# WEDNESDAY JUNE 4<sup>TH</sup> 2014



### TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544 *All departments* 508-240-5900 • *Fax* 508-240-1291 www.eastham-ma.gov

TOWN OF EASTHAM AGENDA BOARD OF SELECTMEN Wednesday, June 4, 2014 2:30 p.m.

Location:

Earle Mountain Room

### WORK SESSION

- 1. Open Space Committee Acquisition Discussion Dick Hilmer
- 2. Soldiers and Sailors Cemetery Discussion Martin McDonald
- 3. Timothy Smith Loan Approvals Wally Adams
- 4. Board Reorganization
- 5. Summer Schedule Discussion Linda Burt
- 6. Approval of Minutes:
  - a. April 30, 2014 Regular Session
  - b. April 30, 2014 Executive Session
  - c. May 7, 2014 Executive Session

**EXECUTIVE SESSION:** 

Litigation/Contract Negotiation Strategy

### **Upcoming Meetings:**

June 16, 2014

5;00 p.m.

Regular Meeting

June 18, 2014

2:30 p.m.

Work Session



May 22, 2014

Sheila Vanderhoef Town Administrator 2500 State Highway Eastham, MA 02642

Re: FY 15 LAND Grant Application

Dear Ms. Vanderhoef:

The Eastham Open Space Committee is exploring the opportunity for the Town to acquire two critical parcels of land adjacent to the Herring River marshes. This land is the prime nesting spot in Eastham for Diamondback Terrapins, and has been the focus of a multi-year monitoring study by the Massachusetts Audubon Society (MAS). Preserving this upland is absolutely vital to the continued survival success of the terrapins at this site. We anticipate MAS will be making an application in the fall for Community Preservation Act funds towards the Town's acquisition, and also anticipate MAS will be a financial partner with the Town. MAS is paying for the appraisal report to determine the value of the land.

An additional significant source of funding potentially is available from the State, through a LAND (formerly called Self-Help) reimbursement grant. The LAND grant, if awarded, would reimburse the Town for 52% of the cost of the acquisition. The maximum grant is \$400,000. But we need to act quickly, as the grant application deadline is **June 18**, only a few weeks away.

Under the LAND grant program, the Board of Selectmen must authorize the Town Administrator and the Conservation Commission to file the LAND application, as well as authorize the Town Administrator to serve as project manager in connection with the application. I am enclosing a motion for the Board of Selectmen's review and action.

It is important that the authorization motion be approved prior to the grant submission deadline in order for the Town to be eligible for this FY 15 state reimbursement grant. To that end, we ask that this item be placed on the Board's agenda for action. I understand it may be possible for the Selectmen to act on this motion at their June 4<sup>th</sup> meeting.

A representative of the Open Space Committee will be available for the Selectmen's meeting to answer any questions they may have.

Sincerely,

Dick Hilmer On behalf of Eastham Open Space Committee

Attachment: Authorization Motion for the LAND Grant; Location Map

**Description:** The Town of Eastham has the opportunity to acquire and permanently protect two adjoining parcels of upland located at the southern edge of the Herring River marshes. These properties represent the best chance for continued nesting and breeding success of the Diamondback Terrapins in Eastham, according to the Massachusetts Audubon Society (MassAudubon). Comprised primarily of wooded upland, limited clearing has been done on these properties solely for the purpose of enhancing the nesting habitat for the Terrapins. Volunteers under the supervision of MassAudubon's Wellfleet Bay Sanctuary have been visiting this site annually for years as part of the Diamondback Terrapin Monitoring Project on the Outer Cape – in the spring locating the terrapin nests and protecting them with wire enclosures, and in late summer coming back to weigh, measure, count, and release hatchlings. These focused efforts to protect habitat, nests and nesting sites undoubtedly are helping in the recovery of this MESA-identified Threatened Species.

When the land recently came up for sale, MassAudubon and the Town responded in partnership to acquire these properties, with the goal of ensuring the protection of and continued habitat enhancement for this species. Recognizing the conservation importance of this land, the Eastham Conservation Foundation (ECF) and The Compact of Cape Cod Conservation Trusts also are involved, providing financial and technical support to the Town in preparing this LAND application. With the award of a LAND grant, a total of <u>five</u> partners – the Commonwealth, Town, and statewide, regional and local land trusts – would be assisting in this acquisition, an indication of its merit as significant rare species habitat and open space.

Acquisition of this land will enhance adjoining open space lands; preserve important wildlife habitat; protect the upland buffer to critical salt marsh resources in the Herring River ecosystem; and expand public open space and environmental education opportunities. Equally important, it will prevent the future development of two residential homes and associated septic systems on the marsh. Without question, the Herring River marshes are an important natural resource area in the Town, and these two upland parcels abutting the marsh are critical to protect.

The owner is very much interested in seeing the land and the Terrapin habitat protected, having allowed habitat enhancement ('sand boxes") for the nesting turtles. Unless this land is purchased for conservation, however, the owner will actively market the property for sale for residential development, which would spell the end to this extraordinary Terrapin nesting site. Instead, acquisition of the property by the Town will result in its permanent protection, provide for public scenic enjoyment, and preclude the devaluation of this critical upland wildlife habitat area.

**Resource Values:** The importance of the location of these properties for the Terrapins cannot be overstated. The site connects with more than 230 acres of open space in the Herring River salt marsh system, extending to the tidal flats of Cape Cod Bay, which are protected by the Town, ECF, and The Nature Conservancy. This upland property sits at the very edge of the southern extent of the salt marsh ecosystem, critical habitat for the Terrapin, and abuts the following state-recognized areas:

- Inner Cape Cod Bay Area of Critical Environmental Concern,
- MNHESP Priority Habitat for Rare Species,
- BioMap2 Critical Natural Landscape for Coastal Adaptation,
- BioMap2 Core Habitat for Species of Conservation Concern, and
- DEP Outstanding Resource Waters.

The site itself is included in the Statewide Land Conservation Plan, which identifies the most significant available, undeveloped and unprotected open space lands needed to protect biodiversity habitats. Given its habitat significance abutting the marsh, acquisition of the Terrapin Cove site will preserve a significant wildlife corridor for the Diamondback Terrapins and other species. In addition, the two properties are located in an area designated by the Commonwealth as a Noteworthy Landscape, unsurprising given its proximity to the broad, scenic marshes.

**Recreational Uses:** Acquisition of this property presents a perfect opportunity to conduct environmental education programs on site in conjunction with MassAudubon. We envision programs on the nesting habitats, protection and breeding success of the Diamondback Terrapins. But we also have in mind an appeal to a broader audience by addressing the critical role upland habitats play in maintaining the health of the salt marsh and in climate change adaptation. There also is the possibility of a creating a 'seasonal' path (i.e., open only during non-nesting season) through the upland to the northern edge of the property with its scenic view of the marsh, keeping in mind the paramount goal of maintaining as little human presence as possible on the site so as not to interfere with the Terrapins.

Consistency with State, Regional and Local Planning Documents: As stated in the Town of Eastham's 2014 Draft OSRP, the Town's vision for open space and for recreation has been focused on two basic concerns: "1. The identification of land to be acquired or otherwise preserved as open space; and, 2. The identification of the best potential use of such land (whether it is most suitable for conservation, for active or passive recreation or for integrated use)." (p.65) The Terrapin Cove project is important because it will preserve property with extremely high habitat value, and because it responds to many conservation planning goals and objectives, as listed below:

- ✓ preserve critical habitat for documented nesting sites of the Diamondback Terrapin;
- expand the amount of permanently protected open space in the Town of Eastham outside the National Seashore boundaries;
- ✓ protect wooded upland buffer to the Herring River salt marsh, important for climate change adaptation;
- ✓ provide the opportunity for environmental education programs to increase public awareness of the multiple reasons for saving important habitat;
- ✓ potentially create a path towards the edge of the marsh, if feasible during non-nesting season;
- protect Cape Cod's high-yield aquifer (all of Eastham currently is reliant on well water);
- ✓ maintain the Town's rural character; and,
- ✓ collaborate with non-profit organizations to protect sensitive natural resources.

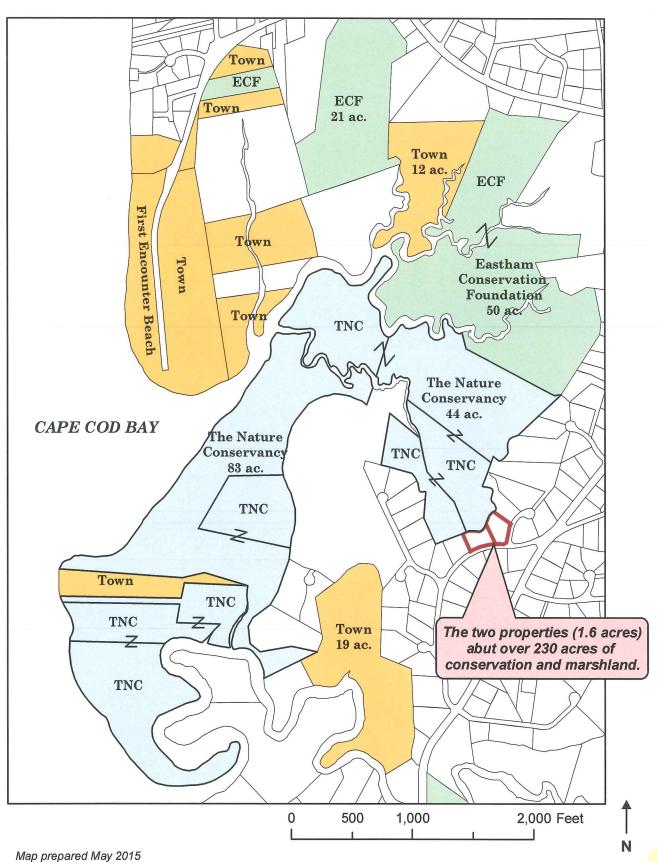
Anticipated Timeline: In Spring 2014, the owner contacted our partner Mass Audubon with the opportunity to purchase and preserve this valuable habitat area. Mass Audubon approached the Town, through its Open Space Committee, and proposed that the Town acquire the property and convey a permanent conservation restriction to Mass Audubon. Mass Audubon also engaged an appraiser on behalf of the Town to determine the properties' value. With the support of the Board of Selectmen and the Conservation Commission, we are submitting this LAND grant application towards our intended purchase. We anticipate a Community Preservation Act funding request for this acquisition, and would bring the acquisition and funding to the Fall 2014 and/or Spring 2015 Town Meeting for approval, with closing to occur by the end of the fiscal year.

### MOTION:

To authorize the Town Administrator and the Conservation Commission to prepare and submit applications to the Commonwealth of Massachusetts' Division of Conservation Services reimbursement programs, including the LAND (formerly Self-Help) and/or Land and Water Conservation Fund programs, for the FY15 grant round, for the acquisition of two parcels of land located at 5 Blue Bill Lane and 225 Widgeon Drive, identified as Parcels 522 and 525 on Town of Eastham Assessors Map 17, containing a total of approximately 1.6 acres of land, more or less;

And further, to authorize the Town Administrator to sign any contracts and provide any legal assurances and understandings to the Commonwealth regarding said applications and awards, and to serve as the Project Manager and primary local contact on matters relating to communications with the Division of Conservation Services regarding these applications, on behalf of the Town of Eastham, and that her signature shall bind the Town regarding the intent of said documents.

### HERRING RIVER MARSH UPLAND (225 Widgeon Drive and 5 Blue Bill Lane) Protected Open Space Context Map



Map prepared May 2015

Data provided by MassGIS; Parcel layer provided by Cape Cod Commission

Town of Eastham - Fiscal Year 2014 5186 Key: 5/28/2014 11:34 am SEQ# LOCATION **CURRENT OWNER** PARCEL ID CLASS CLASS% DESCRIPTION BN ID BN CARD 17-525-0-R 225 WIDGEON DR 1300 100 DEV LAND 1 of 1 **PARADOX PARTNERS** 18 BEECHWOOD RD TRANSFER HISTORY DOS T SALE PRICE BK-PG (Cert) PMT NO PMT DT TY DESC AMOUNT INSP BY 1st | % NORWALK, CT 06854 PARADOX PARTNERS 06/27/2012 V 100 26451-284 10 FIELD REVIEW 06/11/2003 JC 0 100 25885-25 RAPHAELSON STEPHEN & ET A 12/01/2011 F RAPHAELSON LIMITED PARTNE 01/14/2000 B 48,000 12780-198 CD T AC/SF/UN Nbhd INFL1 INFL2 ADJ BASE SAF INFL3 LPI VC | CREDIT AMT ADJ VALUE 1.00 R07 100 S 33,541 80 1.00 TPL 0.90 100 1.00 251,550 1.16 100 1.30 224,540 Ν D TOTAL ZONING A FRNT 33,541 SF 0 ASSESSED CURRENT **PREVIOUS** N DUCK MEADOW PLAN LOT 35. MARSH VIEW ONLY. LAND 224,500 233,900 Nbhd **NBHD 080** BUILDING 0 0 INFL1 **TOPO 090** DETACHED 0 0 OTHER 0 0 INFL2 100 TOTAL 233,900 224,500 TY QUAL COND DIM/NOTE YB UNITS ADJ PRICE RCNLD **PHOTO** BLDG COMMENTS BUILDING CD ADJ DESC **MEASURE** MODEL LIST STYLE B QUALITY REVIEW U FRAME DESCRIPTION S BAT T **ELEMENT** CD ADJ DESCRIPTION UNITS YB **ADJ PRICE** RCN TOTAL RCN SIZE ADJ YEAR BLT CONDITION ELEM CD **NET AREA** DETAIL ADJ \$NLA(RCN) OVERALL CAPACITY UNITS ADJ EFF.YR/AGE COND FUNC **ECON** DEPR % GD RCNLD

## CONFIRMATORY MASSACHUSETTS QUITCLAIM DEED

RAPHAELSON LIMITED PARTNERSHIP, an Alaska Limited Partnership whose principal office is at 18 Beechwood Road, Norwalk, CT 06854

for consideration paid, and in full consideration of a sum less than ONE HUNDRED and 00/100ths (\$100.00) DOLLARS

grant all of its right, title and interest in and to said property to

STEPHEN RAPHAELSON and CHARLES D. RAPHAELSON, to hold as partners of PARADOX PARTNERS of 18 Beechwood Road, Norwalk, CT 06854

### with QUITCLAIM COVENANTS

That land and buildings thereon situated in Eastham in the County of Barnstable, Massachusetts, further described as being Lots 18, 35 and 36 on a Plan entitled "Duck Meadow" subdivision Plan of Land of Eastham", recorded at the Barnstable County Registry of Deeds in Plan Book 338, Plans 50 + 53.

Being the same property transferred to Grantor by Deed of David Raphaelson recorded on January 14, 2000 in Book 12780, page 198.

This is a Corrective Deed to a Deed recorded in Book 25885, Page 25, on December 1, 2011 in which Lot 18 is incorrectly stated as Lot 19.

This document is executed as of November 15, 2011, and corrected this <u>14</u> day of June, 2012.

### RAPHAELSON LIMITED PARTNERSHIP

By:

STEPHEN RAPHAELSON, as PRESIDENT and TREASURER of EASTHAM TURNIP CO., INC., THE GENERAL PARTNER

### COMMOWNEALTH OF MASSACHUSETTS

,88

On this 14 day of June, 2012, before me, the undersigned notary public, personally appeared STEPHEN RAPHAELSON, President and Treasurer of EASTHAM TURNIP CO., INC., THE GENERAL PARTNER, proved to me through satisfactory evidence of identification, which was <a href="https://doi.org/10.1007/j.com/resident-number-10.1007/j.com/resident-

Notary Public

My Commission Expires:

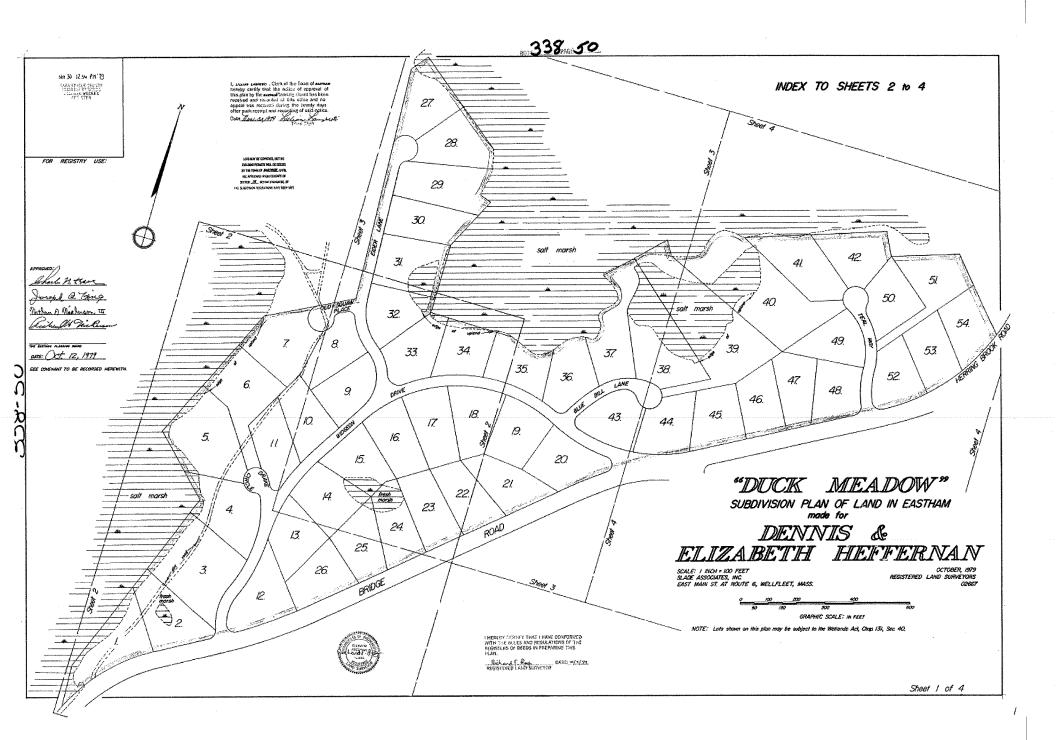
SANDRO J COLLAZOS

Notary Public

Connecticut

My Commission Expires May 31, 2016

BARNSTABLE REGISTRY OF DEEDS



Town of Eastham - Fiscal Year 2014 5/28/2014 11:21 am SEQ# Key: 5183 CARD CLASS | CLASS% | DESCRIPTION BN ID BN LOCATION PARCEL ID **CURRENT OWNER** 100 DEV LAND 1 of 1 1300 5 BLUE BILL LN 17-522-0-R PARADOX PARTNERS SALE PRICE BK-PG (Cert) PMT DT TY DESC AMOUNT INSP BY 1st % TT PMT NO 18 BEECHWOOD RD TRANSFER HISTORY DOS JC 10 FIELD REVIEW 06/11/2003 NORWALK, CT 06854 06/27/2012 V 100 26451-284 PARADOX PARTNERS 100 25885-25 RAPHAELSON STEPHEN & ET A 12/01/2011 F 63,000 12780-198 RAPHAELSON LIMITED PARTNE 01/14/2000 B INFL2 ADJ BASE SAF INFL3 VC CREDIT AMT ADJ VALUE LPI CD T AC/SF/UN INFL1 Nbhd 451,500 1.12 100 1.00 BHB 2.10 405,440 34,848 80 1.00 100 1.00 100 1.00 N D ZONING A FRNT PREVIOUS TOTAL ASSESSED CURRENT 34,848 SF N DUCK MEADOW PLAN LOT 36 533,100 405,400 LAND Nbhd **NBHD 080** BUILDING 0 0 DETACHED 0 0 INFL1 100 OTHER 0 0 INFL2 100 533,100 TOTAL 405,400 PHOTO YB UNITS ADJ PRICE RCNLD QUAL COND DIM/NOTE Ε BLDG COMMENTS BUILDING CD ADJ DESC MEASURE MODEL LIST STYLE B QUALITY **REVIEW** U FRAME YB ADJ PRICE RCN TOTAL RCN S BAT T UNITS CD DESCRIPTION ADJ DESCRIPTION ELEMENT SIZE ADJ YEAR BLT CONDITION ELEM | CD DETAIL ADJ D **NET AREA** \$NLA(RCN) **OVERALL** CAPACITY UNITS ADJ G EFF.YR/AGE COND FUNC **ECON** DEPR % GD RCNLD

# CONFIRMATORY MASSACHUSETTS QUITCLAIM DEED

RAPHAELSON LIMITED PARTNERSHIP, an Alaska Limited Partnership whose principal office is at 18 Beechwood Road, Norwalk, CT 06854

for consideration paid, and in full consideration of a sum less than ONE HUNDRED and 00/100ths (\$100.00) DOLLARS

grant all of its right, title and interest in and to said property to

STEPHEN RAPHAELSON and CHARLES D. RAPHAELSON, to hold as partners of PARADOX PARTNERS of 18 Beechwood Road, Norwalk, CT 06854

### with QUITCLAIM COVENANTS

That land and buildings thereon situated in Eastham in the County of Barnstable, Massachusetts, further described as being Lots 18, 35 and 36 on a Plan entitled "Duck Meadow" subdivision Plan of Land of Eastham", recorded at the Barnstable County Registry of Deeds in Plan Book 338, Plans 50 + 53.

Being the same property transferred to Grantor by Deed of David Raphaelson recorded on January 14, 2000 in Book 12780, page 198.

This is a Corrective Deed to a Deed recorded in Book 25885, Page 25, on December 1, 2011 in which Lot 18 is incorrectly stated as Lot 19.

This document is executed as of November 15, 2011, and corrected this <u>14</u> day of June, 2012.

### RAPHAELSON LIMITED PARTNERSHIP

Bv:

STEPHEN RAPHAELSON, 88
PRESIDENT and TREASURER of
EASTHAM TURNIP CO., INC.,
THE GENERAL PARTNER

### COMMOWNEALTH OF MASSACHUSETTS /

,SS

On this 14 day of June, 2012, before me, the undersigned notary public, personally appeared STEPHEN RAPHAELSON, President and Treasurer of EASTHAM TURNIP CO., INC., THE GENERAL PARTNER, proved to me through satisfactory evidence of identification, which was 214352 cl25 to be the person whose name is signed on this document and who acknowledged to me that he signed it voluntarily for its stated purpose.

**Notary Public** 

My Commission Expires:

SANDRO J COLLAZOS

Notary Public

Connecticut

My Commission Expires May 31, 2016

BARNSTABLE REGISTRY OF DEEDS

### MASSACHUSETTS QUITCLAIM DEED

RAPHAELSON LIMITED PARTNERSHIP, an Alaskan Limited Partnership whose principal office is at 18 Beechwood Road, Norwalk, CT 06854

for consideration paid, and in full consideration a sum less than ONE HUNDRED and 00/100THS (\$100.00) DOLLARS, and other valuable consideration,

grant all of its right, title and interest in and to said property to

STEPHEN RAPHAELSON and CHARLES D. RAPHAELSON, to hold as partners of PARADOX PARTNERS of 18 Beechwood Road, Norwalk, CT 06854

with QUITCLAIM COVENANTS,

That land and buildings thereon situated in Eastham in the County of Barnstable, Massachusetts, further described as being Lots 19, 35 and 36 on a Plan entitled "Duck Meadow" subdivision plan of Land in Eastham", recorded at the Barnstable County Registry of Deeds in Plan Book 338, Plans 50 + 53.

Being the same property transferred to Grantor by deed of David Raphaelson recorded on January 14, 2000 in Book 12780, Page 198.

Return to: Stephen Raphaelson 18 Beechwood Road Norwalk, C7 06854

2

Signed and sealed this 5 day of November, 2011.

### RAPHAELSON LIMITED PARTNERSHIP

STEPHEN RAPHAELSON,
PRESIDENT & TREASURER OF
EASTHAM TURNIP CO., INC.,
THE GENERAL PARTNER

### COMMONWEALTH OF MASSACHUSETTS

Notary Public

My Comm. expires:

SANDRO J COLLAZOS

Notary Public

Connecticut

My Commission Expires May 31, 2016

### BK12780 PG198 2683 01-14-2000 @ 09:24

### **QUITCLAIM DEED**

I, David Raphaelson, of 230 Widgeon Drive, Eastham, Massachusetts, individually, for consideration paid in the sum of one (\$1.00) dollar,

do hereby grant to the Raphaelson Limited Parnership, an Alaska limited partnership, the general partner of which is Eastham Turnip Co., Inc., a Massachusetts Corporation, with an address at P.O. Box 1189, Eastham, Massachusetts 02642-1189;

with QUITCLAIM COVENANTS, those certain parcels of land located in Eastham, Barnstable County, Massachusetts, more particularly bounded and described as follows:

Being lots 18, 35 and 36 as shown on a plan entitled, "DUCK MEADOW" Subdivision Plan of Land in Eastham made for DENNIS & ELIZABETH HEFFERNAN Scale: 1 inch = 100 Feet October, 1979, Slade Associates, Inc., Registered Land Surveyors East Main St. at Route 6, Wellfleet, Mass. 02667" which plan is recorded with the Barnstable County Registry of Deeds in Plan Book 338, Pages 50-53.

Said premises are conveyed subject to and with the benefit of the following matters of record insofar as the same are in force and applicable:

Right of way to Samuel J. Mixter and Charles G. Mixter dated June 30, 19678 and recorded in Book 1371, Page 232, see release of easement recorded October 6, 1980 in Book 3167, Page 81;

Order of Department of Natural Resources recorded in Book 2203, Page 127;

Restrictions, easements, and obligations contained in a deed dated August 9, 1979 recorded in Book 2965, Page 198;

Subject to such rights, if any, as may exist within the dirt road extended through the western portion of the subdivision Lots 1,2,3,4.5,6,7,8,10,11 and Old Squaw Place; and such rights as may exist in the private way 20.00' wide Plan Book 338, Page 53 adjoining the subdivision on the east; and such rights as may exist in tidal lowlands adjoining the subdivision; and to the rights of all persons lawfully entitled thereto in and over Widgeon Drive, Drake Circle, Old Squaw Place, Eider Lane, Bluebill Lane, and Teal Way, as shown on the aforesaid plan.

Subject to easements to New England Telephone and Telegraph Company and New Bedford Gas and Edison Light Company dated March 25, 1980 and recorded in Book 3075, Page 105.

Subject to the rights and easements, if any, specifically reserved to Boat Meadow Creek Corp. contained in a deed dated January 14, 1984, recorded in Book 4090, Page 092;

RETURN TO: Atty. Barbara Liftman WEINSTEIN & WEINSTEIN

10 Mechanic Street, Worcester, MA 01608

2.

Subject to the rights and easements, if any, specifically reserved to Boat Meadow Creek Corp. contained in a deed dated September 5, 1984, recorded in Book 4340, Page 115;

Subject to the rights and easements, if any, specifically reserved to Boat Meadow Creek Corp. contained in a deed dated February 28, 1983, recorded in Book 3694, Page 137;

Said premises are conveyed subject to and with the benefit of those matters set forth in an instrument recorded with the Barnstable County Registry of Deeds in Book 3131, Page 136.

For my title see deed of Boat Meadow Creek Corp. dated January 14, 1984, recorded in Book 4090, Page 092; deed of Boat Meadow Creek Corp. dated September 5, 1984, recorded in Book 4340, Page 115; and deed of Boat Meadow Creek Corp. dated February 28, 1983, recorded in Book 3694, Page 137.

David Raphaelson

### COMMONWEALTH OF MASSACHUSETTS

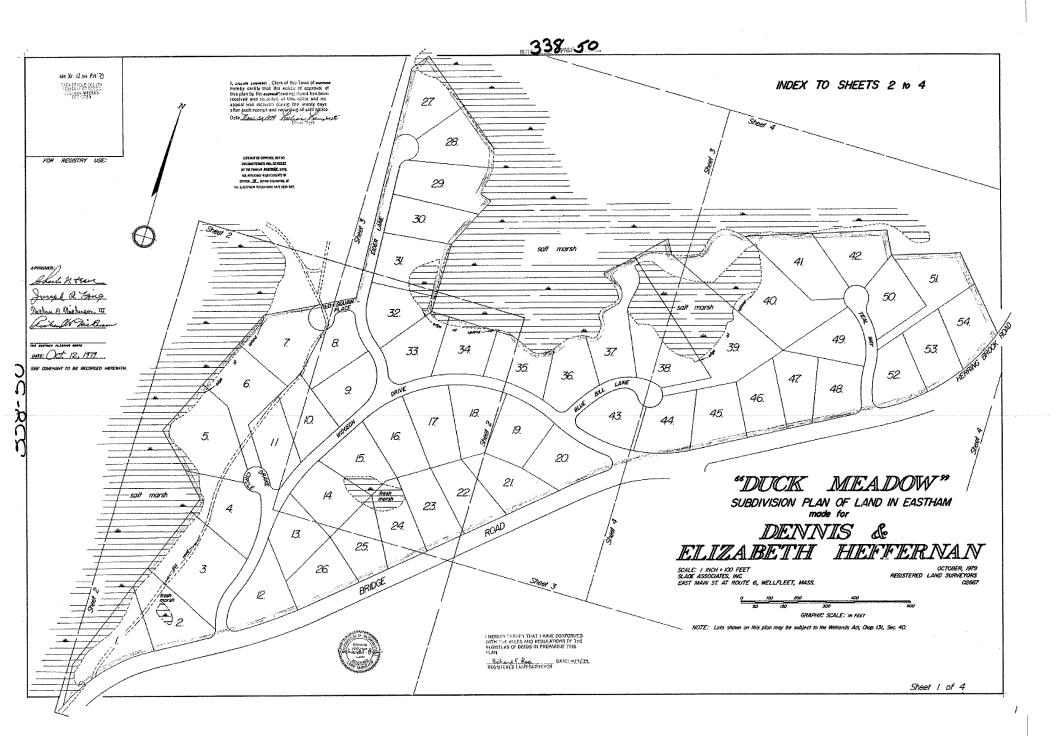
Worcester, ss.

Date: 12/1/97

Then personally appeared the above-named David Raphaelson and acknowledged the foregoing instrument to be his free act and deed before me,

Barbara s. Lity Myblary Public

My commission expires: 10/4/0 6





### TERRAPIN COVE - TIMELINE SCHEDULE

Here is some information relating to the request for a Selectmen vote on a motion (language attached) to approve Town submitting an application for FY 2015 state LAND grant towards a proposed Town acquisition of two parcels of land adjacent to the Herring River marshes.

A LAND grant would reimburse the Town for 52% (up to \$400,000) of the cost of the acquisition. This is a once a year chance to apply for a big infusion of state funds towards a project like this.

The grant application must be received by EEA no later than 3 pm on June 18.

The application must include Board of Selectmen authorization for Town Administrator and the Conservation Commission to file the LAND application, as well as designation of Town Administrator to serve as project manager in connection with the application. The attached language of the motion for Selectmen approval responds to these LAND program's requirement. The application would need to include the Selectmen's signatures on the motion, or the vote signed by the Selectmen's secretary. The application itself must be signed by the Town Administrator and Conservation Commission members.

### In terms of a timeline:

In 2014:

June 4:

Board of Selectmen work session / meeting to introduce Terrapin Cove

June 10:

Conservation Commission meeting

June 16:

Board of Selectmen meeting to authorize grant application

June 18:

Grant submission deadline to EEA by 3:00PM

July/August:

t: EEA site visit

October:

Grant award announcements

In 2015:

← April/May

Possible Town Meeting Vote

✓ June 30:

Closing deadline under Grant

July 15:

Approx. deadline to submit documents for grant reimbursement

The Open Space Committee has also attached some photos, a map showing the property in context, and a draft of the project description.

The purchase price has not yet been determined (appraisal is underway), but the LAND grant contribution would be 52% of the purchase price (maximum LAND grant is \$400,000).

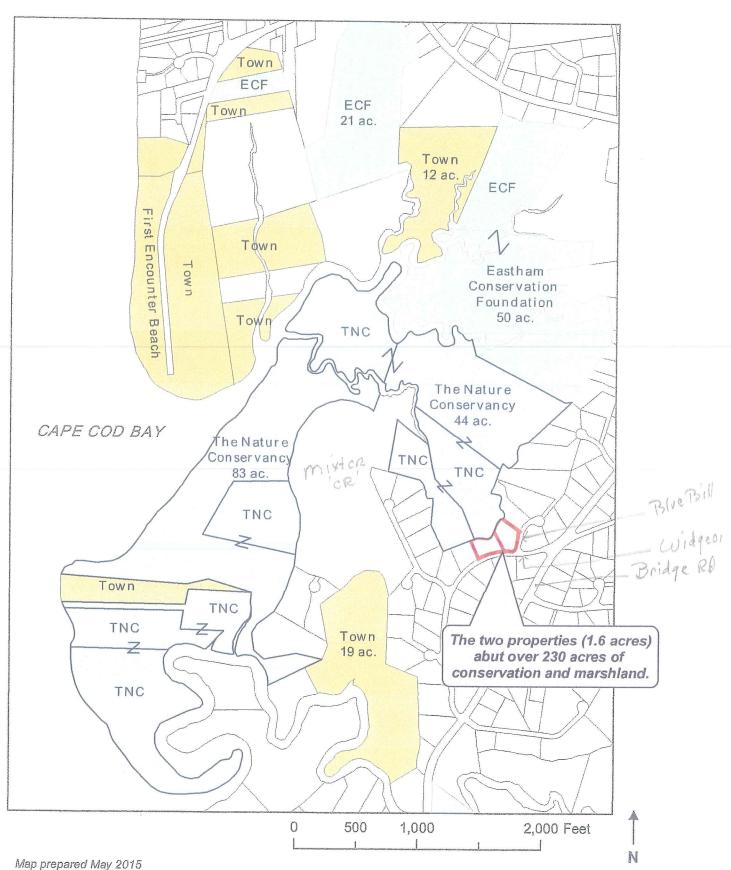
In terms of the funding, here is a simple hypothetical example of how it could work:

\$625,000 Land Acquisition Purchase Price (this is approx. the combined assessed value)

- \$325,000 State LAND grant contribution

=\$300,000 Town CPA funds + non-profit organization's contributions

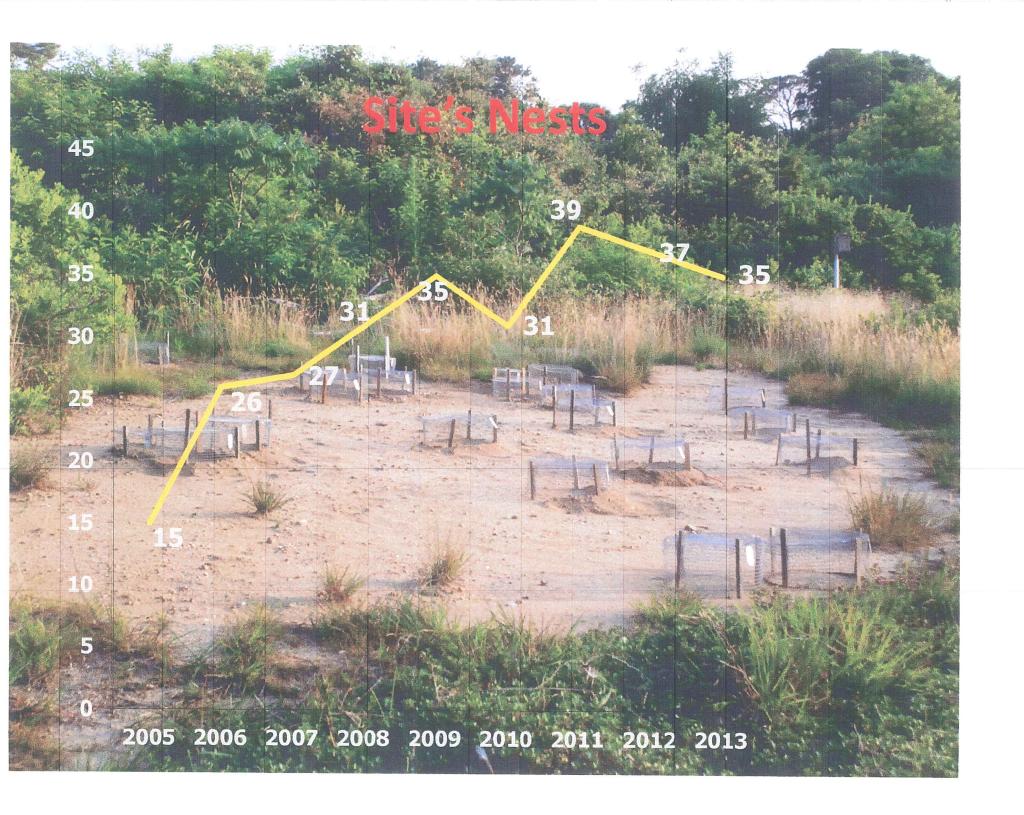
### HERRING RIVER MARSH UPLAND (225 Widgeon Drive and 5 Blue Bill Lane) Protected Open Space Context Map

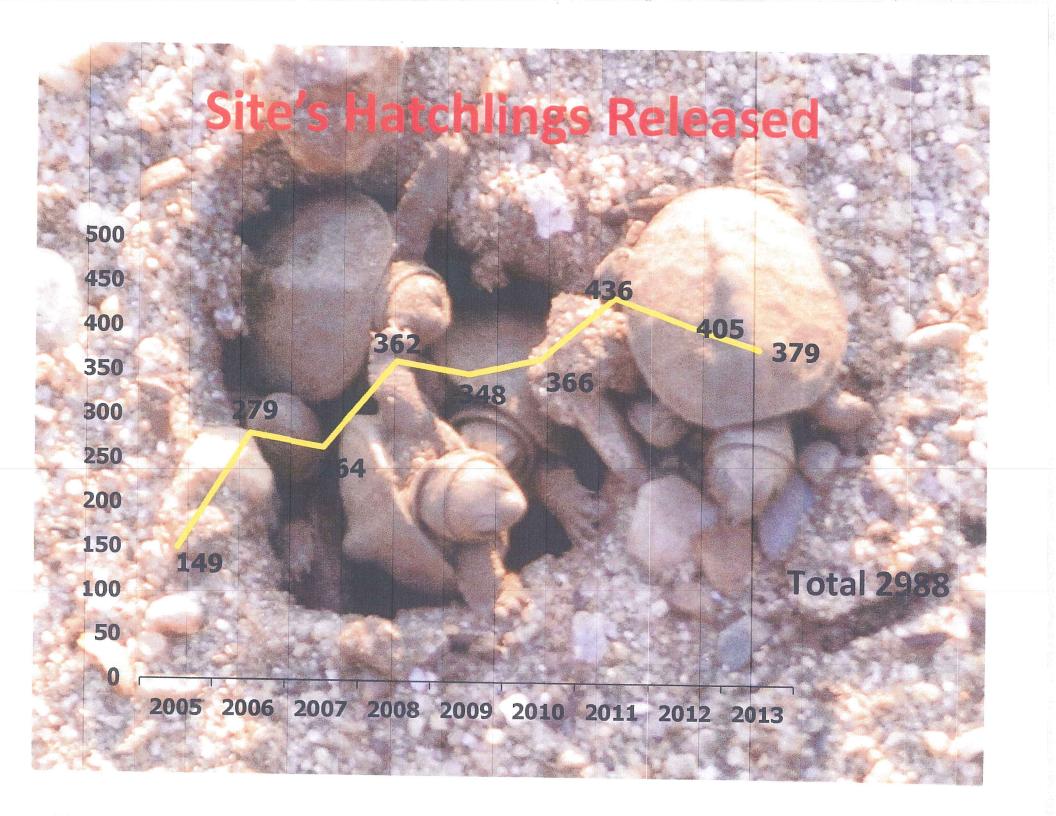


Map prepared May 2015

Data provided by MassGIS; Parcel layer provided by Cape Cod Commission

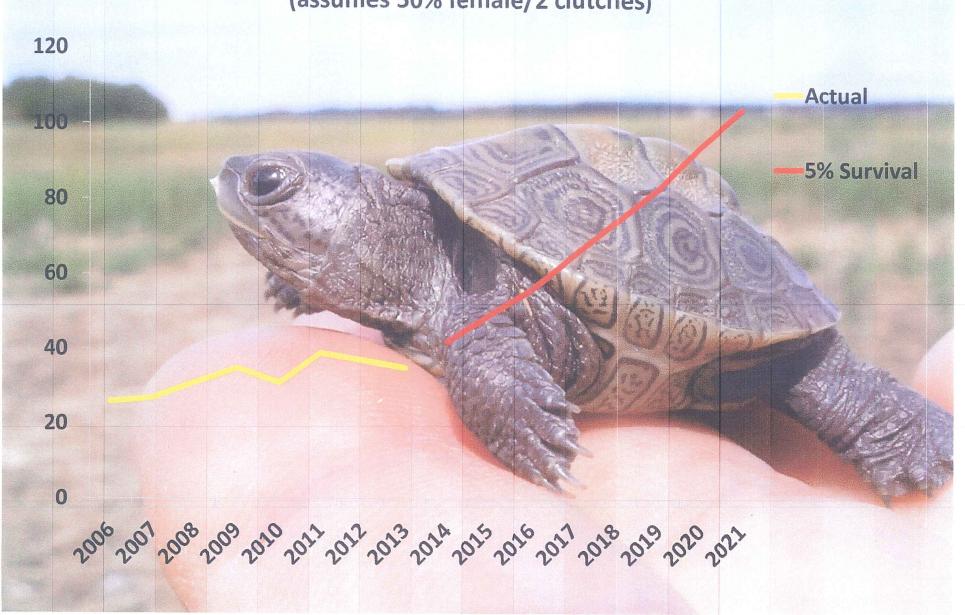






# Site's Nesting Projection

(assumes 50% female/2 clutches)





Background of C. ongregational and Soldiers Cemetery Eastham, MA.

Sometime about 1820, the Congregational Society moved to a new Meeting House about a mile north of the Bridge Rd. building and cemetery to a location on the road to N. Eastham. The new burying ground was probably established near or at this site. It was about this time when the Methodist group became popular and a Methodist Church and burying ground was established nearby in 1821. This building was replaced by a larger building probably on or near the site of the original structure of what is now the Evergreen Cemetery. This church burned down in 1920.

The Congregational Church went into decline after 1820 and in 1859 was unable to support a minister. It then disbanded. The meeting house was abandoned and removed in 1864. (There is no record of it being moved) However, on March 4, 1830, eleven persons headed by Capt. Obediah Doane met to establish "The Congregational and Sodiers Cemetery Association." at the Meeting House. A Copy of the By-Laws at that meeting on May 5, 1813.. A survey done in July of 1972 shows an area of about 40,000sq. ft. at the present location.

Between 1830 and 1926 there appear to be no records of the Congregational and Soldiers Cemetery. On April 17, 1926, The Secretery of the Commonwealth wrote to a Miss A. May Knowles, who was secretary to the Cemetery Assoc. addressed in Orleans informing her of the procedure to incorporate under Massachusetts law. No action appears to have been taken.

On 6 August 1966 it appears that a group of people organized themselves as "the Eastham Congregational and Soldiers Cemetery Association" and applied to be incorporated under State law.

President: Ralph Chase Clerk and Treas. Esther Manimon

On May 4, 1967, the Secretary of the Commonwealth issued certification that "The Congregational and Soldiers Cemetery Assoc. had been duly established on May 3, 1830.

No records were found between 1967 and 2008 when the Treasurer of the Commonwealth notified C.Gifford, Treasurer of the Cong. and Soldiers Cem. Assoc. of unclaimed property in the name of the Association. (C. Gifford was at that time also the Town Accountant for Eastham.) Sometime between 1967 and 2008 "Rusty" Gifford assumed the office of Treasurer of the Association and asked that all correspondence and records of that organization be directed to her. No records of other officers or directors appear to have existed. On Mrs. Gifford's death, a bundle of papers and records was delivered to the Eastham Administrator

and Town Clerk requesting assistance in settling Mrs. Gifford's affairs and in particular those matters connected with the Cong.and Soldiers Cem. There was no interest by the Town in acquiring this organization or property and no action was taken.

On the 11th of September 2008 a certificate was issued by the Secretary of the Commonwealth noting a change of officers and directors of a nonprofit corporation. Listed were:

Henry Curtis, Pres. Maria Curtis, Treas Claire Knowles, Clerk Randall Gifford, Dir. George Higgins, Dir.

The addressof the Assoc. is listed at 3335 State Hwy. Eastham Box 46.

The Congregational and Soldiers Cemetery Assoc. appears to exist currently as a non profit corporation.

R. T. Thurston
Clerk (Cemetery Comm.)
14 March 2014

# INFORMATION





### TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544 *All departments* 508-240-5900 • *Fax* 508-240-1291 www.eastham-ma.gov

November 20, 2013

Mr. Bill Sykes Sports Coordinator Promoter Line, Inc National Multiple Sclerosis Society 13 River Street Plymouth, MA 02360

Dear Mr. Sykes,

RE: MS National Multiple Sclerosis Society

30th Annual Cape Cod Getaway MS Bike Ride

June 28th & 29th 2014

This is to inform you that the Eastham Board of Selectmen, at their Monday, November 18, 2013 meeting, were pleased to approve your proposed/requested National Multiple Sclerosis Society's 30<sup>th</sup> Annual Cape Cod Getaway Bike Ride route through the Town of Eastham for June 28-29, 2014, which has also been reviewed and approved by Police Chief Edward Kulhawik. Please see the attached signed notification form.

We wish you much success, and thank you for your interest in the Town of Eastham.

Sincerely,

Sheila Vanderhoef Sheila Vanderhoef

Town Administrator

cc:

Board of Selectmen
Police Chief Ed Kulhawik
Acting Fire Chief Mark Foley

Mark Powers, Recreation and Beach Director

TO:

All Personnel

FROM: Chief Edward V. Kulhawik

DATE: June 2, 2014

RE:

RESPONSE FOR ASSISTANCE TO NAUSET SPIT

In recent weeks the Town of Orleans has delineated the Eastham town line in the off road area of the Nauset spit. The purpose of this memo is to specify our response to calls for service to this area of the spit which technically is in Eastham. This area can only be accessed by boat or through a private access road called "Callahan's Pass", located off of Beach Road just west of the Nauset Beach main entrance.

As it now stands all calls for service will continue as has been in the past and we will not be enforcing any off road violations on our portion of the spit.

Calls for Police service will be routed back to Orleans Dispatch asking them to respond under Mutual Aid. Any follow-up if necessary will be conducted by our department as the need arises.

Fire and Rescue calls will be handled by Orleans Fire and should be routed in the same manner through their Dispatch Center.

Water related emergencies near the Nauset Spit will result in a dual response by both the Orleans and Eastham Fire Departments.

A CAD location code entitled **Nauset Spit Area** should be utilized for any calls related to this area. The goal is to document all calls being responded to on our side of the Nauset Spit.

Any questions regarding this memo or response to this area should be directed to me or Dep. Chief Roderick.

### **EVENT NOTIFICATION FORM**

Dear Sir / Madam,

Date: 18 Nov 2013

Please be advised that the City/Town of <u>Ea</u> Selectman/City Council, Local Police/Fire Department to conduct road work/parade/race/or other events in or	t and if applicable the State Police of its intention
The Board of Selectmen/City Council understands that it must give the Police and Fire Departments at least 48 hours notice before the commencement of the proposed work or event.	
The Grantee must supply a Traffic Management Plan when the roadway is occupied and for all detours associated with said events to this Department and to all officials listed below. The Grantee(s) must notify the local and/or State Police to set up a detour of this area with appropriate signs and barricades. The local Fire Department must be notified of the detour to ensure that measures will be taker to minimize disruption to the Fire Department's emergency service during the event. The Grantee(s) must also notify local media (newspapers, radio) of this proposed event.	
The following signatures are required prior to the issuance of the Permit. All officials listed below shall assume all responsibility and liability for all activity associated under their jurisdiction.	
LOCAL POLICE DEPARTMENT Signed:	FIRE DEPARTMENT Signed:
Title: CHIEF OF POULCE	Title: Hely Chil
City/Town: Epsnam, MA.	City/Town: EusThan
BOARD OF SELECTMEN/CITY COUNCIL	STATE POLICE DEPARTMENT
Signed: Sheila Vanderholf	Signed:
Title: TOWN Administrator	Title:
City/Town: Eastham	City/Town: