwater wetlands are dependent on groundwater discharge rather than surface water runoff. Wellfleet's wetlands are at low elevations, close to the water table and the sand and gravel soils readily transmit groundwater through wetlands.

Both salt marshes and freshwater wetlands play an important role in filtering out contaminants, especially nitrogen before groundwater discharges into the Harbor. The Town's fringing salt marshes also buffer storm surges, thereby protecting coastal structures.

Atlantic White Cedar Swamps

There is one wetland area in Wellfleet that is dominated by Atlantic White Cedar located in the Cape Cod National Seashore near Marconi Station/Beach. This is the archetypical site for this habitat in the entire Park and the most well-known cedar swamp on Cape Cod. Cedar swamps are highly acidic and are uncommon throughout the Cape. Regionally, cedar swamps were once much more extensive before the trees were harvested for shingles and fence posts in earlier centuries or swamps were converted to cranberrying. Of the 6,000 acres of cedar swamp thought to exist at the time of the Pilgrim's landing on Cape Cod, only 135 acres persist today.

The significance of Wellfleet's cedar swamps for both wildlife habitat and education argues for continued efforts to insure their protection. Cedar swamps are sensitive to water table drawdown, e.g., through nearby municipal groundwater withdrawal.

Vernal Pools

According to MassGIS data, there are 20 potential vernal pools in Wellfleet. Vernal pools were officially recognized as critical habitat in 1987 when the Massachusetts General Court amended the Wetlands Protection Act to include their protection. These small temporary ponds are crucial breeding grounds for woodland amphibians, such as Eastern spadefoot toads and salamanders. Spotted salamanders are the most common amphibian found in Wellfleet's vernal pools. Roads and other developed areas bifurcate habitat and inhibit the successful migration from winter burrows to vernal pools, which provide breeding habitat and are essential to the survival of these species.

These habitats are highly susceptible to acidification and to the effects of groundwater withdrawal.

Saltwater Bodies

Wellfleet's landscape character and 44 miles of saltwater shorefront are a primary focus of informal outdoor activities and form the background for the Town's seasonal economy. Primary among these are shell-fishing (commercial and recreational), recreational fin-fishing, boating, boardsailing, surfing, swimming, and walking. These activities are spread throughout the Town's marine areas including the beaches of the Atlantic Ocean and Cape Cod Bay.

Tidal Flats

Wellfleet has broad expanses of estuarine flats, which are portions of the beds of salt ponds or estuaries exposed at low tide. They are particularly productive for shellfish. There are also large expanses of marine flats of the type found in open coastal areas, primarily along Cape Cod Bay. Both types of flats are an important recreational resource in the Town. The firm, hard footing of the flats is popular for activities including shell-fishing, walking and kite flying.

Threats to the flats include overuse by pedestrians and off-road vehicle (ORV) compaction. Oil and gas leaks are another potential hazard with no effective means of monitoring except through strict vehicle checks.

Streams and Water Courses

Wellfleet has three notable tidal riparian corridors (wetlands adjacent to rivers and streams): Herring River, Blackfish Creek, and Fresh Brook. Each courses east to west through the bottom of old glacial outwash channels, providing freshwater inputs to Wellfleet's portion of Cape Cod Bay. Protection of their headwaters will help to insure their continued health. Although both rivers are diked off by Route 6, culverts help to maintain normal waterflow and only the highest tides reach this far east. Surface waters of the Herring River suffer from summertime oxygen depletions and perennial acidity and toxic metals, all caused by diking, drainage, and the lack of tidal flushing.

Surface Water Quality

Most of Wellfleet's waters are generally of high quality, though problem spots exist. The following category classifications are according to the Massachusetts Department of Environmental Protection Integrated List of Waters. Note: TMDL stands for Total Maximum Daily Load, which is a calculation of the maximum amount of a pollutant that a waterbody can accept and still meet the state's Water Quality Standards for public health and healthy ecosystems.

Category 3: Waterbodies that are not assessed for any of their individual designated uses for the 2018/20 listing cycle are listed in Category 3.

- Blackfish Creek
- Fresh Brook
- Gull Pond
- Hatches Creek
- Herring Pond
- Kinnacum Pond

- Spectacle Pond

Category 4A: Waterbodies are listed in Category 4a if all pollutants contributing to their impairment are addressed by one or more EPA-approved TMDLs.

- Duck Pond
- Dyer Pond
- Great Pond
- Long Pond
- Wellfleet Harbor

Category 5: Waterbodies remain in Category 5 until TMDLs are completed for all pollutants

- Herring River

Flood Plains

Wellfleet participates in the Federal Flood Insurance Program, which requires that new shorefront development meet engineering standards for flood proofing but does not prohibit development. Flood velocity zones, or V-zones, are land areas where storm surge or direct wave action occurs. All of Wellfleet's westward facing barrier beaches, as well as the entire Atlantic side is within a velocity zone. The bays at the mouth of Blackfish Creek and Fresh Brook are also within V-zones.

Landward of the velocity zones are other flood-prone areas, A-Zones, in which standing water can be expected during 100-year storm events. B-zones are between the limits of the 100-year flood and 500-year flood; or certain areas subject to the 100-year flooding with average depths less than one foot or where contributing drainage area is less than one square mile or areas protected from the base flood. These areas consist mostly of salt marshes and shorefront uplands.

In the coming decades, flooding and erosion will be increasingly exacerbated due to global warming. This phenomenon is predicted to cause current rates of sea-level rise to increase as the polar ice caps melt, and seawater undergoes thermal expansion. Accelerated sea-level rise could result in the loss of large amounts of open space in Wellfleet in the coming decades, particularly in low-lying wetlands and shoreline uplands.

The first areas to be submerged will basically coincide with the 100-year floodplain, lands which are currently important open space for the Town. Sea level rise will also mean an increase in the frequency and severity of damaging storms.



UP TO 20.64-INCH SEA LEVEL RISE ESTIMATED BY 2050

Caption Source: Wood Hold Sea Level Rise Forecast (2016 baseline) at sealevelrise.org.

Map source: Cape Cod Commission showing one-foot sea level rise

Infrastructure

Wastewater

Wellfleet properties are not currently served by public sewer. Properties rely on decentralized wastewater treatment (individual septic systems) per Title V to treat wastewater. An estimation provided by Wellfleet Health Agent to the Provincetown Independent indicated that Wellfleet has 3,148 septic system records for the Town’s 3,856 developed lots. The 708 developed lots without septic system records are likely they have cesspools.²⁶

Title V Septic Systems & I/A Systems

Title V septic systems are one of the simpler designs for wastewater treatment consisting of a septic tank and leach field. Title V septic systems have limitations and do not provide adequate treatment for nitrogen waste. Nitrate goes to the groundwater and can go toward a well or waterbody causing eutrophication, which is harmful to aquatic life as well as human health. Innovative alternative systems take the nitrate and hastens it through the nitrogen cycle to get it up to nitrogen gas. This is how I/A systems remove nitrogen to prevent pollution of wells and water bodies.²⁷

Cesspools

Cesspools pollute water at a significantly higher level than Title V septic systems by leaching exponentially greater amounts of nitrogen into the ground. In 2021, neighboring Town of Truro banned all cesspools, which must be removed by the last day of 2023. According to the Provincetown Independent article, cited above, Wellfleet may consider a similar ban on cesspools.

²⁶ Lyons, Thomas and Benson, Paul, A Dive Into Cesspools on the Outer Cape, The Provincetown Independent, May 25, 2022: <https://provincetownindependent.org/featured/2022/05/25/a-dive-into-cesspools-on-the-outer-cape/>

²⁷ Barnstable Clean Water Coalition video: https://youtu.be/zDggET_UGOg

Seeking Funding for Wastewater Treatment Plant

However, the Town is planning a centralized wastewater treatment plant to service a permitted housing development on Lawrence Road and the three adjacent municipal buildings, including a school, the Police Department building, and Fire Department building, as well as several residential homes in the neighborhood.

Utilizing a grant provided by the Cape Cod Commission On-Site Engineering evaluated wastewater options for the site. This evaluation considered three options: 1) an innovative and alternative septic system for the housing project alone, 2) a wastewater treatment plant to service the housing development and the three adjacent municipal buildings, and 3) a larger wastewater treatment plant to service the housing development, the municipal buildings, and several residential homes in the neighborhood. The results of the evaluation indicated that Option Three would provide the most significant nitrogen reduction benefit to Duck Creek and would provide a cost-effective solution.

Based upon the assessment of the nitrogen reduction cost per kilogram of nitrogen removed of the various options considered, the Town determine that Option Three — creating a decentralized sewer district, which will serve the affordable housing at 95 Lawrence Road, the adjacent municipal parcels and the surrounding private residential parcels, was preferred. As such, bidders for the development of the 95 Lawrence Road Affordable Housing Project had to agree to enter into a cost sharing arrangement with the Town that allows for the development of the site while providing capital resources necessary to assist the Town with constructing the decentralized sewer district infrastructure.

The proposed sewer district will be completed in two phases. Phase I will include the design and permitting of the full tertiary level wastewater treatment facility (WWTF) and effluent disposal system and construction of the wastewater infrastructure necessary to collect and treat the sewage generated from the proposed affordable housing project and the adjacent elementary school, fire station and police headquarters. Phase II, which is not part of the housing development project, will include the expansion of the treatment system components to their full design capacity and construction of the surrounding sewage collection system, which will then allow for the connection of nearby private residential properties into the sewer district.

Public Water & Wells

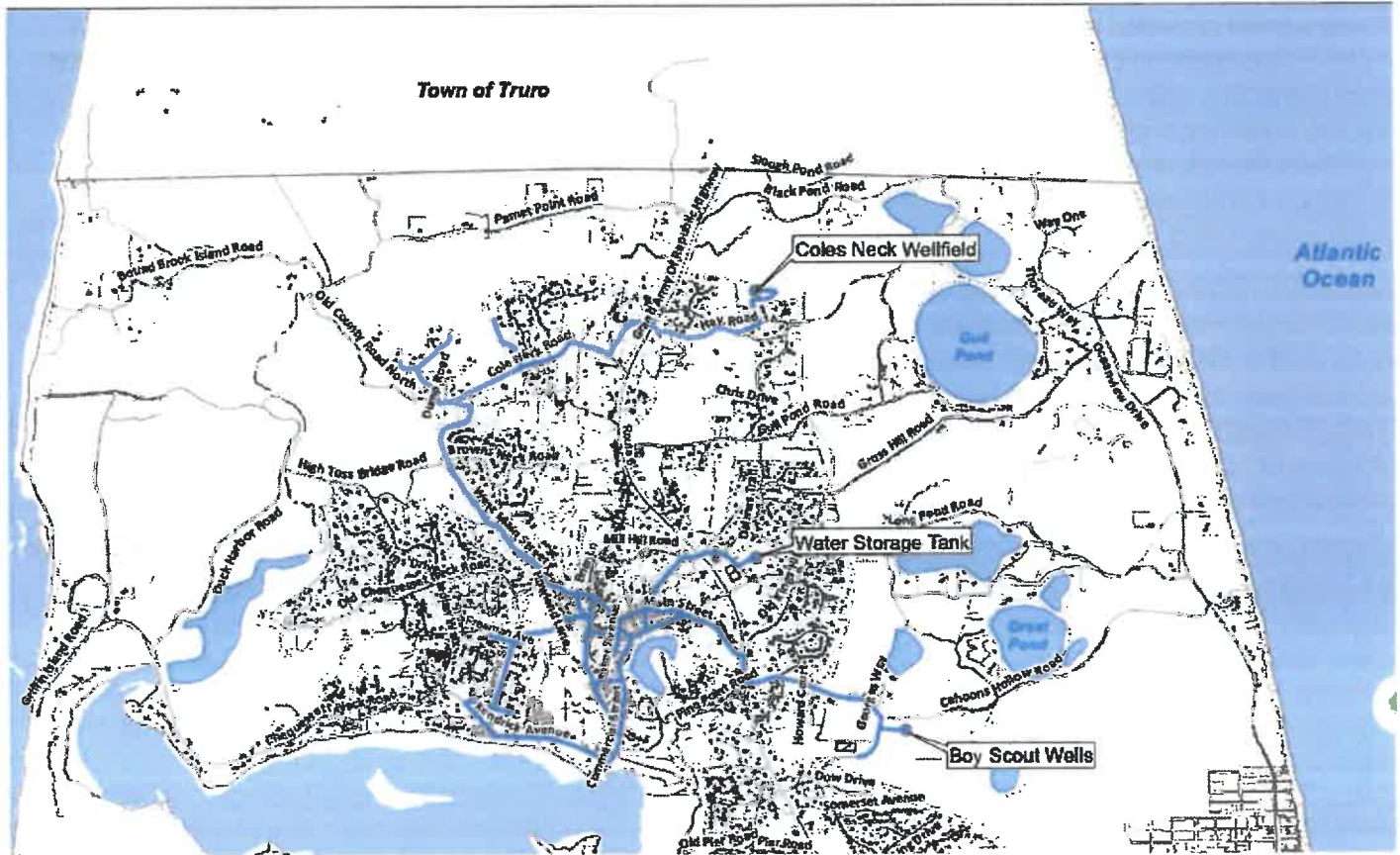
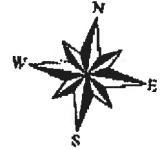
Wellfleet provides public water to properties in the central part of Town, as shown on the map below. The remainder of the Town relies on individual private wells for drinking water.

Wellfleet municipal water comes from two well fields located in Wellfleet. The Coles Neck Well Field, off Gristmill Way is composed of three deep wells that draw water from a sub-surface aquifer. This water source is located on 10.91 protected acres of undeveloped land that abuts the Cape Cod National Seashore and the Wellfleet Woods subdivision. The new Boy Scout Camp Well Field is located off Old County Road. It is comprised of two 10-inch-deep gravel pack wells. Water is then pumped to a 500,000-gallon water storage tank on Lawrence Road and delivered via 4", 8" and 12" water mains. As of the Wellfleet *Report on Water Quality* from 2020, a new water transmission main was being considered from Coles Neck Wellfield to improve the water infrastructure and provide redundancy to the system. In addition, the Town was considering improvements to the existing Supervisory Control and Data Acquisition (SCADA) system to comply with MassDEP regulation and overall system operations.

In August 2020 Wellfleet applied to MassWorks, seeking funding for the installation of a new 8" water main from the Coles Neck well field on Gristmill Way. The purpose of the new main was to improve hydraulic flow from the well field and provide redundancy for the system in advance of construction of a 46-unit affordable housing project on Lawrence Road. The new water main would also expand water service to additional customers on Route 6 and Briar Lane. Massachusetts subsequently awarded the Town \$2.5 million of the \$3.8 million requested.



**TOWN OF WELFLEET, MA
EXISTING WATER SYSTEM
SEPTEMBER 2015**



Stormwater

Stormwater runoff results from rainfall and snow melt and represents the single largest source responsible for water quality impairments in the Commonwealth’s rivers, lakes, ponds, and marine waters. New and existing development typically adds impervious surfaces and, if not properly managed, may alter natural drainage features, increase peak discharge rates and volumes, reduce recharge to wetlands and streams, and increase the discharge of pollutants to wetlands and water bodies.²⁸

Nitrogen reductions can be achieved through the implementation of stormwater retrofit projects. A current stormwater project is under study by the Massachusetts Department of Transportation (MADOT) at the intersection of Route 6 and Main Street. Discussions are underway with MADOT to evaluate the possibilities to enhance this project and its water quality benefits.

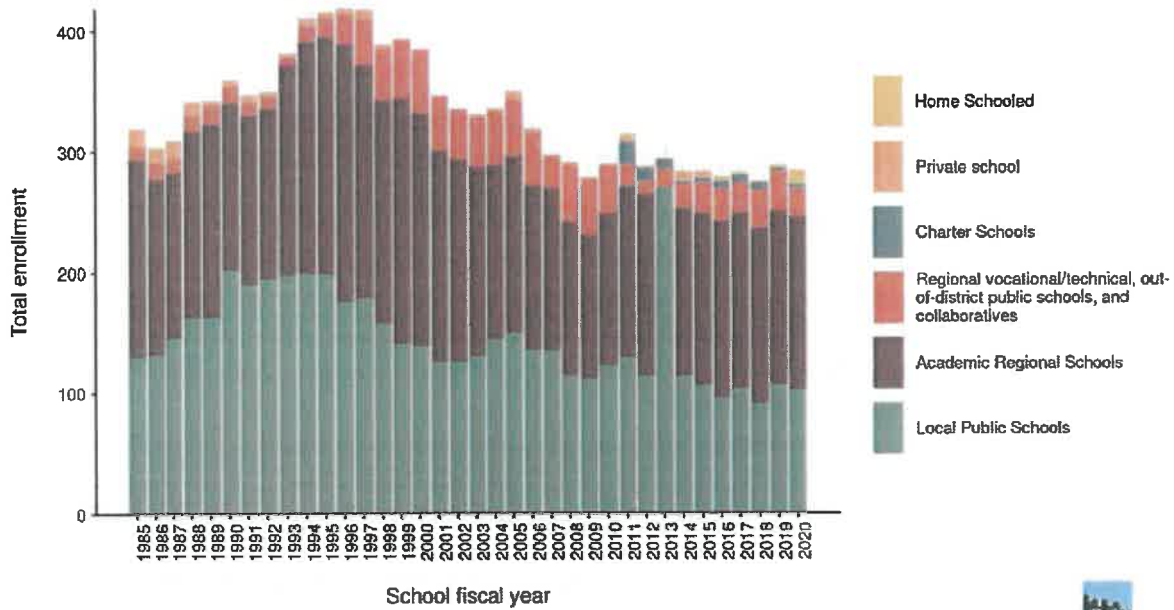
Construction started in 2021 and as of November 2022 the project is nearing completion with final work involving upgrades at the well field. The water main will be operational in early 2023.

Schools

Wellfleet’s public-school enrollment peaked in the mid-90s, with total enrollment over 400 students. Since then, school enrollment has declined relatively steadily. Public school enrollment was at 285 students in 2020. Fifty percent of the students are enrolled in Academic Regional Schools.

²⁸ Massachusetts Stormwater Handbook, Volume 1, 2008. <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards#-stormwater-handbook-volume-1>

School aged children by enrollment type Wellfleet



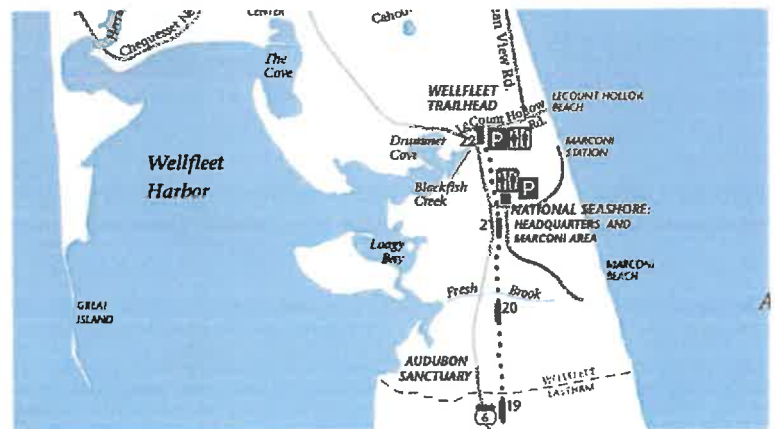
Source: Massachusetts Department of Elementary and Secondary Education



Transportation

Wellfleet is largely reliant on private automobile use for transportation. However, the Cape Cod Regional Transit Authority (CCRTA) serves Wellfleet on the Flex bus route. According to the CCRTA website, the Flex picks up and drops off passengers at designated stops and flexes off its route up to ¼ of a mile to serve people who have difficulty getting to a regular bus stop. Reservations are required for the off-route stops. The Flex travels from Route 28 in Harwich, Over Queen Anne to Route 137, to Brewster on Route 6A, down Route 6 through Wellfleet and Truro, then Shore Rd to Provincetown. Per the September 6 through January 20, 2023 schedule, the scheduled stops include Maurice’s Market eight times throughout the day. This bus stop is at the Maurice Campground site, which the Town is in the process of acquiring for affordable mixed-income development. Other stops in Wellfleet include Marconi Beach, Blackfish Variety, Wellfleet Dunkin Donuts, and Wellfleet Center.

The 25-mile Cape Cod Rail Trail connects six Cape towns from the southern portion of Wellfleet, with a trailhead on LeCount Hollow Road, to South Dennis.



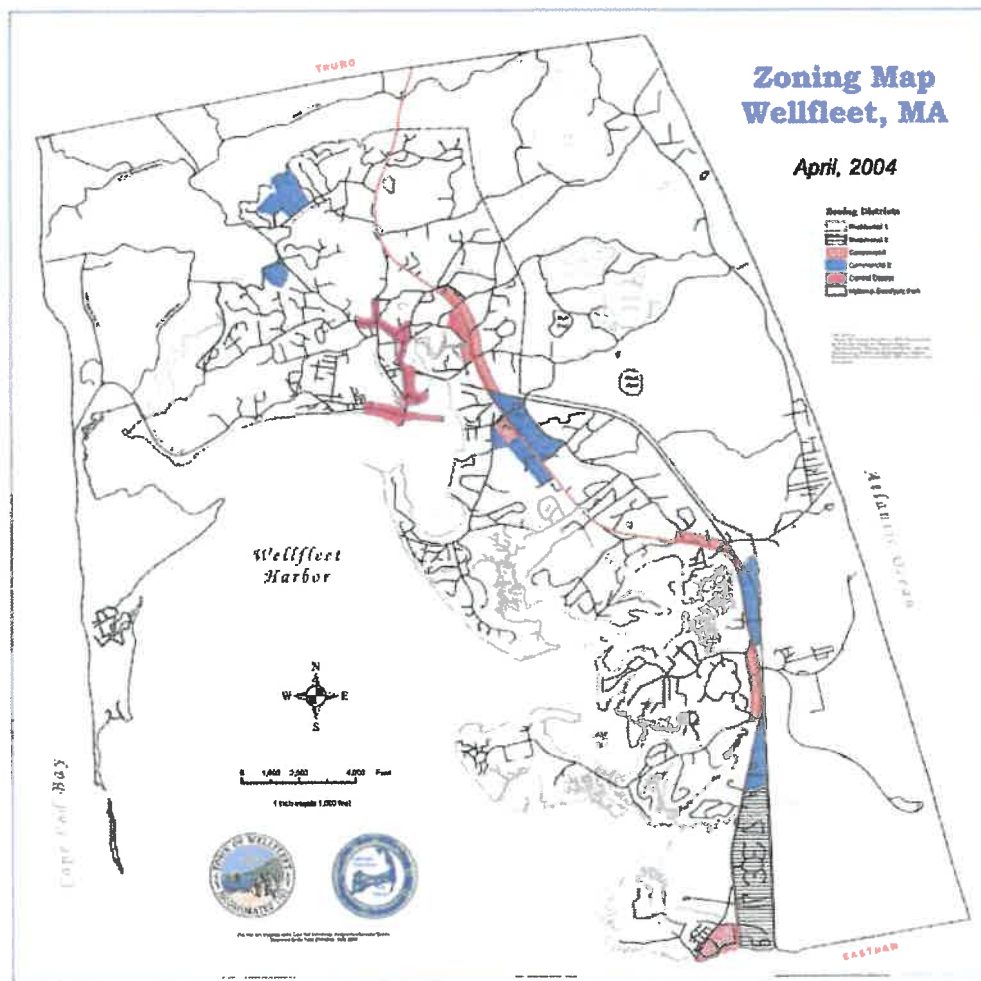
Regulatory Considerations

Zoning

Wellfleet has six primary zoning districts and one overlay district: Residential 1, Residential 2, Central District, Commercial, Commercial 2, National Seashore Park, and the Main Street Overlay District.

Purpose of the Districts

- **Residential 1 (R1):** to provide moderate density residential unserved by public utilities
- **Residential 2 (R2):** to provide for variety and choice in residential environments and compatible employment opportunities
- **Central District (CD):** to provide concurrent development of residential and non-residential uses
- **Commercial (C):** to provide for small and moderate-scale business development on Route 6, preserve ocean views, minimize visibility of parked cars, and avoid creating hazards or congestion; many residential uses are permitted within the C District with affordable dwelling development, affordable undersized lots, and multi-family dwellings requiring special permits. Campers, cluster residential development, and conversion of dwelling units are prohibited.
- **Commercial 2 (C2):** to provide small and moderate-scale businesses on Route 6 including low-intensity light industrial and enhanced service trade use; many residential uses are permitted within the C2 District with affordable dwelling development and affordable undersized lots requiring special permits. Campers, cluster residential development, conversion of dwelling units, and multi-family dwellings are prohibited.
- **National Seashore Park (NSP):** to provide residential and commercial uses that do not conflict with the National Seashore Park regulations



Dimensional Requirements

Minimum lot size requirements range from 20,000 in CD; 30,000 in R1 and C2; 40,000 in R2 and C; and three acres in NSP.

Maximum building coverage ranges from 15 percent in the CD, R1, R2, and C2 districts to 25 percent in the C district. Maximum building coverage requirements in the NSP district are stricter and vary by lot size, ranging from five percent to 7.4 percent. The NSP district also has maximum gross floor area requirements that also vary by lot size and range from 1,050 to 3,000 s.f.

Maximum height across all districts is two stories or 28 feet.

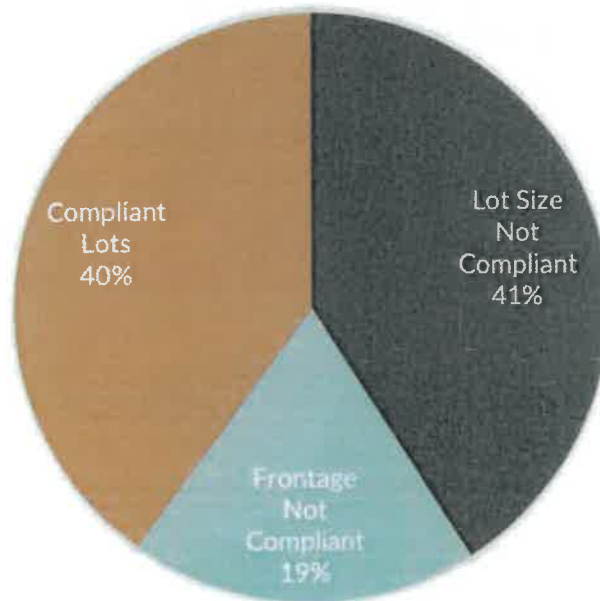
Existing Neighborhood Development Patterns

Wellfleet's zoning bylaw dimensional requirements are not fully representative of actual land uses in many residential areas of the community. The minimum lot area and frontage of many parcels exceeds the lot sizes as built. These neighborhoods likely predate current zoning requirements, creating excessive pre-existing nonconforming lots and barriers to developing infill housing on these lots that are similar in size to the existing built environment.

According to this author's analysis based on the MassGIS parcel database, about 40.5 percent of Wellfleet's total existing residential properties (2,037 properties) do not meet the minimum lot size requirements. In addition, 18.6 percent of Wellfleet's existing residential properties (935 properties) do not comply with the zoning bylaws' frontage requirements. In total, about 59 percent (2,972 properties) of Wellfleet's total parcels are noncompliant for either lot size, lot frontage, or both (12 percent).

DIMENSIONAL COMPLIANCE IN WELFLEET

Sources: MassGIS

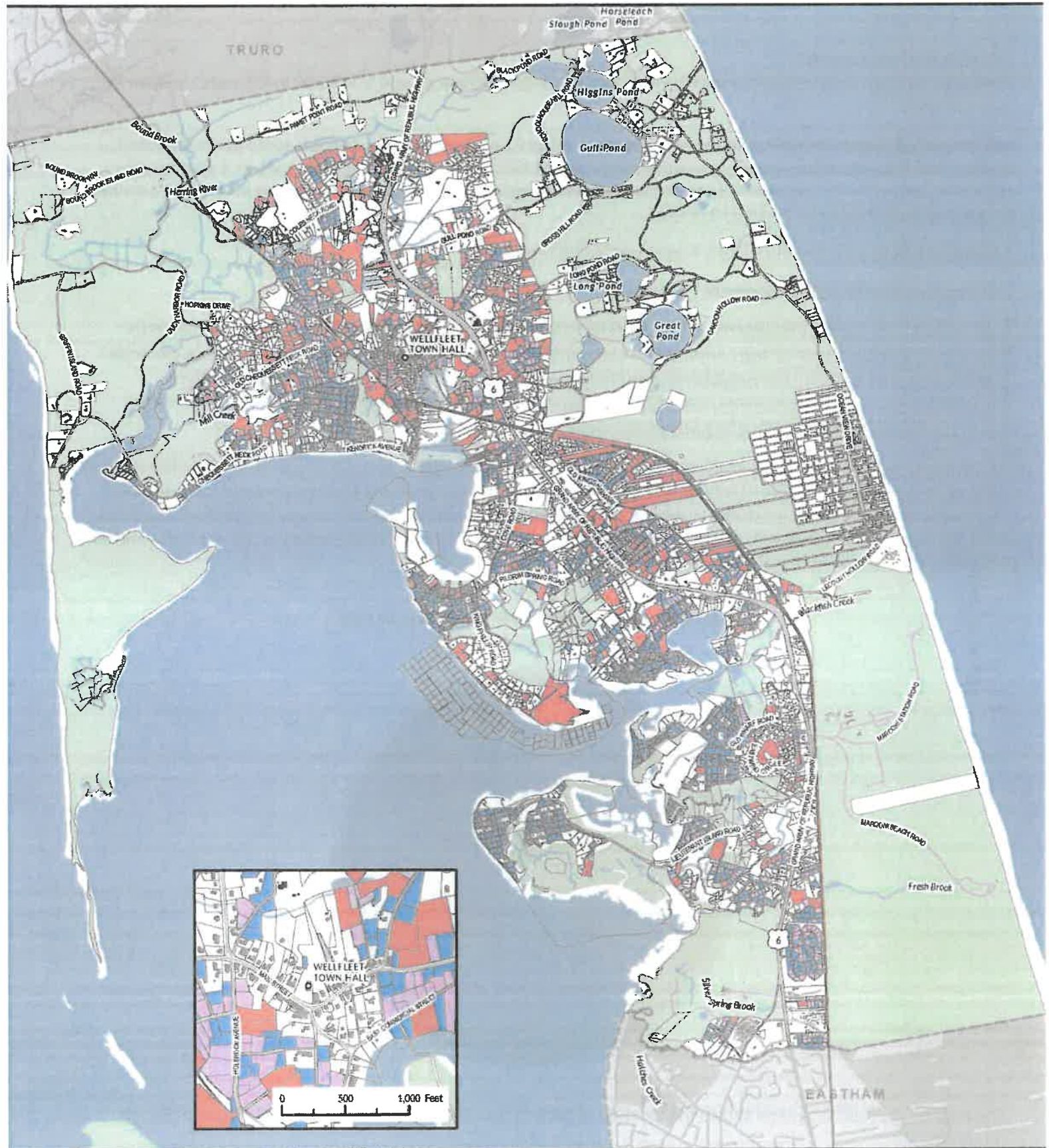


The map on the following page shows the location of parcels that are non-compliant with these dimensional requirements.

OWN OF WELLFLEET - DIMENSIONAL COMPLIANCE

J M GOLDSON

prepared by JM Goldson LLC



- Schools
- Buildings
- Parcels
- Trails
- Water bodies
- Open space
- Lot Size and Frontage Not Compliant
- Lot Size Not Compliant
- Frontage Not Compliant



Sources: MassGIS, MassDEP,

Residential Uses

Single-Family Housing

Single-family housing is permitted in in all districts.

Accessory Dwelling Units (ADUs)²⁹

During the 2021 Annual Town Meeting, Wellfleet voted to amend the Zoning Bylaw to approve accessory dwelling units in all six zones, through special permit in the National Seashore District and by right in the remaining five districts. Both attached and detached ADUs are allowed on a single lot so long as the space consists of a minimum of 200 square feet of Livable Floor Area and does not exceed 1,200 square feet. ADUs and their connecting primary dwelling must hold the same ownership with either unit being leased for a minimum of one year for residential purposes. This amendment also includes provisions for a property tax exemption for property owners that lease at an affordable rate.

Affordable Dwelling Development

At the Special Town Meeting in September 2022, the Town approved a zoning bylaw amendment to amend the existing "Provisions to Encourage the Development of Affordable Dwellings in Wellfleet" section to amend and clarify the section, which allows year-round affordable dwellings by special permit from the Planning Board. The zoning provisions allow the Planning Board to increase density and relax dimensional standards including lot area, setback, and frontage requirements. To qualify as an affordable dwelling development, at least 25 percent of the total units must be affordable units.

Affordable Flexible Residential Design

The purpose of this section is to provide a residential development zoning provision with flexible dimensional regulations to encourage efficient site layout that minimizes land consumption and creates opportunities for diversified and affordable year-round housing. The provisions require that at least 30 percent of the Base Allowable Density is composed of Affordable Dwelling Units and buildings are clustered together with allowance for reduced lot sizes and frontage with at least 60,000 square feet. minimum land area of contiguous upland.

The land not included in the building lots is preserved as Open Space. The Base Allowable Density is not to exceed that which would be permitted under a conventional subdivision that complies with the Wellfleet Zoning By-laws. The affordable units must be restricted to LMI households (households earning 80 percent or less of the AMI).

AFRD may be proposed in the NSP, CD, R1, R2, C, and C2 zoning districts except that any AFRD development in the NSP must comply with the Act of Congress of August 7, 1961 which provided for the establishment of the Cape Cod National Seashore and the regulations. The provisions require a special permit by the Planning Board.

The Planning Board may grant a density bonus in exchange for the provision of deed restricted affordable housing or lot(s). For each Affordable Dwelling Unit provided under this section, one additional dwelling unit may be permitted. The allowable dwelling units may be developed as single-family or multiple family dwelling units.

Affordable Lots and Affordable Undersized Lots³⁰

To increase permanently affordable dwellings, Wellfleet adopted a zoning amendment during the Special Town Meeting in September 2022 allowing affordable dwellings to be built on lots in any zoning district (aside from the National Park District) that do not meet the minimum lot size. Affordability must be deed restricted for ownership or rental households earning at or below 80 percent of the area median income. This amendment allows for one

²⁹WELLFLEET, MASS., ZONING BYLAW ch. 235, § 235-6.21 (2021).

³⁰WELLFLEET, MASS., ZONING BYLAW ch. 235, § 235-6.27 (2022).

single-family unit given that certain criteria are met including a minimum of 20 feet of frontage on an approved way and a minimum setback of 15 feet.

Conversion of Dwelling Unit

No dwelling unit shall be converted into two or more units unless each resulting unit consists of a minimum of 600 square feet of livable floor area; the external appearance of the structure is not changed; the front, side, and rear yard requirements of the district in which located are met; and the lot area is not less per dwelling than the lot requirement of the district in which located.

Cluster Residential

The Planning Board is hereby designated the special permit granting authority for all cluster residential developments and shall have the power to hear and decide applications for special permits as provided by this section 6.6.1

Objective - to allow intensive use of land while at the same time maintaining existing character; preserve open space for conservation and recreation; introduce variety and choice into residential development; meet housing needs; and facilitate economical and efficient provision of public services.

A cluster development shall encompass at least 15 acres of contiguous land. The maximum number of dwelling units per cluster development shall equal the total upland area (minus land for road construction) divided by the minimum lot size in that district; if the development includes land in more than one district, the largest lot size shall be used to calculate the number of units allowed. Open space shall be preserved for recreation or conservation and shall include not less than 25 percent of the upland within the cluster development.

6.6.6 Dimension Requirement for Cluster Development –

Minimum Lot Size	10,000 square feet
Minimum Frontage	no requirement
Minimum Front Yard	no requirement
Minimum Side Yard	no requirement
Minimum Rear Lot	no requirement
Maximum Lot Coverage	15%
Maximum Height	See Section 5.4.4

Cottage Colony

In 2022, Wellfleet Town Meeting approved an article to allow year-round use of cottages previously restricted to seasonal use. According to Town officials, there are about 150 units in existing cottage colonies that are not in the NSP district. The zoning change does not apply to properties in the NSP district.

No cottage colony shall be constructed upon an area consisting of less than 40,000 square feet, and there shall be a minimum of 4,000 square feet for each unit with no part of one unit being located closer than 25 feet to another. The front, side, and rear yard requirements of the district in which located shall be complied with.

Development of Significant Impact

Applicants for Special Permits for uses so controlled and which involve required parking for ten or more cars or involve more than 4,000 square feet floor area of new construction or for any adult entertainment use regulated herein under section 6.20 or uses in the Main Street Overlay District herein under sections 9.2-9.5. Allowable uses within the Main Street Overlay District include conversions of dwelling units, arcades, inns, indoor restaurants, private guesthouses, public guesthouses, and nursing homes.

Manufactured Housing (A.K.A. Trailer Home/Mobile Home)

Manufactured housing is a prohibited use in Wellfleet's existing zoning bylaws.

Multifamily Housing

Multifamily housing is allowed by special permit from the ZBA in the C district alone. The first unit of a multiple family dwelling or of an apartment building shall require a minimum land area equal to the lot requirements of the district in which located. Each additional unit will require 8,000 square feet of land area. As mentioned previously, all buildings in Wellfleet are subject to a maximum height of two stories or 28 feet.

Between the special permit requirement, the minimum lot area, the maximum height, and lack of public sewer, there are significant barriers to building multifamily housing in Wellfleet.

Local Stormwater Bylaw & Floodplain Bylaw

In addition to Town administration of the Massachusetts Wetlands Protection Act, the Town simultaneously administers two local environmental protection by-laws:

- Stormwater By-law - no surface water can be directed towards a water body. Natural drainage is permitted but no constructed drainage systems are allowed.
- Floodplain By-law - further restricts building in the floodplain.

Water Protection Overlay District

Wellfleet's water protection overlay district establishes protective radii between 100-200 feet around wells on Nitrogen sensitive lots. The size of the radius depends upon environmental factors and usage. Placement of septic within these zones is discouraged. Alternative septic systems are often employed when lot characteristics prohibit full Title V systems.

Local Historic Districts

Wellfleet does not have any Local Historic Districts. The strongest form of protection for historic resources is a local historic district created through a local bylaw or ordinance per MGL C. 40C. However, Wellfleet has four districts listed on the National Register of Historic Places (NRHP): Wellfleet Center, Atwood-Higgins, Hinckley's Corner, and Paine Hollow Road South. While National Register listing does not have the same level of protection, it offers protection from public actions and provides tax incentives to private property owners for certain income-producing properties. There are also 13 properties that are individually listed on the NRHP.

Inv. No.	Property Name	Street	Town	Year
WLF.916	Smith, Samuel Tavern Site		Wellfleet	
WLF.534	Hatch, Ruth and Robert Jr. House	309 Bound Brook Way	Wellfleet	1961
WLF.552	Tisza, Vera and Laszlo House	2 Deer Trl	Wellfleet	1960
WLF.537	Kuhn, Samuel L. and Minette House	420 Griffins Island Rd	Wellfleet	1960
WLF.309	Newcomb, John House	Gull Pond Rd	Wellfleet	R 1785
WLF.306	Rowell House	595 Gull Pond Rd	Wellfleet	C 1731
WLF.551	Kugel, Peter House	188 Long Pond Rd	Wellfleet	1970
WLF.396	Pond Hill School	65 Old Paine Hollow Rd	Wellfleet	1857
WLF.341	Saunders - Paine House	260 Paine Hollow Rd	Wellfleet	C 1830
WLF.342	Townsend, Dr. James House and Office	290 Paine Hollow Rd	Wellfleet	C 1804
WLF.328	Ahearn House - Curran, David House	450 Pamet Point Rd	Wellfleet	C 1817
WLF.535	Weidlinger, Paul and Madeleine House	54 Valley Rd	Wellfleet	1954
WLF.550	Sirna, Anthony and Allison Studio	60 Way #4	Wellfleet	1960

CHAPTER 6: IMPLEMENTATION CAPACITY AND RESOURCES

This section describes Wellfleet's capacity and resources for implementation of affordable housing initiatives including local and regional housing organizations and funds. The Town of Wellfleet has several organizations focusing on supporting community housing, including local government entities and non-profit organizations, as well as regional agencies that facilitate housing initiatives.

Local Capacity and Resources

Wellfleet Housing³¹

Wellfleet Housing is a collaboration between three local housing groups that work together to create, sustain, and promote affordable housing year-round in Wellfleet. As suggested in the Town's 2021 Annual Report, the Housing Authority administers housing programs, the Local Housing Partnership handles education, outreach and legislation, and the Affordable Housing Trust acts as the "housing bank" and property acquisition agency.³²

While housing efforts have traditionally been focused on households whose incomes fall at or below 80 percent of the area median income, Wellfleet Housing has expanded to create housing that is attainable for those who fall above eligibility thresholds but still cannot afford Wellfleet Housing.

Wellfleet Housing Authority³³

The Wellfleet Housing Authority develops and offers programs to assist people in acquiring and retaining secure affordable housing through programs such as Rental Assistance, Downpayment and Closing Cost Assistance, a Buy Down Program, and an information phone line.

Wellfleet Housing Buy-Down Program

The Wellfleet Housing Buy Down Program is a program for low-to-moderate-income homebuyers. The program provides up to \$175,000 in subsidy towards purchasing a Wellfleet home, lowering the price, and making the home affordable. With this subsidy, a low-to-moderate income homebuyer will be able to affordably purchase a lower-end, market-rate Wellfleet home. In exchange for the subsidy, the home will be forever affordable, meaning that when you go to sell it, there will be restrictions on the amount you can sell it for.

WHA has been running a Buy Down Program since 2010 and has successfully assisted eight moderate-income families in purchasing affordable homes. Wellfleet targets the program to buyers earning at or below 80 percent of the Area Median Income and is planning to have these units qualify for inclusion in the Subsidized Housing Inventory as Local Action Units. Funding for the most recent round includes \$175,000 to support one new purchase.

Wellfleet Local Housing Partnership³⁴

The Local Housing Partnership is an appointed Town Committee with the goals of increasing the Town's involvement in housing, fundraising, and promoting community awareness of housing needs.

The Partnership's task shall include but not be limited to:

1. Evaluation of properties that might serve housing, using established criteria.

³¹ Wellfleet Housing. "About Us - Who Is Working on Wellfleet's Needs." Accessed February 15, 2023. <https://www.wellfleethousing.org/about-us>.

³² "Annual Town Reports | Wellfleet MA." Accessed February 15, 2023. <https://www.wellfleet-ma.gov/reports-documents/pages/annual-town-reports>.

³³ Housing Authority | Wellfleet MA." Accessed February 15, 2023. <https://www.wellfleet-ma.gov/housing-authority>.

³⁴ "Local Housing Partnership | Wellfleet MA." Accessed February 15, 2023. <https://www.wellfleet-ma.gov/local-housing-partnership>.
Wellfleet Housing Production Plan DRAFT 3/14/23

2. Recommendation of such properties in a timely manner to the Housing Authority and the Board of Selectmen.
3. Drafting and submitting an action plan to the Town and to the Department of Housing and Community Development for approval. Keeping it current with State requirements.
4. Outreach. Organize community participation and education. Promote and publicize events and needs.
5. Assess the impact of local bylaws and regulations on Affordable Housing and bring such assessment to the attention of local boards and committees.
6. Draft bylaws and regulations to promote housing opportunities in harmony with local environmental conditions.
7. Assessment of local housing needs including a Town-wide survey and other surveys as needed.
8. Investigate with the Cape Cod National Seashore for possible land swaps, use of Park owned housing stock, etc.
9. Look for grants and other sources of funding for affordable housing.

Wellfleet Affordable Housing Trust³⁵

The Wellfleet Affordable Housing Trust was established in 2021 to provide for the creation, preservation, and support of affordable housing in Town for the benefit of low- and moderate-income households and for the funding and support of community housing. The Trust is made up of five to seven trustees serving two-year terms; one trustee must be a member of the Select Board. The Trust may receive property or financial gifts, including exaction fees or in-lieu fees associated with the zoning bylaw, which must be used to further promote the Town's community housing priorities. The Trust was established with \$54,632 from the Community Preservation Fund's housing reserve and \$445,386 from the Town's FY2022 revenue.

Community Preservation Act

Wellfleet adopted the Community Preservation Act in 2005 at a three percent surcharge. The mission of the Community Preservation Committee is to study the Town's needs in collaboration with various Town boards, institutions, organizations, and citizens and solicits and evaluates proposals for the use of CPA funds. Following the grant application period, the CPC recommends projects which it feels will best achieve the Town's open space, historical preservation, community housing, and recreation goals to Town Meeting.

Wellfleet CPA's total revenue since adoption in 2005 through FY2022 is \$11.6 million including \$7,7 million from the local surcharge and \$3.8 million state distribution.

The Community Preservation Committee has spent \$6.2 million on Community Housing needs through the creation of 40 new units and support of 87 existing units through — though not limited to — land acquisition, rental assistance, buy down programs, and technical assistance.

Wellfleet Senior Citizen Tax Work-Off Program

This program offers older adults in Wellfleet (aged 60 or older) with limited financial resources (\$40,951 single maximum income FY23; \$54,551 married maximum income FY23) the opportunity to participate in a property tax relief program to a maximum of \$1500.00 per year (per household) in return for volunteer service to the Town. Credit for work is earned at the state minimum wage and applied directly to the volunteer's real estate tax bill.

³⁵ "Affordable Housing Trust | Wellfleet MA." Accessed February 15, 2023. <https://www.wellfleet-ma.gov/home/affordable-housing-trust-2>.

Regional Capacity and Resources

Cape Cod Commission

The Cape Cod Commission supports the 15 towns of Barnstable County, regional and sub-regional housing agencies, and other partners seeking to improve the availability and diversity of housing affordable in the community. This role includes the development of information to support local decision making, including presentations; coordination with state and other regional agencies; meeting facilitation; zoning analysis and support; and specific project development upon request of the community. The Commission also supports the advancement of regional efforts to create affordable housing and support housing where appropriate by drafting model zoning (such as the model bylaw for Accessory Dwelling Units (ADUs), the facilitation of the Regional Housing Market Analysis, and drafting a framework for Form-Based Code. Previously, Commission staff maintained the HOME Consortium, a block grant program designed to create affordable housing for low-income households. This program is now managed by Barnstable County.

District Local Technical Assistance (DLTA) Program

The Cape Cod Commission received state funding to help municipalities with sustainable development and to encourage communities to form partnerships to achieve planning and development goals consistent with state and regional priorities. Wellfleet has worked with the Cape Cod Commission on five DLTA programs including "Increasing Availability of Affordable Housing" in 2016 and "Planning for Affordable Housing" in 2017.

Community Development Partnership

The Community Development Partnership builds a diverse year-round community of people who can afford to live, work, and thrive on Cape Cod. The Community Development Partnership promotes, develops, and manages affordable housing, nurtures the launch and growth of small businesses, and facilitates collaboration with business, non-profit, and government partners. While the Community Development Partnership focuses its efforts on the Lower Cape, they provide opportunities across Cape Cod. In Wellfleet specifically, CDP manages 12 rental units on Fred Bell Way.

Barnstable County Home Consortium

The Barnstable County HOME Consortium is comprised of the 15 communities on Cape Cod and was formed to be a Participating Jurisdiction to receive and disburse federal HOME funds, which are federal formula grant funds provided to state and local governments exclusively for the creation and preservation of affordable housing for low-income households. The Program Year 2022 allocation from HUD is \$450,000 plus \$170,000 in repurposed program income.

HOME Funds

The Barnstable County HOME Consortium includes all municipalities in Barnstable County and provides federal HOME Program funding to support the financing of a wide variety of housing activities. These funds are available to all towns participating in the Consortium, including Wellfleet, and are administered by the Barnstable County Human Services Department. The rental Housing Production expected goals of the 2020-2024 Strategic Plan is 88 HOME affordable rental units across Barnstable County.

Housing Assistance Corporation

Housing Assistance Corporation (HAC), headquartered in Hyannis, was founded in 1974 to provide rental vouchers to year-round workers on Cape Cod and has since expanded to assist more than 175,000 low- and middle-income households on the Cape, Nantucket, and Martha's Vineyard. HAC remains one of the largest developers of affordable housing in the region. HAC remains one of the largest developers of affordable housing in the region. HAC serves more than 5,000 households each year in three main areas: homeless prevention, housing stabilization, and empowerment.

Following the start of the COVID-19 Pandemic (March 23, 2020) through September 2, 2022 HAC awarded \$80,983 to Wellfleet residents, \$16,600 of which was awarded in Summer 2022 alone.

Habitat For Humanity Of Cape Cod

Habitat for Humanity is an ecumenical, non-profit Christian ministry dedicated to building simple, decent homes in partnership with families in need. The organization has grown over the past two decades into one of the largest private homebuilders in the world. The organization has a Cape affiliate that has been able to build over 155 new homes across 15 towns on the Cape since 1988, including in Barnstable, most recently Marstons Mills (Dickinson Drive) in 2018 (4 homes).

■ *Wellfleet currently has four Habitat for Humanity Homes and plans for four additional homes.*

Barnstable County Human Services

The mission of the Barnstable County Department of Human Services is to plan, develop, and implement programs which enhance the overall delivery of human services in Barnstable County, to promote the health and social well-being of County residents through regional efforts designed to improve coordination and efficiency of human services, and designed to strengthen the fabric of community care available to all. They coordinate regional work on homelessness and administer grant funded program of regional impact.

This County Department has recently taken over administration and oversight of the HOME Program funds on behalf of the Barnstable County HOME Consortium. Funds are available to any of the 15 Cape Cod Towns for a variety of affordable housing programs, on a competitive basis. They are currently working on a community engagement plan for the HOME American Rescue Plan (HOME-ARP) program.

APPENDICES

FOCUS GROUP AND INTERVIEW SUMMARIES

Prepared by JM Goldson LLC November 11, 2022

Summary

The following focus groups took place on October 27, 2022. The consultant team from JM Goldson conducted four focus groups with Wellfleet residents, employees, and other parties with an interest in housing in the town, engaging with a total of 24 people. The consultant also conducted four interviews with representatives from the Select Board, the Community Development Partnership, a local business owner, and the Shellfish Constable.

Each of the focus groups were held in person either at Wellfleet Adult Community Center or the Wellfleet Public Library. Participants identified strengths and opportunities to leverage as well as challenges or issues to recognize/overcome regarding housing. The raw notes from each focus group are displayed in the subsequent pages. The focus group summaries are not labeled and are in no particular order, so as to anonymize the results and participants involved.

Key Takeaways

Some key takeaways gleaned from participants during these discussions include the need to increase affordable and year-round housing options, septic and water issues are a significant constraint, seasonal homes create constrained year-round housing supply, businesses are tremendously impacted by the housing shortage, and a lack of funding and inconsistent leadership were seen as issues.

Increasing Affordable and Year-Round Housing

The participants communicated that there is a desire and support to increase affordable housing options in the area. They suggested strategies such as leveraging the recent purchase of Maurice campground, changing zoning laws (to allow for smaller and mixed-use), and creating an organized housing team to tackle this issue. The housing team would ideally communicate the importance and need of more affordable housing to the area and effectively get more funding opportunities through grants.

Participants also cited the local Cumberland Farms, Wellfleet Market Place, and the C2 zoning district as examples of sites and areas that could be utilized for housing development. Other Ideas for new housing were converting cottage colonies to year-round housing and creating a community land bank.

Septic and Water Issues

One major challenge that was mentioned was wastewater since Wellfleet has no public sewer. Building sewer infrastructure is needed to encourage growth and more housing options. Building a public sewer system was seen as high priority which could be supported with funding from the new Cape Cod Water Protection Fund, which is funded by the short-term rental tax.

Seasonal Homes & the Local Economy

Many of the participants acknowledge both the detriment and advantage of seasonal homes on the local economy. On the one hand, it is critical to the local seasonal economy. On the other hand, the pressures for year-round residents to find year-round housing that they can afford stunt community vibrancy and create hardships for businesses who can't find enough workers to sustain their businesses. It was suggested that short-term rental restrictions be implemented and to increase incentives, such as tax incentives, for property owners to rent year-round.

To have a commercial fishing license, you must reside in Wellfleet, but candidates are still facing the issue of housing not accommodating for gear and expensive housing options. Another challenge is the lack of reliable public transit makes commuting difficult for those that live in neighboring towns. _____

Lack of funding and Inconsistent Leadership

Many participants expressed that they didn't feel there was adequate leadership from the local government, especially the Planning board; however, the Select Board has shown a great deal of leadership. Participants also cited the need for more funding. As a result of these insufficiencies, change is minimal and slow. Other participants mentioned the need for more local advocacy and maintaining an accurate inventory of affordable units.

Focus Group 1

The following table is a transcription of the feedback recorded on the board above during the focus group.

<i>Opportunities or Strengths to Leverage</i>	<i>Challenges or Issues to Recognize/Overcome</i>
Naturally occurring affordable housing	
Balancing wanting housing and 80% protected land	Explore ideas for programs for housing stabilization
Seasonality; empty homes in off season	Regional solutions; working with other cape communities
Housing for working people	Opportunity to bring on housing/planning team
Housing for summer employees	Goodwill, people want to address housing needs
Abutter opposition	Want for diverse housing stock
Sustain Wellfleet population	Short-term rental tax
People with vouchers cannot find rentals, lose vouchers	
Difficulty attracting new employees; can't find housing	Wellfleet has had a 25% population increase since covid
Strong volunteers	Many grant funding opportunities
ADU passed town meeting	Support for new HR person
Local knowledge base	Communicate benefits of affordable housing
Positive response to Maurice's & Juniper Hill	
Interest from Wampanoag tribe to have more representation on lower cape	
Zoning/constraints to building	
Downsizing	Zoning reform
Available, buildable land	Senior housing near downtown
Housing for young people and young families	Buy-down program
Need to create economic diversity	Nonresident taxpayers support for maurices
Zero vacancies	Zoning for smaller lot sizes
Clarity on septic for Maurice's	C1 zoning, allows for mixed-use
Concern of raising taxes to accomplish; need to understand financial impact	Affordable housing trust
Funding for affordable housing	Natural/open spaces
Need housing for people at all stages of life	
Cost of new personnel	
Infrastructure	
Septic/water	
Clarity on septic for Maurice's	
Water in, water out	
Senior housing	
Limited year-round housing opportunities; limits business/school	Wastewater expansion for juniper hill, also covering first responders

Focus Group 2

The following table is a transcription of the feedback recorded on the board above during the focus group.

<i>Opportunities or Strengths to Leverage</i>	<i>Challenges or Issues to Recognize/Overcome</i>
Town housing personnel	Truro looking at duplex by right; with 12-month rental requirement for one
Teachers are commuting from south shore to work; unable to find DEI staff; no new talent	Need for more year-round rentals in town
Town support for Maurice's	Senior housing (& supportive services)
Title 5: bedroom requirements	38% of Nauset teachers graduated from Nauset because they inherited their homes, housing unaffordability
People still want single-family homes	Mixed-use housing
Workforce is shrinking; unable to find housing	Sustain Wellfleet residents (youth & young adults)
No composting toilets allowed	Accelerate sewerage to enable construction
Housing on top of Wellfleet Marketplace mixed-use	Building code does not allow for tiny houses
Workforce housing (summer)	Need for diverse housing stock & density
Increasing minimum lot sizes, unaffordable large homes	Incentivize second homeowners to build adu-types for year-round caretakers
Conversations about smaller lot sizes/houses ongoing	Sewer/wastewater capacity
Bringing manufactured building to Wellfleet to create building materials year-round	No code enforcement; under the radar housing, poor living conditions
Model ADUs with standardized design to reduce cost for homeowners	Deed restricted affordable rentals do not allow families to build wealth
Mixture of rental and ownership	Empty homes in the off season
Model ADUs with standardized design to reduce cost for homeowners	Zoning bylaw that prohibits all but one condo unit to be year-round ownership: remaining deed restrictions
Housing programs to fund safe, living up to code ADUs	Classic cape housing with multi-family housing types for families
Opportunity for zoning reform	Centralized living models (co-living)
Mixture of rental and ownership	Deed restricted affordable housing ownership opportunities
Conversations about smaller lot sizes/houses ongoing	Do not want higher density
Increasing minimum lot sizes, unaffordable large homes	Funding for projects
Second story of Cumberland farms is empty	Town communications about programs have incorrect information about affordable ADUs
	Nimbyism
	Community awareness and willingness to support housing initiatives
	Intergenerational housing options
	Tiny houses; small houses on small lots
	Sea-level rise (esp. Harborside village mobile home park)
	Working with condos to change deeds to allow for year-round use
	Subsidies for funding

Focus Group 3

The following table is a transcription of the feedback recorded on the board above during the focus group.

<i>Opportunities or Strengths to Leverage</i>	<i>Challenges or Issues to Recognize/Overcome</i>
Marijuana tax - could we also allocate some of this funding? More logical for water infrastructure	Need more money form AH initiatives. Short-term rental tax.
Affordable homeownership	The only town that offers a voucher for childcare beyond the preschool years is Chatham - this doesn't work for working families
we need discretionary funds to address our local needs like for shell fisherman and seasonal workforce housing	Local funding sources: people donated private funds significantly
Free cash going into trust - but still working on free cash audit/certification	We don't have as much resources as others - we may have more if our taxes are higher
Angel investors on Martha's Vineyard - harness this concept	Lack public financial resource
Community Impact Fee and Short-term rental Tax for affordable housing	Typical affordable rental is not conducive to people who support themselves through the shell fishing economy - can't have gear there
People that need the housing apply and they are over 30 but under 60 or over 60 and under 80 - hard to qualify	People leave year-round home and live in campgrounds while they rent out their house for the summer - they rely on this income
We have among the 10th lowest taxes in the state	Should understand level of short-term rental income that is used as necessary for income you need to live so they are year-round or more for incremental income
Partnership capacity - lot of organizations as well as funding opportunities	Neighbors - all about supporting housing but not in their neighborhood
Need project -based units that are one-bedroom or studio to house nonelderly disabled and seniors especially at 30% AMI (not 2-3 bed)	Septic is a huge issue on the Outer Cape - especially Wellfleet & Truro
	Infrastructure costs to do development is huge
	Need more municipal resources
	There is no money for senior housing, and we have no senior housing
	Also need affordable rentals - depends on spectrum of income
	We need more year-round rentals - doesn't even need to be affordable
	Need housing to keep our young people here
	Need creative ways to raise money that is less restrictive
	Shell fisherman are self-employed - if they are paying in cash - it is hard to file income - LIHTC need to show income
	No money for seasonal workforce housing
	Once child is above 2nd grade, there is no afterschool program; Childcare is a huge component of affordability of housing
	AH guidelines have no reality to what is happening on the street
	More recreation options for families - tied to low taxes
	Need young people before family formation and young families
	Lack of available land suitable for production
Leadership	

Especially the SB and chair and way CDP work together - high level of coordination that don't see in other towns	Leadership in Wellfleet is a lay leadership - we are woefully inadequate in professional leadership
Community is in a place to support housing - they are passionate and when we come to them, they support	
Turned a page - SB and town administration - pandemic helped people really see the issues that have been here	
Strong intention from leadership to support housing production	
Maurice's Campground	
Seasonal workforce housing	Maurice is a longer time frame - need to find opportunities to fill needs now and not wait 7+ years
Should address documented housing needs not be open to just community preferences	
Hopeful that b/c the town now owns Maurice's campground - could build something conducive to shell fishing (and storage - stack cages, etc.)	
Tiny houses or other options for young people before kids	
Lions share should be for housing	
Want someplace for shell fishing community to have yards or other storage	
Affordable rentals	
Would like to see people who are in desperate need of housing - historically when try to fill 2 bed units looking for up Cape or off Cape.	
Zoning	
We have no senior housing - seniors can never get a local preference on those units. We don't have units for them	
Today MF only allowed in slim route 6 location - since then have town water come into central district Lard's Road (near school and out to Wellfleet Health Center	
Removing constraints to build housing	
The PB leadership is out of step with town and an obstruction to making progress on housing issues. PB leadership and some members don't seem interested in affordable housing	
Density should be dictated by whatever fits within the constraints on a particular site	
PB should take leadership role in what zoning changes would make things easier to meet affordable housing goals i.e.) Provisions for multifamily housing	
Today MF only allowed in slim route 6 location - since then have town water come into central district Lard's Road (near school and out to Wellfleet Health Center)	
We aren't getting more land on private parcels that are zoned as SF want more like duplex	
Multifamily by right with density (duplexes as a good start)	
Restrict Short-Term Rentals	
Maybe keep in certain areas? It already exists so how do you scale that back? What is a palatable approach?	Airbnb's are mostly incremental income for people - smaller majority need the money to support the year-round living
Can we change the economics of the situation	It has a huge cost to this town and people are freeloading
Harder to take back something that people already have	

New units going forward should be restricting them to year-round	
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Focus Group 4

The following table is a transcription of the feedback recorded on the board above during the focus group.

<i>Opportunities or Strengths to Leverage</i>	<i>Challenges or Issues to Recognize/Overcome</i>
	Plenty of land but some trying to build encampments - limited due to climate - lack of available land
Sally's Way is a beautiful job - long term residents; stable path is good - Ted Malone does a good job	Lack of housing stock and apartments for rent
New housing should have access to jobs, shops, transportation	Nimbys - Old King's Highway Habitat - 3-4 units - tried and some indications decision will be soon
Town owns significant piece of land near the senior center - in the seashore - town should push feds - we have a desperate need for housing, and we should build on this land	Issue that we have no senior housing at all - need places that we can walk places and with convenient access
Bunk beds - near Truro/P-town line - they pay \$630/month summertime - there are 6 people there - like a hostile	Cost of buying home and building home and converting seasonal to year-round
Important to be well designed - Fred Bell - cheaper materials, falling apartment, not maintained - temporary place where you come out of homeless shelter and live for a time	Payne Hollow settled; 95 Lawrence road has had good support from abutters - nearing end of appeal period (20 days))
The dormitory style housing proposal in Ptown is in court - the NIMBY'S don't want it	Nickerson has a limitation on how long can camp out
Housing Authority wants to engage & people understand	Takes so long to get things done that the enthusiasm might wane
Gratifying to see support this year	Understanding our needs which are for small family apartments or houses
Finally widespread recognition that this is a problem	Planning Board seems to be difficult to engage in this and has been an impediment in thinking of any progressive zoning - they seem very protective of single-family model
Land and structures - reusing/repurposing the cottages/cabins	Things don't move because not enough people to pay attention
Willingness of community and nonprofits like churches to help with finances and food (e.g., welcoming migrants)	Haven't had a robust planning function for a long time - closest we came is prior TA who served planning role too
Boards focused on housing: Trust, Housing Authority Housing Partnership	Town does not have sufficient administrative support to effectively run town gov't
Breadth and depth of community support - surprised me how much support there has been on recent housing issues	Federal and state funding - with them understanding out density issues (limited by lack of sewer and water
Leadership support - the SB uniformly supportive and taken the lead - committed ARPA funds to the housing trust and proposed zoning amendments	Short-term rental - these small apartments can become this
Must come from the town - potential campground as example	Town does not have sufficient administrative support to effectively run town gov't
Just finished exercise about roles for the different housing entities in Town: 1) Trust=banker 2) Authority = program manager 3) Partnership = advocacy & education	How can we find sufficient resources - we have a limited financial capacity
Water commissioners - synergy of money available for wastewater treatment plants - easier to tap when tied to affordable housing	Covid seems to be detrimental to transparency - we have all these federal funds but don't know what is happening with them
Make small apartments more available and attractive to owners	People object to town water and sewer b/c they don't want to look like Ptown - but the downtowns we love and

	want to visit, and preserve have much greater density than we are building now
Two members of the CPC are on the housing trust along with housing authority and partnership representation	For years we relied on implicit density limitations of lack of infrastructure as a planning tool to manage growth
Tax incentive for ADU and can't use for short-term rental only year-round	What happens to seniors who want to stay in town but want something smaller - there is no senior housing here and no smaller options
	You could do municipal staff housing on the site behind the senior center - town owns this. If town built and managed could do it
Zoning	
Allow duplexes and rentals over garages	Low-income only ADU is a problem and would limit a buyer. But you can take the oven out and it's no longer a unit.
Looking for ways to make duplexes easier to create.	
We had an ADU bylaw that had a tax abatement program and admin duties of town was to track affordability and income eligibly - there was some abuse and not enough - they changed to ADU bylaw and must be rented year-round	
Change our zoning to allow duplexes and greater density - but the title V limitations will always come up with these ideas	
Water and Sewer	
Has town water; not sewer	Lack of potable water has been a tool to manage growth
Need some other way of dealing with water and wastewater such as changing state standards - right now you are limited under state law in terms of what you are going to be able to do	Problems with leaching from septic systems
Want town water and town sewer - this will be needed to address housing issues and the state will force us to deal with that one way or the other	Town's failure to address water and wastewater in comprehensive way and this limits zoning and density solutions (lack of planning)
Density in Ptown - they have town water and town sewer	
Maurice's Campground	
To have a commercial shell fishing license you must reside in Wellfleet - many have no place to go and could lose ability to make their livelihood - make more money that would qualify	Long time to wait to begin development here.
Seasonal employee housing needed too (some of this resp. should fall on employer)	
More efficient in terms of dollars (like Maurice's and Lawrence) - better than buy-down program - one unit at a time solution	
Mix of year-round rental and purchase opportunities - small, starter housing like tiny houses	
Town seasonal worker housing	
New housing should create a community at the campground	
Seasonal employee housing should be a component - our economy relies on this	
Nauset Green in Eastham - good model for campground - they have bus stop- made a community - groceries and mail and community center with open space	
Want infrastructure, efficient, small rental apartments	

WELLFLEET COMMUNITY SURVEY SUMMARY

Prepared by JM Goldson LLC December 2022

OVERVIEW

The Wellfleet Housing Production Plan Working Group launch a survey between October and November 2022 to solicit community members' perspectives and gain a better understanding of their experiences navigating housing in Wellfleet as well as hear their direct observations of the housing needs and opportunities within the Town. This survey was not intended to be a statistically significant poll, rather serve as a method for reaching more community members than may traditionally be heard at a public forum. The survey was active for one and one-half months and received 658 submissions.

KEY FINDINGS



Survey respondents were most likely to identify as women, white, and aged 55 or older



Survey respondents were most likely to hold a bachelor's degree or higher and be retired.

70%

When asked, 70 percent of homeowners and 41 percent of renters indicated they would not be able to afford the current average housing costs in Wellfleet (\$1,298/month for renters, \$923,750 median single-family sales price)

41%

When asked if they would consider building an accessory dwelling unit on their property:

- 27 percent said maybe/unsure
- 25 percent said yes in a detached structure
- 10 percent said yes for relatives only
- Nine percent said yes in an attached structure

87%

Wellfleet residents showed a slight preference for remaining in Town (87 percent importance) over their current home (81 percent) when considering aging in place

81%

Survey respondents feel the most pressing challenges are:

1. Lack of affordable year-round ownership and rental housing

Survey respondents feel the biggest opportunities are:

1. Purchasing land for housing (i.e., Maurice's Campground and 95 Lawrence)

The three most supported housing types were:

1. Single-Family Homes
2. Cottage style (Small homes in a cluster often with shared green space)
3. Supportive housing (housing that includes services)

Survey respondents feel Wellfleet is the most welcoming to:

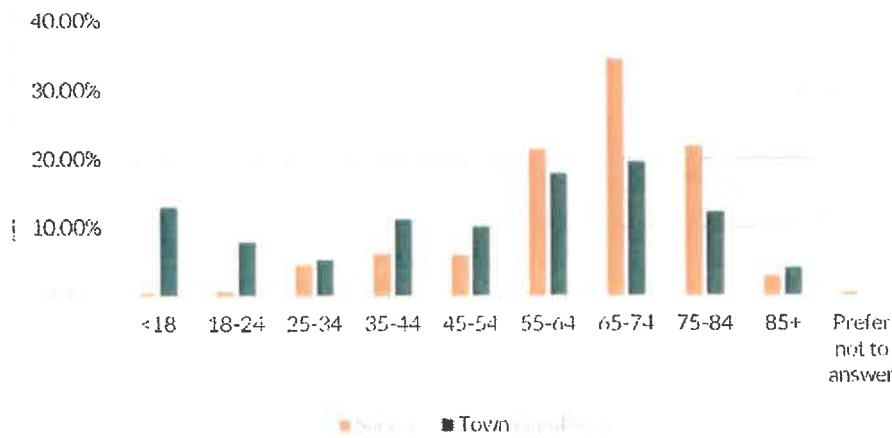
1. LGBTQ+ individuals
2. Older Adults (65+)
3. Families with young children

- 2. Housing for workers and young families
- 3. Lack of available units on the market and developable land
- 4. Impact of short-term rentals and seasonal/second homes
- 2. Tax incentives to promote Wellfleet's housing priorities
- 3. Converting cottage colonies into year-round housing
- 4. Diversifying the housing stock (e.g., tiny homes, mobile homes, mixed-use)

WHO TOOK THIS SURVEY?

The following information summarizes the overall trends of the Wellfleet survey respondents and compares them to the overall population of Wellfleet. Survey participants were asked to share different pieces of their identity through a series of questions, each of which included a 'Prefer not to answer' option. Representation is determined by those who chose to disclose. See appendix for full breakdown.

AGE REPRESENTATION



Age
 Most survey respondents were aged 55-84 (78 percent) with those being aged 65-74 being the most represented group (35 percent of all responses). It's important to note that almost one-quarter of Wellfleet's population (21 percent) is under 24 years old though comprised less than two percent of survey takers, suggesting youth voices were underrepresented by this survey.

Gender

Just over 60 percent of survey respondents identified as women, with men being underrepresented, making up only 32 percent of respondents despite being a little under half of the town's population. Four survey respondents identified as non-binary or gender non-conforming and five percent of respondents opted not to answer this question.

SIX OUT OF TEN SURVEY RESPONDENTS WERE WOMEN

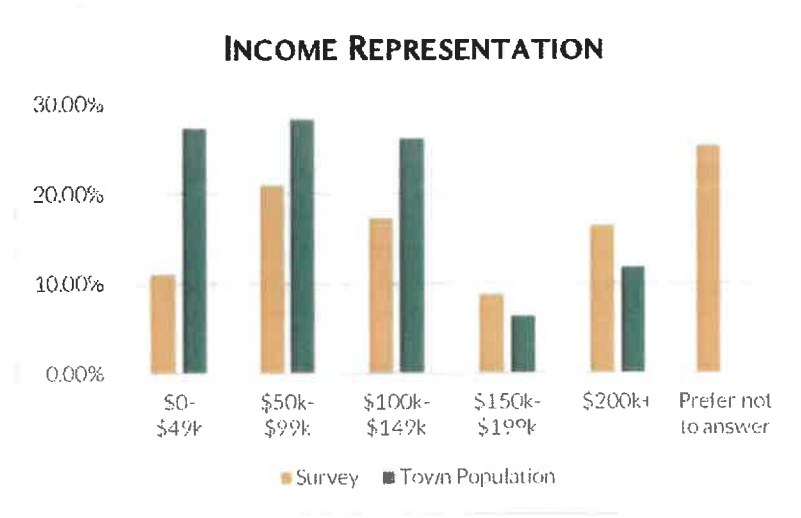


Race

Most of the Wellfleet population (84 percent) identifies as white, which was accurately reflected by survey participants. Those identifying as two or more races were underrepresented in this survey by ten percentage points compare to the Town population. All other racial identities were well represented (within two percentage points) compared to their portion of total Town population.

Income

At 25 percent, the highest percentage of participants selected 'Prefer not to answer' when asked about their household income. The second most identified income was those making between \$100,000 and \$149,999 per year at 17 percent of survey respondents but was still under representative of the total Wellfleet population in that income range *26 percent). Every income range below \$150,000 was underrepresented in this survey.



Educational Attainment & Employment Status



80 percent of survey respondents had earned a bachelor's degree or higher



31 percent of survey respondents were employed full time

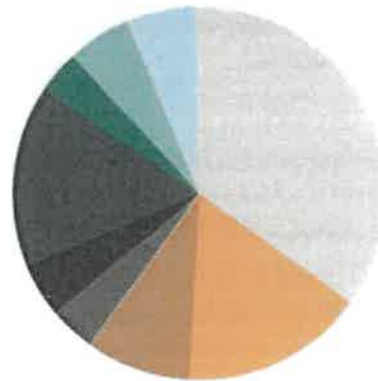


50 percent of survey respondents were retired

Affiliation & Residency

Most survey respondents (59 percent) were full time Wellfleet residents, with another 27 percent being part-time or seasonal residents. Similarly, 27 percent indicated they have family or friends living in Wellfleet. When asked where in Wellfleet their home is, 59 percent of respondents said they live in North Wellfleet, 40 percent live in South Wellfleet, and about one percent split their time between North and South residences.

AFFILIATION



- Full Time Resident
- Part Time Resident
- Work in Wellfleet
- Own a business in Wellfleet
- Own property in Wellfleet
- Have friends or family in Wellfleet
- Interested in living in Wellfleet
- Grew up in Wellfleet
- Other

Tenure

Homeowners were overrepresented making up 88 percent of survey respondents but 77 percent of the Town population. Subsequently, renters were underrepresented at eight percent of respondents but 23 percent of the Town population.

Property Type

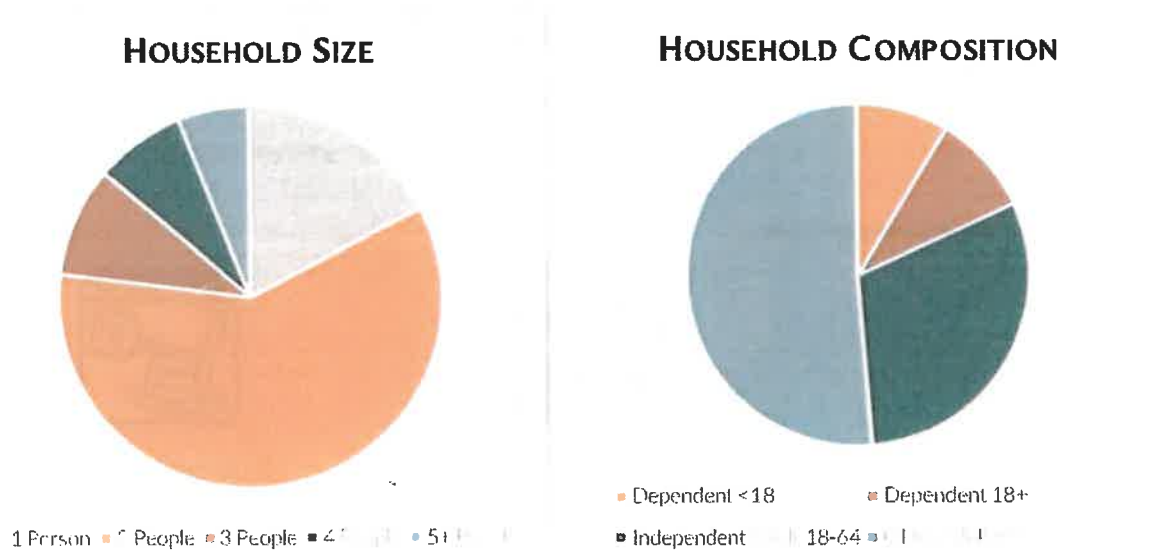
Survey respondents were most likely to live in single-family households (73 percent year-round. Ten percent in the "off season", and 20 percent in the summer season)³⁶ which is less than the Town's population (89 percent).

³⁶ Note: These numbers do not add up to 100 percent. Survey respondents who live in different property types throughout the year (e.g., a single-family home during the off season and a duplex during the summer season) checked both property types. See appendix for full breakdown.

All other housing types comprised less than five percent of survey responses with between zero and 12 responses. Most notably, 12 respondents (2.5 percent) live in duplexes, triplexes, or quadplexes and an additional 12 respondents (2.5 percent) live in Accessory Dwelling Units.

Household Makeup

About 60 percent of respondents live in a household with just one other person and 17 percent live alone. When asked who lives in their household, 60 percent of respondents indicated at least one older adult (aged 65 and older) lives in their home, this is consistent with the age demographics of survey takers. Comparatively, only ten percent of survey takers indicated they have a child under the age of 18 in living in their household.



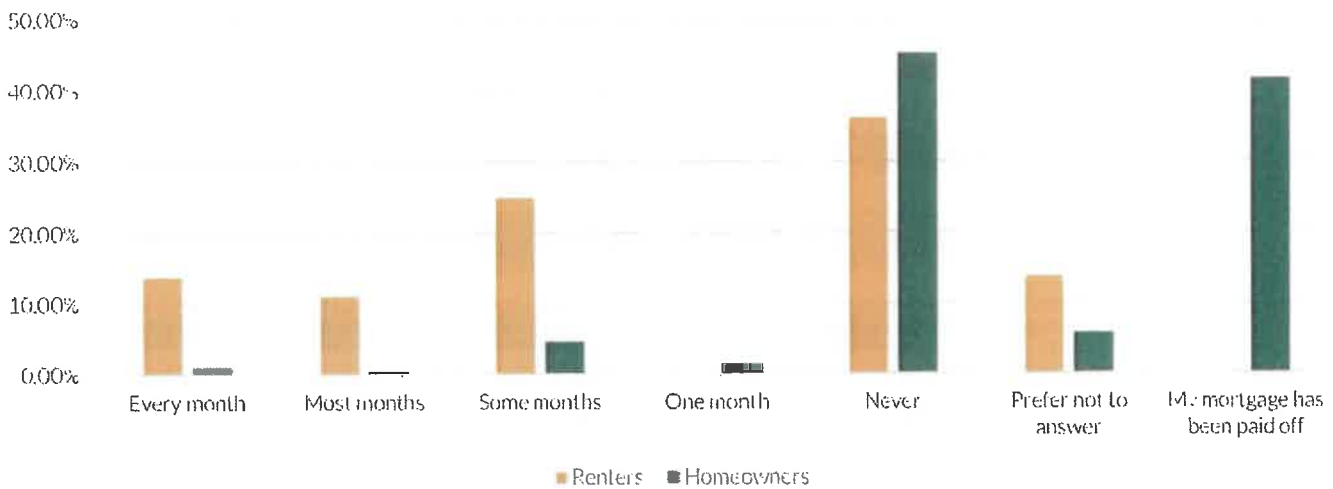
SURVEY TOPICS

Questions for this survey were populated based on the answer to previous questions. People were directed to answer questions based on their experiences.

Housing Affordability

Renters indicated more difficulty making monthly housing payments than homeowners. Exactly half of renters indicated difficulty at least one month in the last two years as compared to the 7.5 percent of homeowners. This may, in part, be due to the recent rise in rent costs and that 42 percent of homeowners had already paid their mortgage off. When asked, three-fourths of renters indicated their rent had increased in the last two years, with increases between \$100 and \$299 per month and less than \$100 per month being the most frequent (19 percent and 17 percent, respectively).

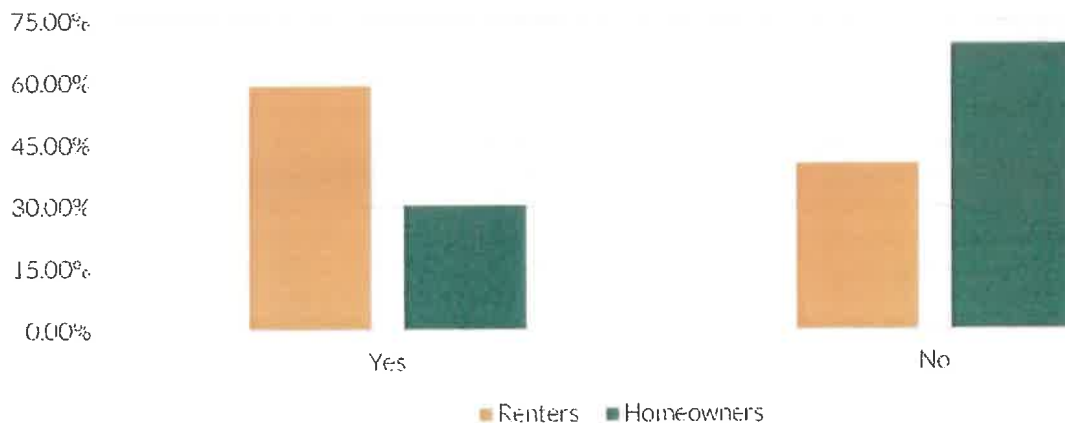
IN THE LAST TWO YEARS, HOW OFTEN HAVE YOU STRUGGLED TO AFFORD YOUR MONTHLY HOUSING COSTS?



Despite most homeowners being more easily able to make monthly payments than renters, homeowners were less likely to be able to afford the current median sales price of a single-family home (\$923,750, Massachusetts Association of Realtors, YTD August 2022) than renters who would be able to afford the median gross rent (\$1,298, American Community Survey 2020)³⁷. Given the documented rise in rents in the last two years, this is indicative that renters were more easily able to afford pre-Pandemic rental costs in Wellfleet.

When asked, 70 percent of homeowners and 41 percent of renters indicated they would not be able to afford the average housing costs in Wellfleet.

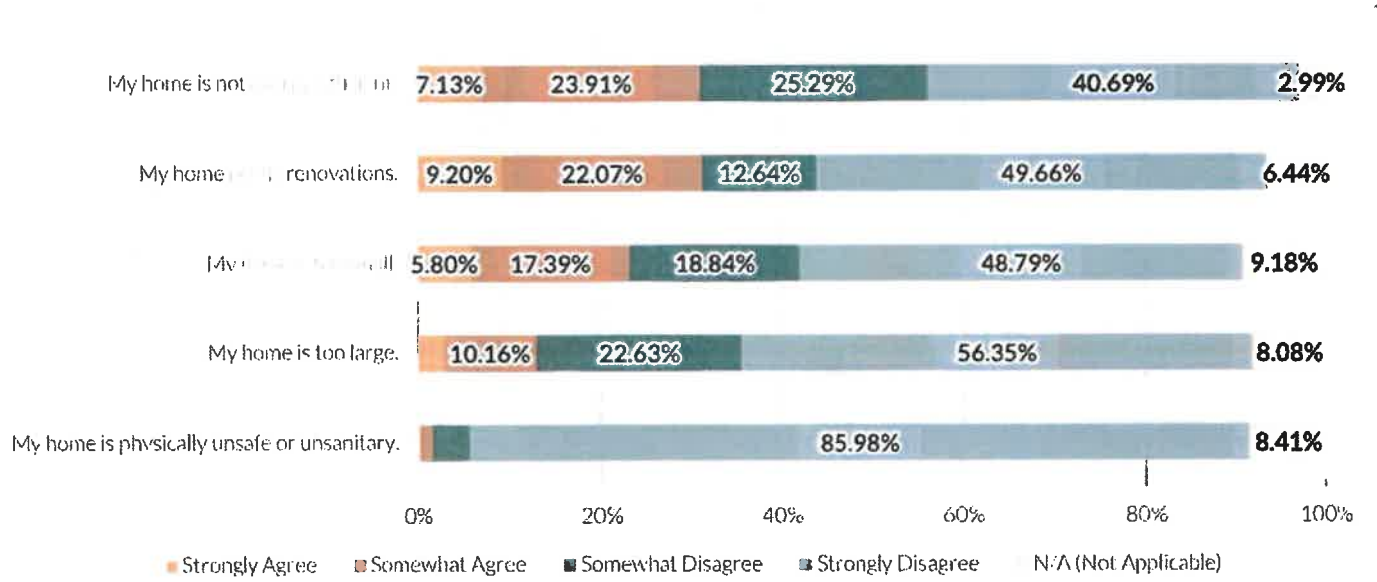
WOULD YOU BE ABLE TO AFFORD THE CURRENT AVERAGE RENT/SALES PRICE?



Housing Conditions

Survey respondents were given a series of statements regarding the current conditions of their homes and asked to mark each with, “Strongly Agree”, “Somewhat Agree”, “Somewhat Disagree”, “Strongly Disagree”, or “N/A (Not Applicable)”.

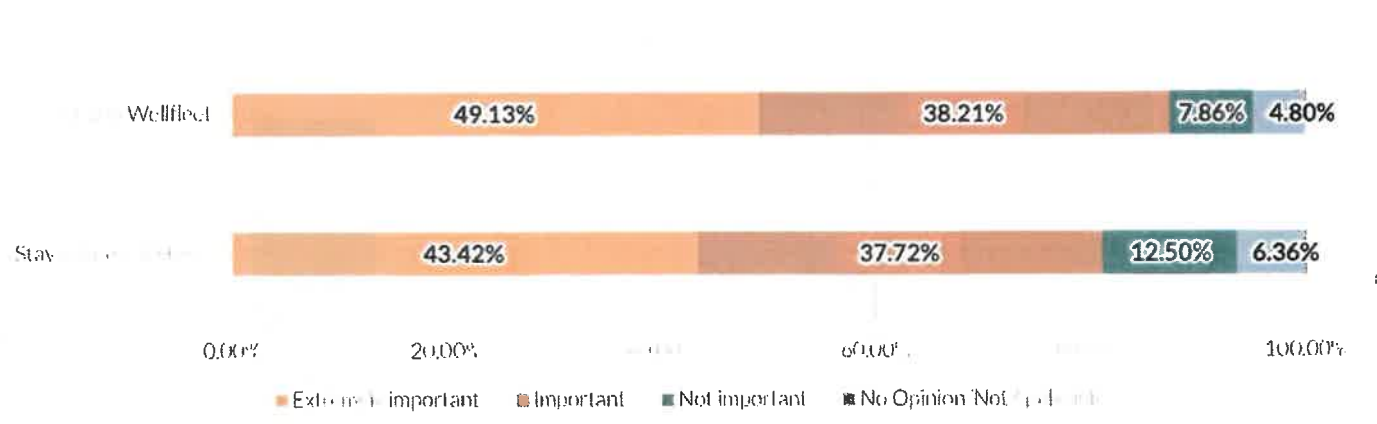
Wellfleet residents are largely satisfied with the current conditions of their homes, most agreeing that their homes are not energy efficient (31 percent) and that their homes need renovations (31 percent)



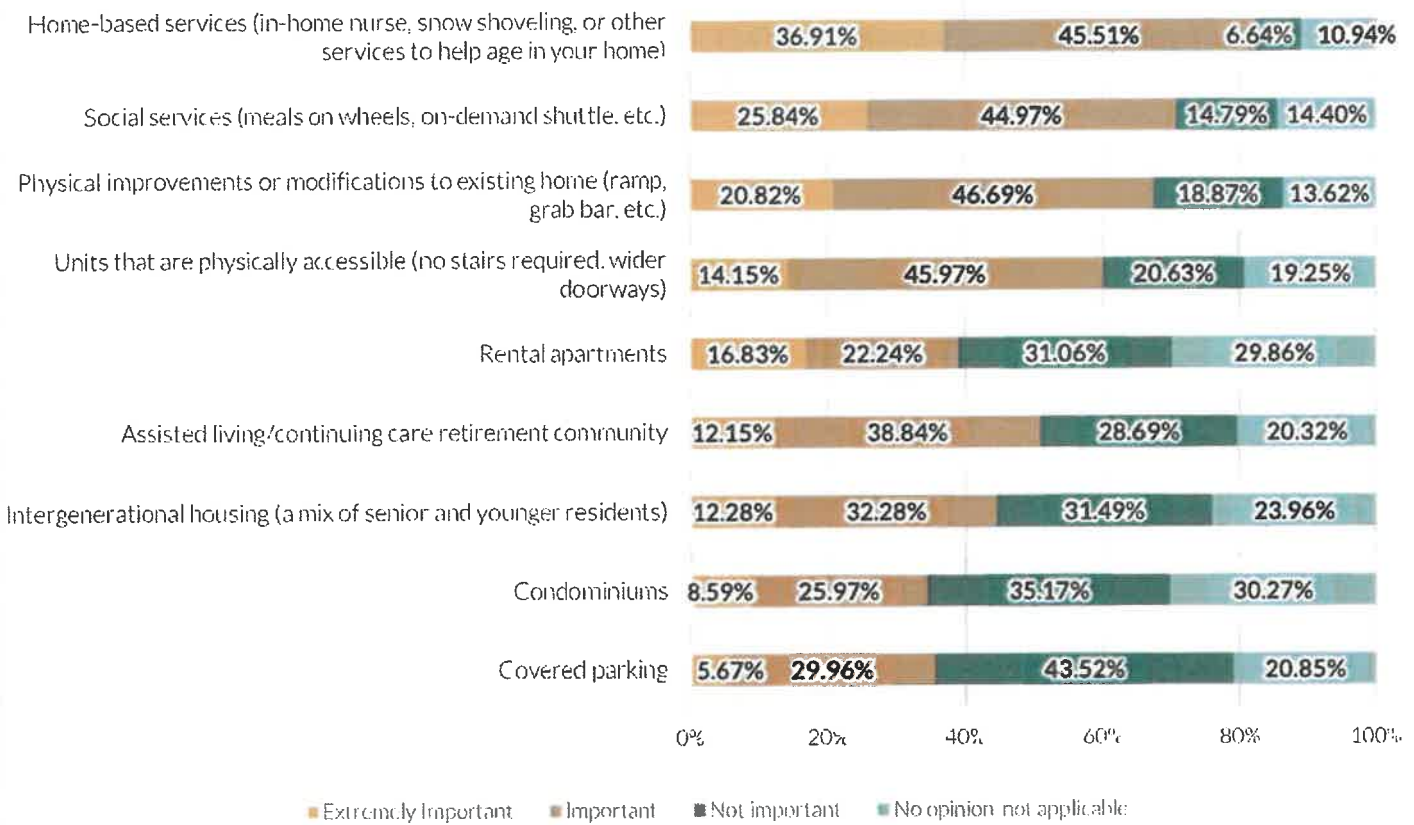
Other comments about housing conditions offered by survey respondents included reports of recent repairs, delayed maintenance due to the cost of repairs, notes about the red tape involved in needing to seek Conservation Commission and Historical Society approval to make changes, and a slew of comments of Wellfleet residents with solar and those whose homes are too older to support solar or cannot afford the installation.

Age in Place

When asked how important it would be to stay in Wellfleet and their current home as they age, Wellfleet residents showed a slight preference for the Town (87 percent importance) over their current home (81 percent)



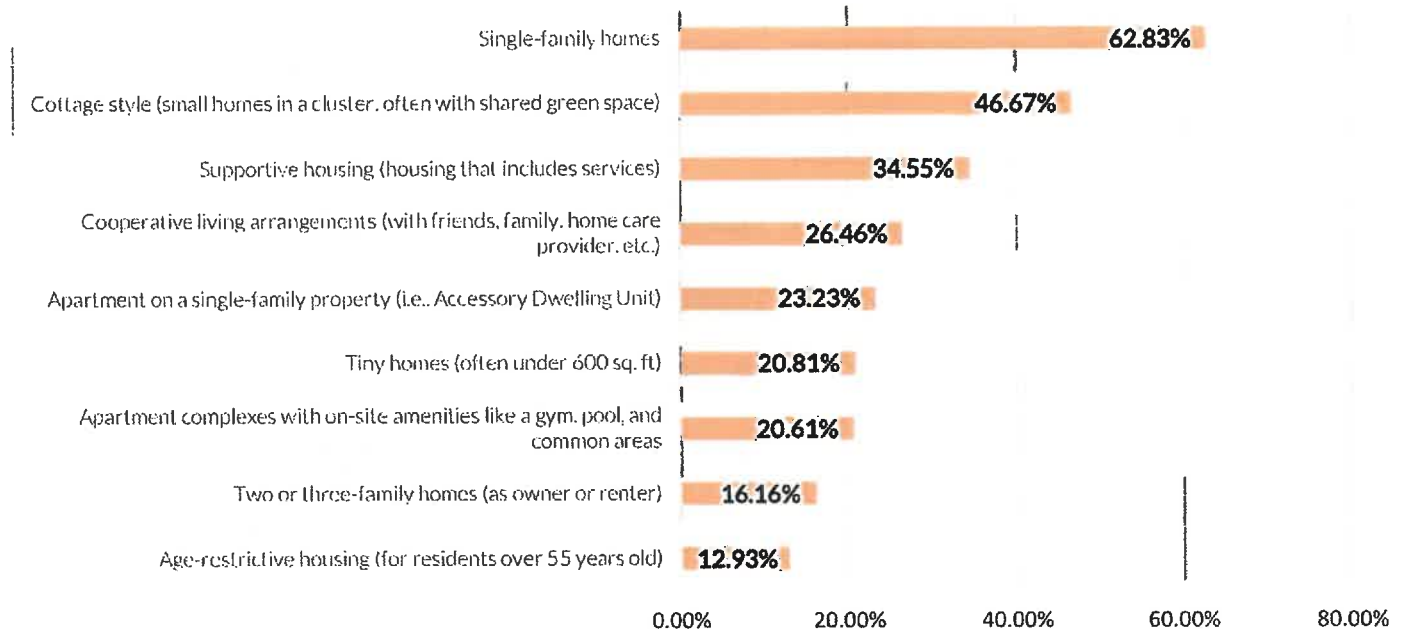
Respondents were also asked to consider what their future housing needs may be as they age. They were presented with nine options and asked to mark them “Extremely Important”, “Important”, “Not Important”, or “No opinion/Not applicable”.



Participants were also offered an 'Other' option on this question and asked to specify, the most common theme was access to healthcare in Wellfleet, including transportation to existing health care facilities, the need for more local access, or home-health aid considerations. Other comments suggested interest in downsizing, disinterest in providing services, and folks noting they are not yet at a life stage in which they are considering these needs yet.

Housing Types

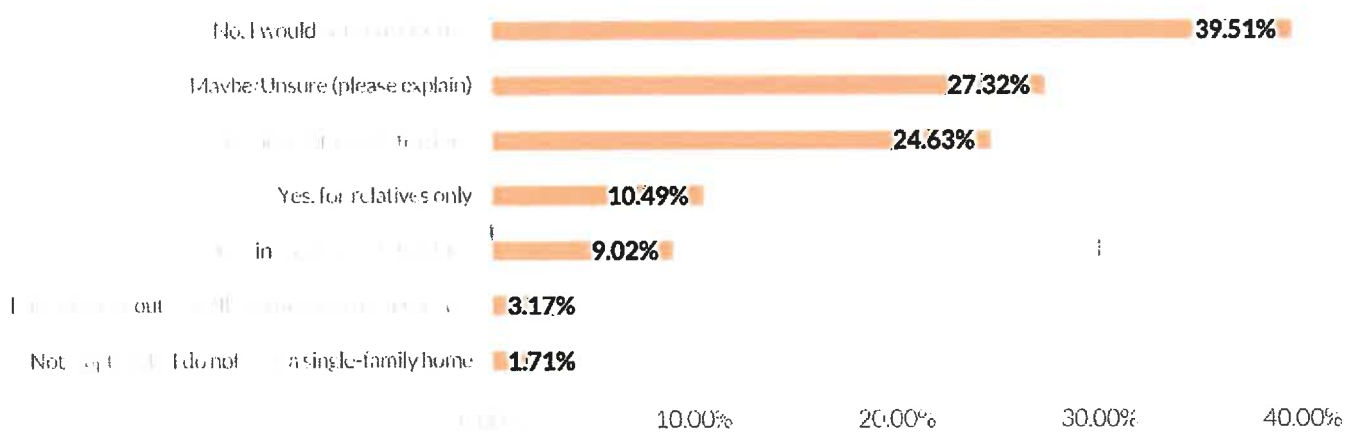
WHAT KINDS OF HOMES MIGHT INTEREST YOU OR FAMILY MEMBERS IN THE FUTURE?



ADUs

A common solution to housing needs is to create accessory dwelling units (ADUs) on single-family lots to increase housing stock. These apartments are often smaller and therefore can be rented out at a more affordable rate.

IF YOU OWN A SINGLE-FAMILY HOME IN WELLFLEET, WOULD YOU CONSIDER CREATING AND RENTING OUT A SMALL APARTMENT (LIKE AN ACCESSORY DWELLING UNIT OR IN-LAW/FAMILY APARTMENT) ON YOUR PROPERTY? PLEASE CHECK ALL THAT APPLY.



Roughly 27 percent of residents indicated that they may be interested in creating an ADU or were unsure citing barriers such as property size not being large enough, septic system strain, disinterest in being a landlord, living in deed-restricted housing, and building costs preventing them from moving forward.

Adult Children & Dependents

Roughly ten percent of respondent households have an adult child or dependent living in their home. Of these 43 respondents, 33 (61 percent) indicated their adult child(ren) or dependent(s) would consider seeking housing in Wellfleet. When asked what is currently preventing their adult child(ren) or dependent(s) from living in Wellfleet, 76 percent shared that high housing costs are a barrier and 33 percent selected 'Lack of desired housing options'.

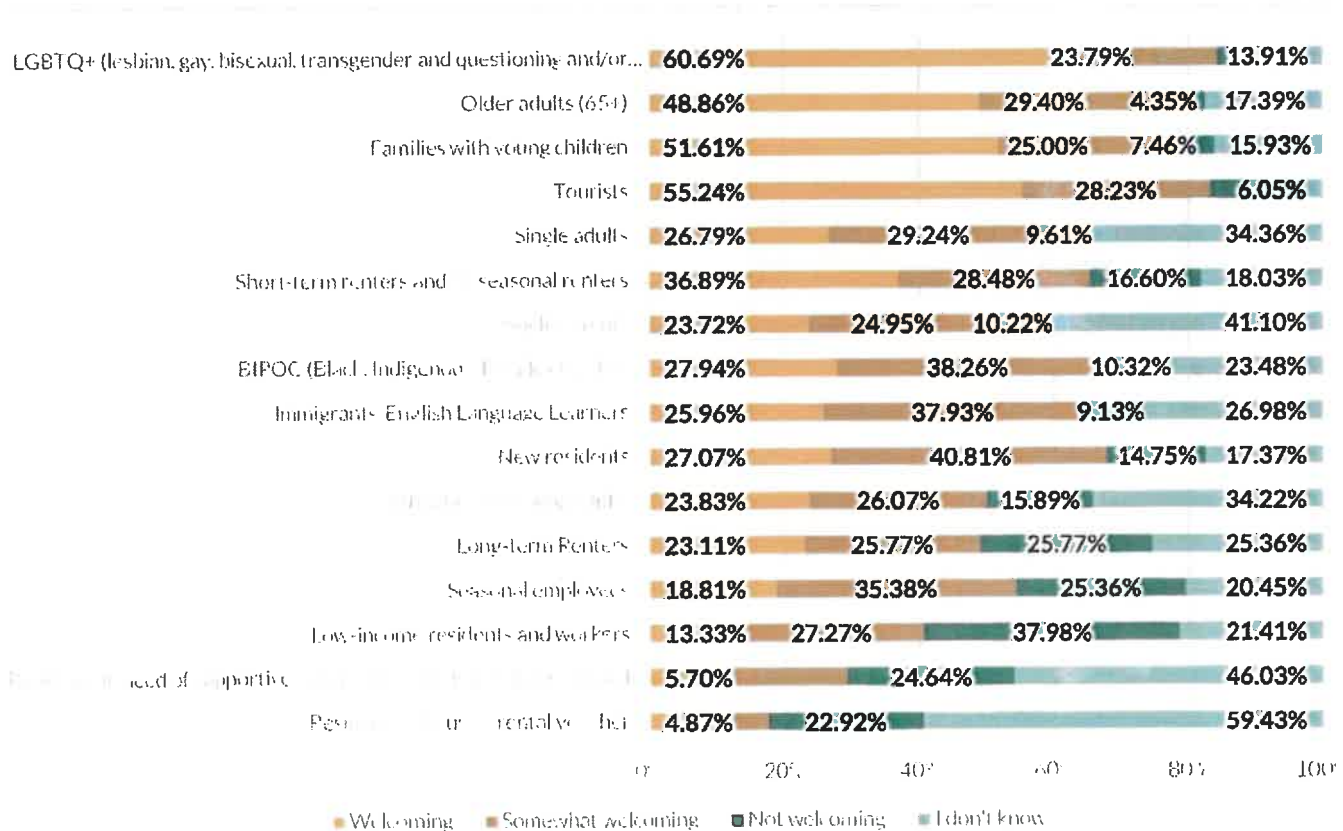
Non-Full Time Residents

There were 94 survey respondents (14 percent) who indicated their primary residence is not in Wellfleet. Of these, 48 percent listed their primary residence as another Cape Cod town, 30 percent live out of state, ten percent live off-cape but still in Massachusetts, and five percent listed Wellfleet despite not previously identifying as a Wellfleet resident.

When asked "What keeps you from living in Wellfleet full-time?" this subset of participants indicated high housing costs, being happy in their current place, and lack of desired housing options, as the top three reasons. Additionally, 30 percent of non-residents selected 'Other' and offered additional reasons including, but not limited to, the lack of year-round housing options, waiting for their children to finish school where they are, criticism of Wellfleet government/services, echoing options they selected, and folks who either are actively planning their move to Wellfleet or recently left the community.

Inclusivity

Survey respondents were asked how welcoming they thought Wellfleet was to 16 different groups of people, with the choices "Welcoming", "Somewhat welcoming", "Not welcoming", and "I don't know".



LGBTQ+ individuals, older adults (65+), and families with young children were among the most welcomed groups in Wellfleet while residents who use a rental voucher, long-term renters, and low-income residents and workers were perceived as the least welcomed in town.

Respondents were offered the opportunity to explain their answers where a strong contrast between folks sharing the town is too welcoming to tourists, short-term renters, and second homeowners and folks commenting that tourism, short-term rentals, and second homeowners were causes of Wellfleet's housing crisis was present. Others noted that the high cost of housing makes Wellfleet inherently unwelcoming to different identities who, for one reason or another, are unable to live in Town year-round. Lastly, there were some comments suggesting Wellfleet is generally a welcoming place though respondents were not too familiar with how people of specific identities were treated.

Challenges

When asked "What do you think are the most pressing housing challenges in Wellfleet, even if you have not personally experienced them?", survey respondents offered different ideas, the most popular of which were lack of affordable year-round ownership and rental housing, the need for workforce housing and housing for young families, the general lack of available housing units on the market, the lack of developable land given local environmental constraints, and the impact of short-term rentals and seasonal/second homes on the local housing market (particularly those that sit vacant during the majority of the year). Please see the appendix for the complete list of responses to this question.

Opportunities

When asked, "What are the biggest opportunities for housing in Wellfleet?" The most common responses included support for ongoing affordable housing projects like Maurice's Campground and 95 Lawrence, suggestions for incentivizing accessory-dwelling units, converting cottage colonies into year-round housing and support for cottage/cluster housing, tiny home zoning amendments, continued purchase of land for housing, the need for local priority in new housing, limiting or disincentivizing short-term rentals and investment property sales, diversifying the housing stock (particularly to increase mixed-use and mobile home options), and leveraging taxes to build/expand housing programs (e.g., buy-down program, ADU conversion costs).

Lingering Thoughts

To conclude the survey, participants were asked "Is there anything else you'd like to share about housing in Wellfleet that you do not believe was covered in this survey?". Here, participants shared additional ideas for solutions as well as challenges they have observed. Sentiments included the need for more public education on housing systems, interest in higher quality, low-cost housing that matches Wellfleet's aesthetic, calls for both amending zoning to support housing and preserving existing zoning, and seeking water/sewer expansion to promote housing viability.

COMMUNITY FORUM SUMMARY

Prepared by JM Goldson LLC December 2022

OVERVIEW

On December 8, 2022, JM Goldson and the Town of Wellfleet hosted a Community Forum on the Wellfleet Housing Production Plan process. This virtual forum focused on sharing preliminary findings from the Housing Needs Assessment, interviews and focus groups, as well as hearing perspectives about housing needs, concerns, and opportunities, and sharing how participants can continue to participate in the process. Wellfleet community members were invited to register for a Zoom webinar which was comprised of a presentation by Jenn Goldson, AICP and Elana Zabar, M.Ed. interspersed with several polling activities for participants, as well as opportunities for participants to speak about their experiences and views. A recording of this presentation can be found at:

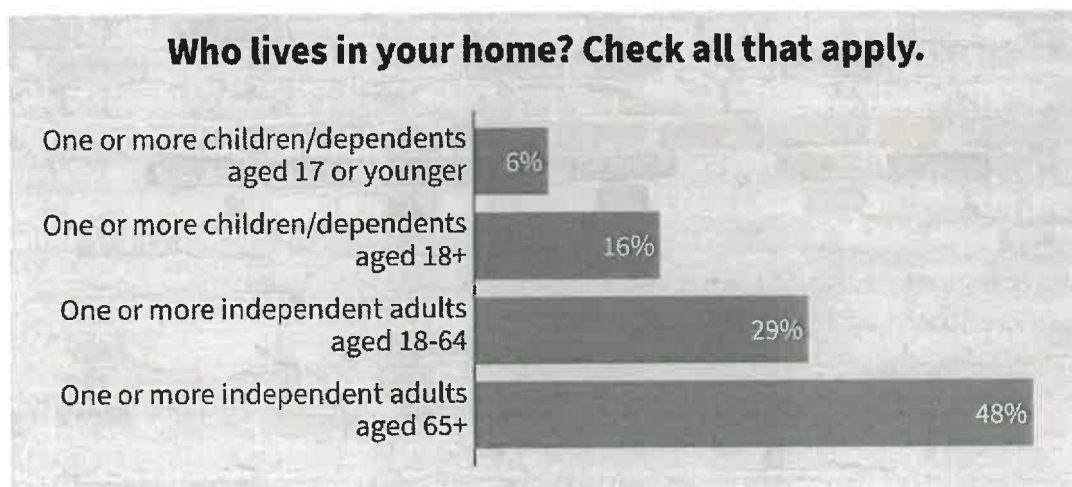
<https://us02web.zoom.us/rec/share/xr8SnAH2c7DoT-GWc4a12rglopszr2NmFAEufTxr2VB0A2uVTrq-ZpnJgnceHO2q.1M2-JcLJv4vpzwmb?startTime=1670544052000>

KEY FINDINGS

- Thirty-four participants attended this forum. Attendees were mostly likely to be full-time Wellfleet homeowners, aged 65 and older.
- Common themes of concern from participants included housing for the seasonal and year-round workforce as well as retaining young people and young families.

PARTICIPANTS

There was a total of 34 participants who attended this forum with an additional 36 community members who had registered for the webinar but did not attend. The majority of attendees were full-time Wellfleet residents (47 percent), homeowners (89 percent), and aged 65 or older (59 percent). Participants were most likely to live in households where one or more people (including themselves) was at least 65 years old, which is consistent with the age demographics of participants. A complete breakdown of participant demographics is available in the appendix.



FORUM MATERIALS

This forum consisted of a presentation (slides available in the appendix) as well as a folder of reference materials attendees could view virtually. The Dropbox folder can be accessed at

https://www.dropbox.com/sh/whn0u13jglj894s/AAB-SDF9fR-f2GWHS_IUIJ-3a?dl=0. Forum materials included:

- Wellfleet's 2017 Housing Needs Assessment and Action Plan – Former housing plan included for ease of reference
- What is a Housing Production Plan? Quick Facts – JM Goldson fact sheet on Housing Production Plans
- Housing Production Plan Acronyms & Key Definitions – List of key terms and acronyms commonly used in Housing Production Plans and when talking about housing systems

- Poll Everywhere Instructions — Reference guide for accessing the Poll Everywhere platform
- DHCD Housing Production Plan Guidelines — A more detailed account of what the key elements in a Housing Production Plan are and why they are important, produced by the Department of Housing and Community Development (DHCD).
- DHCD Housing Production Plan FAQs — A document of frequently asked questions regarding Housing Production Plans, produced by DHCD.

PRESENTATION SUMMARY

This forum began with introductions of the project team, including the Wellfleet Housing Production Plan Working Group and JM Goldson consultants. Following introductions, Jenn Goldson began her presentation by outlining the forum’s agenda and purpose as well as giving a brief overview of the expected timeline and deliverables for Wellfleet’s Housing Production planning process.

The presentation slideshow as well as full transcriptions of Poll Everywhere activities and Zoom Chat can be found in the appendix. A full summary of presentation content is available in the following sections.

Sources

JM Goldson uses the most recent American Community Survey (ACS) and Census data available at the time a project begins. For small communities like Wellfleet, ACS and Census data are contextualized using local data sources such as the Cape Cod Commission, Housing Assistance Corporation, and the focus group and interview results.

The Subsidized Housing Inventory and Affordable Housing

The Subsidized Housing Inventory (SHI) is a list of all year-round housing units meeting specific affordability requirements within a community. The SHI is hosted by DHCD, the agency who is also tasked with determining community compliancy with the state of Massachusetts’ ten percent affordable housing goal in which ten percent of a community’s housing stock is listed on the SHI. It is worth noting that if a rental development meets the minimum affordable housing requirements, every unit within that development will count toward the SHI, not just those with affordability restrictions.

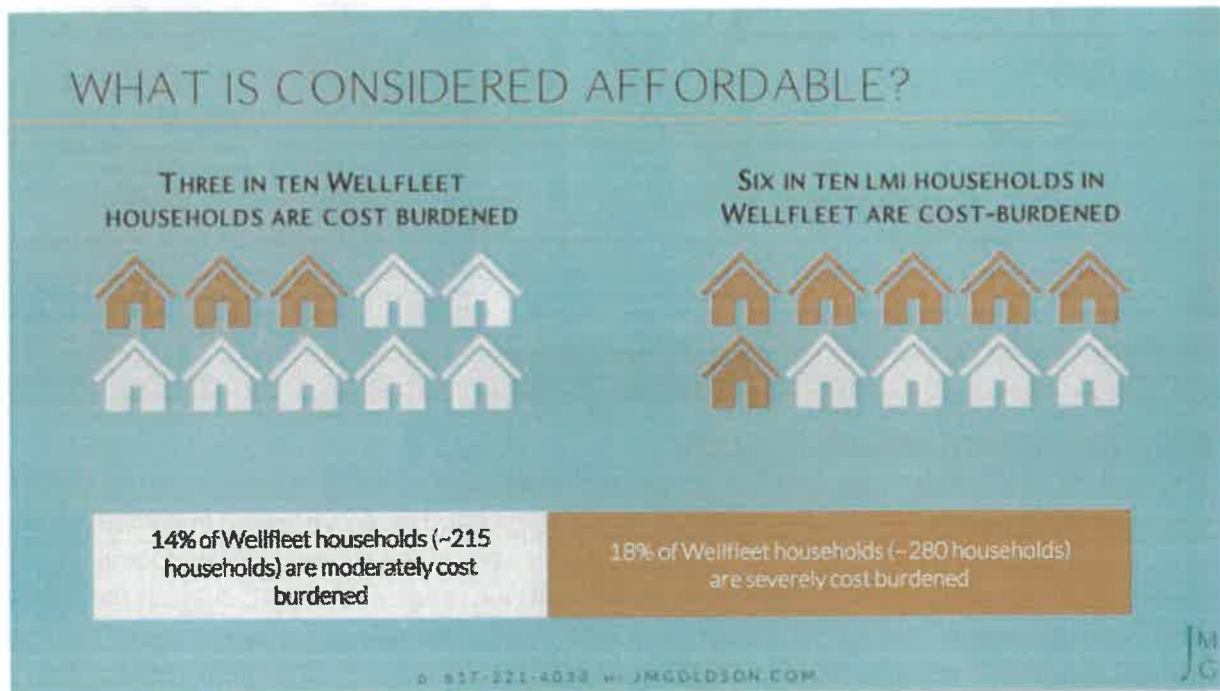
SHI listed housing must be:

- Affordable so that income-eligible households are not spending more than 30 percent of their gross income on housing costs
- Subsidized by a state agency
- Restricted to households earning 80 percent or less of the Area Median Income
- Deed-restricted for a minimum of 30 years
- Fairly and affirmatively marketed with a DHCD-approved marketing plan

“**A**ffordable housing includes certain income restrictions as defined by DHCD. DHCD calculated the Area Median Income (AMI) based on Metropolitan Statistical Areas (MSA). Wellfleet is a part of the Barnstable Town, MA MSA. In 2022, the AMI for Barnstable Town, MA MSA was \$115,600.³⁸ Income restrictions to reside in Affordable housing are determined by household size and fall into three different categories: 1) Extremely Low Income (making less than or equal to 30 percent of the AMI), 2) Very Low Income (making Between 31 and 50 percent of the AMI), and 3) Low Income (making between 51 and 80 percent of the AMI).

³⁸ Note: When Wellfleet’s project began, the most recent Census and American Community Surveys available were conducted in 2020. JM Goldson uses the 2020 AMI and income limits in all statistical analysis when comparing 2020 ACS and Census data. The 2020 AMI for Barnstable Town, MA MSA was \$96,600.

Currently, there are no towns in Barnstable County that have reached the state’s ten percent goal. Wellfleet currently has 40 units (2.58 percent of its 2010 housing stock) listed on the SHI.³⁹ The lack of Affordable housing has contributed to 31 percent of total Wellfleet households being cost-burdened, with 14 percent being moderately cost burdened – spending between 30 and 50 percent of their gross income on housing costs – and 18 percent being severely cost burdened – spending more than 50 percent of their gross income on housing costs. Cost-burdenship in Wellfleet doubles for those in Low- and Moderate-Income households (making less than 80 percent of the AMI), reaching 63 percent for this population.



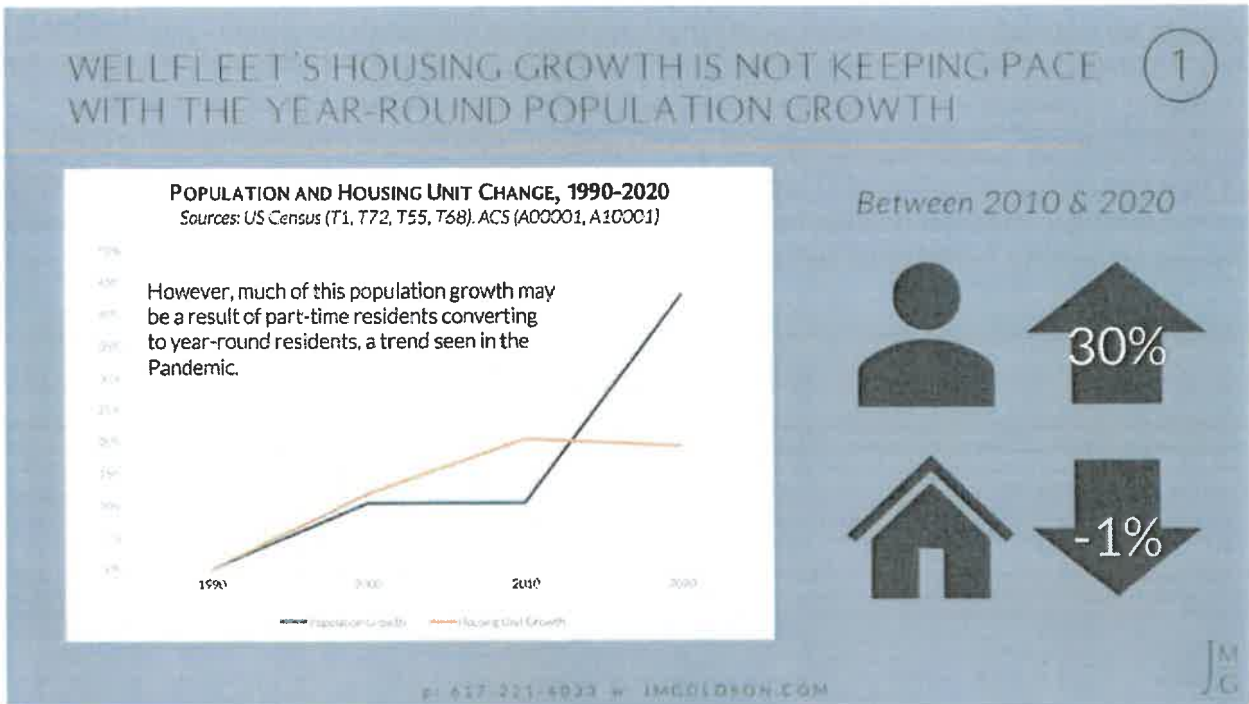
Preliminary Findings

Preliminary research revealed eight key findings:

WELLFLEET’S HOUSING GROWTH IS NOT KEEPING PACE WITH THE YEAR-ROUND POPULATION GROWTH

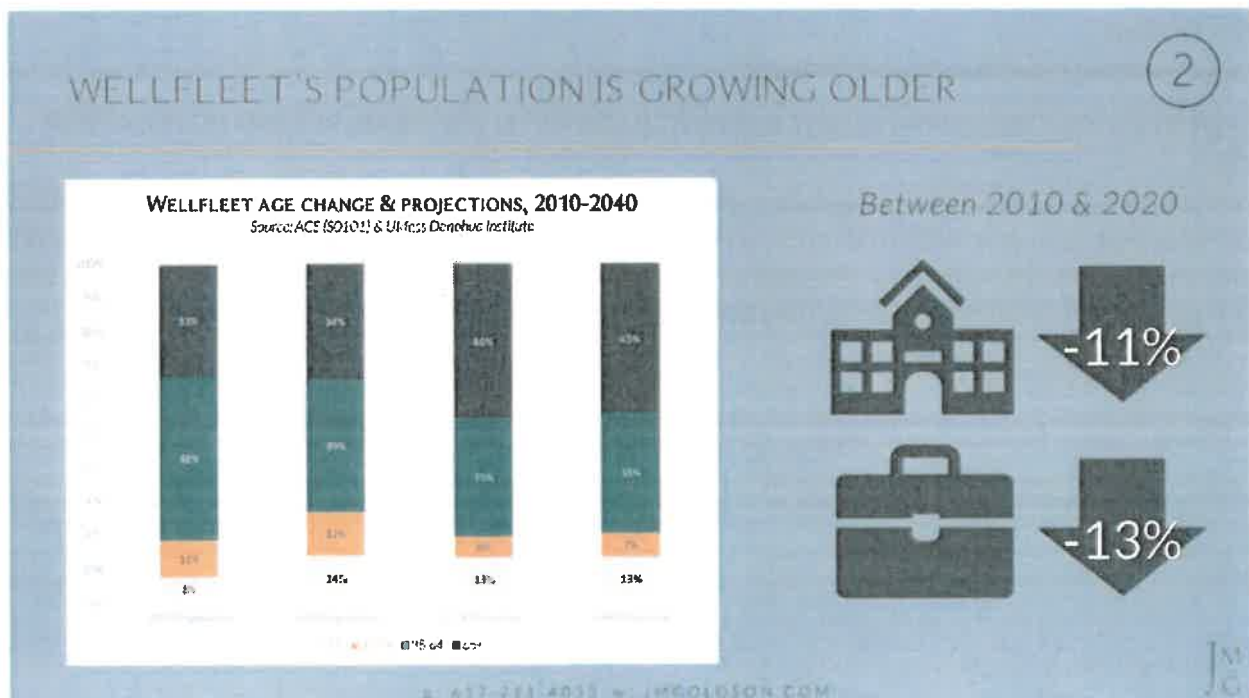
Between 2010 and 2020, Wellfleet’s population grew 30 percent while the number of year-round housing units decreased by one percent. It is likely that much of this population growth was a result of part-time and second homeowners transitioning to year-round residents during the COVID-19 pandemic. The U.S. Census counts people at their primary residence, in which they live and sleep most of the time.

³⁹ Complete 2020 Census data, accurate housing unit counts will not be available until May 2023. At which point, DHCD will update the SHI listings to reflect percentage of 2020 housing. Until then, all Massachusetts communities are evaluated based on 2010 housing counts. In 2010, Wellfleet has 1,430 year-round housing units.



WELLFLEET'S POPULATION IS GROWING OLDER

Between 2010 and 2020, Wellfleet's age distribution shifted. While older adults (65+) and young adults (20-34) only grew one percent, those aged 19 and younger increased six percent. This growth most impacted the adult (35-64) population which shrank nine percent. In the next two decades, MassDOT and UMass Donahue Institute predict the young adult population will half itself as residents continue to age. Predictions suggest the older adult population will make up the bulk of Wellfleet residents by 2030. These predictions are supported by the decline in school enrollment and labor force seen between 2010 and 2020 (11 percent and 13 percent, respectively).



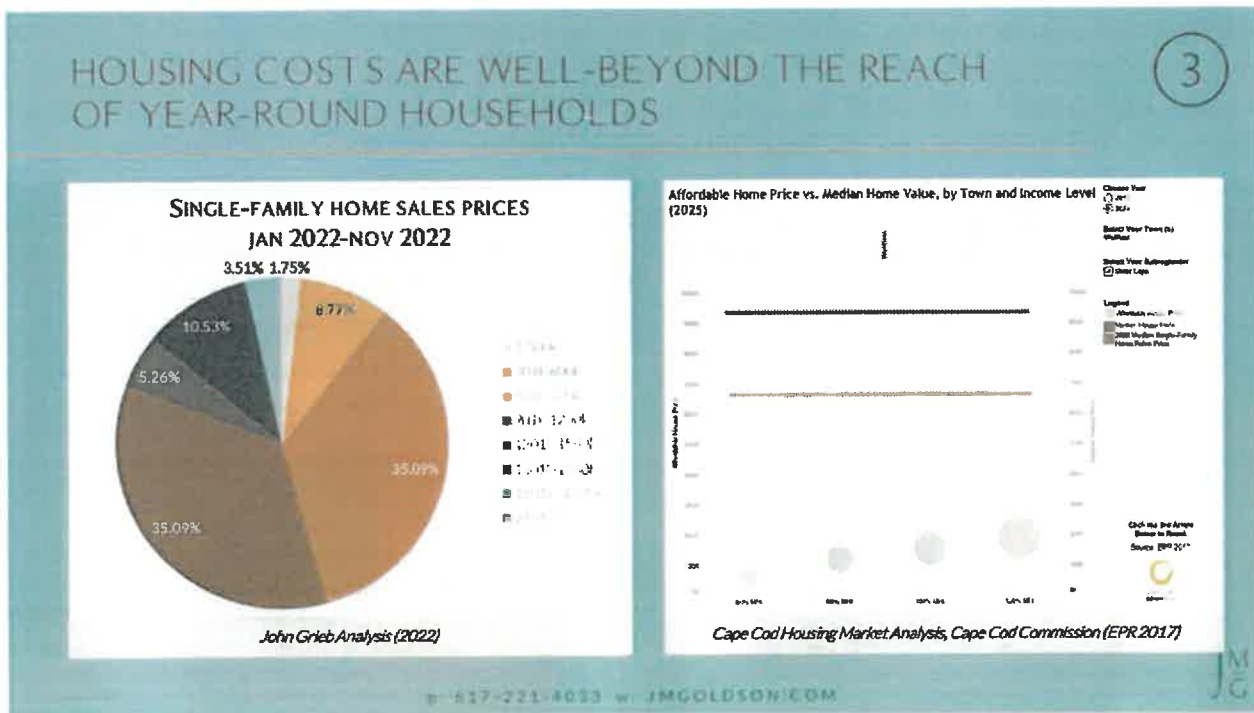
HOUSING COSTS ARE WELL-BEYOND THE REACH OF YEAR-ROUND HOUSEHOLDS

Between January and November 2022, 57 single-family homes were sold in Wellfleet, 20 of which were sold for between \$600,000 and \$899,999 another 20 of which were sold for between \$900,000 and \$1,200,000. The median sales price for a single-family home in this time period was \$925,000 while the average was \$1,011,208.77. These costs are much higher than Wellfleet residents, at any income level can afford. The Cape Cod Commission Housing Market Analysis (2017) suggests the following affordable home prices for different income brackets in 2025:

- 50 percent AMI – \$67,951
- 80 percent AMI – \$119,330
- 100 percent AMI – \$154,106
- 120 percent AMI – \$189,302

In their analysis, they anticipated the median house price in Wellfleet would be \$405,000. The image on the right of the slide below shows a visual contract of what Wellfleet households can afford (light pink circles), the CCC Housing Market Analysis median house price (brown line), and the \$925,000 median house price seen in Wellfleet 2022 (blue line).

Using the existing cost burden levels, estimates suggest a need for 217 additional affordable ownership units and 62 additional affordable rental units to accommodate local need. The most critical need is for Extremely Low-Income households, given that 85 percent of Extremely Low Income (ELI) households – those making less than or equal to 30 percent of the AMI – are severely cost burdened.

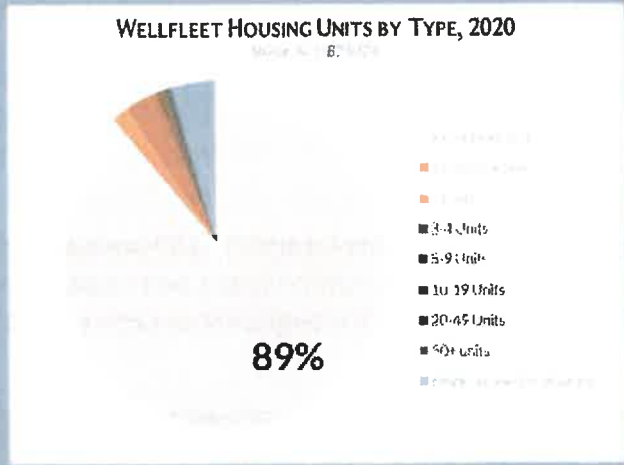


THERE IS LITTLE DIVERSITY OF HOUSING CHOICES MAKING IT HARDER TO LIVE AND THRIVE IN ALL LIFE STAGES

In 2020, 89 percent of year-round Wellfleet housing units were detached, single-family houses. Between 2010 and 2020, Wellfleet permitted 225 new housing units, 211 of which (83 percent) were single-family. These types of houses are often the most expensive housing typology and restrict young adults, young families, low- and moderate-income households, and older adults from securing housing. A variety of housing options presents more opportunities for homeownership and tenancy. It is also worth noting that the second most population building type for Wellfleet homes is Mobile Homes, RVs, and Boat Homes (4.5 percent).

THERE IS LITTLE DIVERSITY OF HOUSING CHOICES MAKING IT HARDER TO LIVE AND THRIVE IN ALL LIFE STAGES

4

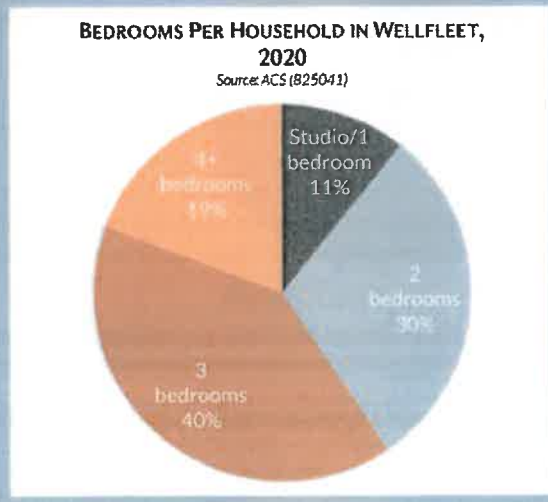
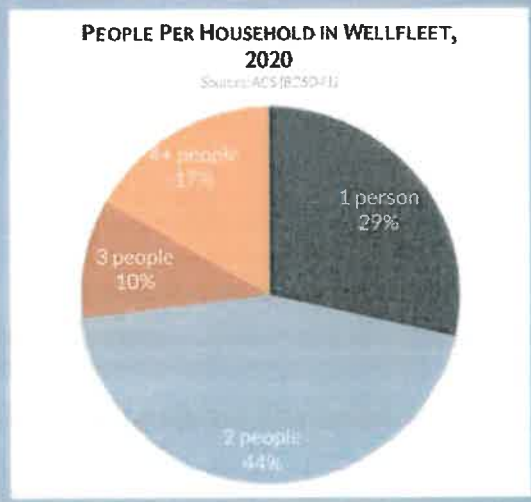


THERE IS A NEED FOR SMALLER HOUSING UNITS

Wellfleet's housing stock does not match its household size. The average household size in Wellfleet (2020) was two people, with 73 percent of households being comprised of one- or two-people (person living alone or with one other). In contrast, just 41 percent of the housing stock is studios, one- or two-bedrooms. While people are free to live in any sized home they choose, these stats suggest Wellfleet residents are over housed.

THERE IS A NEED FOR SMALLER HOUSING UNITS

5



SHORT-TERM RENTALS AND SEASONAL HOMES STRAIN YEAR-ROUND HOUSING STOCK

The 2020 ACS estimates that only 34 percent of Wellfleet's housing stock is used year-round. Similarly, the ACS suggests that of all 2,909 vacant units in Wellfleet, 97 percent are seasonal, recreational, or occasional use housing units, estimating that there was a total of 2,825 vacant season units in 2020.

Measuring the impact of short-term rentals on a community is exceptionally challenging given that not all units are registered. That said, there are 994 short-term rentals registered on the Massachusetts Public Registry of Lodging Operators. These units, which likely are an underrepresentation of the true number, make up 23 percent of Wellfleet's 2020 total housing units.



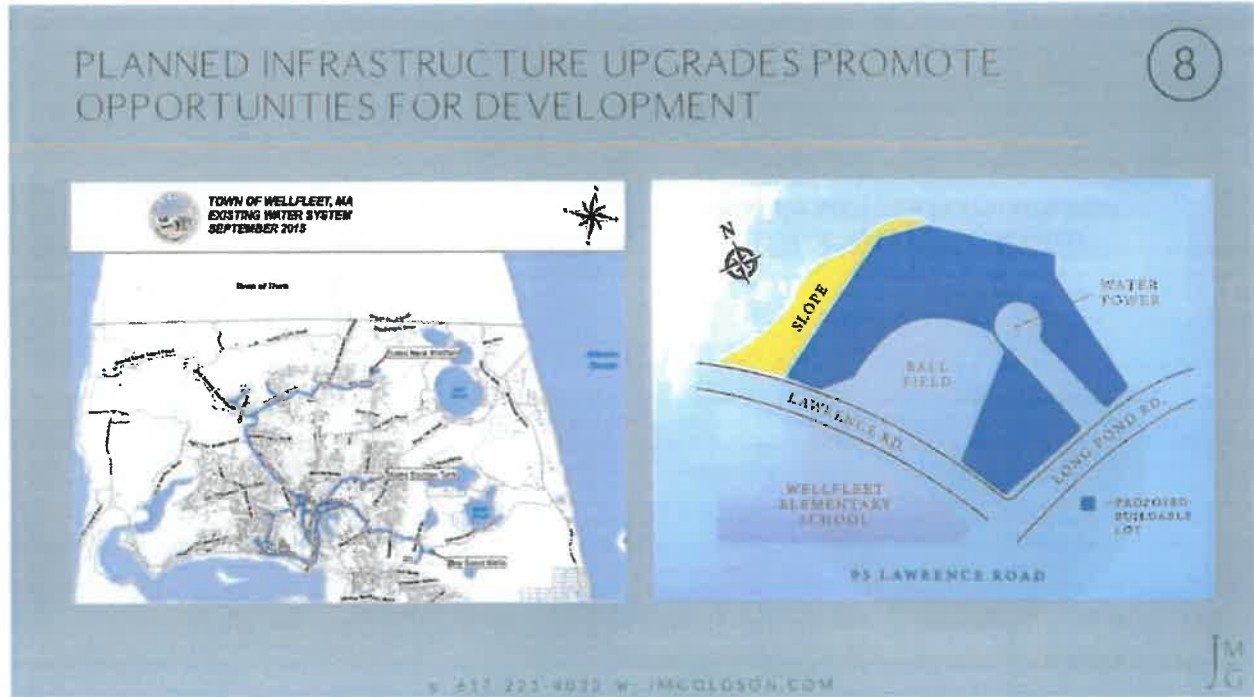
DEVELOPMENT SITES ARE LIMITED

Roughly 63 percent of Wellfleet is protected open space, including 8,303 acres of Core Habitat and 8,086 acres of Critical Natural Landscapes. This lack of developable land in combination with the Town's lack of public sewer infrastructure leave very few opportunities for new housing development of any kind.



PLANNED INFRASTRUCTURE UPGRADES PROMOTE OPPORTUNITIES FOR DEVELOPMENT

Wellfleet has developed a Wastewater Plan to accompany new housing units at the 95 Lawrence (“Juniper Hill”) project site. This system will service the proposed housing development as well as the neighboring municipal facilities. Expanded wastewater capacity offers new opportunities for housing in locations that previously did not make sense.



Summary of Community Engagement Opportunities

On October 27, 2022, the JM Goldson team visited Wellfleet for a Community Tour and to host four focus groups with up to seven local housing experts per group. The JM Goldson team also hosted four interviews with representatives from the Select Board, Community Development Partnership, a local business owner, and the Shellfish Constable. These groups discussed opportunities for housing in Wellfleet as well as challenges the community would need to overcome. The main takeaways from these engagement opportunities included:

- Community support for recent housing initiatives – acknowledging that the Wellfleet community at large has supported a variety of housing projects and is actively seeking/supporting a solution
- Navigating the challenge seasonal homes presents without disrupting the local economy
- Wellfleet’s desire for a municipal housing employee – someone who specifically works for the Town to further housing priorities
- Overcoming Wellfleet's septic limitations

The presentation also included a brief summary of the Community Survey results. A total of 658 Wellfleet community members took the survey, which comes out to just under 20 percent of Wellfleet's total population. It was shared that the JM Goldson team was just beginning to analyze the data from this survey but was able to offer some high-level results, including:

- Wellfleet community members are feeling the weight of the housing crisis
- Wellfleet residents showed a slight preference for staying in Wellfleet as compared to staying in their current home as they age in place
- About 25 percent of Wellfleet single-family homeowners would be willing to create and rent an ADU on their property without any restrictions

Q&A PERIOD

Just prior to the Q&A period, participants were invited to reflect on the information in the presentation and share what aspects of the preliminary findings confirmed what they already knew or suspects and what aspects surprised them, or they may question. Attendees also had the opportunity to suggest additional data the project team should utilize in this process and offer creative ideas/solutions for housing strategies. Responses to these questions are available in the appendix under Poll Everywhere Activities.

During the Q&A period, only one audience member asked to speak. Helen-Miranda Wilson unmuted and offered, "Hi unfortunately I was one of the people who worked on the ADU bylaw, and unfortunately to address what the person said about having number of bedrooms managed by one septic system. The DEP does not allow that. If you have two dwelling units on a lot, you either have to have a sequential system or you have to have two separate systems in terms of tanks. Thank you. It's too bad but it's pretty rigid. Thank you."

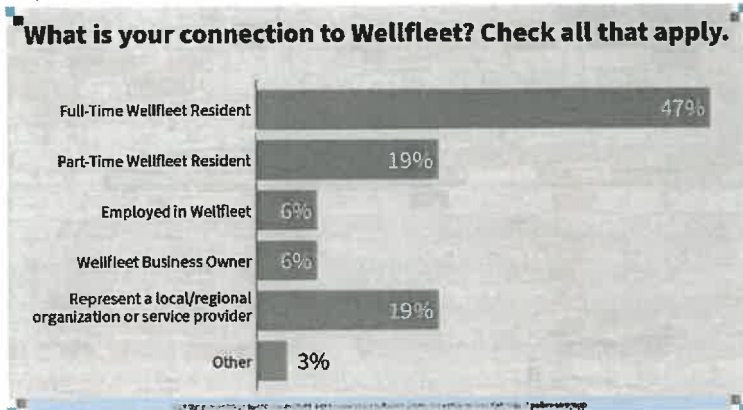
There were no questions asked during this period. The presentation finished with concluding marks from Harry Terkanian.

POLL EVERYWHERE ACTIVITIES, ZOOM Q&A AND CHAT, POWERPOINT

Below are the full screen shots of the PowerPoint presentation slides and screenshots and transcriptions of responses to all polling questions as well as a transcript of the Zoom Q&A feature and Chat.

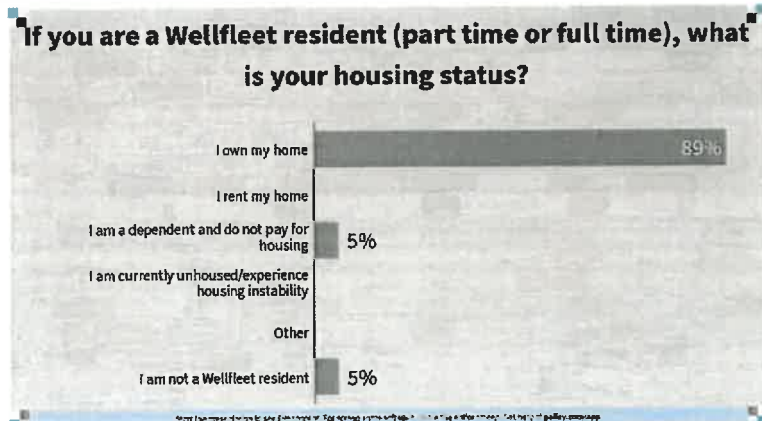
Poll Everywhere Activities

What is your connection to Wellfleet? Check all that apply.



Response	Count
Full-Time Wellfleet Resident	15
Part-Time Wellfleet Resident	6
Employed in Wellfleet	2
Wellfleet Business Owner	2
Represent a local/regional organization or service provider	6
Other	1

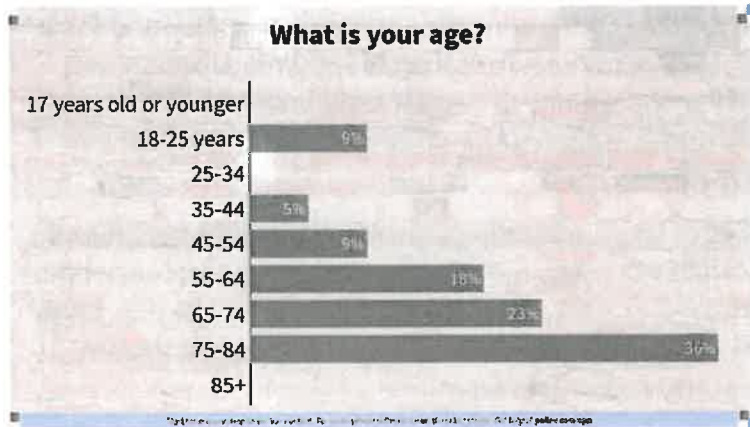
If you are a Wellfleet resident (part-time or full-time), what is your housing status?



Response	Count
I own my home	16*
I rent my home	1*
I am a dependent and do not pay for housing	1
I am currently unhoused/experiencing housing instability	0
Other	0
I am not a Wellfleet resident	1

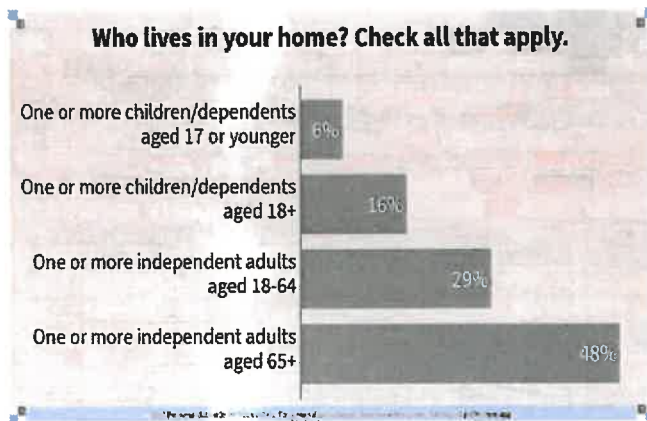
*Following this presentation, an attendee contacted the JM Goldson team to indicate they had accidentally identified themselves as a homeowner instead of a renter. These numbers were changed to reflect the true attendance at this forum. Screenshot was not amended.

What is your age?



Response	Count
17 years old or younger	0
18-25 years	2
25-34	0
35-44	1
45-54	2
55-64	4
65-74	5
75-84	8
85+	0

Who lives in your home? Check all that apply.



Response	Count
One or more children/dependents 17 or younger	2
One or more children/dependents aged 18+	5
One or more independent adults aged 18-64	9
One or more independent adults aged 65+	15

What aspects of the findings confirmed what you already knew/suspected?

The live polling activity for this question did not work, participants were encouraged to share their responses in chat. Chats sent to everyone are available in the record (below). Any chat sent to the Hosts & Panelists is not recorded by Zoom for privacy purposes. Responses to this question included:

- High costs of housing
- Number of seasonal rentals
- Aging population
- Other participants shared the bulk of information presented confirmed their prior understanding of housing in Wellfleet

What aspects of the findings surprised you or do you question?

The live polling activity for this question did work though participants were encouraged to continue utilizing the chat if they preferred. Chats sent to everyone are available in the record (below). Any chat sent solely to the Hosts & Panelists is not recorded by Zoom for privacy purposes. Responses from the Poll Everywhere platform and Zoom chat included:

- 3/10 households >30% but 6/10 >60% does not make sense; clarify
- How do we reach younger population?
- Unfortunate
- Nothing
- Projected decreased in young adults is dramatic
- 994 STRs
- The population breakdown by age was a big different from my prior understanding

- No surprises
- The number of small households <2per
- We seriously need housing both affordable and market rate
- High population growth
- Impact on our schools is an issue
- Is the rise in our population really due to the Pandemic?
- Surprised that the rent burden isn't higher than it was
- I knew the town was aging but the high numbers of 75+ surprised me
- There wasn't anything in the presentation that I hadn't already suspected, high population growth came from folks running from congested areas
- Time will tell us if the bump in population during the pandemic is permanent

What other information would you like to see the project team consider?

The live polling activity for this question did not work, participants were encouraged to share their responses in chat. Chats sent to everyone are available in the record (below). Any chat sent to the Hosts & Panelists is not recorded by Zoom for privacy purposes. Responses to this question included:

- More info from seasonal workers and family with young children
- The needs of employers regarding full time employment
- Specifics on seasonal worker housing needs and current data on their hsg
- We have been noticing the=at recent sales are to corporations or companies, I suspect they are speculating ... Scare ... a c ompany offered a neighbor cash above sales price

What creative ideas do you have for solutions that you'd like to see be considered in this planning effort?

The live polling activity for this question did work though participants were encouraged to continue utilizing the chat if they preferred. Chats sent to everyone are available in the record (below). Any chat sent solely to the Hosts & Panelists is not recorded by Zoom for privacy purposes. Responses from the Poll Everywhere platform and Zoom chat included:

- Quota on seasonal housing
- Town buy housing stock at any price and deed restrict to year round residency
- I suspect we need to go beyond the 10 percent affordable to meet the town's needs
- Transfer tax
- It would be great if some variances were allowed if a homeowner is willing to pay for and build an accessory dwelling unit. I have an ADU ready to go but was told that I cannot build it due to the upland's lot size
- New changes in the state building code for tiny houses
- The town should buy properties houses and land for sale as is being done in other places nationally
- Where can we be to collect info from seasonal workforce and young families so we go to them?
- Businesses buying housing for workers driving up prices?
- Rigorous up to date archiving of all affordable units reaching back in time to keep those units affordable
- What strategies are other towns using to combat short-term rental usage?
- More diverse housing stock through zoning
- Town should allow shared septic for ADUs as within bedroom size

Zoom Chat

00:03:17	Delcy Fox:	Affordable housing
00:03:49	Jenn Goldson, JM Goldson:	Thank you for sharing your answers to the question on the screen! Please continue to share them in the chat
00:03:58	Jenn Goldson, JM Goldson:	We will get started in just a couple of minutes!

00:04:52 Karen Kaminski: respectable, affordable housing for working families on the Outer Cape.

00:08:57 Karen Kaminski: Jenn..we cant hear you.

00:15:53 Delcy Fox: survey

00:16:04 Bonnie Shepard: survey

00:16:10 Karen Kaminski: survey

00:17:11 Elana Zabar (she/hers), JM Goldson: https://www.dropbox.com/sh/whn0u13jglj894s/AAB-SDF9fR-f2GWHS_UiJ-3a?dl=0

00:17:30 Manny Smith: survey. Manny and Liz Smith

00:26:11 Karen Kaminski: can you explain to folks what a 40B is

00:27:38 Elana Zabar (she/hers), JM Goldson: <https://pollev.com/jenng>

00:29:58 Bonnie Shepard: Planning Board

00:33:37 Karen Kaminski: cant get in

00:34:40 Bonnie Shepard: Please put up qr code again, lost the page on my phone

00:34:43 Deborah DeWan: I am not seeing postings in the chat after dropbox. is there another function to active?

00:35:45 Elana Zabar (she/hers), JM Goldson: The Poli Everywhere website is <https://pollev.com/jenng>, when we return for more polling questions, please feel free to use the chat as well!

00:40:07 Bonnie Shepard: does nopt work wants my username

00:40:48 Elana Zabar (she/hers), JM Goldson: Please feel free to enter your name or a nickname if you'd like when we return to the polling activities

01:00:20 Elana Zabar (she/hers), JM Goldson: What aspects of the findings confirm what you already knew/suspected?

01:00:31 Harry Terkanian: The bulk of the results confirm my prior understanding.

01:01:06 Elana Zabar (she/hers), JM Goldson: What aspects of the findings surprised you or do you question?

01:01:10 Elana Zabar (she/hers), JM Goldson: <https://pollev.com/jenng>

01:02:57 Harry Terkanian: Time will tell us if the bump in population during the pandemic is permanent.

01:03:26 Elana Zabar (she/hers), JM Goldson: What other information would you like to see this project team consider?

01:04:30 Emily Achtenberg: Specifics on seasonal worker housing needs and current data on their hsg

01:04:39 Bonnie Shepard: We have been noticing the=at recent sales are to corporations or companies, I suspect they are speculating... Scary.... a c ompany offered a neighbor cash above sales price

01:06:22 Emily Achtenberg: Businesses buying housing for workers driving up prices?

01:07:51 Harry Terkanian: We are continuing to work on firming up the number of seasonal employees who have stayed at Murices. Current best guess is that there are about 70 people who work seasonally on the Outer Cape.

01:10:38 Elana Zabar (she/hers), JM Goldson: If you would like to speak, please locate the "Raise Hand" button at the bottom of your screen.

01:11:11 alan feigenberg: much thanks. i have learned a lot from your presentation.

Zoom Q&A

Asker Name	Question	Answer
Olga Kahn	What is LMI?	LMI = Low- and Moderate- Income Households. Households that are making below 80% of the Area Median Income (\$96,600/year)
Olga Kahn	not municipal housing for employees, but a Town Housing Specialist employee	Thank you for the clarification!
Olga Kahn	how do you consider mobile homes in the inventory?	Our data comes from the American Community Survey (most recent data set is 2020). Mobile homes are their own category with RV and boat homes! Roughly 4.5% of 2020 housing stock (~208 units)
David Garrison	When does the Town expect to receive the updated SHI data from DCHD based upon the 2020 census? What is the size of the current shortfall from the 10% target? Do you expect the updated SHI to be higher?	Hi David, the US Census Bureau expected to have full 2020 data set available by May 2023. DHCD has not released a timeline for their updated SHI list at this point but will not likely release before the completion of this plan.

PowerPoint Presentation

PowerPoint Presentation slides begin on next page.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

IV

NPS ~ A ~

REQUESTED BY:	Michael Hurley ~ Police Chief
DESIRED ACTION:	To review the Cahoon Hollow Beach Safety Messaging and NPS Regulation Change
PROPOSED MOTION: Summary:	A motion will be made at the time of the meeting.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Town of Wellfleet
Police Department

March 21, 2023

To: Wellfleet Select Board
From: Chief Michael P. Hurley

Subject: Cahoon Hollow Beach Safety Plan

Since the summer of 2017, the department has seen traffic and visitors to Cahoon Hollow Beach increase approximately 20% each year. This has resulted in an increase of excessive alcohol consumption, disorderly conduct, public intoxication, and improper disposal of human waste to name a few. This behavior is putting our visitors, lifeguards and public safety personnel at risk and must be minimized with thoughtful actions.

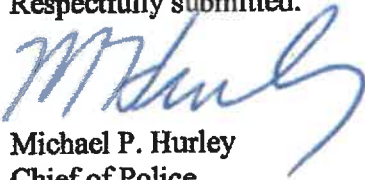
The Wellfleet Police Department, in cooperation with the Cape Cod National Seashore, have developed a three-phase approach to reduce these risks before a tragedy occurs on our beaches. The hope is that phase one is successful, so that residents and visitors alike can enjoy the nature and beauty that our beaches have to offer.

- Phase One will be a coordinated effort between the Town of Wellfleet and the Cape Cod National Seashore to make a regulation change prohibiting the **consumption of an alcoholic beverage and/or the possession of an open container of an alcoholic beverage** in the Cahoon Hollow Beach area (Cape Cod National Seashore federal lands) both north and south. This regulation change will be enforced between May 20, 2023 to September 10, 2023. Currently, the town of Wellfleet regulation states it shall be unlawful for any person to consume alcoholic beverage (s) on all town owned property. Finally, all parties involved will engage in an education campaign with the public, press, local chamber of commerce's, bus/ride-share vendors, and social media that the Cahoon Hollow Beach area will be closed to consumption of alcoholic beverage (s).
- Phase Two would investigate further regulation changes to the Cahoon Hollow Beach area that would include ***no possession of an alcoholic beverage (open or closed)***. In addition, additional public safety enforcement would be needed from surrounding police agencies including the Massachusetts State Police.

- Phase Three would investigate and discuss the closure of Cahoon Hollow Beach for public safety concerns. This is not a move our departments take lightly and would be a result of Phase One and Two not working to reduce the risk to the public.

In closing, the group feels strongly that this needs to be framed by the understanding that any educational or enforcement actions taken by us are bound by the limits of our current regulations and by our current personnel levels.

Respectfully submitted.



Michael P. Hurley
Chief of Police

cc: Richard Waldo, Town Administrator
Leslie Reynolds, Acting NPS Superintendent
Suzanne Thomas, Community Services Director



Michael P. Hurley
Chief of Police

Town of Wellfleet

POLICE DEPARTMENT
36 GROSS HILL ROAD
WELLFLEET, MA 02667
Telephone: 508-349-3702
Fax: 508-349-7683

TOWN OF WELLFLEET



on Cape Cod

To Serve and Protect

DRAFT PRESS RELEASE

The summer is fast approaching, and visitors and residents are looking forward to another enjoyable season on the beaches of Wellfleet. The Wellfleet Police Department and Cape Cod National Seashore are committed to promoting and encouraging safe and responsible behavior.

Traffic along Ocean View Drive and visitation to Cahoon Hollow Beach has increased 20% each year for the past 6 years. The rise in traffic and visitation has resulted in an increase in excessive alcohol consumption, disorderly conduct including assaults, public intoxication, improper disposal of human waste, and other safety hazards to including drunk visitors staggering down Ocean View Drive or passing out in the Cahoon Hollow parking lot. Before these identified problems become tragedies, we have developed a phased approach to address the situation beginning this summer. The risk to our visitors, lifeguards and police officers is too great and must be minimized with thoughtful action.

The Cape Cod National Seashore has agreed to make regulation changes in the Cahoon Hollow Beach area (north and south) for the prohibition of consumption of an alcoholic beverage, and/or to the possession of an open container of an alcoholic beverage (s). The Cape Cod National Seashore, through the authority granted to the Superintendent, will add the prohibition to the Superintendents Compendium and will be enforceable between May 20, 2023 and September 10, 2023.

Currently, the town of Wellfleet regulation states it shall be unlawful for any person to consume alcoholic beverage (s) on all town owned property. This regulation will continue to be enforced year-round.

For the complete language of the regulation change, visit www.wellfleet-ma.gov and [Superintendent's Compendium - Cape Cod National Seashore \(U.S. National Park Service\) \(nps.gov\)](#).

The High Level Issues

- A lack of Ocean View Drive “real estate” to allow for smooth access to Cahoon Hollow Beach and the Beachcomber
- Increasing popularity of using alternative transportation – Busses, Taxi’s and Ubers
- The number of beachgoers in the past were limited by the available parking (approx. 120 cars at Cahoon Hollow and approx. 200 cars at White Crest)
- Pedestrian, bicycle and beach going traffic to our other beaches co-existing on a narrow road with no sidewalks
- Notable increase in volume after Nantucket crackdown on alcohol use on beaches in 2016
- The ability to legally consume alcohol on National Seashore Property
- The demand put on limited public safety resources of the community
- The Town of Wellfleet is responsible for the Beach and the road



Public Safety Issues about 20 days a year

- Sheer volume of people at a single location vs. public safety resources
- Amount of alcohol consumed – in a location where it is legal to do so
- The potential for an incident to occur – we had two large groups having fighting words in 2020
- Managing traffic with limited resources and limited space for the volume of cars, busses, Ubers, taxi's, pedestrians and bicycles
- Managing the crowds at the beach, supporting the lifeguards to maintain a safe environment
- Wellfleet Fire and Rescue are guaranteed a call each real busy day



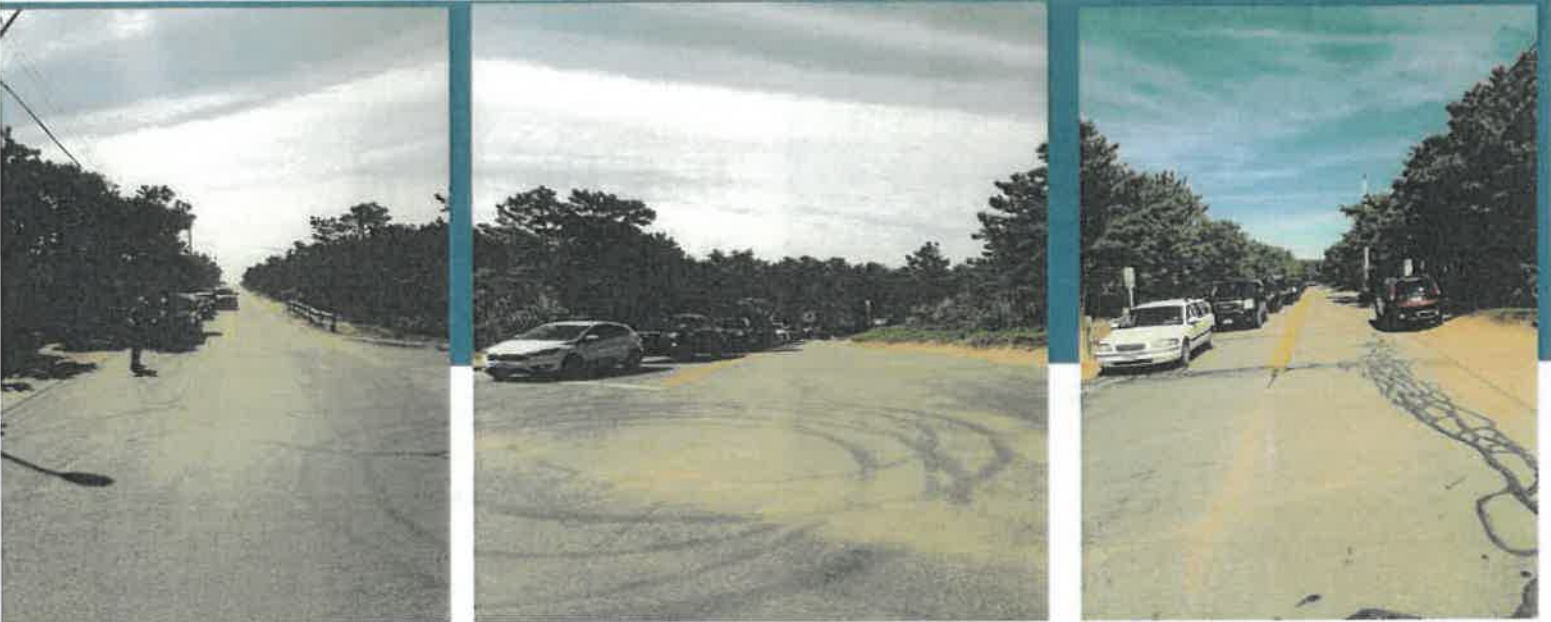
A closer look at the Traffic Issues



Morning OVD Traffic Line-up

- This has improved over the years working with the Beachcomber Staff with earlier opening time
- Takes one or two police officers to manage traffic flow dependent of length of the line
- This is an issue related to the business as opening when a small line starts would eliminate most WPD intervention





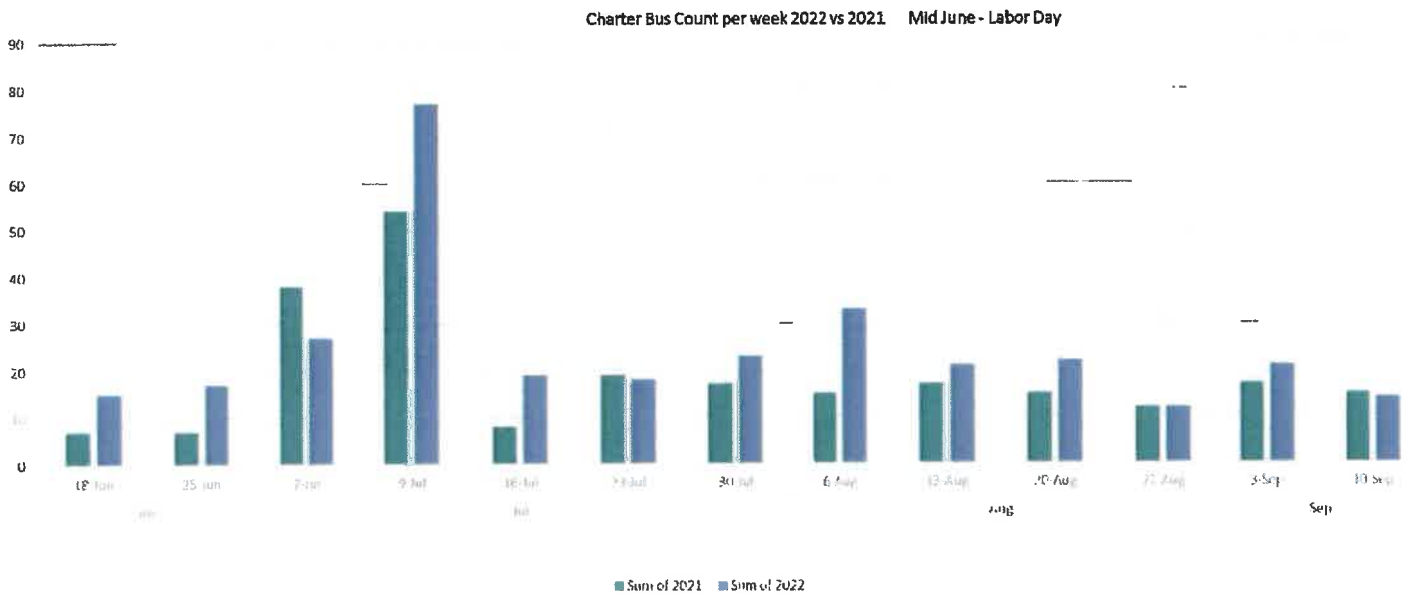
One day in 2015 we sent the line away told visitors to return at 10AM – resulting Chaos



Bus, Uber and passenger car Drop Off / Pick Up Area

- Designated area out of the intersection established helps but...
- The real estate < the volume of people, cars and busses
- Creates the need for traffic control at peak drop off and pick up times
- Signage added in 2022

Weekly Bus Counts Mid June – September – 2021 / 2022



By the Numbers – The Busses

Wellfleet Police Charter Bus Summary 2019 - 2022 Actual; Projected 2023				
Source	PTF Report		WPD Data	
	Actual	Actual	Actual	PROJECTED
Year	2019	2021	2022	2023
Total Charters	133	241	352	465
Total Passengers	2,933	4,573	6,198	7,686
July 4 Weekend Charters	57	73	89	109
July 4 Weekend Passengers	1,027	1,728	2,077	2,496
July 4 as a % of Total	35%	38%	34%	32%
Y/Y Increases				
Total Charters		81%	46%	32%
Total Passengers		56%	36%	24%
July 4 Weekend Charters		28%	22%	22%
July 4 Weekend Passengers (2019 Est)		68%	20%	20%
Notes:				
2020 Not Included - COVID				
2019 July 4th weekend passenger count is estimated				
Projected Total Charters and Passengers is based on a 2022 increase in a comparable period				

Each Bus is spoken with before passengers disembark

Apply the Golden Rule
Treat our community
and beach as you would
your own

No open containers of
alcohol

No glass containers on
the beach

No public urination,
porta-potties in the
parking lot (We will
arrest)

Stay to the Side of the
road

Pick up your trash use a
trash bag and bring it to
the dumpster at the top
of the dune

If you are not here for
your pick-up – the bus
will leave without you

Stay hydrated – don't
be the one to be taken
off the beach

Pick-up times are
arranged on a first
come first served basis
– 2 busses every 15
minutes

The group leader (and
we get their name and
contact info) is
responsible for their
groups

This was implemented
after 19 busses arrived
one Saturday at 5PM for
pick-ups









The day may be done – but the traffic is not



On the Beach

The crescendo - 7-3-22

The Beachcomber 7-3-22



Cahoon Hollow Beach 7-3-22



The very same place...



July 4th Weekend

A typical Sunday in July around noon



Public Safety Improvements

- Increased presence over the past several years due to increasing crowd size
- Wellfleet now staffs 3 – 4 officers weekends on ATV's and for Traffic Control
- Staggering Bus Pick-up times (2 every 15 minutes)
- 4th of July Weekend had officers from Wellfleet, Barnstable County Sheriffs and National Seashore Rangers
- Added additional signage added to Drop-off / Pick-up Area
- Working relationships have been established with the Bus Companies and we get weekly estimates from the top companies
- Data has been collected over several years to assist with understanding the magnitude of the commercial vehicle volume and to help plan



ATV's Added in 2021 – Presence helps to limit issues





SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

V

PUBLIC HEARINGS

~ A ~

REQUESTED BY:	Shellfish Constable ~ Nancy Civetta
DESIRED ACTION:	To approve shellfish, grant license #85-F be transferred from Richard Blakeley to Richard Blakely and Eben Kenny.
PROPOSED MOTION:	I move to approve the transfer of shellfish grant license #85-F consisting of one acre on Indian Neck from Richard Blakeley to Richard Blakeley and Eben Kenny.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

March 14, 2023

To: Selectboard
Re: Recommendations
From: Nancy Civetta, Shellfish Constable

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

Eben Kenny is already named to a grant license, and this addition will not put him over the maximum seven acres allowed by our regulations. Eben submitted all necessary paperwork including a five-year business plan, which I reviewed.

I reviewed the annual grant reports for #85-F and compared them with the grant inspections we conducted to ensure this grant was meeting minimum production requirements. It is.

I reviewed both of their state propagation permits with the Mass. Division of Marine Fisheries and confirmed that they are in good standing. In addition, they are both up-to-date on town reporting and grant fees.

I recommend that shellfish grant license #85-F be transferred from Richard Blakeley to Richard Blakeley and Eben Kenny.

Attached please find the transfer application and other required documentation.

Respectfully submitted,

Nancy Civetta
Shellfish Constable



RCV
1.18.2023

APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: 01-07-23

To: Town of Wellfleet Selectboard
300 Main Street
Wellfleet, MA 02667

I/We hereby request transfer of Shellfish Grant License # 85-F

From RICHARD BLAKELEY

To RICHARD BLAKELEY AND EBEN KENNY

Said grant license is located at INDIAN NECK, in Wellfleet, MA

and consisting of ONE acres, as shown on a plan prepared

by Albert H. Nickerson and dated 10/1/1985

Richard H Blakeley

Eben Kenny

Signature

Signature

Signature

Richard H Blakeley

Eben Kenny

Name

Name

Name

50 Lecount Hollow

Mailing Address

Mailing Address

Mailing Address

Box 53 So. Wellfleet MA 02663

508-237-4872

508-237-3035

1094 Rt. 6 Wellfleet, MA

Telephone

Telephone

Telephone

Email

Email

Email

To: Wellfleet Selectboard

From:

Date:

I, *Eben Henry Richard Blakely*, agree to comply with the Town of Wellfleet's Shellfishing Policy and Regulations and assume full responsibility for understanding and adhering to all federal and state regulations as they apply to shellfish propagation, harvest and sales.

Sincerely,

Eben Henry Richard Blakely

EBEN KENNY
TOWN OF WELFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
- Applicant is 18 years of age or older.
- Approval of this application will not result in the applicant having more than 7 acres leased to them for aquaculture within the Town's waters.
- All other licensees named to the grant have given written approval for the applicant to be included on their lease. If a corporation is the current lease holder, all persons who are members of the corporation must submit their written approval.
- At this time, there are no more than three lease holders named to the lease.

NIA If applicant is applying for a lease on private property, permission from the owner has been obtained. (*HOLYTA*)

The applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for this license. Applicant shall submit copies of state-filed catch reports, OR,

The applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department.

NIA This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant.

The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.

NIA For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.

The applicant has received and agreed in writing to comply with the current version of the Town's Shellfish Policy and Regulations.

The applicant acknowledges that s/he will also be held responsible to and will familiarize him/herself with [MGL Ch. 130](#) and [CMR 322](#), as well as the most recent [SEMAC Best Management Practices](#), [DMF's vibrio control plan](#), [National Shellfish Sanitation Program's Guide](#)

and [DPH's Regulations for Fish and Fishery Products](#), as they apply to the harvest of shellfish governing his/her business operations.

- The applicant does not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

FROM WELLFLEET SHELLFISH POLICY AND REGULATIONS

SECTION 1: DEFINITIONS

Aquaculture License - An authorization, granted by a vote of the Board of Selectmen, to utilize a specific tract of land, under coastal waters (1) to plant and grow shellfish using in-bottom or off-bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under Wellfleet's coastal waters, such as boxes, pens, trays, bags or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats ([MGL Chapter 130; Section 57](#)).

Licensed Area (Grant) - a designated bottom area, certified by the Division of Marine Fisheries (DMF) and licensed by a vote of the Board of Selectmen, on which the licensee may plant, grow and harvest shellfish ([MGL Chapter 130; Sections 57 & 68](#)).

Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

7.8. Issuance of Licenses for Aquaculture

7.8.1. Eligibility Requirements: Licenses shall only be issued to domiciled residents (See Sec.1 Definitions) of the Town, 18 years of age or older, who have the knowledge and experience to fulfill the responsibilities specified in the license, provided that the applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for a license. Applicant shall submit copies of state-filed catch reports. OR, provided the applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department. This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations. In addition, any applicant shall not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

At such time as a licensee ceases to be a domiciled resident of the Town that individual shall be removed from the license. The status of all other licensees will not change. If that licensee is the sole licensee then the license shall be revoked.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

V

PUBLIC HEARINGS

~ B ~

REQUESTED BY:	Shellfish Constable ~ Nancy Civetta
DESIRED ACTION:	To approve the shellfish, grant licenses #855, #855B, and #855C be transferred from Michael Devast and Michael Ramsdell to Northern Collective, Inc dba Field Point Oyster Farm.
PROPOSED MOTION:	I move to approve the transfer of shellfish grant licenses #855, #855B, and 855C consisting of a total of approximately 3.5 acres on Field Point from Michael DeVasto and Michael Ramsdell to Northern Collective, Inc dba Field Point Oyster Farm.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition (s):
VOTED:	



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

March 14, 2023

To: Selectboard
Re: Recommendations
From: Nancy Civetta, Shellfish Constable

I received an application on 1/18/2023 from Michael DeVasto (Wellfleet, MA) and Michael Ramsdell (Wellfleet, MA) to transfer shellfish grant licenses #855, #855B and #855C consisting of a total of approximately 3.5 acres on Field Point from Michael DeVasto and Michael Ramsdell to Northern Collective, Inc. dba Field Point Oyster Farm (Wellfleet, MA; Michael DeVasto, President).

Here are the applicable sections from the Town of Wellfleet Policy and Regulations, which authorize granting an aquaculture license to a corporation:

Definitions: License Holder - A person or persons, or a firm or corporation holding a license issued by the Selectboard under the provisions of [MGL Chapter 130](#).

Definitions: Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Selectboard. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

See attached Corporate Certificate demonstrating domicile.

Purpose of Regulations

... "Because much of the area that is used for shellfishing and shellfish aquaculture is a precious natural resource that is owned by the Town, and because best use of such intertidal land is made by those who are geographically present and personally accountable to the community, the granting of commercial permits and licenses for aquaculture is restricted to domiciled residents of Wellfleet."

7.2. Previously Established Grants that Become Available

... "No shareholder, officer, director or other individual holding a similar position having a different title but exercising a similar role, of a corporation that currently holds an aquaculture license in Wellfleet may apply for such grants."

7.9. Rights of Use and Transfer

... "Licensees may transfer the rights or responsibilities assigned to their license to any other individuals, companies or corporations by vote of the Selectboard, and with the express permission of all other individuals who hold license for the same area. (See MGL



Chapter 130; Section 58 and Section 7.8.3 Limit on Individuals Licensed to Use a Grant.)”

This change will not result in the Wellfleet-domiciled corporation having over the maximum seven acres allowed by our regulations. All necessary paperwork has been submitted including a five-year business plan, which I reviewed.

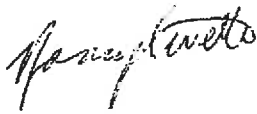
I reviewed the annual grant reports for #855 and #855-B and compared them with the grant inspections we conducted to ensure these grants were meeting minimum production requirements. They are. All the permitting and certifications for grant #855-C was completed in 2022, and this grant extension is ready to be farmed in 2023.

I reviewed Michael DeVasto's state propagation permits with the Mass. Division of Marine Fisheries and confirmed that they are in good standing. In addition, annual grant reports and fees for these grants are up-to-date.

I recommend that shellfish grant licenses #855, #855B and #855C be transferred from Michael DeVasto and Michael Ramsdell to Northern Collective, Inc. dba Field Point Oyster Farm (Wellfleet, MA; Michael DeVasto, President).

Attached please find the transfer application and other required documentation.

Respectfully submitted,



Nancy Civetta
Shellfish Constable

RCVD
1/18/2023

APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: 12/23/22

To: Town of Wellfleet Selectboard
300 Main Street
Wellfleet, MA 02667

I/We hereby request transfer of Shellfish Grant License # 855 / 855B / 855C
From Michael DeVasto & Michael Ramsdell
To Northern Collective Inc ^{DBA} Field Point Oyster Farm
Said grant license is located at Field Point CCB-14, in Wellfleet, MA
and consisting of 2 + 1.5 acres, as shown on a plan prepared
by SLADE & ASSOCIATES and dated 1985

[Signature] Michael Ramsdell

Signature	Signature	Signature
<u>Michael DeVasto</u>	<u>Michael Ramsdell</u>	
Name	Name	Name
<u>P.O. Box 151</u>	<u>100 Pole Dike Rd</u>	
Mailing Address	Mailing Address	Mailing Address
<u>Wellfleet, MA 02667</u>	<u>Wellfleet, MA 02667</u>	
<u>774-722-9158</u>	<u>(508)349-9279</u>	
Telephone	Telephone	Telephone
<u>fieldpointoysterfarm@gmail.com</u>		
Email	Email	Email

[Signature] President Northern Collective Inc
Kathleen Murphy DBA Field point oyster farm
Treasurer / secretary

To: Wellfleet Selectboard

From:

Date:

M DeVasto + Kathleen Murphy
I, *M DeVasto*, agree to comply with the Town of Wellfleet's Shellfishing Policy and Regulations and assume full responsibility for understanding and adhering to all federal and state regulations as they apply to shellfish propagation, harvest and sales.

Sincerely,

M DeVasto Michael DeVasto
President Northern Collective

Kathleen Murphy
Treasurer & Secretary Kathleen Murphy

**TOWN OF WELFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT**

Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.

Applicant is 18 years of age or older.

Approval of this application will not result in the applicant having more than 7 acres leased to them for aquaculture within the Town's waters.

All other licensees named to the grant have given written approval for the applicant to be included on their lease. If a corporation is the current lease holder, all persons who are members of the corporation must submit their written approval.

At this time, there are no more than three lease holders named to the lease.

If applicant is applying for a lease on private property, permission from the owner has been obtained.

The applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for this license. Applicant shall submit copies of state-filed catch reports, OR,

The applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department.

This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant.

The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.

For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.

The applicant has received and agreed in writing to comply with the current version of the Town's Shellfish Policy and Regulations.

The applicant acknowledges that s/he will also be held responsible to and will familiarize him/herself with [MGL Ch. 130](#) and [CMR 322](#), as well as the most recent [SEMAC Best Management Practices](#), [DMF's vibrio control plan](#), [National Shellfish Sanitation Program's Guide](#)

and DPH's Regulations for Fish and Fishery Products, as they apply to the harvest of shellfish governing his/her business operations.

The applicant does not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

FROM WELLFLEET SHELLFISH POLICY AND REGULATIONS

SECTION 1: DEFINITIONS

Aquaculture License - An authorization, granted by a vote of the Board of Selectmen, to utilize a specific tract of land, under coastal waters (1) to plant and grow shellfish using in-bottom or off-bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under Wellfleet's coastal waters, such as boxes, pens, trays, bags or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats (MGL Chapter 130; Section 57).

Licensed Area (Grant) - a designated bottom area, certified by the Division of Marine Fisheries (DMF) and licensed by a vote of the Board of Selectmen, on which the licensee may plant, grow and harvest shellfish (MGL Chapter 130; Sections 57 & 68).

Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

7.8. Issuance of Licenses for Aquaculture

7.8.1. Eligibility Requirements: Licenses shall only be issued to domiciled residents (See Sec.1 Definitions) of the Town, 18 years of age or older, who have the knowledge and experience to fulfill the responsibilities specified in the license, provided that the applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for a license. Applicant shall submit copies of state-filed catch reports. OR, provided the applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department. This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations. In addition, any applicant shall not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

At such time as a licensee ceases to be a domiciled resident of the Town that individual shall be removed from the license. The status of all other licensees will not change. If that licensee is the sole licensee then the license shall be revoked.

Corporations Division

Business Entity Summary

ID Number: 454752847

[Request certificate](#)

[New search](#)

Summary for: NORTHERN COLLECTIVE, INC.

The exact name of the Domestic Profit Corporation: NORTHERN COLLECTIVE, INC.

Entity type: Domestic Profit Corporation

Identification Number: 454752847

Date of Organization in Massachusetts: 03-10-2012

Last date certain:

Current Fiscal Month/Day: 12/31

The location of the Principal Office:

Address: 162 CRANBERRY HOLLOW RD

City or town, State, Zip code, Country: WELLFLEET, MA 02667 USA

The name and address of the Registered Agent:

Name: MICHAEL F. DEVASTO

Address: 100 POLE DIKE ROAD

City or town, State, Zip code, Country: WELLFLEET, MA 02667 USA

The Officers and Directors of the Corporation:

Title	Individual Name	Address
PRESIDENT	MICHAEL FRANCIS DEVASTO	162 CRANBERRY HOLLOW RD WELLFLEET, MA 02667 USA
TREASURER	KATHLEEN ANN MURPHY	162 CRANBERRY HOLLOW RD WELLFLEET, MA 02667 USA
SECRETARY	KATHLEEN ANN MURPHY	162 CRANBERRY HOLLOW RD WELLFLEET, MA 02667 USA
DIRECTOR	MICHAEL FRANCIS DEVASTO	162 CRANBERRY HOLLOW RD WELLFLEET, MA 02667 USA

3/18/2023

Dear Wellfleet Selectboard,

Thank you for considering our application to transfer our shellfish licenses to our business. We are doing so in consultation with attorney Bruce Bierhans so as to limit our personal liability. Attorney Bierhans also advises that "this is no more than basic estate planning and asset protection that should be engaged in by every small business owner." This is very much inline with how a restaurant or bar gets issued a business license or liquor license by the town of Wellfleet in order to limit liability. We have worked hard and would like to limit our liability so that our personal home, and other jointly owned assets are protected from litigation should something go wrong.

As you may or may not be aware, oyster farming is fraught with liability. We are growing a food product that is consumed raw in an open water way that is accessible to the public. There is the risk of food borne illness, injury, or accidental death. Vibrio alone causes an estimated 80,000 illnesses and 100 deaths in the United States every year. We do our very best to mitigate the risks but there is always risk of human error or accidents in any business. We are also planning to offer farm direct oysters and will be liable for the distribution as well as the production. We have been advised by our attorney that as the individuals holding the underlying licensed sites, our family home as well as our other personal assets are at risk. This would be akin to a restaurant who runs all its transactions through its business but the liquor license is held by the owner as an individual. We live in a litigious society and as owners of a small business are particularly vulnerable to the expenses of being named as a litigant.

For over 35 years this has been expressly allowed in the regulations and there has never been a problem. Northern Collective inc, is already operating on the site and has been for 11 years with Michael and I as the sole owners. We employ two additional domiciled Wellfleet residents on a full time year round basis and donate to the local food pantry, 246 Kitchen and other local non profits. We request that our business be given the same rights and treatment to limit liability as are afforded to other businesses for which the town issues a license or a lease. This would include leases for the Cahoon Hollow parking lot, the picnic tables at the pier, and numerous liquor licenses and business licenses that are issued to entities in Wellfleet.

Please refer to the Shellfish Constables recommendation and our memo to see that our business meets the eligibility requirements as set forth in the regulations.

We hope that board members will want to help small farmers take advantage of the same protection that the law affords to every other tradesperson or business owner. If there is a concern with large corporations becoming grant holders, we would like to suggest that the board require that the controlling shareholders or members of a corporation be required to satisfy the domicile requirement. We believe this would resolve that issue while still affording the rights of transfer and allow small farmers to limit liability. We respectfully ask that the Selectboard apply the regulations and approve this transfer.

Sincerely,

Katie Murphy
Northern Collective inc.
DBA Field Point Oyster Farm

To Whom It May Concern,

Memo: Eligibility for Northern Collective, inc DBA Field Point Oyster Farm

This Memo was reviewed by Attny. Bruce Bierhans and incorporates his legal opinions.

Northern Collective inc, DBA Field Point Oyster Farm meets the eligibility requirements for an aquaculture license for the the following reasons.

- The company has been operating on the licenses continuously for 11 years and was engaged in all aspects of propagation, grow out, harvesting and sales.
- The State Commercial Shellfish Permit, Propagation Permit, and shellfish transaction cards from the The Mass Division of Marine Fisheries are issued to the business.
- Catch reports and income from the sale of shellfish on the licensed sites have been done through Northern Collective inc, DBA Field Point Oyster Farm since 2012 with tax filings to back it up.
- Nearly all seed purchases for the site have been made and paid for by Northern Collective inc. since 2012.
- Michael DeVasto is the farm manager, holds a Wellfleet commercial permit purchased by Northern Collective, inc. and is the President of the Corporation. He materially participates in all aspects of the business.
- The business is headquartered in Wellfleet and has been since its inception in 2012.
- The sole shareholders are Kathleen Murphy and Michael DeVasto who are both domiciled residents in the town of Wellfleet. Both Katie and Michael have been materially participating in the the production of shellfish since 2011.
- Both the shareholders meet the age requirements. This is similar to a liquor license in that the license holder must be 21 yrs of age but it is not supported by law to require a business to wait 21 years in order to satisfy the condition. Entity's have rights at formation and the signing authority for N.C. lies with the company's president or treasurer who must be over 18 to enter into a contract. It was clearly not the intent of the regulations to require that entities must have been formed 18 years prior to transfer.
- The requirement to purchase a commercial permit does not preclude a person from becoming a license holder, It only requires the license holders to obtain a permit once they are license holder. The actual motion made at the video recorded public hearing was: ***"I move to require grant holders to obtain yearly, a commercial shellfishing permit with such requirement to take effect feb 28th 2023."*** There are currently other license holders who are able to purchase commercial permits at this time and are currently doing so

It is clear that both the intent and the language of the regulations allow license holders to limit their liability through transfers to corporations or entities. It expressly written into the regulation cited below.

7.9 Rights of Use and Transfer

Licensees shall have the exclusive use of the area described in their license for the purpose of aquaculture, for the duration of their terms. No other individual may use the license without the express permission of the licensee(s).... **Licensees may transfer the rights or responsibilities assigned to their license to any other individuals, companies or corporations** by vote of the Selectboard, and with the express permission of all other individuals who hold license for the same area.

License Holder - A person or persons, or a firm or corporation holding a license issued by the Board of Selectmen under the provisions of MGL Chapter 130.

We believe that denying this transfer would be arbitrary as it is expressly allowed for in the regs, it has been done in the past, and the corporation meets the eligibility requirements to hold a license. Please also review the recommendation from the Shellfish Constable that clearly states eligibility and the applicable regulations.

Sincerely,

Kathleen Murphy
Secretary / Treasurer
Northern Collective, inc.
Field Point Oyster Farm



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

V

PUBLIC HEARINGS

~ C ~

REQUESTED BY:	Shellfish Constable ~ Nancy Civetta
DESIRED ACTION:	To approve a modified shellfish, grant extension to grant License to be numbered #734A from Rebecca Taylor and Myron Taylor.
PROPOSED MOTION: SUMMARY:	I move to approve a modified grant extension to Rebecca Taylor and Myron Taylor for the newly numbered Grant License #734A consisting of approximately one acre on Mayo Beach, The Taylors must go through the rest of the permitting process with the Mass. Division of Marine Fisheries, Wellfleet Conservation Commission, the Army Corps of Engineers, etc..
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

March 15, 2023

To: Selectboard
Re: Recommendations
From: Nancy Civetta, Shellfish Constable

I received an application dated January 27, 2023, for a grant extension (to be numbered #734A ext.) to shellfish grant license #734A consisting of approximately one acre on Mayo Beach from Rebecca Taylor (Wellfleet) and Myron Taylor (Wellfleet, MA).

Rebecca and Myron Taylor were previously granted an extension to their grant by the Selectboard on May 13, 2002. However, they never completed the paperwork, so I contacted the Mass. Division of Marine Fisheries (MADMF) about what to do given that a different party had now put in an application for the same area. I was advised to bring this to the Selectboard for decision-making. Please read the attached email from MADMF Aquaculture Specialist Chrissy Petitpas.

Becca and I have been in discussion about this extension for a couple of years now. She showed me maps and Selectboard minutes approving the grant extension and has been continuing to research her family's files to try and find more documents related to it. I found some of the same documents from 2002 in the Shellfish Dept. office. Either way, it is now clear that her father, Myron, never completed the paperwork, even though they have been using the grant extension since 2002.

I believe that Becca has been acting in good faith since she began using the area, unaware that the paperwork had not been completed. By the beginning of last summer, all the shellfish that had been planted there had been removed at the request of the Shellfish Department. In hindsight, instead of waiting for Becca to locate the documents proving she had the extension, I should have just told her to re-apply for the extension.

I would also ask you to think about the precedence you will set with your decision on this application. Should you choose not to approve this grant extension, then for consistency and equitability, other grant extension requests in similar situations should also be denied.

The Harbormaster Will Sullivan and I will make a site visit on Thursday, March 16, 2023. Becca has already changed the configuration of the original 2002 grant extension boundary points to bring them closer in to shore in order to avoid potential boater conflicts. Will and I will confirm this with GPS points, and I will report to you at Tuesday's meeting as to their placement as well as any other feedback the Harbormaster has regarding the placement of this grant.

As you know, Angela Osowski, Robert and Mary Mallory have also put in a grant extension request for much of this same area, which you discussed at a public hearing on

wellfleet-ma.gov/shellfish-department

Phone (508) 349-0325



Fax (508) 349-0305

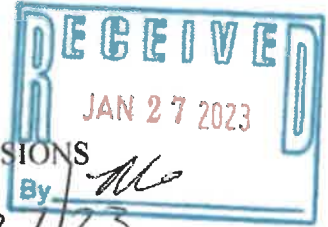
January 31, 2023. At that public hearing Angela Osowski asked for the hearing to be continued to the next meeting, and you will hear this subsequently at your Tuesday meeting. I am hoping to find a way to accommodate them outside of the footprint of the 2002/2023 Taylor grant extension area request.

I think it is fair to correct this situation now and grant the Taylor's this extension in the modified, smaller footprint provided in the attached maps. The Taylors will then need to go through the rest of the permitting and certification process for this new grant with the Mass. Division of Marine Fisheries, Wellfleet Conservation Commission, Army Corps of Engineers, etc.

Thank you for your consideration and for your time,

A handwritten signature in black ink, appearing to read "Nancy Civetta". The signature is written in a cursive, flowing style with some loops and flourishes.

Nancy Civetta
Shellfish Constable



APPLICATION FOR NEW SHELLFISH GRANT AND EXTENSIONS

DATE: 1/27/23

This request is being made under Mass. General Law, Chapter 130, Sections 57 & 59 and the Town of Wellfleet Shellfishing Policy and Regulations 7.2. Previously Established Grants that Become Available.

Name Rebecca Taylor Myron Taylor

Address 137 Fresh Brook Ln

Telephone 812-606-7887 Cell Phone

Email quahogslcc@gmail.com

GENERAL INFORMATION

Previous shellfishing experience: I started working on this grant in 1989 around age 12. I have farmed shellfishes by all my life in all capacities.

How long have you had a commercial shellfish permit? (list years) ~1995- Present

How long have you lived in Wellfleet? 45 yrs

Additional comments: It's difficult to rectify the issues w/ previous extension granted in 2002. I need this area to expand my oyster farming space as the rest of the grant is quahogs and I can't make more than a few penny years to expand my shellfish business.

By applying for this license and signing below, the applicant agrees to comply with the Town of Wellfleet's Shellfish Policy and Regulations. The applicant also acknowledges that s/he will be held responsible to MGL Ch. 130 and CMR 322, as well as the most recent SEMAC Best Management Practices, DMF's vibrio control plan, National Shellfish Sanitation Program's Guide and DPH's Regulations for Fish and Fishery Products, as they apply to the harvest of shellfish governing his/her business operations.

Signature of Applicant: Myron Taylor, Rebecca H Taylor

Signature of Shellfish Constable

REBECCA TAYLOR + MYRON TAYLOR
TOWN OF WELFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

- Applicant has paid \$175 advertising fee for public hearing.
- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
- Applicant is 18 years of age or older.
- Approval of this application will not result in the applicant having more than 7 acres leased to them for aquaculture within the Town's waters.
- All other licensees named to the grant have given written approval for the applicant to be included on their lease. If a corporation is the current lease holder, all persons who are members of the corporation must submit their written approval.
- At this time, there are no more than three lease holders named to the lease.

NIA If applicant is applying for a lease on private property, permission from the owner has been obtained.

The applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for this license. Applicant shall submit copies of state-filed catch reports, OR,

The applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department.

This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant.

The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.

For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.

The applicant has received and agreed in writing to comply with the current version of the Town's Shellfish Policy and Regulations.

The applicant acknowledges that s/he will also be held responsible to and will familiarize him/herself with [MGL Ch. 130](#) and [CMR 322](#), as well as the most recent [SEMAC Best](#) _____

CURRENT GRANT HOLDERS NIA

[Management Practices](#), [DMF's vibrio control plan](#), [National Shellfish Sanitation Program's Guide](#) and [DPH's Regulations for Fish and Fishery Products](#), as they apply to the harvest of shellfish governing his/her business operations.

- The applicant does not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

FROM WELLFLEET SHELLFISH POLICY AND REGULATIONS

SECTION 1: DEFINITIONS

Aquaculture License - An authorization, granted by a vote of the Board of Selectmen, to utilize a specific tract of land, under coastal waters (1) to plant and grow shellfish using in-bottom or off-bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under Wellfleet's coastal waters, such as boxes, pens, trays, bags or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats ([MGL Chapter 130; Section 57](#)).

Licensed Area (Grant) - a designated bottom area, certified by the Division of Marine Fisheries (DMF) and licensed by a vote of the Board of Selectmen, on which the licensee may plant, grow and harvest shellfish ([MGL Chapter 130; Sections 57 & 68](#)).

Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

7.8. Issuance of Licenses for Aquaculture

7.8.1. Eligibility Requirements: Licenses shall only be issued to domiciled residents (See Sec.1 Definitions) of the Town, 18 years of age or older, who have the knowledge and experience to fulfill the responsibilities specified in the license, provided that the applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for a license. Applicant shall submit copies of state-filed catch reports. OR, provided the applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department. This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations. In addition, any applicant shall not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

At such time as a licensee ceases to be a domiciled resident of the Town that individual shall be removed from the license. The status of all other licensees will not change. If that licensee is the sole licensee then the license shall be revoked.

To: Wellfleet Selectboard

From: Rebecca H. Taylor, Myron Taylor

Date: 1/27/23

I, Rebecca H. Taylor, Myron Taylor, agree to comply with the Town of Wellfleet's Shellfishing Policy and Regulations and assume full responsibility for understanding and adhering to all federal and state regulations as they apply to shellfish propagation, harvest and sales.

Sincerely,

Rebecca H. Taylor
Myron G Taylor

AQUACULTURE DESCRIPTION FORM

Clear Fields

Name: Last Taylor First Rebecca M.I. H

Business Name (optional): _____

Mailing Address 137 Fresh Brook Lane

City/Town Wellfleet State MA ZipCode 02667

Telephone _____ Cell Phone 812-606-7887

E-Mail Address beautifulbirth4u@yahoo.com

A. SITE DESCRIPTION

Location of proposed aquaculture license site(s) and access routes (Include a site map in USGS 1:24,000 or 1:25,000 format with site boundaries clearly outlined and both current and historic Massachusetts Department of Environmental Protection (MassDEP) mapped eelgrass layers depicted on the map. The [MA-ShellFAST](#) tool may be used for generating the map and measuring distances/acreage).

City/Town: Wellfleet

Shellfish Growing Area (SGA): CCB11

of Acres: between .9 and 1 acre

Site boundaries defined by latitude and longitude in decimal degrees (i.e. 42.36115°, -71.057083°):
N117:41.92728819 N113:41.92832805 NEW 41.5544.36N
-70.03492679 -70.03321682 -70.159.48W Approximately

Have you conducted a survey of the site (Y/N)? No Date? _____

Method of Survey:

Average Depth at Mean Low Tide (MLW): 0

Mean High Tide (MHW): +10 feet

The site is located in an: intertidal area; subtidal area; spans both intertidal and subtidal areas.

What type of sediment or bottom substrate is on the site? (Benthic Habitat Conditions):
mud and sand

Is eelgrass currently present on or within twenty-five (25) ft. of the proposed site¹ (Y/N)? No

If eelgrass is present or currently/historically mapped by DEP within the shellfish growing area, what is the shortest distance to actual or mapped eelgrass from the proposed site? _____ ft.

Are there shellfish currently on the site (Y/N)? Yes

If yes what species and approximate densities?
This area has been under cultivation by my family for 20 years, both quahogs and oysters are present.

Is the proposed grant site located within an [Area of Critical Environmental Concern \(ACEC\)](#) (Y/N)?
Yes

Is the proposed grant site located within [Natural Heritage Endangered Species Project \(NHESP\)](#) mapped habitat (Y/N)? *If yes, you must submit a MESA Project Review Checklist to NHESP.*
Yes

Is the proposed grant site located within an [Outstanding Resource Waters](#) (Y/N)? No

Is there an [Environmental Justice \(EJ\) population](#) located within 1-mile of the project site (Y/N)?
No

If so, please complete the attached supplement to this form for projects located within 1-mile of EJ populations.

Describe whether alternative locations were considered and identify the siting criteria used to select this site and the characteristics of the site that make it suitable for aquaculture use. It may be helpful for this evaluation to be based on the siting criteria identified in DMF's Shellfish Planting Guidelines and the Army Corps of Engineers General Permit for Aquaculture.
The original request is from 2002, but it is listed as filling in a gap in aquaculture locations and is an excellent location for shellfish farming, where as the deep end of site 734/734A is in the boating channel and get hit by a boat every few years.

Has the site been used for private shellfish propagation within the last two years (Y/N)? ~~No~~ Yes

Has the site been used for municipal shellfish propagation within the last two years (Y/N)? No

1. Proposed aquaculture license sites with eelgrass present within the footprint or within 25 ft. of eelgrass will not be granted certification by DMF.

B. SPECIES TO BE CULTURED

What species of shellfish do you plan to cultivate? (Select all that apply)

- Eastern Oyster
- Quahog or Hard Clam
- Softshell Clam or Steamer
- Surf Clam
- Razor Clam
- Bay Scallop
- Blue Mussel
- Other _____

Do you propose on-bottom placement of cultch or spat on shell on the site (Y/N)? ~~No~~ Yes

If yes, explain.
Oyster shells on bottom and spat on shell from our grant, overwintering of larger oysters

C. GEAR

What methods of culture will be used (specify by species if necessary)?

On- bottom Off- bottom submerged Off- bottom floating

Describe the type of gear to be utilized for each species to be cultured, include dimensions (Cages, Racks, Trays, Bags, Nets, Floating): ***Depending on the gear type used, the project may require additional permitting by the Massachusetts Department of Environmental Protection (MassDEP). Consult with your Harbormaster, and if needed, with the MassDEP Waterways Program.***

Cages,
Racks, Trays, Bags, Nets, maybe new grow out technology in future

*Include with your submission of this form a site map on a USGS 1:24,000 map with site boundaries clearly outlined and a cross-section schematic of the gear to be deployed on the site. 3

If you will utilize floating gear, what measures will you take to deter birds (bird deterrence plan required)?

- Spikes
- Zip ties
- Kites/streamers
- Faux predators
- Wire cage exclusion
- Sweeps/spinners
- Sonic deterrents
- Other

N/A

Please describe your bird deterrence plan:

What methods will you utilize to harvest shellfish? (Hand, Drag, Other) Please describe:

Hand rakes, bull rakes

How will the proposed license site be marked? (Buoy color, Type, Lines, Anchor)

Yellow buoy

How will you access the license site?

truck and skiff

What equipment do you plan on utilizing to maintain the license site and transport product?

Vehicle: Make: tbd Model: _____

Boat: Make: tbd Model: _____

Will any accessory structures be used on the license site? (barge, float, upweller, etc.)

no

Will this be a seasonal operation (gear and product removed from site in winter) or year-round?

year-round operation

Please include any additional information here:

any quahog screens will remain over winter, any oyster gear will be removed, some oysters will remain on ground

D. CUMULATIVE IMPACTS

After voting to grant the site license at a duly advertised public hearing (M.G.L. c.130 §60), the Select Board of the municipality must submit a request for site certification to the Division of Marine Fisheries (DMF). A site inspection that may include a site survey will be performed by DMF. If DMF determines that issuance of the site license and operational activities thereunder will have no substantial adverse impacts to natural resources and existing fisheries, DMF will issue a conditional certification letter to the municipality and include a summary table that identifies other existing and conditionally certified aquaculture sites, gear types, and acreage within the same embayment as the proposed site.

This table will be used to assess cumulative impacts if the project is subject to environmental review by the Massachusetts Environmental Policy Act (MEPA) Office and should be submitted as an attachment with your MEPA filing. If the project is subject to the MEPA Special Review Procedure (SRP), the applicant hereby acknowledges and agrees to following the procedures set forth in the SRP. The SRP can be viewed [here](#).

All information furnished on this application is true and accurate to the best of my knowledge. I will notify the Division Marine Fisheries Shellfish Sanitation and Management Program immediately of any changes.

Signature of Applicant Rebecca H. Taylor Date 1/27/23
Myron G Taylor

Division of Marine Fisheries
ATTN: Aquaculture Coordinator
706 South Rodney French Boulevard
New Bedford, MA 02744
Phone: (508) 742-9766

Permit Application



Permit Application




LIKELY SMALLER FOOTPRINT
DUE TO PRESENCE OF
DEEPER WATER NEAR
CHANNEL PRESENTING
BOATING CONFLICTS NOW

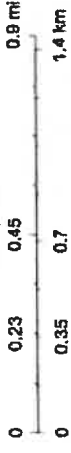
Permit Application



1/26/2023, 5:19:01 PM

-  Override 1
-  Aquaculture
-  Shellfish

1:24,000



Mapax

Nancy Civetta

From: Petitpas, Christian (FWE) <christian.petitpas@state.ma.us>
Sent: Friday, January 20, 2023 6:47 AM
To: Nancy Civetta
Cc: Lundgren, Gabriel (FWE)
Subject: RE: Taylor grant 734A ext
Attachments: TAYLOR_WELLFLEET_Site_License.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy,

As we discussed, DMF was contacted by Rebecca Taylor who was asking if DMF had information in her file regarding the 0.937-acre extension that the Wellfleet BOS granted on May 13, 2002. The attached documents are all the records DMF has pertaining to the Taylor's original license granted in 1989 and two subsequent extensions in 1992 and 2002. The minutes of the May 13, 2002 public hearing document that the town did indeed grant a 0.937-acre extension to the Taylor's then licensed 3.5 acres identified as site numbers 734 and 734A on both DMF's aquaculture site maps, as well as the Town of Wellfleet's GIS map of licensed sites. It appears that neither DMF nor the town ever mapped the 0.937-acre extension. The minutes of the BOS meeting in 2002 do not document the corners that defined the 0.937-acre extension but do reference that the extension was granted as depicted on a map drawn by Slade Associates. DMF has no record of having received a copy of that map, nor was DMF ever forwarded copies of the license documents for the 1992 or 2002 extensions. We only have a copy of the original 3-acre license that the town granted in 1989 which had a term of 5 years. The license should have been renewed at least several more times unless the town had voted to discontinue or revoke the Taylor's license. DMF should be forwarded copies of all current site licenses and the license document should include the unique site number(s) or identifier (e.g., 734, 734A), the issue date and expiration date, latitude/longitude coordinates in decimal degrees that define the site boundaries, the number of acres of the site(s) and any conditions the town or DMF chooses to place on the site license. It appears that the Taylors have been occupying and actively farming on what they believed to be the footprint of the granted extension in good faith for decades now. It is recommended that the town reconcile the exact footprint of the Taylor's contiguous grant sites at a public hearing and re-issue licenses with clear boundary definitions and expiration dates, if the BOS so approves. Please let me know if additional clarification is needed.

Best wishes,
Chrissy

Christian M. Petitpas, Ph.D. (she/her/hers)
Shellfish Sanitation and Management Program
Massachusetts Division of Marine Fisheries
706 South Rodney French Boulevard
New Bedford, MA 02744

Ph: (508) 742-9766
christian.petitpas@mass.gov

Join the conversation! We're on [Twitter](#), [Flickr](#), [Facebook](#), and [YouTube](#).

From: Nancy Civetta <Nancy.Civetta@wellfleet-ma.gov>
Sent: Monday, January 9, 2023 3:07 PM

To: Petitpas, Christian (FWE) <christian.petitpas@mass.gov>; Lundgren, Gabriel (FWE) <gabriel.lundgren@mass.gov>
Subject: Taylor grant 734A ext

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Chrissy and Gabe,

Do you have any paperwork relative to an extension granted by the Town of Wellfleet Board of Selectmen on May 13, 2002 to the Taylors (Myron, Judy, Rebecca and Anna)?

Thanks for any light you can shed on this.
Nancy

Nancy Civetta
Shellfish Constable
Town of Wellfleet
O: 508-349-0325
C: 617-901-7193
E: nancy.civetta@wellfleet-ma.gov
300 Main St.
Wellfleet, MA 02667
Follow our updates on [Facebook!](#)

M. Taylor

KNOW ALL MEN BY THESE PRESENTS

That we, David H. Ernst, Raymond Crowell, William Corcoran, Barbara Fegan and Jerry Houk, the Board of Selectmen of the Town of Wellfleet, Wellfleet, Massachusetts, hereunto duly authorized and in accordance with the provisions of Chapter 130 of the General Laws, as amended, and all other powers thereto enabling, do grant to Myron G. Taylor of Wellfleet, Massachusetts, for the term of five (5) years from this date a license/lease to plant, grow, cultivate and dig shellfish at all times during the pendance of this license/lease, in and upon the flats and waters situated in said Wellfleet, Massachusetts, on a certain parcel of land designated as License/Lease No. 734 bounded and described as follows:

Land in the tidewaters of Wellfleet Harbor, beginning at the northwesterly corner of the parcel herein being described as Mass Grid System coordinate point N 341790.58, E 998523.16, at an iron pipe, said pipe being S 00° 15' 10" E a distance of 786 feet, more or less, from a concrete bound at the southerly side of Kendrick Avenue, sometimes called Mayo Beach Road; thence N 89° 44' 50" E a distance of 362 feet, more or less, to an iron pipe; thence S 00° 15' 10" E a distance of 209 feet, more or less, to an iron pipe; thence S 50° 05' 50" W a distance of 470 feet, more or less, to an iron pipe; thence N 00° 15' 10" W a distance of 509 feet, more or less, to the iron pipe at the point of beginning.

The above described parcel contains an area of 3 acres, more or less, and is shown on a plan entitled "Plan of Shellfish Grant at Wellfleet Harbor, Wellfleet, Mass. as surveyed for Wilbur H. Ryder Scale 1 in. = 100 ft. March 1965 Schofield Brothers Registered Civil Engineers & Land Surveyors Orleans and Framingham, Mass."

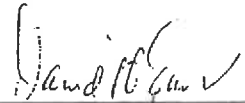
This lease/license is granted upon the following terms and conditions and in accordance with the provisions of Chapter 130 of the General Laws:

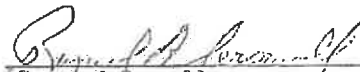
1. That the said Myron G. Taylor shall pay to the Town of Wellfleet upon the execution of this license/lease the sum of Five Dollars to be applied as follows: One Dollar for the recording cost of said license/lease and Four Dollars for costs incurred in granting said license/lease. He shall pay to the Town of Wellfleet an annual rental payment at the rate of Twenty-five Dollars per acre, or any portion thereof, the sum of Seventy-five Dollars per year, the first payment to be made upon execution of this license/lease and the annual payment thereafter becoming due on the anniversary date of this lease, commencing April 12, 1990.
2. That the said Myron G. Taylor shall file the report required by Chapter 130, Section 65, of the General laws annually and comply with all other pertinent sections of said chapter. Any violation of the terms of this license/lease or of any section of said Chapter 130, as amended, relating to the planting, growing, digging or taking of shellfish shall be considered as a forfeit and surrender of all rights under this license/lease and the Board of Selectmen, at their sole discretion and judgment, may terminate the license/lease by notice in writing which shall be effective and binding when received by the licensee/lessee.

3. That the said Myron Taylor shall for the purposes aforesaid have the exclusive use of the waters and flats described in this license/lease during the term thereof, subject only to the provision that in the event that it shall become necessary for the judgment of the Board of Selectmen to use the said area described in said license/lease because of the dredging or improvement of Wellfleet Harbor or channel the lease term may be suspended or cancelled after reasonable notice of at least thirty (30) days in writing to the licensee/lessee to remove any shellfish then and there located on the licensed/leased premises and failure to so remove any or all of the said shellfish shall relieve the Town of Wellfleet from any liability for damage in connection with such work; and subject to the condition and restriction that the aquaculture project be in a location which would not interfere with mooring of recreational boats or other private rights to the extent they exist.


This license/lease is transferrable only in conformity with the provisions of Chapter 130 and with approval in writing of the Selectmen.

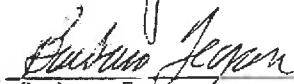
Given under our hands and seals as Selectmen for and on behalf of the Town of Wellfleet and as provided by Chapter 130 of General Laws, as amended, which are made a part hereof by reference this 26th day of April, 1989.

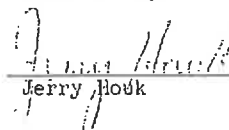

David H. Ernst, Chairman


Raymond Crowell

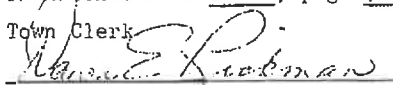
T O W N S E A L


William J. Corcoran


Barbara Fegan


Jerry Hook

Received for record and recorded
on this 11 day of ¹⁹⁸⁹ April, 1989
in license book 1, page 4.

Town Clerk


TOWN OF WELLFLEET



on Cape Cod

OFFICE OF
TOWN ADMINISTRATOR

R.R. #1, Main Street
Wellfleet, Massachusetts 02667



Tel.: (508) 349-3707
Fax.: (508) 349-1334

November 18, 1992

Jerome Moles
18 Route 6A
Sandwich, MA 02563

Dear Mr. Moles:

Please be advised that at its meeting held November 9, 1992, the Wellfleet Board of Selectmen unanimously voted to approve the application of Myron and Judy Taylor for an extension of shellfish grant #734 located off Mayo Beach, subject to your approval.

Enclosed please find a sketch of the proposed extension.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn S. Magane".

Marilyn S. Magane
Administrative Assistant

msm
Enclosure

fel



The Commonwealth of Massachusetts

Division of Marine Fisheries
Leverett Saltonstall State Office Building
100 Cambridge Street
Boston, Massachusetts 02202

PHILIP G. COATES
DIRECTOR

727-3193

March 29, 1993

Board of Selectmen
Town Hall
Wellfleet, MA. 02667

Ladies and Gentlemen:

Under authority of Chapter 130, section 57 of the Massachusetts General Laws, an on-site inspection was conducted on February 11, 1993 commencing at 08:40 A.M. A proposed half acre shellfish extension submitted by Myron Taylor (grant 734) was surveyed by personnel from the Division of Marine Fisheries and the Wellfleet Shellfish Constable. Low tide was a -1.3 foot tide at 08:20 A.M..

The proposed licensed area is located in Town of Wellfleet, off Mayo Beach. The Taylor extension is near the north edge of the main channel in Wellfleet Harbor on the approach to Shirrtail Point. The extension was staked as an individual plot bordering the licensee's existing shellfish lease and is mapped and on file with the Division of Marine Fisheries. The extension is in an area of existing shellfish licenses.

The area is situated in the inter-tidal zone. Substrate throughout the lease was a fine black grain sand in the upper two inches changing to a grayish medium grain below. No eel grass (*Zostera marina*) was observed in the proposed extension. A total of forty-six square yard samples were taken along nine transects running parallel to the shore. A total of twenty quahogs (13 chowders, 5 neck and 2 cherrys) were collected from a total of 414 ft² sampled. This constitutes a density of 0.048 quahogs/ft² which is far below the density of 1.0 ft² considered significant by the Division of Marine Fisheries in assessing areas for private shellfish licenses (grants). Several small clumps of oyster seed (*Crassostrea virginica*), and nemertean worms were also found. Density and size distribution of quahogs and distribution of other species is shown in Figure 1.

As a result of this inspection, it is our opinion that license and operation of the proposed shellfish license under the provisions of Chapter 130, Section 57 of Massachusetts General Law, would not have an adverse impact on the natural shellfish resources of Wellfleet Harbor in the Town of Wellfleet.

(over)

The proposed site does not contain average numbers of naturally occurring shellfish close to the level considered significant by the Division of Marine Fisheries in assessing areas for private shellfish licenses (1 quahog/ sq. ft. or 3 softshell clam or 3 oysters/sq. ft.).

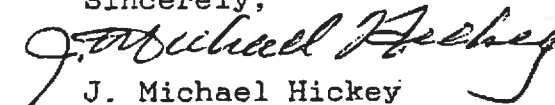
The licensee-applicant should be aware that this license is subject to further regulation by the U. S. Army Corps of Engineers and may be subject to regulation by the Massachusetts Dept. of Environmental Protection under the provisions of Chapter 91 Waterways Acts and/or Chapter 131 Section 40 Wetlands Act and their regulations.

It is strongly suggested that the applicant contact the local Conservation Commission to determine the applicability of the Wetlands Act and the U.S. Army Corps of Engineers, Regulatory Division at 42 Trapelo Road, Waltham, MA. 02254-9194 concerning a Letter of Permission For Small Scale Shellfish Aquaculture.

Operation of this license prior to such determination by the Conservation Commission or before obtaining other required permits and licenses from the Dept. of Environmental Protection or the U.S. Army Corps of Engineers may result in legal or regulatory action against the applicant by one or more of these agencies.

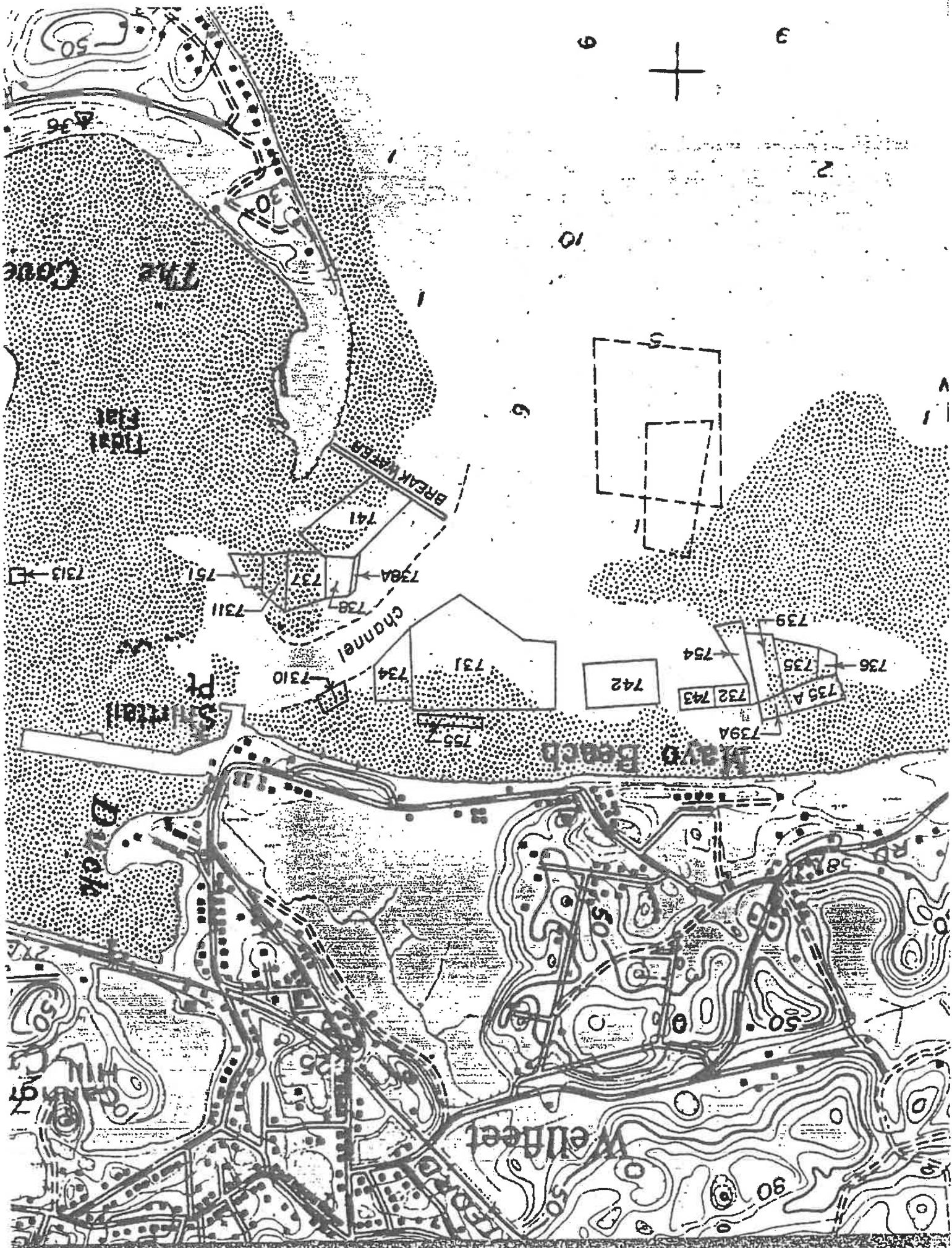
Permits issued by this Division to obtain and possess seed shellfish for aquaculture does not absolve the applicant from the above mentioned obligations.

Sincerely,


J. Michael Hickey
Chief Marine Biologist

jbm/JMH

cc to: J. Fair, Assistant Director, DMF
P. Sommerville, Wellfleet Shellfish Constable
Myron Taylor, License Applicant
G. Kelly, U.S. Army Corps of Engineers



TAYLOR SHELLFISH LICENSE SURVEY (LEASE # 734)

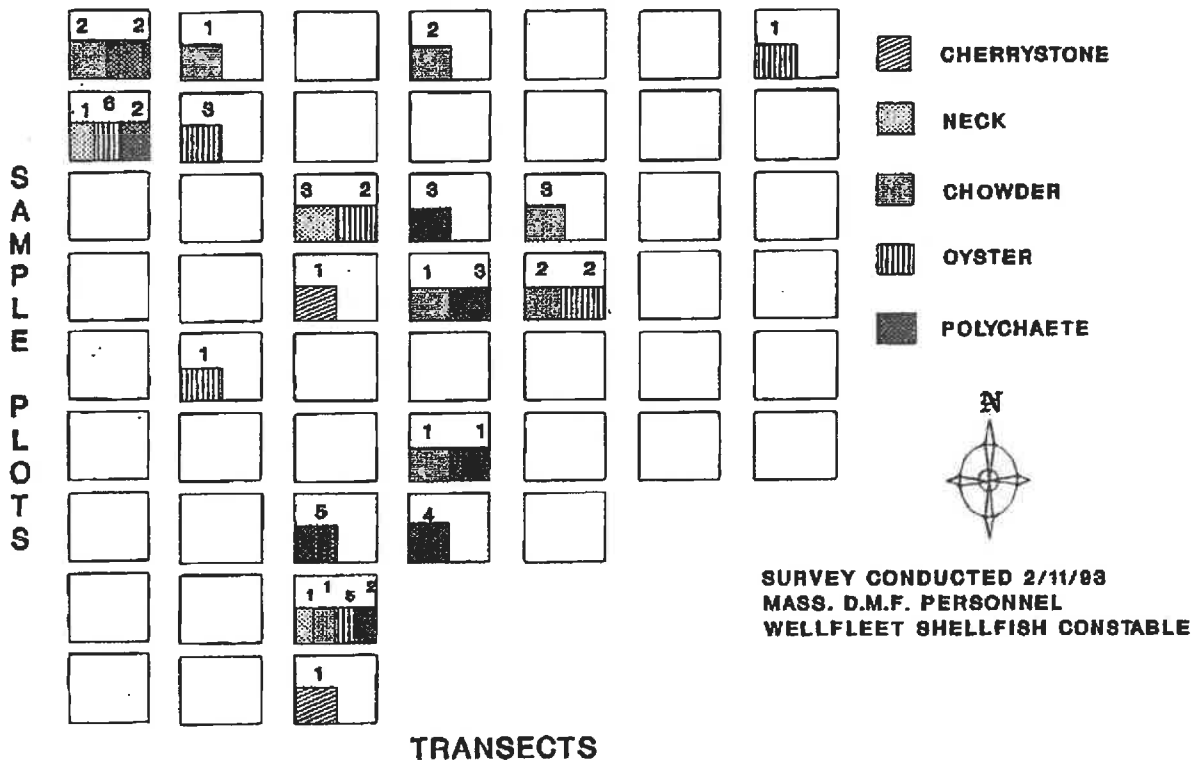


FIGURE 1. SHELLFISH SIZE AND DENSITY DISTRIBUTION



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

April 24, 2002

To: Board of Selectmen
From: Bill Walton, Shellfish Constable
C.C.: Tim Smith, Town Administrator
Re: Recommendations for May 6th meeting

Extension of Myron Taylor et al.

I recommend that the Taylor application (Myron, Barbara, Anna and Rebecca) for an extension of their shellfish lease as designated on the map drawn by Slade Associates be granted. This extension does not increase the 'footprint' of aquaculture within the Harbor and simply fills in a gap. The Taylor's work their grant and are productive lease holders.

Extension of Ron Buck

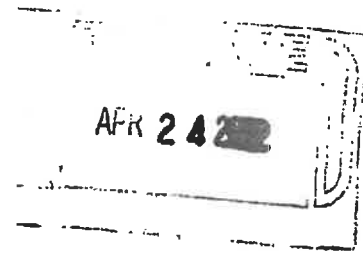
Unfortunately, at this point in time I recommend that Mr. Buck's application be denied without prejudice, pending the acceptance of a Town Shellfish Management Plan. Unlike the Taylor application, this extension would spread aquaculture into an undeveloped area. Similarly I have some concerns about land ownership issues here. I should point out, however, that Mr. Buck is a productive lease holder and this extension should be considered at some future point.

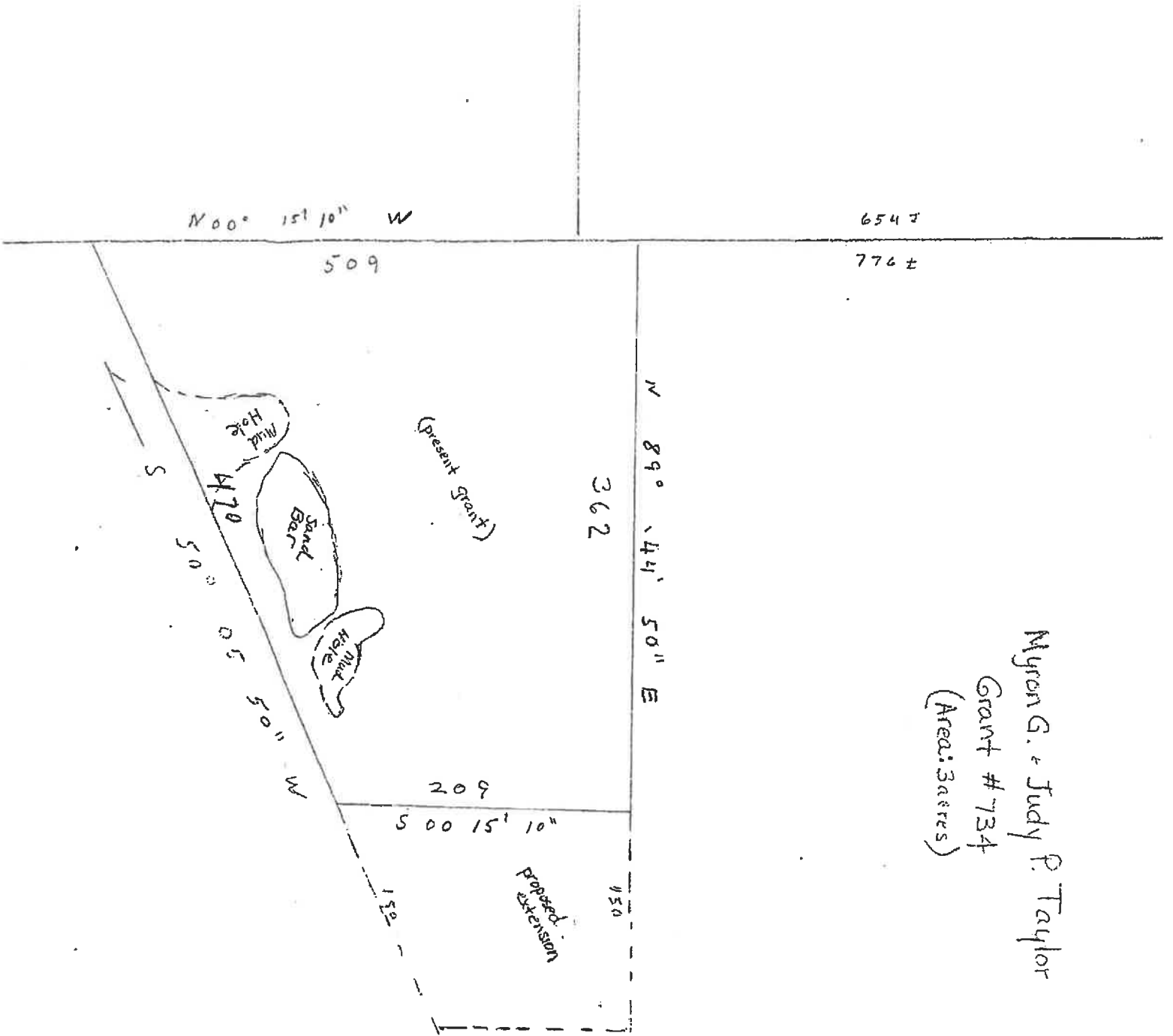
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I recommend that an approximately 300' by 300' area in Chipman's Cove be designated open for the deployment of oyster spat collectors by Wellfleet shellfish grant license holders (with proper permits from the State). To accommodate the warm weather, I recommend that this area be opened as of May 15, 2002. Additionally, to allow grant holders the most time to collect their "hats" I recommend that the area remain open until October 20, 2002. Please note that any collectors left in the area after the closing date will be considered aquaculture gear in a non-permitted area and will be treated accordingly.

Respectfully submitted,

William Walton
Shellfish Constable





6547
776 ±

Myron G. & Judy P. Taylor
 Grant # 734
 (Area: 3 acres)

TOWN OF WELLFLEET



on Cape Cod

TOWN OF WELLFLEET
300 Main Street
Wellfleet, Massachusetts 02667



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

June 3, 2002

Paul Diodati, Director
Division of Marine Fisheries
251 Causeway St., Suite 400
Boston, MA. 02114

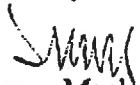
Dear Mr. Diodati:

Please be advised that at its meeting of May 13, 2002, the Wellfleet Board of Selectmen approved the following, subject to your approval:

- ① approved the application from Myron, Judy, Rebecca, and Anna Taylor for a .937 acre extension of shellfish grant # 734, located at Mayo Beach,
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 - amend Section V (Open and Closed Areas-Chipman's Cove) of the Temporary Shellfish Regulations re: Placement of Oyster Spat Collectors in Chipman's Cove. The Shellfish Constable recommended that an approximate 300' by 300' area of Chipman's Cove be designated open for the deployment of oyster spat collectors by Wellfleet shellfish grant holders, with proper permits from the State, from May 15, 2002 through October 20, 2002.

Please see attached

Sincerely,


Jeanne MacLauchlan
Principal Clerk

enclosure

cc: Jerry Moles

CERTIFIED MAIL: Z 347 487 465

Selectman Donovan presented his correspondence report.

The Board held the following Shellfish Department public hearings consecutively. Selectman Donovan read the public notice. Selectman Parlante disclosed that he holds a commercial shellfish permit, has a shellfish grant license and owns waterfront property. Selectman May disclosed that he holds a commercial shellfish permit. Chairman Putnam disclosed that he holds a senior commercial shellfish permit. Shellfish Constable Bill Walton was in attendance and presented his recommendations.

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- Application from Ronald Buck for a one acre extension of shellfish grant license #2000-7 – Selectman Parlante recused himself and left the table. The Shellfish Constable recommended that this application be denied without prejudice pending acceptance of a Town Shellfish Management Plan noting his concerns about possible land ownership issues and that this extension would spread aquaculture into an undeveloped area. Ron Buck was in attendance and explained that he needed this extension to pursue aquaculture as a full-time occupation and noted that when he applied for his initial grant, the previous Shellfish Constable had indicated that an application for an extension would be looked upon favorably. On a motion by May, seconded by Putnam, to follow the recommendation of the Shellfish Constable to deny this application without prejudice, the Board voted 2-2, with Houk and Donovan voting against. The motion failed. On a motion by Houk, seconded by Donovan, to grant this extension, the Board voted 2-2, with Putnam and May voting against. The motion failed. Selectman Parlante rejoined the Board.
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The Board discussed:

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Dear Selectboard,

I realize that some of you may only know me as a member of the Shellfish Advisory Board. I'd like to give you a little background about who I am. I grew up year round in Wellfleet and, other than for education, have lived year-round in Wellfleet my entire life. My ancestors and my children were born here. My family has farmed our grant on Mayo Beach going on four generations now. I have been actively involved in the evolution of the aquaculture industry in Wellfleet since I was a child. My summer jobs during middle school, high school and college were always farming shellfish. I would come home from college on the weekends and vacations to dig quahogs, pick oysters, and plant seed. When I finished earning my degrees and certifications, I moved home, married my husband and we bought a home in Wellfleet. We then took over the family farm and are there with our children, planting, growing and harvesting shellfish ourselves, full time. The Taylor grant is an integral part of our family. Grandparents, grand children, sisters, nieces and nephews, all participate.

The strip of land that has come into question [Application for Extension to Grant #99-1 /Mallory for 1/31/2023 Selectboard Public Hearing] is an extension that has been part of our farm for over 20 years. This was approved by the Selectboard on May 13, 2002 and we were then instructed to move the buoys to establish the new boundaries. The State received documentation that the Selectboard had approved the extension "to fill in the gap" (Please see attached Selectboard minutes and letter to the DMF). It appears that the Town never updated the coordinates to reflect the approved extension.

Handheld GPS devices were not routinely in use by the Shellfish Department for the purpose of establishing licensed boundary areas until recently and thus we have been operating in good faith with no way of knowing that our buoys and understood boundaries might not line up with the surveyed bounds that the Selectboard had approved in 2002. This seems to be another example of the irregularities that have been found throughout the harbor, perhaps suggesting a need to resurvey and evaluate the entire harbor before granting changes that establish the boundaries of any new licensed areas. With this in mind, I would appreciate the opportunity to correct the paperwork for our grant.

I include several maps showing the changes in size and shape of our farm through the years. Before you decide to otherwise assign an established section of this area which we have been licensed to farm for many years to a neighboring farm, it makes sense to give all of us the opportunity to review the paperwork and confirm the bounds of my family's farm that have been uncontested since 2002. The Town appears to have had no concern over the placement of our buoys for the last 20 years. We simply believed that our extension was licensed and in full compliance and have proceeded to farm it without any complaints from the Shellfish Department or any other State agencies. We strive to maintain our farm to industry standards and are in full compliance with the Town and State's Shellfishing Policy and Regulations. We hope to continue for generations to come.

Thank you,
Rebecca Taylor



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

April 24, 2002

To: Board of Selectmen
From: Bill Walton, Shellfish Constable
C.C.: Tim Smith, Town Administrator
Re: Recommendations for May 6th meeting

Extension of Myron Taylor et al.

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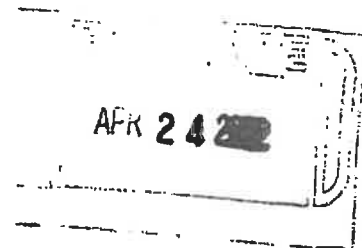
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Respectfully submitted,

William Walton
Shellfish Constable



TOWN OF WELLFLEET



on Cape Cod

TOWN OF WELLFLEET
300 Main Street
Wellfleet, Massachusetts 02667



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

June 3, 2002

Paul Diodati, Director
Division of Marine Fisheries
251 Causeway St., Suite 400
Boston, MA. 02114

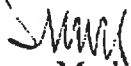
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Jeanne MacLauchlan
Principal Clerk

enclosure

cc: Jerry Moles

CERTIFIED MAIL: Z 347 487 465

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N 00° 15' 10" W

6547

509

776 ±

N 89° 44' 50" E

362

(Present Grant)

470

S 50° 05' 50" W

209

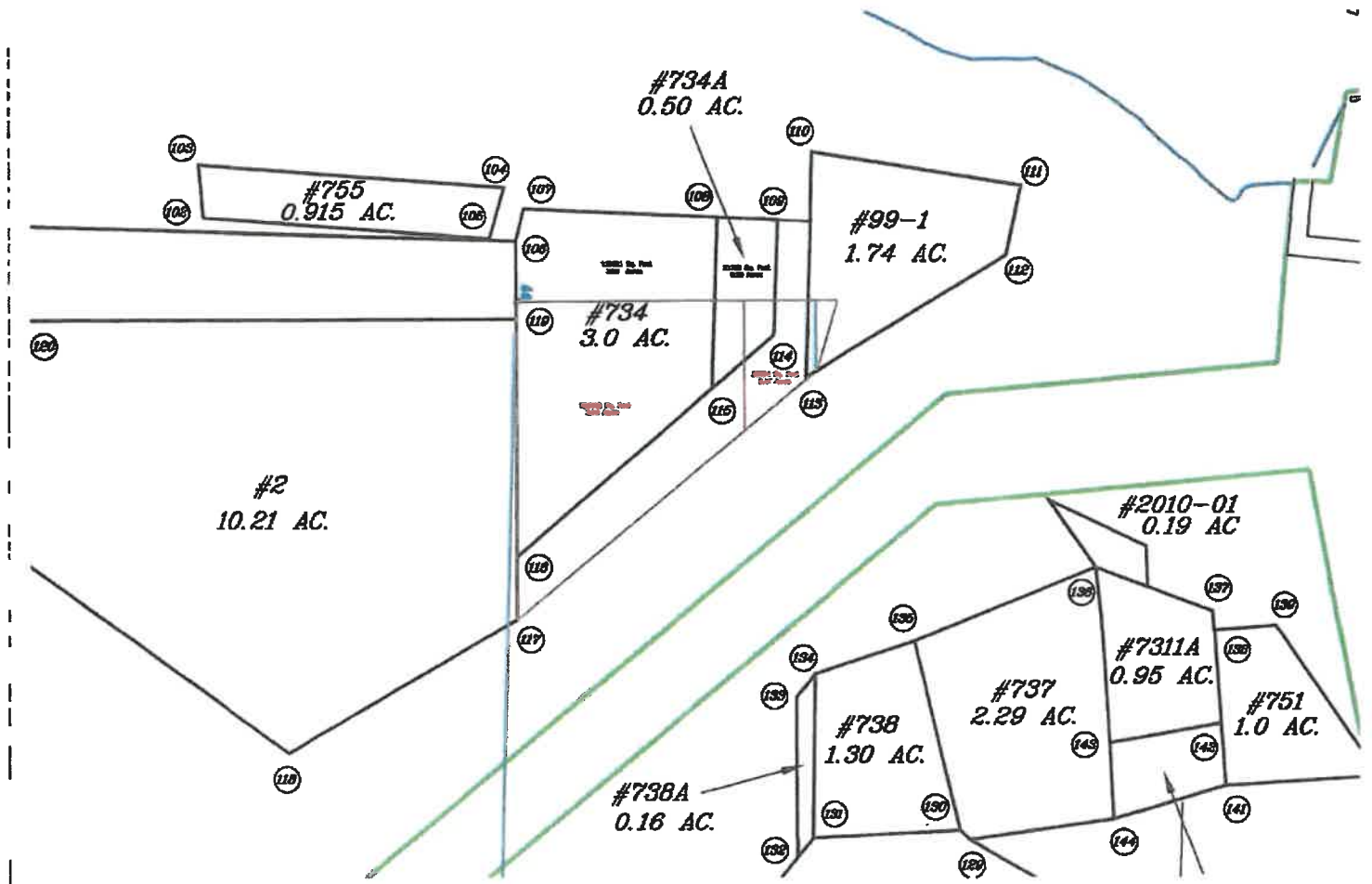
S 00 15' 10"

450

Proposed extension

Myron G. & Judy P. Taylor
Grant # 734
(Area: 3 acres)







SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

V

PUBLIC HEARINGS

~ D ~

REQUESTED BY:	Shellfish Constable ~ Nancy Civetta
DESIRED ACTION:	To approve the extension of Grant License #99-1 ~ This is a continued hearing from January 31, 2023
PROPOSED MOTION:	If a motion is decided on it will be made at the time of the meeting.
SUMMARY:	
Project	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea ____ Nay ____ Abstain ____



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

DATE: March 15, 2023
TO: Selectboard Members
FROM: Nancy Civetta, Shellfish Constable
RE: Angela Osowski, Robert and Mary Mallory grant #99-1 extension request

I received an application from Angela Osowski, Robert Mallory and Mary Mallory on January 10, 2023, requesting a shellfish grant license extension on Mayo Beach (#99-1 ext) totaling approximately 0.43 acres. A public hearing was held on January 31, 2023, and Angela Osowski asked for the hearing to be continued. The Selectboard did decide to continue the hearing due to the necessity of hearing Rebecca and Myron Taylor's grant extension history for much of the same area. Becca and I have been in discussion for a couple of years now about this area having been granted by the Selectboard as an extension to them in 2002.

The applicants and the Taylors are neighbors, with grants situated right next to each other. The application for this extension was filed even though the applicant knew that the Taylor's believed that the area was part of their grant. The applicants also knew that the Taylor's had been using the area. In fact, this has been a source of contention between the neighbors for the past few years.

I honestly should have asked Becca to re-apply for the 2002-originally approved extension much earlier. I believe we might have been able to avoid this conflict. I can't recommend approving the extension requested by Osowski-Mallory (see complete application attached) when the Town has documents demonstrating that it had been previously given to the Taylors.

However, I am working to separate out the inshore piece of their requested grant extension that is located outside of the area that Taylor believed to be theirs in the hopes that this smaller parcel of their proposed extension will be amendable to the grant holders. I will reach out to them and provide new maps for your consideration at the meeting. I will also check with the Beach Administrator Suzanne Grout-Thomas to make sure that the inshore footprint of the grant extension on Mayo Beach won't present beach user conflicts. I will report back to you with her answer at the public hearing.

If you approve an extension for Angela Osowski and the Mallory's, they will need to go through the rest of the permitting and certification process for this new grant with the Mass. Division of Marine Fisheries, Wellfleet Conservation Commission, Army Corps of Engineers, etc.

Sincerely,

Nancy Civetta, Shellfish Constable

wellfleet-ma.gov/shellfish-department

Phone (508) 349-0325



Fax (508) 349-0305

RCVD 1/10/2023

APPLICATION FOR SHELLFISH GRANT LICENSE

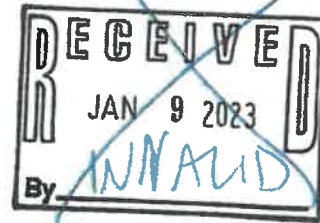
DATE: January 9th 2023

This request is being made under Chapter 130, Sections 57 & 59.

Name	Angela Osowski	Robert & Mary Mallory
Address	25 Holbrook Ave/Box 2147 Wellfleet, Ma 02667	57 Freedjum Rd/Box 84 S. Wellfleet 02663
Telephone	508-364-1034 (cell) 508-349-6417 (home)	

Approximate location of proposed grant license area:
East end of Mayo Beach

Desired size of proposed grant license area:
0.43 Acres



GENERAL INFORMATION

Previous shellfishing experience:

Angela Osowski Grant holder for 7 years Shellfish License holder for 18 years	Robert Mallory Grant holder for 27 years Shellfish License holder for 70 years 1953	Mary Mallory Grant holder for 24 years
--	--	---

How long have you had a shellfish permit (commercial/non-commercial)?
Angela 18 years Robert 70 years

How long have you lived in Wellfleet?
Domicile of Wellfleet for 35 years, 71 years, 71 years

Comments:

Signature of Applicant

Robert Mallory
Mary Mallory

Shellfish Constable

Francis W. [Signature]

ANGIE OSOWSKI

TOWN OF WELFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

- Applicant has paid \$175 advertising fee for public hearing.
- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
- Applicant is 18 years of age or older.
- Approval of this application will not result in the applicant having more than 7 acres leased to them for aquaculture within the Town's waters.
- All other licensees named to the grant have given written approval for the applicant to be included on their lease. If a corporation is the current lease holder, all persons who are members of the corporation must submit their written approval.
- At this time, there are no more than three lease holders named to the lease.
- If applicant is applying for a lease on private property, permission from the owner has been obtained. *NIA MAYOR BEACH IS TOWN-OWNED.*
- The applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for this license. Applicant shall submit copies of state-filed catch reports, OR,
- The applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department.
- This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. *NIA CURRENT GRANT HOLDER*
- The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.
- For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.
- The applicant has received and agreed in writing to comply with the current version of the Town's Shellfish Policy and Regulations.
- The applicant acknowledges that s/he will also be held responsible to and will familiarize him/herself with MGL Ch. 130 and CMR 322, as well as the most recent SEMAG Best

Management Practices, DMF's vibrio control plan, National Shellfish Sanitation Program's Guide and DPH's Regulations for Fish and Fishery Products, as they apply to the harvest of shellfish governing his/her business operations.

The applicant does not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

FROM WELLFLEET SHELLFISH POLICY AND REGULATIONS

SECTION 1: DEFINITIONS

Aquaculture License - An authorization, granted by a vote of the Board of Selectmen, to utilize a specific tract of land, under coastal waters (1) to plant and grow shellfish using in-bottom or off-bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under Wellfleet's coastal waters, such as boxes, pens, trays, bags or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats (MGL Chapter 130; Section 57).

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Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

7.8. Issuance of Licenses for Aquaculture

7.8.1. Eligibility Requirements: Licenses shall only be issued to domiciled residents (See Sec.1 Definitions) of the Town, 18 years of age or older, who have the knowledge and experience to fulfill the responsibilities specified in the license, provided that the applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for a license. Applicant shall submit copies of state-filed catch reports. OR, provided the applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department. This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations. In addition, any applicant shall not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

At such time as a licensee ceases to be a domiciled resident of the Town that individual shall be removed from the license. The status of all other licensees will not change. If that licensee is the sole licensee then the license shall be revoked.

ROBERT MALLORY

TOWN OF WELLFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

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- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
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- N/A* This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. *CURRENT GRANT HOLDER*
- The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.
- For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.
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[Management Practices](#), [DMF's vibrio control plan](#), [National Shellfish Sanitation Program's Guide](#) and [DPH's Regulations for Fish and Fishery Products](#), as they apply to the harvest of shellfish governing his/her business operations.

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MARY MALLORY

TOWN OF WELLFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

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- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
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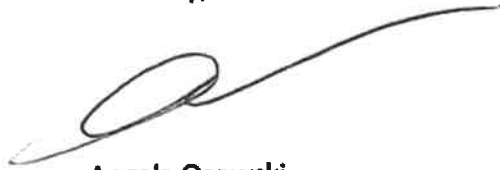
To: Wellfleet Selectboard

From: Angela Osowski, Robert Mallory, and Mary Mallory

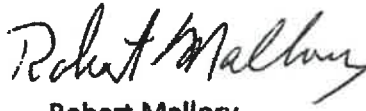
Date: January 9th, 2023

I, Angela Osowski, Robert Mallory, and Mary Mallory, Agree to comply with the Town of Wellfleet's Shellfishing Policy and Regulations and assume full responsibility for understanding and adhering to all federal and state regulations as they apply to shellfish propagation, harvest and sales.

Sincerely,



Angela Osowski



Robert Mallory



Mary Mallory

AQUACULTURE DESCRIPTION FORM

Clear Fields

Name: Last Osowski/Mallory First Angela/Robert & Mary M.I. _____

Business Name (optional): _____

Mailing Address box 2147

City/Town Wellfleet State MA ZipCode 02667

Telephone 5083496417 Cell Phone 508-364-1034

E-Mail Address capelobstergirl@gmail.com

A. SITE DESCRIPTION

Location of proposed aquaculture license site(s) and access routes (Include a site map in USGS 1:24,000 or 1:25,000 format with site boundaries clearly outlined and both current and historic Massachusetts Department of Environmental Protection (MassDEP) mapped eelgrass layers depicted on the map. The MA-ShellFAST tool may be used for generating the map and measuring distances/acreage).

City/Town: Wellfleet

Shellfish Growing Area (SGA): CCB 11

of Acres: 0.43

Site boundaries defined by latitude and longitude in decimal degrees (i.e. 42.36115°, -71.057083°):
(#110) 41.92932 -70.03316 (#109) 41.92902 -70.03337 (#113) 41.92833 -70.03322
(#114) 41.92852 -70.0334 (channel) 41.92833 -70.0334 (beach) 41.92932-70.03337

Have you conducted a survey of the site (Y/N)? Yes Date? 1/8/2023

Method of Survey:
Walked site to examine substrate. Same substrate as current grant

Average Depth at Mean Low Tide (MLW): 1 ft

Mean High Tide (MHW): 11 ft

The site is located in an: intertidal area; subtidal area; spans both intertidal and subtidal areas.

What type of sediment or bottom substrate is on the site? (Benthic Habitat Conditions):
sand

Is eelgrass currently present on or within twenty-five (25) ft. of the proposed site¹ (Y/N)? No

If eelgrass is present or currently/historically mapped by DEP within the shellfish growing area, what is the shortest distance to actual or mapped eelgrass from the proposed site? N/A ft.

Are there shellfish currently on the site (Y/N)? No

If yes what species and approximate densities?

Is the proposed grant site located within an Area of Critical Environmental Concern (ACEC) (Y/N)?

No Yes

Is the proposed grant site located within Natural Heritage Endangered Species Project (NHESP) mapped habitat (Y/N)? *If yes, you must submit a MESA Project Review Checklist to NHESP.*

No Yes

Is the proposed grant site located within an Outstanding Resource Waters (Y/N)? No

Is there an Environmental Justice (EJ) population located within 1-mile of the project site (Y/N)?

No

If so, please complete the attached supplement to this form for projects located within 1-mile of EJ populations.

Describe whether alternative locations were considered and identify the siting criteria used to select this site and the characteristics of the site that make it suitable for aquaculture use. It may be helpful for this evaluation to be based on the siting criteria identified in DMF's Shellfish Planting Guidelines and the Army Corps of Engineers General Permit for Aquaculture.

Has the site been used for private shellfish propagation within the last two years (Y/N)? No

Has the site been used for municipal shellfish propagation within the last two years (Y/N)? No

1. Proposed aquaculture license sites with eelgrass present within the footprint or within 25 ft. of eelgrass will not be granted certification by DMF.

B. SPECIES TO BE CULTURED

What species of shellfish do you plan to cultivate? (Select all that apply)

- Eastern Oyster
- Quahog or Hard Clam
- Softshell Clam or Steamer
- Surf Clam
- Razor Clam
- Bay Scallop
- Blue Mussel
- Other _____

Do you propose on-bottom placement of cultch or spat on shell on the site (Y/N)? No

If yes, explain.

C. GEAR

What methods of culture will be used (specify by species if necessary)?

On- bottom Off- bottom submerged Off- bottom floating

Describe the type of gear to be utilized for each species to be cultured, include dimensions (Cages, Racks, Trays, Bags, Nets, Floating): ***Depending on the gear type used, the project may require additional permitting by the Massachusetts Department of Environmental Protection (MassDEP). Consult with your Harbormaster, and if needed, with the MassDEP Waterways Program.***
100' x14' Tenax netting held down with ½" rebar & rebar "U" hooks for Quahog racks with bags and aqua trays for oysters

*Include with your submission of this form a site map on a USGS 1:24,000 map with site boundaries clearly outlined and a cross-section schematic of the gear to be deployed on the site. 3

If you will utilize floating gear, what measures will you take to deter birds (bird deterrence plan required)?

- Spikes
- Zip ties
- Kites/streamers
- Faux predators
- Wire cage exclusion
- Sweeps/spinners
- Sonic deterrents
- Other

Please describe your bird deterrence plan:

What methods will you utilize to harvest shellfish? (Hand, Drag, Other) Please describe:
Hand rake and Bull rake

How will the proposed license site be marked? (Buoy color, Type, Lines, Anchor)
20 inch fluorescent yellow balls with grant number affixed with screw anchors

How will you access the license site?

By boat, truck and foot

What equipment do you plan on utilizing to maintain the license site and transport product?

Vehicle: Make: Chevrolet Model: Silverado

Boat: Make: Carolina Skiff Model: 24

Will any accessory structures be used on the license site? (barge, float, upweller, etc.)

No

Will this be a seasonal operation (gear and product removed from site in winter) or year-round?

year-round operation

Please include any additional information here:

All oyster racks and aqua trays will be removed for the winter

D. CUMULATIVE IMPACTS

After voting to grant the site license at a duly advertised public hearing (M.G.L. c.130 §60), the Select Board of the municipality must submit a request for site certification to the Division of Marine Fisheries (DMF). A site inspection that may include a site survey will be performed by DMF. If DMF determines that issuance of the site license and operational activities thereunder will have no substantial adverse impacts to natural resources and existing fisheries, DMF will issue a conditional certification letter to the municipality and include a summary table that identifies other existing and conditionally certified aquaculture sites, gear types, and acreage within the same embayment as the proposed site.

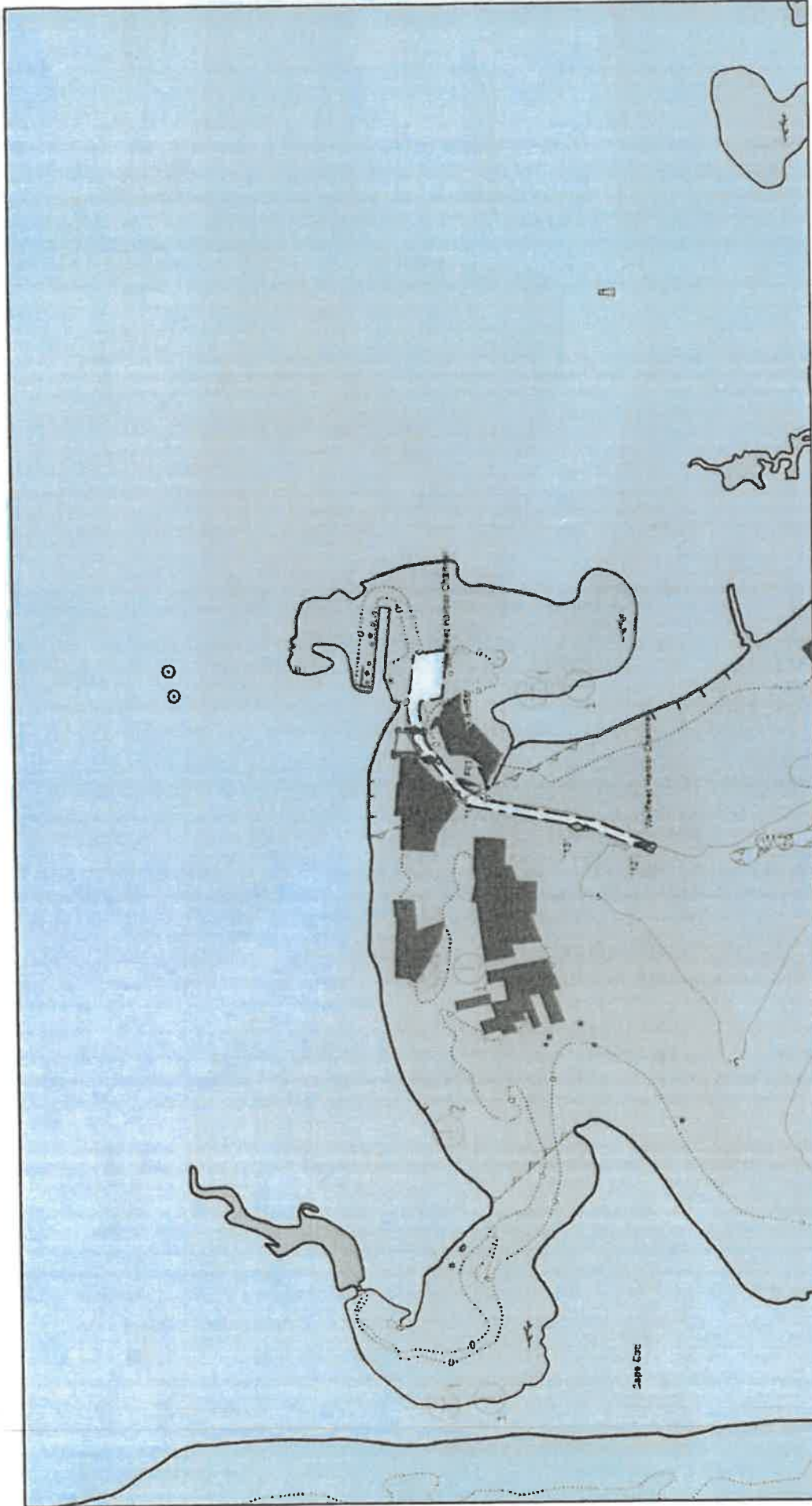
This table will be used to assess cumulative impacts if the project is subject to environmental review by the Massachusetts Environmental Policy Act (MEPA) Office and should be submitted as an attachment with your MEPA filing. If the project is subject to the MEPA Special Review Procedure (SRP), the applicant hereby acknowledges and agrees to following the procedures set forth in the SRP. The SRP can be viewed [here](#).

All information furnished on this application is true and accurate to the best of my knowledge. I will notify the Division Marine Fisheries Shellfish Sanitation and Management Program immediately of any changes.

Signature of Applicant	<u>Robert Mallory</u>	Date	<u>1-9-23</u>
	<u>Mary Mallory</u>		<u>1/9/23</u>
	<u>[Signature]</u>		<u>1/9/2023</u>

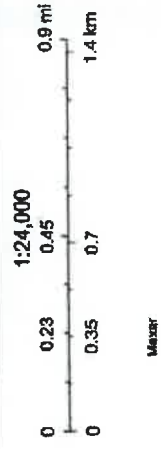
Division of Marine Fisheries
ATTN: Aquaculture Coordinator
706 South Rodney French Boulevard
New Bedford, MA 02744
Phone: (508) 742-9766

Osowski/Mallory

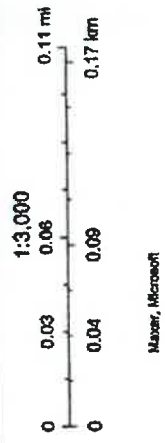
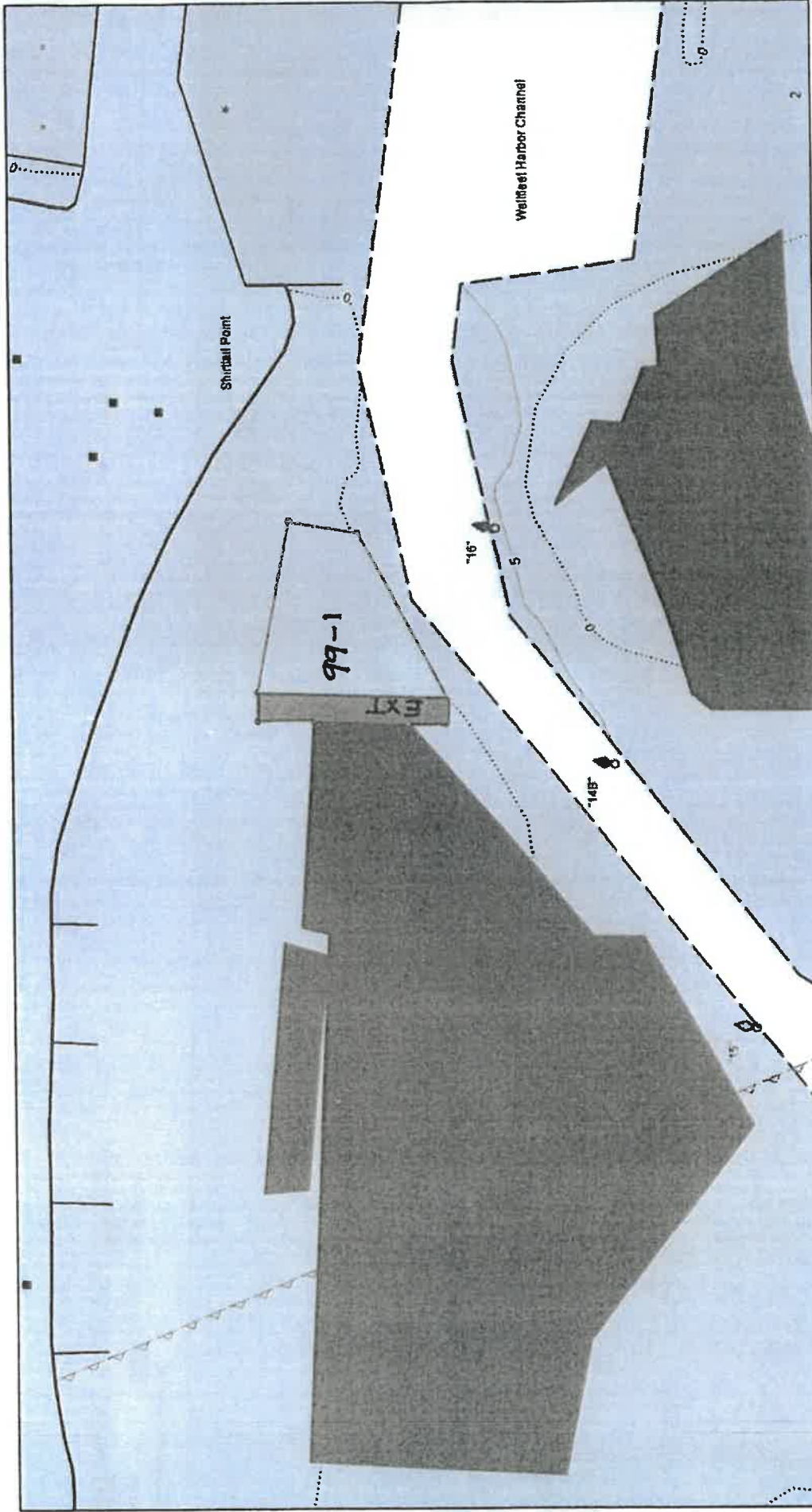


1/8/2023, 2:39:36 PM

- Areas
- Overide 1
 - Overide 2 Aquaculture
 - MAYO-ALL
 - Shellfish



Osowski/Mallory



1/8/2023, 2:38:38 PM **EXT**
Areas
Override 1 • MAYO-ALL
Override 2 Aquaculture
Shellfish



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

VI

LICENSES

~ A ~

REQUESTED BY:	Wellfleet SPAT
DESIRED ACTION:	To approve a special event alcohol license
PROPOSED MOTION:	I move to approve Wellfleet Spat a special event alcohol license for the Wellfleet Oysterfest October 14, 2023 & October 15, 2023 from 10am to 4:30pm for a fee of \$200.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

1. Applicant: Wellfleet SPAT Affiliation: Wellfleet Oysterfest
Shellfish Promotion and Tasting, Inc.
Address: Po Box 2156 Wellfleet, MA 02667 Telephone: 508-349-3499

2. Type of License All Alcohol (\$150/day) _____ Beer and Wine (\$100/day) X

3. Type of Activity Being Conducted Wellfleet Oysterfest to be held on Oct. 14+15, 2023.
This two day public street festival benefits the local community and promotes wellfleet shellfish + aquaculture

4. Date: October 14+15, 2023 Hours of Service: 10-4:30 the town's primary industry

5. Description of Premises: Beer + wine will be served and consumed in a secure
and contained area located in the Town Hall Parking Lot.

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

58-737-1016 Nancy O'Connell, SPAT Board President, Po Box 2156 Wellfleet, MA 02667

58-776-8408 Deirdre Oringer Vendor Coordinator Po Box 2156 Wellfleet, MA 02667

58-776-7528 Lisa Brown Po Box 2156 Wellfleet, MA 02667

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

The Oysterfest will include only SeriveSafe food purveyors which includes
restaurants, local shellfish people, offering raw bars + a variety of independant
food cart vendors.

Deirdre Oringer

Applicant's Signature

Fee: √ # 2378

Processing Fee: \$50.00 pd

Police Department: _____

Building Department: _____

Comments/Conditions: _____

Comments/Conditions: _____

Fire Department: _____

Health Department: _____

Comments/Conditions: _____

Comments/Conditions: _____

DPW Department: _____

Town Administrator: _____

Comments/Conditions: _____

Comments/Conditions: _____

Other: _____

Other: _____

Date Received

Fee

Date Issued



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

VII

BUSINESS

~ A ~

REQUESTED BY:	Town Administrator ~ Richard Waldo
DESIRED ACTION:	To review and possibly vote on the town of Wellfleet participate in the New Opioid Settlement
PROPOSED MOTION: SUMMARY:	I move that the town of Wellfleet participate in the New Opioid Settlement as presented and the town administrator execute the documents that come into the town for signatures.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

VII

BUSINESS

~ B ~

2023 Annual Town Meeting Warrant

REQUESTED BY:	Town Administrator ~ Rich Waldo
DESIRED ACTION:	To review the most recent version of the 2023 ATM Warrant
PROPOSED MOTION:	If there are motions that need to be made they will be made at the time of the meeting.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

VII

BUSINESS ANNUAL TOWN MEETING ELECTION BALLOT

~ C ~

REQUESTED BY:	Selectboard; Town Clerk
DESIRED ACTION:	To review the town election ballot
PROPOSED MOTION:	If a motion is needed one will be made at the time of the meeting
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

VIII

SELECTBOARD REPORTS:

Reported by:	Topic:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

IX

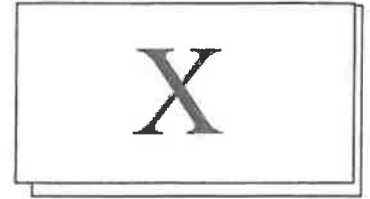
TOPICS FOR FUTURE DISCUSSION

- **The Selectboard will discuss a list of current items that are outstanding**



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023



VACANCY REPORTS

*****Please see the packet for full report*****

Date: March 21, 2023
To: Board of Selectmen
From: Rebekah Eldridge
Re: Vacancies on Town Boards

Bike and Walkways Committee (5 members) ~ This group no longer meets ~
Vacant Positions Appointing Authority Length of Term
2 Positions Selectboard 1 year (complete term)
Requesting Appointment: No applications on file

Board of Assessors (3 members, 1 alternate)
Vacant Positions 0 Appointing Authority Length of Term
1 Alt Position Selectboard 3 years
Requesting Appointment: No applications on file

Board of Health (5 members, 2 alternates)
Vacant Positions 0 Appointing Authority Length of Term
0 Alt Positions Selectboard 3 years
Requesting Appointment: No applications on file

Board of Water Commissioners (5 Members, 2 Alternates)
Vacant Positions 0 Appointing Authority Length of Term
2 Alt Positions Selectboard 3 years
Requesting Appointment: No applications on file

Cable, Internet and Cellular Service Advisory Committee (5 Members)
Vacant Positions 0 Appointing Authority Length of Term
0 Voting Positions Selectboard 1 year

Commission on Disabilities (up to 5 Members)
Vacant Positions 1 Appointing Authority Length of Ter
Selectboard 3 years
Requesting Appointment: No applications on file

Conservation Commission (7 Members + 2 alternates)
Vacant Positions 1 Appointing Authority Length of Term
Selectboard
2 Alt Positions 3 years
Requesting Appointment:

Council on Aging (11 Members)
Vacant Positions Appointing Authority Length of Term
3 Voting Positions Selectboard 3 years
Requesting Appointment: No application on file

Cultural Council (no more than 15 Members)
Vacant Positions Appointing Authority Length of Term
5 voting Positions Selectboard 3 years
Requesting Appointment: no applications on file

Dredging Task Force (5 Members)
Vacant Positions Appointing Authority Length of Term
0 Positions Selectboard 3 years
Requesting Appointment: No applications on file

Energy and Climate Action Committee Length of Term
Vacant Position Appointing Authority
2 Voting Positions Selectboard
2 Alternate Positions

Finance Committee (9 members, 2 alternate)
Vacant Positions Appointing Authority Length of Term
1 Alternate Position Town Moderator 3 years
Requesting Appointment: one application on file ~ Timothy Sayer

Historical Commission (7 members)
Vacant Positions Appointing Authority Length of Term
0 Vacancies Selectboard 3 years
Requesting Appointment: no application on file

Local Housing Partnership (at least 10 members)
Vacant Positions Appointing Authority Length of Term
0 Vacancy Selectboard 1 year
Requesting Appointment: No application on file

Marina Advisory Committee (7 Members, 2 Alternates)
Vacant Positions Appointing Authority Length of Term
0 Alternate Position Selectboard 2 years
Requesting Appointment: No applications on file

Natural Resources Advisory Committee (7 Members)
Vacant Positions Appointing Authority Length of Term
4 voting Positions Selectboard 3 years
Requesting Appointment: No application on file

Open Space Committee (7 Members)
Vacant Positions Appointing Authority Length of Term
0 Positions Selectboard 1 year
Requesting Appointment: No application on file

Planning Board (7 members + 2 alternates)
Vacant Positions Appointing Authority Length of Term
1 voting position Selectboard 5 years
2 Alternate Position
Requesting Appointment: No applications on file

Recreation Committee (7 Members)
Vacant Positions Appointing Authority Length of Term
2 Positions Selectboard 3 years
Requesting Appointment: No applications on file

Recycling Committee (7 Members + 2 Alternates)
1 Voting Positions Appointing Authority Length of Term
2 Alternate Positions Selectboard 3 years
Requesting Appointment: No applications on file

Rights of Public Access (5 Members)

Vacant Positions

Appointing Authority

Length of Term

2 Positions

Selectboard

1-2 years

Requesting Appointment: No application on file

Shellfish Advisory Board (7 members + 2 Alternates)

1 Vacant Positions

Appointing Authority

Length of Term

1 Alternate Position

Selectboard

3 years

Requesting Appointment: No application on file

Zoning Board of Appeals (5 Members, 4 Alternates)

Vacant Positions

Appointing Authority

Length of Term

0 Position

Selectboard

3 years

Requesting Appointment: No applications on file



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

XI

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of the Meeting Minutes of March 7th & 9th, 2023.
PROPOSED MOTION:	I move to approve the minutes of March 7th and March 9th, 2023, open session minutes as drafted
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Wellfleet Selectboard
Tuesday March 7, 2023; 7pm
Hybrid Meeting ~ ZOOM/ 715 Old King's Highway
Meeting Minutes

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

Others Present: Richard Waldo, Town Administrator (Virtual); Rebekah Eldridge, Executive Assistant; Brittany Sullivan, Wellfleet Chamber of Commerce; Wayne Clough, Carole Ridley, Herring River Restoration project; Michael Hurley, Police Chief; Rich Pauley, Fire Chief; Nancy Civetta, Shellfish Constable; Hillary Greenberg-Lemos; Health & Conservation Agent; Walter Baron, Ted Wilson; Kevin LaRocca, Police Lieutenant; Joe Capello, Deputy Fire Chief; Stephen Pickard, Ken Kozak, Wicked Oyster; Billy Hamlin, Seamen's Bank; James Badera, Building Commissioner; Tim Sayer

Chair Curley Called the meeting to order at 7:00pm

I. *Announcements, Open Session and Public Comments*

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

Chair Curley announced that the town administrator would be joining remotely. Pickard spoke about his conflict of interest not being heard by the board. Chair curley informed Pickard that he was on the agenda tonight, but he had submitted the incorrect form.

***** Disclosure of Conflict of Interest **** BOARD MEMBER DEVASTO
RECUSED HIMSELF**

- **Ethan Estey**
- **Karen Johnson**
- **Stephen Pickard ~ Appearance of Conflict**

The board discussed these three conflicts of interests.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted that as an appointing official, as required by G.L. c. 268A, §19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the special employee with regard to Ethan Estey.

Roll Call Vote: 4-0-1

Chair Curley Moved; Board Member Bacon Seconded and it was voted that as an appointing official, as required by G.L. c. 268A, §19, I have reviewed the

particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services, which the municipality may expect from the special employee with regard to Karen Johnson.

Roll Call Vote: 4-0-1

Pickard spoke to the board about his newly filled out disclosure of conflict. He explained his role on Egg Island with his grant.

Board Member Carboni Moved; Seconded and it was voted that as an appointing official, as required by G.L. c. 268A, §19, we have reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the special employee with regard to Stephen Pickard.

Roll Call Vote: 4-0-1

II. *Consent Agenda*

- A. Use of Town Property, Mayo Beach Boat Ramp, Walter Baron; Wellfleet Rowing Rendezvous #10 ~ Use of Marina Boat Ramp
- B. Appointment of Janet Lesniak to the Wellfleet Cultural Council
- C. Execution of the Nauset Regional School District Fire Suppression System Contract ~ Town Administration
- D. Execution of the lower cape TV contract ~ Executive Assistant
- E. Approval of the 4th of July Parade, July 4, 2023; 8:00am–11am ~ Chamber of Commerce

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the Consent Agenda as written.

Roll Call Vote: 5-0

III. *Employee Matters*

- A. Letter of Recognition police dispatchers and officers assisting in search and successful location of a missing person ~ Lt. Kevin LaRocco
Lt. LaRocco read his letter of appreciation to the police dispatchers and police officers who assisted with the search and successful location of the missing person.
- B. Letter of Recognition for responding officers to a critical incident in Provincetown ~ Provincetown Police Chief
Chief Hurley read a letter from the Provincetown Police Chief in recognition of the Wellfleet police officers with their help regarding a critical incident.

IV. *Public Hearings*

- A. The Wicked Oyster ~ To extend their ABCC license for alcohol seating area. The board asked where the outdoor seating area would be. Kozak explained that the seating would be the same.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the application received by the Wicked Oyster To approve the

alteration of their ABCC license at permanently extend the allowable alcohol service area to include the outside seating sections in the back of the building.

Roll Call Vote: 5-0

- B. The Wellfleet Motel & Lodge ~ To extend their license for alcohol seating area. Wilson spoke to the board regarding the extension of his outdoor seating area to be able to serve alcohol.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the application received by the Wellfleet Motel & Lodge To approve the alteration of their ABCC license at permanently extend the allowable alcohol service area to include the outside seating sections in the front of the building.

Roll Call Vote: 5-0

- C. Seaman's Bank ~ Rosa Buttrick ~ One Day Alcohol special event license
The board had no comments for this applicant.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the application received by Seaman's Bank in Wellfleet, to allow a one-day special event license for their afterhours event.

Roll Call Vote: 5-0

V. ***Board/Committee Appointments and Updates***

- A. Alternate Member for the Cape Cod National Seashore Advisory Commission ~ Wayne Clough

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to nominate Wayne Clough as an alternate member to the Cape Cod National Seashore Advisory Commission.

Roll Call Vote: 5-0

VI. ***Licenses***

- A. Moby Dick's Restaurant ~ Weekday Entertainment

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the application for Moby Dick's Weekday entertainment license.

Roll Call Vote: 5-0

VII. ***Business***

Board Member Carboni Recused herself from all items with regard to the Herring River Restoration Project.

- A. Intermunicipal Agreement ~ Herring River Restoration Project ~

Wellfleet/Truro ~ Carole Ridley ~ Ridley spoke to the board, explaining the easement with the Town of Truro and how the agreement would work.

Chair Curley Move; Board Member DeVasto Seconded, and it was voted to approve the intermunicipal agreement between the Towns of Wellfleet and Truro for the Herring River Restoration Project for the elevation and reconstruction of the low lying road, Old County Road.

Roll Call Vote: 4-0-1

- B. Wellfleet Conservation Trust Easement ~ Carole Ridley

Chair Curley Moved; Board Member Bacon Seconded and it was voted to approve an article of differed inclusion in the annual town meeting warrant to require an easement off Old Chequessett Neck Road with the Wellfleet

Conservation Trust related to Mill Creek for the 2023 Annual Town Meeting.

Roll Call Vote: 4-0-1

C. Department Budgets

- **Human Services Budget** ~ Thomas gave her presentation to the board and they confirmed the budget was correct.
Chair Curley moved; Board Member DeVasto Seconded; and it was voted to approve the Human Services Budget as presented.
Roll Call Vote: 5-0
- **Police**
Chief Hurley, and Lt LaRocco came to the table to present the police budgets for FY 2024. The Chief spoke to the support of the town administration and the residents of Wellfleet at the town meeting. He stated he felt the police budget is in a good place for the 2023 summer season. He explained his budget changes and increases for FY 2024.
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to support the police chief's Deputy Police Chief position.
Roll Call Vote: 5-0
Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the FY 2024 Police operating budget.
Roll Call Voted: 5-0
Chair Curley moved on to the communications budget. He spoke very highly of the communications department discussing how hard they work and especially during the COVID-19 pandemic. He explained there were no major changes in this budget.
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Dispatch and Communications budget as presented.
Roll Call Vote: 5-0
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Emergency Management Budget as presented.
- **Fire**
Chief Pauley and Deputy Chief Capello came to the table to present the fire department budgets. Pauley explained his budget to the board discussing the increases. The board had some questions regarding his budget and need for two new fire positions at the next Town Meeting.
Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Fire Department Operating Budget.
- **Building**
Badera presented his budget to the board. He explained the changes in his budget to the board.
Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the FY 2024 Building Operating Budget.

Roll Call Vote: 4-0-1 (DeVasto Abstained)

- **Health and Conservation**

Lemos began with conservation budget she explained why there was an increase in her budget.

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Conservation Budget.

Roll Call Vote: 5-0

Lemos spoke to her Board of Health budget explaining a recording secretary to be moved into a full-time position, and that person would be reporting to Lemos as their supervisor. The other added item was the gasoline which was previously paid out of the DPW budget. Sayer questioned the gas budget. Norton spoke to that budget.

Board Member Bacon Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Board of Health Operating Budget.

Roll Call Vote: 4-0-1 (Curley Abstained)

- **Shellfish ~ Board Member DeVasto Recused himself.**

Civetta spoke to her budget and explained her increases as well. Sayer spoke to the board regarding this budget.

Chair Curley Moved, Board Member Carboni Seconded; and it was voted to approve the FY 2024 Shellfish Department Operating Budget as presented.

Roll Call Vote: 4-0-1 (DeVasto recused)

Civetta continued on to her propagation budget. She explained the budget and how it worked.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the FY 2024 Shellfish Propagation Budget as presented.

Roll Call Vote: 4-0-1

Chair Curley Moved, Board Member Wolf Seconded; and it was voted to approve the FY2024 Shellfish Advisory Board FY 2024 Operating Budget as presented.

Roll Call Vote: 4-0-1

- **Town Administration Budgets (Town Hall)**

Waldo spoke to the General Administration budget which covered the town hall departments. He began with the moderator budget.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve budgets 114 and 115 as printed.

Roll Call Vote: 5-0

Chair Curley spoke to the board and public about the Selectboard budget and how it needed to be organized. The board discussed this budget and **Board Member DeVasto Moved; Board Member Carboni Seconded, and it was voted to accept the FY 2024 selectboard budget and removing the rights of access committee and planning budgets and putting them in their own line items.**

Roll Call Vote: 5-0

Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to approve the Rights of Public Access Budget and the Planning Budget for FY 2024

Roll Call Vote: 5-0

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Legal Budget as presented.

Roll Call Vote: 5-0

Waldo moved on to the IT department. He explained that IT is constantly evolving and explained that the thought was to take the budget from Barnstable County and use that money to have an in house IT person available Monday through Friday instead of three days a week which is what we have now.

Board Member Bacon Moved; Board Member DeVasto Seconded, and it was voted to remove the request for the Flora and Fauna study out of the budget and have it placed in the warrant as an article.

Roll Call Vote: 3-1-1

Waldo continued with the administration budgets.

Chair Curley Moved; Board Member Seconded; and it was voted to approve the General Government FY 2024 operating budget as amended.

Roll Call Vote: 5-0

Waldo then moved to the finance budgets. He spoke to the consultancy costs needed to be cut back and a finance director position needs to be funded. The board discussed this position. The board discussed a dual role and Chair Curley explained that the job is too big to allocate the two roles to one person. He couldn't stress enough how important this would be to separate the finance director and town accountant. He went into detail.

Board Member DeVasto Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Finance Budget.

Roll Call Vote: 4-0-1 (Curley Abstained)

Waldo continued with the administration budgets.

Chair Curley Moved; Board Member Bacon Seconded, and it was voted to approve the finance budgets numbers, 121-141-145 & 158 as presented.

Roll Call Vote: 5-0

Chair Curley Moved, Board Member Bacon Seconded; and it was voted to approve the budget numbers 172, 153 & 156 as presented.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the unclassified budgets of FY 2024.

Roll Call Vote: 5-0

Waldo finished with the Water Enterprise budget.

Board Member Bacon Moved; Chair Curley Seconded; and it was voted to approve the FY 2024 Water Enterprise Budget as amended and presented.

Roll Call Vote: 5-0

D. Potential Special Fall Town Meeting ~ Chair Curley

Chair Curley spoke to the board regarding a fall town meeting. He stated that he spoke with the moderator who agrees with this decision as well. He went into detail on why he feels this is necessary. The board discussed this and what would be on the special town meeting warrant.

Board Member Carboni Moved; Chair Curley Seconded, and it was voted to approve the special town meeting at a date to be announced at a future selectboard meeting.

Roll Call Vote: 5-0

E. 2023 ATM Warrant

Chair Curley questioned the board about moving the warrant to Thursday or next week. The board agreed to wait for the warrant.

NO ACTION WAS TAKEN

VIII. *Selectboard Reports*

Chair Curley announced that Maurice's Campground is moving forward.

Commission on Disabilities will be meeting on the 9th of March.

Board Member Bacon stated she went to the NRAB meeting.

IX. *Town Administrator's Report*

Waldo spoke to the board giving a brief update on the department heads. He discussed the fuel tanks are being installed at the Marina.

X. *Topics for Future Discussion*

XI. *Vacancy Reports*

XII. *Minutes*

A. February 28, 2023

Board Member Bacon Moved; Chair Curley Seconded, and it was voted to approve the meeting minutes of February 28, 2023, as printed in draft.

Roll Call Vote: 5-0

XIII. *Adjournment*

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to adjourn the meeting.

Meeting Adjourned 10:40pm

***** *Public Documents* *****

Use of Town Property Application ~ Wellfleet Rowing Rendezvous

Application from Janet Lesniak ~ Wellfleet Cultural Council

Lower Cape TV Contract

Wellfleet Elementary School Fire Suppression System contract

Use of Town Property Application ~ Wellfleet Chamber of Commerce; 4th of July Parade.

Letter of recognition from Lt. LaRocca

Letter of recognition from Police Chief in Provincetown MA

Application from The Wicked Oyster to alter their ABCC seating area.

Application from The Wellfleet Motel and Lodge to alter their ABCC seating area.

DRAFT *** A full recording of this meeting can be found on the town's website ***

Application from Seaman's Bank for special one day alcohol license
Application from Wayne Clough to be nominated as an alternate member to the Cape Cod
Seashore Advisory Commission.
Intermunicipal Agreement with Truro
Conservation Trust Easement
Department FY 2024 Budgets
2023 ATM Warrant Version 4
Town Administrator's Report
Meeting Minutes February 28, 2023

Wellfleet Selectboard
Thursday March 9, 2023;6pm
Virtual Meeting ~ ZOOM
Open Session Meeting Minutes

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

Others Present: Richard Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Helen Miranda Wilson, Shannon Hulst, floodplain specialist; Dick Elkin, Michael Hurley, Police Chief;

Chair Curley Called the meeting to order at 6:03pm

I. *Announcements, Open Session and Public Comments*

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments. There were no announcements.

***** Conflict of Interest*** ~ Nick Sirucek
~ Rebecca Taylor**

It was explained that both these were conflicts of financial interest for Egg Island as the two people have grants on the property.

Chair Curley Moved; Board Member Carboni Seconded; and it was voted that as an appointing official, as required by G.L. c. 268A, §19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services, which the municipality may expect from the special employee with regard to Nick Sirucek.

Roll Call Vote: 4-0-1

Chair Curley explained that Rebecca Taylor did hand in a disclosure of conflict of interest because she has interest in the Egg Island Grants. He explained the board didn't need to vote on this but just needed to acknowledge they had received it.

II. *Business*

A. Relocation of solid waste receptacles ~ Maurice's Campground

Chair Curley explained that he was recused from this agenda item and Board Member DeVasto stepped in as the chair for this item. Waldo explained why the lessee of the campground wanted to relocate these dumpsters. It was questioned as to why permission was needed, Waldo explained that it was in the lease agreement with the lessee of the campground. It was questioned if the Board of

Health was informed or questioned if this was something they would agree with. Waldo explained that it was just two dumpsters being moved and there were no wetlands being intruded on.

Board Member Carboni Moved; Board Member Bacon Seconded; and it was voted to approve the relocation of the solid waste receptacles at Maurice's Campground with the stipulation that they get approval from the Conservation Commission and the Health Agent.

Roll Call Vote: 4-0-1 (Curley Recused)

- B. Flood Plain District Zoning Bylaw Amendment ~ Wellfleet Planning Board
Chair Curley introduced Hulst to the board who is the floodplain specialist from Barnstable County. She explained what this bylaw meant for the town and the amendments that have been made. Chair Curley Shared his screen to show the board and public the amendments that have been inserted in the bylaw.

Chair Curley Moved; Board Member Bacon Seconded and it was voted to refer the Floodplain Bylaw Amendment 40A section 5 to the Wellfleet Planning Board for a public hearing within the 65-day timeframe.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Bacon Seconded, and it was voted to insert and recommend 6.14 & 6.13 into the Annual 2023 Town Meeting Warrant.

Roll Call Vote: 5-0

- C. Zoning Assistance Request MHP

Chair Curley Explained that this is a letter seeking technical assistant for zoning assistance. This would be a free service or paid for with a grant.

Chair Curley Moved; Board Member Seconded; and it was voted to approve the sending of the letter as drafted requesting technical assistance for zoning and be sent to Laura Shufelt as soon as possible.

Roll Call Vote: 5-0

- D. FY 2024 Budgets

- Miscellaneous Budgets

These budgets were covered on March 7, 2023.

- Debt Schedule

Chair Curley asked for a finalized copy of this and will be discussed on Tuesday March 14, 2023.

- Department Call Backs (any department budgets that had questions or concerns)

There were none as they were all discussed and approved on March 7, 2023.

- E. Annual Town Report

- Selectboard Report for Annual Report

Chair Curley stated he drafted this report and questioned the board.

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the Annual Town Report as amended.

Roll Call Vote: 5-0

- Selectboard Financial Management Review Report

Chair Curley explained this review letter to go before the DLS report in the annual report for the town. He stated the board is required in the charter to issue this report into the annual report. The board discussed this letter and the DLS report.

Board Member Bacon Moved; Chair Curley Seconded; and it was voted to approve the Wellfleet Financial Management Review as amended and be placed into the 2022 annual town report.

Roll Call Vote:

F. Annual Town Meeting

Board member Bacon asked to set a 9am arrival time at town meeting if there need to be last minute changes.

G. Historical Commission Demolition Bylaw Amendment warrant article ~ Historical Commission, Merrill Mead-Fox

Mead-Fox presented the tracked change version of the bylaw which was amended by Carolyn Murray from KP Law. The board went over the changes and amendments made some changes.

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to insert and recommend a warrant article to replace chapter 156 article 1 Demolition Bylaw as amended, into the Fall Special meeting warrant.

Roll Call Vote: 5-0

H. Specialized Code Warrant Article ~ Energy Climate Action Committee ~ David Mead-Fox

Mead-Fox presented his amendments to the specialized code warrant article and discussed it with the board.

They discussed if this could be on the spring town meeting. The board has already inserted this in the sprint town meeting warrant.

NO ACTION WAS TAKEN ON THIS ARTICLE

I. ADU Bylaw Amendments ~ Wellfleet Housing Authority & Local Housing Partnership

The board discussed this bylaw and Chair Curley explained this needed to go before the Planning Board for their vote. There were some minor amendments made there was no discussion.

Chair Curley Moved; Board Member Seconded; and it was voted to insert and recommend the ADU Bylaw Amendments by the Wellfleet Housing and Local Housing Partnership, and to refer them to the Planning Board for a Public Hearing within 65 days.

Roll Call Vote: 5-0

J. 2023 ATM Warrant

Waldo went through the 4th Version of the warrant and explained the changes he made throughout the warrant. The board discussed the changes and articles.

Board Member DeVasto Moved; Chair Curley Seconded; and it was voted to insert and recommend Article 18 Wastewater/Water Superintendent into the 2023 annual town meeting warrant.

Roll Call Vote: 5-0

The board moved on to the preschool vouchers. They had previously voted to insert this article and now needed to vote.

Board Member DeVasto Moved; Board Member Wolf Seconded; and it was voted to recommend the preschool voucher program.

Roll Call Vote: 5-0

They moved on to the Opioid Settlement Funds, Waldo explained he is working with town counsel and will meet with them the following Monday to discuss how this fund would manage.

Board Member DeVasto Moved; Chair Curley Seconded, and it was voted to insert and recommend the Opioid Special Purpose Fund into the 2023 town meeting warrant.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to insert and recommend the PEG Fund into the town meeting warrant.

Roll Call Vote: 5-0

The board moved to the Shellfish revolving fund.

Chair Curley moved; Board Member DeVasto Seconded; and it was voted to recommend the shellfish revolving funds.

Roll Call Vote: 4-0-1 (DeVasto abstained)

The board continued with the Selectboard stipend and whether or not this should go onto the spring meeting or the special fall town meeting. They discussed at great length if the chair should be allocated more than the other board members.

Board Member DeVasto Moved; Board Wolf Member Seconded; and it was NOT voted to insert the article for increased stipend into the special fall town meeting warrant.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to recommend the article for a selectboard stipend and have it on the spring town meeting.

Roll Call Vote: 5-0

The community preservation articles were discussed next.

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to recommend the Open Space warrant article as drafted.

Roll Call Vote: 5-0

Board Member DeVasto Moved; Chair Curley Seconded; and it was voted to recommend the warrant article to acquire an easement off of Old Chequessett Neck Road.

Roll Call Vote: 4-0-1 (Carboni Recused)

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to place the Inclusionary Bylaw Amendment to the Fall Special Town Meeting Warrant:

Roll Call Vote: 5-0

K. 2023 ATM HOME RULE PETITIONS

- Exemption from Prevailing Wage Determinations for small projects
- Expanded Residential Tax Exemption
- Real Estate Transfer Fee
- Non-Binding Referendum

The Board discussed the home rule petitions, Chair Curley questioned if they were being reviewed by town counsel. Waldo explained that counsel has seen it and he will review their comments.

Bacon questioned if they could reserve their recommendation prior to town meeting, it was answered that yes the board could do it on town meeting floor.

Chair Curley Moved, Board Member Bacon Seconded and it was voted to insert the two petitioned articles for scholarship program for Wellfleet.

Roll Call Vote: 5-0

L. DSPI & Food establishment Zoning Bylaw Amendment **MOVED TO MARCH 16TH.**

M. Inclusionary Zoning Bylaw Amendment **MOVED TO MARCH 16TH.**

III. *Minutes*

A. March 7, 2023 *CONTINUED TO MARCH 21ST.*

IV. *Adjourn Open Session and Enter into Executive Session ~ M.G.L. c.30A, Sec. 21*

Purpose 7: *To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.*

A. CBA Units

- Police = MCOP LOCAL 326A
- Communications (Dispatch) = COPS 326B

Chair Curley Moved, Board Member Seconded; and it was voted to adjourn open session and move into executive session and not to reenter into open session.

Roll Call Vote: 5-0

Open Session Adjourned: 9:01pm

V. *Executive Session Minutes*

- July 12, 2021, ~ Reviewed by Town Counsel.
- August 10, 2021, ~ Reviewed by Town Counsel.
- November 9, 2021, ~ Reviewed by Town Counsel.
- December 17, 2021, ~ Reviewed by Town Counsel.
- February 3, 2021, ~ Reviewed by Town Counsel.
- January 20, 2022, ~ Reviewed by Town Counsel.
- May 17, 2022, ~ Reviewed by Town Counsel.
- June 6, 2022, ~ NOT VOTED
- June 10, 2022, ~ NOT VOTED
- June 16, 2022, ~ NOT VOTED
- August 23, 2022, ~ NOT VOTED
- August 30, 2022, ~ NOT VOTED
- September 1, 2022, ~ NOT VOTED

DRAFT *** A full recording of this meeting can be found on the town's website ***

- September 27, 2022, ~ NOT VOTED.
- October 4, 2022, ~ NOT VOTED
- November 15, 2022, ~ NOT VOTED
- December 20, 2022, ~ NOT VOTED
- January 12, 2023, ~ NOT VOTED
- January 17, 2023, ~ NOT VOTED

VI. *Adjournment*



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 21, 2023

XII

ADJOURNMENT

REQUESTED BY:	Selectboard Chair Ryan Curley
DESIRED ACTION:	To Adjourn
PROPOSED MOTION:	I move to Adjourn open session.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____