

MONDAY
MARCH 17TH
2014

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
MONDAY MARCH 17, 2014
5:00 p.m.**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. APPOINTMENTS:

5:00 p.m.	Request for License for Stairs on Old State Highway - Attorney Andrew Singer
5:15 p.m.	Review of Planning Board Warrant Articles – Sign Code, Overlay District – Art Autorino, Alt member Planning Board
5:25 p.m.	Review of Management and Placement of Shellfish Grant in Town Cove
5:40 p.m.	AmeriCorps Update – Brittany Quaglieri
6:00 p.m.	Update on Ballot Question Progress - M.G.L. Chapter 40 Sections 6C, 6D, 6N
6:10 p.m.	Tri Town Septage Operation Funding, Long Term Planning, Warrant Article – Selectman Martin McDonald

(Note: Other than public hearings, all times are approximate and items may be taken out of order.)

III. ADMINISTRATIVE MATTERS

A. Action/Discussion

1. Approval of Fees and Event, Ragner Relay – Mark Powers
2. Appointment of Electronic Voting Committee Members
3. Proclamation – Equal Pay Day, April 8, 2014
4. Extension of Time to Comply with Enforcement Order
5. Recommendations on Warrant Articles

IV. TOWN ADMINISTRATOR'S REPORT

V. EXECUTIVE SESSION – Litigation, Contract Negotiation Strategy

UPCOMING MEETINGS:

Wednesday, March 19, 2014	2:30 p.m.	Work Session
Monday, March 31, 2014	5:00 p.m.	Public Hearing Water Warrant Article
Monday, April 7, 2014	5:00 p.m.	Regular Session
Wednesday, April 9, 2014	2:30 p.m.	Regular Session
Monday, April 14, 2014	5:00 p.m.	Public Hearing-Budget, Capital Warrant Articles, and Other Articles

The listing of matters includes those reasonable anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

This meeting will be video recorded and broadcast over Local Access Channel 18 and through the Town website at www.eastham-ma.gov

Law Office of Singer & Singer, LLC

26 Upper County Road
P. O. Box 67
Dennisport, Massachusetts 02639

11
5:00 pm

Andrew L. Singer

Myer R. Singer
Of Counsel

Tel: (508) 398-2221
Fax: (508) 398-1568
www.singer-law.com

January 15, 2014

Eastham Board of Selectmen
Eastham Town Hall
2500 State Highway
Eastham, MA 02642

ADMINISTRATION

JAN 17 2013

RECEIVED

Re: 51 Old State Highway, Eastham (aka 5 Route 6A, Orleans)


Dear Members of the Board:

I am writing to request that The Whole Clam, LLC, the owner of the above-referenced property, be placed on the Board's agenda for your first meeting in February for the purpose of seeking the Board's permission to enter into the enclosed, proposed License Agreement.

The property, formerly the site of Finbars restaurant and now being redeveloped for The Knack restaurant, is located in both the Towns of Orleans and Eastham. For several decades there has been a set of stairs leading from the rear of the property down into the grass area of the Old State Highway layout in Eastham. These stairs have historically provided access to the restaurant for the residents and users of Town Cove and allows them to avoid the need to drive or walk up to Route 6A to access the property. The retaining wall over which the stairs are located has failed and is being replaced as part of the site redevelopment. If the Board so approves, the redevelopment will include relocating and maintaining these stairs northerly as shown on the enclosed Sketch Plan.

We appreciate your consideration of this request. We would be happy to answer any questions you might have before or at our meeting with you. Thank you.

Very truly yours,



Andrew L. Singer

ALS/a

Enclosures

cc: by email (w/att.)
Sheila Vanderhoef, Eastham Town Administrator
Neil Andres, Eastham DPW Superintendent
Jeff Thibodeau, Eastham Town Planner
George Meservey, Orleans Town Planner

BAXTER NYE ENGINEERING
& SURVEYING
78 North Street
Hyannis, MA 02601
Phone: 508-771-7502

SCALE: 1" = 10 FEET

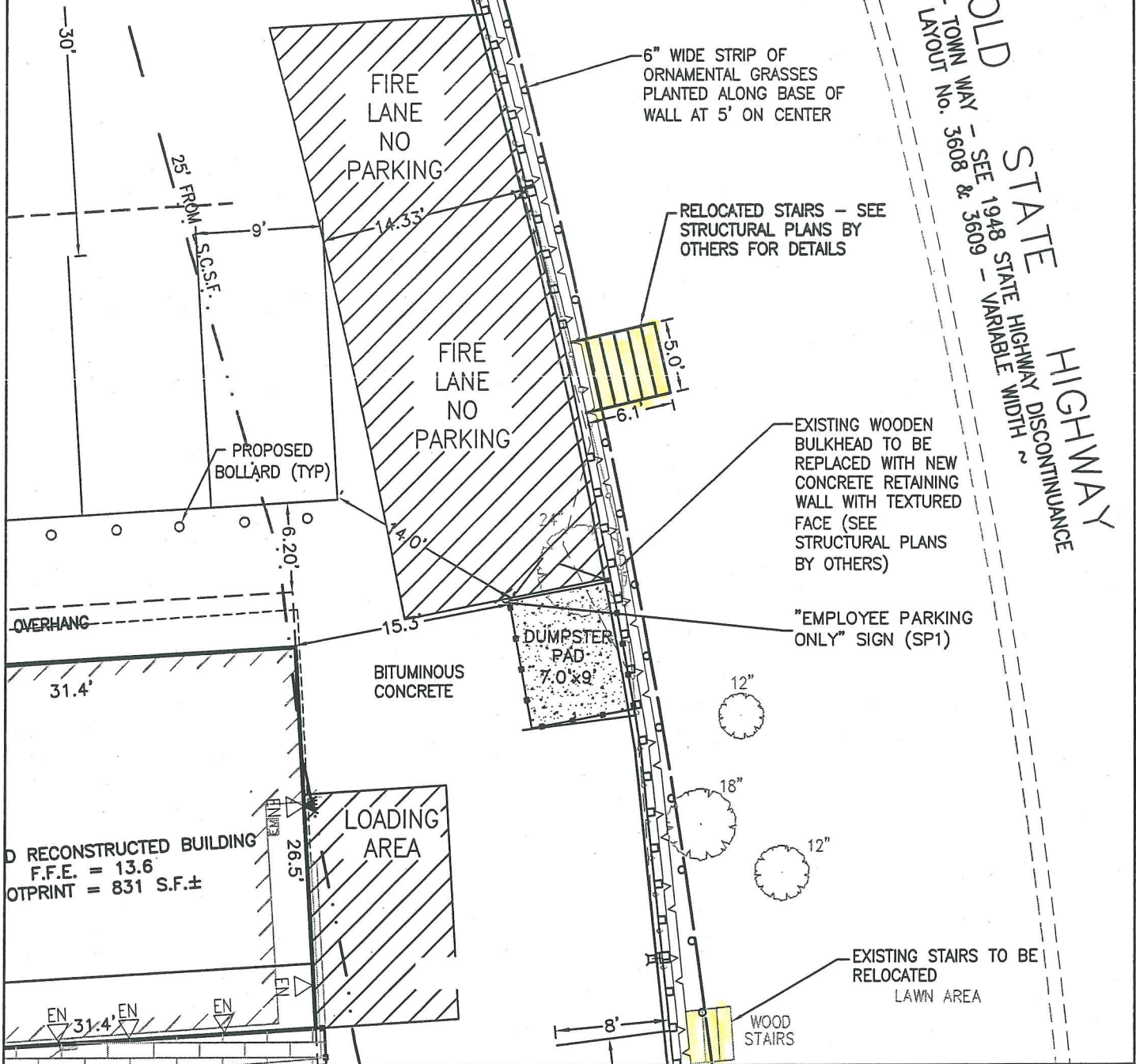
PROJECT #: 2013-030

EXHIBIT SKETCH SHOWING ACCESS STAIRS RELOCATION

DECEMBER 31, 2013

APPLICANT: THE WHOLE CLAM, LLC

EASTHAM ASSESSOR MAP 22, PARCEL 1
51 OLD STATE HIGHWAY
EASTHAM, MA



1936 STATE HIGHWAY
LAYOUT No. 3203

OLD STATE HIGHWAY
PUBLIC - TOWN WAY - SEE 1948 STATE HIGHWAY LAYOUT No. 3608 & 3609 - VARIABLE WIDTH ~ DISCONTINUANCE

LICENSE AGREEMENT

BETWEEN

TOWN OF EASTHAM

and

THE WHOLE CLAM, LLC

This LICENSE AGREEMENT (hereinafter referred to as the "License") is executed this ____ day of February, 2014, by and between the TOWN OF EASTHAM, a Massachusetts municipal corporation, acting by and through its Board of Selectmen (hereinafter referred to as the "TOWN") having an address of Eastham Town Hall, 2500 State Highway, Eastham, Massachusetts, and The Whole Clam, LLC a Massachusetts Limited Liability Company having an address of 52 Caillouet Lane, P.O. Box 630, Osterville, Massachusetts (hereinafter referred to as the "LICENSEE").

The TOWN hereby grants such entry and license to use a portion of Old State Highway (the "Property") to the LICENSEE, only to the extent of the TOWN'S right, title or interest in the Property, subject to the following terms and conditions:

I. USE, PURPOSE, TERM

Entry and use are limited to the portion of the Property on which are situated "Relocated Stairs" (hereinafter referred to as the "Licensed Premises"), described and shown on a sketch plan entitled "Exhibit Sketch Showing Access Stairs Relocation," prepared by Baxter-Nye Engineering & Surveying, dated December 31, 2013 (hereinafter referred to as the "Plan"), which Plan is attached hereto and made a part hereof.

Entry and use are specifically, but not exclusively, granted to the LICENSEE, its contractors, agents, representatives, employees, invitees, permittees and licensees, solely for the purposes of installing and using the relocated stairs for access to and from the Property and the adjacent land of the LICENSEE known as 51 Old State Highway, Eastham, MA and uses incidental to the purposes stated herein, including but not limited to, the construction, maintenance and repair of the stairs and all necessary appurtenances, at its sole cost and expense.

Such entry and use by the LICENSEE, its contractors, agents, representatives, employees, invitees, permittees, and licensees, shall be exercised from the date of the execution of this License and shall continue until February ____, 2024, unless sooner terminated in accordance with the provisions of Section VIII below. Such entry and use shall be further limited by the provisions of Section VII below. The LICENSEE expressly agrees to restore the Licensed Premises to its original condition, as nearly as possible, upon the termination of the rights granted hereunder.

The TOWN makes no representation or warranty, by the grant of the license hereby or otherwise, that the TOWN has title to or rights in the Property or that the Property may be used for a particular purpose. LICENSEE acknowledges that they have not relied upon any warranties or representations of the TOWN or any person acting on behalf of the TOWN, and the LICENSEE agrees to accept the License to the portion of the Property "as is," with no liability on the part of the TOWN for any condition or defect of title or rights in the Property, whether or not known to exist by the TOWN or any representative of the TOWN. The terms of this Paragraph shall survive the termination of this License.

II. CONSIDERATION

The consideration for this License shall be a fee of \$1,000.00 for a ten (10) year term to be prepaid and the payment of all costs and expenses associated with the exercise of the rights granted hereunder, together with the observation and performance by the LICENSEE of all obligations and covenants set forth within this Agreement to the reasonable satisfaction of the TOWN. This License may be renewed for a fee of \$500.00 for a further five (5) year term, unless changed by the Board of Selectmen at a public meeting, with notice to the LICENSEE.

III. INSURANCE

The LICENSEE shall maintain during the term of this License public liability insurance, including coverage for bodily injury, wrongful death and property damage, in the minimum amount set forth herein to support the obligations of the LICENSEE under the terms and conditions of this License to indemnify, defend and hold harmless the Town: General Liability: \$2,000,000.00 per occurrence; Bodily Injury liability \$1,000,000.00 per occurrence; and Property Damage Liability or a combined single limit of \$1,000,000.00 annual aggregate limit. The insurance coverage required hereunder shall be placed with insurance companies licensed by the Massachusetts Division of Insurance to do business in the Commonwealth of Massachusetts and have a Best's rating of B+ or better.

Prior to entering upon the Licensed Premises, and thereafter on or before January 1 of each year of the term of this License, LICENSEE shall provide the TOWN with a certificate of insurance in each case indicating the TOWN is an additional insured on the policy and showing compliance with the foregoing provisions. LICENSEE shall require the insurer to give at least thirty (30) days written notice of termination, reduction or cancellation of the policy to TOWN.

LICENSEE or the LICENSEE'S contractors shall maintain worker's compensation insurance during any construction, maintenance or repair of the Licensed Premises, as required by law. LICENSEE agrees that any contractor performing work on behalf of the LICENSEE at the Licensed Premises shall carry liability insurance in amounts satisfactory to the TOWN, and shall name the TOWN as an additional insured party. Prior to any construction performed by LICENSEE or any contractor on behalf of LICENSEE on the Licensed

Premises, LICENSEE shall provide TOWN with a copy of the contractor's insurance certificate indicating liability insurance coverage as herein specified, and copies of any approvals, including any permits, necessary or obtained to conduct said construction.

IV. INDEMNIFICATION

LICENSEE shall indemnify, defend and hold harmless the TOWN from and against any and all claims, demands, suits, actions, costs, judgments, whatsoever, including reasonable attorney's fees and expenses, which may be imposed upon, incurred by, or asserted against the TOWN or its agents, employees, successors and assigns by reason of (a) any failure on the part of LICENSEE to comply with any provision or term required to be performed or complied with by LICENSEE, its agents, employees, contractors, representatives or invitees or under this License, or (b) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of any person whomsoever, other than the TOWN relating in any way, to the LICENSEE'S exercise of its rights under this License.

V. RISK OF LOSS

LICENSEE agrees that it shall use and occupy the Licensed Premises at its own risk, and the TOWN shall not be liable to LICENSEE for any injury or death to persons entering the Licensed Premises pursuant to the License, or loss or damage to vehicles, equipment or other personal property of any nature whatsoever of the LICENSEE, or of anyone claiming by or through LICENSEE, that are brought upon the Licensed Premises pursuant to the License.

VI. CONDITION OF THE PREMISES

LICENSEE acknowledges and agrees that it accepts the Licensed Premises in "AS IS" condition for the purpose of this License, and that the TOWN has made no representation or warranty regarding the fitness of the Licensed Premises.

VII. CONDUCT

The LICENSEE shall procure all necessary permits before undertaking any work on the Licensed Premises. The stairway and all related appurtenances shall be constructed by a licensed contractor in a good and workmanlike manner and in accordance with all laws, by-laws, regulations and permits. LICENSEE, and its contractors, employees and agents, shall be responsible, at its sole expense for maintaining the stairway in good condition and repair. LICENSEE'S responsibilities shall include the restoration or repair of the stairway by LICENSEE, its agents, employees, contractors, invitees and permittees. During the exercise of the rights hereby granted, the LICENSEE shall at all times conduct itself so as not to unreasonably interfere with the operations of the TOWN, and observe and obey applicable laws, statutes, ordinances, regulations and permitting or licensing requirements.

The LICENSEE shall at all times comply with (i) plans and specifications (which shall be prepared by and at the expense of the LICENSEE and approved by the TOWN); (ii) all applicable local, state and federal rules, regulations, statutes and by-laws; and (iii) all permits and decisions issued by the Eastham Conservation Commission, Planning Board, and Board of Appeals.

The LICENSEE shall not permit any mechanics' liens or similar liens, to remain upon the Licensed Premises for labor and material furnished to the LICENSEE or claimed to have been furnished to the LICENSEE in connection with work if any character performed or claimed to have been performed at the direction of the LICENSEE and the LICENSEE shall cause any such lien to be released of record forthwith without cost to the TOWN.

The TOWN shall not, under any circumstances, be liable for the payment of any expenses incurred, or for the value of any work done or material furnished to the Licensed Premises or any part thereof, but all such improvements and alterations shall be done and materials and labor furnished at LICENSEE'S expense, and the Laborers and materialmen's furnishing labor and materials for the work shall release the TOWN from any liability.

The provisions of this Section shall survive the expiration or termination of this License.

VIII. TERMINATION and REVOCATION

This License shall be revocable by either party upon written notice of revocation at least thirty (30) days prior to the termination date stated within said notice, and such notice shall contain the reason for such revocation. Each party shall be given a thirty (30) day opportunity to remedy any reason so put forth. If the LICENSEE has been given notice of revocation and has remedied such reason for revocation to the full satisfaction of the TOWN, the term of the License Agreement shall continue uninterrupted until the scheduled end of the term.

In the event that this License is terminated by revocation of either party pursuant to this section, then the LICENSEE, at its own expense, shall remove the stairway from the Licensed Premises, and restore the Licensed Premises to its original condition as at the commencement of this License, as nearly as possible, except for structural alterations and additions made to the Property, which shall become the property of the TOWN. This obligation shall survive the termination of this License.

IX. MODIFICATIONS and AMENDMENTS

Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

X. NOTICE

For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof, if written notices are mailed to the following addresses:

TOWN: Town of Eastham
Board of Selectmen
Eastham Town Hall
2500 State Highway
Eastham, MA 02642

With a copy to: Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
ATTN: Vicki S. Marsh, Esq.

LICENSEE: Van J. Haidas, Manager
The Whole Clam, LLC
52 Caillouet Lane
P.O. Box 630
Osterville, MA 02655

With a copy to: Law Office of Singer & Singer, LLC
P.O. Box 67
Dennisport, MA 02639
ATTN: Andrew L. Singer, Esq.

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

XI. RIGHTS OF THE TOWN TO ENTER

The TOWN reserves the right and the LICENSEE shall permit the TOWN to enter upon and use the Licensed Premises at any time and for any and all purposes at the TOWN's sole discretion, and the LICENSEE's use shall not interfere with the TOWN's use of the Licensed Premises.

XII. NO ESTATE CREATED

This License shall not be construed as creating or vesting in the LICENSEE any estate in the Premises, but only the limited right of possession as hereinabove stated.

XIII. EXHIBITS and ATTACHMENTS

Any and all exhibits and attachments referenced herein or attached hereto, are duly incorporated within this Agreement.

XIV. SURVIVAL of TERMS and PROVISIONS

All appropriate terms and provisions relating to the restoration of the property affected hereby, shall survive the termination of this License.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

TOWN OF EASTHAM
by its Board of Selectmen

Date: _____

LICENSEE: The Whole Clam, LLC

By: _____
Van J. Haidas, Manager

Date: _____

II 5:15 PM

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

**TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT**

**AND FINANCE COMMITTEE REPORT AND
RECOMMENDATIONS
7:00 P.M.**

MAY 5, 2014

**NAUSET REGIONAL HIGH SCHOOL GYMNASIUM
ANNUAL TOWN ELECTION
MAY 20, 2014**

POLLS OPEN 7:00 A.M. - 8:00 P.M.

**EASTHAM TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA**

**FOR COPIES OF THIS WARRANT IN LARGER PRINT
OR ON TAPE, PLEASE CALL 508 240-5900.**

**Also available on the town website
www.eastham-ma.gov**

Please bring this warrant to Town Meeting

II 5:15
① SIGN CODE
pgs 21-32

The rooms' tax currently applies to rental accommodation in motels, hotels, and guesthouses with three or more rooms to let. Single-family homes and condominiums, which are an ever-increasing share of the vacation rental market, do not pay this tax. The result is an advantage to these private rentals. These visitors however, still draw heavily on seasonal services, as do visitors in other types of accommodation. This article, if passed, will allow the town, along with some others on the Cape who are seeking similar permission, to petition the legislature to pass a local law that will allow the town to institute and collect this tax. The town currently has on record more than 1200 rental units. The majority of these are short-term seasonal rentals. The estimate of potential revenue assuming ten (10) weeks occupancy at an average rent of \$2,000 per week is between \$500,000 and \$800,000. Rental periods of more than 90 days would not be taxed, thus preserving the rental market and the affordable year round residential rental market.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18

To see if the Town will vote to create a Stabilization Fund for Other Post-Employment Benefits (OPEB) as provided under Chapter 40, Section 5B of the General Laws and to raise and appropriate, and/or transfer a sum of money to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions, or take any other action relative thereto.

By Board of Selectmen

Summary:

This article seeks to establish and begin appropriating funds for a reserve for future post-employment benefit costs (OPEB's). This liability results from the "promised" benefits to qualifying retirees for the town's share of future health and life insurance payments during retirement.

The Governmental Accounting Standards Board (GASB), a national agency that rules on accounting standards nationwide, issued their Statement GASB #45 that requires all governmental entities to record as a liability the future costs of these benefits actuarially calculated to be due to employees. One way to look at this issue is to consider that OPEB's are part of compensation, or IOU's, that are handed out to employees each year but are not cashed in until retirement. According to the GASB, the cost of the IOU's should be recognized while the employee is working and earning these benefits, not when the employee is retired. This liability is substantial, calculated at just over \$28 million for Eastham, and the GASB feels that potential lenders should be aware of its magnitude.

Currently, the Town of Eastham, as do most other towns, funds these costs on a pay-as-you-go method. There is no mandate to fund this liability; however, it is a matter that bond-rating agencies consider. Several communities have begun addressing this issue with modest contributions to a fund for this purpose and that is what this article intends to do for Eastham.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

(majority vote required)

ARTICLE 19

To see if the town will vote to amend the Eastham Zoning By-law Section XVIII, by deleting it in its entirety and replacing it with the following; or take any action relative thereto.

SECTION XVIII – TOWN OF EASTHAM – SIGN CODE

SECTION I – PURPOSE

This By-law is adopted for the regulation of non-governmental, and non-political signs, displays, and other advertising devices within the Town of Eastham and is intended to protect public safety by regulating the setback, size and manner of display of any sign to serve the interest of the general public by preserving or enhancing the natural setting and architectural expression which characterizes the community.

SECTION II – DEFINITIONS

As used in this document, the following terms shall have the meanings indicated.

BANNER -- A temporary, flexible one- or two-sided sign, generally made of vinyl or fabric, and designed to be hung or suspended.

BUILDING SIGN -- A permanent sign attached to a building or roof.

CONTRACTOR SIGN -- A temporary sign displayed during the active construction located on-site indicating a construction industry-related businesses, including but not limited to a trade, professional or service provider.

DEVELOPER’S SUBDIVISION SIGN -- A temporary sign displayed while lots are for sale showing the lot plan of a subdivision.

EVENT-- Any gathering of a designated and limited duration, for economic, political, recreational, historical, celebratory, or other purposes.

FLAG, COMMERCIAL -- A flexible one or two-sided sign attached to a vertical pole, which announces or advertises a business, service, product, or event.

HOME OCCUPATION SIGN -- A permanent residential sign advertising a business lawfully operated from a residence by one or more of its residents.

ILLUMINATED SIGN-- A sign illuminated by a light source(s) external or internal to the sign’s surfaces.

INFORMATIONAL SIGN -- A non-commercial sign not to exceed 2 square feet in area including but not limited to those offering safety, instructional and public awareness, including, but not limited to, signs with the following or similar messages: Open, Closed, Hours of Operation, Right Turn Only, No Parking, Employee Entrance, Exit, and One-Way.

LADDER SIGN-- A freestanding ground-mounted sign with one or more vertical supports and with two or more crosspieces servicing as individual signs, attached in a ladder style supported by a backboard, frame or post.

NAME SIGN -- A sign that is limited to identification of the resident or occupant of a dwelling or the name of the dwelling.

PERMANENT SIGN – All signs other than temporary signs.

PROPERTY IDENTIFICATION SIGN -- A permanent sign displaying only the name of the business or commercial development.

REAL ESTATE SIGN -- A temporary sign that advertises the sale, lease, or rental of real property indicating sale, year-round rental, permitted seasonal rental, open house, or house to be sold or leased, erected by a property owner or licensed Real Estate Broker.

SANDWICH BOARD SIGN -- A self-supporting, temporary double-sided sign consisting of two panels that are not parallel but which are connected along one edge and separated along the opposite edge.

SIGN -- An advertising device or insignia, whether lighted or not, free standing or attached to or painted on a structure or other object, designed to identify items for sale, or to advertise a principal use or activity for the property, and used to attract attention to a commercial activity.

FREE STANDING SIGN -- A sign that is supported by one (1) or more uprights or braces that are in or upon the ground, and fully support the sign.

STREET SIGN -- A sign identifying the name of a private or public way.

SUBDIVISION NAME SIGN -- A sign identifying only the name of a residential subdivision or development.

TEMPORARY SIGN -- A sign meant to be used for a limited period of time or conveying information concerning an event of limited duration.

WINDOW SIGN -- A sign placed on or inside or enclosed within a window or door facing the exterior of the building and visible from the exterior, if limited to no more than 30% of the glass area within the frame of display.

YARD SALE SIGN -- A temporary sign for occasional sales from a residential property, including, but not limited to, estate and garage sales, held in a residential neighborhood in compliance with town bylaws and regulations.

SECTION III – ADMINISTRATION

SIGN REGISTRATION -- All signs lawfully in existence on the effective date of this bylaw, regardless of permit status, must register with the Inspector of Buildings on or before January 1 of the subsequent year.

A. NON-CONFORMING SIGNS -- It is the intent of this code to allow all previously permitted signs to remain after the adoption of this code. The sign

owner will need to submit documentation to substantiate the claim that the existing sign was legally permitted. Several options are available to accomplish this:

1. Provide a copy of the original permit, or
2. Provide vintage photos depicting the sign with some verification as to the date when the photo was taken and evidence that the sign was in conformance with the sign code at that time, or
3. Provide a sworn and notarized affidavit noting as many of the following as possible:
 - The date the owner believes the sign was erected
 - The dimensions of the sign
 - Purchase receipt from the sign manufacturer
 - Current picture of the sign
 - Approximate sign dimensions and location shown on a copy of the Town Tax Map
 - Copy of any previous correspondence from the Town of Eastham relative to the sign
4. In the event that the sign only exceeds the maximum allowable square footage as shown in the tables, and in the event that no proof exists to allow the non-conformity to continue, the following options are available:
 - Decrease size of the sign to conform, or
 - Have the Building Inspector deny the application and proceed to the Zoning Board of Appeals for a variance, or
 - For the case of an owner with multiple signs, remove one or more of the signs in order to gain compliance with the code.

- A. APPLICATION PROCESS -- Application for a permit for a display or sign shall be submitted to the Building Department, on the form provided by the Building Inspector, together with the required fee, and shall be accompanied by a sketch and/or photograph showing the material, design and size, type of lettering, colors, and illumination. The exact location of the sign or display shall be indicated on a plot plan. The written permission of the landowner, if other than the applicant, shall accompany the application, and written permission of any successor owner shall be filed with the Building Department forthwith following any change in ownership.
- B. APPROVAL OF PERMIT -- Upon receipt of an application, the Building Inspector shall review the application and may issue or deny a permit in accordance with this Bylaw.
- C. RECORD KEEPING -- All permits and records of existing signs and displays shall be maintained as public records by the Building Department and shall be available for public inspection during normal business hours.

SECTION IV – GENERAL REGULATIONS

- A. SIGN MAINTENANCE AND CONFORMANCE – Any sign, whether authorized by permit or-exempt pursuant to Section III. A or B above, shall be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition and not constitute a distraction or obstruction that may contribute to traffic accidents.
- B. SAFETY AND LOCATION STANDARDS FOR SIGNS – No sign, whether new or existing, shall be permitted or maintained, which, in the opinion of the Inspector of Buildings, causes a sight, traffic, health or welfare hazard or results in a nuisance due to its illumination, placement, display, or manner of construction. All components of the signs must be set back a minimum of two feet setback from any property line.
- C. EXTERIOR DISPLAY - Exterior display of devices or objects for sale or for the promotion of the business other than during business hours is prohibited, unless authorized by a Site Plan Special Permit from the Planning Board pursuant to Section XIII.
Exterior display limited to business hours shall not require a Special Permit, provided no outside display or supporting racks or structures remain at the close of business each day.

All exterior display must comply with the following standards:

- a. Setback: Merchandise and other items shall be placed a minimum of 15 feet from all property lines.
 - b. Height: No element of an exterior display shall exceed six (6) feet in height.
 - c. Internal Placement: No element of an exterior display shall be placed so as to obstruct safe entry, egress or sight lines to, from or within the property, nor obstruct the flow of vehicular or pedestrian traffic within or adjacent to the property.
 - d. Displays shall not be placed in any area of required parking or landscaping or be arranged to reduce the availability of or access to any required parking space or cause damage to any required landscaping area.
- D. PERMANENT SIGN -- Signs must be supported by a frame or post erected for that purpose, and such supports shall not be included in the calculation of the maximum total square footage for a permanent sign.

- E. ADVERTISING FLAGS -- Permanent advertising flags will be considered signs and will be included when calculating the total square footage of signage permitted within a given district.
- F. STREET SIGNS -- Private street name signs shall be placed in a position clearly visible from the intersecting street and in a position that will not interfere with traffic. The size and location of the street sign shall be approved by the Department of Public Works, and shall comply with the Mass Highway Standards Manual.
- G. LADDER SIGNS -- Regardless of the number of names on the sign, the sign shall be considered as one sign. Ladder signs shall comply with the size regulations for the zoning district in which the sign is erected.
- H. TEMPORARY NON-COMMERCIAL SIGNS -- Temporary signs and banners advertising upcoming public events of a civic, philanthropic, educational, charitable or religious nature, or events of a not for profit nature are allowed in all districts, subject to compliance with the following standards:
 - 1. The organization or individual must obtain a temporary sign permit from the Building Department.
 - 2. The organization or individual must have written permission of the owner of the land on which the sign or banner is to be placed, and, in the case of such sign on Town-owned land, permission must be obtained from the Board of Selectmen.
 - 3. Ground-mounted signs may not exceed eight (8) square feet per side, excluding the supporting frame, with the overall height not to exceed five (5) feet. Banners may not exceed three (3) feet in height or ten (10) feet in width.
 - 4. Signs and banners shall not be displayed earlier than ten (10) days prior to the event and shall be removed no later than twenty-four (24) hours after the event has occurred, except this time period for removal may be extended to forty-eight (48) hours if the day following an event is Sunday or a holiday.
 - 5. No more than two (2) signs and/or banners advertising the same public event shall be allowed throughout the Town.
 - 6. No more than six (6) Temporary Event signs per year are allowed per organization unless permitted by the Board of Selectmen.
- I. REAL ESTATE SIGNS, BUILDING AND PROPERTY RENTAL SIGNS, AND CONTRACTOR SIGNS -- The following conditions shall apply:
 - 1. Properties advertised for rent must have a valid rental certificate.

2. Dimensions are limited to eight (8) SF maximum, per side.
3. Sign must only be displayed on the actual individual lot for sale or rent.
4. No more than one (1) real estate sign per house or lot that is for sale.
5. Only freestanding signs shall be permitted.
6. "Open house" signs may be placed at major intersections and on the property for sale and shall be removed at the end of each day.
7. All real estate signs, including "Sold" signs, shall be removed within twenty-four (24) hours after conveyance of the property.
8. Contractor signs shall be removed within twenty-four (24) hours of completion of work or issuance of a Certificate of Occupancy.
9. No fees are required.

LIGHTING – All lighting and related fixtures, regardless of their intended use or mounting configuration, shall be fully shielded and directed only at the sign(s). Signs may be up-lit to a limited extent, provided, however, no glare or light trespass is thereby caused.

SECTION V – PROHIBITIONS

The following shall be prohibited:

- A. Any sign affixed to a utility pole, to a tree or other natural feature.
- B. Illuminated signs that, in the opinion of the Building Inspector, will distract or conflict with the ability to see traffic lights or cause hazardous conditions.
- C. Flashing, rotating, oscillating signs, or signs with electronically controlled, changing messages or displays.
- D. Signs or banners placed upon sidewalks if they obscure the visibility of vehicular traffic or interfere with pedestrian traffic.
- E. Human signs or people carrying or wearing signs.
- F. Any other sign or display not expressly permitted is prohibited under this By-law.

SECTION VII – TABLE OF ALLOWED SIGNS BY DISTRICT

District A Residential One and Two Family Dwellings

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
A-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
A-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
A-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
A-4	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
A-5	Residential Name Sign	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District B Marina Related

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
B-1	Ladder Sign	3' W x 8' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
B-2	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
B-3	Free Standing Sign (only for a single business on a property)	30 SF per side	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
B-4	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

District C Industrial District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
C-1	Ladder Sign	6' W x10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner.
C-2	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
C-3	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
C-4	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
C-5	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

District D Retail Sales and Service

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
D-1	Ladder Sign	6' W x10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
D-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
D-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
D-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided

D-5	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
D-6	Sandwich Board Sign	30" W x 42" H per side	Temporary October 16 to May 14	One sign allowed per month for 2 weeks surrounding the event with permit issued by Building Department
D-7	Free Standing Signs (only for a single business on a property)	60 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
D-8	Building Sign	36 SF per business, one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 36 SF.

District E Limited Business with Residential Areas

	<u>TYPE OF SIGN</u>	<u>SIZE</u> <u>(MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
E-1	Ladder Sign	4' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 4' x 2', per side; each business no more than 4 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
E-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
E-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
E-4	Developer's Subdivision Sign	12 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
E-5	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided
E-6	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
E-7	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
E-8	Building Sign	24 SF per business; one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 24 SF.

District F Seashore District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> <u>(MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
F-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
F-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
F-3	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District G Water Resource Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> <u>(MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
G-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
G-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
G-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
G-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District H Well field Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> <u>(MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
H-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
H-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
H-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
H-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

II 5.15
2 Overlay Zone
pgs 33-51

ARTICLE 20

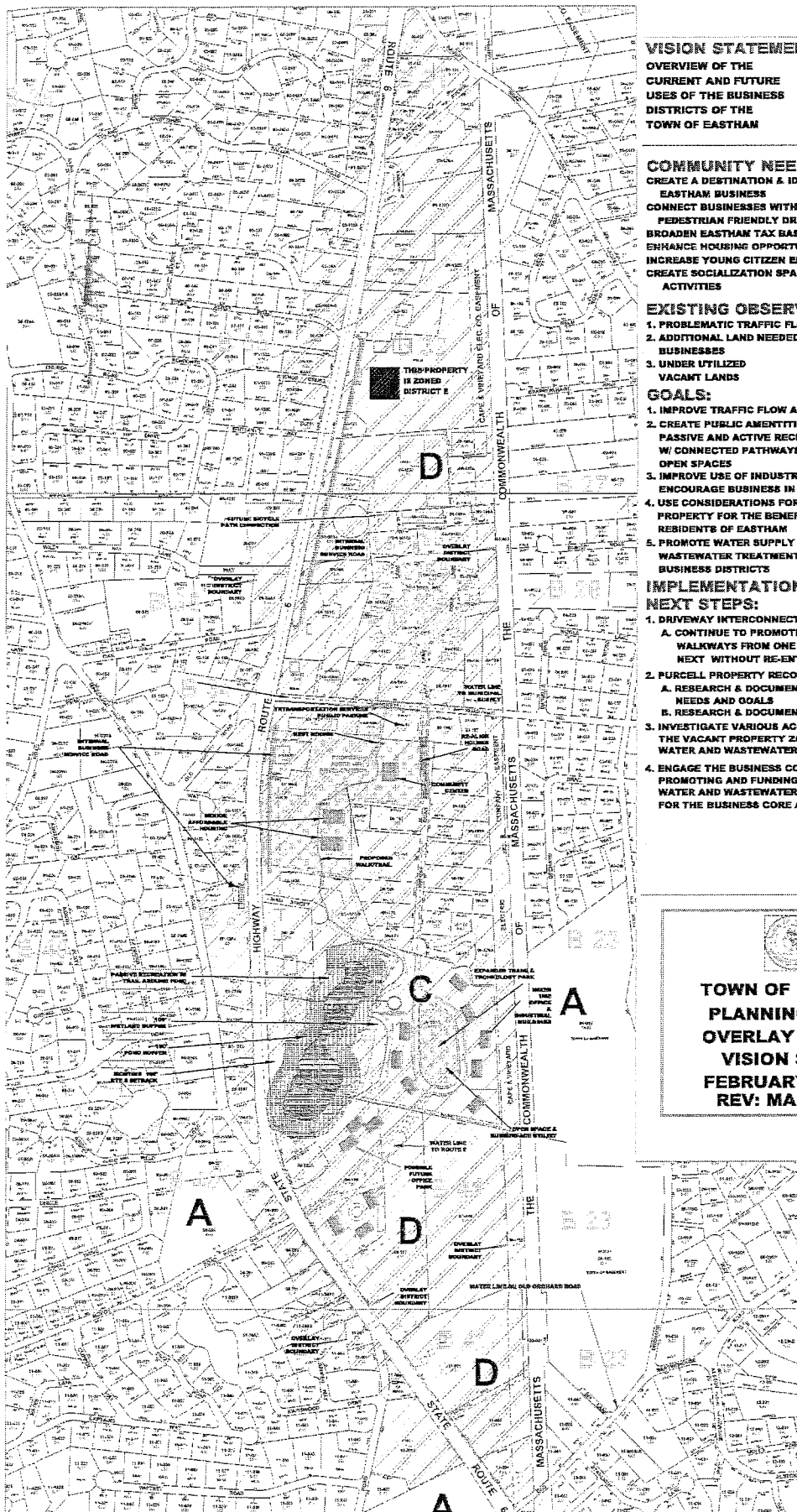
To see if the Town will vote to adopt an amendment to the Town Zoning Bylaw in substantially the following form; or take any action relative thereto.

NORTH EASTHAM OVERLAY DISTRICT ZONING

Location and Intent

In SECTION II - ZONING DISTRICTS, add the following location description as District I:

North Eastham Overlay District – An area overlying Districts A, C and D and a portion of District E, available for optional village-style mixed-use development, and as shown on the map entitled, “Overlay District Vision Study “ dated February 20, 2014, and Rev March 5, 2014 a copy of which is on file with the Town Clerk, and – to amend the Town of Eastham Zoning Map to add a new Overlay District entitled, “North Eastham Overlay District, as shown below and



VISION STATEMENT:

OVERVIEW OF THE
CURRENT AND FUTURE
USES OF THE BUSINESS
DISTRICTS OF THE
TOWN OF EASTHAM

COMMUNITY NEEDS:

CREATE A DESTINATION & IDENTITY FOR
EASTHAM BUSINESS
CONNECT BUSINESSES WITH INTERNAL
PEDESTRIAN FRIENDLY DRIVEWAYS & PATHS
BROADEN EASTHAM TAX BASE
ENHANCE HOUSING OPPORTUNITIES
INCREASE YOUNG CITIZEN EMPLOYMENT
CREATE SOCIALIZATION SPACES & CULTURAL
ACTIVITIES

EXISTING OBSERVATIONS:

1. PROBLEMATIC TRAFFIC FLOW ON ROUTE 6
2. ADDITIONAL LAND NEEDED FOR
BUSINESSES
3. UNDER UTILIZED
VACANT LANDS

GOALS:

1. IMPROVE TRAFFIC FLOW AND SAFETY ON ROUTE 6
2. CREATE PUBLIC AMENITIES FOR
PASSIVE AND ACTIVE RECREATION
W/ CONNECTED PATHWAYS AROUND
OPEN SPACES
3. IMPROVE USE OF INDUSTRIAL LAND TO
ENCOURAGE BUSINESS IN EASTHAM
4. USE CONSIDERATIONS FOR THE PURCELL
PROPERTY FOR THE BENEFIT OF THE
RESIDENTS OF EASTHAM
5. PROMOTE WATER SUPPLY AND
WASTEWATER TREATMENTS FOR THE
BUSINESS DISTRICTS

IMPLEMENTATION PRIORITIES / NEXT STEPS:

1. DRIVEWAY INTERCONNECTIONS OF BUSINESS
A. CONTINUE TO PROMOTE DRIVEWAYS AND
WALKWAYS FROM ONE BUSINESS TO THE
NEXT WITHOUT RE-ENTERING ROUTE 6
2. PURCELL PROPERTY RECOMMENDATIONS:
A. RESEARCH & DOCUMENT SENIOR HOUSING
NEEDS AND GOALS
B. RESEARCH & DOCUMENT FUTURE NEEDS
3. INVESTIGATE VARIOUS ACCESS ROUTES FOR
THE VACANT PROPERTY ZONED C - SOUTH OF
WATER AND WASTEWATER INFRASTRUCTURE
4. ENGAGE THE BUSINESS COMMUNITY IN
PROMOTING AND FUNDING
WATER AND WASTEWATER INFRASTRUCTURE
FOR THE BUSINESS CORE AREA



**TOWN OF EASTHAM
PLANNING BOARD
OVERLAY DISTRICT
VISION STUDY
FEBRUARY 20, 2014
REV: MAR 5, 2014**

further, to- amend SECTION V – USES by add the following text:

NORTH EASTHAM OVERLAY DISTRICT I – Those principal and accessory uses as allowed by-right or by special permit as indicated in the Overlay District Table of Principal Uses and Table of Accessory Uses.

Intent: The intent of this overlay district is to encourage cohesive, village-style development in an appropriate area, by providing for optional additional uses, mixes of residential, commercial, public and institutional uses and for appropriate alternative dimensional standards by special permit, in addition to those of the underlying zoning districts, while also protecting the quality of life of the homeowners in this area. Where not expressly otherwise provided, however, that the use and dimensional requirements and restrictions of Districts A, C, D and E shall continue to apply within the areas of each underlying district as shown on the Town of Eastham Zoning Map and described in the Appendix to the Town of Eastham Zoning Bylaw entitled “Zoning District Boundaries.”

Definitions

Amend SECTION III – DEFINITIONS by adding the following, to be inserted in alphabetical order:

APARTMENT, MIXED-USE ACCESSORY – A second dwelling unit located in a single-family residence, as allowed by special permit from the Planning Board, and subject to the requirements of Section VII ACCESSORY USES.

ASSISTED LIVING RESIDENCE (ALR) – A use allowed by special permit, consisting of a facility defined and certified under 651 CMR 12.02 et seq., which may be located on the same lot or abutting lots in common ownership with an Independent Living Facility, and which provides shelter and services to persons 55 years of age and older and other residents with disabilities requiring Personal Care Services, whether conducted for profit or not for profit, consistent with an approved Concept Plan and as authorized by a special permit based on the Concept Plan, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s), provided the facility meets all of the following criteria:

- (a) provides room and board to residents in need of support with one or more activities of daily life; and
- (b) provides, directly by its employees or through arrangements with another organization which the entity may or may not control or own, Personal Care Services as defined in for three or more adults who are not related by consanguinity or affinity to their care provider; and
- (c) collects payments or third party reimbursements from or on behalf of Residents to pay for the provision of assistance with the Activities of Daily Living, or arranges for the same.

COMMON DRIVEWAY — A form of access to the building site of a lot and to any occupied building on a lot, which is not itself a street but extends from a street and provides common vehicular access to more than one lot. For the purposes of calculating lot coverage, the common driveway's impervious surfaces shall be equally allocated

among the lots served and/or benefited by the common driveway in proportion to the sizes of the lots.

CONCEPT PLAN – A plan submitted preliminary to a special permit application, which describes in detail the site and proposed mixed uses, including a site plan showing site improvements, and identifying traffic and environmental impacts and their mitigation, projected future division of the site, if any, the submission of which to the Planning Board is required to initiate the Mixed-Use Development permitting process.

GRADE — The plane of the average of all finished ground level adjoining the building or structure for a distance of six feet from all exterior walls.

GROSS FLOOR AREA — The sum of all floor areas within a building or structure, measured from the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features. It shall include all areas capable of being used for human occupancy, including all basement floor areas, mezzanine and attic space and enclosed porches.

HEIGHT, BUILDING — The vertical distance from the grade plane to the highest point of a gable, hip or gambrel roof and the highest point of the coping of a flat roof, but excluding chimneys, cupolas, flagpoles or other similar and customary appurtenances.

INDEPENDENT LIVING RESIDENCE (ILR) – A use allowed by special permit, consisting of one or more multi-family condominium or apartment buildings containing dwelling units restricted to occupancy by residents 55 years of age or older, which may be located on the same lot or abutting lots in common ownership on which an Assisted Living.

MIXED-USE DEVELOPMENT – A use allowed by special permit, consisting of retail, office, municipal, service establishments and residential uses, in some combination, consistent with an approved Concept Plan, which may be located on a single lot or a parcel formed from combined lots, and which, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s).

OFFICE, MEDICAL OR DENTAL — A building or portion thereof the primary use of which is the provision of health-care services to patients or clients on an outpatient basis and by appointment only. The sale of merchandise is allowed only as an accessory use.

PERSONAL CARE SERVICE – Within an ALR, assistance to residents with Activities of Daily Living, as defined and provided in 651 CMR 12.02 et seq.

PERSONAL SERVICES ESTABLISHMENT — A commercial establishment engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barbershop, beauty shop, dry cleaner, tailor, or other similar services, but shall not include a public laundry where clothing is laundered on-site.

PUBLISHING AND PRINTING ESTABLISHMENT — A commercial facility for the publishing and printing of information as a retail service use, not including bulk

publishing or printing of paper documents on-site, but may include the sale of ancillary goods typically used in the publishing and printing of information.

RAIN GARDEN — A bowl-shaped landscape area designed to absorb stormwater runoff from impervious surfaces. It cleanses water of pollutants by filtering water through soil and plants.

RECREATIONAL FACILITY — An establishment engaged in the provision of public recreational services, including bowling and billiards, but not including miniature golf and video arcades.

REPAIR SERVICES, NON-AUTOMOTIVE – Repair and servicing of appliances, computers, electronic equipment, tools and other small machinery common to homes and businesses, not to include any appliances, tools or small machinery that are powered by hydrocarbon fuel.

RESEARCH AND DEVELOPMENT FACILITY — A business that engages in non-biological research and development of innovative ideas, services and technology, such as development of computer software, information systems, communication systems, transportation, multi-media and video technology and development and construction of prototypes associated with such services and products.

TOWNHOUSE - A single dwelling unit which is not located above or below another dwelling unit and whose side walls are separated from other dwelling units by a fire wall or party walls. Each unit in the row shall have a dedicated ground level entrance and front and rear yards, and may be held in separate ownership.

WASTEWATER TREATMENT FACILITY – A public or private facility constructed to treat wastewater, not including the disposal of treated effluent.

WASTEWATER EFFLUENT DISPOSAL – The disposal of treated effluent from a public or private wastewater treatment facility.

TABLE OF PRINCIPAL USES

Y = Yes/allowed by-right

SP = By special permit

X = Prohibited.

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Agricultural</u>	
Farm, >5A	Y = A
Plant nursery, other horticulture or floriculture	Y
<u>Residential</u>	
Assisted Living residence, with or without Independent Living	SP
Single-Family dwelling	Y
Two-family or duplex dwelling	Y
Mixed-use Development	SP
Apartments & Townhouses	SP
Residence above by-right business, if not >50% "of structure"	Y=D,E A = SP
<u>Commercial</u>	
Antique, craft and gift shops	Y
Adult Entertainment	X
Animal hospital or veterinary office	SP
Art Gallery	Y
Auction house	Y
Automotive repair, service	Y in Dist. C
Bakery, Wholesale	X
Bank	Y
Barber shop, beauty salon	Y
Boat building, repair, storage	X

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
Charter (party) boat business	X
Cinema, movie theater	Y
Contractor's yard	X
Dry cleaning, Laundromat	SP X in Dist. A
Fitness center, Gym	Y
Hospice Care Facility	SP
Hotel, Inn, Motel, Hostel	Y
Industry, Light, not specifically allowed in Section V District C Use description	SP X in Dist. A
Junk yard	X
Kennel, Commercial (not defined)	SP Y in Dist. C, D
Lodge, Membership or Fraternal Club	Y
Nursing or Convalescent Facility	SP
Publishing and/or printing establishment	SP
Rental, automobile, truck, trailer	SP
Rental, boat, fishing gear	SP
Restaurant, < 5 K sq. ft. GFA	Y
Restaurant, 5 K sq. ft. or > GFA	SP
Retail Sales/Service, Minor Small scale , 5 K sq.ft GFA	Y
Resort and Conference Center	SP
Service and Repair, non-automotive (carpentry, electrical, plumbing, etc.)	Y
Spa Resort	Y C = X
Studio, Artist Dance, Photography	Y

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Industrial</u>	
Concrete batching plant	X C=Y
Warehousing, Rental, & Bulk Storage	X C=Y
Wastewater Treatment Facility	SP
Wastewater Effluent disposal	SP
Wind, Solar , Energy Facility	SP
<u>Governmental, Cultural, Institutional</u>	
Conservation, open space land	Y
Municipal Use	Y
Museum	Y
Public use, other	Y
Recreation, passive	Y
<u>ACCESSORY USE TABLE</u>	
<u>Residential</u>	
Apartment, AFFORDABLE Accessory	SP
Apartment located above permitted commercial use, provided no more than 50% floor area of total structure	SP
Automated banking (ATM) interior ,exterior or freestanding	SP
Bed and Breakfast	SP
Family daycare, licensed per G. L. c. 15D, §1A.	Y
Farm stand, non-exempt per G. L. c. 40A, §3Y	sp
Home Occupation, SP in any district where not X	SP
Stable, non-commercial, not to exceed __# animals, subject to minimum lot size or setback	X

MIXED-USE (“MU”) SPECIAL PERMIT

OBJECTIVE

The objective of the MU special permit is to serve an unmet need of the community, by providing the means for creation of attractive mixed-use developments and a mix of housing options, including workforce housing, by providing for design and dimensional flexibility appropriate to the purpose and intent of village development zoning, and, in particular, by encouraging residential units to be incorporated into second floors of certain new or existing commercial structures in accordance with the provisions of this Section.

APPLICABILITY

The Planning Board is the Special Permit Granting Authority (SPGA) for Mixed Residential Development Special Permits and Mixed-Use Special Permits in the North Eastham Overlay District (NEOD).

MIXED - USE SPECIAL PERMIT

Within the NEOD, the SPGA may issue a special permit to authorize the following use: the use, conversion or expansion of a commercial structure to provide for a mix of residential and commercial uses in structures of one or two stories, where residential units are located on the second floor level of the structure in commercial use.

STANDARDS

To be eligible for consideration for a special permit approval pursuant to this Article, the proposed development shall meet the following standards:

Qualifying area: To serve as a MU site, an area of land within the NEOD shall contain at least two (2) contiguous acres.

Open space/Buffer: At least 20% of the MU site shall be open space, which shall be left in its natural vegetated state. A buffer area of 10 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties; provided, however, that no buffer shall be required where the land abutting the site is the subject of a permanent restriction for conservation or recreation or where the land abutting the site is held by the Town for conservation or recreation purposes. No vegetation in this buffer area will be disturbed, destroyed or removed.

Building Design:

- a. Buildings shall have no more than 50% of the total gross square footage on a second floor. A total maximum square footage for all building uses on a lot shall not exceed 15,000 square feet.
- b. Variation in the overall architectural design, including building elevations, building setbacks and the exterior details, (roofing, siding, glazing), shall be a part of the project concept development through construction documents to assure compatibility with existing development.

- c. No building shall exceed 35 feet in height. All roof mounted mechanical equipment must be enclosed to reduce the noise of operation and eliminate visibility of such equipment from the equivalent of an adjoining second floor level. In no case shall roof mounted equipment or the accompanying enclosures exceed a height of 6 feet above, or occupy more than 30% of the area, of the roof surface.
- d. Building orientation, layout, and configuration shall be designed to provide adequate light and air for the proposed and adjoining buildings.
- e. Drive-up windows are permitted if the windows and accompanying drives are buffered by an attractive 6 foot high opaque fence with a minimum of a 10 foot wide landscaped buffer to the exterior/outside of the fence.

Vegetation Management: No clear-cutting shall be permitted, except as necessary and incidental to construction of buildings, roads, trails and parking areas. Where vegetation will be disturbed, destroyed or removed during construction, the applicant shall indicate on the special permit plan that such vegetation will be replaced with alternative vegetation as may be approved by the SPGA as consistent with Cape Cod Commission and/or Barnstable County Extension Service list of approved plant materials in locations consistent with the completion of the project.

Drainage and Stormwater Management: The surface water drainage system shall be designed to accommodate 100-year storm conditions. Drainage shall not be directed to or allowed to flow off-site.

Internal Roadways, Walkways, Paths and Parking Areas: These shall be designed to provide for safety; visual appeal; separation of vehicular, bicycle and pedestrian traffic; convenient connectivity within and without the MRD site; and maximum access to the various amenities and facilities on the MRD site and to pathways on adjacent sites. All internal roadways, walkways, paths and parking areas shall be maintained by the owner or an association of unit owners, as applicable.

Driveway, Vehicular and Pedestrian Access Standards:

1. All driveway and parking areas shall be visually buffered from all streets by the use of berms or natural features and/or planting, using materials that shall maintain a minimum of 50% of their effectiveness year-round. All driveway and parking areas shall be visually buffered from adjoining residential uses by one or more of the following; berming, fencing, and planting, using materials that shall maintain a minimum of 75% of their effectiveness year round. Visual buffers shall be designed, placed and maintained to reduce the light from vehicular headlights from reaching onto adjoining streets and other properties.
2. A portion of the required parking may be accommodated on access drives within the project, provided such parking does not interfere with sight lines to pedestrian or

vehicular access routes, directional signage, or interfere with vehicular access/egress in any area.

3. No more than 12 parking spaces shall be laid out in a continuous row unless interrupted by a landscaped island of a minimum of 8 feet in width and equal to the depth of the adjoining parking spaces. The landscaped island shall be treated with consideration given to the need for shade; pedestrian access where appropriate, snow storage, and the need to soften the appearance of a large paved area during the growing season.
4. The number of parking spaces required may be reduced up to 40% at the discretion of the Planning Board as a special permit condition, provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity. The Planning Board may give consideration to shared parking between adjoining uses as a means of reducing the paved area required for proposed uses, provided the following conditions are met:
 - a. the shared parking is sufficient to adequately service the adjoining uses without leaving either in a deficit of spaces needed;
 - b. the shared parking has well defined pedestrian access to both uses;
 - c. there is a legally binding agreement, executed by all parties to be served, which permits vehicular and pedestrian access to and from all the parcels involved; this agreement must be in place, and a copy provided to the Building Inspector before issuance of an Occupancy Permit; and
 - d. all open space and coverage requirements are met based on the ability of the project site to accommodate all of the required parking.
5. Parking areas may consist of pervious hard surfaces or impervious surfaces, provided provisions acceptable to the Planning Board are made for management of surface water runoff. If approved as a condition of the special permit, up to 10% of the parking required may be constructed in an alternative paver which incorporates the use of grass or a "grass on gravel" system to allow for greater permeability and an appearance more characteristic of open space/courtyard features, to be used exclusively for overflow parking beyond that normally needed to service the uses on site. The location of such spaces should be in peripheral areas of the parking facility where they can enhance the appearance of adjoining open space and not be in a location where they would be in daily use or overlap with pedestrian activity.
6. Parking areas shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.
7. Off-street parking spaces may be laid out in a perpendicular, angled, or parallel alignment provided adequate access is provided for vehicles to enter and leave the

spaces; pedestrians to enter and leave the vehicles, and service and emergency vehicles to access the drives, parking areas, and buildings.

8. Perpendicular or angled parking spaces shall not be less than 9 feet wide by 18 feet in depth with the following exception; however, at the discretion of the Planning Board, up to 5% of the required parking spaces may be accommodated using a layout of an 8 foot width by a 17 foot depth, with such spaces shall be identified by a sign mounted at a height of not less than 5 feet or more than 8 feet, indicating the space is for a subcompact car only. In no case shall parallel parking spaces shall not be less than 8 feet in width (depth) by a 22 foot in length.
9. Driveways which can be shared for more than one use are encouraged, provided the Planning Board determines that sharing does not limit adequate service or emergency access at any time or serve as the only route of vehicular access to a project.
10. Customer and residential pedestrian access areas shall include a combination of walkways and landscaping. Such pedestrian access shall be provided for from the street/s providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where the two cross, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.

Service Access, Including Deliveries and Trash Removal:

11. Provisions shall be made for service vehicles to access the site and building so as not to obstruct pedestrian and vehicular access by residents, commercial patrons and emergency providers.
12. All trash receptacles and areas to be used by service and delivery vehicles shall be visually and, to the extent reasonably practicable, acoustically buffered from adjoining residences by one or more of the following; berming, fencing, and/or planting. Any visual screening shall maintain a minimum of 75% of its effectiveness year- round. No service vehicle shall be allowed to have an engine idling for more than ten minutes unless it is necessary for the service being provided, (for example: tree trimming, power washing, refrigeration, etc.).

Wastewater Management: All wastewater treatment and disposal facilities shall conform to the provisions of the State Sanitary Code, 310 CMR 15.00, any other state regulations as may be applicable and with the rules and regulations of the Board of Health.

Utilities: All electric, gas, telephone and water distribution lines shall be placed underground, except upon a demonstration of exceptional circumstances.

Affordable Residential Units: The applicant is encouraged to provide dwelling units at prices affordable to persons or families of low or moderate income comprising at least 25% of the total number of dwelling units in the development, with affordable dwelling units integrated into the overall development so as to prevent the physical segregation of such units.

Dimensional Flexibility:

The dimensional requirements for residential and non-residential uses:

Table - Dimensional Requirement					
WIDTH	FRONT YARD	SIDE YARD	REAR YARD	MAX. LOT OVERAGE	MAX. BLDG HGHT.
75 foot Min	10 foot min. 20 foot max.	20 foot min. exclusive of driveway	15 foot min.	Bldg. 15% Bldg., drives & parking 55% NOTE: Walkways must be pervious if the building, parking, and driveways total 55%	2 stories or 35feet.

Development Schedule: The development schedule submitted by the applicant shall allow for orderly construction of the project. Any substantial deviation from the development schedule may be allowed only by modification of the special permit following notice and hearing pursuant to G. L. c. 40A, §9.

Prohibited Uses:

- (1) Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed automobiles, or products, materials, or vehicles in connection with manufacturing or commercial uses outside the district; and
- (3) Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate matter, fumes, noise, vibration, glare, radiation, electrical interference, or danger of fire or explosion.

**CONCEPT PLAN - MIXED-USE SPECIAL PERMIT SUBMISSION AND
APPROVAL PROCEDURE**

- A. Overview - The review procedure for a Mixed-Use Special Permit consists of three steps:
1. Pre-application conference;
 2. Submission by the applicant and review by the SPGA of a Concept Plan for the proposed mixed-use development for approval, and
 3. Formal application for a special permit and hearing pursuant to G. L. c. 40A, §9 and the Town of Eastham Zoning Bylaw.
- B. Application and Concept Plan for a Mixed-Use Special Permit.
1. Pre-Application Conference. Prior to the submission of an application for a mixed-use Special Permit, the applicant must confer in an open meeting with the Planning Board to share information and possible concerns before the applicant enters into binding commitments or incurring substantial expense in preparation of plans, surveys, etc.
 2. Concept Plan Procedure:
 - a. The applicant shall file with the Town Clerk, at least fourteen (14) days before a regularly scheduled meeting of the Planning Board, the original and one (1) copy of the proposed Concept Plan, accompanied by the form entitled "Submission of Concept Plan: Mixed-Use Special Permit," together with a certified check in the amount set by the Board of Selectmen. The applicant shall at the same time submit to the Planning Board eight (8) copies of the Concept Plan, and a single copy to each of the following: Department of Public Works, Board of Health, Fire Department, and Conservation Commission.
 - b. The applicant shall file with the Town Clerk and submit to the Planning Board one or more transmittal letter(s), as required, certifying that it has forwarded copies of the Concept Plan to the Town boards and agencies as required above.
 - c. The Town boards and offices receiving copies of the Concept Plan may submit written recommendations on the Concept Plan the Planning Board within 30 days from the date of the filing of the Concept Plan, and failure to so report within such time shall be deemed lack of objection to the application.

- d. Within 45 days from its filing, the Planning Board shall review the Concept Plan and determine whether the project proposed therein is consistent with the intent, purposes and standards of the North Eastham Overlay District and/or other applicable provisions of this By-Law. The Planning Board may suggest modifications and changes to the development described in the Concept Plan and shall make a written report of its recommendations to guide the applicant in the preparation of the final plan.
- e. The written report of the Planning Board shall be filed in the Town Clerk's office; after such filing the applicant may submit an application for a special permit accompanied by a development plan. Failure of the Planning Board to file its written report within 45 days after filing of the Concept Plan shall be deemed approval, whereupon the applicant may submit application for a special permit accompanied by a final plan consistent with the approved Concept Plan or the plan "deemed approved" pursuant to this section.

C. Contents of Concept Plan

A Concept Plan shall contain the graphic and narrative materials described below, which the Planning Board may require to be supplemented as appropriate, according to the scope and nature of the development proposal and any particular characteristics of the development site.

- 1. Graphic materials shall include plans of sufficient number and detail to adequately represent and the existing conditions on the site and the proposed development, including, at a minimum, the following:
 - a. boundaries of the proposed mixed-use parcel, north arrow, date, scale, legend, and title "Concept Plan: (name of mixed-use permit applied for)";
 - b. the name or names of applicants and engineer or designer;
 - c. names of all abutters as defined in G. L. c. 40A, §11;
 - d. existing general site conditions, proposed land uses and improvements, and approximate location and width of all adjacent streets;
 - e. existing and proposed lines of streets, ways, utility and all easements, and any public areas within or next to the parcel;
 - f. the approximate boundary lines of existing and proposed lots with appropriate areas and dimensions;
 - g. the proposed system of drainage, including wetlands on site and on adjacent properties;

- h. the existing and proposed topography of the site at two-foot or less contour intervals;
 - i. existing and proposed buildings, significant structures and proposed open space and proposed site amenities, and proposed circulation patterns; and
 - j. an analysis of the natural features of the site, including wetlands, flood plain, slopes over 10%, soil conditions and other significant features.
2. Written materials shall include the following:
- a. description of the proposed mixed-use development, showing the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. description of the neighborhood in which the parcel lies, including utilities and other public facilities and the general impact of the proposed mixed use upon them; and
 - c. a summary of environmental issues of significance or likely to be of concern.

D. Submission of Final Plan

- 1. The applicant shall file the original application for any Mixed-Use Special Permit and the original of the final plan (which plan shall comply with the substantive Rules and Regulations of the Planning Board), together with one (1) copy of those materials, with the Town Clerk. The applicant shall also submit to the Planning Board and to those boards and agencies set forth in subparagraph B. 2. (a) of this Section at the time the application is filed with the Town Clerk, a copy of the application and the final plan.
- 2. The applicant shall file with the Town Clerk and submit to the Planning Board a transmittal letter certifying that it has forwarded copies of the final plan to the boards and offices as required above. The applicant is encouraged to meet with the Town boards and agencies receiving copies of the final plan during the review period.
- 3. The Town boards and offices receiving copies of the final plan may submit to the Planning Board written recommendations on the special permit application within 35 days of the filing of the transmittal letter certifying that copies of the final plan have been forwarded. Failure to report to the Planning Board within such 30 days shall be deemed lack of objection to the application.
- 4. Within 65 days of the filing of the special permit application with the Town Clerk, the Planning Board shall hold a public hearing, complying in all respects, with the

procedure for review of a mixed-use special permit shall comply with the requirements for review of special permits pursuant to G. L. c. 40A.

E. Contents of Final Special Permit Application Plan

After approval of a Concept Plan, the application for a mixed-use Special Permit shall include a final plan of the development site and narrative materials as provided below, except as may be provided by the Concept Plan approval.

1. Final plans shall include all of the information required for site plan review, including the following:
 - a. a scale of one inch equals forty feet unless another scale is requested and found suitable by the Planning Board;
 - b. preparation by and bearing the seals of an appropriate registered professional engineer, registered architect, registered land surveyor, and registered landscape architect, including certification of the accuracy of the location of the buildings, setback and all other required dimensions, elevations, and measurements;
 - c. a utilities and drainage plan prepared and stamped by a registered professional engineer;
 - d. the scale, date, and north arrow;
 - e. lot numbers, dimensions of lots in feet, size of lots in square feet, and width of abutting streets and ways;
 - f. all easements within the lot and abutting thereon;
 - g. the location of buildings existing or proposed for the development, which shall be prepared by and bear the seal of a registered architect as provided in subparagraph (b), including the total square footage and dimensions of all buildings, all building elevations and floor plans, and perspective renderings. Further, the depiction of materials and colors to be used shall be required;
 - h. the location of existing wetlands, water bodies, wells, 100-year flood plain elevation, and other natural features requested by the Planning Board in their written report on the Concept Plan;
 - i. the distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot;

- j. percent of the building lot coverage;
 - k. average finished grade of each building at the base of the building;
 - l. the elevation above average finished grade of the floor and ceiling of the lowest floor of each building;
 - m. existing and proposed contour lines at two-foot intervals;
 - n. the uses proposed for the mixed-use development by building or part thereof, including proposed open space, recreation areas, or other amenities;
 - o. proposed provisions for parking;
 - p. height of all buildings, above average finished grade of abutting streets;
 - q. a landscape plan to include the total square feet of all landscape and recreation areas, and depiction of materials to be used, and the quantity, size and species of plantings.
2. Narrative information concerning the development's impact on the community shall be provided, to include, at a minimum, the following:
- a. description of the proposed mix of uses within the development, indicating the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. parking and traffic plan to be prepared by a traffic engineer. The traffic plan shall include information on the type and number of vehicles generated on average and peak periods of uses, the impact on traffic intersections, and major roads servicing the project area;
 - c. description of the neighborhood in which the land lies and the impact of the development on the neighborhood and the community. Such description shall include information concerning the impact to local schools, housing supply, wastewater, water, and other utility systems, and other public facilities. When so requested by the Board, other impact information shall be provided; and
 - d. evidence of ownership or interest in the land for which the special permit is sought.

F. Minimum Requirements

A Mixed-Use Special Permit shall be granted only upon the determination by vote of five (5) members of the Planning Board that the development meets the requirements

of G. L. c. 40A, §9 and the provisions of the Mixed-Use By-Law, including the following conditions:

1. the final plan is substantially consistent with the Concept Plan and with the purpose and intent of the provision of the Bylaw under which the application is submitted.
2. the execution, delivery and recording of such covenants, agreements and instruments running with the land and binding on the owner of the parcel, its legal representative, successors, heirs and assigns, and enforceable by the Town, as the Board may require, and in form and substance satisfactory to it, in order to insure adherence to the terms of the Special Permit issued hereunder;
3. the approval by the Board of the detailed plans submitted for the project including, without limitation, plans showing all structures and improvements on the parcel, all ways and utilities serving the same, all lot lines, easements and rights of way of record, building plans and specifications illustrating in appropriate detail the landscaping and architectural design, showing types, location and layout of buildings, typical elevations, as well as the general height, bulk and appearance of structures, and such other and further documents, studies, reports or data which the Board determines appropriate or desirable to enable the Board to make the determinations required by this Bylaw;
4. the Board may, in appropriate cases, permit dimensional, setback and parking requirements other than those required by this By-Law; and
5. the Board may, in appropriate cases, impose a requirement that motor vehicular and pedestrian easement be provided for access and egress be provided from the site to abutting public or private property.

By Planning Board

Summary:
BOARD OF SELECTMEN:
FINANCE COMMITTEE:
PLANNING BOARD:
(2/3rds vote required)

II 5:15p
(3) Flood Zone
pg 52

ARTICLE 21

To see if the Town will vote to transfer from Community Preservation Historic Preservation Reserves, the sum of **\$40,000**, to the town of Eastham for expenditure under the direction of the Board of Selectmen, for the purpose of creating, in the Library, a climate controlled storage area of archival materials owned by the town; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary: This article will provide funding to install climate control equipment in the Eastham Room in the new Library. This room will house the Library's historic book collection, records, maps, and artifacts. Funds for this were not provided for in the state library grant or in the Town library building appropriation

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 22

To see if the Town will vote to adopt the Federal Flood Maps prepared by the United States Federal Government, and replacing previously approved maps in their entirety; or take any action relative thereto.

By Planning Board

Summary:

In order for property owners to be eligible for flood insurance coverage under the National Flood Insurance Program, the town is required, prior to July 16, 2014, to amend Section IV of the Eastham Zoning By-Law to adopt new flood zone maps issued by the Federal Emergency Management Agency (FEMA). The new flood maps increase the number of properties in the flood zone that may be subject to flood insurance requirements under mortgages.

BOARD OF SELECTMEN:

FINANCE COMMITTEE:

PLANNING BOARD:

(2/3rds vote required)

ARTICLE 23

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L. C44B (6) from the FY2014 estimated community preservation revenues to reserves in the following amounts: **\$74,186** for open space purposes, **\$74,186** for historic preservation purposes **\$74,186** for affordable housing purposes, and **\$ 519,299** to the FY2014 community preservation budgeted reserved for appropriation for a total of **\$741,857**, as recommended by the Community Preservation Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, with the remaining estimated revenue reserved for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

February 24, 2014

**Town of Eastham
Board of Selectmen**
2500 State Highway
Town Hall
Eastham, MA 02642

Attn: Ms. Aimee J. Eckman
Mr. John F. Knight
Mr. Wallace F. Abrams, II
Mr. Martin F. McDonald
Ms. Linda S. Burt

Subject: Shell Fish Grant Site N-35, N-38, N43
690/700 State Highway

Ladies and Gentlemen:

I would like to request the Board of Selectman's aid in help with the removal of the subject grants in front of our property located at 700 State Highway. This property has been in the Bliss/Boudreau family since 1938, in which we had been able to enjoy our water front rights for recreational purposes. Over the last 5-7 years the area has deteriorated severely, due to introduction of strictly growing oysters on racks and floats.

This also includes unmarked **submerged wires, metal pipes and cinder blocks** which could lead to unforeseen risk to public welfare in the area.

The grants are **NOT** in compliance with MGL Chapter 130. No identification by the holder and with reckless disregard of our rights as property owners. The grant holders installed racks and floats as a wall obstructing our ability to navigate to our property, including the ability to safely swim in the area.

In reference to two (2) court cases concerning shell grants cases 403 Mass 79 and 417 Mass 565, for land owner rights.

The court ruling on both cases involved shell fish grants, case 403 in Wellfleet and case 565 in Truro, where-as the land owners both petition the courts from relief of the grants located on their properties. The rulings reflect Colonial Ordinance and littoral landowner rights in Massachusetts, which when the land owner's property is in the intertidal zone, owns to the mean low tide point. This is the case for our property Book 2094, Page 333 Parcel II "bound on the shore the Town Cove"

I had our property survey by Coastal Engineering and have attached a copy of the plot plan of our waterfront rights. Therefore we are requesting the pipes, cinder blocks, wires and racks be removed from this area.

In regards to the shell fishermen, if they are going too abided by MGL Chapter 130, I would suggest the area around Hopkins Island as a point to relocate the grants. This is not far from the existing area and would be less of a public health hazard, for swimming, paddle boarding and kayaking.

II 5:25 pm
Gary A. Boudreau
10 Freeman Street
Norton, MA 02766
gboud@comcast.net
508-272-6578

*MARCH 17, 2014
5⁰⁰ pm*

ADMINISTRATION

FEB 26 2014

RECEIVED

This is the area in front of our property, which at high tide hides all the pipes and racks.



Relocate grants to the Hopkins Island.



Boudreau Water Front Boundary Lines

I would appreciate a resolution to this situation as our family has been paying taxes for water front property rights for over 75 years.

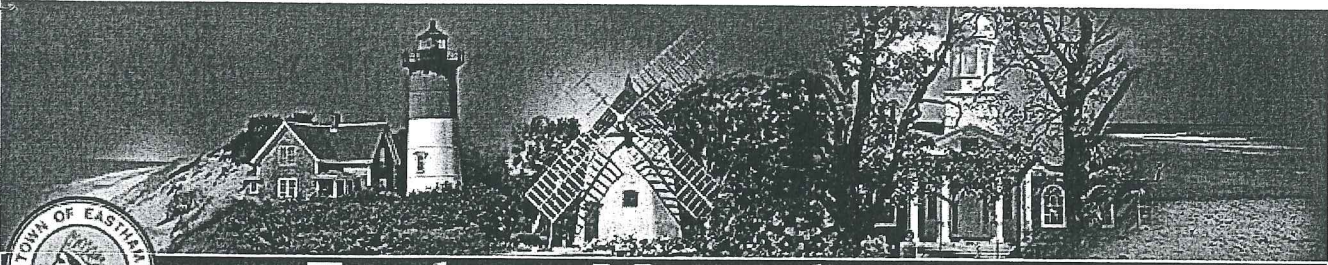
Sincerely,

Gary A. Boudreau
Gary A. Boudreau



C17691-C3D.dwg
DRAWN BY: JLH
Coastal Engineering Co., Inc. © 2012

COASTAL ENGINEERING COMPANY, INC. <small>260 Cranberry Hwy. Orleans, MA 02653 508.255.6511 Fax: 508.255.6700</small>	PROJECT <h2 style="text-align: center;">GARY BOUDREAU</h2> <h3 style="text-align: center;">SKETCH PLAN</h3> 690&700 RTE 6A EASTHAM, MA	SHEET NO. <h1 style="text-align: center;">SKC-1</h1>	PROJECT NO. C17691.00
			SCALE 1" = 60' DATE 5-29-12



Town of Eastham, Massachusetts

On Our Site

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Selectmen's Meeting Minutes 12/20/2010

[Printer-Friendly Version](#)

MINUTES

BOARD OF SELECTMEN

MONDAY, December 20, 2010- 5:00 pm

Regular Session

Location: Earle Mountain Room

Present: Selectman Aimee J. Eckman, Vice-Chair; Selectman Martin F. McDonald, Clerk; Selectman Wallace F. Adams; Selectman John F. Knight; Sheila Vanderhoef, Town Administrator

Absent: Selectman Linda Burt, Chair

Vice-Chair Aimee Eckman called the meeting to order at 5:00 p.m.

PUBLIC/SELECTMEN INFORMATION

There was no public/selectmen's information.

APPOINTMENTS

Public Hearing- Aquaculture Licenses

Relocation- Eldredge/Linkkila Site 35 Town Cove

Mr. Michael O'Connor, Senior Deputy Natural Resource Officer stated that Mr. Luther Eldredge and Mr. Tim Linkkila request to move their aquaculture site located in Town Cove slightly to the north and east to accommodate the needs of the upland property owner. The upland property owner has asked for more access to Town Cove for swimming and accessing their boat that is moored in the front of the property. The site boundaries will be moved approximately 50' to the north and east. Mr. O'Connor stated he recommends the approval of the relocation of the site.

The upland property owner asked when the original grant was issued, if the site can be moved out 75 feet instead of the proposed 50 feet, or if other sites might be available. Mr. O'Connor stated that there are no available existing sites.

After some discussion, the Board agreed to approve the original 50 foot relocation boundary.

A motion was made by Selectman John Knight to approve the relocation of Mr. Eldredge and Mr. Linkkila's Site #35 on Town Cove. The motion was seconded by Selectman Wallace Adams, and so voted 4-0.

Expansion- Russell Sandblom Site B29- Cape Cod Bay

Mr. Michael O'Connor, Senior Deputy Natural Resource Officer stated that Mr. Sandblom requests to expand his 1/2 acre site located off South Sunken Meadow to 2 acres. The new site boundaries have been marked. Mr. Sandblom stated he needs the space to cultivate little necks and oysters. Mr. O'Connor stated he recommends the approval of the expansion.

A motion was made by Selectman John Knight to approve the expansion of Mr. Sandblom's Site #29 on Town Cove. The motion was seconded by Selectman Wallace Adams, and so voted 4-0.

ADMINISTRATIVE MATTERS

Electric Utility Rate Update- Fred Fenlon, Cape Light Compact Representative

Mr. Fred Fenlon, Eastham Representative on the Cape Light Compact, presented an update on the new electricity rates. Mr. Fenlon stated that customers of Cape Light Compact will automatically receive the new rates, while Dominion Gas customers should call 508-240-3258 to request information to obtain the new rates.



Advanced Search



Barnstable County AmeriCorps Cape Cod

Guide to Program Structure



Group Service	Utilizes up to 14 general corps members for ½ day or 1 day of labor. Short term, labor intensive projects. Offered Mondays and Fridays.	Application: Ongoing Projects available October-July
Community Outreach & Development (COD)	Utilizes groups of 1-7 general corps members over the course of a few weeks or months. Members work alongside service partners to plan, develop, and execute projects. Emphasis on engaging community volunteers. Offered Tuesdays-Thursdays.	Application: Ongoing Members available October-July
Individual Placements	Utilizes 1 general corps member over the course of 10 months. Specific, long-term project within focus areas of natural resource management, environmental education, disaster preparedness and response, and/or environmental education. Offered Tuesdays-Thursdays.	Application: Due March 17 th , 2014 Members available October-July
FireCorps	Utilizes team of 6 fire corps members trained in wildland fire management and fire fuel reduction. Fire corps often works in a town for a few days in a row. Offered Monday-Friday from Thanksgiving until 3 rd week in January.	Application: Ongoing Members available Thanksgiving – 3 rd week in January

Visit <http://www.americorpscapedoc.org> & click "Become a Service Partner" to apply for AmeriCorps assistance!

For more information about our program, please visit our website or call (508) 375-6869



Barnstable County AmeriCorps Cape Cod Program *Community Impact, 1999 – 2013*

MASSACHUSETTS



SERVICE ALLIANCE

Since 1999, AmeriCorps members have diligently addressed critical environmental and disaster preparedness and response needs within our community and expanded volunteering opportunities for our community members. ***In the past 14 years, members have participated in the following activities:***

Environmental Conservation Projects – Completed 2,650 land and water based conservation projects

Environmental Education – Taught 2,113 environmental education activities to 50,565 students

Disaster Preparedness and Response Activities

- Taught 410 community disaster preparedness education classes
- Staffed each of the Cape's 3 opened regional shelters as well as the Multi-Agency Coordination Center at Otis Air Force Base for the first 72 hours during 2013 winter storm "Nemo"
- Staffed each of the Cape's 6 opened regional shelters during 2013's Superstorm Sandy
- Deployed 6-person FireCorps to Liberty and Ellis Islands to clean up and rehabilitate the islands after Superstorm Sandy
- Participated in 20 disaster simulations including the 2012 Barnstable County Mass Casualty Disaster Drill at the Barnstable Airport
- Responded to historic 2012 marine mammal stranding events affecting over 175 marine mammals
- Responded to 28 residential fires

Community Events – Organized and participated in annual events including: National AmeriCorps Week, National Volunteer Week, Mayor's Day of Recognition for National Service, Arbor Day, Earth Day, Canal Clean Up, Christmas Tree Recycling, Boy Scout Fair, Martin Luther King Jr. Day of Service, Coastsweep beach clean-up, Project WET Festivals, Chatham Media Swap, and Brewster Conservation Day.

Fostering an Ethic of Service

- Engaged 9,524 community volunteers in over 31,656 hours of community service
- Delivered 258 presentations about AmeriCorps, national service, community service and/or civic engagement.

Community Collaborations – Partnered with over 150 federal, state, county, and/or town departments; school, community groups, and non-profit agencies.

Building Community

- 97% of AmeriCorps members have successfully graduated the program.
- 104 Corps members have stayed or returned to the Cape after graduation to live and work for a period of time. 41 are currently living and working on Cape, 14 are working for Barnstable County or a Town department.

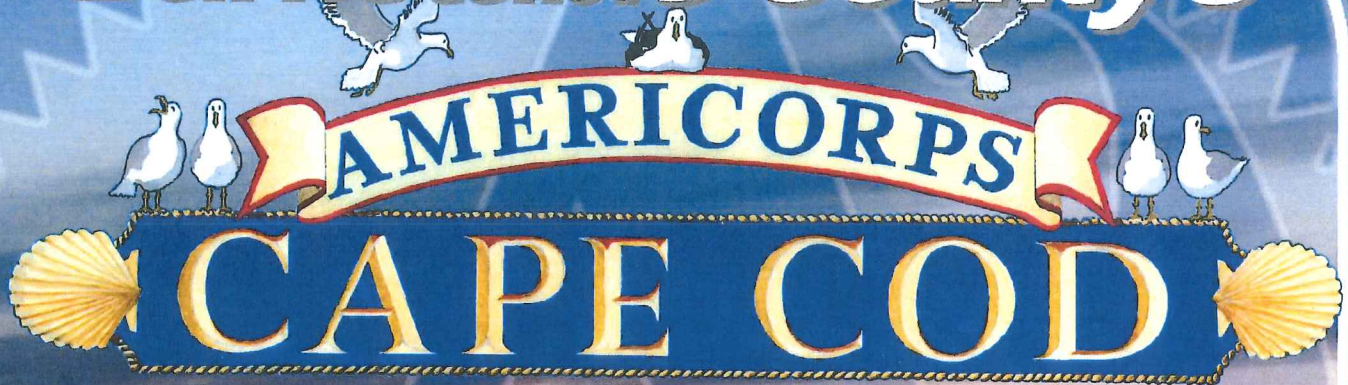
***Estimated Value of Service
To the Cape Cod Community
September 1999 – July 2013***

= \$14,113,153*

- Over a period of 14 years, AmeriCorps Cape Cod members have **served a total of 616,837 hours**.
- Volunteers recruited, trained and managed by Corps members have served 31,656 hours.

* Source: The Independent Sector sets the National Volunteer Rate each year.

Barnstable County's



Report to the Community
2012-2013

Our Mission

The Barnstable County AmeriCorps Cape Cod program is dedicated to serving the critical environmental and community needs of Cape Cod through natural resource management, disaster preparedness and response, community education, and volunteer engagement.



AMERICORPS CAPE COD YEAR 14, 2012-2013

Dear Members of the Community,

On behalf of the Barnstable County Commissioners, Mary Pat Flynn, William Doherty, and Sheila Lyons, and the staff of the Barnstable County Resource Development Office I would like to recognize and commend the efforts of this year's AmeriCorps Cape Cod members. The 32 members notably performed critical service to the communities of Cape Cod this year. Their initiative, creativity, dedication and commitment have enhanced our program's breadth and depth of service, again raising the bar of member service and community involvement.

In the early hours of Monday, October 29th, 2012 all Bourne and Wellfleet members were deployed to American Red Cross Shelters in response to Hurricane Sandy. Again the members were called into action in response to winter storm Nemo serving night and day in three Red Cross shelters over five days.

In addition, AmeriCorps Cape Cod also rolled out a new initiative for the 2012-2013 Corps year. Six new members who comprise the new FireCorps bring the total number of Corps members to 32, and their house in Wellfleet, the Wells House, adds a third house to our roster. The FireCorps members served alongside the Cape Cod National Seashore Fire Management Team. After the landfall of Hurricane Sandy the FireCorps was deployed to New York City, where they used their new skills to assist in repairing and cleaning up the damage caused by the storm. They were assigned to Ellis Island and Liberty Island, where they cleared man-made and natural debris. Their service spearheaded efforts to clean up, rehabilitate and eventually re-open the islands. Ellis Island and Liberty Island are national symbols, and throughout history, they have been twin beacons of hope for millions of people around the world. The AmeriCorps Cape Cod FireCorps and the Cape Cod National Seashore also helped to restore that same hope in the people of New York City and New Jersey.

Over Thanksgiving, five Wellfleet members planned to cook a turkey and have Thanksgiving dinner together. Those plans changed quickly when they were called out by the International Fund for Animal Welfare (IFAW) to respond to a dolphin stranding on Thanksgiving morning. Again, AmeriCorps members called into action to meet the needs of our community.

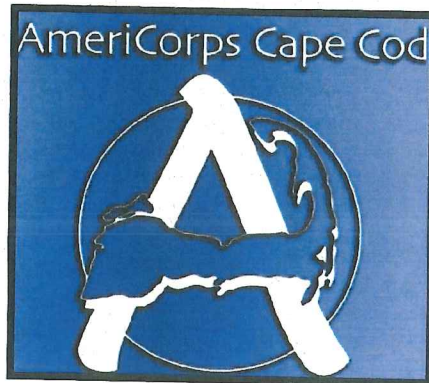
By reading through the pages of this report we, as a program and a community, are able to reflect not only on the many disaster response efforts of the Corps this year, but also on the program's continuing environmental service. The AmeriCorps Cape Cod Program was designed to provide quality year round community service to protect and sustain the natural resources of Cape Cod for the use and enjoyment of future generations. This report begins by introducing key environmental needs of the community, elaborating on our natural resource management projects and our advances in the field of disaster preparedness and response and our volunteer engagement events, finally concluding with a Town by Town listing giving an account of all of the service activities performed this year throughout Barnstable County. As you will see we have been very busy again this year and will continue to work towards improving the delivery of efficient, effective service to our communities. Together we will continue to serve and make a difference in our community, now and into the future.

Respectfully,

Darlene Johnson Morris

Director, Barnstable County Resource Development Office and AmeriCorps Cape Cod Program

ADVISORY BOARD



Brian Carlson
Town of Provincetown

Sheila Lyons
Barnstable County Commissioner

Jessica Erickson
The 300 Committee

Peter Freeman
Attorney at Law

Hillary Greenberg
Town of Wellfleet

Michael Lach
Harwich Conservation Trust

Chuck Lawrence
Upper Cape Cod Regional Technical School

Nolan Leroy
Upper Cape Cod Regional Technical School

Henry Lind
Town of Eastham (Retired)

Ryan Burch
Town of Brewster

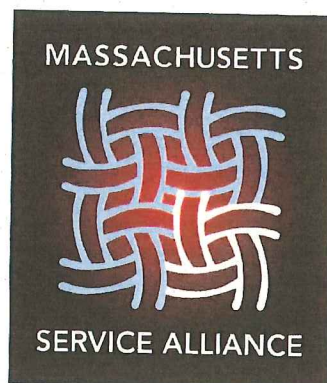
Heather McElroy
Cape Cod Commission

Lauren McKean
Cape Cod National Seashore

Steve McKenna
MA Coastal Zone Management

Diane Murphy
*Cape Cod Cooperative Extension/
SEMAC*

John Ohman
*Barnstable County Assembly of
Delegates, Town of Dennis*



PROGRAM STAFF



Darlene Johnson-Morris
Resource Development
Office Manager
AmeriCorps Program Director

RESOURCE DEVELOPMENT OFFICE

Philip Burt
Resource Development Officer

Julie Ferguson
Resource Development Officer

Katherine Garofoli
Resource Development Officer

Priscilla Ellis
Administrative Assistant

AMERICORPS CAPE COD

Riley Moffatt
Program Coordinator

Christin Marshall
Program Specialist

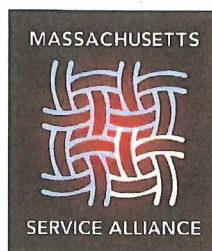
Amy Henderson
Program Specialist

Dan Schell
Program Supervisor — Bourne House

Erik Boyer
Program Supervisor — Le Hac House



The AmeriCorps Cape Cod program is funded through grants from the Corporation for National and Community Service and the Massachusetts Service Alliance and matching funds from Barnstable County. Housing is provided by Barnstable County and the Cape Cod National Seashore.



COMMUNITY IMPACT 1999-2013



Environmental Conservation Projects:

- 2,475 land and water-based conservation projects completed
- Completed service on over 184 acres and 78 miles of conservation land and water (As of April 2013)

Disaster Preparedness and Response Activities:

- Presented 392 community disaster preparedness education classes
- Response to 28 residential fires
- Participation in 21 disaster simulations and drills
- Response to 127 marine mammal strandings
- Assisted with 31 marine mammal necropsies
- Response to 2003 Buzzard's Bay oil spill
- Response to January 2005 blizzard
- Response to December 9th, 2005 winter/wind storm
- Response to the 2005 Hurricane Katrina evacuees in Operation "Helping Hands"
- Response to November 2007 Nor'easter
- Opened 4 shelters in November 2009 winter storm
- Response to flood damage in spring of 2010
- Response to storm damage on Liberty and Ellis Island in NY after Hurricane Sandy in October 2012
- Opened 3 shelters in October 2012 for Hurricane Sandy
- Opened 3 shelters in February 2013 in response to Super-storm Nemo

Environmental Education:

- Over 2,050 activities in environmental education—ranging from vernal pools to invasive plant species—directed towards approximately 47,500 residents and visitors
- Hosted over 110 Project Wet Festivals for over 14,000 students
- Developed the recycling puppet show, "The Green Ribbon"
- Performed the "The Green Ribbon" puppet show 47 times to 5,862 adults and children

Fostering an Ethic of Service:

- A contribution of 27,149 hours of community service by 7,905 volunteers
- 244 presentations given about AmeriCorps, national service, community service, and civic engagement

Community Events: Organization and Participation in annual events such as:

- AmeriCorps Week
- Canal Clean-Up
- Earth Celebration
- Martin Luther King Jr. Day of Service
- Nauset Cares Day
- Harwich "Blitz" Week
- National Trails Day
- Mashpee National Wildlife Refuge Clean Up
- River Days
- Highland Center Celebration
- Arbor Day
- Orleans Green Week
- National Day of Recognition

Community Collaborations: Collaborations with over 150 groups including:

- Federal, state, county, and town departments
- School, community, and faith-based groups
- Non-profit organizations

Building the Cape Cod Community:

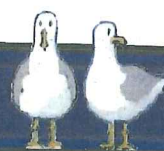
- 97.6% of ACC Members have successfully graduated from the AmeriCorps Cape Cod program
- 95 alumni have stayed or returned to work on the Cape after graduating from the program
- 38 alumni have worked for Barnstable County or a Town department (12 currently)
- 30 alumni are presently working on Cape Cod
- 37 alumni have gone on to become Service Partners, Advisory Board Members and Trainers for the Program

ESTIMATED PROGRAM VALUE = \$16,789,697

TOTAL MEMBER AND VOLUNTEER HOURS SERVED = 612,092

* THE 2011 MA INDEPENDENT SECTOR VALUE OF VOLUNTEER LABOR IS \$27.43

2012-2013 SERVICE PARTNERS



- Mark Adams**, Cape Cod National Seashore
Kerry Bickford, Barnstable County 4-H Program
Wendi Buesseler, Oyster Pond Environmental Trust
Ryan Burch, Brewster Dept. of Natural Resources
Elisa Carey, US Army Corps of Engineers
Brian Carlson, Provincetown Conservation Commission
Nancy Church, Waquoit Bay National Estuarine Research Reserve
Bill Clark, Cape Cod Cooperative Extension
Dan Connolly, Orleans Highway Department
David Crary, Jr., Cape Cod National Seashore
John Defoe, Cape Cod National Seashore
Stephanie Paventy, Massachusetts Army National Guard
Justin DeForest, Cape Cod National Seashore
Judy Desrochers, Meetinghouse Farm
Alex Etkind, The 300 Committee
Brian Everett, Dennis Dept. of Natural Resources
Mark Faherty, Wellfleet Mass Audubon
Renee Gagne, Chatham Shellfish Dept.
Mark Galkowski, Sandwich Dept. of Natural Resources
Dave Deconto, Sandwich Dept. of Natural Resources
James Gallagher, Brewster Dept. of Natural Resources
Ilona Geiss, Falmouth Service Center
Bob Gennaro, Orleans Highway Department
Kathleen Giorgio, Dream Day of Cape Cod
Hilary Greenberg, Wellfleet Health and Conservation Department
Chris Greim, West Barnstable Fire Department
CT Harry, International Fund for Animal Welfare
George Heufelder, Barnstable County Department of Health and the Environment
Don Hoffer, Falmouth Beach Department
Rachel Hutchinson, Chatham Shellfish Dept.
Bill Iacussa, State of Wellfleet Harbor Conference Committee
Kate Iaquinto, Monomoy Nat'l Wildlife Refuge
Ian Ives, Mass Audubon
Tony Jackett, Town of Provincetown/Truro Shellfish Constable
John Jannell, Orleans Conservation Dept.
Ellen Jedrey, Massachusetts Audubon Society
Kristie Kapp, Massachusetts Audubon Society
Bill Keto, Mary Barton Land Trust
Michael Lach, Harwich Conservation Trust
Scott Lindell, Marine Biological Laboratory
Matt Loo, Barnstable Shellfish Department
Gabe Lundgren, US Army Corps of Engineers
Les Lutz, Heritage Museum and Gardens
Mike Maguire, Cape Cod Cooperative Extension
Karen Malkus, Town of Barnstable, Health Department, Coastal Health
Ryan Mann, Harwich Conservation Trust
Tom Marcotti, Barnstable Shellfish Department
Joseph Maruca, West Barnstable Fire Department
James McCarthy, Dennis Conservation Trust
Heather McElroy, Cape Cod Commission
Lauren McKean, Cape Cod National Seashore
Drew McManus, Mashpee Dept. of Natural Resources
Scott Michaud, Cape Cod Commission
Don Milbier, The Family Pantry
Chris Miller, Brewster Dept. of Natural Resources
Dennis Minsky, Provincetown Conservation Trust
Bruce Mogardo, Falmouth Beach Dept.
John Morrissey, Wellfleet Comm Garden
Kerry Muldoon, Yarmouth Conservation Dept.
Katie Mueller, Cape Cod Volunteers
Allison Murphy, SPAT
Diane Murphy, Cape Cod Cooperative Extension/SEMAC
Martin Murphy, Taylor Bray Farm
Josh Nigro, Massachusetts Dept. of Conservation and Recreation
Sean O'Brien, Barnstable County Department of Health and Environment
Alisha Parker, Town of Barnstable Growth Management
Janice Perkins, Lower Cape Outreach Council
Heinz Proft, Harwich Natural Resources Dept.
John Pribilla, US Army Corps of Engineers
Heidi Quill, Chatham Community Garden
Kris Ramsay, Orleans Conservation Trust
Amy Raitto, Town of Barnstable Dept. of Natural Resources
Jim Rassman, Waquoit Bay National Estuarine Research Reserve
John Ryerson, Wellfleet Beach Dept.
Lara Slifka, Chatham Dept. of Health and Environment, Conservation Division
Diane Speers, Bourne Historical Society
Quan Tobey, Mashpee Wampanoag Tribe Department of Natural Resources
Aylin Unel, AIDS Support Group of Cape Cod
Amy Usowski, Harwich Dept. of Conservation
Patty Watson, The Family Pantry
Michael Williams, Our First Home
Karen Whiting, American Red Cross
Bill Worthington, Truro Conservation Trust
Laurie York, Aptuxcet Garden Club
Richard York, Jr., Mashpee Shellfish Dept.
John DeCosta, Scusset Beach, Mass DCR
Donna Lawson, Long Pond Community Garden
Jennifer Jackman, Friends of Santuit Pond

II 6:10pm

TRI-TOWN DECISION TREE/SCHEDULE

If IMA Expires on May 30, 2015

- Demolition permitting, design & bidding (8 month completion) – \$90,000 (1/3 ea.)
- Demolition construction & site restoration (5 month completion) – \$1,800,000 (1/3 ea.)
- Funding for design – May 2014
- Funding for construction – May 2015
- Facility decommissioning to commence – June 2015

If IMA Extends to Dec 31, 2016

- Vote needed in all 3 towns – May 2014
- Funding for capital repairs – \$300,000 (1/3 ea.) – May 2014
- Funding for demolition design – May 2015
- Funding for demolition construction – May 2016
- Facility decommissioning to commence – Fall 2016

If IMA Extends beyond Dec 31, 2016

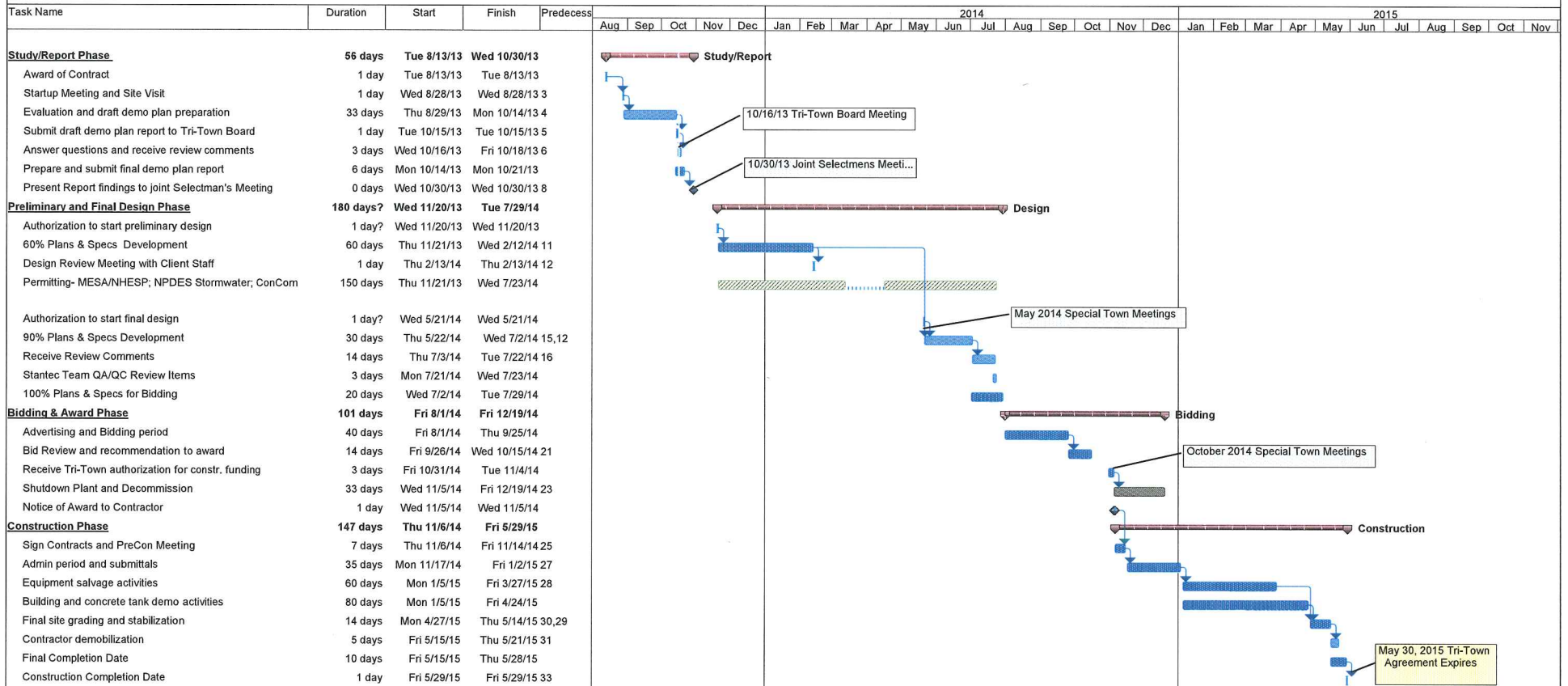
- Vote needed in all 3 towns – May 2015
- Funding for capital for permit renewal and 20 yr. extension – \$5,200,000 (1/3 ea.) – May 2016
- MassDEP (GDP) expires December 2016 (6 month renewal process) – June 2016

Date: March 12, 2014

TRI-TOWN SEPTAGE TREATMENT FACILITY DEMOLITION PROJECT

ORLEANS, MA

as of October 2013



Project: Tri-Town Demo Project Date: Thu 10/17/13	Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Progress	
	Split		External Tasks		Inactive Summary		Manual Summary		Deadline	
	Milestone		External Milestone		Manual Task		Start-only			
	Summary		Inactive Task		Duration-only		Finish-only			

From: Charles Sumner [mailto:CSUMNER@town.brewster.ma.us]

Sent: Thursday, March 06, 2014 1:32 PM

To: John Kelly

Subject: RE: Tri Town Funding Article

Hi John

Let me know if you have any question. CLS

DRAFT

ARTICLE NO. 33: To see if the Town will vote transfer from available funds the **ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00)** for costs associated with the engineering, design, operation, repair, maintenance and/or **demolition** under the Intermunicipal Agreement between the Towns of Orleans, Brewster and Eastham for the Construction, Management and Operation of a Septage Treatment Facility, and to authorize the Town Administrator, with the permission of the Board of Selectmen, to solicit bids and/or proposals, enter into a contract or contracts and expend said funds for this purpose, or to take any other action relative thereto.

(Majority Vote Required or a Two-thirds vote if
funds are transferred from the Special Purpose
Stabilization Fund)

(Board of Selectmen)

SUMMARY

The original Tri-Town Septage Treatment plant was constructed in 1985 under an inter-municipal agreement between the Towns of Orleans, Eastham and Brewster; this agreement will expire on May 30, 2015. The member communities have recently been engaged in discussions concerning the extension of the agreement. In addition this facility is operated under a permit issued by the Commonwealth of Massachusetts which will expire on December 20, 2016. This article will provide funding for a wide variety of costs associated with engineering, design, operation, repair, maintenance and/or demolition expenses related to Tri-Town Septage facility.

Selectmen: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

From: John Kelly [mailto:jkelly@town.orleans.ma.us]

Sent: Thursday, March 06, 2014 11:30 AM

To: Charles Sumner

Subject: Tri Town Funding Article

Charlie,

Can you send me a copy of the draft article that you started working on last week?

Thanks.

John

State Publications and Regulations

William Francis Galvin, Secretary of the Commonwealth

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Designer Services planned date of publication is 3/19/2014

Awarding Agency

Agency Name and Address*:

Town Administrator's Office, 19 School
Road, Orleans, MA 02653-3699

Project Number:

RFQ #2

Designer's Fee:

Negotiated ☐ not to exceed \$625,000.00

Estimated Construction Cost:

n/a

Time Period for Completed
Project:

February 2015

Contact Information

Name*:

Town Administrator's Office

Phone:

415

Fax 508-240-3703

Email Address:

lsurdut@town.orleans.ma.us

☒ Notify by email when final Publication Date assigned

Contract Information

Project*:

To provide engineering, planning and
hydrogeologic studies necessary for
implementation of septage, wastewater,
groundwater and stormwater management
plans pursuant to the Comprehensive
Wastewater Management Plan completed

Scope:

Includes completion of a number of main
and subtasks related to the following:
1.Namskaket Marsh Geohydrology
Investigation; 2.Tri-Town Options &
Feasibility Evaluation; 3.Decentralized
Treatment/Disposal Sites Evaluations; 4

Specific Services :(choose all that
apply)

☐ Architect

☐ Landscape Architect

☐ Planner

☐ Programmer

☒ Engineer

☒ Land Surveyor

☐ Space Planner

☐ Project Manager

☐ Other

If Other:

Deadline for Application Form*:
(mm/dd/yyyy)

04/11/14

Time: 3:00 pm

Project Program Availability:

Anytime after publication date.

Briefing Session:

March 26, 2014

Additional Information

SPR CMR Designer Services Submission Form

To request a copy of the specifications
please call 508-240-3700 x 415 or send
email with full contact info to
lsurdut@town.orleans.ma.us

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* - required information

Note: please do not enter less than (<) or greater than (>) since these are interpreted as hazardous web characters. If these characters are needed, please use the left and right parenthesis as a replacement.

Draft Central Register Publication

CONTRACT INFORMATION

PROJECT:

To provide engineering, planning and hydrogeologic studies necessary for implementation of septage, wastewater, groundwater and stormwater management plans pursuant to the Comprehensive Wastewater Management Plan completed by the Town in 2011, the Adaptive Management component of the CWMP and the Cape-wide Section 208 Water Quality Management Plan being developed by the Cape Cod Commission.

SCOPE:

Includes completion of a number of main and subtasks related to the following:

1. Namskaket Marsh Geohydrology Investigation;
2. Tri-Town Options & Feasibility Evaluation;
3. Decentralized Treatment/Disposal Sites Evaluations;
4. Landfill Groundwater Plume Location and Impact.

TOWN OF ORLEANS

REQUEST FOR QUALIFICATIONS

WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES

March 2014

[DRAFT]

The Town Administrator seeks proposals from qualified engineering and/or environmental firms, as defined in Chapter 7C, Section 44 of the General Laws of Massachusetts, to provide engineering, planning and hydrogeologic studies necessary for implementation of septage, wastewater, groundwater and stormwater management plans needed to maintain and protect the water resources of the Town of Orleans, pursuant to the Comprehensive Wastewater Management Plan (CWMP) completed by the Town in 2011, the Adaptive Management component of the CWMP and the Cape-wide Section 208 Water Quality Management Plan (the 208 Plan) being developed by the Cape Cod Commission.

All proposals must be received by the Town Administrator's Office, 19 School Road, Orleans, MA 02653-3699 by 3:00 pm on **Friday, April 11, 2014**. Any proposal received after this time and date will be returned to the applicant unopened. No exceptions will be allowed. Facsimile or electronic proposals will not be accepted and postmarks will not be considered. One (1) original copy, six (6) photocopies and one (1) copy in electronic format of the proposal must be submitted in a sealed envelope indicating the applicant's name and address and clearly marked in the lower left hand corner "WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES".

There will be a *pre-submittal briefing* on **Wednesday, March 26, 2014, at 10:00 AM in the Nauset Room at the Town Hall in Orleans** to review the requirements of this Request for Qualifications and to answer questions from prospective respondents. Final selection of the successful respondent will be made on or before **Wednesday, May 28, 2014**. The resulting contract will be awarded subject to appropriation at Town Meeting in May 2014. The total project fee shall be negotiated with the maximum cost not to exceed **\$625,000**. Completion of all tasks as outlined in the Scope of Services shall be on or before **February 28, 2015**. The Consultant selected for this project will be eligible to compete for future projects related to this scope of services.

The Town Administrator reserves the right to accept and/or reject any and all proposals and waive any informality in procurement procedures to the extent allowed by law and make the award deemed to be in the best interest of the Town.

John F. Kelly
Town Administrator

TOWN OF ORLEANS

REQUEST FOR QUALIFICATIONS

WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES

GENERAL

The Town Administrator seeks proposals from qualified engineering and/or environmental firms, as defined in Chapter 7C, Section 44 of the General Laws of Massachusetts, to provide engineering, planning and hydrogeologic studies necessary for implementation of septage, wastewater, groundwater and stormwater management plans needed to maintain and protect the water resources of the Town of Orleans, pursuant to the Comprehensive Wastewater Management Plan (CWMP) completed by the Town in 2011, the Adaptive Management component of the CWMP and the Cape-wide Section 208 Water Quality Management Plan (the 208 Plan) being developed by the Cape Cod Commission. A significant goal of this project is to link the studies, planning and resulting recommendations to the plans and guidance being developed in the 208 Plan under the leadership of the Cape Cod Commission.

All proposals must be received by the Town Administrator's Office, 19 School Road, Orleans, MA 02653-3699 by 3:00 pm on Wednesday, April 11, 2014. Any proposal received after this time and date will be returned to the applicant unopened. No exceptions will be allowed. Facsimile and electronic proposals will not be accepted and postmarks will not be considered. One (1) original copy, six (6) photocopies and one (1) copy in electronic format of the proposal must be submitted in a sealed envelope indicating the applicant's name and address and clearly marked in the lower left hand corner "WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES".

There will be a ***pre-submittal briefing on Wednesday, March 26, 2014, at 10:00 AM in the Nauset Room at the Town Hall in Orleans*** to review the requirements of this Request for Qualifications and to answer questions from prospective respondents. Final selection of the successful applicant will be made on or before ***Wednesday, May 28, 2014***. The resulting contract will be awarded subject appropriation at town meeting on May 12, 2014. The total project fee shall be negotiated, with the maximum cost not to exceed ***\$625,000***.

Completion of all Tasks for this project shall be by ***February 28, 2015***. The Consultant selected for this project will be eligible to compete for future projects related to this scope of services.

BACKGROUND INFORMATION

The Town of Orleans, Massachusetts, located on Cape Cod, faces unique challenges in the protection and restoration of the unparalleled water resources of the Town, including the estuaries, ponds, groundwater and marsh systems, all linked together in its watersheds.

While currently maintaining a year-round population of 6,259 residents, the seasonal population is estimated at 20,000 to 25,000. This dramatic seasonal increase in population, in addition to historic growth and resulting density of on-site disposal systems, poses a serious threat to the water quality of the groundwater aquifers that feed the estuaries and ponds in Orleans and from which drinking water is supplied to residents and businesses. In addition, the density of larger, commercial on-site systems threatens the economic vitality of downtown Orleans and presents serious challenges to the operation, maintenance, repair and replacement of such systems in light of future more stringent regulations governing on-site wastewater treatment and disposal systems.

To meet these challenges, the Town developed a Comprehensive Wastewater Management Plan (CWMP) to protect surface and groundwaters from the effects of nutrient loading associated with development and to protect the economic vitality of downtown Orleans.

In addition, the Town of Orleans is a member of the Orleans Brewster Eastham Groundwater Protection District. Formed in 1988, the District owns and operates the Tri-Town Septage Treatment Facility located near the intersection of Route 6 and 6a in Orleans. The Tri-Town plant receives and treats residential and commercial septage from the three member towns of the District, as well as from other towns on the lower and outer Cape. The plant is currently permitted to receive 45,000 gallons per day (gpd) of septage per day. For the last several years it has averaged about 30,000 gallons per day. The plant treats the septage in accordance with its groundwater discharge permit and discharges treated effluent to infiltration beds located on-site. Flow through the infiltration beds recharges groundwater that flows in the direction of the Namskaket and Little Namskaket aquifers and estuaries, which are also influenced by surface water runoff tidal flows from Cape Cod Bay. The Namskaket Marsh has been designated as an Area of Critical Environmental Concern (ACEC), and concerns regarding the effects of discharges of fresh water from the Tri-Town plant under both existing and full build-out discharges have been raised.

Constructed in the mid-1980s, a number of the components of the Tri-Town plant are reaching or have outlived their design life and significant repair, replacement and upgrade of the plant is required to extend its useful life.¹ A recent evaluation of the cost of such repair and replacement needs² has estimated that approximately \$500,000 would be required to keep the plant operating effectively through the end of the term of the Intermunicipal Agreement (IMA) between the three towns currently agreed to be December 31, 2016. The same report estimated that approximately \$5,140,000 would be required to allow the facility to operate for the next 20 years in its current configuration to meet its anticipated state groundwater discharge permit requirements.

¹ Tri-Town Septage treatment Facility Evaluation, Wright-Pierce, August, 2005

² Tri-Town Septage Treatment Facility Evaluation Cost Estimate Update, Stantec, February 5, 2014.

The 2010 CWMP recommended the replacement of the existing septage facility as part of the construction of a new, combined wastewater and septage treatment on the present site of the Tri-Town plant. With implementation of all six phases of the CWMP, the new plant would receive and treat up to 640,000 gallons per day of wastewater and septage. The flow of 640,000 gpd would be the average daily flow that would be conveyed to the new plant assuming, among other things:

1. Full implementation of all six phases of the CWMP
2. A centralized sewer system collecting approximately 58 percent of the residential and commercial wastewater discharges in Orleans.
3. Decommissioning and conversion to pump stations of the several decentralized, cluster treatment systems in outlying areas of the town
4. Build out to future population projections in the town, based on the 20-year planning horizon of the CWMP.

The studies completed as part of the CWMP process included extensive hydrogeologic investigations in accordance with MA DEP requirements for a groundwater discharge permit for the new facility. These studies indicated that the discharge of the full 640,000 gpd would not negatively impact either the ground or surface water systems near the plant infiltration beds or the surface, groundwater or marshes of the Namskaket or Little Namskaket watersheds.

Based on the hydrogeologic analyses and other studies and evaluations, as well as approval in Town Meeting, the CWMP and the associated Single Environmental Impact Report (SEIR) were approved by both the Cape Cod Commission as a Development of Regional Impact (DRI) and under provisions of the Massachusetts Environmental Policy Act (MEPA).

Although the CWMP recommended a six-phase plan involving centralized collection and treatment of a significant portion of the Town, the document included an **Adaptive Management Plan** which recognized that a number of factors would heavily influence and possibly modify the plans for the latter phases of the program. In fact, recognizing the need for an adaptive approach, the conditions of the DRI and MEPA approvals, as well as the CWMP itself, anticipated further studies and evaluations of evolving treatment and collection technologies such as:

- Advanced technologies for nitrogen removal from on-site systems,
- The use of STEP and STEG systems and directional drilling to lower costs,
- Use of "green" technologies such as aquaculture, non-potable water reuse and wetlands treatment
- Use of emerging technologies such as permeable reactive barriers,
- Non-structural measures such as stormwater and fertilizer management

and other potential approaches that would improve performance, reduce impacts and/or lower costs of latter phases of the program, i.e. those phases beyond the construction of the initial collection and treatment system to serve the central, more developed area of Town.

Specifically, one of the stipulations of the DRI (WRC-26), required “*further characterizations of: 1) the subsurface conditions of Namskaket Marsh to address hydrologic uncertainty of the clay lens and 2) discrete freshwater breakout in the Namskaket Marsh proximal to the wastewater treatment facility*”.

In response to the DRI and MEPA conditions the Town, with the support of the USGS, the MEP and others, has completed additional studies and evaluations to refine, optimize and reduce the cost and potential impacts of the wastewater program. The studies have included:

1. An evaluation of the use of a “hybrid” system for wastewater collection including the use of Septic Tank Effluent Pumps (STEP) and Septic Tank Effluent Gravity (STEG) systems, alternative decentralized treatment and disposal systems and alternative construction techniques, as well as the reassessment of capital and operating costs³
2. An evaluation of an option to the centralized plan involving sewerage and treatment of only the downtown area of the Town, in which cost of land, density of infrastructure, size, flow and discharge quality of the wastewater systems and other factors typically require centralized collection and treatment.⁴
3. USGS Studies on the flow paths and water quality impacts of discharges from the Tri-Town site for full future build-out flows⁵
4. An independent Engineering Review of the CWMP⁶
5. A study including, in addition to a detailed survey of the downtown area or Orleans:
 - a. An evaluation of the potential for cost savings and feasibility of the use of directional drilling in lieu of cut and cover conduit construction techniques
 - b. Collection of additional information related to the needs and costs to serve larger on-site systems in the downtown areas

To further respond to the DRI and MEPA requirements, as well as to continue consideration of alternative approaches to implementation consistent with the Adaptive Management framework of the CWMP, this WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES project is intended to advance planning in the following areas:

1. Namskaket Marsh Investigations - Conduct further studies and hydrogeologic evaluations of potential impacts of various levels of discharge from the Tri-Town site in response to DRI and MEPA conditions, as well as for purposes of the Town’s application for its state discharge permit renewal should the Tri-Town facility continue to operate as a septic treatment facility only.
2. Decentralized Site Investigations - Conduct further evaluations and screening of sites in

³ Preliminary Design Report on the Technical Review and Cost Analyses of Comprehensive Wastewater Management Plan Options, Weston & Sampson, Inc., September 2012.

⁴ Phase 1A – Downtown Sewer Alternative, Preliminary Engineering Design and Cost Estimate, Weston & Sampson, Inc., April, 2013.

⁵ April 20, 2011, presentation to the Orleans Board of Selectmen; Report to be issued in May 2014

⁶ Engineering Review of Orleans CWMP, CH2M HILL, 2010

Orleans that may be suitable for decentralized cluster treatment and/or groundwater recharge facilities

3. Tri-Town Treatment and Reuse Options - Conduct evaluations of the feasibility and cost implications of using approved state-of-the-art technologies for advanced treatment of septage and wastewater at the Tri-Town site, including the generation of energy from treatment bi-products and the beneficial use of non-potable treated effluent.
4. Orleans Landfill Investigation - Conduct hydrologic and water evaluations of the impacts of the leachate from the Orleans landfill and its potential impact on Town Cove water quality.

In summary, the goal of this project is to provide additional studies, investigations and financial options to the very substantial work done in the CWMP process, supplementing that planning with an Adaptive Management Plan that considers the new information and alternative approaches and takes advantage of the planning and guidance being developed by through the 208 process.

ONLINE RESOURCES AVAILABLE TO ASSIST IN THE STUDY

The Town of Orleans maintains on its web-site a full catalogue of the studies, reports and other documents related to the above tasks and wastewater management in Orleans: The following is a link to that web site location:

http://www.town.orleans.ma.us/Pages/OrleansMA_cwmp/index

SCOPE OF SERVICES

The following tasks will be completed under this Scope of Services. Task 1 and 2 are integrally related and will be conducted in conjunction with each other.

Task 1 - Namskaket Marsh Geohydrology Investigation

- 1.1 Review background information including USGS, MEP and CWMP studies, summarize findings and key issues including: potential impacts on the marsh of freshwater discharges; feasibility and methods of adequately defining the horizontal and vertical limits of the subsurface stratigraphy including less permeable strata such as the "clay layer"; potential for breakout of the Tri-Town discharge into near-field neighboring surface waters; stormwater impacts on the marsh hydrogeology and water quality; the need for a water mass balance to estimate existing recharge processes with respect to natural conditions and other factors.
- 1.2 In conjunction with Task 2 work, confirm purposes and objectives of hydrogeologic investigations with respect to the range of flows, seasonal variation, water quality characteristics, discharge location and other factors related to potential future

discharges from the Tri-Town facility being considered under Task 2 for various future wastewater management scenarios.

- 1.3 Meet with Cape Cod Commission and DEP technical staff to review intents and requirements of the agencies in defining groundwater characteristics under the various future discharge scenarios. Prepare minutes of the meetings summarizing comments, requirements and agreed-upon approaches to the work.
- 1.4 Develop a detailed scope of work and estimated costs for field geological and water quality investigations and computer simulation necessary to resolve key issues and satisfy regulatory requirements related to protection of Namskaket Marsh under the range of future discharge scenarios for the Tri-Town plant. The investigations and analyses shall be defined to define the characteristics and ecological impacts of the treated water discharges to the Marsh, including:
 - 1.4.1 Feasibility and methods of adequately defining the 3-dimensional horizontal and vertical characteristics of the subsurface stratigraphy, including the less permeable strata such as the “clay layer”, as well as the flow pathways of the existing discharge plume,
 - 1.4.2 The degree of interaction of the plume with surface waters, including the potential for breakout of the Tri-Town discharge into down-slope, near-field surface waters;
 - 1.4.3 Stormwater runoff impacts on the marsh ecology and water quality;
 - 1.4.4 The need for a water mass balance to estimate existing recharge processes with respect to natural conditions and other factors.
- 1.5 Submit the draft scope of work for hydrogeologic and water quality studies to the DEP, Cape Cod Commission, the Town of Brewster and other parties, as appropriate, and meet with the agencies and parties to reach agreement and gain approval of the work consistent with requirements of the DRI.
- 1.6 Upon approval of the Town of Orleans, the DEP, the Cape Cod Commission and other parties as necessary, undertake and complete the field investigations and analyses defined in the scope of work developed under Sub-task 1.5 above.
- 1.7 Upon completion of the field studies and evaluations, meet with the Town or Orleans, providing a presentation of findings and conclusions for the full range of future treatment and discharge scenarios for the Tri-Town plant.
- 1.8 Prepare a draft and final report, addressing comments of the Town and other reviewers in the final document.
- 1.9 Prepare for and attend up to four (4) meetings with the Town staff during the course of the investigations and studies.

Deliverables

- Sub-Task 1.1 - Technical Memorandum summarizing results, conclusions, recommendations and key issues resulting from review of previous studies and investigation related to Namskaket Marsh.
- Sub-task 1.3 – Minutes of the meetings with DEP, CCC and other parties
- Sub-task 1.4 - Draft and final scope of work and cost estimates for hydrogeologic studies, modeling, analyses and other investigations
- Sub-task 1.7 – Presentation of results, conclusions and recommendations of the studies to the Town of Orleans
- Sub-task 1.8 – Draft and final reports

Task 2 – Tri-Town Options and Feasibility Evaluation

The goal of the following subtasks is to identify and evaluate a full range of options for use of the existing Tri-Town facilities and site for wastewater and septage management, consistent with the overall recommendations of the CWMP as modified based on further studies and evaluations defined below and consistent with the adaptive management framework of the CWMP. The subtasks defined below are intended to provide information that will satisfy conditions outlined in the DRI decision of the Cape Cod Commission, as well as provide more detailed, facilities planning-level analyses of more advanced wastewater and septage collection, treatment and reuse options.

In the sub-tasks below the Consultant shall consider the seasonal nature of wastewater and septage generation on Cape Cod, on the lower and outer Cape towns and in Orleans as it influences all of the above financial and septage management factors to be evaluated.

- 2.1 Collect, review and summarize all previous studies and information related to the Tri-Town facility, the CWMP and related documents.
- 2.2 Septage and Food Waste Market Study - Complete a study of the current and future septage, Food Waste and Source Separated Organics (SSO) market on Cape Cod, focusing on the conditions, threats and opportunities that will govern the long-term feasibility and financial viability of the Tri-Town Septage Treatment Plant. The study shall include but not be limited to the following elements:
 - 2.2.1 Define the existing and estimate the future quantities, quality, geographic locations of generation, collection and transport practices for septage and fats, oils and grease (FOG), considering the change in septage generation rates and locations under various future centralized and clusters system sewerage scenarios.

- 2.2.2 Conduct a preliminary assessment of the impacts of the Massachusetts legislation prohibiting the disposal of food waste in municipal landfills on the commercial establishments, stores and restaurants in lower and outer Cape Towns, including:
- A summary of the specific requirements of the legislation to food stores, restaurants and other businesses generating significant food waste
 - Assessment of alternatives for compliance with the requirements available to stores, restaurants and other impacted businesses on the lower and outer Cape
 - Outline of the potential opportunities and issues related to the use of a new or upgraded facility at the Tri-Town site to receive and treat food waste, including a preliminary evaluation of potential sources, characteristics and quantities of food waste; site and transportation requirements; capital and operating costs; estimates of revenue and overall economic feasibility; and the environmental and neighborhood issues and the management issues related to co-treatment of septage, wastewater, FOG and food waste at the Tri-Town site.
 - Other market and other issues related to co-treatment of food waste at the Tri-town site
 - If deemed potentially feasible, include the receiving and treatment of food waste as an option in the following subtasks and overall financial business model for the Tri-Town facility
- 2.2.3 Identify the current framework of private companies that service septic systems on the lower and outer Cape and the entire Cape, including the size, time in business, service area, capacities and other key factors influencing septage management practices.
- 2.2.4 Identify current facilities that receive and treat and/or dispose of Cape sources of septage and SSO, including, in addition to the Tri-town Plant, the Yarmouth-Dennis (Y-D) Septage Treatment Facility, the wastewater treatment facilities in Chatham, Hyannis, Wareham and Falmouth and other locations, if any. Collect information to define the age of each facility, the average and peak design capacities, the current average monthly and peak month flows, the available capacity to receive additional septage, the service areas, per gallon charges, permit requirements, capital repair and replacement requirements, method of disposal of residual solids, and other factors
- 2.2.5 Identify and collect, as available, the information listed in 2.2.b above for off-Cape facilities that are available to receive septage flows and SSOs from Cape

towns.

- 2.2.6 Define the financial framework governing septage management on the Cape and particularly in the lower and outer Cape towns, including the actual costs of septage collection and disposal services, customer prices and the range of prices charged, the real costs of off-Cape options for transport and disposal and the factors that determine willingness-to-pay, price elasticity and market certainty. The economic factors that could govern the SSO market shall be discussed and estimated.
- 2.2.7 Provide a preliminary assessment, including the feasibility, location, capital and operating costs, of septage transfer stations that may be required for off-Cape disposal options if the tri-Town facility were to cease operations.
- 2.2.8 Research other locations in the northeast or U.S where the responsibility for on-site disposal system management including septage pumping and system inspection has been assumed by a public entity. Outline the Identify potential changes in management practices related to septage management that could improve on-site system management on Cape Cod, including the potential positive and negative impacts of master contracts by a public management entity for on-site system inspection and septage collection and conveyance to treatment or disposal facilities.
- 2.2.9 Based on evaluation of the information collected above, make recommendations to the Town for future septage management practices, including:
 - Expected average and peak septage and FOG generation and collection rates from Orleans and other towns on the lower and outer Cape to be used as parameters for treatment plant design
 - Pricing factors and recommended pricing structure for septage tipping fees
 - Summary of regulatory and management options for maintaining septage revenue and providing environmental protection in areas served by on-site systems.
- 2.2.10 Prepare for and make a presentation of results and recommendations to the Town of Orleans
- 2.2.11 Prepare draft and final technical memoranda summarizing results and recommendations
- 2.3 Tri-Town Plant Options – Evaluate a range of options for use of the Tri-Town facilities and site that are consistent with the CWMP and provide long-term management of

the wastewater, septage and FOG generated in Orleans and consider SSOs and other sources of organic waste products as inputs to the new facility.

2.3.1 Research and investigate existing and emerging technologies for co-treatment of wastewater, septage, high-strength waste (FOG), food waste and solid waste. Describe in detail the characteristics of various advanced processes, the quality and uses of effluent, amount of energy generation and the production of other beneficial bi-products. Provide examples of locations where such technologies are being utilized, summarizing the capital and operating costs, total treatment costs per gallon, effluent quality and reuse practices, land requirements and other relevant information.

2.3.2 Using the results of the septage market study, develop various treatment/reuse options or sub-options for the Tri-Town site. Each of the eight options shall include a flowchart, process descriptions, conceptual design parameters (flows and loads) and other information. Each option shall address and quantify the complete cycle of generation-treatment-reuse-disposal of wastewater, septage, FOG, food waste and solid waste sources, defining the sources, conveyance/collection methods, treatment processes and liquid and solid product reuse plans. The options shall include:

- As a base case option, the plan recommended in the CWMP, including treatment of septage from the lower Cape service area
- Two options that include reducing the capacity of an upgraded facility to that capacity required to receive and treat, 1) only the flows from the Town of Orleans, and, 2) only the flows from the current tri-Town District of Orleans, Eastham and Brewster.
- Two options that use the base case, adjusted to provide centralized treatment and disposal for only the Phase 1 and Phase 1 and 2 areas of the Town as defined in the CWMP and including septage from the current service area on the lower Cape.
- These options shall include evaluation and conceptual layout of the collection, pumping and transport system most appropriate for sewerage of the Phase 1 and Phase 2 areas of the CWMP, considering that sewerage of the Phase 2 area may be preempted by more cost-effective and/or sustainable methods of wastewater management in that area that meet water quality goals. This evaluation of the Phase 1 and 2 areas will utilize detailed information on the size, location, age and other data collected by the Orleans Department of Health related to on-site systems in these areas.
- Several options that, in various combinations to be recommended by the consultant:
 - Expand the treatment configuration to include processes that

generate energy for in-plant use or sale.

- Generate an effluent quality suitable for non-potable reuse as described below
- Use biosolids generation within the plant to produce a beneficial bi-products with commercial value or to lower disposal costs
- Maximize heat recovery and energy conservation within the plant
- Other treatment or management options that lower operating costs or generate revenue from use of end products from the plant
- Maximize the reuse or other disposition of effluents that minimize discharge of treated effluent to Namskaket Marsh

2.3.3 Provide conceptual-level layouts of collection, conveyance, treatment, disposal and reuse facilities necessary for each of the options identified above.

2.3.4 Conduct preliminary investigations of the markets for various recovered resources including:

- Non-potable reclaimed water
- Electricity
- Renewable natural gas
- Soil amendments/nutrients
- Thermal energy

2.3.5 For options involving non-potable reuse, develop more detailed evaluations of potential reuse locations, reuse site requirements, seasonal and year-round application limitations, transport distances and methods, public acceptance owner interest and other key factors. Options should consider those outlined in the CWMP, specifically in Plan 3 of the CWMP, including reuse both within the plant, on the open space and fields in the Town and golf courses or large open areas in neighboring towns requiring irrigation or fertilization.

As part of this task the Consultant, in coordination with Town staff, will initiate discussions with owners, officials and other appropriate parties related to their need for and interest in reuse or non-potable water. This task will also require discussions with DEP and the Cape Cod Commission to confirm/define requirements for use of treated effluent, including level of treatment, permitting processes, monitoring requirements and other issues.

2.3.6 For each option, develop planning level capital and operating cost estimates, estimates of revenue generated (e.g. tipping fees for septage, SSO, non-

potable water reuse, etc.). Estimates from previous studies will be indexed to the most appropriate current cost datum for comparative purposes

- 2.3.7 For each option define the site requirements and evaluate the adequacy of the Tri-Town site considering environmental constraints, hydrogeologic limitations and other factors. Preliminary consultations will be held with the Massachusetts Historical Commission and the Massachusetts Natural Heritage and Endangered Species Program offices.
 - 2.3.8 Develop a preliminary assessment of environmental and social advantages and disadvantages of the various Tri-Town management options developed in this task.
- 2.4 Prepare the Adaptive Management Plan associated with CWMP implementation. The update shall include an outline of next steps for consideration of actions for Phases 2-6 of the CWMP including:
- 2.4.1 Consideration and follow-up on results of the 208 planning recommendations for Orleans.
 - 2.4.2 Evaluation of alternative technologies for nitrogen management including non-traditional technologies such as aquaculture and permeable reactive barriers.
 - 2.4.3 Implementation of decentralized wastewater collection, treatment and disposal alternatives.
 - 2.4.4 A summary of the stormwater planning and management activities currently being undertaken by the Town under separate contract, including the goals of the program, methods of analyses, stormwater management alternatives being considered, projections of nitrogen and/or phosphorus reduction to be achieved and recommendations for future stormwater management actions in Orleans watersheds.
 - 2.4.5 Actions necessary for control of nutrient enrichment of ponds.
 - 2.4.6 Other activities as required by the DRI, MEPA and to support overall wastewater and septage management in Orleans.
- 2.5 Assist the Town in planning and conducting a public involvement program to involve stakeholders in the above tasks to build town-wide understanding consensus on the resulting conclusions and recommendations of the studies and plans developed under this Scope of Services. The Town may convene a technical review committee for this purpose. [This item will be further defined based on guidance from the Selectmen].

- 2.6 Attend two meetings with DEP, the Cape Cod Commission and other parties to review the regulatory feasibility and requirements of technically viable options and to review the results of Task 2.4.
- 2.7 Attend two meetings with the Town of Eastham and Brewster to review the methodology and results of the evaluation and the evaluation of Task 2.4
- 2.8 Prepare for and present results of the evaluation to the Town of Orleans
- 2.9 Prepare two draft and final reports summarizing the methodology and results of:
 1. The evaluation of Tri-Town wastewater and septage management alternatives for CWMP implementation
 2. The Adaptive Management Plan for Orleans Watersheds
- 2.10 Financial Model and Analyses – The following tasks will be completed by the Consultant related to financial planning:
 - a. Develop and run a 20-year financial model that allows the Town to evaluate a full range of variables that will govern wastewater and septage costs and revenues. The model shall have the capability to:
 - Account for capital costs to be spent at various stages of overall system implementation and annual operating costs for various components of the system where costs may be allocated by usage (e.g. septage facilities vs. treatment facilities vs. conveyance facilities).
 - Accounting of capital and operating cost escalation due to inflation.
 - Accounting of flows to shared facilities from various user categories such as single family residences, commercial establishments, institutions users, (e.g. schools) and other classes of user.
 - Account for septage and food waste received from Orleans disposers/dischargers, Orleans-Brewster-Eastham dischargers and other dischargers outside of the tri-town boundaries.
 - Reflect capital equity investment by towns in various shared portions of the system (e.g. treatment facilities) should such cost allocation be utilized.
 - Reflect capital cost sharing through public-private partnerships for larger, higher strength users
 - Accounting of a full range of funding sources and associated financing terms including state and/or federal grants (e.g. USDA), SRF loans, tax levies, external fees and taxes (meals tax, etc.), betterment fees, user fees and other options.
 - Reflect on-going, periodic repair, replacement and asset management costs
 - Account for reserve account requirements for on-going management of the

system including renewal and replacement accounts, a debt services reserve account, an operating reserve fund and a working capital reserve fund.

- Reflect terms and conditions of typical design-build-operate (DBO) or design-build-operate-finance (DBOF) operating contracts over the 20 or 30 year life of the system.
 - Be able to account for various sources of revenue such as revenue from tipping fees for septage and food waste, sale of non-potable water, wastewater user fees, sale of energy and other sources.
 - Readily test a full range of capital and operating costs for various system configurations, ownership options, phasing options, financing options, project delivery (e.g. DBO) options,
 - Develop user rates for by category of user for all of the options defined in Item I. above
 - Use built in graphics and tables to compare key metrics for the full range of scenarios for decision making.
- b. Outline the requirements, advantages and disadvantages of various potential financing mechanisms such as District Improvement Financing (DIF), Tax Increment Financing (TIF) and other financing options. The financial model will be structured to be able to reflect such financing options and facilitate testing of various interest rates and other financial metrics.
- c. Evaluate the requirements, key issues, advantages and disadvantages related to alternative project delivery options such as design-build-operate (DBO) or design-build-operate-finance (DBOF) operating contracts. Outline the process, timeframe and requirements necessary for use DBO or DBOF delivery methods in Massachusetts.
- d. Meet with Town staff in up to four meetings to review functionality of the model, review results of analyses and plan follow-up actions.
- e. In collaboration with the Town staff, run the financial model for various wastewater and septage management scenarios and produce graphical and tabular information that compares results for key decision metrics.
- f. In cooperation with Town staff, screen various Tri-Town options using results of tasks 2.3 and 2.4. Recommend the most advantageous implementation plan based on analyses of a full range of decision metrics. Layout next steps in plan implementation.
- g. Prepare a draft and final report summarizing results and recommendations of this task.

Task 3 - Decentralized Treatment/Disposal Sites Evaluations

The goal of this task is to develop and apply more detailed screening and evaluation criteria in order to advance the understanding of the suitability and technical feasibility of using specific previously identified sites and other additional sites in Orleans for decentralized facilities for treatment and/or groundwater recharge of treated wastewater. This task will be based on the "Plan 1" option of the CWMP and Figure 4.1 of the Preliminary Design Report on the Technical Review and Cost-Analysis of Comprehensive Wastewater Management Plan Options⁷, (the 2012 PDR) providing more specific information for evaluating and screening sites identified for that plan and additional sites identified by the Town since the CWMP was completed. Under this task the Consultant will complete the following subtasks:

- 3.1 Collect and review all existing information on sites previously identified in the CWMP and by the Town of Orleans since completion of the CWMP, including the 2012 PDR). Review additional information collected by the Town on these sites.
- 3.2 Meet with Town staff and others, as appropriate, to:
 - Conduct a preliminary screening of the sites considering changes in ownership of the sites, development on the sites and other information readily available to the Town
 - Develop a short-list of remaining sites, including those added by the Town
- 3.3 Using criteria developed and applied in consultation with Town staff, identify (or confirm from the CWMP and 2012 PDR) the sites suitable for treatment, those suitable for disposal and those suitable for both treatment and disposal.
- 3.4 Develop conceptual level layouts of plant and disposal facilities for the various sites as defined above, as well as conceptual locations and layouts for lift stations and conveyance conduits to the treatment facility. Estimate (or confirm previous estimates) of treatment and/or disposal capacities that could be permitted for each site.
- 3.5 Taking off from Plan 1 of the CWMP and the 2012 PDR, update the layout of treatment and disposal sites and collection/conveyance routes in that plan. Identify those sites no longer available or viable. Refine the plan layout, substituting sites from Subtask ii. above for those sites no longer viable.

For this subtask, sites and conceptual layout will be provided with and without the inclusion of the Phase 2 area in the centralized collection and treatment area to be

⁷ Weston & Sampson, September 2012 (the 2012 PDR)

served by the Tri-Town facility (i.e. with the Phase 1 area and separate from the Phase 1 area).

Prioritize sites for additional data collection based on importance of the site, overall suitability for intended use and other factors

- 3.6 In consultation with Town staff, define criteria relevant for site selection; prioritize/select criteria for this next stage of evaluation for priority sites; define metrics to be used for each criterion in screening evaluation. Criteria could include:
 - Soil suitability (for disposal sites)
 - Depth to groundwater
 - Site size and shape
 - Site access
 - Conveyance distance to treatment and distance to disposal
 - Type and location of abutters
 - Location of wetlands, buffer zones, vernal pools
 - Existing buildings, infrastructure (utilities), vegetation (trees)
 - Potential for sensitive habitat or archaeological resources issues
- 3.7 Conduct additional data collection and field investigations on priority sites as agreed with the Town to provide information on key siting criteria. Work with Town staff to gain permission for site access as required. An allowance for field studies will be included in the project budget to be allocated as agreed with the Town before starting field investigations.
- 3.8 Based on results of field investigations adjust the configuration collection, treatment, transport and disposal facilities to reflect site suitability and preferences. Alternative configurations will be presented in situations for which insufficient information or significant siting or alignment issues exist.
- 3.9 Prepare for and attend up to three meetings with Town staff. Present findings of the investigation to the Town as requested.
- 3.10 Prepare draft and final reports documenting information collected, findings and recommendations from the task.

Deliverables

- Draft and final report summarizing the methodology, results and recommendations of the task.

Task 4 - Landfill Groundwater Plume Location and Impact (Item 8)

The purpose of this task is to provide an assessment of the subsurface migration of nitrogen in the leachate from the Orleans landfill and its impact on water quality of Town Cove.

4.1 Collect and Review Existing Information

Collect, review and summarize key findings of existing hydrogeologic and water quality information associated with the landfill, including the results of water quality monitoring from the post-closure monitoring program being conducted by the Town under its DEP closure certification. Upgradient well monitoring information will be collected as well. The USGS groundwater model for the Monomoy Lens Aquifer will be acquired and its calibration and verification confirmed. It is assumed that no recalibration of the model will be required for this task.

4.2 Evaluate Hydrogeologic Connectivity

Refine the USGS groundwater model to evaluate the vertical and horizontal directions and rates of groundwater flow from the landfill. Within the accuracy of the model, estimate the travel time of the groundwater, the extent and depth of the plume and the concentration and load of nitrogen delivered to Town Cove on an average annual basis. Use the timing of the placement of the landfill cap in 2005 to correlate historic changes in net nitrogen concentrations and load from the landfill to Town Cove. Based on the modeling and water quality data, estimate the future net nitrogen load from the landfill to Town Cove. Perform sensitivity tests with model parameters to define a reasonable range or confidence interval within which loadings from the landfill can be estimated, considering denitrification, vegetation uptake or other means of attenuation between the landfill and Town Cove.

- 4.3 Compare estimated nitrogen loads to Town Cove against total loads from other sources quantified in the nitrogen model prepared by the Massachusetts Estuary Project. Provide graphics or tables to compare relative contributions. Provide results of the modeling and analysis to the MEP and discuss the adequacy of the current estimates and requirements for additional monitoring and analyses.
- 4.4 Depending on results of the above data analyses and modeling, recommend additional monitoring locations and sampling parameters to more accurately define the plume and its water quality impacts. Consider monitoring well clusters screened at different levels to supplement existing data. The Consultant will consider the need for upgradient monitoring locations, as well as downgradient locations to define the horizontal and vertical dimensions of the plume. Provide to the Town a cost estimate, scope of services and schedule for the additional work. Work under this subtask will be accomplished under separate budgets and authorization.

Deliverables

1. Draft and final report summarizing existing information, findings and conclusions of additional studies conducted herein and conclusions related to loads and the relative impacts of nitrogen on water quality in Town Cove.

PROJECT CONTRACTING SCHEDULE

- A pre-submittal briefing will be held on **Wednesday, March 26, 2014**, at 10:00 AM in the Nauset Room at the Town Hall in Orleans
- Proposals are due by 3:00 pm on **Friday, April 11, 2014**.
- Interviews with selected applicants, if determined necessary by the Town, will be scheduled during the week of **May 2, 2014**.
- Final selection of Consultant will be made by **May 28, 2014**, subject to appropriation at Town Meeting on May 12, 2014.
- Notice to Proceed will be issued to the Consultant after project funding is approved and negotiation of the contract fee is completed.
- Completion of the project Scope of Services, including submission and acceptance of all project deliverables, will be by **February 28, 2015**, and will be consistent with the schedule and project milestones required in this Request for Proposals.

PROJECT COST

The total fee to complete all activities included in the Scope of Services will be negotiated after selection of the firm best qualified to meet the needs of the Town for this project as determined through the evaluation process outlines below. The total fee shall not exceed **\$625,000**.

SUBMISSION REQUIREMENTS AND EVALUATION PROCESS

All proposals will be evaluated based on two sets of criteria – **minimum qualifications and comparative evaluation criteria**. Submittals must address each of the points under both the minimum qualifications and comparative evaluation criteria.

1. MINIMUM QUALIFICATIONS

To receive further consideration, all proposals must include the following information:

Cover Letter: Provide a cover letter stating the name, legal business status (e.g. corporation, LLC), name and contact information for the principal of the firm responsible for the project, main office location, office location from which work will be performed, identification of sub-

Consultants which will be used in completion of the project and general qualifications and experience of the firm related specifically to the Scope of Services herein.

Years in Business: Provide evidence that the firm has been in business for a minimum of ten (10) years.

Number of Municipal Clients: Provide evidence of least five (10) similar wastewater planning, water quality management, facilities planning and hydrogeologic projects which the Consultant and its major sub-consultants have successfully completed during the past ten (10) years.

Capacity and Project Experience: Confirm that the firm has the capacity, experience and commitment to complete the Scope of Services as described in this RFQ.

Project Organization Chart – Provide a project organization chart identifying the names, project responsibilities and organization of the project team. Resumes of each of the individuals that will be key participants in the project shall be included as attachments to the submittal.

Standard Designer Application Form – Provide a Standard Designer Application Form, updated February 2013 (copy attached) with all requested information.

Certificate of State Tax Compliance – Provide a completed Certificate of State Tax Compliance.

Certificate of Non-Collusion – Provide a completed Certificate of Non-Collusion

Acknowledgment of Principal - Provide a completed Acknowledgement of Principal form

Insurance Coverage – Provide confirmation that the Consultant carries insurance coverages in accordance with requirements stated below.

Professional Registration – Provide confirmation that the work under this resulting contract will be overseen by a professional engineer registered to practice in the Commonwealth of Massachusetts.

Familiarity with Regulations - Confirm that the Consultant is familiar with all applicable federal, Commonwealth and local regulations and codes necessary to undertake the completion of the study.

Proposals which do not meet the minimum criteria will be judged unacceptable.

2. COMPARATIVE EVALUATION CRITERIA

The following grading system will be used to measure the relative merits of each submittal that has met the above minimum evaluation criteria. Information on the criteria outlined below

should be submitted for sub-consultants and their key staff providing significant elements of the scope of services, as well as for the prime consultant.

2.1 Firm Project Experience: Provide detailed summaries of relevant projects completed by the respondent and its sub-consultants during the last 10 years for municipal clients and including wastewater planning and design, water quality management, hydrogeologic studies and environmental engineering services required by this Request for Qualifications including:

- Wastewater collection and treatment involving both traditional and emerging technologies, including specific examples of design and operation of advanced systems that treat high strength and/or organics (e.g. septage, food waste and FOG, in addition to wastewater) to generate energy, reuse water and other beneficial process bi-products.
- Hydrogeologic and water quality studies related to surface water quality management, groundwater protection in complex estuary environments and beneficial reuse of treated water.
- Financial modeling and user rate studies for municipal wastewater systems, including evaluation of financial implications of using design-build and design-build-operate delivery options.
- Studies and evaluations of local and regional markets and economic factors affecting septage management, beneficial uses of biosolids, water reuse, energy generation at wastewater treatment plants.
- Other technologies and evaluations related to the Scope of Services.

In addition to a detailed summary of the services provides, the project experience cited shall include the client name and location of services, dates of service, the total fees related to the services and specific aspects of the project that are especially relevant to this project.

Project experience should reflect not only the experience of the firm, but also to the degree possible the experience of the key staff that are proposed for this project.

Evaluation points will be assigned from 0 to 4 as follows:

- 4 Substantial amount and relevancy of firm's project experience
- 3 Significant amount and relevancy of firm's project experience
- 2 Fair amount and relevancy of firm's project experience
- 1 Nominal amount and relevancy of firm's project experience
- 0 No amount or relevancy of firm's project experience

2.2 References: Provide a list of five (5) client references with names of the appropriate client representative, e-mail address and telephone number for similar projects completed during the past 10 years. The references will be evaluated for...

- Quality, accuracy and completeness of work
- Adherence to project schedules and milestones
- Quality of working relationship with client representatives
- Adherence to project budgets
- Communication skills and professionalism of Consultant personnel

Evaluation points will be assigned from 0 to 4 as follows:

- 4 All of the above criteria are very positive
- 3 Most of the above criteria are very positive
- 2 Some of the above criteria are very positive
- 1 Some of the above criteria are positive
- 0 None of the above criteria are positive

2.3 Project Understanding and Responsiveness of Approach: Provide a detailed summary of the approach the firm will take to completing the Scope of Services, outlining the methods to be used for key tasks, the staffing plan, typical challenges in completing similar tasks on other projects, means of maintaining budget and schedule compliance, plan for communications with Town staff and project representatives and other issues of importance in completing this Scope of Services. The respondent shall also provide with the Statement of Qualifications a proposed project schedule reflecting the tasks included in this Scope of Services, recommended milestones, dates of deliverables and other pertinent information.

Evaluation points will be assigned from 1 to 4 as follows:

- 4 Excellent demonstration of project understanding and responsive approach to successful delivery
- 3 Good demonstration of project understanding and responsive approach to successful project delivery
- 2 Fair demonstration of project understanding and responsive approach to successful project delivery
- 1. Nominal demonstration of project understanding and responsive approach to successful project delivery
- 0 Minimal demonstration of project understanding and responsive approach to successful project delivery

2.4 Experience of Project Manager and Key Project Staff: State the name, office location and qualifications of the project manager and key project staff to be assigned to this project. Describe the specific project experience and the number of years each has performing work with scopes of services similar to this project. Full resumes of the principal-in-charge, project manager and key staff for the project shall be included as attachments to the submittal.

Evaluation points will be assigned for project manager and key staff experience from 0 to 4 as follows:

- 4 Substantial experience of project manager and key staff
- 3 Significant experience of project manager and key staff
- 2 Fair experience of project manager and key staff
- 1 Nominal experience of project manager and key staff
- 0 No significant experience of project manager and key staff

Summary of Comparative Criteria	Maximum Evaluation Points
Firm Project Experience	4
References	4
Project Understanding/Responsiveness	4
Experience of Project Manager and Key Staff	4
Maximum Total Evaluation Points:	16

3. **Interviews:** The Town of Orleans may require interviews with one or more responding firms to clarify, expand upon or confirm information submitted in the firm's Statement of Qualifications. If requested, interviews will be held on the week of May 2, 2014.

END OF SUBMISSION REQUIREMENTS SECTION

**TOWN OF ORLEANS
CERTIFICATE OF NON-COLLUSION**

Project: WASTEWATER AND SEPTAGE MANAGEMENT PLANNING SERVICES

Pursuant to M.G.L. Ch. 30B Section 10, the undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

(Signature of individual submitting bid or proposal)

(Name of business)

III
A

DATE: March 17, 2014

TO: Board of Selectmen

FROM: Nan Balmer, Assistant Town Administrator

RE: **Request for Ragnar Relay to Use Wiley Park: Saturday May 10, 2014**

The Ragnar Relay requests to use a portion of the Wiley Park parking lot on Saturday May 10th as a "Minor Exchange Point" from 4:00 am until 3:00 pm. This is the third year of the Relay. Last year the Minor Exchange Point was at Arnold's. Ragnar Relay is a for-profit organization, but makes a donation to Special Olympics from event income. The High School will be hosting runners overnight.

Deputy Chief Roderick and Recreation Director Mark Powers have approved the Relay's plans and say that Ragnar's prior events were well organized and the event should not interfere with public use of the park. Mark believes the town is benefitted by the event because people from other places will appreciate Wiley Park as a town asset. The following are some relevant details:

- A peak of 40 runners is expected at the park at 8 am after which fewer runners will congregate at one time.
- The organizers will place Porta Potties at the park which will be removed immediately after the event along with any trash.
- Recreation Department staff will be on site from morning through the end of the event to make sure public access to the park is not impeded.
- Seven of the park's 52 parking spaces will be reserved for the public only and marked with traffic cones.
- Police details are required and will be paid for by the event.
- The Recreation Director is delegated authority to impose a reasonable fee to cover town expenses for occasional non-town recreational events and, in this case, will assess a \$150 fee to cover staff costs.



EASTHAM POLICE DEPARTMENT

2550 State Highway • Eastham, MA 02642

508-255-0551 • Fax: 508-255-5412



EDWARD V. KULHAWIK
Chief of Police

KENNETH J. RODERICK
Deputy Chief

March 13, 2014

To: Sheila Vanderhoef
Town Administrator

From: Edward V. Kulhawik
Chief of Police

ADMINISTRATION

MAR 14 2014

RECEIVED

Re: Ragner Relay Event

I have received the plans for the upcoming Ragner Relay event, and its impact while travelling through the Town of Eastham. Deputy Chief Roderick, along with Assistant Town Administrator Nan Balmer and Recreation Director Mark Powers met with the event coordinator to discuss the specifics of the route to be taken through our town. This discussion included the plans to use Wiley Park as a main staging and rest area.

It was also confirmed at this meeting that Ragner would be hiring six (6) police officers to maintain safety and security along the routes to be taken by the participants.

If you have any concerns or questions regarding this event, please feel free to contact me.

cc/ Nan Balmer
Assistant Town Administrator

Mark Powers
Recreation Director



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508-240-5900 • Fax 508-240-1291

www.eastham-ma.gov

To: Board of Selectmen
From: Town Moderator
Date: March 14, 2014
Re: Appointments to the Electronic Voting committee

The names of the citizen volunteers who wish to serve on the Electronic Voting Committee are:

Judy Cannon, member of the finance Committee, who if appointed, volunteered to serve as Chair of the EV Committee.

Kathy Schrock*, former IT Director of the Nauset Regional School district.

Ed Schneiderhan*, technology expert, and member of the Planning Board.

*Biography attached

Please appoint these volunteers.

The remaining persons involved in the EV Committee all agree to serve as non-voting advisers to the citizens serving on the committee.

Respectfully submitted,

Dave Schropfer
Town Moderator

Elizabeth Shaw

From: Dave Schropfer [dave@schropfer.com]
Sent: Tuesday, March 11, 2014 2:49 PM
To: Elizabeth Shaw
Cc: Kathy Schrock
Subject: Re: eVoting

Lisa, here is the first of three bios for the Electronic Voting Committee item on the BOS agenda for Monday.
Dave schropfer
Town Moderator

On Mar 11, 2014, at 12:13 PM, Kathy Schrock wrote:

Here is my brief bio:

Kathy Schrock has been a school district Director of Technology, an instructional technology specialist, a middle school, academic, museum, and a public library librarian. She is currently an online adjunct graduate-level professor at two universities and an independent educational technologist.

She has been involved with technology to support teaching and learning since the early 1990's, and is an Adobe Education Leader, a Google Certified Teacher, a Sony Education Ambassador, and a Discovery Education STAR and a DEN Guru. In 1995, Kathy created the award-winning site, Kathy Schrock's Guide for Educators, to help teachers easily wade through the many resources on the Web. In 1999, she partnered with Discovery Education and maintained the site until late 2012 when the site was retired.

In addition to teaching online, Kathy writes, speaks, blogs, tweets, and conducts professional development workshops, presentations, and keynotes both nationally and internationally. She is known for her practical presentations dealing with pedagogically-sound practices for the embedding of technology seamlessly into teaching and learning. Kathy's passions are online tools to support classroom instruction, the role of emerging technologies in the classroom, infographics, tablets in the classroom, assessment and rubrics, copyright and intellectual property, and gadgets of any type! You can find her on Twitter (@kathyschrock), Skype (kathyschrock), Google+, and on many other social networks!u!

Kathleen Schrock (kathy@kathyschrock.net)
Educational Technologist
45 Starlight Lane
Eastham MA 02642

V: 508-247-0044
F: 508-240-1464

Kathy Schrock's Home Page
<http://kathyschrock.net>,

Brief Biography

Edward M Schneiderhan

Ed has a degree in electronic engineering from Northeastern University.

While at Anelex Corp. in Boston, Ed was part of a three man team to begin to implement the new integrated circuit technology. During his time with Anelex (subsequently Mohawk Data), he held several senior design and management positions on projects for the Department of Defense. Including DOD AUTODN (automatic digital network) US Naval Electronic Labs San Diego, US Department of the Army Signal Corps.

Ed moved to Chicago in the early 70's to become Manager of Electronic/Electrical Engineering at Cummins Allison Corp.. Was responsible for the development of specialized data processing system used in check, credit card and payment processing. One problem at the time for Banks was the high level of paper check rejects. Ed designed a system to scan and recover rejected checks at a rate of 1200 checks per minute. The system combined traditional Magnetic Ink Character Recognition (MICR) with Optical Character Recognition (OCR). Subsequently became Director of Research and Development.

Joined Johnson and Quinn, a Chicago based printing company as Director of Research and Development and Quality Control Manager. The company was a major player in the production of financial documents and Personal Identification Number documents. Developed a means to accurately assemble multiple personalized components for the Direct Mail Industry. Developed a process to create PINs in a secure manner. The process passed Bank Inspectors as well as VISA and Master Card examiners.

Became an independent consultant to industry some projects include:

Converting Kmart from in-store cash payroll to DDA or checks,

Creating a justification and system to change the USPS from Treasury Check Payroll to Commercial Banking ,

As a subcontractor to IBM Global Government, created a new system for the production of Checks for the US Treasury, Financial Management Services. Responsibilities included all aspects of design, development, security and implementation.

Currently a member Town of Eastham Zoning Board of Appeals.

Elizabeth Shaw

From: Dave Schropfer [dave@schropfer.com]
Sent: Tuesday, March 11, 2014 10:25 PM
To: Elizabeth Shaw
Subject: ED Schneiderhan bio attached fo EV committee
Attachments: Edbrief bio.doc

Lisa here is Ed's bio.

Dave

They know Judy Cannon so I guess no resume is needed there.

Begin forwarded message:



Business and
Professional
Women/MA

111
A(3)
3/17
agch

ADMINISTRATION

MAR 05 2014

RECEIVED

March 1, 2014

John F. Knight, Chair
Board of Selectmen
2500 State Highway
Eastham, MA 02642

Dear Mr. Knight:

On Tuesday, April 8, 2014, the members of the Massachusetts Federation of Business and Professional Women will be joining millions of Americans nationwide in celebrating Equal Pay Day. Equal Pay Day is the symbolic day where woman's earnings reach a man's earnings of the previous year. It is always on a Tuesday, as it takes a woman seven days to reach what a man makes in five days. So, thanks to the gender pay gap, it takes women an extra three months of wages to make up that 23% difference. Equal Pay Day 2014 will fall on Tuesday, April 8, so mark your calendar!

We are asking the 351 Cities and Towns that make up the Commonwealth of Massachusetts to issue a proclamation marking Equal Pay Day. I encourage you to consider issuing a Proclamation to officially declare April 8, 2014 Equal Pay Day in Eastham, and to help raise the awareness of this disparity.

Equal Pay Day 2014 is particularly significant because it falls between two legislative milestones that have helped women advance in the workplace. But, there is still more to do. January 29, 2014, was the fifth anniversary of the Lilly Ledbetter Fair Pay Act, and July 2, 2014, is the 50th anniversary of the Civil Rights Act.

We hope you will join us on Equal Pay Day by issuing a Proclamation for this noteworthy observance. If you have any questions, please contact me at (617) 462-7480 or deborah.bouras@verizon.net.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Deborah Bouras'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Deborah Bouras
President, BPW/MA

Enclosure

Sample Equal Pay Day Proclamation (2014)

WHEREAS, fifty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women, especially minority women, continue to suffer the consequences of unequal pay; and

WHEREAS, according to the U.S. Census Bureau, year-round, full-time working women in 2010 earned only 77% of the earnings of year-round, full-time working men, indicating little change or progress in pay equity; and

WHEREAS, in 2009 the Lilly Ledbetter Fair Pay Act was signed into law which amends Title VII of the Civil Rights Act and now we must pass The Paycheck Fairness Act, which amends the Equal Pay Act by closing loopholes and improving the laws effectiveness; and

WHEREAS, wage disparity persists across all educational levels and in all states, as women with a college degree or higher lose \$713,000 over a 40-year period versus a \$270,000 loss for women who did not finish high school; and

WHEREAS, there were 68 million women in the workforce in 2008, a significant increase from 18.4 million in 1950, and women were 46.8 percent of the labor force in 2010; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family an estimated \$700,000 to \$2 million in lost wages, impacting Social Security benefits and pensions; and

WHEREAS, fair pay equity policies can be implemented simply and without undue costs or hardship in both the public and private sectors; and

WHEREAS, fair pay strengthens the security of families today and eases future retirement costs, while enhancing the American economy; and

WHEREAS, Tuesday, April 8 symbolizes the time in the new year in which the wages paid to American women catch up to the wages paid to men from the previous year,

NOW, THEREFORE, I, *(insert name of Mayor/Commissioner/etc)*, do hereby proclaim Tuesday, April 8, 2014:

EQUAL PAY DAY

(Insert name of City/County/State) urges the citizens of (insert name of City/County/State) to recognize the full value of women's skills and significant contributions to the labor force, and further encourages businesses to conduct an internal pay evaluation to ensure women are being paid fairly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of *(insert name of City/County/State)* to be affixed.

Signature

Date

III 4.

February 11, 2014

Eastham Town Hall
2500 State Street
Eastham, MA 02642

Attn: Sheila Vanderhoef
Town Administrator

Thomas Winegard
Building Inspector

Dear Sheila and Tom:

This letter is regarding the removal of the basketball court, pool, fence and deck that currently occupy space on the Roche property. On January 15th, I stopped by your offices, spoke with Nan, Sheila's assistant and left copies of a letter from the pool company stating that they would be unable to move the pool until sometime in April or May. The copies were accepted by Susan Barker from the Building Inspectors office.

Since that date, I have spoken to both of you referencing the time frame necessary to accomplish the move/demolition. I am asking for additional two months to accomplish the entire task, which would bring the deadline to May 31st rather than March 31st. Tom advised that I put the request in writing.

The weather since the first of the year, as you know, has been uncooperative, to say the least.

With that being said to date I have been able to do the following:

Children's Playhouse - moved
Dog Pen Area - moved
Demolition of Basketball Court - in progress
Children's Swing set- in progress

I have every intention, if granted the extension, of completing the remainder of the tasks on or before May 31st of this year.

Sincerely,



Gail Magliozzi
5645 Rte 6
Eastham, MA 02642

From: Janet Daly <jdaly@ambassadorpools.com>

Date: January 15, 2014 at 1:12:45 PM EST

To: gailmag@comcast.net

Subject: pool move

Hi Gail,

This email is to confirm that weather permitting we will be able to move the pool some time in April, possibly May, weather permitting . The cost of the move will be \$2,500.00 if your liner needs to be replaced it will be and additional \$450.00. Please call us in the spring when you are ready to move forward.

Thank you for your Business,

--

Janet Daly

Ambassador Pools

Executive Director of Sales & Operations

p.(781)440-0420

f.(781)440-0426

Ambassador Pools
QUALITY ABOVE GROUND POOLS



[View Our Pools](#)

III 5 II 5:15 PM

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

**TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT**

**AND FINANCE COMMITTEE REPORT AND
RECOMMENDATIONS
7:00 P.M.**

MAY 5, 2014

**NAUSET REGIONAL HIGH SCHOOL GYMNASIUM
ANNUAL TOWN ELECTION
MAY 20, 2014**

POLLS OPEN 7:00 A.M. - 8:00 P.M.

**EASTHAM TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA**

**FOR COPIES OF THIS WARRANT IN LARGER PRINT
OR ON TAPE, PLEASE CALL 508 240-5900.**

**Also available on the town website
www.eastham-ma.gov**

Please bring this warrant to Town Meeting

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

ARTICLE #	SHORT TITLE	PAGE #
1	GREENHEAD FLIES FUNDING	
2	DEP LIABILITY	
3	NAUSET REGIONAL SCHOOL FUNDING AGREEMENT	
4	REAUTHORIZE REVOLVING – FUNDS	
5	VISITORS SERVICES BOARD	
6	NAUSET CAPITAL FUNDING	
7	CCT STABILIZATION FUND	
8	MUNICIPAL WATER	
9	ROCK HARBOR DREDGE	
10	ELECTED OFFICIALS SALARIES	
11	CHAMBER OF COMMERCE GRANT	
12	MUNICIPAL OPERATING BUDGET	
13	FY15 CAPITAL ACQUISITION ARTICLE	
14	FIVE YEAR CAPITAL PLAN	
15	FY14 TRANSFERS	
16	PRIOR YEAR UNPAID BILLS	
17	ROOMS TAX	
18	ESTABLISH POST RETIREMENT BENEFITS TRUST PER GASB 45	
19	ZONING- SIGN CODE	
20	ZONING – OVERLAY DISTRICT VILLAGE CENTER	
21	CPA - HISTORIC RESERVES -LIBRARY ARCHIVES	
22	ADOPTION OF FLOOD ZONE FEDERAL MAPS	
23	CPA- RESERVES	
24	CPA ADMINISTRATIVE FUNDING	
25	CPA ` - RECREATION RESERVES STUDY – 35,000	
26	CPA – HISTORIC RESERVE LIBRARY BUILDING 75,000	
27	CPA – RECREATION RESERVE – TENNIS COURTS NAUSET HIGH 366,240	
28	CPA AFFORDABLE HOUSING TRUST PURCHASE 400,000	
29	CPA – AFFORDABLE HOUSING RESERVE TO CDP 234,001	
30	CPA – AFFORDABLE HOUSING RESERVE – AFFORDABLE HOUSING TRUST STAFF CONSULTANT 24,000	
31	PETITION – SANDY MEADOW ROAD ACCEPTANCE	
32	CPA – DYER PRINCE ROAD PROPERTY	
33	PRIVATE ROAD MAINTENANCE 40 6N, 6C and 6D	
34	PRIVATE ROAD PLOWING – GL40, 6N	
35	ACCEPT PUBLISHED REPORTS	
	TRI TOWN FUNDING	
	CPA BY LAW AMENDMENT – HOUSING TASK FORCE	
	COLLECTIVE BARGAINING - POLICE	
	COLLECTIVE BARGAINING - FIRE	
	COLLECTIVE BARGAINING - EEA	
	COLLECTIVE BARGAINING - DISPATCH	
	COLLECTIVE BARGAINING - STELWORKERS	

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

TOWN OF EASTHAM ANNUAL TOWN MEETING WARRANT

Commonwealth of Massachusetts
Barnstable, ss. ~

To: Either of the Constables of the Town of Eastham
In the County of Barnstable

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet at the Nauset Regional High School Gymnasium, Monday, the fifth day of May, Two Thousand and Fourteen, at Seven o'clock in the evening, then and there to act on the following articles in this Warrant and to meet in the Eastham Town Hall at 7:00 a.m. Tuesday, the twentieth day of May next, then and there to elect the following Town Officers:

Moderator	One Three-Year term (Vote for one)
Board of Selectmen	Two three-year terms (Vote for two)
Town Clerk	One Three-Year term (Vote for one)
Library Trustee	Two three-year terms (Vote for two)
Elementary School Committee	Two three-year terms (Vote for two)
Housing Authority	One Five Year Term (Vote for one)

and to act on the following questions:

QUESTION 1

Shall the Town of Eastham be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order to complete design, permitting, and general improvements related to the dredging of Rock Harbor?

QUESTION 2

Shall the town vote to accept the provisions of section six C of chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways, therein open to public use?

QUESTION 3 – OPERATING OVERRIDE – SCHOOLS/ MIDDLE SCHOOL ROOF REPAIR
POLLS OPEN 7:00 A.M. AND CLOSE AT 8:00 P.M.

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5 2014

FINANCE COMMITTEE REPORT

The role of the Finance Committee varies from town to town based on the town charter. The Commonwealth of Massachusetts allows for a range of activities and responsibilities. The statutory requirement of a finance committee is to provide the citizens of the town recommendations on articles presented in the town warrant at the time of the annual town meeting.

Respectfully submitted,

Russ French, Chair
William (Gary) Krum, Vice Chair
Susan Beyle
Judy Cannon
Steven Cole
Brian Eastman
Michael Hackworth
John Knox
Fred Guidi

ARTICLE 1

To see if the Town will vote to raise and appropriate or transfer from available funds \$1,700 for Greenhead Fly Control as authorized by G.L. C.252 §24, and authorize the Town Treasurer to pay said appropriation into the State Treasury; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a standard article to appropriate money to pay the Town's share of the Greenhead Fly Control Program.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 2

To see if the Town will vote to assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended for all damages that may be incurred by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshore and shores along a beach, in accordance with Section 11 of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth of Massachusetts; or take any action relative thereto.

By Board of Selectmen

Summary:

All Massachusetts municipalities indemnify the DEP for work in the local communities with this standard article.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 3

To see if the Town will vote to accept the provisions of G. L. C.71, §16B, which would reallocate the sum of members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called for fiscal year 2016; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

This article will apportion the Nauset Regional School Assessments for FY16 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by town meeting vote.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 4

To see if the Town will vote to authorize and/or reauthorize revolving funds, as listed below, for certain town departments under M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2013; or take any action relative thereto.

Revolving Fund	Authorize to Spend Fund	Revenue Source	Use of Fund	FY15 Spending Limit
Police Investigation Support	Police Chief	Property Seizure Funds	Purchase of substances for Police Crime Reduction	\$1,500
Recreation – Bottles & Cans	Recreation Director	Collection & Redemption of Bottles & Cans	Beach & Recreation Programs	\$ 10,000
Home Composting Bin/Recycling Revolving Account	BOS or designee	Sale of Compost Bins	Purchase additional bins & advertise their availability	\$ 2,500
Vehicular Fuel Sales Revolving Account	BOS or designee	Sale of fuel to other government entities	Purchase additional fuel for sale to other government entities	\$ 57,000
Council on Aging/Lower Cape Adult Day Center Revolving Acct	COA Director	Funds from fees, charges for COA programs and performances	Pay for additional COA programs and performances	\$ 7,000

By Board of Selectmen

Summary:

This statute requires annual authorization of revolving funds each year. This article however also includes a new fund for the police to assist in completing investigations specifically the acquisition of evidence primarily in drug related cases. The County Drug Task Force will refund funds used in drug investigation.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: **6-0**

(Majority vote required)

ARTICLE 5

To see if the town will vote to appropriate and transfer the sum of **\$10,000** from Fiscal Year 13 Hotel Motel Excise Tax (free cash so called), in accordance with Annual Town Meeting Article 26, May 4, 1998, to the Eastham Promotions Fund to be expended by the Visitor Services Board on the following items: Landscaping, lighting, and holiday decorations and general improvement on Windmill Green \$3,000, Flower Island support \$500, Summer concerts, \$6,500, and; or take any action relative thereto.

By Visitor Services Board

Summary:

This is an annual article to fund activities of the Visitor's Services Board, which enhance and promote tourism in the Town.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 6

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$106,877** for Eastham's share of capital improvements and equipment replacement expenses including but not limited to, technology upgrades at the middle and high school, replace fitness equipment at high school flooring replacements, door and window repairs and upgrades, interior and exterior painting, and as detailed below and shown on the multi-year capital improvement plan for the Nauset District; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

MIDDLE SCHOOL

1. **Technology - \$50,000.** Funds will be utilized to replace outdated technology equipment including Twenty-six (26) computers in E 105 Lab and twenty-six (26) computers in B 204 Lab. In addition, two (2) interactive white boards, ten (10) printers and several teacher/classroom computers will also be purchased
2. **Renovate Art Room - \$17,000.** Funds will be used to make small repairs to one art room including wall repairs and replacement of some cabinetry and furniture.
3. **Inadequate Drainage Study - \$15,000.** Funds will be used to support an engineering study of the Middle School grounds where some areas currently flood during rain storms.
4. **Flooring— \$50,000.** Funds will be used to continue replacement of worn and damaged flooring (carpet, VCT tiles and epoxy) at the Middle School in areas in the lower level of building A and lower level of building B the 8th grade hallway.
5. **General Repairs - \$25,000.** Funds will be used for painting and to support any unforeseen repairs and or extraordinary maintenance needs pertaining to the building infrastructure such as electrical, plumbing, exterior envelope, and HVAC.

HIGH SCHOOL

6. **Technology—\$60,000.** Funds will be utilized to replace outdated technology equipment including twenty-six (26) throughout PC's or laptops across the campus and twenty-six (26) computers for the science tech lab. In addition, twenty (20) printers will be replaced.
7. **Renovate Restrooms - \$30,000.** Funds will be used to make various repairs to (replacement of bathroom partitions, replacement of lighting and replacement of flooring) in building B, boys' locker room, and building N girls' bathroom.
8. **Renovation of Courtyard Concrete - \$68,000.** Funds will be used to support the replacement of sections of the courtyard areas of the High School. Particular emphasis will be on repair of stairs, uneven surfaces, and tunnel reinforcement. These funds will supplement funds already allocated for this project.
9. **General Repairs - \$16,798.** Funds will be used to support any unforeseen repairs and or extraordinary maintenance needs pertaining to the building infrastructure such as electrical, plumbing, exterior envelope, and HVAC.

10. **Replacement of Locker Benches - \$8,202.** Funds will be used to replace damaged or broken benches in the boys or girls locker rooms.
11. **Replacement of Fitness Equipment - \$72,000.** Funds will be used to replace various pieces of equipment including treadmills, elliptical machines, incline cross trainers and stationary bikes in the Fitness Room at the High School. The original, donated equipment is old and damaged and in need of replacement due to wear and tear.
12. **Renovate Cafeteria / Purchase Equipment - \$45,000.** Funds will be used to continue renovation of the cafeteria as well as to purchase various pieces of kitchen equipment which is failing and in need of replacement including convection ovens, stove, walk in cooler, steamer combination ovens, freezer parts, and serving equipment.

CENTRAL OFFICE

1. **General Repairs - \$3,475.** Funds will be used for general interior or exterior repairs to systems at the central office building.
2. **Flooring Replacement - \$5,000.** Funds will be used to complete the re-carpeting project at the central office. Existing carpets are badly worn and are beginning to tear.
3. **Technology Upgrades - \$5,000.** Funds will be used to replace technology infrastructure such as the file server and related switches and routers.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 7

To see if the town will vote pursuant to Chapter 71 Section 16G 1/2 to approve establishment by Cape Cod Regional Technical High School of a stabilization fund for future facility capital costs; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

The above referenced statute provides for the establishment of stabilization funds for regional schools if all the member municipalities support such creation. Then as part of the annual operating budget, a specific amount can be designated for and voted to be deposited in the fund. It is similar to town stabilization funds in that the fund can only be used for capital project expenditures.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 8

To see if the Town will vote to establish a limited municipal water supply and water distributing system pursuant to Section 39A of Chapter 40 of the General Laws; and

to appropriate the sum of **\$45.8 million** for establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and

engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$45.8 million and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; and

that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

provided further that, pursuant to G.L. c.40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; and

provided further, to authorize the Selectmen to petition the General Court to enact legislation as may be needed to permit the Town to assess privilege fees, establish a water enterprise fund and such other duties as are normally assigned to Water Commissioners, and further provided that the General Court may make any clerical or editorial changes of form only to the bill submitted by the Selectmen, and such other amendments to the bill submitted, as the Selectmen may approve before enactment by the General Court, and to authorize the Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition; or take any action relative thereto.

By Board of Selectmen

Summary:

This Article will provide a system that includes all the basic elements to allow for expansion to all parts of town in the future. That is what is known as the "backbone with landfill study area service" and further included in this proposal is, a single water tower (two will be needed at system build out), hydrants, and service connections along all the ways shown on the map. This plan will provide service to the affected areas within the landfill study area as soon as possible. It will also provide hydrants within 1000' of 90% of the Eastham structures. This enhances the potential for fire insurance savings.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(2/3rds Majority vote required)

ARTICLE 9

To see if the town will vote to borrow a sum of money for the purposes of engineering, design, dredging and material disposal, for Rock Harbor to be expended in conjunction with the Town of Orleans, and further, that this appropriation shall be contingent upon the passage of a debt exclusion

under General Law Chapter 59, Section 21C (Proposition 2 1/2, so called); or take any action relative thereto.

By Board of Selectmen

Summary:

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(2/3rds Majority vote required)

ARTICLE 10

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41, General Laws, as amended, and to raise and appropriate or transfer from available funds the following sums of money for salaries:

Moderator	\$ 150
Town Clerk	\$67,317
Selectmen (5) \$1,500 each	\$ 7,500
Total	\$74,967

or take any action relative thereto.

By Elected Officials

Summary:

The selectmen salary has been increased by \$500. The last increase in the Board of Selectmen's salary was in 1999. There is however a significant reduction in the article due to the removal of the Treasurer/Tax Collector as an elected position. That position based on the change in the charter, an appointed department head position. The salary for that position of \$80,000 is included in the departmental budget.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 11

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$12,000** to be given to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth; or take any action relative thereto.

By Board of Selectman/Chamber of Commerce

Summary:

Annually the Town has supported a grant to the Chamber of Commerce to assist in paying for the operation of the Information Booth. This year the amount of the grant has been increased \$1,000 over FY14. It is still below this years' request of \$14,000. This money is used primarily for staff salaries. The Town continues to provide maintenance services and utilities to this town owned property.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 12

To see if the Town will vote to act on the operating budget, including recommendations and reports of the Selectmen, Finance Committee and other Town Officials, and to see if the Town will vote to raise and appropriate or transfer from receipts reserved, and other available funds and accounts, the sum of **\$22,767,376**, and further to transfer from the dog receipts reserved (free cash so called) the additional sum of **\$2,500** to the Library, line item 67; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 12 is the operating budget for the Town, Eastham Elementary School, the Town's share of Cape Cod Tech and the Nauset Regional School District. The FY 15 operating budget reflects a 2.59% increase from FY14, without salary adjustments for municipal or school employees.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$566,700** to purchase the following capital items, make improvements to capital facilities as listed below; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 13 is the annual capital acquisition list. This article will be funded using \$428,700 dollars, of Free Cash, \$13,000 transferred from Ambulance Receipts, and \$60,000 from the tax levy.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

FY15 ARTICLE 13 CAPITAL ACQUISITION

ITEM	DEPARTMENT	ITEM	FY15
DATA PROCESSING			
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000.00 F
2		FIBER OPTIC CABLE/OPEN CAPE CONNECTION	\$10,000.00 F
3		VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS	\$5,000.00 CT
		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)	
4		FIRE	\$5,000.00 F
5		POLICE	\$15,200.00 F
6		NATURAL RESOURCES/DPW	\$5,000.00 F
7		MOBILE COMPUTING & TABLET ACQUISITION/REPLACEN	\$3,000.00 F
NATURAL RESOURCES			
8		EQUIPMENT TRAILER REPLACEMENT	\$7,500.00 F
HARBOR IMP.			
9		DREDGE ROCK HARBOR	\$550,000.00 D
MUNICIPAL BUILDINGS EQUIPMENT			
10		VACUUM/CARPET CLEANERS/ LADDERS	\$2,000.00 F
MUNICIPAL BUILDINGS IMPROVEMENTS			
11		PROJECT CONTINGENCY: MAJOR REPAIRS, PAINTING ETC	\$25,000.00 F
12		RELOCATE/REPLACE AIR HANDLER	\$38,000.00 F
13	FIRE	REPLACE 2 OF 4 AIR HANDLING UNITS	\$9,000.00 F
14	FIRE	REPLACE FIRE PUMP (SPRINKLER) IN STATION	\$50,000.00 A
15	SCHOOL	ROUTINE PAINTING ROTATION	\$5,000.00 F
16		GROUND MAINTENANCE - DRAINAGE/FENCING	\$5,000.00 F
17		BUILDING MAINTENANCE/IMPROVEMENTS	\$20,000.00 F
DPW			
18		ONE TON DUMP	\$60,000.00 F
20		ORDINARY ROAD M & R (NOT CHAP 90)	\$20,000.00 T
22		STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENT	\$40,000.00 F
23		MOWER REPLACEMENTS (2 mowers)	\$20,000.00 F
POLICE			
24		DEFIBRILATORS REPLACEMENT	\$5,000.00 F
25		BULLET PROOF VEST REPLACEMENT (ALL)	\$20,000.00 F
26		NEW SPEED TRAILER	\$8,000.00 F
27		RADAR EQUIPMENT UPGRADE/REPLACEMENT	\$6,000.00 F
FIRE (EQUIP)			
28		UPGRADE AIR PACKS - 4.5L	\$18,000.00 A
29		COMPUTER SOFTWARE ENHANCEMENTS	\$20,000.00 A
30		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SU	\$15,000.00 A
31		RADIO REPLACEMENT/UPGRADES	\$10,000.00 A
32		COASTAL EROSION PLANNING/MITIGATION	\$50,000.00 F
33		FRESH WATER/POND STUDIES - REMEDIATION	\$50,000.00 F
TOTAL			\$1,116,700.00
TOTAL CAPITAL FUNDS NEEDED BY SOURCE			
		F = FREE CASH	\$428,700.00
		A = AMBULANCE RECEIPTS	\$113,000.00
		T = TAX LEVY	\$20,000.00
		D = CAPITAL DEBT EXCLUSION	\$550,000.00
		CT=CABLE TV REVENUE	\$5,000.00
TOTAL			\$1,116,700.00

ARTICLE 14

To see if the Town will, in accordance with Chapter 6-6A of the Eastham Home Rule Charter, vote to accept the Capital Improvement Plan for FY16-FY20 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

This is the five-year capital plan, which lists all anticipated capital expenditures for equipment, supplies, and projects, including engineering and planning studies. Items on the list are a minimum of \$1,000. This listing is a planning tool to focus attention on needed expenditures for the upcoming years. The benefit of the plan is that the town is able to anticipate large expenditures, and appropriately schedule bond issues, and debt repayments in a manner that supports a stable tax rate while ensuring that capital equipment is acquired in a timely manner and that structures are well maintained. This article, as planning tool, does not require any funding. When items are scheduled for funding, they are moved to the capital acquisition article included in each Annual Town Meeting warrant.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

FIVE YEAR CAPITAL PLAN FY16 - FY20

ITEM	DEPARTMENT	ITEM	FY16	FY17	FY18	FY19	FY20
1	DATA PROCESSING	COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000.00 F	\$20,000.00 F	\$20,000.00 F	\$20,000.00 F	\$25,000.00 F
2		SERVER UPGRADES/REPLACEMENTS		\$12,000.00 F	\$12,000.00 F		
3		FIBER OPTIC CABLE/OPEN CAPE CONNECTION					
4		VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS		\$5,000.00 CT		\$5,000.00 CT	
5		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)		\$10,000.00 F			
		FIRE					
		POLICE					
		NATURAL RESOURCES/DPW					
		LIBRARY	\$5,000.00 F				
6		REPLACE PLOTTER/SCANNER(S)			\$8,000.00 F		
7		MOBILE COMPUTING & TABLET ACQUISITION/REPLACEMENT	\$2,000.00 F		\$3,000.00 F	\$3,000.00 F	
8		SOFTWARE UPGRADES (OPERATING SYSTEMS)	\$20,000.00 F			\$20,000.00 F	
9		GIS FLYOVER/DATA COLLECTION AND ORTH PHOTOS					\$50,000.00 F
	SUB-TOTAL		\$47,000.00	\$47,000.00	\$43,000.00	\$48,000.00	\$75,000.00
10	COA/ADULT DAYCARE	VAN REPLACEMENT		\$26,000.00 F/HST		\$26,000.00 F/HST	
	SUB-TOTAL		0.00	26,000.00	0.00	26,000.00	0.00
11	ASSESSING/INSPECTION						
12		DATA COLLECTOR PLANNER/INSPECTOR VEHICLE		\$3,000.00 F			\$4,000.00 F
	SUB TOTAL		\$0.00	\$3,000.00	\$0.00	\$0.00	\$4,000.00
	NATURAL RESOURCES						
13		4x4 PICK UP TRUCK	\$15,000.00 F	\$15,000.00 F	\$15,000.00 F	\$15,000.00 F	\$15,000.00 F
14		4X4 PICK UP TRUCK	\$13,000.00 F	\$13,000.00 F	\$13,000.00 F	\$13,000.00 F	
15		SAND DRIFT FENCE - VARIOUS LOCATIONS		\$10,000.00 F			
16		BOAT MOTOR 130HP/50HP			\$15,000.00 F		
17		EQUIPMENT CHAINSAWS/PRESSURE WASHER	\$1,800.00 F				
18		HERRING RUN GATE REPLACEMENTS		\$1,000.00 F	\$3,000.00 F		
19		PORTABLE GPS		\$2,500.00 F			
20		EQUIPMENT TRAILER REPLACEMENT					\$7,500.00 F
	SUB-TOTAL		\$29,800.00	\$41,500.00	\$46,000.00	\$28,000.00	\$22,500.00
	HARBOR IMP.						
21		DREDGE ROCK HARBOR/DOCK WALKWAY IMPROVEMENT	\$15,000.00 EX	\$5,000.00 EX	\$25,000.00 EX	\$5,000.00 EX	\$5,000.00 EX
	SUB TOTAL		\$15,000.00	\$5,000.00	\$25,000.00	\$5,000.00	\$5,000.00
	MUNICIPAL BUILDINGS EQUIPMENT						
22		VACUUM/CARPET CLEANERS/LADDERS		\$2,000.00 F		\$2,000.00 F	
23		VAN REPLACEMENT		\$25,000.00 F			\$25,000.00 F
24		COPIERS/POSTAGE METERS				\$15,000.00 F	
25		FLOOR MACHINE/SNOW BLOWER	\$1,400.00 F		\$1,400.00 F		
26		ENERGY EFFICIENCY ENHANCEMENTS	\$25,000.00 F				
	SUB-TOTAL		\$26,400.00	\$27,000.00	\$1,400.00	\$17,000.00	\$25,000.00

MUNICIPAL BUILDINGS IMPROVEMENTS							
27		PROJECT CONTINGENCY: MAJOR REPAIRS, PAINTING ETC	\$30,000.00 F	\$30,000.00 F	\$30,000.00 F	\$45,000.00 F	\$45,000.00 F
28		GREEN ENERGY ENHANCEMENTS				\$45,000.00 F	
		SUB-TOTAL	\$30,000.00	\$30,000.00	\$30,000.00	\$90,000.00	\$45,000.00
29	T.H.	MECHANICAL SYSTEMS OVERHAUL			\$15,000.00 F		
30		RELOCATE/REPLACE AIR HANDLER					
31		REPLACE VAULT A/C UNITS			\$9,000.00 F		
32		REPLACE CIRCULATOR PUMPS			\$3,000.00 F		
33		REPLACE HOT WATER TANK	\$3,000.00 F				
34		REPLACE EXISTING A/C UNITS		\$40,000.00 F			
35	INFO/WMILL	WINDMILL/INFO/ANCIENT CEMETERIES/BACKETT PORT	\$6,000.00 F		\$6,000.00 F		\$7,000.00 F
36	REC BLDG	FURNISHINGS	\$10,000.00 F				
		SUB-TOTAL	\$19,000.00	\$40,000.00	\$33,000.00	\$0.00	\$7,000.00
37	COA	RENOVATION/EXPANSION HEAT/AIR COND/ SENIOR CENT	\$3,000,000.00 D				
		SUB-TOTAL	\$3,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00
38	DPW/NR	COPIER REPLACEMENT		\$5,000.00 F			
39		AIR/HEATING SYSTEM OVERHAUL/REPLACE			\$20,000.00 F		
40		EXTERIOR MAINTENANCE - STUCCO DPW BLDG			\$10,000.00 F		
41		EXPAND DPW GARAGE SPACE/INTERIOR RENOVATION	\$1,500,000.00 D				\$20,000.00 F
42		NR BLDG PAINT EXTERIOR		\$10,000.00 F			
		SUB-TOTAL	\$1,500,000.00	\$15,000.00	\$30,000.00	\$0.00	\$20,000.00
43	POLICE	REPLACE HOT WATER TANK	\$3,000.00 F				
44		REPLACE SHINGLES, ROOF & SIDEWALL		\$40,000.00 F			
45		REPLACE 2 OF 4 AIR HANDLING UNITS				\$11,000.00 F	
46		KITCHEN/LOCKER RM/TRAINING RM UPGRADES		\$75,000.00 D			
		SUB-TOTAL	\$3,000.00	\$115,000.00	\$0.00	\$11,000.00	\$0.00
47	FIRE	REPLACE FIRE PUMP (SPRINKLER) IN STATION					
48		BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 5+ YRS	\$40,000.00 A		\$0.00		\$25,000.00 F
49		PAINTING INTERIOR/EXTERIOR				\$20,000.00 F	
		SUB-TOTAL	\$40,000.00	\$0.00	\$0.00	\$20,000.00	\$25,000.00
50	LIBRARY	FURNISHING, COMPUTERS FINAL FINISHING NEW BUILDING				\$45,000.00 F	
		SUB-TOTAL	\$0.00	\$0.00	\$0.00	\$45,000.00	\$0.00

51	SCHOOL	ROUTINE PAINTING ROTATION		\$5,000.00 F		\$5,000.00 F		
52		REPLACE PLAYGROUND/BASKETBALL COURT SURFACE	\$10,000.00 F		\$30,000.00 F			
53		GROUNDS MAINTENANCE - DRAINAGE/FENCING				\$6,000.00 F		
54		GYM FLOOR REFINISHING		\$15,000.00 F				\$17,000.00 F
55		COMPUTER HARDWARE/REPLACEMENTS/UPGRADES	\$25,000.00 F		\$25,000.00 F			
56		BUILDING MAINTENANCE/IMPROVEMENTS		\$25,000.00 F		\$25,000.00 F		
SUB-TOTAL			\$35,000.00	\$45,000.00	\$55,000.00	\$36,000.00		\$17,000.00
BEACHES/RECREATION								
57		UPGRADE/ADA BATH HOUSES	\$15,000.00 F					\$20,000.00 F
58		PARKING LOT REPAIRS (VARIOUS LOCATIONS)			\$10,000.00 F			
59		ADA BEACH CHAIR			\$3,000.00 F			
60		4 X 2 TRUCK			\$30,000.00 F			
61		4 X 2 TRUCK				\$30,000.00 F		
62		B-BALL RESURFACE/BASEBALL BACKSTOP REPL/FENCING			\$15,000.00 F			
63		BEACH GATE SHACKS						
64		WALKWAYS/DUNE MAIN FENCING/MOBI MAT EXTEND	\$23,000.00 F	\$10,000.00 F	\$20,000.00 F	\$25,000.00 F		
65		REPLACE SOFT BALL SHEDS (2)		\$35,000.00 F				
66		OUTDOOR SHOWERS @ WILEY PARK/COOKS BROOK,	\$50,000.00 F					
67		NEW BATHHOUSE FIRST ENCOUNTER				\$750,000.00 D		
SUB-TOTAL			\$88,000.00	\$45,000.00	\$78,000.00	\$805,000.00		\$20,000.00
DPW								
68		REPLACE/REFURBISH HYDRAULIC TRUCK LIFT			\$45,000.00 F			
69		ONE TON DUMP				\$55,000.00 F		\$55,000.00 F
70		3/4 TON PICK UP	\$15,000.00 F	\$15,000.00 F	\$15,000.00 F			
71		SANDER			\$18,000.00 F			
72		INTERL DUMP 6 WHEEL LARGE/REFURB/purchase		\$35,000.00 F	\$35,000.00 F			
73		EXTRA LARGE DUMP 10 WHEELER (LEASE PURCHASE 5 Y	\$40,000.00 F	\$40,000.00 F	\$40,000.00 F			
74		ORDINARY ROAD M & R (NOT CHAP 90)	\$150,000.00 T	\$160,000.00 T	\$180,000.00 T	\$190,000.00 T		\$200,000.00 T
75		NEW TRASH TRAILERS	\$60,000.00 F	\$60,000.00 F	\$60,000.00 F			
76		TRACTOR TRAILER HORSE (FOR YARD USE ONLY - USED)						
77		REPLACE/ADD RECYCLING COMPACTOR		\$20,000.00 F	\$40,000.00 F			
78		LOADER REPLACEMENT (544)				\$50,000.00 F		\$50,000.00 F
79		TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS	\$16,000.00 F	\$16,000.00 F	\$16,000.00 F	\$16,000.00 F		
80		ONE (1) 40 YARD CLOSED TOP ROLL OFF REFYRB	\$8,500.00 F		\$8,500.00 F			
81		STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENTS			\$75,000.00 F			\$80,000.00 F
82		MOWER REPLACEMENTS (2 mowers)						\$20,000.00 F
83		SWEEPER REPLACEMENT (FIVE YEAR LEASE, \$150k)	\$30,000.00 F	\$30,000.00 F	\$30,000.00 F	\$30,000.00 F		\$30,000.00 F
84		AIR COMPRESSOR (185 CFM) MOBILE	\$18,000.00 F					
85		STATIONARY AIR COMPRESSOR		\$5,000.00 F				
86		"Mini" EXCAVATOR						\$35,000.00 F
SUB-TOTAL			\$337,500.00	\$381,000.00	\$562,500.00	\$341,000.00		\$470,000.00

	POLICE								
87		DEFIBRILATORS REPLACEMENT	\$5,000.00 F					\$7,000.00 T	
88		UNMARKED ADMIN VEHICLE 4X4(3 YR LEASE)	\$11,000.00 T	\$11,000.00 T	\$11,000.00 T	\$11,000.00 T			
89		CRUISER/w video	\$32,000.00 T	\$32,000.00 T	\$34,000.00 T	\$34,000.00 T	\$34,000.00 T		
90		CRUISER	\$34,000.00 T	\$34,000.00 T	\$34,000.00 T	\$36,000.00 T	\$36,000.00 T		
91		PORTABLE RADIOS (3)		\$10,000.00 T					
92		LAP TOP COMPUTER IN CAR REPLACEMENT (4)		\$20,000.00 F					
93		BULLET PROOF VEST REPLACEMENT (ALL)							
94		NEW SPEED TRAILER			\$8,000.00 F				
95		RADAR EQUIPMENT UPGRADE/REPLACEMENT						\$6,000.00 F	
96		DIGITAL VIDEO FOR CRUISERS	\$35,000.00 F						
	SUB-TOTAL		\$117,000.00	\$107,000.00	\$87,000.00	\$81,000.00	\$83,000.00		
	FIRE (EQUIP)								
97		REPLACE AMBULANCE (CHG BUY TWO SAME TIME)	\$250,000.00 A	\$250,000.00 A	\$250,000.00 A	\$250,000.00 A			
98		ENGINE REPLACEMENT (1992) (5 YR LEASE PUR, \$550,000)	\$104,000.00 A	\$104,000.00 A	\$104,000.00 A				
99		SQUAD 1 REPLACEMENT (TRUCK 160)			\$40,000.00 A				
100		ADMINISTRATIVE VEHICLE DEP/CHIEF) REPLACE		\$28,000.00 A					
101		TANKER REPLACEMENT (98)			\$250,000.00 A				
102		REPLACE SPECIAL HAZARDS TRUCK (91)		\$100,000.00 A					
103		REPLACE COPIER	\$8,000.00 A						
104		UPGRADE AIR PACKS - 4.5L				\$30,000.00 A			
105		THERMAL IMAGER		\$10,000.00 A					
106		UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED)			\$10,000.00 A				
107		HYDRANT STANDPIPE SYS -ON SITE WELLS/BURIED TANKS			\$12,000.00 A				
108		REPLACE GAS METER	\$2,000.00 A					\$2,000.00 A	
109		COMPUTER SOFTWARE ENHANCEMENTS			\$20,000.00 A				
110		MOBILE/DESKTOP COMPUTER HARDWARE ENHANCEMENT/ADDITIONS		\$20,000.00 A		\$20,000.00 A			
111		FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM	\$5,000.00 A		\$5,000.00 A			\$5,000.00 A	
		RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT							
112		CARDIAC MONITORS (2)		\$30,000.00 A					
113		JAWS/AIR BAGS.EXTRACTION EQUIPMENT	\$5,000.00 A			\$10,000.00 A			
114		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SU	\$15,000.00 A	\$10,000.00 A	\$15,000.00 A				
115		RADIO REPLACEMENT/UPGRADES		\$10,000.00 A				\$10,000.00	
116		FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.		\$8,000.00 A				\$10,000.00	
117		PORTABLE GENERATOR (REPLACEMENT)			\$2,500.00 A				
118		PORTABLE WATER TANK				\$4,000.00 A			
	SUB-TOTAL		\$389,000.00	\$570,000.00	\$708,500.00	\$314,000.00	\$27,000.00		

119	RESOURCE LAND MANAGEMENT PLANS		\$25,000.00 F		\$25,000.00 F	
120	LONG RANGE PLAN IMPLEMENTATION ASSISTANCE	\$25,000.00 F				\$25,000.00 F
121	LAND ACQUISITION(OPEN SPACE, RECREATION, MAINTENANCE)	\$25,000.00 F				
122	LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES	\$75,000.00 F		\$75,000.00 F		
123	COASTAL EROSION PLANNING/MITIGATION		\$50,000.00 F		\$50,000.00 F	
124	MUNICIPAL WASTE WATER/ WATER/PLANNING/IMPLEMENTATION		\$12,000,000.00 D		\$18,000,000.00 D	
125	ALTERNATIVE/GREEN ENERGY INITIATIVES	\$50,000.00 F			\$50,000.00 F	
126	FRESH WATER/POND STUDIES - REMEDIATION	\$65,000.00 F				
	SUB-TOTAL	\$240,000.00	\$12,075,000.00	\$75,000.00	\$18,125,000.00	\$25,000.00
	TOTAL	\$5,916,700.00	\$13,572,500.00	\$1,774,400.00	\$19,992,000.00	\$870,500.00
	TOTAL CAPITAL FUNDS NEEDED BY SOURCE (KEY)					
	F = FREE CASH	\$745,700.00	\$644,500.00	\$781,900.00	\$621,000.00	\$561,500.00
	C = COMMUNITY PRESERVATION FUND					
	HST + HUMAN SERVICES GIFT FUND		\$26,000.00		\$26,000.00	
	A = AMBULANCE RECEIPTS	\$429,000.00	\$570,000.00	\$708,500.00	\$314,000.00	\$27,000.00
	EX = BOAT EXCISE	\$15,000.00	\$5,000.00	\$25,000.00	\$5,000.00	\$5,000.00
	T = TAX LEVY	\$227,000.00	\$247,000.00	\$259,000.00	\$271,000.00	\$277,000.00
	D = CAPITAL DEBT EXCLUSION	\$4,500,000.00	\$12,075,000.00		\$18,750,000.00	
	CT=CABLE TV REVENUE		\$5,000.00		\$5,000.00	
	TOTAL	\$5,916,700.00	\$13,572,500.00	\$1,774,400.00	\$19,992,000.00	\$870,500.00

ARTICLE 15

To see if the Town will vote to transfer and appropriate a sum of money to various accounts for meeting the remaining expenses for Fiscal Year 2014; or take any action relative thereto.

By Board of Selectmen

Summary:

This article transfers will cover any account shortfalls. With the exception of Sanitation for water testing and contamination mitigation measures, and Snow and Ice, there are no known shortfalls as of the printing of this warrant.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 16

To see if the Town will vote to transfer and appropriate the sum of \$_____ to pay prior year unpaid bills; or take any action relative thereto:

By Board of Selectmen

Summary:

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(4/5ths majority vote required)

ARTICLE 17

To see if the town will vote to authorize the Board of Selectmen to petition the Great and General Court to approve a Home Rule Petition generally stated as follows:

An Act authorizing the town of Eastham to apply the local option room occupancy excise to all seasonal rental properties in the town. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, in addition to the authority to impose a local excise tax upon any transfer of occupancy of any room or rooms as may be set forth in and authorized by Chapter 64G Section 3A of the Massachusetts General Laws or other law, as the same may be amended from time to time, the town of Eastham shall, commencing on the first day of January that begins after the effective date of this Act, be authorized to impose a local excise tax upon the transfer of occupancy of any room in a seasonal rental property or other transient accommodations (rentals for ninety (90) days or less) located within said town by any operator at the rate of four (4) percent of the total amount of rent of each such occupancy.

SECTION 2. For the purposes of this chapter, all terms used herein shall, unless the context requires otherwise, have the same meanings as set forth in G.L. c64G Section 1 of the Massachusetts General Laws; or take any action relative thereto.

By Board of Selectmen

Summary:

The rooms' tax currently applies to rental accommodation in motels, hotels, and guesthouses with three or more rooms to let. Single-family homes and condominiums, which are an ever-increasing share of the vacation rental market, do not pay this tax. The result is an advantage to these private rentals. These visitors however, still draw heavily on seasonal services, as do visitors in other types of accommodation. This article, if passed, will allow the town, along with some others on the Cape who are seeking similar permission, to petition the legislature to pass a local law that will allow the town to institute and collect this tax. The town currently has on record more than 1200 rental units. The majority of these are short-term seasonal rentals. The estimate of potential revenue assuming ten (10) weeks occupancy at an average rent of \$2,000 per week is between \$500,000 and \$800,000. Rental periods of more than 90 days would not be taxed, thus preserving the rental market and the affordable year round residential rental market.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18

To see if the Town will vote to create a Stabilization Fund for Other Post-Employment Benefits (OPEB) as provided under Chapter 40, Section 5B of the General Laws and to raise and appropriate, and/or transfer a sum of money to be reserved for appropriation for the purpose of funding future post-employment benefits, other than pensions, or take any other action relative thereto.

By Board of Selectmen

Summary:

This article seeks to establish and begin appropriating funds for a reserve for future post-employment benefit costs (OPEB's). This liability results from the "promised" benefits to qualifying retirees for the town's share of future health and life insurance payments during retirement.

The Governmental Accounting Standards Board (GASB), a national agency that rules on accounting standards nationwide, issued their Statement GASB #45 that requires all governmental entities to record as a liability the future costs of these benefits actuarially calculated to be due to employees. One way to look at this issue is to consider that OPEB's are part of compensation, or IOU's, that are handed out to employees each year but are not cashed in until retirement. According to the GASB, the cost of the IOU's should be recognized while the employee is working and earning these benefits, not when the employee is retired. This liability is substantial, calculated at just over \$28 million for Eastham, and the GASB feels that potential lenders should be aware of its magnitude.

Currently, the Town of Eastham, as do most other towns, funds these costs on a pay-as-you-go method. There is no mandate to fund this liability; however, it is a matter that bond-rating agencies consider. Several communities have begun addressing this issue with modest contributions to a fund for this purpose and that is what this article intends to do for Eastham.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION

(majority vote required)

ARTICLE 19

To see if the town will vote to amend the Eastham Zoning By-law Section XVIII, by deleting it in its entirety and replacing it with the following; or take any action relative thereto.

SECTION XVIII – TOWN OF EASTHAM – SIGN CODE

SECTION I – PURPOSE

This By-law is adopted for the regulation of non-governmental, and non-political signs, displays, and other advertising devices within the Town of Eastham and is intended to protect public safety by regulating the setback, size and manner of display of any sign to serve the interest of the general public by preserving or enhancing the natural setting and architectural expression which characterizes the community.

SECTION II – DEFINITIONS

As used in this document, the following terms shall have the meanings indicated.

BANNER -- A temporary, flexible one- or two-sided sign, generally made of vinyl or fabric, and designed to be hung or suspended.

BUILDING SIGN -- A permanent sign attached to a building or roof.

CONTRACTOR SIGN – A temporary sign displayed during the active construction located on-site indicating a construction industry-related businesses, including but not limited to a trade, professional or service provider.

DEVELOPER’S SUBDIVISION SIGN -- A temporary sign displayed while lots are for sale showing the lot plan of a subdivision.

EVENT-- Any gathering of a designated and limited duration, for economic, political, recreational, historical, celebratory, or other purposes.

FLAG, COMMERCIAL – A flexible one or two-sided sign attached to a vertical pole, which announces or advertises a business, service, product, or event.

HOME OCCUPATION SIGN -- A permanent residential sign advertising a business lawfully operated from a residence by one or more of its residents.

ILLUMINATED SIGN-- A sign illuminated by a light source(s) external or internal to the sign’s surfaces.

INFORMATIONAL SIGN -- A non-commercial sign not to exceed 2 square feet in area including but not limited to those offering safety, instructional and public awareness, including, but not limited to, signs with the following or similar messages: Open, Closed, Hours of Operation, Right Turn Only, No Parking, Employee Entrance, Exit, and One-Way.

LADDER SIGN-- A freestanding ground-mounted sign with one or more vertical supports and with two or more crosspieces servicing as individual signs, attached in a ladder style supported by a backboard, frame or post.

NAME SIGN -- A sign that is limited to identification of the resident or occupant of a dwelling or the name of the dwelling.

PERMANENT SIGN – All signs other than temporary signs.

PROPERTY IDENTIFICATION SIGN -- A permanent sign displaying only the name of the business or commercial development.

REAL ESTATE SIGN -- A temporary sign that advertises the sale, lease, or rental of real property indicating sale, year-round rental, permitted seasonal rental, open house, or house to be sold or leased, erected by a property owner or licensed Real Estate Broker.

SANDWICH BOARD SIGN -- A self-supporting, temporary double-sided sign consisting of two panels that are not parallel but which are connected along one edge and separated along the opposite edge.

SIGN -- An advertising device or insignia, whether lighted or not, free standing or attached to or painted on a structure or other object, designed to identify items for sale, or to advertise a principal use or activity for the property, and used to attract attention to a commercial activity.

FREE STANDING SIGN -- A sign that is supported by one (1) or more uprights or braces that are in or upon the ground, and fully support the sign.

STREET SIGN -- A sign identifying the name of a private or public way.

SUBDIVISION NAME SIGN -- A sign identifying only the name of a residential subdivision or development.

TEMPORARY SIGN -- A sign meant to be used for a limited period of time or conveying information concerning an event of limited duration.

WINDOW SIGN -- A sign placed on or inside or enclosed within a window or door facing the exterior of the building and visible from the exterior, if limited to no more than 30% of the glass area within the frame of display.

YARD SALE SIGN -- A temporary sign for occasional sales from a residential property, including, but not limited to, estate and garage sales, held in a residential neighborhood in compliance with town bylaws and regulations.

SECTION III – ADMINISTRATION

SIGN REGISTRATION -- All signs lawfully in existence on the effective date of this bylaw, regardless of permit status, must register with the Inspector of Buildings on or before January 1 of the subsequent year.

A. NON-CONFORMING SIGNS -- It is the intent of this code to allow all previously permitted signs to remain after the adoption of this code. The sign

owner will need to submit documentation to substantiate the claim that the existing sign was legally permitted. Several options are available to accomplish this:

1. Provide a copy of the original permit, or
2. Provide vintage photos depicting the sign with some verification as to the date when the photo was taken and evidence that the sign was in conformance with the sign code at that time, or
3. Provide a sworn and notarized affidavit noting as many of the following as possible:
 - The date the owner believes the sign was erected
 - The dimensions of the sign
 - Purchase receipt from the sign manufacturer
 - Current picture of the sign
 - Approximate sign dimensions and location shown on a copy of the Town Tax Map
 - Copy of any previous correspondence from the Town of Eastham relative to the sign
4. In the event that the sign only exceeds the maximum allowable square footage as shown in the tables, and in the event that no proof exists to allow the non-conformity to continue, the following options are available:
 - Decrease size of the sign to conform, or
 - Have the Building Inspector deny the application and proceed to the Zoning Board of Appeals for a variance, or
 - For the case of an owner with multiple signs, remove one or more of the signs in order to gain compliance with the code.

- A. APPLICATION PROCESS -- Application for a permit for a display or sign shall be submitted to the Building Department, on the form provided by the Building Inspector, together with the required fee, and shall be accompanied by a sketch and/or photograph showing the material, design and size, type of lettering, colors, and illumination. The exact location of the sign or display shall be indicated on a plot plan. The written permission of the landowner, if other than the applicant, shall accompany the application, and written permission of any successor owner shall be filed with the Building Department forthwith following any change in ownership.
- B. APPROVAL OF PERMIT -- Upon receipt of an application, the Building Inspector shall review the application and may issue or deny a permit in accordance with this Bylaw.
- C. RECORD KEEPING -- All permits and records of existing signs and displays shall be maintained as public records by the Building Department and shall be available for public inspection during normal business hours.

SECTION IV – GENERAL REGULATIONS

- A. SIGN MAINTENANCE AND CONFORMANCE – Any sign, whether authorized by permit or-exempt pursuant to Section III. A or B above, shall be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition and not constitute a distraction or obstruction that may contribute to traffic accidents.
- B. SAFETY AND LOCATION STANDARDS FOR SIGNS – No sign, whether new or existing, shall be permitted or maintained, which, in the opinion of the Inspector of Buildings, causes a sight, traffic, health or welfare hazard or results in a nuisance due to its illumination, placement, display, or manner of construction. All components of the signs must be set back a minimum of two feet setback from any property line.
- C. EXTERIOR DISPLAY - Exterior display of devices or objects for sale or for the promotion of the business other than during business hours is prohibited, unless authorized by a Site Plan Special Permit from the Planning Board pursuant to Section XIII.
Exterior display limited to business hours shall not require a Special Permit, provided no outside display or supporting racks or structures remain at the close of business each day.

All exterior display must comply with the following standards:

- a. Setback: Merchandise and other items shall be placed a minimum of 15 feet from all property lines.
 - b. Height: No element of an exterior display shall exceed six (6) feet in height.
 - c. Internal Placement: No element of an exterior display shall be placed so as to obstruct safe entry, egress or sight lines to, from or within the property, nor obstruct the flow of vehicular or pedestrian traffic within or adjacent to the property.
 - d. Displays shall not be placed in any area of required parking or landscaping or be arranged to reduce the availability of or access to any required parking space or cause damage to any required landscaping area.
- D. PERMANENT SIGN -- Signs must be supported by a frame or post erected for that purpose, and such supports shall not be included in the calculation of the maximum total square footage for a permanent sign.

- E. ADVERTISING FLAGS -- Permanent advertising flags will be considered signs and will be included when calculating the total square footage of signage permitted within a given district.
- F. STREET SIGNS -- Private street name signs shall be placed in a position clearly visible from the intersecting street and in a position that will not interfere with traffic. The size and location of the street sign shall be approved by the Department of Public Works, and shall comply with the Mass Highway Standards Manual.
- G. LADDER SIGNS -- Regardless of the number of names on the sign, the sign shall be considered as one sign. Ladder signs shall comply with the size regulations for the zoning district in which the sign is erected.
- H. TEMPORARY NON-COMMERCIAL SIGNS -- Temporary signs and banners advertising upcoming public events of a civic, philanthropic, educational, charitable or religious nature, or events of a not for profit nature are allowed in all districts, subject to compliance with the following standards:
 - 1. The organization or individual must obtain a temporary sign permit from the Building Department.
 - 2. The organization or individual must have written permission of the owner of the land on which the sign or banner is to be placed, and, in the case of such sign on Town-owned land, permission must be obtained from the Board of Selectmen.
 - 3. Ground-mounted signs may not exceed eight (8) square feet per side, excluding the supporting frame, with the overall height not to exceed five (5) feet. Banners may not exceed three (3) feet in height or ten (10) feet in width.
 - 4. Signs and banners shall not be displayed earlier than ten (10) days prior to the event and shall be removed no later than twenty-four (24) hours after the event has occurred, except this time period for removal may be extended to forty-eight (48) hours if the day following an event is Sunday or a holiday.
 - 5. No more than two (2) signs and/or banners advertising the same public event shall be allowed throughout the Town.
 - 6. No more than six (6) Temporary Event signs per year are allowed per organization unless permitted by the Board of Selectmen.
- I. REAL ESTATE SIGNS, BUILDING AND PROPERTY RENTAL SIGNS, AND CONTRACTOR SIGNS -- The following conditions shall apply:
 - 1. Properties advertised for rent must have a valid rental certificate.

2. Dimensions are limited to eight (8) SF maximum, per side.
3. Sign must only be displayed on the actual individual lot for sale or rent.
4. No more than one (1) real estate sign per house or lot that is for sale.
5. Only freestanding signs shall be permitted.
6. "Open house" signs may be placed at major intersections and on the property for sale and shall be removed at the end of each day.
7. All real estate signs, including "Sold" signs, shall be removed within twenty-four (24) hours after conveyance of the property.
8. Contractor signs shall be removed within twenty-four (24) hours of completion of work or issuance of a Certificate of Occupancy.
9. No fees are required.

LIGHTING – All lighting and related fixtures, regardless of their intended use or mounting configuration, shall be fully shielded and directed only at the sign(s). Signs may be up-lit to a limited extent, provided, however, no glare or light trespass is thereby caused.

SECTION V – PROHIBITIONS

The following shall be prohibited:

- A. Any sign affixed to a utility pole, to a tree or other natural feature.
- B. Illuminated signs that, in the opinion of the Building Inspector, will distract or conflict with the ability to see traffic lights or cause hazardous conditions.
- C. Flashing, rotating, oscillating signs, or signs with electronically controlled, changing messages or displays.
- D. Signs or banners placed upon sidewalks if they obscure the visibility of vehicular traffic or interfere with pedestrian traffic.
- E. Human signs or people carrying or wearing signs.
- F. Any other sign or display not expressly permitted is prohibited under this By-law.

SECTION VII – TABLE OF ALLOWED SIGNS BY DISTRICT

District A Residential One and Two Family Dwellings				
	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
A-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
A-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
A-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
A-4	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
A-5	Residential Name Sign	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District B Marina Related				
	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
B-1	Ladder Sign	3' W x 8' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
B-2	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
B-3	Free Standing Sign (only for a single business on a property)	30 SF per side	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
B-4	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

District C Industrial District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
C-1	Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner.
C-2	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
C-3	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
C-4	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
C-5	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

District D Retail Sales and Service

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
D-1	Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
D-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
D-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
D-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided

D-5	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
D-6	Sandwich Board Sign	30" W x 42" H per side	Temporary October 16 to May 14	One sign allowed per month for 2 weeks surrounding the event with permit issued by Building Department
D-7	Free Standing Signs (only for a single business on a property)	60 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
D-8	Building Sign	36 SF per business, one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 36 SF.

District E Limited Business with Residential Areas

	<u>TYPE OF SIGN</u>	<u>SIZE</u> <u>(MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
E-1	Ladder Sign	4' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 4' x 2', per side; each business no more than 4 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
E-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
E-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
E-4	Developer's Subdivision Sign	12 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
E-5	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided
E-6	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
E-7	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
E-8	Building Sign	24 SF per business; one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 24 SF.

District F Seashore District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
F-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
F-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
F-3	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District G Water Resource Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
G-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
G-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
G-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
G-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District H Well field Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE</u> (MAXIMUM)	<u>DURATION</u>	<u>COMMENTS</u>
H-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
H-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
H-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
H-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

ARTICLE 20

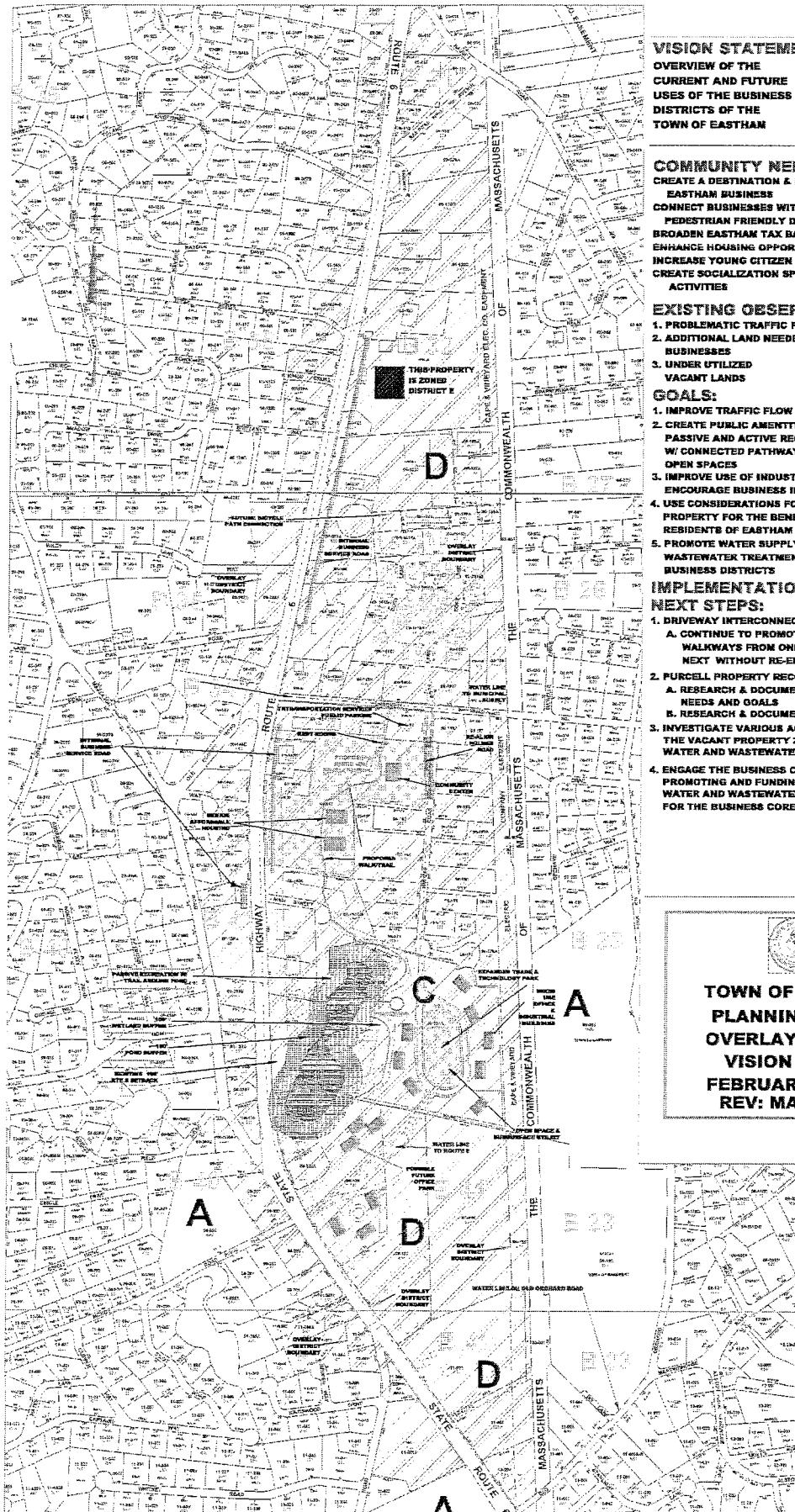
To see if the Town will vote to adopt an amendment to the Town Zoning Bylaw in substantially the following form; or take any action relative thereto.

NORTH EASTHAM OVERLAY DISTRICT ZONING

Location and Intent

In SECTION II - ZONING DISTRICTS, add the following location description as District I:

North Eastham Overlay District – An area overlying Districts A, C and D and a portion of District E, available for optional village-style mixed-use development, and as shown on the map entitled, “Overlay District Vision Study “ dated February 20, 2014, and Rev March 5, 2014 a copy of which is on file with the Town Clerk, and – to amend the Town of Eastham Zoning Map to add a new Overlay District entitled, “North Eastham Overlay District, as shown below and



VISION STATEMENT:
OVERVIEW OF THE
CURRENT AND FUTURE
USES OF THE BUSINESS
DISTRICTS OF THE
TOWN OF EASTHAM

COMMUNITY NEEDS:
CREATE A DESTINATION & IDENTITY FOR
EASTHAM BUSINESS
CONNECT BUSINESSES WITH INTERNAL
PEDESTRIAN FRIENDLY DRIVEWAYS & PATHS
BROADEN EASTHAM TAX BASE
ENHANCE HOUSING OPPORTUNITIES
INCREASE YOUNG CITIZEN EMPLOYMENT
CREATE SOCIALIZATION SPACES & CULTURAL
ACTIVITIES

EXISTING OBSERVATIONS:
1. PROBLEMATIC TRAFFIC FLOW ON ROUTE 6
2. ADDITIONAL LAND NEEDED FOR
BUSINESSES
3. UNDER UTILIZED
VACANT LANDS

GOALS:
1. IMPROVE TRAFFIC FLOW AND SAFETY ON ROUTE 6
2. CREATE PUBLIC AMENITIES FOR
PASSIVE AND ACTIVE RECREATION
W/ CONNECTED PATHWAYS AROUND
OPEN SPACES
3. IMPROVE USE OF INDUSTRIAL LAND TO
ENCOURAGE BUSINESS IN EASTHAM
4. USE CONSIDERATIONS FOR THE PURCELL
PROPERTY FOR THE BENEFIT OF THE
RESIDENTS OF EASTHAM
5. PROMOTE WATER SUPPLY AND
WASTEWATER TREATMENTS FOR THE
BUSINESS DISTRICTS

**IMPLEMENTATION PRIORITIES /
NEXT STEPS:**
1. DRIVEWAY INTERCONNECTIONS OF BUSINESS
A. CONTINUE TO PROMOTE DRIVEWAYS AND
WALKWAYS FROM ONE BUSINESS TO THE
NEXT WITHOUT RE-ENTERING ROUTE 6
2. PURCELL PROPERTY RECOMMENDATIONS:
A. RESEARCH & DOCUMENT SENIOR HOUSING
NEEDS AND GOALS
B. RESEARCH & DOCUMENT FUTURE NEEDS
3. INVESTIGATE VARIOUS ACCESS ROUTES FOR
THE VACANT PROPERTY ZONED C - SOUTH OF
WATER AND WASTEWATER INFRASTRUCTURE
4. ENGAGE THE BUSINESS COMMUNITY IN
PROMOTING AND FUNDING
WATER AND WASTEWATER INFRASTRUCTURE
FOR THE BUSINESS CORE AREA



**TOWN OF EASTHAM
PLANNING BOARD
OVERLAY DISTRICT
VISION STUDY
FEBRUARY 20, 2014
REV: MAR 5, 2014**

further, to- amend SECTION V – USES by add the following text:

NORTH EASTHAM OVERLAY DISTRICT I – Those principal and accessory uses as allowed by-right or by special permit as indicated in the Overlay District Table of Principal Uses and Table of Accessory Uses.

Intent: The intent of this overlay district is to encourage cohesive, village-style development in an appropriate area, by providing for optional additional uses, mixes of residential, commercial, public and institutional uses and for appropriate alternative dimensional standards by special permit, in addition to those of the underlying zoning districts, while also protecting the quality of life of the homeowners in this area. Where not expressly otherwise provided, however, that the use and dimensional requirements and restrictions of Districts A, C, D and E shall continue to apply within the areas of each underlying district as shown on the Town of Eastham Zoning Map and described in the Appendix to the Town of Eastham Zoning Bylaw entitled “Zoning District Boundaries.”

Definitions

Amend SECTION III – DEFINITIONS by adding the following, to be inserted in alphabetical order:

APARTMENT, MIXED-USE ACCESSORY – A second dwelling unit located in a single-family residence, as allowed by special permit from the Planning Board, and subject to the requirements of Section VII ACCESSORY USES.

ASSISTED LIVING RESIDENCE (ALR) – A use allowed by special permit, consisting of a facility defined and certified under 651 CMR 12.02 et seq., which may be located on the same lot or abutting lots in common ownership with an Independent Living Facility, and which provides shelter and services to persons 55 years of age and older and other residents with disabilities requiring Personal Care Services, whether conducted for profit or not for profit, consistent with an approved Concept Plan and as authorized by a special permit based on the Concept Plan, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s), provided the facility meets all of the following criteria:

- (a) provides room and board to residents in need of support with one or more activities of daily life; and
- (b) provides, directly by its employees or through arrangements with another organization which the entity may or may not control or own, Personal Care Services as defined in for three or more adults who are not related by consanguinity or affinity to their care provider; and
- (c) collects payments or third party reimbursements from or on behalf of Residents to pay for the provision of assistance with the Activities of Daily Living, or arranges for the same.

COMMON DRIVEWAY — A form of access to the building site of a lot and to any occupied building on a lot, which is not itself a street but extends from a street and provides common vehicular access to more than one lot. For the purposes of calculating lot coverage, the common driveway's impervious surfaces shall be equally allocated

among the lots served and/or benefited by the common driveway in proportion to the sizes of the lots.

CONCEPT PLAN – A plan submitted preliminary to a special permit application, which describes in detail the site and proposed mixed uses, including a site plan showing site improvements, and identifying traffic and environmental impacts and their mitigation, projected future division of the site, if any, the submission of which to the Planning Board is required to initiate the Mixed-Use Development permitting process.

GRADE — The plane of the average of all finished ground level adjoining the building or structure for a distance of six feet from all exterior walls.

GROSS FLOOR AREA — The sum of all floor areas within a building or structure, measured from the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features. It shall include all areas capable of being used for human occupancy, including all basement floor areas, mezzanine and attic space and enclosed porches.

HEIGHT, BUILDING — The vertical distance from the grade plane to the highest point of a gable, hip or gambrel roof and the highest point of the coping of a flat roof, but excluding chimneys, cupolas, flagpoles or other similar and customary appurtenances.

INDEPENDENT LIVING RESIDENCE (ILR) – A use allowed by special permit, consisting of one or more multi-family condominium or apartment buildings containing dwelling units restricted to occupancy by residents 55 years of age or older, which may be located on the same lot or abutting lots in common ownership on which an Assisted Living.

MIXED-USE DEVELOPMENT – A use allowed by special permit, consisting of retail, office, municipal, service establishments and residential uses, in some combination, consistent with an approved Concept Plan, which may be located on a single lot or a parcel formed from combined lots, and which, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s).

OFFICE, MEDICAL OR DENTAL — A building or portion thereof the primary use of which is the provision of health-care services to patients or clients on an outpatient basis and by appointment only. The sale of merchandise is allowed only as an accessory use.

PERSONAL CARE SERVICE – Within an ALR, assistance to residents with Activities of Daily Living, as defined and provided in 651 CMR 12.02 et seq.

PERSONAL SERVICES ESTABLISHMENT — A commercial establishment engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barbershop, beauty shop, dry cleaner, tailor, or other similar services, but shall not include a public laundry where clothing is laundered on-site.

PUBLISHING AND PRINTING ESTABLISHMENT — A commercial facility for the publishing and printing of information as a retail service use, not including bulk

publishing or printing of paper documents on-site, but may include the sale of ancillary goods typically used in the publishing and printing of information.

RAIN GARDEN — A bowl-shaped landscape area designed to absorb stormwater runoff from impervious surfaces. It cleanses water of pollutants by filtering water through soil and plants.

RECREATIONAL FACILITY — An establishment engaged in the provision of public recreational services, including bowling and billiards, but not including miniature golf and video arcades.

REPAIR SERVICES, NON-AUTOMOTIVE – Repair and servicing of appliances, computers, electronic equipment, tools and other small machinery common to homes and businesses, not to include any appliances, tools or small machinery that are powered by hydrocarbon fuel.

RESEARCH AND DEVELOPMENT FACILITY — A business that engages in non-biological research and development of innovative ideas, services and technology, such as development of computer software, information systems, communication systems, transportation, multi-media and video technology and development and construction of prototypes associated with such services and products.

TOWNHOUSE - A single dwelling unit which is not located above or below another dwelling unit and whose side walls are separated from other dwelling units by a fire wall or party walls. Each unit in the row shall have a dedicated ground level entrance and front and rear yards, and may be held in separate ownership.

WASTEWATER TREATMENT FACILITY – A public or private facility constructed to treat wastewater, not including the disposal of treated effluent.

WASTEWATER EFFLUENT DISPOSAL – The disposal of treated effluent from a public or private wastewater treatment facility.

TABLE OF PRINCIPAL USES

Y = Yes/allowed by-right

SP = By special permit

X = Prohibited.

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Agricultural</u>	
Farm, >5A	Y = A
Plant nursery, other horticulture or floriculture	Y
<u>Residential</u>	
Assisted Living residence, with or without Independent Living	SP
Single-Family dwelling	Y
Two-family or duplex dwelling	Y
Mixed-use Development	SP
Apartments & Townhouses	SP
Residence above by-right business, if not >50% "of structure"	Y=D,E A = SP
<u>Commercial</u>	
Antique, craft and gift shops	Y
Adult Entertainment	X
Animal hospital or veterinary office	SP
Art Gallery	Y
Auction house	Y
Automotive repair, service	Y in Dist. C
Bakery, Wholesale	X
Bank	Y
Barber shop, beauty salon	Y
Boat building, repair, storage	X

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
Charter (party) boat business	X
Cinema, movie theater	Y
Contractor's yard	X
Dry cleaning, Laundromat	SP X in Dist. A
Fitness center, Gym	Y
Hospice Care Facility	SP
Hotel, Inn, Motel, Hostel	Y
Industry, Light, not specifically allowed in Section V District C Use description	SP X in Dist. A
Junk yard	X
Kennel, Commercial (not defined)	SP Y in Dist. C, D
Lodge, Membership or Fraternal Club	Y
Nursing or Convalescent Facility	SP
Publishing and/or printing establishment	SP
Rental, automobile, truck, trailer	SP
Rental, boat, fishing gear	SP
Restaurant, < 5 K sq. ft. GFA	Y
Restaurant, 5 K sq. ft. or > GFA	SP
Retail Sales/Service, Minor Small scale , 5 K sq.ft GFA	Y
Resort and Conference Center	SP
Service and Repair, non-automotive (carpentry, electrical, plumbing, etc.)	Y
Spa Resort	Y C = X
Studio, Artist Dance, Photography	Y

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Industrial</u>	
Concrete batching plant	X C=Y
Warehousing, Rental, & Bulk Storage	X C=Y
Wastewater Treatment Facility	SP
Wastewater Effluent disposal	SP
Wind, Solar , Energy Facility	SP
<u>Governmental, Cultural, Institutional</u>	
Conservation, open space land	Y
Municipal Use	Y
Museum	Y
Public use, other	Y
Recreation, passive	Y
<u>ACCESSORY USE TABLE</u>	
<u>Residential</u>	
Apartment, AFFORDABLE Accessory	SP
Apartment located above permitted commercial use, provided no more than 50% floor area of total structure	SP
Automated banking (ATM) interior ,exterior or freestanding	SP
Bed and Breakfast	SP
Family daycare, licensed per G. L. c. 15D, §1A.	Y
Farm stand, non-exempt per G. L. c. 40A, §3Y	sp
Home Occupation, SP in any district where not X	SP
Stable, non-commercial, not to exceed ___# animals, subject to minimum lot size or setback	X

MIXED-USE (“MU”) SPECIAL PERMIT

OBJECTIVE

The objective of the MU special permit is to serve an unmet need of the community, by providing the means for creation of attractive mixed-use developments and a mix of housing options, including workforce housing, by providing for design and dimensional flexibility appropriate to the purpose and intent of village development zoning, and, in particular, by encouraging residential units to be incorporated into second floors of certain new or existing commercial structures in accordance with the provisions of this Section.

APPLICABILITY

The Planning Board is the Special Permit Granting Authority (SPGA) for Mixed Residential Development Special Permits and Mixed-Use Special Permits in the North Eastham Overlay District (NEOD).

MIXED - USE SPECIAL PERMIT

Within the NEOD, the SPGA may issue a special permit to authorize the following use: the use, conversion or expansion of a commercial structure to provide for a mix of residential and commercial uses in structures of one or two stories, where residential units are located on the second floor level of the structure in commercial use.

STANDARDS

To be eligible for consideration for a special permit approval pursuant to this Article, the proposed development shall meet the following standards:

Qualifying area: To serve as a MU site, an area of land within the NEOD shall contain at least two (2) contiguous acres.

Open space/Buffer: At least 20% of the MU site shall be open space, which shall be left in its natural vegetated state. A buffer area of 10 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties; provided, however, that no buffer shall be required where the land abutting the site is the subject of a permanent restriction for conservation or recreation or where the land abutting the site is held by the Town for conservation or recreation purposes. No vegetation in this buffer area will be disturbed, destroyed or removed.

Building Design:

- a. Buildings shall have no more than 50% of the total gross square footage on a second floor. A total maximum square footage for all building uses on a lot shall not exceed 15,000 square feet.
- b. Variation in the overall architectural design, including building elevations, building setbacks and the exterior details, (roofing, siding, glazing), shall be a part of the project concept development through construction documents to assure compatibility with existing development.

- c. No building shall exceed 35 feet in height. All roof mounted mechanical equipment must be enclosed to reduce the noise of operation and eliminate visibility of such equipment from the equivalent of an adjoining second floor level. In no case shall roof mounted equipment or the accompanying enclosures exceed a height of 6 feet above, or occupy more than 30% of the area, of the roof surface.
- d. Building orientation, layout, and configuration shall be designed to provide adequate light and air for the proposed and adjoining buildings.
- e. Drive-up windows are permitted if the windows and accompanying drives are buffered by an attractive 6 foot high opaque fence with a minimum of a 10 foot wide landscaped buffer to the exterior/outside of the fence.

Vegetation Management: No clear-cutting shall be permitted, except as necessary and incidental to construction of buildings, roads, trails and parking areas. Where vegetation will be disturbed, destroyed or removed during construction, the applicant shall indicate on the special permit plan that such vegetation will be replaced with alternative vegetation as may be approved by the SPGA as consistent with Cape Cod Commission and/or Barnstable County Extension Service list of approved plant materials in locations consistent with the completion of the project.

Drainage and Stormwater Management: The surface water drainage system shall be designed to accommodate 100-year storm conditions. Drainage shall not be directed to or allowed to flow off-site.

Internal Roadways, Walkways, Paths and Parking Areas: These shall be designed to provide for safety; visual appeal; separation of vehicular, bicycle and pedestrian traffic; convenient connectivity within and without the MRD site; and maximum access to the various amenities and facilities on the MRD site and to pathways on adjacent sites. All internal roadways, walkways, paths and parking areas shall be maintained by the owner or an association of unit owners, as applicable.

Driveway, Vehicular and Pedestrian Access Standards:

1. All driveway and parking areas shall be visually buffered from all streets by the use of berms or natural features and/or planting, using materials that shall maintain a minimum of 50% of their effectiveness year-round. All driveway and parking areas shall be visually buffered from adjoining residential uses by one or more of the following; berming, fencing, and planting, using materials that shall maintain a minimum of 75% of their effectiveness year round. Visual buffers shall be designed, placed and maintained to reduce the light from vehicular headlights from reaching onto adjoining streets and other properties.
2. A portion of the required parking may be accommodated on access drives within the project, provided such parking does not interfere with sight lines to pedestrian or

vehicular access routes, directional signage, or interfere with vehicular access/egress in any area.

3. No more than 12 parking spaces shall be laid out in a continuous row unless interrupted by a landscaped island of a minimum of 8 feet in width and equal to the depth of the adjoining parking spaces. The landscaped island shall be treated with consideration given to the need for shade; pedestrian access where appropriate, snow storage, and the need to soften the appearance of a large paved area during the growing season.
4. The number of parking spaces required may be reduced up to 40% at the discretion of the Planning Board as a special permit condition, provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity. The Planning Board may give consideration to shared parking between adjoining uses as a means of reducing the paved area required for proposed uses, provided the following conditions are met:
 - a. the shared parking is sufficient to adequately service the adjoining uses without leaving either in a deficit of spaces needed;
 - b. the shared parking has well defined pedestrian access to both uses;
 - c. there is a legally binding agreement, executed by all parties to be served, which permits vehicular and pedestrian access to and from all the parcels involved; this agreement must be in place, and a copy provided to the Building Inspector before issuance of an Occupancy Permit; and
 - d. all open space and coverage requirements are met based on the ability of the project site to accommodate all of the required parking.
5. Parking areas may consist of pervious hard surfaces or impervious surfaces, provided provisions acceptable to the Planning Board are made for management of surface water runoff. If approved as a condition of the special permit, up to 10% of the parking required may be constructed in an alternative paver which incorporates the use of grass or a "grass on gravel" system to allow for greater permeability and an appearance more characteristic of open space/courtyard features, to be used exclusively for overflow parking beyond that normally needed to service the uses on site. The location of such spaces should be in peripheral areas of the parking facility where they can enhance the appearance of adjoining open space and not be in a location where they would be in daily use or overlap with pedestrian activity.
6. Parking areas shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.
7. Off-street parking spaces may be laid out in a perpendicular, angled, or parallel alignment provided adequate access is provided for vehicles to enter and leave the

spaces; pedestrians to enter and leave the vehicles, and service and emergency vehicles to access the drives, parking areas, and buildings.

8. Perpendicular or angled parking spaces shall not be less than 9 feet wide by 18 feet in depth with the following exception; however, at the discretion of the Planning Board, up to 5% of the required parking spaces may be accommodated using a layout of an 8 foot width by a 17 foot depth, with such spaces shall be identified by a sign mounted at a height of not less than 5 feet or more than 8 feet, indicating the space is for a subcompact car only. In no case shall parallel parking spaces shall not be less than 8 feet in width (depth) by a 22 foot in length.
9. Driveways which can be shared for more than one use are encouraged, provided the Planning Board determines that sharing does not limit adequate service or emergency access at any time or serve as the only route of vehicular access to a project.
10. Customer and residential pedestrian access areas shall include a combination of walkways and landscaping. Such pedestrian access shall be provided for from the street/s providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where the two cross, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.

Service Access, Including Deliveries and Trash Removal:

11. Provisions shall be made for service vehicles to access the site and building so as not to obstruct pedestrian and vehicular access by residents, commercial patrons and emergency providers.
12. All trash receptacles and areas to be used by service and delivery vehicles shall be visually and, to the extent reasonably practicable, acoustically buffered from adjoining residences by one or more of the following; berming, fencing, and/or planting. Any visual screening shall maintain a minimum of 75% of its effectiveness year- round. No service vehicle shall be allowed to have an engine idling for more than ten minutes unless it is necessary for the service being provided, (for example: tree trimming, power washing, refrigeration, etc.).

Wastewater Management: All wastewater treatment and disposal facilities shall conform to the provisions of the State Sanitary Code, 310 CMR 15.00, any other state regulations as may be applicable and with the rules and regulations of the Board of Health.

Utilities: All electric, gas, telephone and water distribution lines shall be placed underground, except upon a demonstration of exceptional circumstances.

Affordable Residential Units: The applicant is encouraged to provide dwelling units at prices affordable to persons or families of low or moderate income comprising at least 25% of the total number of dwelling units in the development, with affordable dwelling units integrated into the overall development so as to prevent the physical segregation of such units.

Dimensional Flexibility:

The dimensional requirements for residential and non-residential uses:

Table - Dimensional Requirement					
WIDTH	FRONT YARD	SIDE YARD	REAR YARD	MAX. LOT OVERAGE	MAX. BLDG HGHT.
75 foot Min	10 foot min. 20 foot max.	20 foot min. exclusive of driveway	15 foot min.	Bldg. 15% Bldg., drives & parking 55% NOTE: Walkways must be pervious if the building, parking, and driveways total 55%	2 stories or 35feet.

Development Schedule: The development schedule submitted by the applicant shall allow for orderly construction of the project. Any substantial deviation from the development schedule may be allowed only by modification of the special permit following notice and hearing pursuant to G. L. c. 40A, §9.

Prohibited Uses:

- (1) Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed automobiles, or products, materials, or vehicles in connection with manufacturing or commercial uses outside the district; and
- (3) Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate matter, fumes, noise, vibration, glare, radiation, electrical interference, or danger of fire or explosion.

**CONCEPT PLAN - MIXED-USE SPECIAL PERMIT SUBMISSION AND
APPROVAL PROCEDURE**

- A. Overview - The review procedure for a Mixed-Use Special Permit consists of three steps:
1. Pre-application conference;
 2. Submission by the applicant and review by the SPGA of a Concept Plan for the proposed mixed-use development for approval, and
 3. Formal application for a special permit and hearing pursuant to G. L. c. 40A, §9 and the Town of Eastham Zoning Bylaw.
- B. Application and Concept Plan for a Mixed-Use Special Permit.
1. Pre-Application Conference. Prior to the submission of an application for a mixed-use Special Permit, the applicant must confer in an open meeting with the Planning Board to share information and possible concerns before the applicant enters into binding commitments or incurring substantial expense in preparation of plans, surveys, etc.
 2. Concept Plan Procedure:
 - a. The applicant shall file with the Town Clerk, at least fourteen (14) days before a regularly scheduled meeting of the Planning Board, the original and one (1) copy of the proposed Concept Plan, accompanied by the form entitled "Submission of Concept Plan: Mixed-Use Special Permit," together with a certified check in the amount set by the Board of Selectmen. The applicant shall at the same time submit to the Planning Board eight (8) copies of the Concept Plan, and a single copy to each of the following: Department of Public Works, Board of Health, Fire Department, and Conservation Commission.
 - b. The applicant shall file with the Town Clerk and submit to the Planning Board one or more transmittal letter(s), as required, certifying that it has forwarded copies of the Concept Plan to the Town boards and agencies as required above.
 - c. The Town boards and offices receiving copies of the Concept Plan may submit written recommendations on the Concept Plan the Planning Board within 30 days from the date of the filing of the Concept Plan, and failure to so report within such time shall be deemed lack of objection to the application.

- d. Within 45 days from its filing, the Planning Board shall review the Concept Plan and determine whether the project proposed therein is consistent with the intent, purposes and standards of the North Eastham Overlay District and/or other applicable provisions of this By-Law. The Planning Board may suggest modifications and changes to the development described in the Concept Plan and shall make a written report of its recommendations to guide the applicant in the preparation of the final plan.
- e. The written report of the Planning Board shall be filed in the Town Clerk's office; after such filing the applicant may submit an application for a special permit accompanied by a development plan. Failure of the Planning Board to file its written report within 45 days after filing of the Concept Plan shall be deemed approval, whereupon the applicant may submit application for a special permit accompanied by a final plan consistent with the approved Concept Plan or the plan "deemed approved" pursuant to this section.

C. Contents of Concept Plan

A Concept Plan shall contain the graphic and narrative materials described below, which the Planning Board may require to be supplemented as appropriate, according to the scope and nature of the development proposal and any particular characteristics of the development site.

- 1. Graphic materials shall include plans of sufficient number and detail to adequately represent and the existing conditions on the site and the proposed development, including, at a minimum, the following:
 - a. boundaries of the proposed mixed-use parcel, north arrow, date, scale, legend, and title "Concept Plan: (name of mixed-use permit applied for)";
 - b. the name or names of applicants and engineer or designer;
 - c. names of all abutters as defined in G. L. c. 40A, §11;
 - d. existing general site conditions, proposed land uses and improvements, and approximate location and width of all adjacent streets;
 - e. existing and proposed lines of streets, ways, utility and all easements, and any public areas within or next to the parcel;
 - f. the approximate boundary lines of existing and proposed lots with appropriate areas and dimensions;
 - g. the proposed system of drainage, including wetlands on site and on adjacent properties;

- h. the existing and proposed topography of the site at two-foot or less contour intervals;
 - i. existing and proposed buildings, significant structures and proposed open space and proposed site amenities, and proposed circulation patterns; and
 - j. an analysis of the natural features of the site, including wetlands, flood plain, slopes over 10%, soil conditions and other significant features.
2. Written materials shall include the following:
- a. description of the proposed mixed-use development, showing the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. description of the neighborhood in which the parcel lies, including utilities and other public facilities and the general impact of the proposed mixed use upon them; and
 - c. a summary of environmental issues of significance or likely to be of concern.

D. Submission of Final Plan

1. The applicant shall file the original application for any Mixed-Use Special Permit and the original of the final plan (which plan shall comply with the substantive Rules and Regulations of the Planning Board), together with one (1) copy of those materials, with the Town Clerk. The applicant shall also submit to the Planning Board and to those boards and agencies set forth in subparagraph B. 2. (a) of this Section at the time the application is filed with the Town Clerk, a copy of the application and the final plan.
2. The applicant shall file with the Town Clerk and submit to the Planning Board a transmittal letter certifying that it has forwarded copies of the final plan to the boards and offices as required above. The applicant is encouraged to meet with the Town boards and agencies receiving copies of the final plan during the review period.
3. The Town boards and offices receiving copies of the final plan may submit to the Planning Board written recommendations on the special permit application within 35 days of the filing of the transmittal letter certifying that copies of the final plan have been forwarded. Failure to report to the Planning Board within such 30 days shall be deemed lack of objection to the application.
4. Within 65 days of the filing of the special permit application with the Town Clerk, the Planning Board shall hold a public hearing, complying in all respects, with the

procedure for review of a mixed-use special permit shall comply with the requirements for review of special permits pursuant to G. L. c. 40A.

E. Contents of Final Special Permit Application Plan

After approval of a Concept Plan, the application for a mixed-use Special Permit shall include a final plan of the development site and narrative materials as provided below, except as may be provided by the Concept Plan approval.

1. Final plans shall include all of the information required for site plan review, including the following:
 - a. a scale of one inch equals forty feet unless another scale is requested and found suitable by the Planning Board;
 - b. preparation by and bearing the seals of an appropriate registered professional engineer, registered architect, registered land surveyor, and registered landscape architect, including certification of the accuracy of the location of the buildings, setback and all other required dimensions, elevations, and measurements;
 - c. a utilities and drainage plan prepared and stamped by a registered professional engineer;
 - d. the scale, date, and north arrow;
 - e. lot numbers, dimensions of lots in feet, size of lots in square feet, and width of abutting streets and ways;
 - f. all easements within the lot and abutting thereon;
 - g. the location of buildings existing or proposed for the development, which shall be prepared by and bear the seal of a registered architect as provided in subparagraph (b), including the total square footage and dimensions of all buildings, all building elevations and floor plans, and perspective renderings. Further, the depiction of materials and colors to be used shall be required;
 - h. the location of existing wetlands, water bodies, wells, 100-year flood plain elevation, and other natural features requested by the Planning Board in their written report on the Concept Plan;
 - i. the distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot;

- j. percent of the building lot coverage;
 - k. average finished grade of each building at the base of the building;
 - l. the elevation above average finished grade of the floor and ceiling of the lowest floor of each building;
 - m. existing and proposed contour lines at two-foot intervals;
 - n. the uses proposed for the mixed-use development by building or part thereof, including proposed open space, recreation areas, or other amenities;
 - o. proposed provisions for parking;
 - p. height of all buildings, above average finished grade of abutting streets;
 - q. a landscape plan to include the total square feet of all landscape and recreation areas, and depiction of materials to be used, and the quantity, size and species of plantings.
2. Narrative information concerning the development's impact on the community shall be provided, to include, at a minimum, the following:
- a. description of the proposed mix of uses within the development, indicating the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. parking and traffic plan to be prepared by a traffic engineer. The traffic plan shall include information on the type and number of vehicles generated on average and peak periods of uses, the impact on traffic intersections, and major roads servicing the project area;
 - c. description of the neighborhood in which the land lies and the impact of the development on the neighborhood and the community. Such description shall include information concerning the impact to local schools, housing supply, wastewater, water, and other utility systems, and other public facilities. When so requested by the Board, other impact information shall be provided; and
 - d. evidence of ownership or interest in the land for which the special permit is sought.

F. Minimum Requirements

A Mixed-Use Special Permit shall be granted only upon the determination by vote of five (5) members of the Planning Board that the development meets the requirements

of G. L. c. 40A, §9 and the provisions of the Mixed-Use By-Law, including the following conditions:

1. the final plan is substantially consistent with the Concept Plan and with the purpose and intent of the provision of the Bylaw under which the application is submitted.
2. the execution, delivery and recording of such covenants, agreements and instruments running with the land and binding on the owner of the parcel, its legal representative, successors, heirs and assigns, and enforceable by the Town, as the Board may require, and in form and substance satisfactory to it, in order to insure adherence to the terms of the Special Permit issued hereunder;
3. the approval by the Board of the detailed plans submitted for the project including, without limitation, plans showing all structures and improvements on the parcel, all ways and utilities serving the same, all lot lines, easements and rights of way of record, building plans and specifications illustrating in appropriate detail the landscaping and architectural design, showing types, location and layout of buildings, typical elevations, as well as the general height, bulk and appearance of structures, and such other and further documents, studies, reports or data which the Board determines appropriate or desirable to enable the Board to make the determinations required by this Bylaw;
4. the Board may, in appropriate cases, permit dimensional, setback and parking requirements other than those required by this By-Law; and
5. the Board may, in appropriate cases, impose a requirement that motor vehicular and pedestrian easement be provided for access and egress be provided from the site to abutting public or private property.

By Planning Board

Summary:

BOARD OF SELECTMEN:

FINANCE COMMITTEE:

PLANNING BOARD:

(2/3rds vote required)

ARTICLE 21

To see if the Town will vote to transfer from Community Preservation Historic Preservation Reserves, the sum of **\$40,000**, to the town of Eastham for expenditure under the direction of the Board of Selectmen, for the purpose of creating, in the Library, a climate controlled storage area of archival materials owned by the town; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary: This article will provide funding to install climate control equipment in the Eastham Room in the new Library. This room will house the Library's historic book collection, records, maps, and artifacts. Funds for this were not provided for in the state library grant or in the Town library building appropriation

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 22

To see if the Town will vote to adopt the Federal Flood Maps prepared by the United States Federal Government, and replacing previously approved maps in their entirety; or take any action relative thereto.

By Planning Board

Summary:

In order for property owners to be eligible for flood insurance coverage under the National Flood Insurance Program, the town is required, prior to July 16, 2014, to amend Section IV of the Eastham Zoning By-Law to adopt new flood zone maps issued by the Federal Emergency Management Agency (FEMA). The new flood maps increase the number of properties in the flood zone that may be subject to flood insurance requirements under mortgages.

BOARD OF SELECTMEN:

FINANCE COMMITTEE:

PLANNING BOARD:

(2/3rds vote required)

ARTICLE 23

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L. C44B (6) from the FY2014 estimated community preservation revenues to reserves in the following amounts: **\$74,186 for** open space purposes, **\$74,186 for** historic preservation purposes **\$74,186 for** affordable housing purposes, and **\$ 519,299** to the FY2014 community preservation budgeted reserved for appropriation for a total of **\$741,857, as** recommended by the Community Preservation Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, with the remaining estimated revenue reserved for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 24

To see if the Town will vote to transfer and appropriate **\$35,000** from the Community Preservation Fund Balance as allowed by law for the purpose of administrative expenses; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article permits the use of \$35,000 of Community Preservation Funds by the committee for administrative purposes. The State Legislation permits up to five percent (5%) of all funds for that purpose. Last year, the committee requested \$30,000 to cover routine administrative expenses and to create a Community Preservation Plan to guide the use of funds over the next several years. This year, the Committee is requesting additional funds to pay for clerical assistance. Any unused funds each year revert to the Community Preservation Fund Balance

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 25

To see if the Town will vote to transfer from the Community Preservation Fund Balance the sum of **\$35,000** to the Eastham Recreation Commission to be spent under the direction of the Beach and Recreation Administrator for the purpose of contracting with consultants to identify recreational land use opportunities in Eastham and to develop a plan to renovate, repair and/or expand the Field of Dreams recreational offerings; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

Eastham Recreation Commission is seeking community preservation funds to hire a consultant to develop a comprehensive plan to renovate, modernize, and upgrade our active recreation areas. In addition to identifying new areas for the expansion of recreational activities, (Town of Eastham owned property and private property that may be currently available).

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 26

To see if the Town will vote to transfer from Community Preservation Historic Preservation Reserves, the sum of **\$75,000**, to the town of Eastham for expenditure under the direction of the Board of Selectmen, for the purpose of relocating and preserving the original 1898 section of the library; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article appropriates \$75,000, from Community Preservation Historic Preservation Reserves, for the purpose of relocating, preserving, and incorporating the original 1897 section of the Library, listed on the National Register of Historic Buildings since 1999, into the new Eastham Public Library.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 5-1

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 27

To see if the Town will vote to transfer from Community Preservation Fund Balance, the sum of **\$366,240**, to the Town of Eastham for expenditure under the direction of the Board of Selectmen and Beach and Recreation Administrator for the purpose of repairing, rebuilding, and improvements tennis courts located at the Nauset Regional High School; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

These funds would be used to reconstruct five tennis courts at the Nauset Regional High School. Eastham residents would have priority to use the tennis courts during the months of June, July, August, and September. The Nauset Regional District would pay for all maintenance of the courts and repairs to the parking area next to the courts.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 28

To see if the Town will vote to transfer **\$400,000** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, to the town of Eastham Affordable Housing Trust for the purpose purchasing repairing and marketing, new affordable rental units in Eastham; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

With the approval of the Community Preservation Committee, this Article will provide \$400,000 that will enable the Affordable Housing Trust to continue their work of developing affordable housing units for the town.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 29

To see if the Town will vote to transfer **\$234,001** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, to the Community Development Partnership, a non-profit agency, for the purpose making repairs to seven (7) affordable rental units located at 885 State Highway and 1475 State Highway; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The Community Development Partnership (CDP) is a non-profit provider of affordable housing and economic development opportunities in the eight towns on the Lower Cape. The requested funds will be used to preserve seven of the CDP's existing affordable housing units located at 885 State Highway and 1475 State Highway in Eastham. All units are deed restricted and rented to those earning 60% or less of area median income. The project has an overall budget of \$411,574, the balance of \$177,573 has been raised from other sources including grants and CDP equity; all of these funds are committed and on hand. Work to be completed will include roofing, siding, windows, doors, etc. Additional funds, outside the CPA funds, will be used to address energy efficiency upgrades such as additional insulation; natural gas conversion and high efficiency boiler installation, all intended to lower resident's monthly utility costs.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0
(Majority vote required)

ARTICLE 30

To see if the Town will vote to transfer **\$24,000** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, to the town of Eastham Affordable Housing Trust for the purpose of hiring as necessary outside consultants to provide staff support; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

These funds will allow Trust to engage the services of a housing consultant who will guide the Trust so that it can manage and add to the number of affordable homes in Eastham.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 31

To see if the Town will vote to transfer and appropriate **\$1,462,500** from the Community Preservation Unrestricted Fund Balance and Open Space Reserves, to the town of Eastham for the acquisition of 3.41 acres of land located at 700 Dyer Prince Road, Map Parcel and shown as Lot 15, on Land Court Plan 28883-D (pending) on File at the Barnstable County Land Registry District and described in Certificate of Title No. 201280 for the purpose of open space and passive recreation; and further to authorize the Conservation commission to grant a perpetual conservation restriction in accordance with the provisions of G.L. Chapter 184, Section 31-34, to the Commonwealth of Massachusetts Department of Environmental Protection or such other public or private nonprofit or governmental agency, as the selectmen and the conservation Commission agree is suitable, and further providing that said acquisition shall be borrowed in whole or in part so that the annual cost shall not exceed \$350,000; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This parcel of land was identified by the town as an important parcel for acquisition due to its unique location adjacent to Rock Harbor, owned and operated by the town, and its proximity to the beach area used by all citizens year round including dog walkers. The harbor parking lot is limited to boat owners or those launching boats. There is a small parking lot that is controlled seasonally and available for town resident sticker holders only during the daylight hours. This parking area would be expanded as part of this acquisition and use plan. The ability of the town to find and purchase other waterfront parcels adjacent to other town owned parcels is very limited. This acquisition has just become available and a potential buyer has paid a deposit and signed a Purchase and Sale agreement. It is being offered first to the town consistent with the "First Right of Refusal" provisions of Chapter 61B, Section 9 and will be sold for the above price if the Town fails to purchase. If acquired privately, the use will be a single family home consistent with others in this nine-lot subdivision.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 32

To see if the town will vote to layout and accept as a town way, Sandy Meadow Way, Plan Book 15 Page 113, and described in Deed book 540, Page 441 and as shown on a plan entitled Plan of Land

Sandy Meadow Way, Eastham, MA. Scale 1"=40' and dated January 18, 2013, prepared by Timothy J. Brady P.L.S. of East Cape Engineering, 44 Route 28, Orleans, MA.

By Petition

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(Majority vote required)

ARTICLE 33

To see if the Town will vote to accept M.L. c.40, Section 6C, in the manner provided for in section 6D, to allow the town to remove snow and ice from such private ways within its limits and open to public use, and further provided that for the purposes of Section 25, of chapter eighty four, the removal of snow and ice from such a way shall not constitute a repair of a way; or take any action relative thereto.

By Board of Selectmen

Summary:

The state statute referenced above, if accepted by town meeting and further after a majority vote on the ballot, will allow the town to plow private roads but only to the extent that such roads meet minimum construction standards including providing access to a minimum number of parcels, and further within the limitations of an annual town meeting appropriation to be made for this purpose.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(majority vote required)

ARTICLE 34

To see if the Town will vote to accept Chapter 40, section 6N and by bylaw, provide for the making of temporary repairs on private ways, with said bylaw determining the type and extent of repairs, if drainage is included, if the repairs are required by public necessity, the number and percentage of abutters who must petition for such repairs, if betterment will be charged for such repairs, the liability limits of the town on account of damages caused by such repairs, if the way shall have been opened to the public use for a term of years, and if a cash deposit shall be required for said repairs; or take any action relative thereto.

By Board of Selectmen

Summary:

This statute if accepted by town meeting will authorize the town to make temporary repairs on private ways. This would not include resurfacing, rebuilding or building private ways. I would provide for example, such minor repairs as potholes and minor grading.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(majority vote required)

ARTICLE 35

To see if the town will vote to amend the Town of Eastham, Community Preservation Committee By-law, adopted STM December 13, 2004, Section 1.0 Membership of the Committee by replacing the words "Affordable Housing Task Force" with the words, "Affordable Housing Trust"; or take any action relative thereto.

By Board of Selectmen

Summary:

This article will identify the Affordable Housing Trust as a voting member of the Community Preservation Committee and the Trust is the successor committee to the Task Force.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(majority vote required)

ARTICLE 36

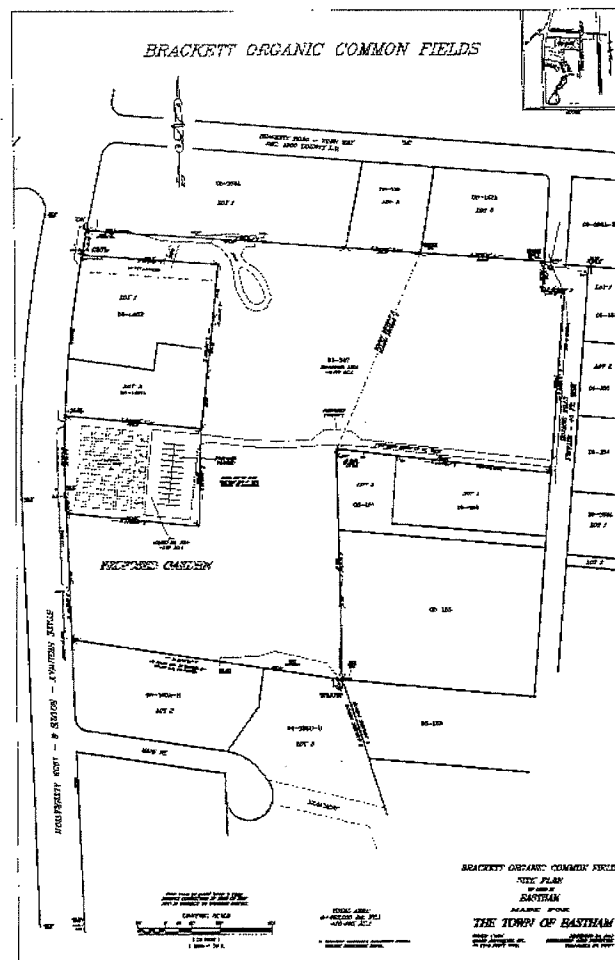
To see if the Town of Eastham will vote to authorize the Board of Selectmen to set aside a parcel of Town owned land being about one acre of the Brackett Field's land as fully described on the attached Exhibit A for the purpose of access and use for the community as an organic common garden with the name of "Brackett Organic Common Fields" and a portion of said land to be used for associated parking. The purpose for the land use would be to allow residences of the Town of Eastham to grow vegetables, and other farming and to re-introduce the famous Eastham turnip and asparagus. To allow proper signage, fencing and access to water via private well, and all necessary aspects creating the same for the benefit of the citizens of the Town of Eastham. We propose that the Town give permission for the above land for use without cost to the Town of Eastham. All funding shall be done through private funding donations and work by volunteers. A non-profit corporation by volunteers shall be established for fund raising and management of the fields.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

(majority vote required)

Note: This has a historic background from Victory gardens to many Cape Cod Towns providing gardens for residents to produce their own food. The Brackett land was famous for its turnips and asparagus



ARTICLE 37

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$100,000** to the Tri Town Septage Disposal District to be used for capital maintenance and improvements as outlined in the facility evaluation cost estimate, prepared by Stantec Engineering; or take any action relative thereto.

Board of Selectmen

Summary:

The Tri Town Plant will continue to operate beyond the 2015 closure date originally planned. These funds will pay for some strategic repairs and upgrades to keep the facility safe for the employees and meeting the limitations of its discharge permit. Any funds not used for this purpose will be returned to the Towns. The decision to make more comprehensive repairs and upgrades to ensure a twenty-year lifespan of the facility will be considered in the upcoming fiscal year, with a target decision date of FY2016. The Board will sign an extension of the Intermunicipal Agreement in support of these repairs.

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 38

To see if the Town will vote to raise and appropriate a sum of money to fund and implement the cost items of a collective bargaining agreement between the Town and the Massachusetts Coalition of Police, for patrol and superior officers in the police department, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

ARTICLE 39

To see if the Town will vote to raise and appropriate a sum of money to fund and implement the cost items of a collective bargaining agreement between the Town and the International Association of Firefighters, Local , for sworn fire personnel in the fire department, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

By Board of Selectmen

Summary:

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 40

To see if the Town will vote to raise and appropriate a sum of money to fund and implement the cost items of a collective bargaining agreement between the Town and the Eastham Employees Association, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

By Board of Selectmen

Summary:

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 41

To see if the Town will vote to raise and appropriate a sum of money to fund and implement the cost items of a collective bargaining agreement between the Town and the Massachusetts Coalition of Police, Local for dispatch communications department, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

By Board of Selectmen

Summary:
BOARD OF SELECTMEN RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 42

To see if the Town will vote to raise and appropriate a sum of money to fund and implement the cost items of a collective bargaining agreement between the Town and the Steelworkers AFL-CIO Local for employees in the Natural Resources and DPW departments, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

By Board of Selectmen

Summary:
BOARD OF SELECTMEN RECOMMENDATION:
FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 43

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2013 Town of Eastham Annual Report, and to hear any unpublished reports of committees and to do or act on anything which may legally come before this meeting.

You are directed to serve this Warrant by posting attested copies thereof at the Post Office in Eastham and North Eastham fourteen days at least before the date of holding said meeting.

Hereof, fail not and make due return of this Warrant and your doings thereon to the Town Clerk at the time and place of holding said meeting.

Given under our hands and seals this 18th day of April in the year of our Lord, Two Thousand and Fourteen.

Linda S. Burt
Vice Chair

Aimee Eckman

Martin McDonald

Wallace Adams
Clerk

John Knight
Chair

BOARD OF SELECTMEN

Greetings:

In a pursuance of the conditions of the foregoing warrant, I have posted attested copies, one each at the Post Office in Eastham and North Eastham fourteen days before time of said meeting.

Constable

A True Copy Attest:

Lillian Lamperti, Town Clerk

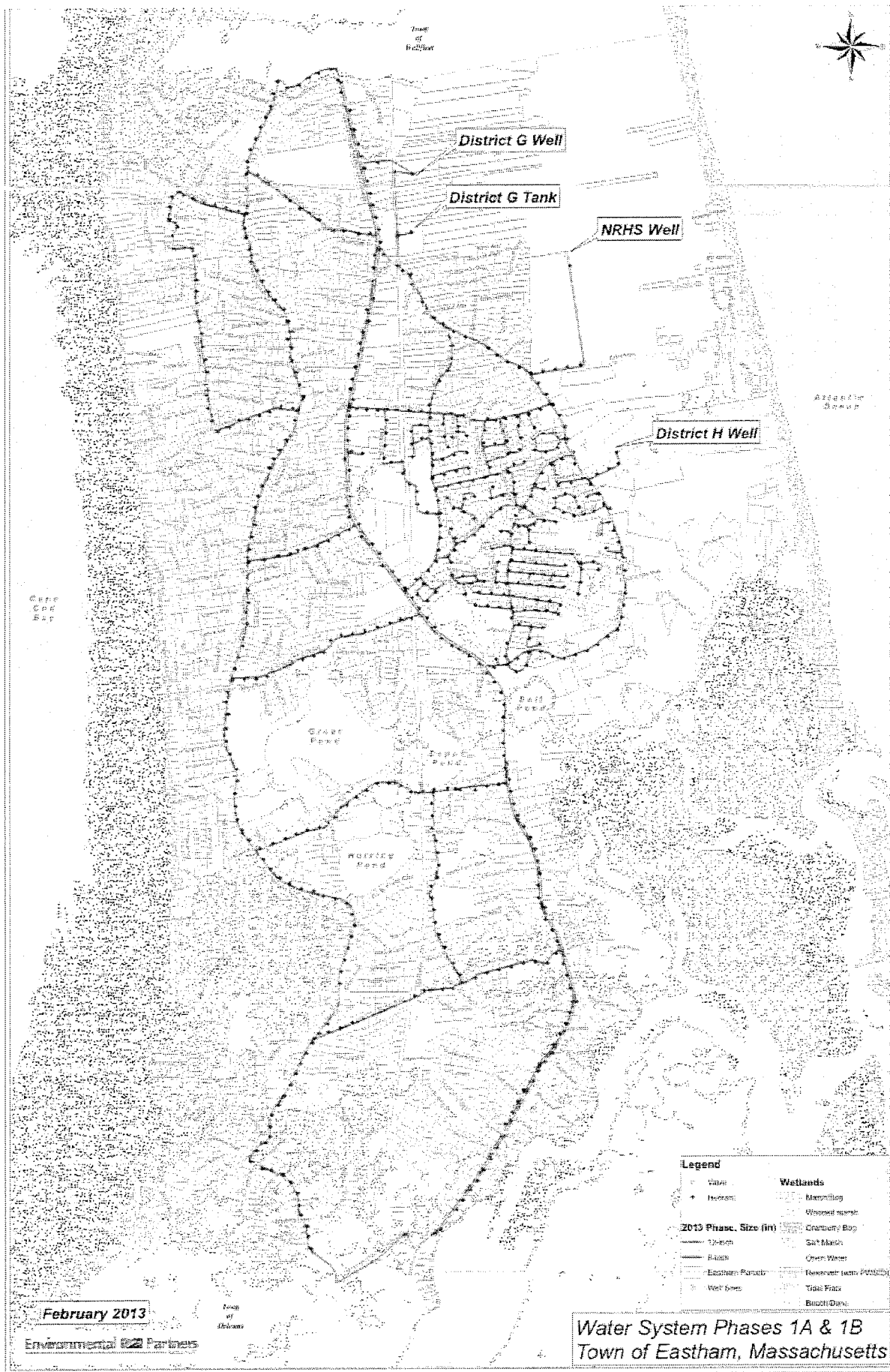
PROCEDURES FOR TOWN MEETING

In accordance with Section 2-8-2 of the Eastham Town Charter, the following procedures will be followed:

1. The Open Town Meeting shall be the Legislative branch of the municipal government of the Town of Eastham, as set forth in the Charter, Section 1-6.
2. Every registered voter wishing to speak at Town Meeting shall proceed to one of the available microphones. Once recognized the voter shall give his or her name and address, speak to the question for not more than three minutes, and shall not speak again until all those wishing to speak thereon have done so. See Section 2-8-3 of the Charter for exceptions-persons making the motion and persons required to attend under Section 2-8-1.
3. Eastham taxpayers who are not registered voters may only speak at Town Meeting if permitted by majority consent of voters. Consent will be requested when any non-resident has identified himself/herself in advance to the Moderator.
4. Registered voters will be seated first. Special seating may be available for non-registered parties; however, that seating will be made available only after the Town Clerk has determined that there are an adequate number of seats for all registered voters in attendance. Voters who sit in the Non-Voter Section will not have their votes counted.
5. Discussion on each article in the Town Warrant shall terminate when there is no one wishing to speak on said article or the discussion becomes redundant in the opinion of the Moderator, or someone is recognized and moves the question, or a motion to limit or extend debate has been approved by a 2/3 vote of Town Meeting.
6. Votes may be taken by voice (Majority to be determined by the Moderator) or by a show of hands. Articles or motions requiring a 2/3 vote will be by hand count unless unanimous. It takes seven Town Meeting members to question the results of a voice vote. If seven so question the results of a voice vote, we will move to an immediate hand count.
7. An article may be reconsidered, on the same day, no more than sixty (60) minutes from the time the vote on such article is declared by the Moderator. The Town Clerk's minutes shall record such times.
8. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, published by and for the Massachusetts Moderators Association, is the parliamentary handbook that will be used to guide Eastham Town Meetings.
9. The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters. Persons with handouts of any nature must be outside the building or in a designated area.

These provisions address issues that commonly arise at Town Meeting, but do not purport to address all issues that may arise.

**PLEASE BE COURTEOUS BY ALLOWING EACH SPEAKER TO PRESENT THEIR
IDEAS WITHOUT INTERRUPTION.**



**ESTIMATE OF ANNUAL COST OF DEBT FOR TWENTY-YEAR BORROWING
ENHANCED PHASE ONE MUNICIPAL WATER**

FISCAL YEAR	YEAR	PRINCIPAL	INTEREST	GROSS	TAX IMPACT PER \$1,000	* COST \$400,000 HOUSE
17	1	\$2,290,000.00	\$916,000.00	\$3,206,000.00	\$1.20	\$480.44
18	2	\$2,290,000.00	\$870,200.00	\$3,160,200.00	\$1.17	\$468.89
19	3	\$2,290,000.00	\$824,400.00	\$3,114,400.00	\$1.14	\$457.52
20	4	\$2,290,000.00	\$778,600.00	\$3,068,600.00	\$1.12	\$446.33
21	5	\$2,290,000.00	\$732,800.00	\$3,022,800.00	\$1.09	\$435.31
22	6	\$2,290,000.00	\$687,000.00	\$2,977,000.00	\$1.06	\$424.47
23	7	\$2,290,000.00	\$641,200.00	\$2,931,200.00	\$1.03	\$413.80
24	8	\$2,290,000.00	\$595,400.00	\$2,885,400.00	\$1.01	\$403.30
25	9	\$2,290,000.00	\$549,600.00	\$2,839,600.00	\$0.98	\$392.97
26	10	\$2,290,000.00	\$503,800.00	\$2,793,800.00	\$0.96	\$382.81
27	11	\$2,290,000.00	\$458,000.00	\$2,748,000.00	\$0.93	\$372.80
28	12	\$2,290,000.00	\$412,200.00	\$2,702,200.00	\$0.91	\$362.96
29	13	\$2,290,000.00	\$366,400.00	\$2,656,400.00	\$0.88	\$353.27
30	14	\$2,290,000.00	\$320,600.00	\$2,610,600.00	\$0.86	\$343.75
31	15	\$2,290,000.00	\$274,800.00	\$2,564,800.00	\$0.84	\$334.37
32	16	\$2,290,000.00	\$229,000.00	\$2,519,000.00	\$0.81	\$325.15
33	17	\$2,290,000.00	\$183,200.00	\$2,473,200.00	\$0.79	\$316.08
34	18	\$2,290,000.00	\$137,400.00	\$2,427,400.00	\$0.77	\$307.15
35	19	\$2,290,000.00	\$91,600.00	\$2,381,600.00	\$0.75	\$298.37
36	20	\$2,290,000.00	\$45,800.00	\$2,335,800.00	\$0.72	\$289.74
		\$45,800,000.00	\$9,618,000.00	\$55,418,000.00		\$7,609.48
		TOTAL LOAN AMOUNT		\$45,800,000.00		
		INTEREST RATE		2.00%		

INFORMATION

Sheila Vanderhoef

CORRESPONDENCE
ROZ DIAMOND

From: Roz Diamond <washashore@gmail.com>
Sent: Monday, March 10, 2014 1:03 PM
To: Sheila Vanderhoef
Subject: Fwd: News and Announcements Eastham Landfill Update: Facts & Findings 3/10/14

Sheila
Please share with BOS and BOH today. Thanks.

Dear BOS and BOH:

In response to your News And Announcements of Landfill Facts and Findings dated 3/10/2014
You state

"The consensus of the Eastham BOH is that all possible actions should be taken to remove the risk of cancer from this contaminant and others by providing a municipal source of water to those residents impacted that is in compliance with all drinking water regulations and safe drinking water guidelines ".

Please respond to the following questions raised by this position:

1. What is the "community response" you are proposing to those families already unable to drink their water because of excessive salt intrusion who will not benefit from the limits of the "Partial Plan" installation?
2. What is the "community response" you are proposing to those families whose wells are outside of the Partial Plan limits that test contaminated, for whatever reason, subsequent to the passing of the "Partial Plan"?
3. While the Partial Plan would be built in such a way as to allow for incremental expansion, ANY expansion beyond the 1/3 of properties served by the Partial Plan would require another 2/3rds vote at Town Meeting, a very unlikely happening once 1/3 of properties receive municipal water. So how do you quickly respond to Eastham families "impacted" after May 5 but outside if the limits of the Partial Plan"?
4. The consultants themselves stated that the boundaries of the contaminant plume are not known. How can you recommend now only a "Partial" solution, and call that a "community response to a community problem" when the breadth of the "community problem" remains unknown?

Roz Diamond
North Eastham

Roz

Begin forwarded message:

From: News and Announcements <easthamma_bboard@mm.windigicert.com>
Date: March 10, 2014 at 11:49:29 AM EDT
To: easthamma_bboard@mm.windigicert.com
Subject: News and Announcements Eastham Landfill Update: Facts & Findings 3/10/14

- Eastham has a community problem that requires a community solution
- Recently 1, 4 Dioxine has been detected in over 30 wells tested in the study area down gradient of the Eastham Landfill exceeding the proposed state guideline of 0.3 ug/l.
- Eastham landfill has been the source of other contaminants discovered years earlier
- Drinking water standards are developed to be protective of the population and provide low health risk. This does not mean there is no health risk. This does not mean all the contaminants are detected.
- Risk standards or limits provide a warning system. Detections at or above the guidelines indicates action should be taken. State DEP Regulations require water not to be consumed at levels over 0.3 ug/l for 1,4 Dioxane. Doing nothing is not an option for Eastham.
- The goal of Public Health is prevention. By safeguarding exposure to potential carcinogens there is an opportunity to prevent possible health effects.
- The combined effect of 1,4 Dioxane with other chemical we are exposed to is next to impossible to quantify. The actual risk is unknown.
- The best practice is to limit exposure as low as possible. This applies to all toxic substances and carcinogens. The Eastham Landfill is not going anywhere and it cannot be removed.
- Therefore the Eastham Board of Health supports the opinion the best course of action is to establish a protected source of drinking water that is monitored- a municipal water system for Eastham.

The mission of the Eastham Board of Health is to protect the health and wellbeing of the community. Recently 1, 4 Dioxane was detected at levels exceeding the proposed state guideline of 0.3 ug/L in over 30 residential drinking water wells in an area down gradient of the Eastham Landfill. In 2011, the MassDEP established an Office of Research and Standards Guideline (ORSG) level for 1, 4 Dioxane in drinking water of 0.3 ppb. Based on the exceedance of this guideline in these wells and the fact that other contaminants have been found in the area impacted by the Eastham Landfill, the consensus of the Eastham Board of Health is that all possible actions should be taken to remove the risk of cancer from this contaminant and others by providing a municipal source of water to those residents impacted that is in compliance with all drinking water regulations and safe drinking water guidelines. The Board of Health believes that this is a community problem that compels a community response.

You are subscribed to the News and Announcements mailing list.

To unsubscribe from this list:

<http://www.eastham-ma.gov/subscriber>

DARTMOUTH



DARTMOUTH REQUEST
MASSACHUSETTS

3/17
agenda

Office of the Select Board

Shawn D. McDonald, Chair

Michael P. Watson, Vice-Chair

William J. Trimble

Lara H. Stone

John George Jr.



400 Slocum Road
Dartmouth, MA 02747-0985

Telephone: (508) 910-1813

Fax: (508) 910-1839

www.town.dartmouth.ma.us

David G. Cressman

Town Administrator

Email: cressmandg@town.dartmouth.ma.us

ADMINISTRATION

MAR 03 2014

RECEIVED

February 26, 2014

Dear Chief Municipal Official,

Small businesses represent the backbone and catalyst of economic stability and growth both locally and nationally. As the economic challenges of the last decade drag on, municipal governments share a common purpose in seeking reform within our Commonwealth's Commercial and Industrial business tax classification.

In Dartmouth, as I am certain in your community, we value both the small and larger businesses. Both play a vital economic role within our community; therefore we want both to flourish. Our economy depends on having competition within our business sectors competing for every citizen dollar. Society cannot afford smaller businesses closing their doors because they cannot economically compete with their larger counterparts.

Currently, communities in the Commonwealth have very little room to provide relief to small businesses, who often lack the financial resources to effectively compete. The current small business exemption allows for companies with valuations less than \$1 million dollars and who have less than 10 employees to be eligible for a 10% tax credit. The credit is then pushed within the CIP to larger companies in the communities.

The Dartmouth Select Board has asked our legislative delegation to support a modification within the current state tax classification. The proposed modification seeks to allow municipalities to expand the small business tax exemption. We have asked our delegation to support legislation which provides municipalities the options of:

- Expanding the current tax exemption from 10% to 20% of the their respective tax bill
- Allowing communities to expand the assessed value exemption from \$1 million to \$2.0 million dollars
- Increasing the number of employees a small business can have to qualify for the exemption from 10 employees to 20 employees

DARTMOUTH MASSACHUSETTS



Office of the Select Board

Shawn D. McDonald, Chair

Michael P. Watson, Vice-Chair

William J. Trimble

Lara H. Stone

John George Jr.



400 Slocum Road
Dartmouth, MA 02747-0985
Telephone: (508) 910-1813
Fax: (508) 910-1839
www.town.dartmouth.ma.us

David G. Cressman
Town Administrator

Email: cressmandg@town.dartmouth.ma.us

Business plays a vital role within our communities. Fair and vibrant competition within the business community has propelled economic progress in our municipalities for much of our history. It's time to ask our legislative delegations to provide flexibility to each municipality within its tax classification hearings to do what is best for business in our towns and cities. We respectfully request your support and ask you to forward a letter of support to your legislative delegation on Beacon Hill. The time to modify this state law is now. Let's do right by our small businesses, encourage competition in our business communities, and make our future stronger.

Dartmouth Select Board,

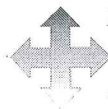
Shawn McDonald, Chairman

Michael Watson, Vice-Chairman

William J. Trimble

Lara H. Stone

John George Jr.



IRAP
Submission

info

273 West Main Street, Norton, MA 02766 ♦ Tel: (508) 226-1800 ♦ Fax: (508) 226-1811

March 6, 2014

Town of Eastham Board of Health
2500 State Highway
Eastham, MA 02642-2544

Eastham Board of Selectmen
Eastham Town Hall
2500 State Highway
Eastham MA 02643-2544

Board of Health
Eastham Town Hall
2500 State Highway
Eastham MA 02643-2544

ADMINISTRATION

MAR 11 2014

RECEIVED

Subject: Immediate Response Action Plan Modification
Town of Eastham Landfill
255 Old Orchard Road, Eastham MA
RTN 4-24301

As required by the Massachusetts Contingency Plan (MCP), notice is hereby given that the above referenced document has been submitted electronically to the Massachusetts Department of Environmental Protection (MassDEP).

The objective of the Immediate Response Action program is to identify private water wells in the vicinity of the Eastham Landfill that have been impacted by 1,4 dioxane, and to provide alternative safe drinking water to affected residents. In addition, the IRA program includes implementation of appropriate and feasible mitigating measures to remove 1,4 dioxane and other VOCs related to the Eastham landfill from drinking water. This IRA modification will describe a change to the sampling program and additional actions which will be conducted during the next several months..

The submitted documents can be viewed on line or at the MassDEP Southeast regional office. For more information about these options, please visit
<http://www.mass.gov/eea/agencies/massdep/>

If you have any questions, please contact our office at 508-226-1800.

Sincerely,
Environmental Strategies & Management, Inc.

Douglas Heely, LSP

Copy: MassDEP Southeast Region

2/26/2014

Roger Dumas:
1,4-Dioxane

1,4-Dioxane in Perspective

Roger Dumas
Dedicated Citizen of Eastham

Letter to the Editor

1,4 Dioxane in Perspective

I'd like to commend Eastham's Health Department for an excellent presentation on 1,4 Dioxane on February 11th. I urge everyone concerned with Eastham's water to watch the video.

1 I'm writing to emphasize one particular piece of positive information presented by Dr. Wendy Feltzer-Bethune. She noted that the EPA guideline is based on their standard of one additional cancer (not necessarily fatal) among one million people if they consume two liters of water with 3 parts per billion of 1,4 Dioxane every day for seventy years. This equates to a one-in-70-million chance of getting cancer if one consumes two liters every day for one year.

<http://www.epa.gov/region1/14dioxane.html>

2 In comparison, the average annual mortality rate for children between 5 and 14 in the US from all causes is 13 per 100,000 (http://www.cdc.gov/nchs/data/health_stats/14dioxane.htm). In a population of 70 million this equates to 9,100 deaths per year.

3 Therefore, there might be one additional cancer occurrence (not necessarily fatal) if 70 million children consume two liters of 3 ppb water every day for one year while there would be 9,100 deaths from other causes.

4 Put another way, if 1,000 Eastham children lived their entire lives drinking water with 3 ppb 1,4 Dioxane, then 1,000 more after them, in perpetuity, there might be one additional cancer in the next 70,000 years.

I mentioned this on an Eastham-related Facebook page and was accused of endangering Eastham's children, as if doing math equated to endangering children. Actually, I support the Phase 1 water proposal, and the health of our children are two of the reasons.

I'm writing to offer comfort to families stressed over the thought that their children may have been exposed to 1,4 Dioxane at 89 ppb. At that level, there might be one additional cancer (not necessarily fatal) in 210 million children compared to 27,000 deaths from other causes.

Roger Dumas
Eastham

The letter is an example of a risk assessment

- A risk assessment has three components:

1. What bad things could happen?

A probable carcinogen could be detected in the water

2. What is the impact if it does happen?

Someone in town could develop cancer

3. What is the likelihood or probability of it happening?

Let's analyze the EPA's risk factors and figure that out!

Spoiler Alert!

- The risk to Eastham citizens is low because the EPA's goal is to have low risk across the nation
 - Eastham's portion of the risk is a very tiny part of an overall small risk
- However, every place in the nation must adhere to the EPA levels to ensure EPA meets its goal across the nation

1

1,4 Dioxane in Perspective

I'd like to commend Eastham's Health Department for an excellent presentation on 1,4 Dioxane on February 11th. I urge everyone concerned with Eastham's water to watch the video.

I'm writing to emphasize one particular piece of positive information presented by Dr. Wendy Heiger-Bernays. She noted that the EPA guideline is based on their standard of one additional cancer (not necessarily fatal) among one million people if they consume two liters of water with .3 parts per billion of 1,4 Dioxane every day for seventy years. This equates to a one-in-70-million chance of getting cancer if one consumes two liters every day for one year.

(<http://www.epa.gov/ttnatw01/nata/gloss.html>)

EPA Glossary

1 in a Million Cancer Risk:

A risk level of 1 in a million implies a likelihood that up to one person, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the specific concentration over 70 years (an assumed lifetime). This would be in addition to those cancer cases that would normally occur in an unexposed population of one million people. Note that this assessment looks at **lifetime** cancer risks, which should not be confused with or compared to **annual** cancer risk estimates. If you would like to compare an annual cancer risk estimate with the results in this assessment, you would need to multiply that annual estimate by a factor of 70 or alternatively divide the lifetime risk by a factor of 70. A 1 in million lifetime risk to the public in 1996 was 250 cancer cases over a 70 year period.

1,000,000 people X 70 years = 70,000,000 people-years

70,000,000 people X 1 year = 70,000,000 people-years

1

1,4 Dioxane in Perspective

I'd like to commend Eastham's Health Department for an excellent presentation on 1,4 Dioxane on February 11th. I urge everyone concerned with Eastham's water to watch the video.

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(<http://www.epa.gov/ttnatw01/nata/gloss.html>)

1,000,000 people X 70 years = 70,000,000 people-years

70,000,000 people X 1 year = 70,000,000 people-years

1,4-Dioxane (1,4-Diethyleneoxide)

Cancer Risk:

- In three epidemiologic studies on workers exposed to 1,4-dioxane, the observed number of cancer cases did not differ from the expected cancer deaths. (7)
- A study by the National Cancer Institute (NCI) of rats and mice exposed to 1,4-dioxane in their drinking water reported increased incidences of liver carcinomas and adenomas and nasal cavity squamous cell carcinomas. (9)
- Liver carcinomas and gallbladder carcinomas were observed in mice and guinea pigs, respectively. (7)
- No treatment-related lesions resulted from exposure to 1,4-dioxane vapor in rats. (7)
- EPA has classified 1,4-dioxane as a Group B2, probable human carcinogen. (7)
- EPA uses mathematical models, based on human and animal studies, to estimate the probability of a person developing cancer from drinking water containing a specified concentration of a chemical. EPA calculated an oral unit risk estimate of 3.1×10^{-6} ($\mu\text{g/L}$). EPA estimates that, if an individual were to continuously drink water containing 1,4-dioxane at an average of $3.0 \mu\text{g/L}$ (3×10^{-6} milligrams per liter (mg/L)) over his or her entire lifetime, that person would theoretically have no more than a one-in-a-million increased chance of developing cancer as a direct result of drinking water containing this chemical. Similarly, EPA estimates that drinking water containing $30.0 \mu\text{g/L}$ (3×10^{-5} mg/L) would result in not greater than a one-in-a-hundred thousand increased chance of developing cancer, and water containing $300.0 \mu\text{g/L}$ (3×10^{-4} mg/L) would result in not greater than a one-in-ten thousand increased chance of developing cancer. For a detailed discussion of confidence in the potency factors, please see IRIS. (7)

1

1,4 Dioxane in Perspective

I'd like to commend Eastham's Health Department for an excellent presentation on 1,4 Dioxane on February 11th. I urge everyone concerned with Eastham's water to watch the video.

I'm writing to emphasize one particular piece of positive information presented by Dr. Wendy Heiger-Bernays. She noted that the EPA guideline is based on their standard of one additional cancer (not necessarily fatal) among one million people if they consume two liters of water with .3 parts per billion of 1,4 Dioxane every day for seventy years. This equates to a one-in-70-million chance of getting cancer if one consumes two liters every day for one year.

(<http://www.epa.gov/ttnatw01/nata/gloss.html>)

1,000,000 people X 70 years = 70,000,000 people-years

70,000,000 people X 1 year = 70,000,000 people-years

2

In comparison, the average annual mortality rate for children between 5 and 14 in the US from all causes is 13 per 100,000 (<http://www.cdc.gov/nchs/fastats/children.htm>). In a population of 70 million this equates to 9,100 deaths per year.

Therefore, there might be one additional cancer occurrence (not necessarily fatal) if 70 million children consume two liters of .3 ppb water every day for one year while there would be 9,100 deaths from other causes.

The screenshot shows the CDC FastStats website. The main heading is "Child Health" with a sub-note "(Data are for the U.S.)". Under the "Mortality" section, there are two categories: "1-4 years of age" and "5-14 years of age". The "5-14 years of age" category is highlighted with a red box and contains the following data:

- Number of deaths: 5,279
- Deaths per 100,000 population: 12.9

Below this data, the source is cited as "Source: Deaths, Final Data for 2010, tables 10, 11" with a PDF icon and "(PDF - 3.1 MB)".

2

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Therefore, there might be one additional cancer occurrence (not necessarily fatal) if 70 million children consume two liters of .3 ppb water every day for one year while there would be 9,100 deaths from other causes.

3

Put another way, if 1,000 Eastham children lived their entire lives drinking water with .3 ppb 1,4 Dioxane, then 1,000 more after them, in perpetuity, there might be one additional cancer in the next 70,000 years.

1,000 people X 70,000 years = 70,000,000 people-years

4

I'm writing to offer comfort to families stressed over the thought that their children may have been exposed to 1,4 Dioxane at .09 ppb. At that level, there might be one additional cancer (not necessarily fatal) in 210 million children compared to 27,000 deaths from other causes.

If 1,000 Eastham students are exposed for a year, the probability of one additional cancer is $1,000/210,000,000 = 0.0000047$

At the EPA's current level of 3 ppb, the odds are one possible additional cancer among 2.1 billion children, which is more than exist on the planet.

Why are the risks so low?

- The EPA's duty is to reduce risk across the entire US population (318,000,000 people)
 - As Dr Heiger-Bernays said, the EPA would like to have 0 risk but that's not possible
 - Therefore, they selected one additional cancer among 1 million people equally exposed over 70 year lifetimes
 - If the entire population consumed .3 ppb of 1,4 Dioxane water there might be 318 cancers over 70 years
 - That's 4.5 possible cancers per year across the entire US
- So the risk is extremely low for Eastham's tiny population compared to 318,000,000 people

Powerball Analogy

Matches	Prize	Prize With Power Play ^[17]	Odds of winning ^[16]
Only Powerball	\$4	\$12	1 in 55.41
1 number plus PB	\$4	\$12	1 in 110.81
2 numbers plus PB	\$7	\$14	1 in 706.43
3 numbers; no PB	\$7	\$14	1 in 360.14
3 numbers plus PB	\$100	\$200	1 in 12,244.83
4 numbers; no PB	\$100	\$200	1 in 19,087.53
4 numbers plus PB	\$10,000	\$40,000	1 in 648,975.96
5 numbers; no PB	\$1,000,000	\$2,000,000	1 in 5,153,632.65
5 numbers plus PB	Jackpot	Power Play does not apply to jackpot	1 in 175,223,510.00

If 175 million tickets were sold across the US every week there would be an average of one winner each week somewhere in the US

What are the odds in Eastham?

- If there were 100 Powerball tickets sold each week in Eastham then:
 - 175,000,000 divided by 100 is 1,750,000
 - You would expect one winner in Eastham on average every 1,750,000 weeks
 - So one winner in Eastham every 33,650 years!

Summary

- The chances of a cancer in Eastham are very small because the EPA's goal for the entire nation is a small number of cancers
 - Eastham's portion of the risk is a very tiny part of a small risk
- However, every place in the nation must adhere to the EPA levels to ensure EPA meets its goal across the nation

Conclusion

- Although the risk to Eastham's citizens is very small, Eastham must comply with EPA limits to ensure the EPA's national goals are met!
