

Monday  
March 31<sup>st</sup>  
2014

**TOWN OF EASTHAM  
AGENDA  
BOARD OF SELECTMEN  
MONDAY, MARCH 31, 2014  
REGULAR SESSION  
4:00PM**

**Location:**     Earle Mountain Room

**I.     PUBLIC/SELECTMEN INFORMATION**

**II.    ADMINISTRATIVE MATTERS**

**A. Action/Discussion**

1. Consider Warrant Article to Fund Electronic Voting in FY15
2. Vote Warrant Articles

**III.   APPOINTMENTS**

4:45 p.m.     Nate Nickerson-Petition Article-Brackett Landing Farm

**IV.    PUBLIC HEARING**

5:00 p.m.     Municipal Water Article

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

**V.     ADMINISTRATORS REPORT**

**VI.    EXECUTIVE SESSION: Collective Bargaining Strategy**

**Upcoming Meetings**

<i>Monday, April 7, 2014</i>	<i>5:00 p.m.</i>	<i>Regular Session</i>
<i>Wednesday, April 9, 2014</i>	<i>2:30 p.m.</i>	<i>Work Session</i>
<i>Monday, April 14, 2014</i>	<i>5:00 p.m.</i>	<i>Public Hearing- Budget, Capital Warrant Articles, and Other Articles</i>
<i>Tuesday, April 22, 2014</i>	<i>5:00 p.m.</i>	<i>Regular Session</i>
<i>Wednesday, April 23, 2014</i>	<i>2:30 p.m.</i>	<i>Work Session</i>
<i>Monday, May 5, 2014</i>	<i>7:00 pm.</i>	<i>Annual Town Meeting Nauset Regional High School Gymnasium</i>

*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](http://www.eastham-ma.gov)*

II A(1) ELECTRONIC  
VOTING

(Amiee Estman, Liaison)

ELECTRONIC VOTING

ARTICLE –

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$20,000** to pay for a contractor, and pay any related incidental expenses, to provide Eastham Town Meeting with an Electronic Voting System for Town Meetings occurring in Fiscal Year 2015, *OR take any action relative thereto.*

Board of Selectmen

Finance Committee

Summary:

Because of the critical importance of issues before the Town, over 1200 voters voted at Town Meeting last year. It is essential every vote at Town Meeting be counted and the public has confidence in the outcome of Town Meeting votes. The Board of Selectmen, at the request of the Town Moderator, formed an Electronic Voting Committee which recommends Eastham Town Meeting use an electronic method to cast votes. The method will be used, if possible, at the May 5, 2014 Town Meeting. After electronic voting this year, Town Meeting will be to decide if funds should be appropriated for electronic voting for Town Meetings occurring in Fiscal Year 2015.

**From:** MJBSystems@aol.com  
**Sent:** Friday, March 21, 2014 9:49 AM  
**To:** Nan Balmer  
**Subject:** Bond Counsel response

Hurdle number 1 passed. Is there any progress with Town Counsel?

Ed

I have a response from Bond Counsel regarding the electronic voting –

They said it would be fine as long as you carefully explained what you were doing and had a vote on whether or not the people wanted to use the electronic counters.

If you have any questions, please let me know.

Regards,

Joan

Joan M. Plante  
Treasurer/Collector  
Town of Eastham  
2500 State Highway  
Eastham, MA 02642  
508-240-5900 x218  
[jplante@eastham-ma.gov](mailto:jplante@eastham-ma.gov)



**ADMINISTRATIVE MATTERS  
VOTE WARRANT ARTICLES:**

LATEST VERSION OF WARRANT WILL  
BE DISTRIBUTED VIA E-MAIL LATE  
SUNDAY MARCH 30<sup>TH</sup> AND  
DISTRIBUTED IN HARD COPY AT  
MARCH 31<sup>ST</sup> MEETING\*

*\*EXCEPT MIDDLE SCHOOL ROOF ARTICLE  
AND MOTION WHICH ARE ALSO INCLUDED  
AS NEXT PAGES OF THIS PACKET.*

Attachment A(MOTION INCLUDED  
BELOW)**FORMS OF SCHOOL DISTRICT MEMBER TOWN MEETING ARTICLE  
AND MOTION**

Article \_\_\_\_\_. To see if the Town will approve the \$2,438,439 borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto the Middle School Roof Project, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Nauset Regional School District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Nauset Regional School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Nauset Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Nauset Regional School District and its member municipalities. Any grant that the Nauset Regional School District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty seven point three two percent (37.32%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Motion \_\_\_\_\_. That the Town hereby approves the \$2,438,439 borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto the Middle School Roof Project, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Nauset Regional School District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Nauset Regional School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Nauset Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Nauset Regional School District and its member municipalities; provided further that any grant that Nauset Regional School District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty seven point three two percent (37.32%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; [provided that the approval of the Nauset Regional School District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 21/2)]; and that the amount of borrowing authorized by the Nauset Regional School District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Nauset Regional School District and the MSBA.

**Attachment A and Attachment B**

Bulletin 11-04: MSBA Project Scope and Budget Vote Bulletin for Regional School Districts and their Member Communities

Attachment B

**FORM OF SCHOOL DISTRICT MEMBER TOWN BALLOT QUESTION**

Shall the [*City/Town*] of \_\_\_\_\_/ be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the [*City/Town*]'s allocable share of the bond issued by the Nauset Regional School District for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto?

### III APPOINTMENT

4:45 PETITION ARTICLE  
BRACKETT LANDING  
FARM - MR. NICKERSON

#### ARTICLE 36

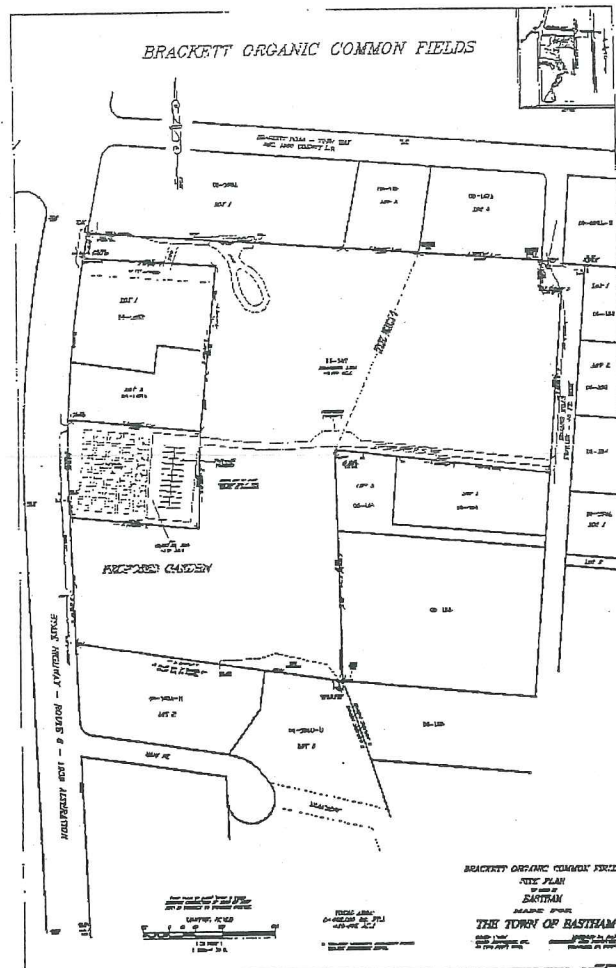
To see if the Town of Eastham will vote to authorize the Board of Selectmen to set aside a parcel of Town owned land being about one acre of the Brackett Field's land as fully described on the attached Exhibit A for the purpose of access and use for the community as an organic common garden with the 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





TV PUBLIC HEARING  
MUNICIPAL WATER  
5:00pm  
(ARTICLE ATTACHED)

**TOWN OF EASTHAM  
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held on Monday, March 31, 2014 at 5:00p.m., in the Earle Mountain Room at Eastham Town Hall, 2500 State Highway, Eastham, MA 02642 on the Municipal Water Article for the Annual Town Meeting.

-Notice published in Friday, March 21, 2014 Cape Codder

WARRANT ARTICLE  
WATER

ARTICLE 8

To see if the Town will vote to establish a municipal water supply and water distributing system shown on a plan entitled Water Distribution System Development Backbone and Landfill Area, March 2014, 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 G.L. 40, Section 38-39I and 39L thru 42; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F, and Section 42J to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; 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 80% of the Eastham structures. This enhances the potential for fire insurance savings.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 5-0

(2/3rds Majority vote required)

V TOWN ADMINISTRATOR  
VOTE TO EXTEND SCALLOP  
SEASON TO APRIL 30, 2014

# Town of Eastham

Natural Resources Department  
555 Old Orchard Road  
Eastham, MA. 02642



508 240-5972  
FAX 240-6687  
[natres@eastham-ma.gov](mailto:natres@eastham-ma.gov)

TO: Eastham Board of Selectmen

FROM: Michael J. O'Connor  
Senior Natural Resources Officer

RE: Bay scallop season

DATE: March 14, 2014

We have received a request to extend the bay scallop season in Cape Cod Bay due to plentiful amounts of scallops. With severe weather conditions this winter commercial harvesters were limited on the number of days they could get out and fish. Pursuant to MGL Chapter 130 Section 73 I am requesting extending the season until April 30, 2014. If approved the request will have to be approved by the Director of the Division of Marine Fisheries. I am including letters from March of 2012 as that was the last time we made this request. Thank you for your attention to this matter!

Daniel S. Howes

3/14/14

Box 649

Orleans, MA. 02653

I would like to request an extension  
to Bay Scallop season, until 4/30/2014 due  
to PHAIFull Product, and poor weather

Thank you Dan S. Howes





## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544  
All departments 508-240-5900 • Fax 508-240-1291  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

March 19, 2012

Mr. Paul Diodati, Director  
Massachusetts Division of Marine Fisheries  
251 Causeway Street  
Boston, MA 02114

Dear Mr. Diodati:

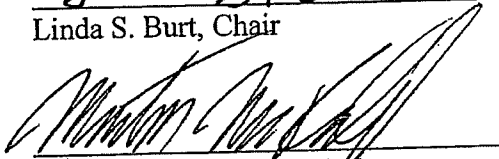
Pursuant to MGL 130 s.73, please consider our request to extend the bay scallop harvest season in the water of Cape Cod Bay beyond the normal closure date of March 31, 2012, until April 30, 2012.

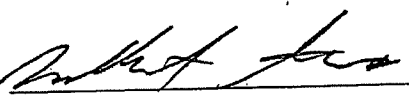
The number of scallops remaining is significant and a number of Eastham Commercial Permit holders are interested in extending the harvest. It our intention to monitor the harvest for quality of product and will notify you if in our opinion the animals are not suitable for harvest.

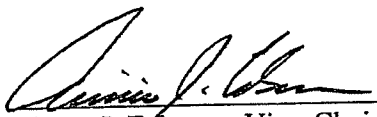
Thank you for your consideration of this matter.

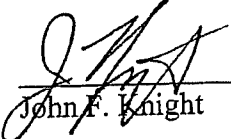
Sincerely,

  
Linda S. Burt, Chair

  
Martin F. McDonald, Clerk

  
Wallace F. Adams II

  
Aimee J. Eckman, Vice-Chair

  
John F. Knight

BOARD OF SELECTMEN



Paul J. Diodati  
Director

## *Commonwealth of Massachusetts*

### **Division of Marine Fisheries**

251 Causeway Street, Suite 400

Boston, Massachusetts 02114

(617)626-1520

fax (617)626-1509



Deval Patrick  
Governor

Timothy P. Murray

Lt. Governor

Richard K. Sullivan, Jr.  
Secretary

Mary B. Griffin  
Commissioner

March 28, 2012

Linda S. Burt, Chair  
Town of Eastham Board of Selectmen  
2500 State Highway  
Eastham, MA 02642

Dear Ms. Burt,

This letter responds to the Town of Eastham Board of Selectmen's 19 March 2012 request to modify the closure date for bay scallop harvest in the waters of Cape Cod Bay from March 31, 2012 to April 30, 2012.

I approve this request to extend the season by one month, with the understanding that monitoring of the landings will be conducted and the Division informed of any reason to close the fishery prior to April 30. The Division of Marine Fisheries supports the enhancement of economic opportunities for the Commonwealth's commercial harvesters when resource conditions allow.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul J. Diodati".

Paul Diodati, Director

Cc: M. Hickey, T. Shields (DMF)  
L. Roberts, E. Burns (OLE)

V TOWN ADMINISTRATOR  
(2) CONSCOM APP. FOR WORK

Nan Balmer

**From:** Shana Brogan [dpw@eastham-ma.gov]  
**Sent:** Monday, March 24, 2014 3:13 PM  
**To:** Nan Balmer  
**Cc:** Neil Andres  
**Subject:** Nauset Marsh Trail - Salt Pond, CCNS  
**Attachments:** 20140324145307822.pdf

ON TOWN PROPERTY  
FROM NATIONAL  
SEASHORE

Hello Nan,

Attached is a notice of intent filed by the Cape Cod National Seashore on Friday. They are proposing to replace a boardwalk that was damaged in a storm. The boardwalk is located on town property under the control of the Board of Selectmen. The Conservation Commission hearing for this project is scheduled for April 8th. \*

Thank you,  
Shana

Shana Brogan  
Administrative Assistant  
DPW/Natural Resources/Conservation  
[dpw@eastham-ma.gov](mailto:dpw@eastham-ma.gov)  
508-240-5971

\* FULL NOTICE OF INTENT  
AVAILABLE AT TOWN HALL



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

# WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Eastham  
City/Town

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

## A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

2800 State Highway

a. Street Address

Eastham

b. City/Town

02642

c. Zip Code

Latitude and Longitude:

41.837092

d. Latitude

-69.971302

e. Longitude

12

f. Assessors Map/Plat Number

319

g. Parcel /Lot Number

2. Applicant:

Lauren

a. First Name

McKean

b. Last Name

Cape Cod National Seashore

c. Organization

99 Marconi Site Road

d. Street Address

Wellfleet

e. City/Town

MA

f. State

02667

g. Zip Code

508-349-

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

n/a

a. First Name

b. Last Name

Town of Eastham

c. Organization

2500 State Highway

d. Street Address

Eastham

e. City/Town

MA

f. State

02642

g. Zip Code

508-240-5972

h. Phone Number

508-240-6687

i. Fax Number

natres@eastham.gov

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$112.50

a. Total Fee Paid

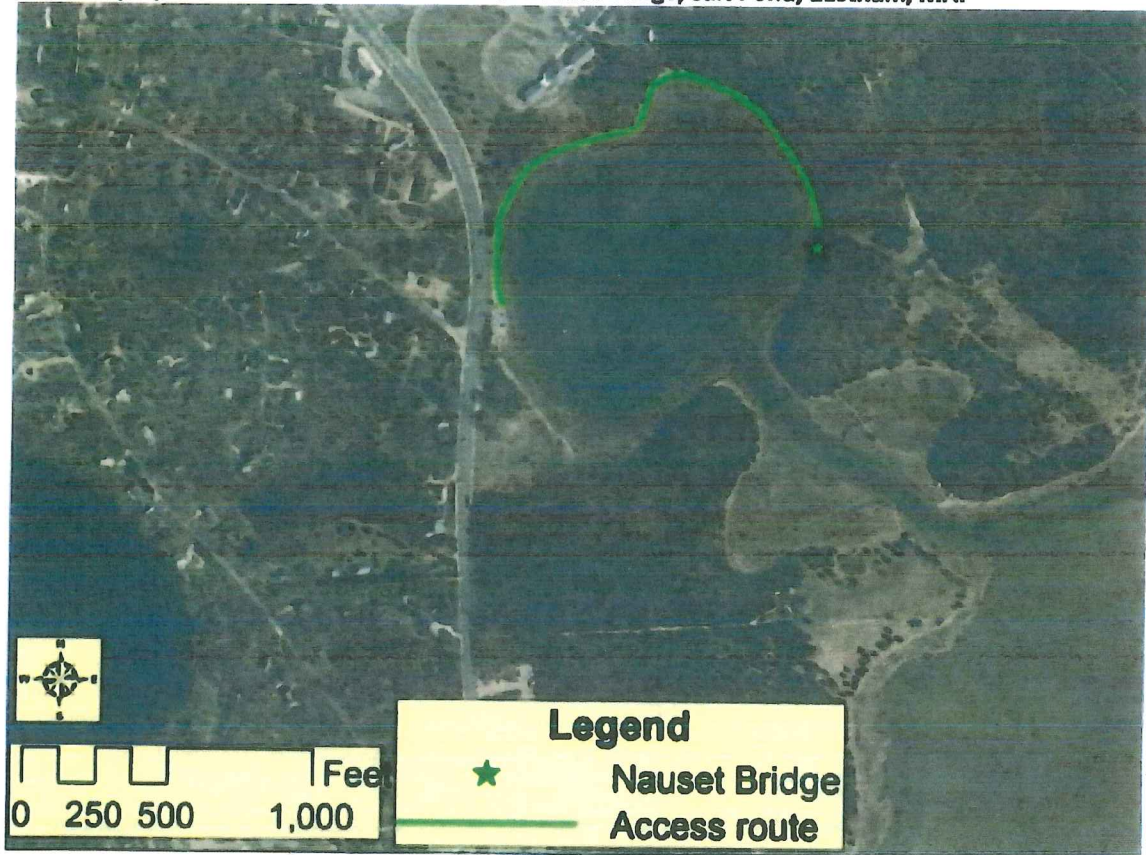
\$112.50

b. State Fee Paid

n/a (town land exemp per DPW Director)

**Project Narrative Attachment:**  
**Nauset Marsh Trail replacement boardwalk at Salt Pond**  
**Cape Cod National Seashore**  
**Spring 2014**

**Locus of project area: Location of the former Nauset Bridge, Salt Pond, Eastham, MA.**





**Description:**

This project replaces the heavily damaged Nauset Marsh Trail bridge that was removed from town land in 2013 with a timber plank boardwalk that is supported by cedar logs on-grade.



**Current Conditions:**

Citizens installed a temporary fix due to the routinely inundated walking surface at the edge of the Salt Pond marsh (see photo below). This alternative concept is similarly low-tech, with some built-in environmental and safety improvements for boardwalk sections extending approximately 80 feet.

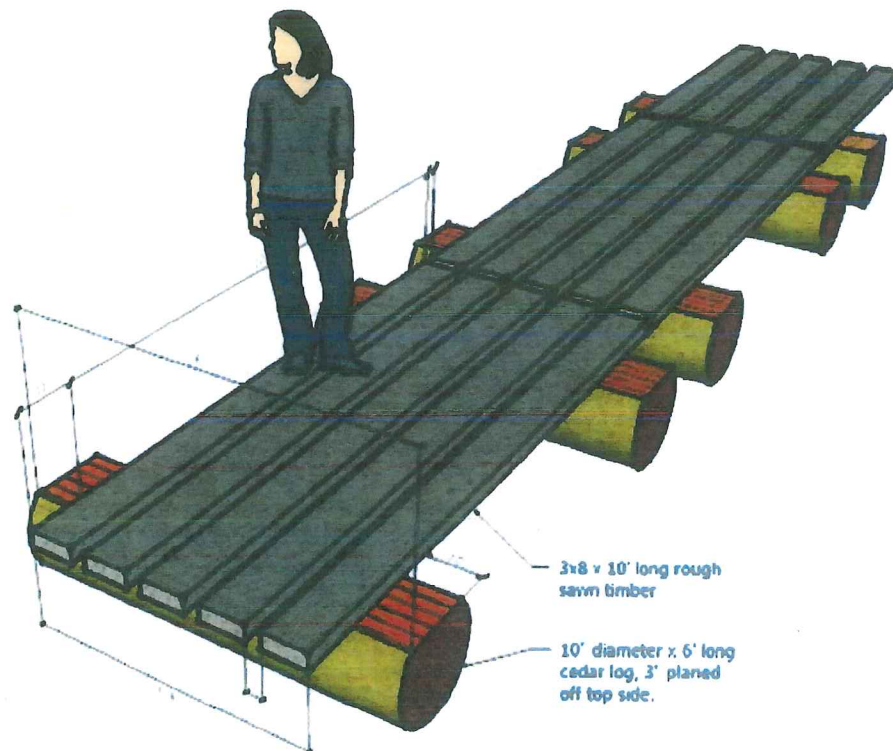


### **Work/Construction Protocol, Staging and Performance Standards:**

About eight 10-foot sections of boardwalk will be installed. The seashore proposes to install 6' long cedar logs to stabilize the walking surface, and install approximately 4 stainless steel helical anchors for each section to allow for the boardwalk sections to rise and fall with tidal fluctuations during storm conditions. Rough-sawn timber planks (not pressure-treated) will be used for the boardwalk surface, 3"x8" by 10' long. About 16 cedar log footings and 32 helical anchors will keep the walking surface from floating away, while also providing a stable walking surface. The walking surface will have five planks with 3" gaps between them for two-way foot traffic.

The former bridge pilings will be removed. The boardwalk will be assembled without the use of heavy equipment at the marsh. Battery-powered tools will be utilized on site. Materials will be brought in by pick-up truck; the truck will access the site via the town landing off Route 6 and will drive along the shoreline of the pond for a distance of about 1900 feet (see above); access will occur at low tide.

### **Proposed conditions:**





**Disturbance in the resource area and Limit of Work:**

The log footings of the boardwalk will be installed within the footprint of the existing path along the edge of the marsh grass at or above mean high water. The trail cannot be relocated to the upland because that area is privately-owned, so the boardwalk protects the salt marsh from trampling while allowing the public to cross the edge of the marsh without wet feet.

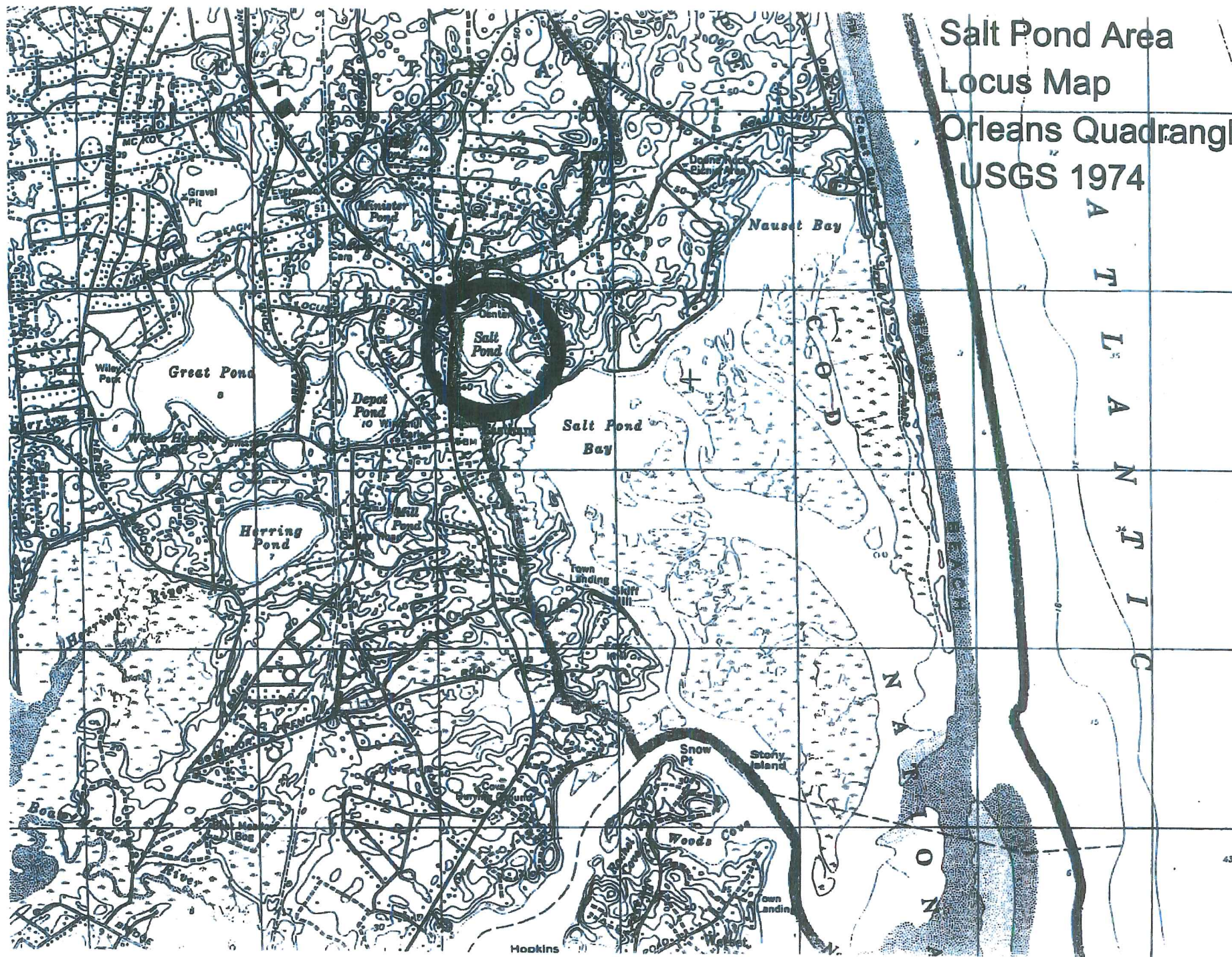
The total project area is about 480 square feet within the edge of the salt marsh, which is a reduction of 200 square feet from the 137' long by 5 foot wide bridge that the boardwalk replaces.

The statutory Interests of the Mass Wetlands Protection Act will not be impacted by this proposal. No protected species are present in the project area, as previously confirmed by seashore's Natural Resource Management staff. The project will improve the conditions of the site, not impeding tidal water flow and allowing sunlight penetration. The site will be accessed by an existing pathway that has been previously disturbed and degraded by foot traffic. The replacement boardwalk area is confined by the existing path, clearly delineating a previously disturbed work limit area.

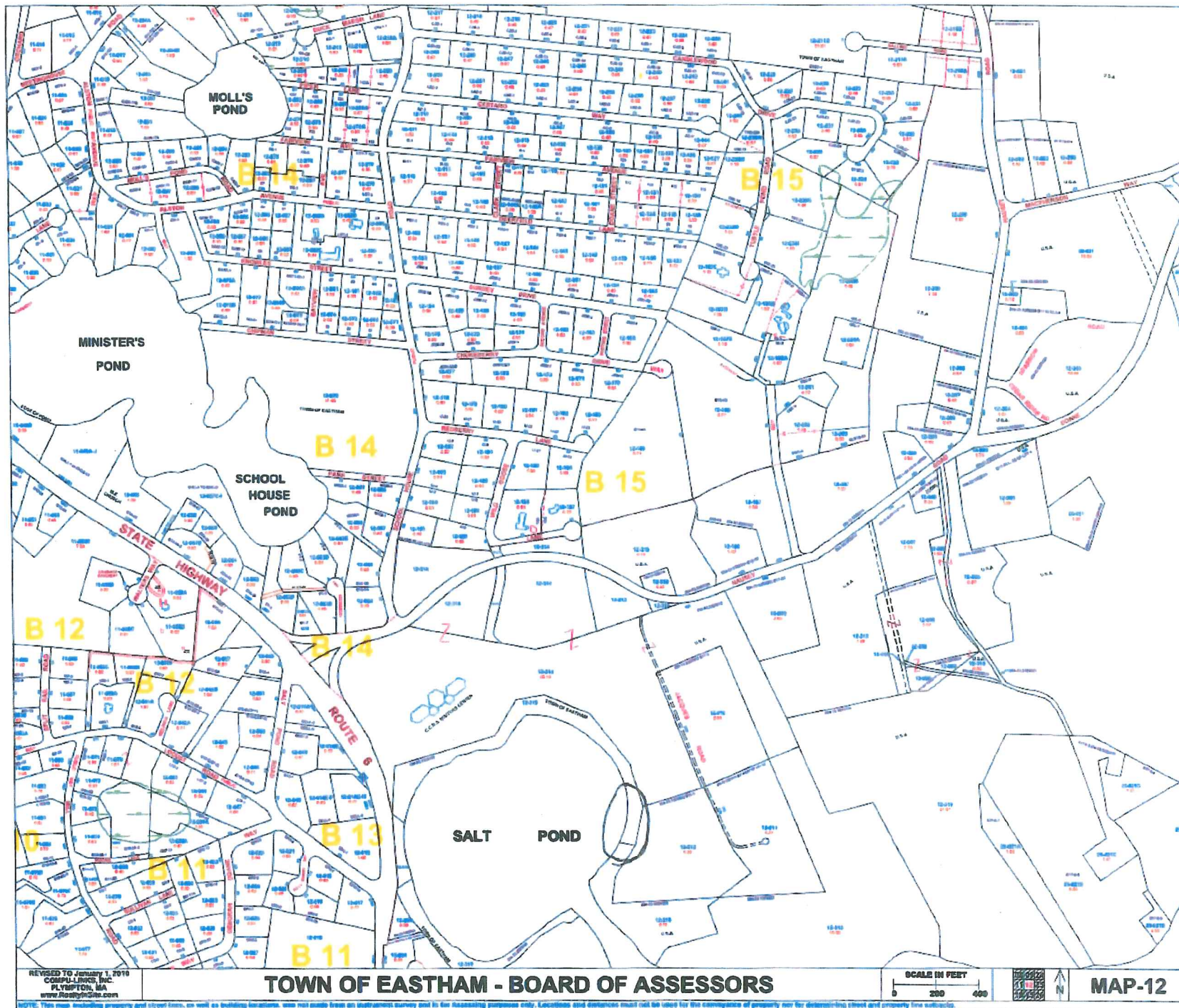
**Red cedar boardwalk logs from Skiff Hill area, Eastham**



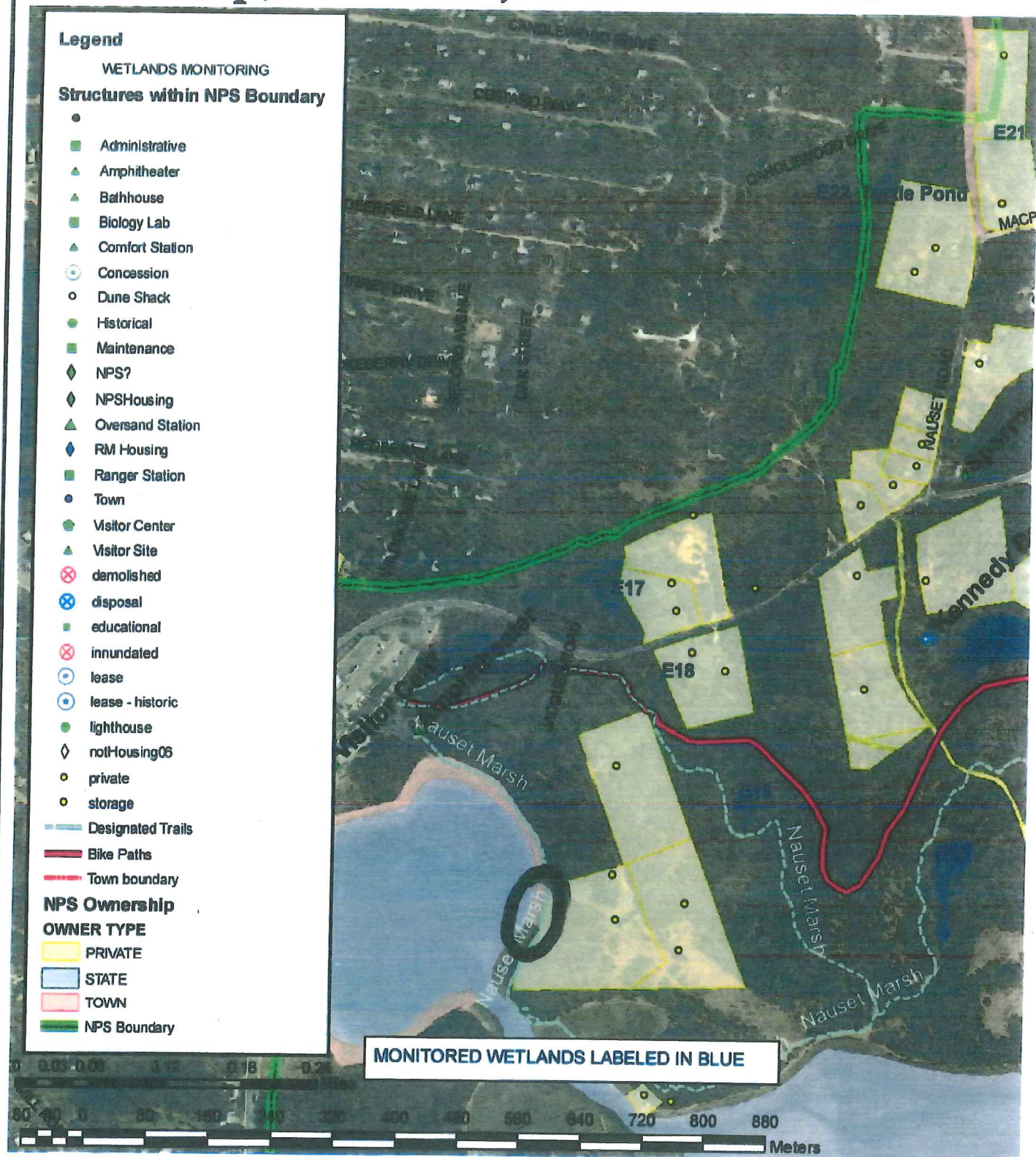
Salt Pond Area  
Locus Map  
Orleans Quadrangle  
USGS 1974



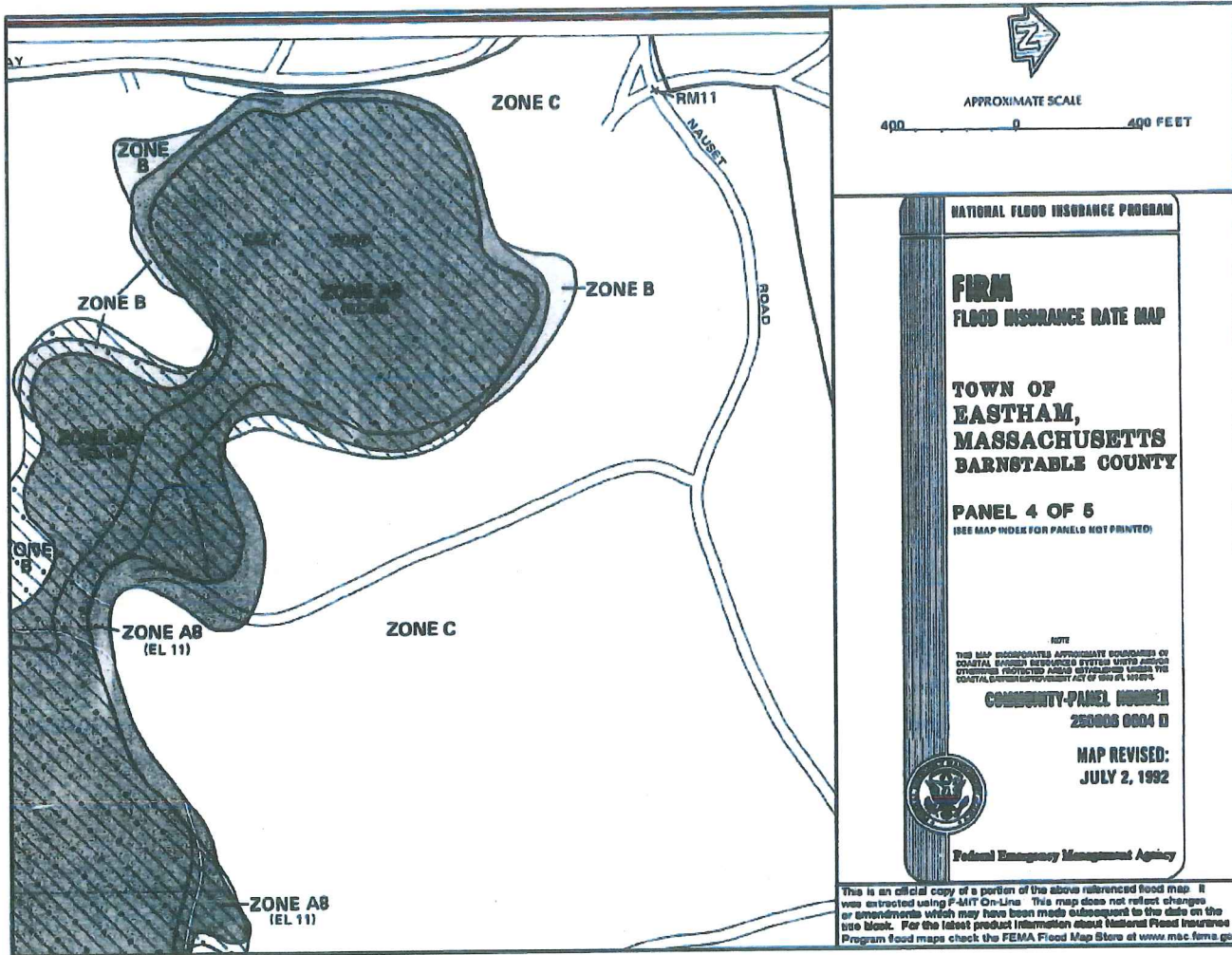


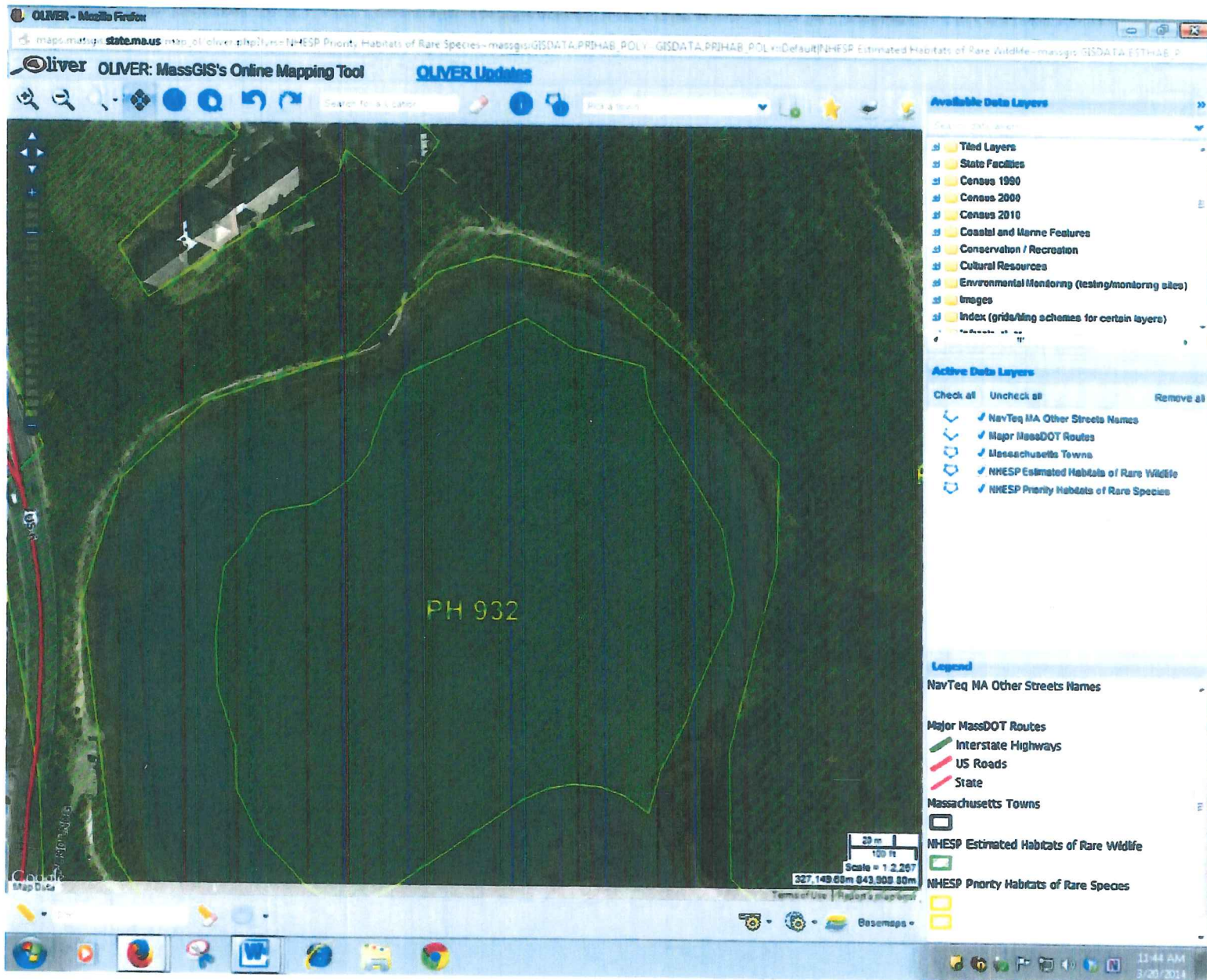














## United States Department of the Interior

National Park Service  
Cape Cod National Seashore  
99 Marconi Site Road  
Wellfleet, Massachusetts 02667  
508.771.2144  
508.349.9257 Fax

IN REPLY REFER TO:  
L7617

March 21, 2014

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
100 Hartwell Street, Suite 230  
West Boylston, Massachusetts 01583

Dear Reviewer:

Under the terms of the National Environmental Policy Act (NEPA), the National Park Service (NPS) at Cape Cod National Seashore is undertaking environmental compliance analysis and documentation for replacement of a bridge with a 80' boardwalk at Nauset Marsh Trail at Salt Pond in Eastham, MA. We are filing a Notice of Intent under the Massachusetts Wetlands Protection Act for the project, and include a copy for your consideration.

Appropriate Best Management Practices (BMPs) have been built into the design to avoid or limit impacts to resources. We request any information regarding state-listed or proposed threatened or endangered species or critical habitats that might occur in the project vicinity, and any special management considerations for such species. The project areas are depicted on the sections of the USGS Quadrangle and Mass GIS maps, and the project narrative attachment.

We appreciate your input on this project; your response will become part of the project compliance record. If you have any questions regarding the project, please contact Jason Taylor, Chief of Natural Resources Management, at [Jason\\_J\\_Taylor@nps.gov](mailto:Jason_J_Taylor@nps.gov) or (508) 957-0737.

Sincerely,



George E. Price, Jr.  
Superintendent

Enclosures

**INFORMATION**



INFORMATION:  
"The Knaek" (Finn bars)  
DEWATERING /  
CONSCOM -

## Eastham Conservation Commission

555 Old Orchard Road  
Eastham, MA 02642



508-240-5971  
Fax 508-240-6687

### MEMO

To: Eastham Board of Selectmen

From: Shana Brogan, Administrative Assistant

Date: March 27, 2014

Re: DEP File# SE 19-1526 Notice of Intent filed by The Whole Clam, LLC for demolition and construction of business located at 51 Old State Highway, Map 22, Parcel 001.

On January 28, 2014, the Conservation Commission approved revised plans by Baxter Nye Engineering. The plans included a dewatering protocol that was acceptable to the commission. The water table is high in this area and the contractor needs to have dry ground to set an approved concrete wall. The protocol included that dewatering should be filtered by crushed stone silt fencing and hay bales to catch any sediment before reaching a storm drain. Recently, the conservation office was informed that the dewatering was diverted with a hose directly into a storm drain that leads to Town Cove. Baxter Nye Engineering was immediately contacted by the conservation office and as a result the engineering company immediately conducted a site visit, corrected the dewatering operation and submitted a site inspection report. The Town of Orleans conservation office was also contacted regarding the dewatering and e-mailed a copy of the site inspection report. The Orleans conservation office responded and did not seem concerned. The dewatering is a temporary operation for the concrete wall and will cease as soon as possible. Site inspections will be conducted daily by the conservation office to ensure the dewatering operation is in compliance with the protocol until completion which is estimated for April 4, 2014.



INFORMATION:

RESPONSE TO BOUDREAU



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

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

[www.eastham-ma.gov](http://www.eastham-ma.gov)

March 25, 2014

Mr. Gary Boudreau  
10 Freeman Street  
Norton, MA 02766

RE: Shell Fish Grant Sites

Dear Mr. Boudreau,

This letter confirms the decision of the Eastham Board of Selectmen, which met with you on Monday March 17<sup>th</sup>, not to grant your request to move an aquaculture grant located in Town Cove in front of 700 State Highway. The location of this aquaculture grant was last discussed by the Board in December 2010, at which time the licensees agreed to move the grant slightly to the north to accommodate your needs for boating access to Town Cove. Because this grant has been in continuous use for several decades and because there is no acceptable alternative location for this grant, the Board decided it could not accommodate your request as an upland property owner at the expense of the shellfishermen who earn a livelihood shellfishing at this location. Town staff will discuss with the licensee flagging the pipes so they are visible at high tide. Attached, as requested, are catch reports.

Thank you.

Sincerely,

*Sheila Vanderhoef*  
Sheila Vanderhoef  
Town Administrator

CC: Board of Selectmen ✓  
Michael O'Connor, Senior Deputy Natural Resource Officer



# PAID Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

NAME: Stephen Smith \$5.00 DATE: 12/12/12  
RESIDENCE ADDRESS: Fast Orleans, MA 02643  
MAIL ADDRESS (if different): Orleans, MA 02653  
PHONE: EMAIL ADDRESS:  
AREA: Boat Meadow Nauset Marsh Site #: N43

### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: ☒ Quahog ☒ Oyster ☐ Softshell  
☐ Mussel ☐ Sea Clam ☐ Other  
METHODS USED: ☒ Bag & Rack ☒ Nets ☐ Other (describe)

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE
OYSTER	75,000	ARC	9 MM
QUAHOG	90,000	ARC	FIELD

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
OYSTER	20,000	PCS	
QUAHOG	45,000	PCS	NECK

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: FLOATED SEED  
AND THEN TRANSFERRED TO BOTTOM

### ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? FOULING, PREDATORS

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC)

### LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? SAME

WILL YOU BE INCREASING SEED PURCHASES? NO

TRYING DIFFERENT METHODS? NO

COLLABORATING WITH NEIGHBORING GROWERS? NO

ANY OTHER THOUGHTS?



# Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

DEC 10 2013

NAME: Stephen Smith DATE: PAID \$5 CK # 19  
 RESIDENCE ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_ Orleans, MA 02653  
 MAIL ADDRESS (if different): \_\_\_\_\_  
 \_\_\_\_\_ Orleans, MA 02653  
 PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
 AREA: \_\_\_\_\_ Boat Meadow ☒ Nauset Marsh Site #: N43

### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: ☒ Quahog ☒ Oyster \_\_\_\_\_ Softshell  
 \_\_\_\_\_ Mussel \_\_\_\_\_ Sea Clam \_\_\_\_\_ Other  
 METHODS USED: \_\_\_\_\_ Bag & Rack \_\_\_\_\_ Nets \_\_\_\_\_ Other (describe)

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE
QUAHOG	90,000	ARC	FIELD
OYSTER	100,000	ARC	24 HED

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
QUAHOG	60,000	PC	NECK
OYSTER	26,000	PC	

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: FIELD PLANT QUAHOG & OYSTERS WERE BAGGED AND THEN FIELD PLANTED

### ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? \_\_\_\_\_

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC) BIOFOULING & PREDATION

### LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? TAKE AS ABOVE

WILL YOU BE INCREASING SEED PURCHASES? NO

TRYING DIFFERENT METHODS? NO

COLLABORATING WITH NEIGHBORING GROWERS? NO



# Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

CKH 1438  
\$5  
PAID  
12/17/13

NAME: Jeffrey Valli DATE: \_\_\_\_\_  
RESIDENCE ADDRESS: \_\_\_\_\_  
MAIL ADDRESS (if different): Eastham 02642  
\_\_\_\_\_ Eastham, MA 02642  
PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
AREA: \_\_\_\_\_ Boat Meadow \_\_\_\_\_ Nauset Marsh Site #: N38

### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: \_\_\_\_\_ Quahog ☒ Oyster \_\_\_\_\_ Softshell  
\_\_\_\_\_ Mussel \_\_\_\_\_ Sea Clam \_\_\_\_\_ Other  
METHODS USED: ☒ Bag & Rack \_\_\_\_\_ Nets \_\_\_\_\_ Other (describe)

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE
<u>OYST.</u>	<u>40,000</u>	<u>FISHON ISLAND</u>	<u>3/4</u>
<u>OYST</u>	<u>100,000</u>	<u>ATLANTIC OYST.</u>	<u>3/8</u>

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
<u>OYST</u>	<u>68,576</u>	<u>PIECES</u>	

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC) \_\_\_\_\_  
NO PROBLEMS, TIDE WORKS, DRILLS

### LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? SAME

WILL YOU BE INCREASING SEED PURCHASES? YES

TRYING DIFFERENT METHODS? \_\_\_\_\_

COLLABORATING WITH NEIGHBORING GROWERS? \_\_\_\_\_

ANY OTHER THOUGHTS? \_\_\_\_\_



DEC 18, 2012

# Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

NAME: Jeffrey Valli DATE: \_\_\_\_\_  
RESIDENCE ADDRESS: \_\_\_\_\_  
MAIL ADDRESS (if different): Eastham 02642  
Eastham, MA 02642 paid \$5 cash  
PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
AREA: \_\_\_\_\_ Boat Meadow ☒ Nauset Marsh Site #: N38

### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: \_\_\_\_\_ Quahog ☒ Oyster \_\_\_\_\_ Softshell  
\_\_\_\_\_ Mussel \_\_\_\_\_ Sea Clam \_\_\_\_\_ Other  
METHODS USED: ☒ Bag & Rack \_\_\_\_\_ Nets \_\_\_\_\_ Other (describe)

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE
<u>OYSS</u>	<u>50,000</u>	<u>ATLANTIC OYSS</u>	<u>3/8 - 1/2</u>

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
<u>OYSS</u>	<u>\$17,500</u>		

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC) \_\_\_\_\_  
BOUNCE SAT  
\_\_\_\_\_  
\_\_\_\_\_

### LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WILL YOU BE INCREASING SEED PURCHASES? \_\_\_\_\_  
TRYING DIFFERENT METHODS? \_\_\_\_\_  
COLLABORATING WITH NEIGHBORING GROWERS? \_\_\_\_\_  
ANY OTHER THOUGHTS? \_\_\_\_\_



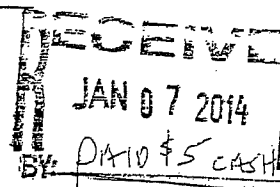
# Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

NAME: Luther Eldredge DATE: 1/7/14  
RESIDENCE ADDRESS: \_\_\_\_\_  
Eastham, MA 02642  
MAIL ADDRESS (if different): \_\_\_\_\_  
Orleans, MA 02653

PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

AREA: \_\_\_\_\_ Boat Meadow \_\_\_\_\_ Nauset Marsh Site #: N35



### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: \_\_\_\_\_ Quahog \_\_\_\_\_ ☒ Oyster \_\_\_\_\_ Softshell  
\_\_\_\_\_ Mussel \_\_\_\_\_ Sea Clam \_\_\_\_\_ Other

METHODS USED: \_\_\_\_\_ Bag & Rack \_\_\_\_\_ Nets \_\_\_\_\_ Other (describe) \_\_\_\_\_

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
OYSTER	4200	PIECES	

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: ~~2200~~ Dredge

Oysters to market size. Have more to grow out  
ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? \_\_\_\_\_

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC) \_\_\_\_\_

Slow growth Mud worms  
LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? \_\_\_\_\_

WILL YOU BE INCREASING SEED PURCHASES? NO

TRYING DIFFERENT METHODS? yes

COLLABORATING WITH NEIGHBORING GROWERS? \_\_\_\_\_



# Town of Eastham

## ANNUAL AQUACULTURE LEASEHOLDER REPORT

NAME: Luther Eldredge DATE: JAN 2, 2013  
RESIDENCE ADDRESS: \_\_\_\_\_  
MAIL ADDRESS (if different): Eastham MA 02642  
Orleans, MA 02653  
PHONE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
AREA: Boat Meadow ☒ Nauset Marsh Site #: N35

### EXISTING CONDITIONS

TYPES OF SHELLFISH GROWN: Quahog ☒ Oyster Softshell  
Mussel Sea Clam Other  
METHODS USED: ☒ Bag & Rack Nets Other (describe)

### HATCHERY SEED PURCHASED

TYPE	QUANTITY	VENDOR	SIZE

WAS ANY SHELLFISH MARKETED? IF YES, COMPLETE BELOW

TYPE	QUANTITY	UNITS (bushels, pieces)	SIZE (neck, cherry, etc)
<u>OYSTER</u>	<u>79500</u>	<u>PIECES</u>	<u>3" +</u>

PLEASE DESCRIBE IN GENERAL WHAT YOU DID ON THIS SITE: BREW OYSTERS FROM  
SEED TO MARKET SIZE

### ISSUES

WHAT LOGISTICAL PROBLEMS DID YOU ENCOUNTER? \_\_\_\_\_

WHAT IF ANY GROWING PROBLEMS? (BIOFOULING, PREDATION, GROWTH RATES, ETC) \_\_\_\_\_

### LOOKING AHEAD

WHAT DO YOU ANTICIPATE DOING WITH THIS SITE NEXT YEAR? \_\_\_\_\_

WILL YOU BE INCREASING SEED PURCHASES? NO

TRYING DIFFERENT METHODS? NO

COLLABORATING WITH NEIGHBORING GROWERS? NO

ANY OTHER THOUGHTS? NO

INFORMATION:

EXTENSION - SANDY MEADOW  
WAY ENCROACHMENTS

DATE: March 24, 2014

TO: Tom Wingard, Building Inspector

FROM: Sheila Vanderhoef, Town Administrator

RE Sandy Meadow Way: Removal of Encroachments on Town Property by Abutters

2/23/14 sv  
This is to confirm that, regarding the Building Inspector's enforcement letter of December 31, 2103, the Eastham Board of Selectmen voted on Monday March 17<sup>th</sup> to extend the date for all work to be completed to May 31<sup>st</sup> for the removal of all encroachments by abutters from Sandy Meadow Way onto town property. All remaining conditions of the Building Inspector's enforcement letter would remain in effect.

CC: Board of Selectmen



SEASHORE  
INFORMATION: TO REPLACE STAIRS  
NAUSET LIGHT

**Nan Balmer**

---

**From:** Shana Brogan [dpw@eastham-ma.gov]  
**Sent:** Thursday, March 27, 2014 4:08 PM  
**To:** Nan Balmer  
**Subject:** Nation Seashore - Nauset Light Beach  
**Attachments:** 20140327160543217.pdf

Hello Nan,

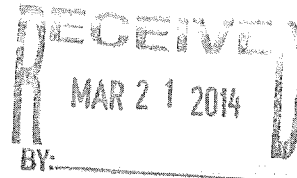
See attached for your and the Board of Selectmen's information. The National Seashore will be replacing the stairs at Nauset Light Beach with a hopeful completion by the end of May.

Thank you,  
Shana

Shana Brogan  
Administrative Assistant  
DPW/Natural Resources/Conservation  
[dpw@eastham-ma.gov](mailto:dpw@eastham-ma.gov)  
508-240-5971

**Project Description and Protocol:**

**Nauset Light Beach stairway emergency replacement  
Cape Cod National Seashore, Spring 2014**



This project is to replace the stairs at Nauset Light Beach, which is co-managed by the Seashore and the Town of Eastham. The stairs were damaged and washed away by major storms in January and February 2014. Large ocean wave surges at high tides swept the bottom section of stairs and the stabilizing sandy slope away from the foundation post footings. Unfortunately the stairs were replaced last year, and need to be replaced again. This project is necessary for the safety of about one million beachgoers utilizing the beach per year.

The work will necessitate a full reconstruction due to the lack of safe footings. The scope is to completely replace the stairs, landings and railings that were lost. The new stairs will be constructed to building codes and will include landings and handrails, and a seating area and overlook at the top. The stairs will be designed and constructed in "breakaway" sections, toenailed together, with the intent that future storm damage will be isolated to the lower section(s). Salvaged materials will be used as possible. Recycled plastic lumber will be used for non-structural elements.

The existing boardwalk route will be used for the modified location of the stairs to the beach. The plan is to follow the existing boardwalk to its current endpoint. From there it will run parallel to the bluff, and may necessitate a slight cutting back of the dune for the boardwalk extension to an un-vegetated area for a platform and stair landing that will be at a safe setback. At the low point of the bluff, a replacement platform of 8' x 16' or smaller will be constructed that will serve as a viewing spot and the starting point of the stairs and landings down to the beach. Stairs will be laid out in a switchback configuration to closely follow the slope of the bluff. This will keep the foot of the stairs as close to the base of the bluff as possible.

To minimize site disturbance, park maintenance personnel or a contractor will replace the boardwalk elements manually. New stair sections will be constructed off-site to the extent practical. Trucks and equipment will access project areas on paved surfaces and boardwalk areas to the work site. Pressure treated lumber will not be used. Any mechanical equipment used will be taken off site each day. This work is being conducted at the top of the coastal bank and down the bank to the beach. All work is desired to be completed by May 23, 2014.

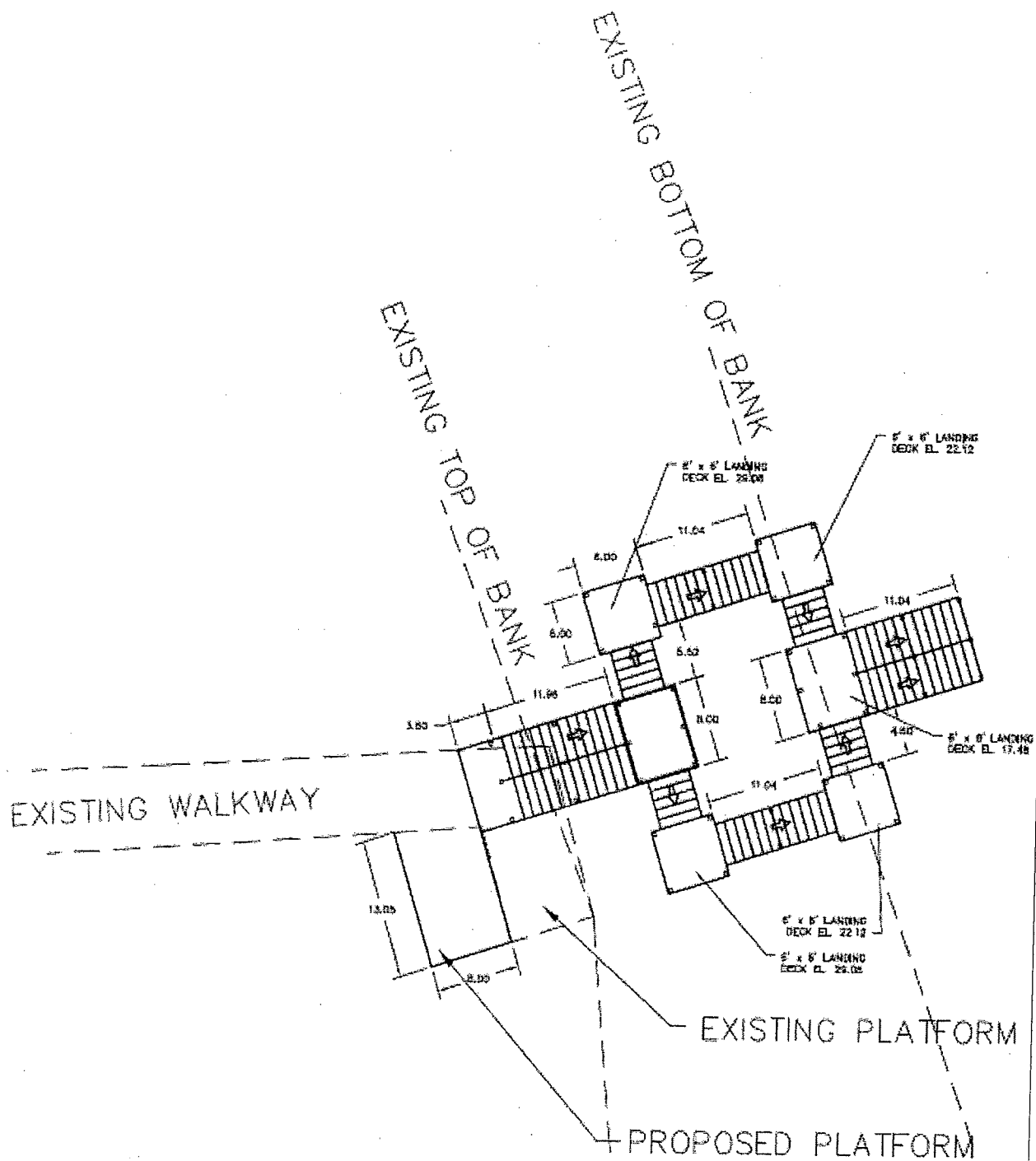
Due to concerns about Federally Threatened piping plover species nesting, after April 1 US Fish & Wildlife Service needs to consult and approve the construction activity. Shorebird monitors will be required to escort and oversee construction activity.

The alternative of doing nothing leaves one of two ocean beaches in Eastham without access. As the facilities are on a 40 – 60 foot high bluff, the only safe route to the beach is via wood stair structures. Beach stairs necessitate anchoring the stairs within the base flood elevation as the beach interface with the Atlantic Ocean is a Velocity zone; this is unavoidable. Without the stairs there would be more damage to fragile natural resources as beachgoers try to get to the beach by walking through dunes and down bluffs. This is a courtesy notification for work on the coastal bank as per the national seashore's letter of January 2005 (attached).

These photos illustrate the intended character and configuration of the stairs to be installed.









## United States Department of the Interior

NATIONAL PARK SERVICE  
Cape Cod National Seashore  
99 Marconi Site Road  
Wellfleet, MA 02667

IN REPLY REFER TO:

L7617

January 6, 2005

Dennis Murley, Chairman  
Eastham Conservation Commission  
2500 State Highway  
Eastham, MA 02642

MAR 21 2014

BY:

Dear Mr. Murley:

In recent years Cape Cod National Seashore has consulted with the local Conservation Commission about various park projects. The intent of this consultation has been to provide information to the towns about project activities within the seashore and to seek input on those activities. The seashore has recently received clarification from the Department of the Interior Solicitor's Office of our legal responsibilities associated with state and local regulatory requirements and process. Based on this input from our legal counsel, we are modifying our approach to consulting with the town Conservation Commissions on certain kinds of activities. Although our approach will change, our intent is to continue to ensure that towns are kept informed and can be involved in our decision making on projects of mutual interest.

A fundamental aspect of the federal-state regulatory relationship is that Federal Agencies are exempt from all state and local permitting requirements, except when Congress clearly indicates that the sovereign immunity of the Federal Government is waived. One instance of such a waiver relates to activities resulting in the discharge or run-off of pollutants as presented in Section 313 of the Clean Water Act codified as 33 United States Code Section 1323 (a). Thus, when federal actions "result in the discharge or run-off of pollutants" and there are state and local (e.g., Conservation Commission) permitting processes regulating these, the park is subject to those permitting requirements (see enclosure noting the statutory definition of "pollutant"). In other words, the park is required to consult with the Conservation Commission on any activity that may "result in the discharge or run-off of pollutants." The park is also subject to Massachusetts Department of Environmental Protection (DEP) requirements for water pollution discharge permits, including subsurface permits, such as those issued for septic systems.

In terms of activities occurring in wetland areas, the state Wetland Protection Act, Chapter 131, Massachusetts General Law, Section 40 is far broader in scope than discharge control. The

interests protected through this law include storm damage control, wildlife protection, and other interests beyond pollutants discharge. The sovereign immunity of the Federal Government has not been waived for any of the above mentioned interests. As a result, the park is exempt from the requirement of consulting the Conservation Commission (i.e., filing a Notice of Intent) for projects affecting the coastal bank or related issues, except when the discharge of pollutants is a concern, even though the activity would otherwise be subject to the review authority of the Conservation Commission if the same activity were being conducted by a non-federal entity on non-federal land.

Further, Standard Condition No. 8 requires filing of the Order of Conditions within the chain of title of the property at the Registry of Deeds. However, this provision is not connected to the "discharge or runoff of pollutants," so the Federal Government does not need to comply with this condition. Rest assured that the property will be protected regardless of such registry filing.

Please be advised that in the future we will send informational letters to the town about proposed projects that may have a mutual interest, and we welcome your timely input. We will also be conservative in our interpretation of the type of activities that fall within the waiver and when appropriate will file Notices of Intent when it is warranted. If you have any questions or concerns please contact me at 508-349-3785, ext 201. Thank you for your understanding of this procedural change.

Sincerely,

15/

Michael B. Murray  
Acting Superintendent

Enclosure

cc: Sheila Vanderhoef, Eastham Town Administrator





Deval L. Patrick, Governor  
Richard A. Davey, Secretary & CEO  
Frank DePaola, Administrator

INFORMATION: MA HWY SWEEPING



March 19, 2014

Eastham Board of Selectmen  
2500 State Highway  
Eastham, MA 02642

SUBJECT: 2014 Spring Sweeping Operations

Dear Chairperson,

The MassDOT's Highway Division will begin spring sweeping operations along its State Highways, weather permitting, on or about March 31, 2014.

In accordance with MassDOT, Highway Division practice, it is anticipated that cities and towns maintain existing sidewalks located within the State Highway system. Therefore, prior to our spring sweeping, MassDOT is requesting that your city/town sweep all sidewalks on State Highway within your municipality into the roadway gutter line. Please use caution and good judgment on the timing and placement of the sweepings into the roadway as not to create a hazardous condition.

MassDOT Maintenance Personnel will contact your Highway Department to inform them when we expect to commence sweeping operations in your city/town and to discuss the accessing water from hydrants for our sweeping operation.

Your continued cooperation in this matter is greatly appreciated.

Sincerely,

Mary-Joe Perry  
District Highway Director

JSA/jsa

cc: MJP, JFR, TGR, MJM, MEB, Area Supervisors A, B, C, D, File

# Town of Eastham

Department of Public Works  
555 Old Orchard Road  
Eastham, MA. 02642



508 240-5973  
Fax 508 240-6687

To: Sheila Vanderhoef, Town Administrator  
From: Neil Andres, Superintendent DPW  
Date: March 28, 2014  
RE: Landfill Solar

The solar installation project on the Eastham Landfill is rapidly reaching completion. The arrays are substantially complete. The electrical work to connect the arrays to the grid will begin next week.

Eastham will have the first landfill mounted solar array on Cape Cod. Of special interest is that once the project is on line, I believe we will be the first community on the Cape, and one of the first in the State to generate all its municipal electric needs through renewable sources.

A ceremony is being planned.

Department of Public Works  
555 Old Orchard Road  
Eastham, MA. 02642

# Town of Eastham



INFORMATION :

WILEY PARK

ENTRANCE

508 240-5973  
Fax 508 240-6687

To: Sheila Vanderhoef, Town Administrator

From: Neil Andres, Superintendent DPW

Date: March 28, 2014

RE: Wiley Park Entrance Grant

Attached please find a draft of the interpretive sign which will be placed at the entrance to Wiley Park. As noted on the plan, which will become the interpretive sign, the design and installation of this landscaped area was funded through a Land Management Grant from Cape Cod Cooperative Extension, a department of Barnstable County government.

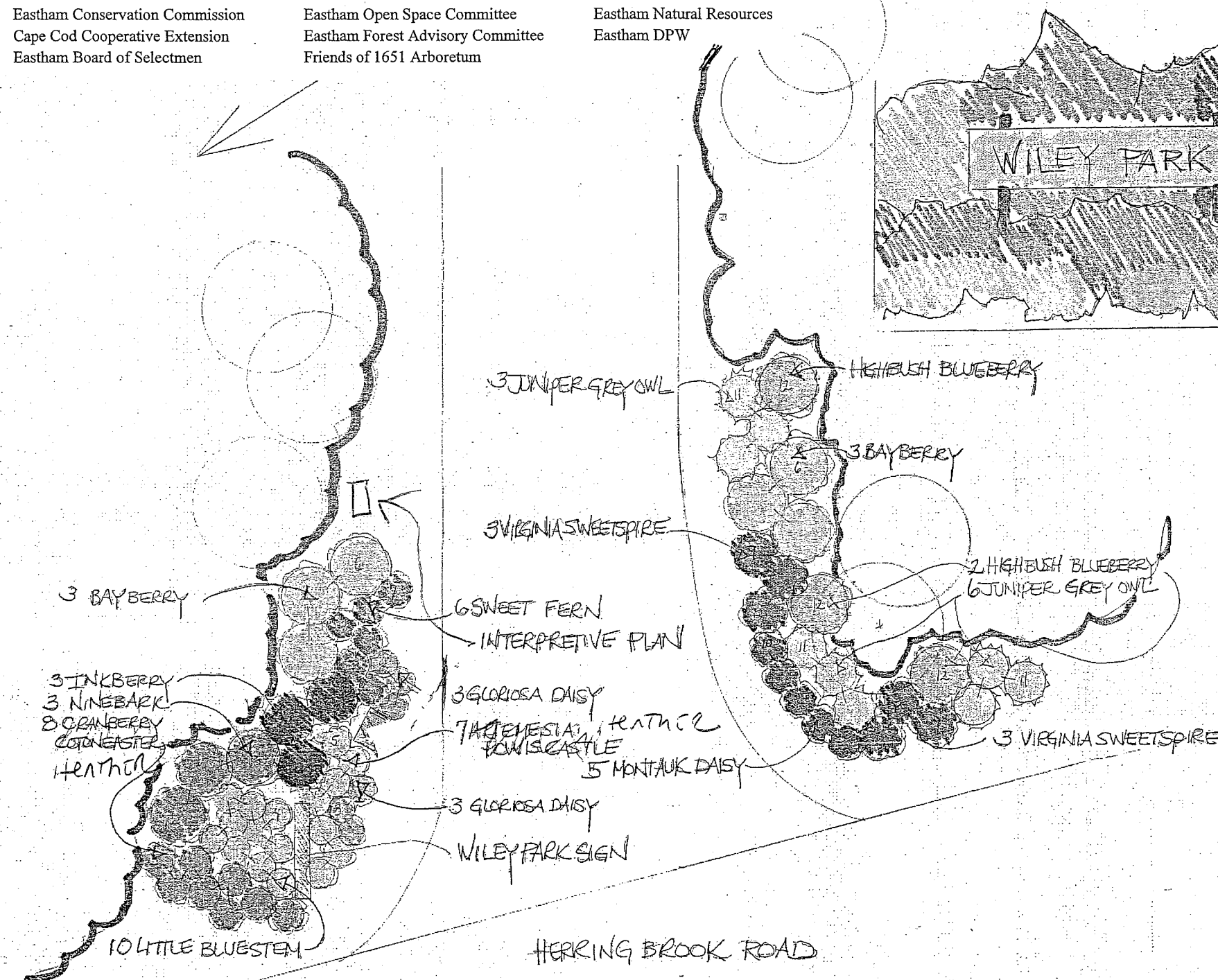
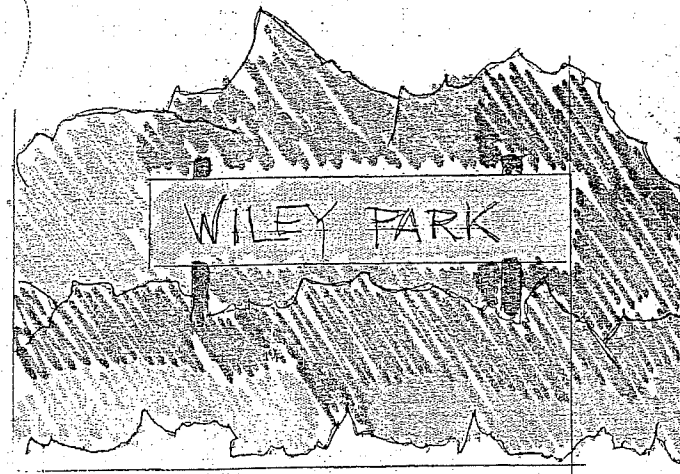
The project is now permitted and will be completed before Memorial Day.



The design and installation of this landscaped area was funded through a Land Management Grant from Cape Cod Cooperative Extension, a department of Barnstable County government. The primary goal of Cape Cod Cooperative Extension's Land Management Grant Program is to provide funding to allow towns to develop and implement management actions that conserve, restore, and maintain the ecological integrity, productivity, and biological diversity of public lands; while at the same time providing public use and insuring public safety.

Eastham Conservation Commission  
Cape Cod Cooperative Extension  
Eastham Board of Selectmen

Eastham Open Space Committee  
Eastham Forest Advisory Committee  
Friends of 1651 Arboretum



LATIN NAME

COMMON NAME

1. *Physocarpus opulifolius* Center Glow  
This ninebark's new leaves unfurl a golden yellow and then mature to a rosy red-burgundy. Clusters of white blooms accompany the dramatic foliage in early summer, followed by bright red seedheads that fade to tan. 'Center Glow' is a fast grower and an ideal candidate for mixed borders or foundation plantings. It grows to 8 to 10 feet tall and almost as wide. In winter, the older stems have attractive peeling bark. 'Center Glow' exhibits colorful foliage, bright red seedheads, and fast growth. Provide full sun and well-drained soil.
2. *Ilex glabra* Densa  
This fine selection of our native inkberry has a broad upright habit with a height of 3-4 feet. This compact holly tolerates heat, drought, sun and shade. It is pest and disease resistant. Flowers give way to jet black inkberries which mature in early fall and persist through the winter to early spring unless consumed by local birds
3. *Cotoneaster apiculatus* Erica Cranberry Cotoneaster  
Cranberry cotoneaster is a dense, mounding deciduous shrub with stiffly arching branches. Typically grows to 3' tall with a spread to 6'. Small pinkish flowers in late spring give way to red (cranberry-like) berries which mature in late summer and persist into winter. Rounded glossy green leaves turn attractive shades of purple, red and bronze in autumn. Easily grown in average, medium, well-drained soils in full sun.
4. *Schizachyrium scoparium* Little Bluestem Grass  
Little bluestem is one of the native ornamental grasses which typically grows 2-4' tall and occurs in prairies, open woods, clearings, and roadsides. It forms upright clumps of slender green leaves (1/4" wide) with a tinge of blue at the base. Purplish-bronze flowers appear in 3" long racemes on branched stems rising above the foliage in August. Resulting clusters of fluffy, silvery-white seed heads are attractive and may persist into winter. Most outstanding feature of this grass may be the bronze-orange fall foliage color.
5. *Artemisia Powis* Castle  
Powis Castle is a bushy, woody-based perennial or subshrub which is grown for its aromatic silvery foliage. It rarely flowers. Foliage is finely divided and feathery in appearance. Typically grows in a shrubby mound to 2-3' tall and as wide, but spreads by underground rhizomes and may reach 3-6' wide. Essentially evergreen in warm winter climates. Never prune stems to the ground. Foliage may also be lightly sheared in summer to shape, but avoid pruning in fall.
6. *Myrica pennsylvanica* Northern Bayberry  
Bayberry is a dense-branching deciduous shrub with a rounded habit which typically grows 6-10' tall. Native to North America where it is primarily found growing along the eastern coast. The fruits are covered with an aromatic, waxy substance which is used to make bayberry candles, soaps and sealing wax. Fruits are attractive to birds. Easily grown in average, dry to medium, well-drained soil in full sun to part shade. Prefers moist, peaty or sandy, acidic soils, but tolerates a wide range of soils and growing conditions, including drought, poor soils, wet soils, high winds and salt spray (seashore or road salt conditions)
7. *Comptonia peregrina* Sweetfern  
Sweetfern is an upright, deciduous shrub (typically growing 2-4' tall) which features simple, narrow, lustrous, deeply notched, olive to dark green leaves. Foliage is aromatic and resembles that of ferns, hence the common name of sweetfern. A native shrub of eastern North America which most often occurs in poor, sandy or gravelly, infertile soils, such as along roadsides. Easily grown in average, medium, well-drained soil in full sun to part shade. Adaptable plant that tolerates wet conditions and wind (including sheltered seashore areas), drought and a wide range of soils (prefers sandy, acidic loams, but tolerates poor soils). Does not transplant well. Once established, however, it can spread rapidly to form colonies.
8. *Rudbeckia Goldstrum* Gloriosa Daisy  
This coneflower cultivar is an upright, clump-forming perennial which typically grows 2-3' tall. Features large, daisy-like flowers (3-4" across) with deep yellow rays and dark brownish-black center disks. Flowers appear singly on stiff, branching stems in a prolific, long-lasting, mid-summer-to-fall bloom. Easily grown in average, dry to medium, well-drained soil in full sun. Tolerates hot and humid summers and some drought. Tolerates light shade, but best in full sun. Deadhead to prolong bloom. Divide when clumps become overcrowded
9. *Itea virginica* Henry's Gamet  
Virginia Sweetpire  
Is a useful native plant with lots of potential. It will grow in full sun to full shade, and requires little pruning or other maintenance. It has lightly scented, pure white flowers that shoot like fireworks in the early summer horizon. The flowers then turn into seed heads that persist through much of the summer season. It has mounded, compact stature maturing at 3 to 4 feet tall and is, suitable for large banks with mass plantings. Its green summer foliage changes to a brilliant multitude of oranges and reds in the fall.
10. *Nipponanthemum nipponicum* Montauk Daisy  
Nippon daisy is a shrubby perennial which grows 1.5-3' tall. Features 2-3" diameter flower heads with white rays and green center disks. Flowers appear in fall on long stalks. Thick, oblong, coarsely-toothed, glossy, dark green leaves (to 3.5" long). Excellent and long-lasting fresh cut flower. Easily grown in average, dry, well-drained soil in full sun. Tolerates light shade in hot climates. New growth may be cut-back slightly in spring to maintain plant compactness and encourage bushy form. Remove spent flower heads to promote additional bloom. Divide clumps every 2-3 years to maintain vigor.
11. *Juniperus virginiana* Grey Owl  
Grey Owl Juniper  
This eastern red cedar cultivar is a broad, slow-growing, evergreen shrub with a compact, wide-spreading habit which typically grows up to 3' tall and 6' wide. Features scale-like, silver gray foliage. A female form which produces protuberant, glaucous, berry-like cones which are attractive to birds. Easily grown in average, medium, well-drained soil in full sun. Tolerant of a wide variety of soils. Also tolerant of wind and of many city air pollutants.
12. *Vaccinium corymbosum* Highbush Blueberry  
Highbush blueberry is native to the eastern North America where it grows in moist woods, bogs, swamps and low areas. This species is the parent of the many cultivated highbush varieties that are grown for both commercial and home fruit production. It is an upright, deciduous shrub that typically grows 5-8' tall. Dainty, waxy, bell-shaped, white flowers appear in May. Flowers are followed by medium blue blueberries which ripen in summer. Dark green leaves (to 3.5" long) turn attractive shades of red and purple in fall. Reddish stems can be attractive in winter. Best grown in acidic (pH of 4.8 to 5.2), organically rich, medium to wet, well-drained soils in full sun to part shade.



You are cordially invited to attend the Eastham Senior Center Volunteer Recognition Luncheon.

Entertainment provided by the Nauset Regional High School Honors Chorus!

There will be a short ceremony followed by a luncheon celebrating our volunteers.

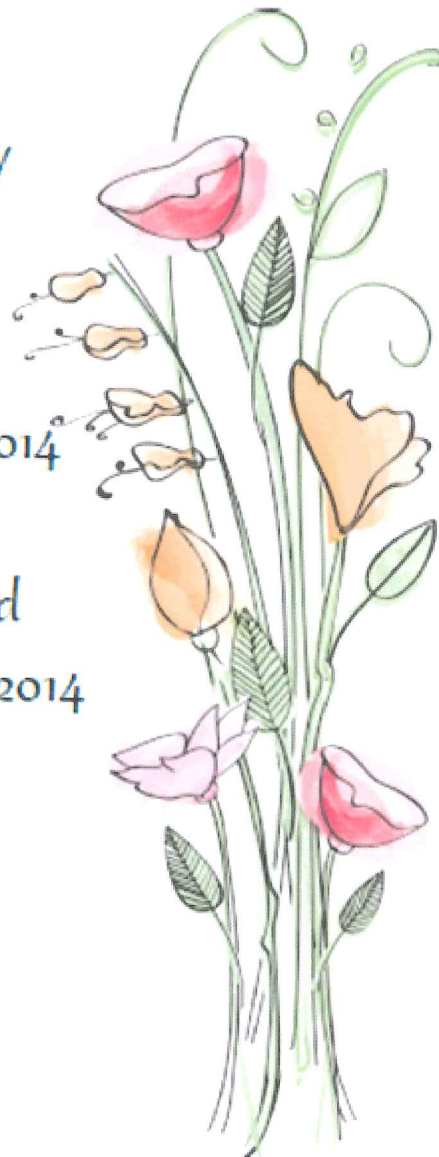
Date: Friday, May 2, 2014  
Time: 11:00 am  
Location: 1405 Nauset Road  
RSVP by: Friday, April 18, 2014  
(508) 255-6164

Entrée Selections:

Chicken

Salmon

Vegetarian Lasagna



NOTICE OF INTENT - SEASHORE  
BOARD WALK ON TOWN PROPERTY

**Nan Balmer**

**From:** Shana Brogan [dpw@eastham-ma.gov]  
**Sent:** Monday, March 24, 2014 3:13 PM  
**To:** Nan Balmer  
**Cc:** Neil Andres  
**Subject:** Nauset Marsh Trail - Salt Pond, CCNS  
**Attachments:** 20140324145307822.pdf

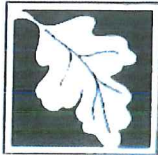
HEARING -  
APRIL 8<sup>th</sup>  
CONSCOM

Hello Nan,

Attached is a notice of intent filed by the Cape Cod National Seashore on Friday. They are proposing to replace a boardwalk that was damaged in a storm. The boardwalk is located on town property under the control of the Board of Selectmen. The Conservation Commission hearing for this project is scheduled for April 8th.

Thank you,  
Shana

Shana Brogan  
Administrative Assistant  
DPW/Natural Resources/Conservation  
[dpw@eastham-ma.gov](mailto:dpw@eastham-ma.gov)  
508-240-5971



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**Note:**  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (Note: electronic filers will click on button to locate project site):

2800 State Highway

a. Street Address

Eastham

b. City/Town

02642

c. Zip Code

Latitude and Longitude:

41.837092

d. Latitude

-69.971302

e. Longitude

12

f. Assessors Map/Plat Number

319

g. Parcel /Lot Number

2. Applicant:

Lauren

a. First Name

McKean

b. Last Name

Cape Cod National Seashore

c. Organization

99 Marconi Site Road

d. Street Address

Wellfleet

e. City/Town

MA

f. State

02667

g. Zip Code

508-349-

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant):

☐ Check if more than one owner

n/a

a. First Name

b. Last Name

Town of Eastham

c. Organization

2500 State Highway

d. Street Address

Eastham

e. City/Town

MA

f. State

02642

g. Zip Code

508-240-5972

h. Phone Number

508-240-6687

i. Fax Number

natres@eastham.gov

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$112.50

a. Total Fee Paid

\$112.50

b. State Fee Paid

n/a (town land exemp per DPW Director)





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**A. General Information (continued)**

**6. General Project Description:**

This project replaces the heavily damaged Nauset Marsh Trail bridge that was removed from town land in 2013 with a timber plank boardwalk that is supported by cedar logs on-grade. (see narrative, photos and drawing attached).

**7a. Project Type Checklist:**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Single Family Home                | 2. <input type="checkbox"/> Residential Subdivision                   |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial                     |
| 5. <input type="checkbox"/> Dock/Pier                         | 6. <input type="checkbox"/> Utilities                                 |
| 7. <input type="checkbox"/> Coastal Engineering Structure     | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation                    | 10. <input checked="" type="checkbox"/> Other                         |

**7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?**

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project:

**2. Limited Project**

**8. Property recorded at the Registry of Deeds for:**

Barnstable

a. County

n/a

c. Book

not available

b. Certificate # (if registered land)

n/a

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

**Resource Area**

**Size of Proposed Alteration**

**Proposed Replacement (if any)**

- a. ☐ Bank
- b. ☐ Bordering Vegetated Wetland
- c. ☐ Land Under Waterbodies and Waterways

1. linear feet

1. square feet

1. square feet

3. cubic yards dredged

2. linear feet

2. square feet

2. square feet





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> <b>Bordering Land Subject to Flooding</b>	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> <b>Isolated Land Subject to Flooding</b>	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> <b>Riverfront Area</b>	1. Name of Waterway (if available)	
2. Width of Riverfront Area (check one):		
<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only		
<input type="checkbox"/> 100 ft. - New agricultural projects only		
<input type="checkbox"/> 200 ft. - All other projects		
3. Total area of Riverfront Area on the site of the proposed project:		square feet
4. Proposed alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI? <input type="checkbox"/> Yes <input type="checkbox"/> No		
6. Was the lot where the activity is proposed created prior to August 1, 1996? <input type="checkbox"/> Yes <input type="checkbox"/> No		

3. ☒ **Coastal Resource Areas: (See 310 CMR 10.25-10.35)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your  
document  
transaction  
number  
(provided on your  
receipt page)  
with all  
supplementary  
information you  
submit to the  
Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> <b>Designated Port Areas</b>	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> <b>Land Under the Ocean</b>	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> <b>Barrier Beach</b>	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> <b>Coastal Beaches</b>	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> <b>Coastal Dunes</b>	1. square feet	2. cubic yards dune nourishment



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input checked="" type="checkbox"/> Salt Marshes	480 1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings

**C. Other Applicable Standards and Requirements**

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://www.mass.gov/dfwele/dfw/nhesp/regulatory\\_review/priority\\_habitat/online\\_viewer.htm](http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm).
- a. ☒ Yes   ☐ No   If yes, include proof of mailing or hand delivery of NOI to:

October 2008

b. Date of map

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
100 Hartwell Street, Suite 230  
West Boylston, MA 01583





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number \_\_\_\_\_

Document Transaction Number \_\_\_\_\_

Eastham

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); OR complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

**1. c. Submit Supplemental Information for Endangered Species Review\***

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage \_\_\_\_\_

(b) outside Resource Area

percentage/acreage \_\_\_\_\_

2. ☐ Assessor's Map or right-of-way plan of site

3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*\*\*

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

(c) ☐ MESA filing fee (fee information available at:

[http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_fee_schedule.htm)).

Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to NHESP at above address

*Projects altering 10 or more acres of land, also submit:*

(d) ☐ Vegetation cover type map of site

(e) ☐ Project plans showing Priority & Estimated Habitat boundaries

**d. OR Check One of the Following**

1. ☐ Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/mesa/mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/mesa/mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☒ Separate MESA review ongoing.

a. NHESP Tracking # \_\_\_\_\_

3-21-14

b. Date submitted to NHESP

\* Some projects not in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhosp/nhosp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

3. ☐ Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☐ Not applicable – project is in inland resource area only

- b. ☐ Yes ☒ No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode  
Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
1213 Purchase Street – 3rd Floor  
New Bedford, MA 02740-8694

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). Note: electronic filers click on Website.

Online Users:  
Include your  
document  
transaction  
number  
(provided on your  
receipt page)  
with all  
supplementary  
information you  
submit to the  
Department.

b. ACEC

4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No

6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2. ☐ A portion of the site constitutes redevelopment
  3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**C. Other Applicable Standards and Requirements (cont'd)**

2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

see attached

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☒ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Eastham

City/Town

**E. Fees**

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

n/a

2. Municipal Check Number

2108

4. State Check Number

LAUREN

6. Payor name on check: First Name

3. Check date

3-20-14

5. Check date

MCLEAN

7. Payor name on check: Last Name

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

6. Date

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



**WPA Form 3- Notice of Intent Additional Information**

**Project-** Nauset Marsh Trail replacement boardwalk at Salt Pond 2014

**Applicant-** Lauren McKean, Cape Cod National Seashore

**D. Additional Information**

1. Locus Map, Section USGS Orleans Quadrangle Map, 1974
2. Plans identifying location of proposed activities - Project Narrative Attachment, including photos of project area, past and current conditions, proposed conditions drawing, work/construction protocol, staging and performance standards, resource area disturbance and limit of work, and cedar log footings.
3. Method of BVW boundary delineation- Visual site inspection by park staff
4. Assessor's Map 12, 2010  
CCNS Ownership, Structures, Trails and Roads map, 2010  
Oliver Mass GIS Estimated and Priority Habitats map, 2014  
FEMA FIRM map, 1992
5. n/a
6. Proof of mailing to Natural Heritage and Endangered Species Program
7. n/a
8. NOI Wetlands Fee Transmittal Form- exempt from fee as per DPW Director because the landowner is the town, however state fee is not waived as town is not applicant
9. Stormwater Management n/a- This project is exempt from Stormwater Management Standards because we are installing a replacement boardwalk that allows for water penetration and not an impervious surface.

**E. Fees**

**State Check Number:** 2108

**Check Date:** March 21, 2014

**Payor name on Check:** Lauren McKean

**NOI Wetland Fee Transmittal Form**

**Notification of Abutters Information**

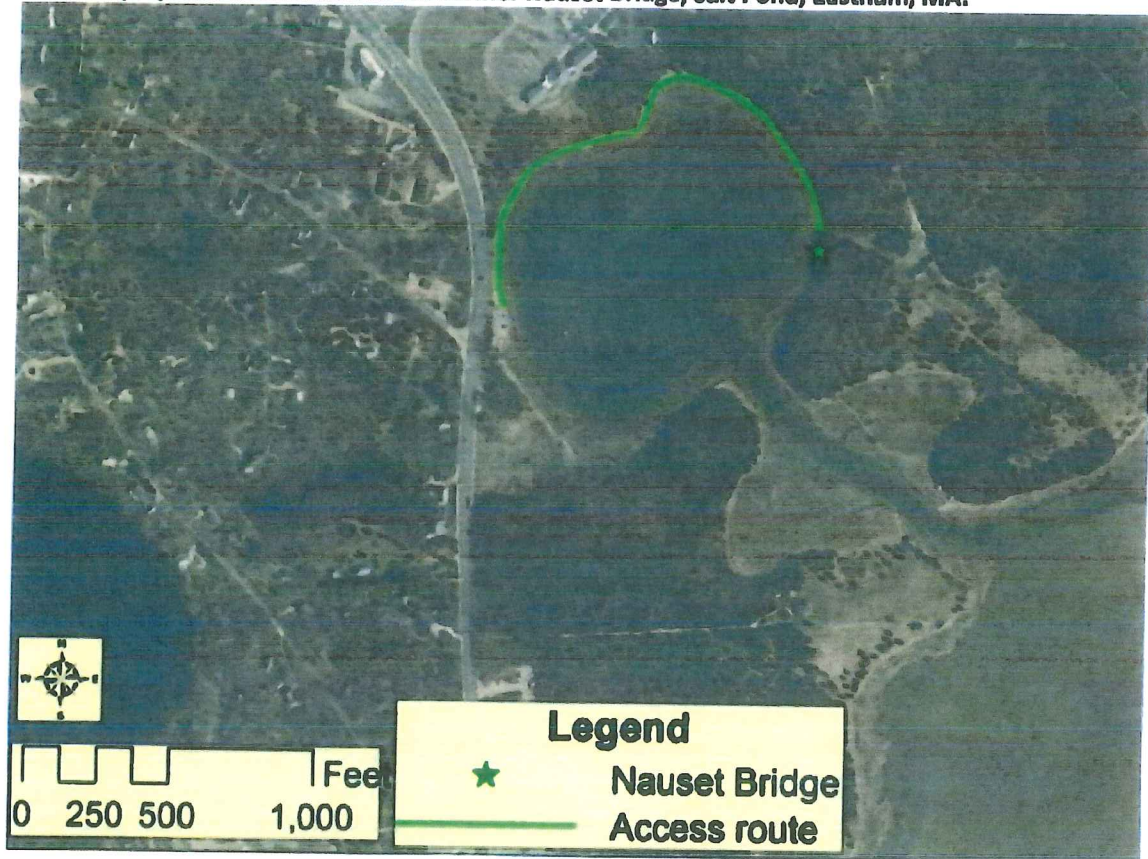
- a. Affidavit of Service
- b. List of Abutters
- c. Notification of Abutters Form

**Waiver Agreement**



**Project Narrative Attachment:**  
**Nauset Marsh Trail replacement boardwalk at Salt Pond**  
**Cape Cod National Seashore**  
**Spring 2014**

**Locus of project area: Location of the former Nauset Bridge, Salt Pond, Eastham, MA.**





**Description:**

This project replaces the heavily damaged Nauset Marsh Trail bridge that was removed from town land in 2013 with a timber plank boardwalk that is supported by cedar logs on-grade.



**Current Conditions:**

Citizens installed a temporary fix due to the routinely inundated walking surface at the edge of the Salt Pond marsh (see photo below). This alternative concept is similarly low-tech, with some built-in environmental and safety improvements for boardwalk sections extending approximately 80 feet.

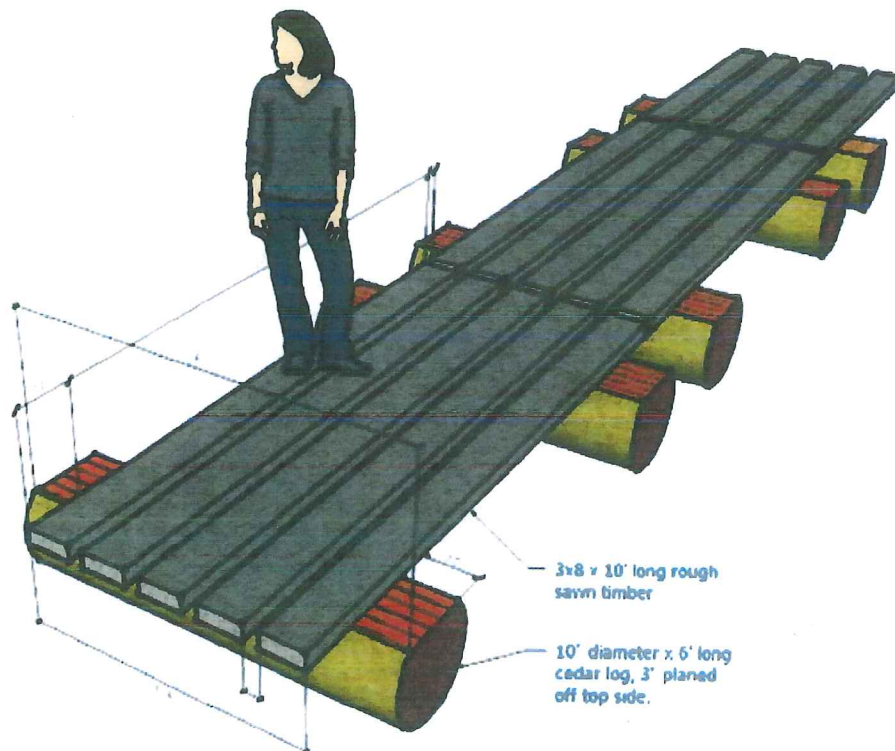


**Work/Construction Protocol, Staging and Performance Standards:**

About eight 10-foot sections of boardwalk will be installed. The seashore proposes to install 6' long cedar logs to stabilize the walking surface, and install approximately 4 stainless steel helical anchors for each section to allow for the boardwalk sections to rise and fall with tidal fluctuations during storm conditions. Rough-sawn timber planks (not pressure-treated) will be used for the boardwalk surface, 3"x8" by 10' long. About 16 cedar log footings and 32 helical anchors will keep the walking surface from floating away, while also providing a stable walking surface. The walking surface will have five planks with 3" gaps between them for two-way foot traffic.

The former bridge pilings will be removed. The boardwalk will be assembled without the use of heavy equipment at the marsh. Battery-powered tools will be utilized on site. Materials will be brought in by pick-up truck; the truck will access the site via the town landing off Route 6 and will drive along the shoreline of the pond for a distance of about 1900 feet (see above); access will occur at low tide.

**Proposed conditions:**





**Disturbance in the resource area and Limit of Work:**

The log footings of the boardwalk will be installed within the footprint of the existing path along the edge of the marsh grass at or above mean high water. The trail cannot be relocated to the upland because that area is privately-owned, so the boardwalk protects the salt marsh from trampling while allowing the public to cross the edge of the marsh without wet feet.

The total project area is about 480 square feet within the edge of the salt marsh, which is a reduction of 200 square feet from the 137' long by 5 foot wide bridge that the boardwalk replaces.

The statutory Interests of the Mass Wetlands Protection Act will not be impacted by this proposal. No protected species are present in the project area, as previously confirmed by seashore's Natural Resource Management staff. The project will improve the conditions of the site, not impeding tidal water flow and allowing sunlight penetration. The site will be accessed by an existing pathway that has been previously disturbed and degraded by foot traffic. The replacement boardwalk area is confined by the existing path, clearly delineating a previously disturbed work limit area.

**Red cedar boardwalk logs from Skiff Hill area, Eastham**

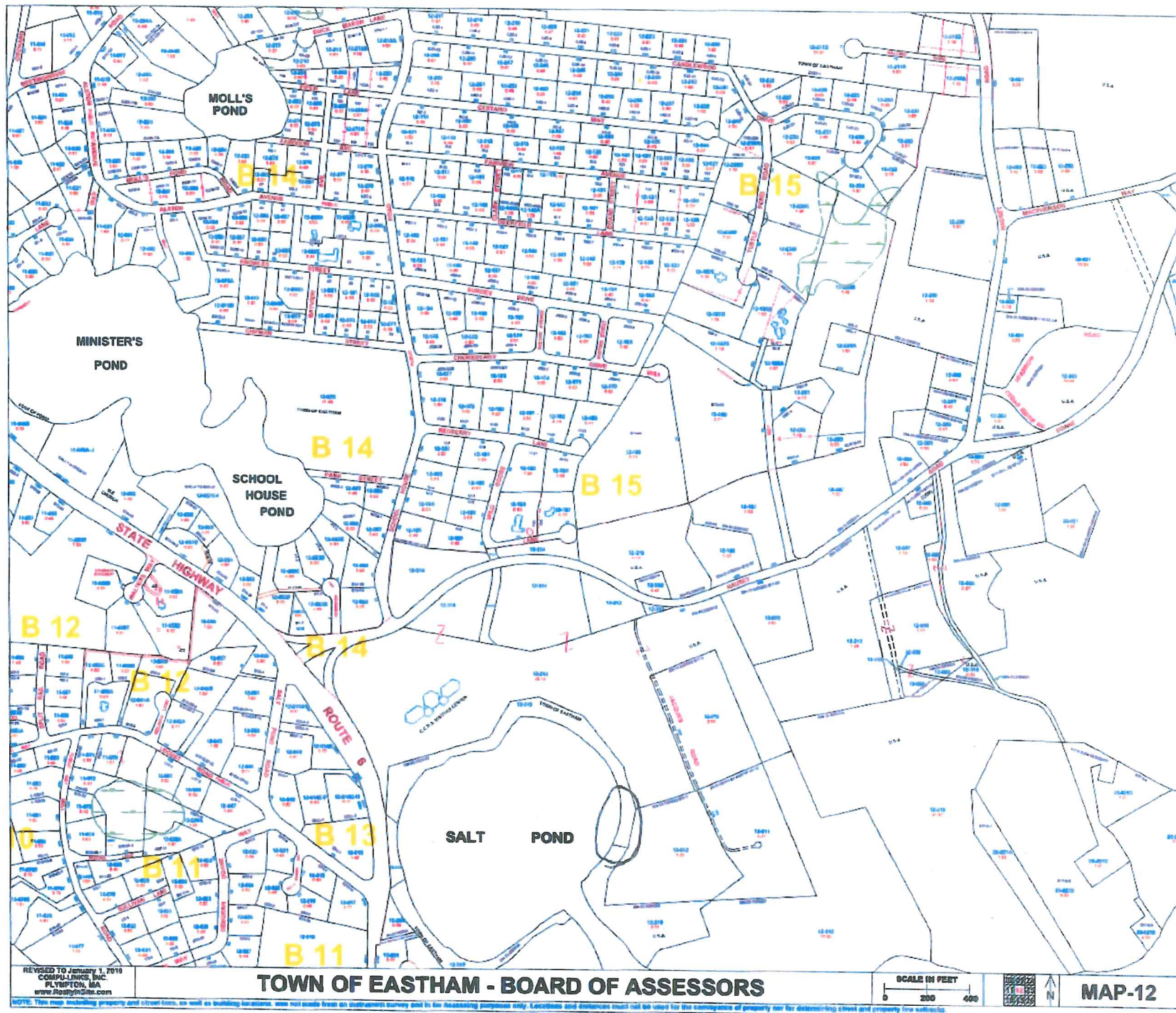




ATLANZ









## WETLANDS MONITORING

### Structures within NPS Boundary

-  **Designated Trails**  
 **Bike Paths**  
 **Town boundary**

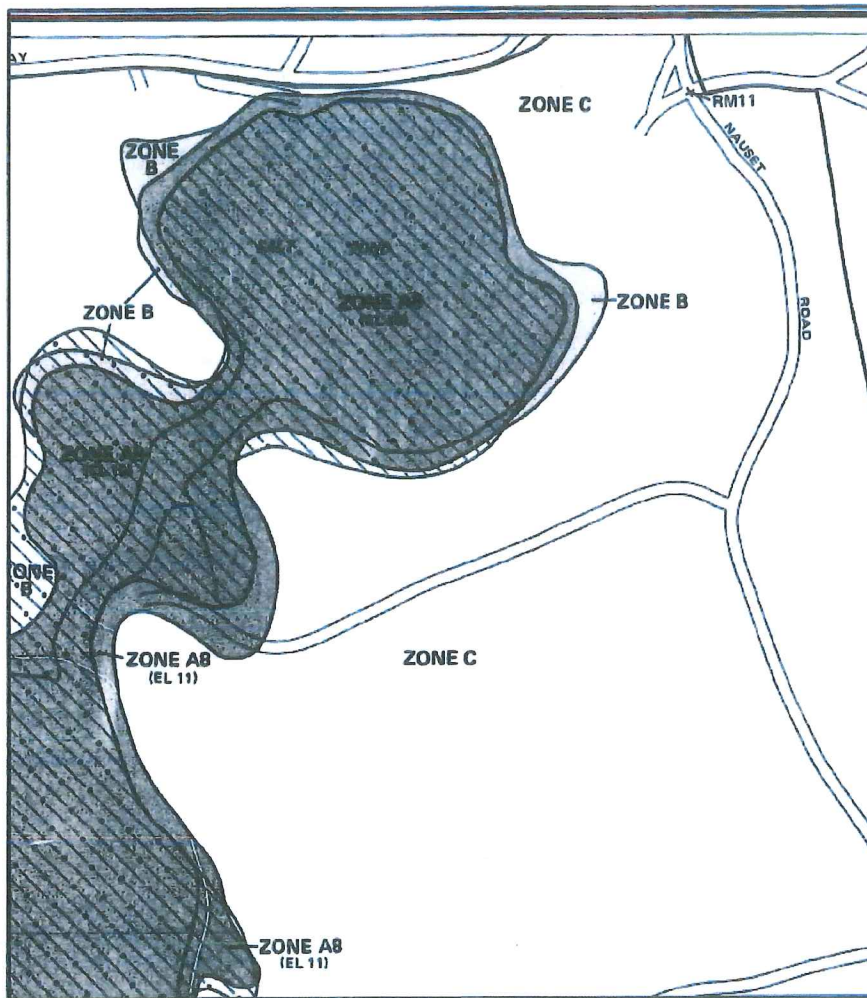
## NPS Ownership


**OWNER TYPE**

-  PRIVATE  
 STATE  
 TOWN  
 NPS Boundary









APPROXIMATE SCALE

400 0 400 FEET

---

**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM**  
FLOOD INSURANCE RATE MAP


**TOWN OF EASTHAM,  
MASSACHUSETTS  
BARNSTABLE COUNTY**

**PANEL 4 OF 5**  
(SEE MAP INDEX FOR PANELS NOT PRINTED)

NOTE  
THIS MAP INCORPORATES APPROXIMATE COASTLINES BY  
COASTAL SHAPED BOUNDARY SYSTEM (CSBS) AND/OR  
OCEANIC PROTECTED AREAS (OPAs) UNDER THE  
COASTAL ZONING ACT OF 1972.

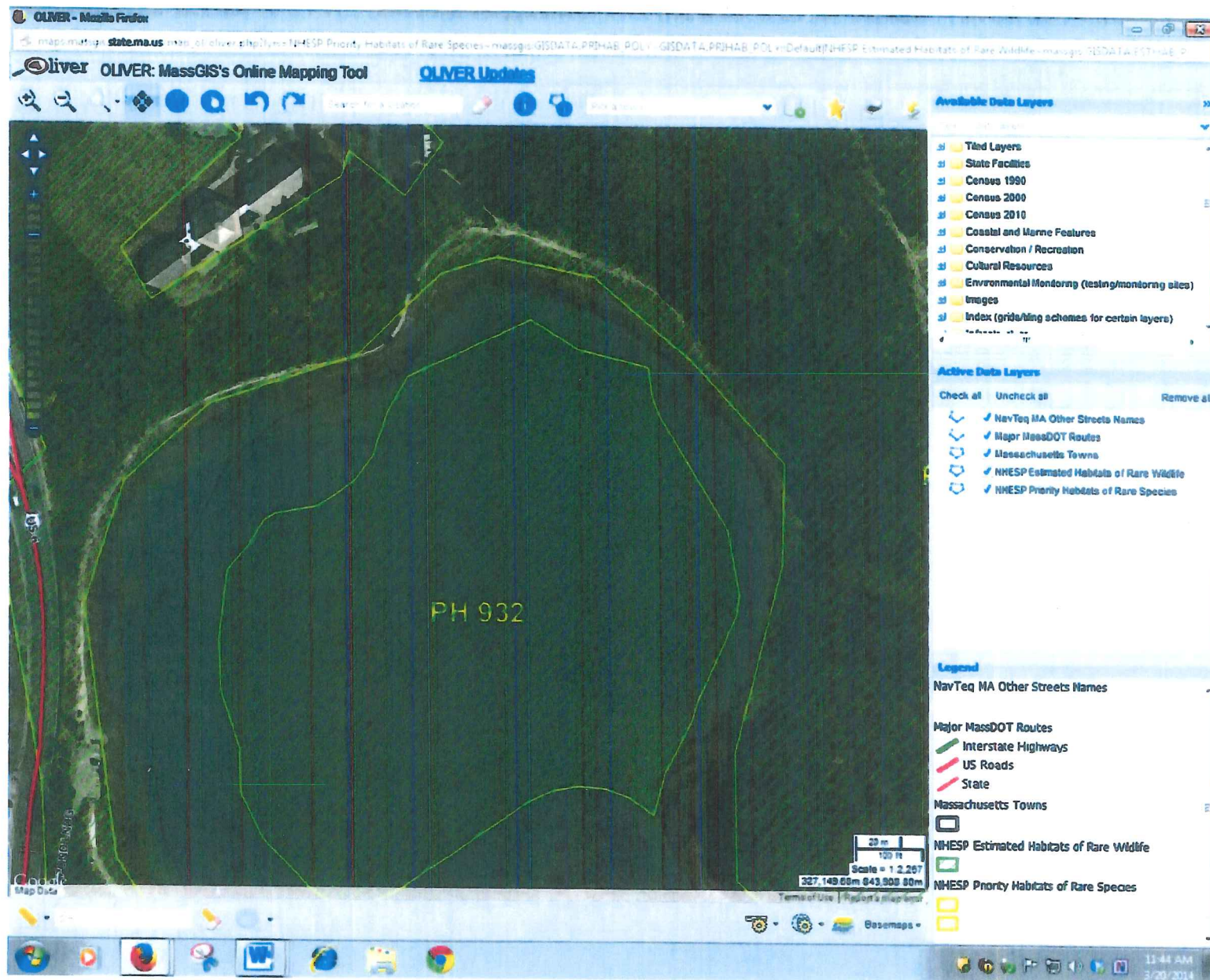
**COMMUNITY-PANEL NUMBER**  
250005 0004 D

**MAP REVISED:**  
JULY 2, 1992



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)







## United States Department of the Interior

National Park Service  
Cape Cod National Seashore  
99 Marconi Site Road  
Wellfleet, Massachusetts 02667  
508.771.2144  
508.349.9257 Fax

IN REPLY REFER TO:  
L7617

March 21, 2014

Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
100 Hartwell Street, Suite 230  
West Boylston, Massachusetts 01583

Dear Reviewer:

Under the terms of the National Environmental Policy Act (NEPA), the National Park Service (NPS) at Cape Cod National Seashore is undertaking environmental compliance analysis and documentation for replacement of a bridge with a 80' boardwalk at Nauset Marsh Trail at Salt Pond in Eastham, MA. We are filing a Notice of Intent under the Massachusetts Wetlands Protection Act for the project, and include a copy for your consideration.

Appropriate Best Management Practices (BMPs) have been built into the design to avoid or limit impacts to resources. We request any information regarding state-listed or proposed threatened or endangered species or critical habitats that might occur in the project vicinity, and any special management considerations for such species. The project areas are depicted on the sections of the USGS Quadrangle and Mass GIS maps, and the project narrative attachment.

We appreciate your input on this project; your response will become part of the project compliance record. If you have any questions regarding the project, please contact Jason Taylor, Chief of Natural Resources Management, at [Jason\\_J\\_Taylor@nps.gov](mailto:Jason_J_Taylor@nps.gov) or (508) 957-0737.

Sincerely,

FOR  
George E. Price, Jr.  
Superintendent

Enclosures



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



## A. Applicant Information

### 1. Location of Project:

2800 State Highway

a. Street Address

2108

c. Check number

Eastham, MA

b. City/Town

B 112.50

d. Fee amount

### 2. Applicant Mailing Address:

Lauren

a. First Name

McKean

b. Last Name

Cape Cod National Seashore

c. Organization

99 Marconi Site Road

d. Mailing Address

Wellfleet

e. City/Town

MA

f. State

02667

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

### 3. Property Owner (if different):

n/a

a. First Name

b. Last Name

Town of Eastham

c. Organization

2500 State Highway

d. Mailing Address

Eastham

e. City/Town

MA

f. State

02642

g. Zip Code

508-240-5971

h. Phone Number

508-240-6687

i. Fax Number

dpw@eastham-ma.gov

j. Email Address

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees (continued)**

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2J	1	\$500	\$500

Step 5/Total Project Fee: \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	\$250
State share of filing Fee:	a. Total Fee from Step 5 \$112.50
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 n/a
	c. 1/2 Total Fee plus \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
Box 4062  
Boston, MA 02211

- b.) To the Conservation Commission: Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and a copy of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



# AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act.

(To be submitted to the Mass. Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, LAURAN MCKENNA, hereby certify under the pains and penalties of perjury that on 3/21/14 (Date) I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, sec. 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Mass. Wetlands Protection Act by Cape Cod National Seashore with the Eastham Conservation Commission on (Name of Applicant) March 21, 2014 for property located at 2800 State Highway in Eastham, MA (Salt Pond) (Address of land where work is proposed)

The form of the notification and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.

Name [Signature]

Date 3/21/14

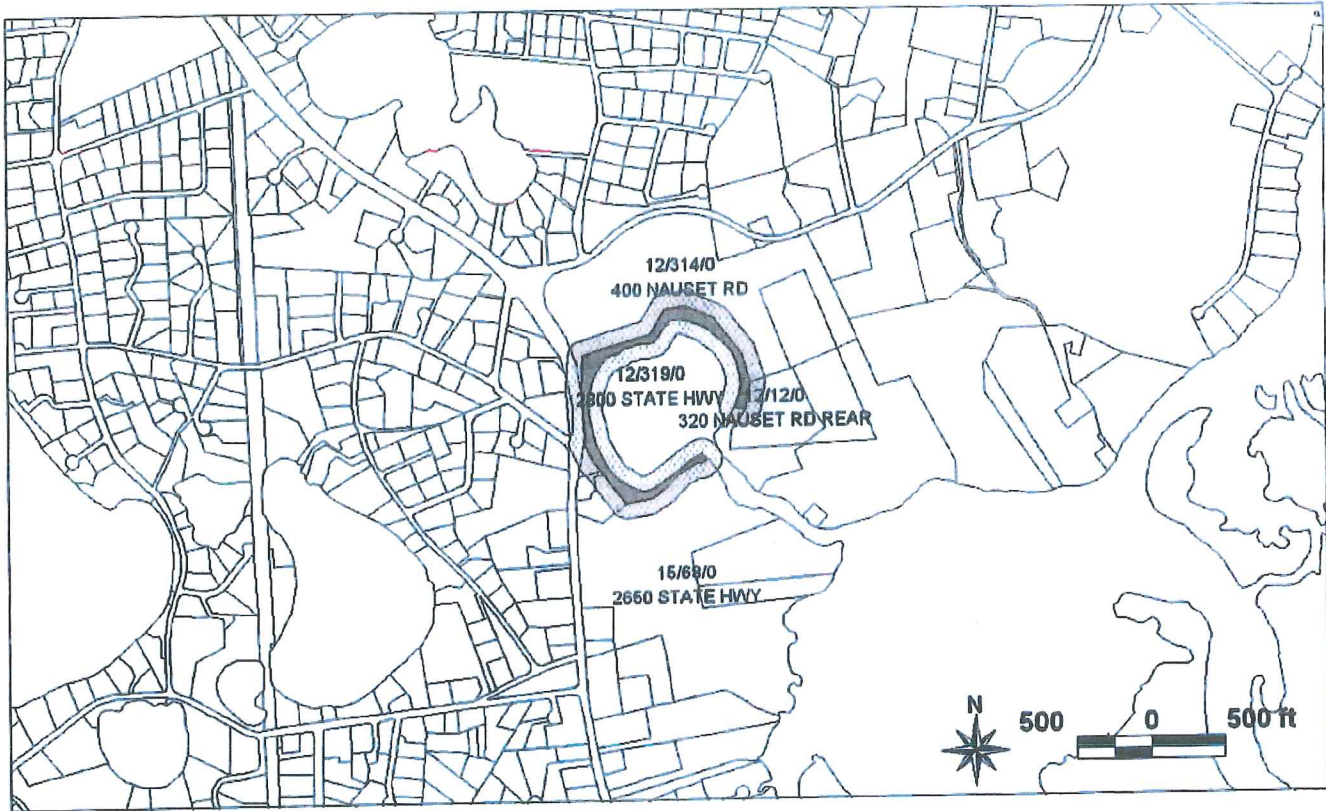
I, Gail A. McAleer, Deputy Assessor for the Town of Eastham, hereby certify that the current Assessing Department records show the owners and mailing addresses as indicated below

Gail A. McAleer, MAA



**TOWN OF EASTHAM, MA  
BOARD OF ASSESSORS  
2500 State Highway**

**Abutters List Within 100 feet of Abutters to Parcel 12/319/0**



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3979	12-12-0-R	RICHARDSON FAMILY LIMITED PART	320 NAUSET RD REAR	C/O ROPES & GRAY 800 BOYLSTON ST	BOSTON	MA	02199-3600
3984	12-14-G-R	DELGIZZI DANIEL R	2815 STATE HWY	77 HOLLINGSWORTH AVE	BRAINTREE	MA	02184
3985	12-14-H-R	DELGIZZI DANIEL R & DAVID J	2825 STATE HWY	77 HOLLINGSWORTH AVE	BRAINTREE	MA	02184
4788	15-3-0-E	UNITED STATES OF AMERICA	0 STATE HWY	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
4789	15-4-0-E	UNITED STATES OF AMERICA	0 STATE HWY	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
9919	12-314-0-E	UNITED STATES OF AMERICA	400 NAUSET RD	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
9922	12-318-0-E	UNITED STATES OF AMERICA	0 NAUSET RD REAR	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
9924	12-319-0-E	EASTHAM TOWN OF SALT POND LANDING	2800 STATE HWY	2500 STATE HIGHWAY	EASTHAM	MA	02642
9925	12-320-0-E	UNITED STATES OF AMERICA	2760 STATE HWY	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
9937	15-68-0-E	UNITED STATES OF AMERICA	2650 STATE HWY	CAPE COD NATL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
10983	12-15-A-R	MCCARTHY ALLAN & MARYELLEN P	20 LOCUST RD	161 PLAYSTEAD RD	MEDFORD	MA	02155
10984	12-15-B-R	FILIPSKI JAY S	21 LOCUST RD	14 MERRILL RD	WATERTOWN	MA	02472
10985	12-15-C-R	FARLEY PATRICIA & FARLEY SHAWN PATRICIA E FARLEY REV TRUST	22 LOCUST RD	425 S ELM ST 42C	ARROYO	CA	93420
10986	12-15-D-R	CAREW DAVID JOHN	23 LOCUST RD	340 MAPLE AVE	CHESHIRE	CT	06410
10987	12-15-E-R	NORRIS DAVID W	24 LOCUST RD	24 LOCUST RD	EASTHAM	MA	02642

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
10988	12-15-F-R	MAHAR PHILIP & LAUREL	25 LOCUST RD	1010 ANTHONY DR	SCHENECTADY	NY	12303-4502
10989	12-15-G-R	CAVALLO PAUL C & JOAN D	28 LOCUST RD	60 CASTLE HILL RD	AGAWAM	MA	01001
10990	12-15-H-R	CORY ELAINE	27 LOCUST RD	120 FAYERWEATHER ST #2	CAMBRIDGE	MA	02138



12-12-0-R	12-14-G-R	12-14-H-R
RICHARDSON FAMILY LIMITED PART C/O ROPES & GRAY 800 BOYLSTON ST BOSTON, MA 02199-3800	DELGIZZI DANIEL R 77 HOLLINGSWORTH AVE BRAINTREE, MA 02184	DELGIZZI DANIEL R & DAVID J 77 HOLLINGSWORTH AVE BRAINTREE, MA 02184
15-3-0-E	15-4-0-E	12-314-0-E
UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667
12-318-0-E	12-319-0-E	12-320-0-E
UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	EASTHAM TOWN OF SALT POND LANDING 2500 STATE HIGHWAY EASTHAM, MA 02642	UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667
15-68-0-E	12-15-A-R	12-15-B-R
UNITED STATES OF AMERICA CAPE COD NATL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	MCCARTHY ALLAN & MARYELLEN P 161 PLAYSTEAD RD MEDFORD, MA 02155	FILIPSKI JAY S 14 MERRILL RD WATERTOWN, MA 02472
12-15-C-R	12-15-D-R	12-15-E-R
FARLEY PATRICIA & FARLEY SHAWN PATRICIA E FARLEY REV TRUST 425 S ELM ST 42C ARROYO, CA 93420	CAREW DAVID JOHN 340 MAPLE AVE CHESHIRE, CT 06410	NORRIS DAVID W 24 LOCUST RD EASTHAM, MA 02642
12-15-F-R	12-15-G-R	12-15-H-R
MAHAR PHILIP & LAUREL 1010 ANTHONY DR SCHENECTADY, NY 12303-4502	CAVALLO PAUL C & JOAN D 6D CASTLE HILL RD AGAWAM, MA 01001	CORY ELAINE 120 FAYERWEATHER ST #2 CAMBRIDGE, MA 02138

**Notification to Abutters Under the  
Massachusetts Wetlands Protection Act**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is: CAPE COD NATIONAL SEASHORE
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of: Eastham seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).  
Proposed Activity: Nauut Marsh trail replacement  
Boardwalk @ Salt Pond
- C. The address of the lot where the activity is proposed is: 2800 State  
Highway
- D. Copies of the Notice of Intent may be examined at:  
**DPW/NRO Building, 555 Old Orchard Road, Eastham MA 02642**

Between the hours of 8 AM and 4 PM on the following days of the week:

**Monday through Friday**

For more information, call: (508) 240-5971

Check One: This is the applicant ☐, representative ☐, or other ☒ (specify):

**The Eastham Conservation Commission**

- E. Copies of the Notice of Intent may be obtained from either (check one) the applicant ☐, or the applicant's representative ☒, by calling this telephone number (508) 240-5971 between the hours of 8 AM and 4 PM on the following days of the week:

**Monday through Friday**

For more information regarding the date, time and place of the public hearing may be obtained from: **The Eastham Conservation Commission** By calling this telephone number (508) 240-5971 between the hours of 8 AM and 4 PM on the following days of the week:

**Monday through Friday**

Check One: This is the applicant ☐, representative ☐, or other ☒ (specify):

**The Eastham Conservation Commission**

**Note:** Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the

**The Cape Codder**

(Name of Newspaper)

**Note:** Notice of the public hearing, including its date, time and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

**Note:** You may also contact your local Conservation Commission of the nearest Department of Environmental Protection Regional Office for more information about this application of the Wetlands Protection Act. To contact DEP call:

Central Region: 508-792-7650

Northeast Region: 617-935-2160

Southeast Region: 508-946-2700

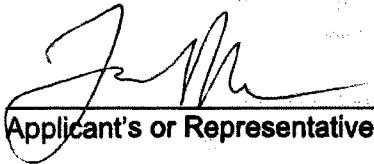
Western Region: 413-784-1100

## WAIVER AGREEMENT

### Commissioners

I hereby waive the statutory requirement that a Public Hearing be held within twenty-one (21) days from filing with the Eastham Conservation Commission of a Notice of Intent or Request for Determination of Applicability for the project location listed below.

I understand that the Public Hearing will be scheduled for the earliest possible meeting date.

 3/20/14  
Applicant's or Representative's Signature Date

Applicant's Name:(print) LAUREN MCLEAN

Address: Cape Cod NS

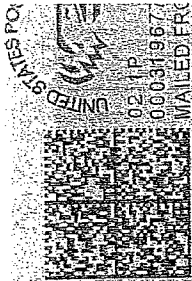
99 Marconi Site Rd, Wellfleet MA 02667

Telephone: 508-957-0731

Project Location: Salt Pond, Namsct Marsh Trail

Map & Parcel: Map 12 / Parcel 319





DEP Southeast Region  
Route 105  
20 Riverside Dr  
Lakeville MA 02347

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

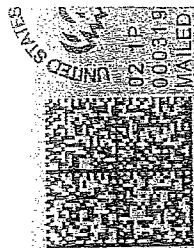
**OFFICIAL USE**

Postage	\$ 2.24
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.24

Postmark  
Here

Sent To  
Street, Apt  
or PO Box  
City, State,

DEP Southeast Region  
Route 105  
20 Riverside Dr



Natural Heritage & Endangered Species  
Program Divn of Fisheries & Wildlife --  
100 Hartwell St Suite 230  
West Boylston MA 01583

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

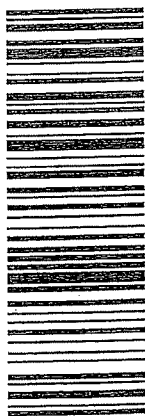
**OFFICIAL USE**

Postage	\$ 2.03
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 8.03

Postmark  
Here

Sent To Natural Heritage & Endangered Species  
Program Divn of Fisheries & Wildlife --  
Street, Apt. or PO Box 100 Hartwell St Suite 230  
City, State West Boylston MA 01583

7005 0390 0005 4382 1746  
7005 0390 0005 4382 1746



CERTIFIED MAIL<sup>TM</sup>



**INFORMATION:**

**PROPOSED WORK AT  
SANDY MEADOW**

**To:** Nan Balmer, Assistant Town Administrator

**From:** Dick Hilmer, Deputy Natural Resources Officer, and staff to the Open Space committee

**Regarding:** Sandy Meadow Trail CPA Project

**Date:** March 31, 2014

Please see below the proposed scope of work for the Sandy Meadow Trail CPA project. The scope of work has been reviewed by the Director of Public Works and the Open Space Committee. We will move forward after approval of the Town Administrator / Board of Selectmen

**Summary:** The project requires altering the hiking trail located within the southwest corner of town-owned property at Sandy Meadow into a 700 linear foot long, universally accessible nature trail.

**Scope of Work:** A continuous, unobstructed path for universal accessibility.

**Guidelines:** Using the guidelines from Accessibility Guidebook for Outdoor Recreation and Trails, Trail Planning and Management Fundamentals and Interagency Trail Data Standards (ITDS); the 700 foot universally accessible trail will connect directly to a loop of current undeveloped trails on the Sandy Meadow property.

**Design and Construction Parameters:** Technical specifications for trail construction and maintenance, based on the Designed Use and Trail Class for a universally accessible trail.

Design parameters include:

- Tread Width
- Surface
- Grade
- Cross-Slope
- Clearing
- Turn around / rest area
- Parking spaces

**The Trail:** A Universally Accessible Trail is a route that is designed, constructed, and designated for recreational pedestrian use or provided as an pedestrian alternative offering service to a diverse range of visitors including: hikers, runners, pedestrians, those with strollers, or are mobility impaired, and those in wheelchairs.



**Trail Width:** The width of the trail tread is 60 inches, allowing for passing along the trail. The edge of the trail will be protected by an 18 inch apron on both sides. Further, many people will use the natural tactile change between the trail surface and the surrounding ground surface to distinguish between the edge and the surface of the trail

**Trail Length:** 700 linear feet long, from the trailhead at the parking area to the T-Shaped turn around / resting area at the end of the trail.

**Trail Surface:** Compacted Crushed fines / stones. These crusher fines interlock together forming a hard firm surface.

**Trail Grade:** The trail grade is consistent with the vertical distance of ascent or descent of a trail expressed as a percentage of its length, commonly measured as a ratio of rise to length. That requires the trail comply with one or more of four separate provisions for trail grade: up to 1:20 (5%), up to 1:12 (8.33%), up to 1:10 (10%), and up to 1:8 (12%). Trail grade of up to 1:20 (5%) is permitted for any distance.

**Trail Drainage:** In addition, the trail design must ensure proper drainage. A trail grade of up to 1:7 (14%) is permitted into and out of a drain dip where the cross slope does not exceed 1:20 (5%).

**Trail Resting Area:** A T-Shaped resting area will be located at the end of the 700 foot trail. The resting area must be 60 inches long and wide to accommodate a person using a wheelchair.

**Trail Clearance:** The trail will provide at least 80 inches of headroom.

**Trailhead Parking:** Two parking spaces will be located south of the trailhead. One parking space, closest to the universally accessible trailhead, will be designated for handicapped parking and be located near the accessible trail entrance. The parking space will be at least 8 feet wide with a level access aisle not less than 5 feet, connected to the trail. The other space will be 8 feet wide and available to visitors. Both parking spaces will be 20 feet in length.