

Selectmen's Meeting

Tuesday~ January, 20th 2015

5:00PM

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
Tuesday, January 20, 2015
5:00 p.m.**

Location: Earle Mountain Room

I. PUBLIC/SELECTMEN INFORMATION

II. ADMINISTRATIVE MATTERS

A. Action/Discussion

1. Consideration of Request for Special Municipal Employee Status, Board of Appeals – Bob Sheldon
2. Nstar Pruning Request – Circuits Within Eastham in the area from Brackett north to Wellfleet Line – Neil Andres, DPW Superintendent
3. Approve MS Challenge Walk – September 12, 2015

III. APPOINTMENTS

5:30 p.m. Update on Municipal Water Project – Mark White and Paul Millett, Engineers, Environmental Partners
Bruce Adams, Wesson & Sampson Engineers Town's Value
Engineering, and Project Review Consultants

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

IV. OTHER BUSINESS/CORRESPONDENCE/MINUTES

Municipal Water Request for Service

V. TOWN ADMINISTRATOR'S REPORT

VI. EXECUTIVE SESSION – To discuss strategy with respect to litigation when an open meeting may have a detrimental effect on the bargaining and litigating position of the public body and the chair is so declaring

Upcoming Meetings

Wednesday, January 21, 2015

2:30 p.m.

Work Session- FY16 Budget Discussion

Friday, January 23, 2015

8:00 am

Executive Session – Location

Boston Sheraton Hotel, Suite 1609

Tuesday, January 27, 2015

3:30 p.m.

Work Session – FY16 Budget Discussion

Wednesday, January 28, 2015

2:30 p.m.

Work Session – FY16 Budget Discussion – Nauset
Schools Superintendent

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

**Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.*

**If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact Laurie Gillespie-Lee, 5900 x207*

ADMINISTRATION

JAN 05 2015

RECEIVED

January 5, 2015
375 Great Pond Rd
Eastham, MA 02642

To: Sheila Vanderhoef and the Eastham Board of Selectmen

Subject: Special Municipal Employee Status for the Members of the Eastham ZBA

I would like to request that the Selectmen change the appointed positions on the Eastham Zoning Board of Appeals from 'Regular Employees' to 'Special Municipal Employees'.

This updated designation will allow members of the Board to represent their clients before other boards and departments within the Town without committing conflict of interest violations. This matter has been discussed with the current members of the Board and they are all in favor of this new designation.

Thank you, in advance, for considering this request.



Robert J. Sheldon
508-237-9545

ADMINISTRATION

JAN 05 2015

RECEIVED

January 5, 2015
375 Great Pond Rd
Eastham, MA 02642

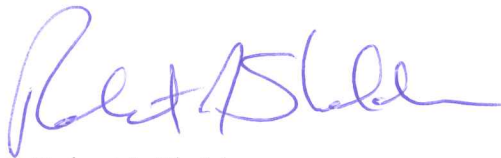
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Robert J. Sheldon
508-237-9545

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: January 12, 2015

RE: Nstar Pruning

Attached please find a pruning request by Nstar. The area proposed for pruning is along the high power lines from Brackett Road north to the Wellfleet Town Line. Pruning involves removing all vegetation that is closer than 10 feet to a wire. Given the power line corridor has been cleared, the majority of the work will take place along wires connecting to the main. The Utility arborist estimates the work will take one day.

I have no objection to the work. Plans will be hand delivered.



One NSTAR Way
Westwood, Massachusetts 02090

December 30, 2014

Mr. Neil Andres
Eastham Public Works
Superintendent
555 Old Orchard Road
Eastham, MA 02642-2544

RE: NSTAR Vegetation Management Plan, Utility Pruning, Circuits 4-94B-94B

Dear Mr. Andres:

At NSTAR, we're committed to delivering great service.

As a way of improving electric service reliability, we will be performing vegetation maintenance on Circuits within the Town of Eastham. Tree branches are pruned for necessary clearance, reliability and health of the trees. NSTAR is working closely with our contractor, to assist in pruning the circuit to the NSTAR Distribution Tree Pruning Policy specifications.

The following Vegetation Management Plan is being submitted by NSTAR in compliance with Section 14 of Chapter 87 of the Massachusetts General Laws.

The Electric Distribution Vegetation Management Plan Procedure specifications for pruning for Type 1 line clearance are: ten feet of air clearance on the side, ten feet below and fifteen feet above. To enhance reliability at key locations on the circuit I will be prescribing additional pruning for line clearance to eliminate/reduce overhang. These specifications are enforced for reliability of the electric distribution system. Line clearance contractors are obligated to adhere to NSTAR's Electric Distribution Vegetation Management Plan Procedure.

The line clearance contractor performing this work will be identified prior to the start of the project and their local contact supervisors name and phone number will be provided as well.

Pursuant to MGL Ch. 87, Section 14, as the Tree Warden of Eastham you are responsible to approve, approve with modifications or disapprove this request. This notification letter will serve as our pruning permit unless we are notified by you otherwise.

Please call me at 508-957-4517 with any questions regarding this tree work.

Respectfully,

Paul Sellers.
Senior Arborist

Attachments: Overview Circuit Maps, Ckt: 4-94B-94B
NSTAR Electric Distribution Vegetation Management Standards



One NSTAR Way
Westwood, Massachusetts 02090

December 30, 2014

Mr. Neil Andres
Eastham Public Works
Superintendent
555 Old Orchard Road
Eastham, MA 02642-2544

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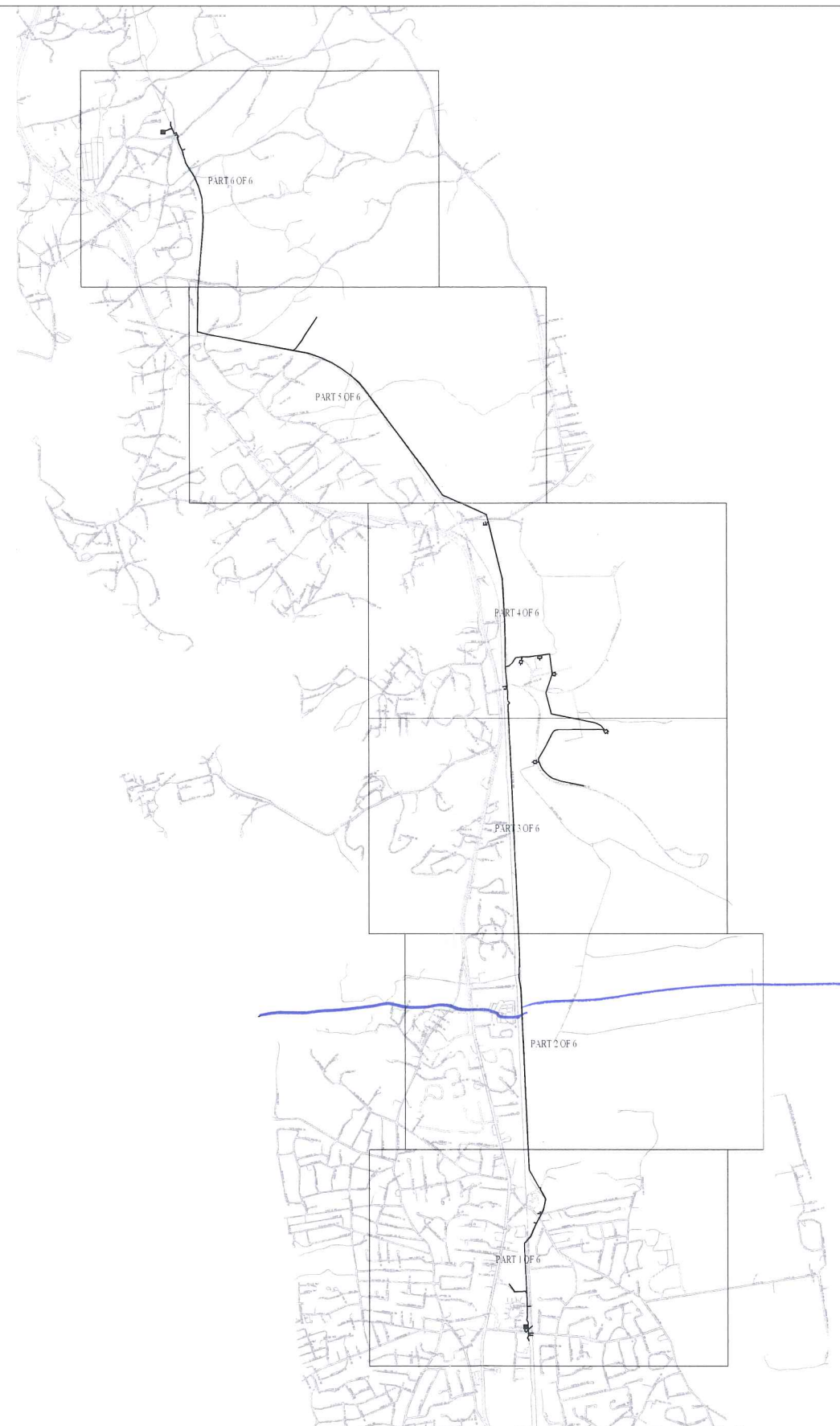
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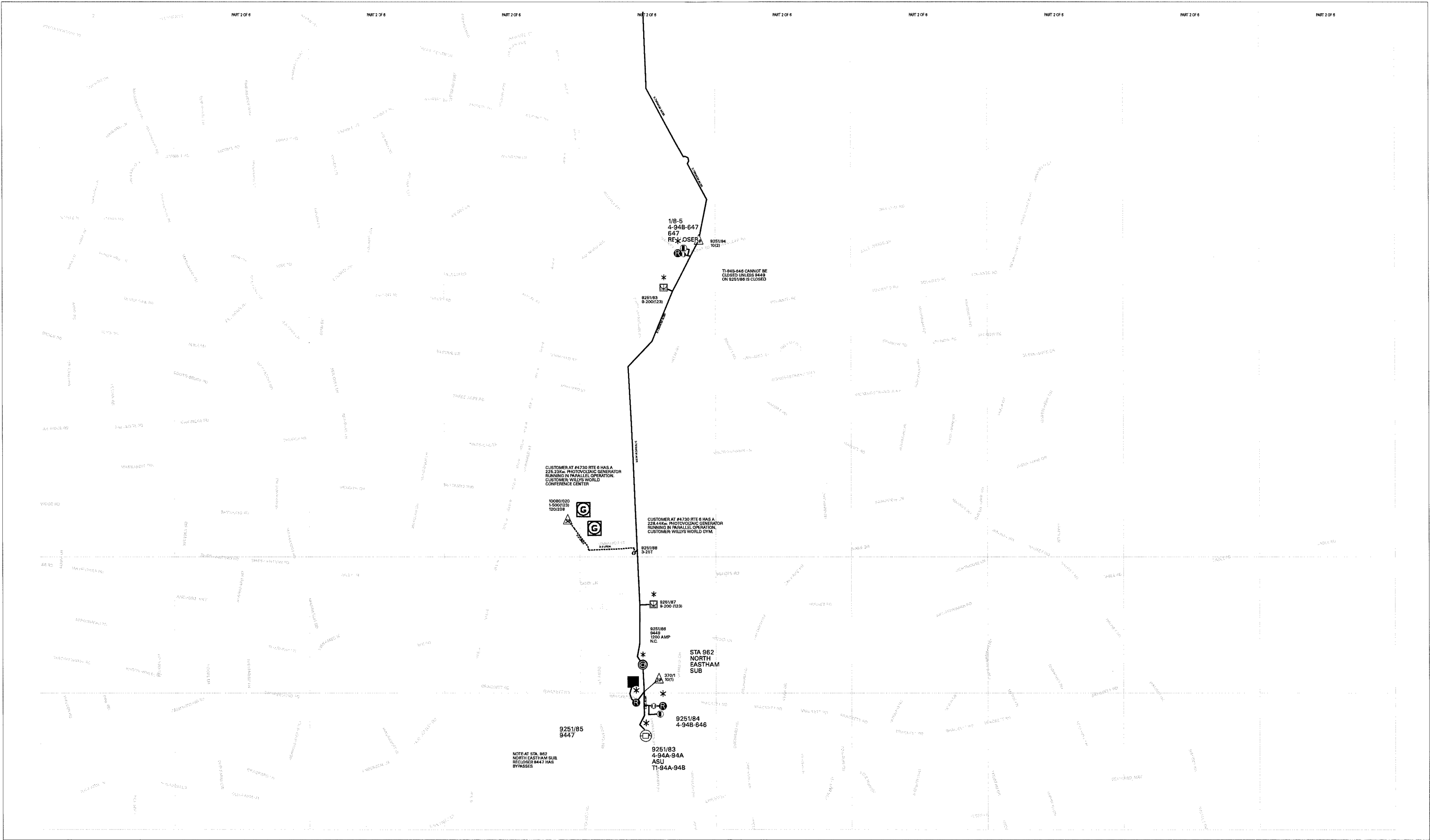
Respectfully,

Paul Sellers.
Senior Arborist

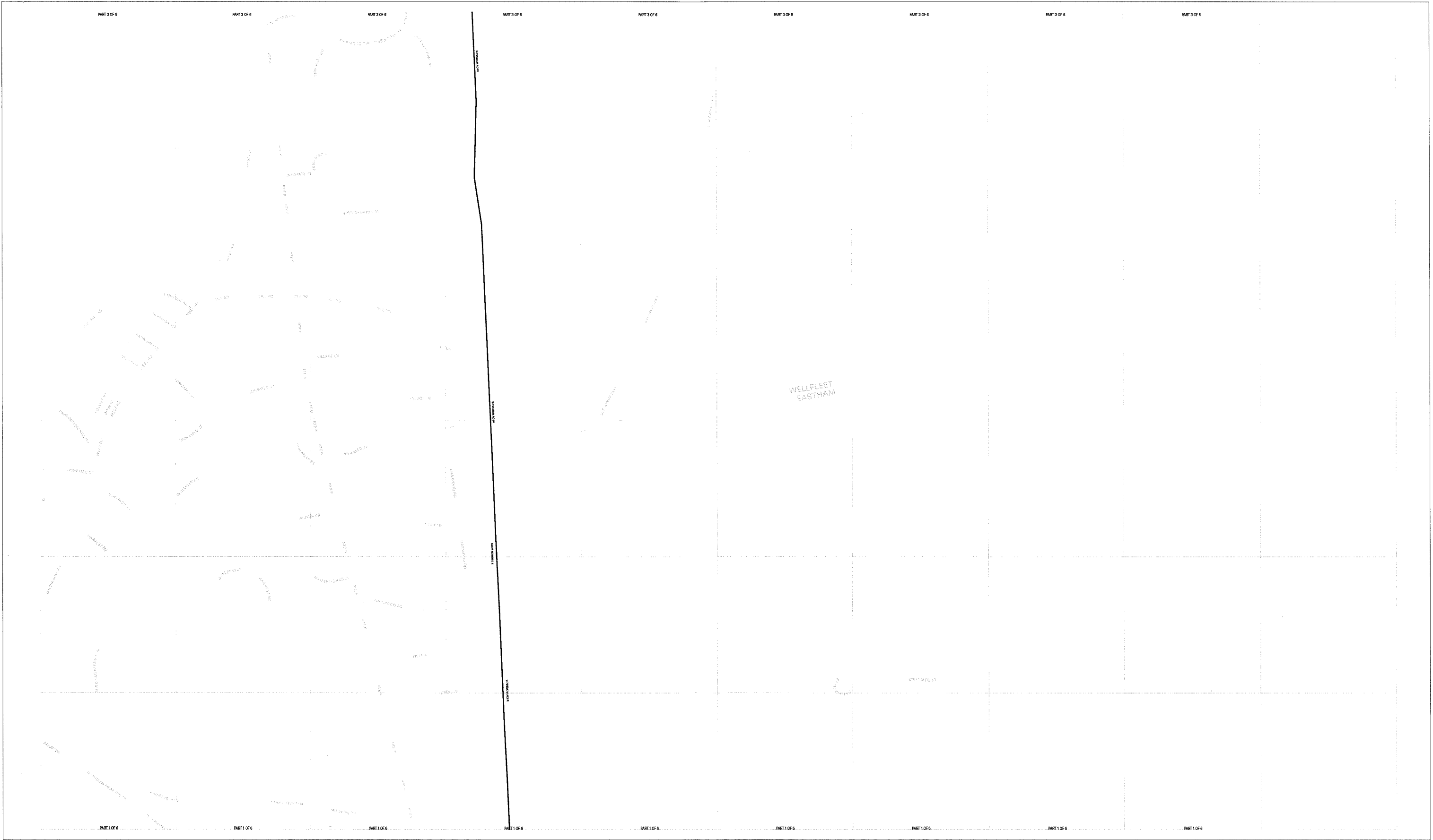
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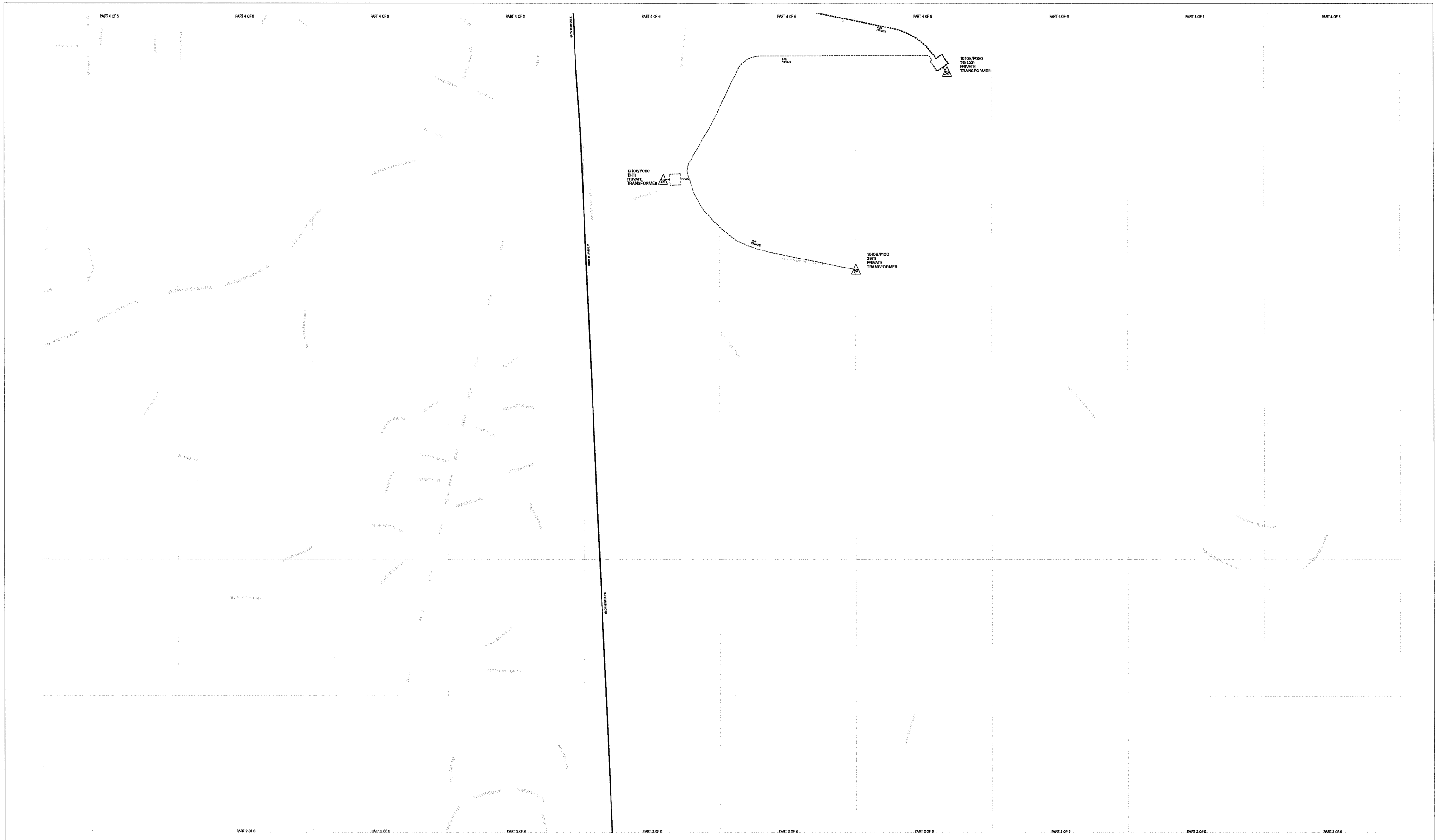


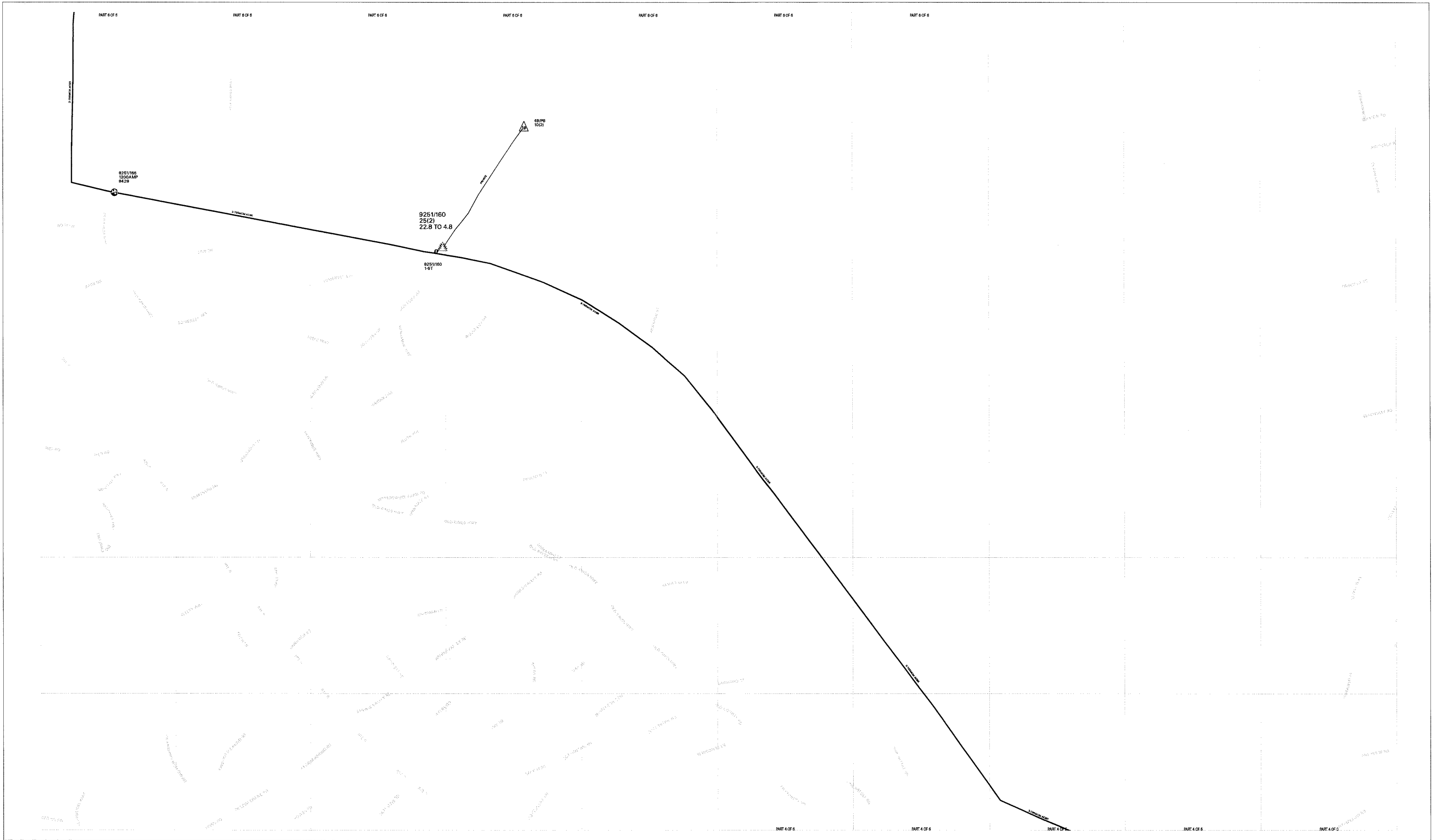
↑ WELL FLEET
↓ EAST HAN
SEE STREET TWO

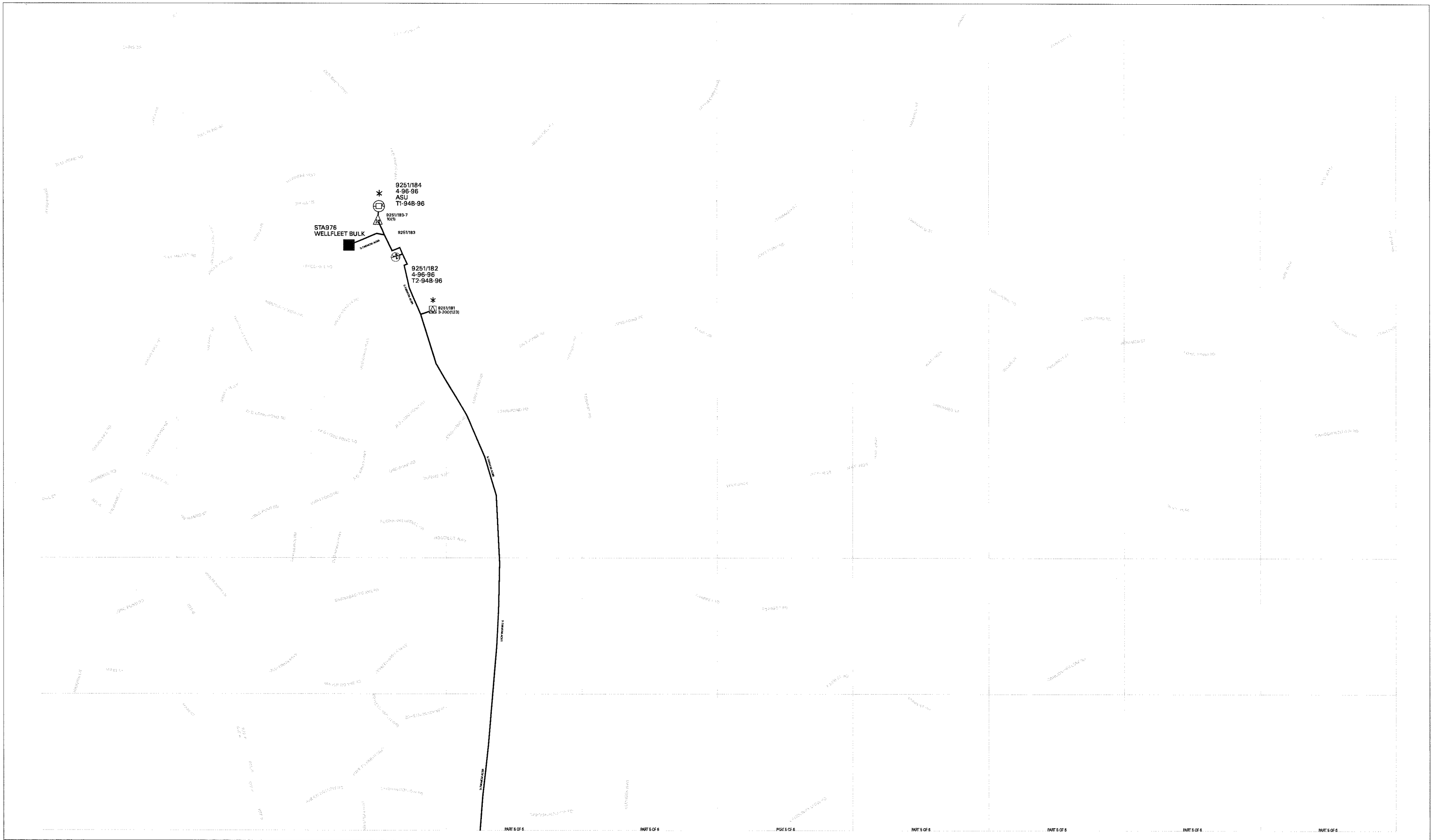


Town	Phase A	Phase B	Phase C	Tot lph	SpH	Tot Kva
EAS 22.8	10	10	0	20	500	520
WEL 4.8	35	10	25	70	299	369
WEL 22.8	20	20	0	40	0	40
Capacitors_KVAR	0	0	0	0	3800	3800











EASTHAM POLICE DEPARTMENT

2550 State Highway • Eastham, MA 02642
508-255-0551 • Fax: 508-255-5412




EDWARD V. KULHAWIK
Chief of Police

KENNETH J. RODERICK
Deputy Chief

December 22, 2014

TO: Sheila Vanderhoef
Town Administrator

FROM: Edward V. Kulhawik 
Chief of Police

RE: MS Cape Cod Challenge Walk

I am in receipt of the information regarding the National MS Challenge Walk on September 12th, 2015. I have no issues regarding this event, and will be sure to have officers ready to work the details this event requires.

Please feel free to contact me should you have any questions or concerns regarding this event.



**National
Multiple Sclerosis
Society**
Greater
New England
Chapter

Chief Edward Kulhawik
Eastham Police Department
2550 State Highway
Eastham, MA. 02642

December 16, 2014

Dear Chief Kulhawik,

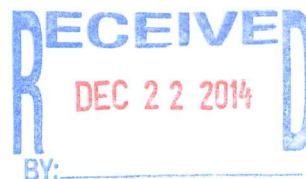
Thank you for your support of the National Multiple Sclerosis Society and our 2014 MS Challenge Walk last September. I am pleased to say that the event was a huge success and all the participants had a wonderful time. We raised \$1.1 million that will go towards continuing the fight to end MS. Being allowed to use the roads of Eastham during that weekend is extremely important to the success of the event.

We are holding the 14th annual MS Challenge Walk from September 11th – 13th, 2015. The weekend will be the same as this past year's, and I have included the Walk route and locations of last year's police details. I am also in contact with the Board of Selectman's office for any permitting needs that might be necessary.

If you have any questions or comments regarding this request, please don't hesitate to contact me.

Best Regards,

Drew Davis
Director of Logistics
National Multiple Sclerosis Society
Greater New England Chapter
(P) 781-693-5158
Drew.davis@nmss.org





**National
Multiple Sclerosis
Society**
Greater
New England
Chapter

ADMINISTRATION

DEC 19 2014

RECEIVED

Ms. Sheila Vanderhoef
Town Administrator
2500 State Highway
Eastham, MA. 02642

December 16, 2014

Dear Ms. Vanderhoef,

Thank you for your support of the National Multiple Sclerosis Society and our 2014 MS Challenge Walk this past September. The event was a great success and we were able to raise \$1.1 million that will go towards the continuing fight to end MS. Having our walkers in Eastham during that weekend is a large part of the success of the event.

We are holding our 14th annual Challenge Walk from September 11th – 13th, 2015. The weekend route will be the same as this past year's, and we would appreciate receiving the appropriate permits/permission from the Board of Selectman.

We will hire Eastham police officers to work safety details where needed. We operate a support team consisting of medical personnel, SAG vehicles, and amateur (HAM) radio operators. Our lead HAM radio operator monitors all emergency radio frequencies, so that we can close or redirect our route should that become necessary.

If you need any further information or have any questions, comments, or suggestions, please feel free to contact me.

Thank you for your continued support of the Greater New England Chapter MS Challenge Walk.

Best Regards,

Drew Davis

Director of Logistics
National Multiple Sclerosis Society
Greater New England Chapter
781-693-5158
Drew.davis@nmss.org

2015 MS Challenge Walk Day 2

Saturday September 12, 2015

Mileage	Next Stop	Direction	Street / Route	Instructions	W or A	Police Detail Total	Detail Location	Town
0.00		Exit	Exit Left onto Rt 6A	Proceed to shoulder on right	W	1	7:30am-11:30am	Brewster
0.38	0.37	R	Right into Cobies Lot	Proceed to access CCRT	Trail			
0.44	0.31	L	Left onto CCRT	Proceed on rail trail	Trail			
0.75	3.12	Enter	Enter Rest Stop 1	Nickerson State Park 2nd lot				Brewster
0.76	3.11	Exit	Exit to continue on CCRT	Continue	Trail			
0.95	2.92	X	Cross Mitchell Lane	Access Road	Trail			
1.56	2.31	X	Seaview Road	Access Road	Trail			
2.20	1.67	Exit	Exit CCRT at Salty Ridge Road		W			
2.29	1.58	L	Continue L on Salty Ridge Road		W			
2.38	1.49	SR	Sharp R onto West Road	Cross West Road to shoulder	A	1	7:30am-11:30am	Orleans
2.48	1.39	Cross	Crossover Rt 6	Sidewalk on bridge	A			
2.57	1.30	L	Enter L onto CCRT	Continue on trail	Trail			
3.11	0.76	X	Cross Main Street Orleans Center	Access Road	Trail	1	7:30am-11:30am	Orleans
3.56	0.31	X	Cross Locust Road	Access Road	Trail			
3.64	0.23	X	Cross Jones Road	Access Road	Trail			
3.80	0.07	Cross	Crossover Rt 6	Continue on trail	Trail			
3.87	2.71	Enter	Enter Rest Stop 2	Orleans District Court				Orleans
3.88	2.70	Exit	Exit L continue on CCRT		Trail			
5.05	1.53	X	Cross Gov Prence Road	Access Road	Trail			
5.50	1.08	Exit	Exit L onto Bridge Road	Proceed to shoulder on left	A			
6.11	0.47	SR	Sharp R cross Herring Brook Rd	Proceed to shoulder on left	A			
6.58	0.91	XR	Cross enter Rest Stop 3	Herring Pond Beach				Eastham
6.59	0.90	Exit	Exit R onto Herring Brook Rd	Continue on shoulder on right	W			
6.66	0.83	R	Right onto Lawton Road	Continue on shoulder on left	A			
6.98	0.51	XR	Cross R onto Samoset Road	Proceed to shoulder on left	A	1	8:30am-3:30pm	
7.49	2.41	Enter	Enter Rest Stop 4	CCRT at Samoset				Eastham
7.50	2.40	L	Enter L onto CCRT	Continue on trail	Trail			
7.95	1.95	Exit	Exit R onto Locust Road	Proceed to shoulder on left	A			
8.26	1.64	L	Left onto Salt Pond Road	Proceed to shoulder on left	A			
8.38	1.52	X	Cross Rt 6 at crosswalk	Proceed to sidewalk on right	W	1	At VC traffic light: 9am-3pm	Eastham
8.45	1.45	Pass	Salt Pond Visitor Center	Sidewalk becomes CCRT	W			
9.71	0.19	X	Cross Access Road	Access Road	Trail			
9.75	0.15	L	Left onto access road	Proceed to end on access road				
9.90	0.96	Enter	Enter Rest Stop 5	Doane Picnic Area				Eastham
9.91	0.95	Exit	Exit to L onto posted short trail	Walking trail				
10.08	0.78	L	Left onto CCRT	Proceed to Coast Guard Beach	Trail			
10.30	0.56	Cross	Crossover Footbridge	Continue on trail	Trail			
10.48	0.38	Enter	Enter Coast Guard Beach	Loop at Headquarters	Trail			
10.49	0.37	Enter	Enter onto CCRT	Proceed back to Doane Picnic Area	Trail			
10.86	0.12	Pass	Footpath to Rest Stop 6	Doane Picnic Area	Trail			Eastham
10.98	2.30	Pass	Access road from Rest Stop 6	Doane Picnic Area	Trail			
11.08	2.20	X	Cross Access Road	Access Road	Trail			
12.31	0.97	Pass	Salt Pond Visitor Center	Sidewalk to Crosswalk	A			

[illegible]

EVENT NOTIFICATION FORM

Date: _____

Dear Sir / Madam,

Please be advised that the **National Multiple Sclerosis Society** has notified the Board of Selectman/City Council, Local Police/Fire Department and if applicable the State Police of its intention to conduct road work/parade/race/or **other events** in or through the City/Town of _____

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 taken 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: _____

Title: _____

City/Town: _____

FIRE DEPARTMENT

Signed: _____

Title: _____

City/Town: _____

BOARD OF SELECTMEN/CITY COUNCIL

Signed: _____

Title: _____

City/Town: _____

STATE POLICE DEPARTMENT

Signed: _____

Title: _____

City/Town: _____

Eastham Water System

Cape Cod Commission Development of Regional Impact

January 13, 2015

Environmental  Partners
GROUP

A partnership for engineering solutions.

www.envpartners.com

Letter
Leonard
Short
Water Comm

Agenda

- Project Background
- Water System Description
 - Wellfields
 - Storage Tank
 - Distribution System
- MEPA and Commission Comments
- Project Benefits

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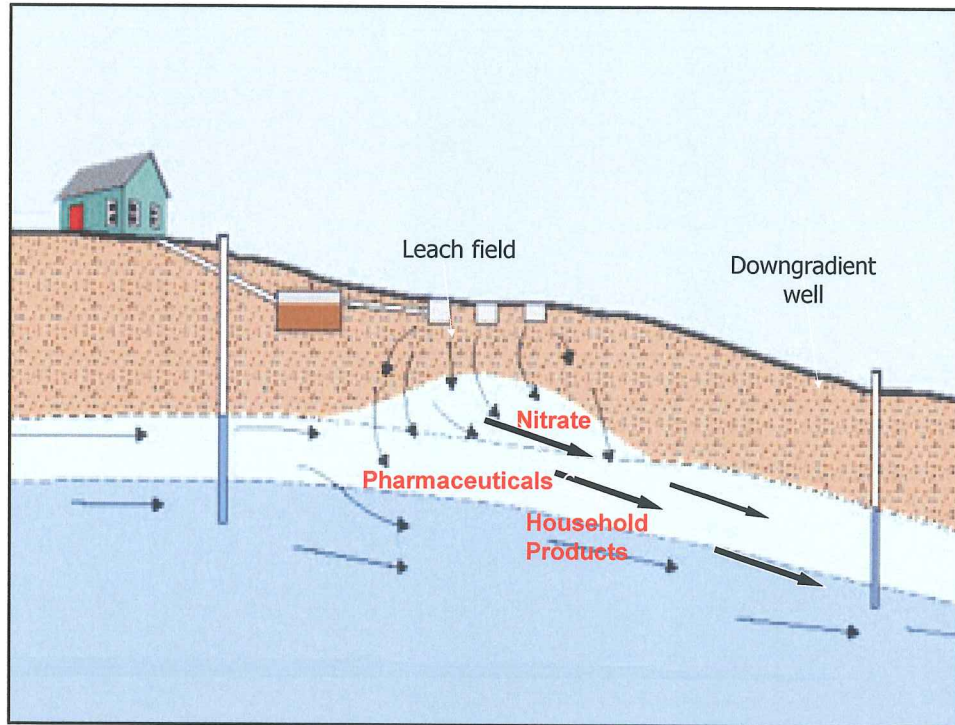


Currently...

- There is no public water or wastewater
- Wells and septic systems are close to each other
- Drinking water quality is degraded
- Landfill impacts
- Limited fire protection

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Currently...

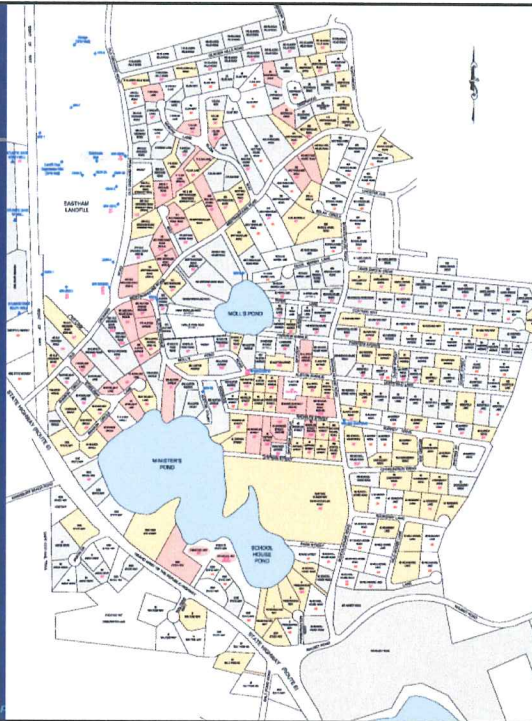
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A partnership for engineering solutions.



Landfill Study Area

- 1,4 Dioxane
- 43 properties offered bottled water
- Includes church, elementary school



Currently...

- There is no public water or wastewater
- Wells and septic systems are close to each other
- Drinking water quality is degraded
- Landfill impacts
- Limited fire protection

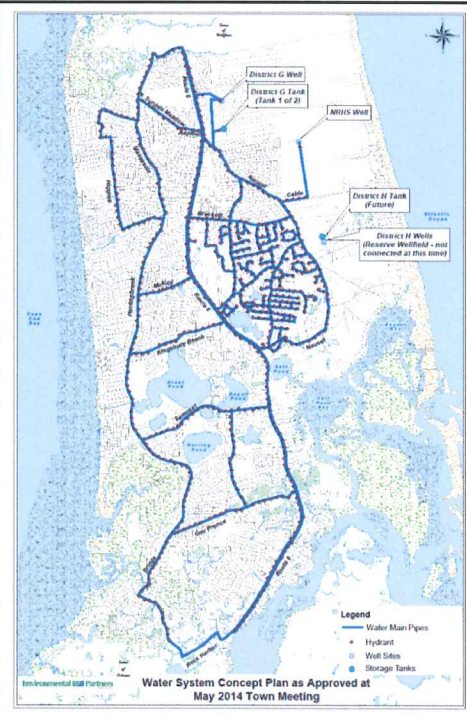
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Water System

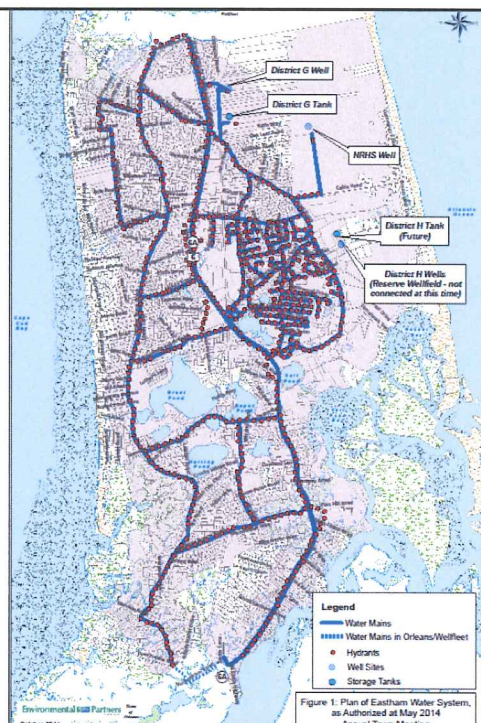
As Approved at May
2014 Annual Town
Meeting

- Serves 1/3 of properties
- 2,021 connections
- Includes commercial corridor



Water System

Fire Protection
coverage to
80% of Town



Funding Opportunity State Revolving Fund

Eastham is #2 on the Final list (\$45.5 M)



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Project Priorities

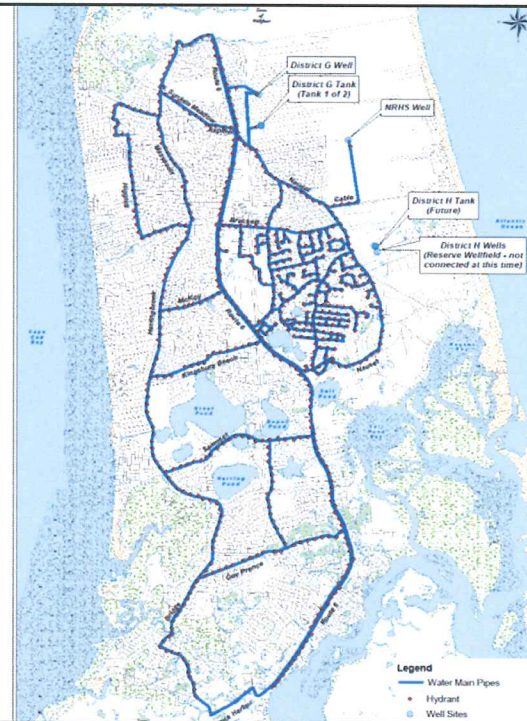
- Fast-track service to landfill study area
- Expedite the permitting process
- Parallel permitting and design activities
- Target construction start by summer 2015
- Service connections in summer 2016
- Use the SRF funding opportunity

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Water System

- Well Fields
- Storage Tank
- Distribution System



Water System Demands

Demand Condition (1)	Demand (gallons per day)	
	Current (2)	Future (3)
Ave. Day, Annual	378,000	415,000
Ave. Day, Seasonal (July, August)	734,000	806,000
Peak Day	1,068,000	1,172,000

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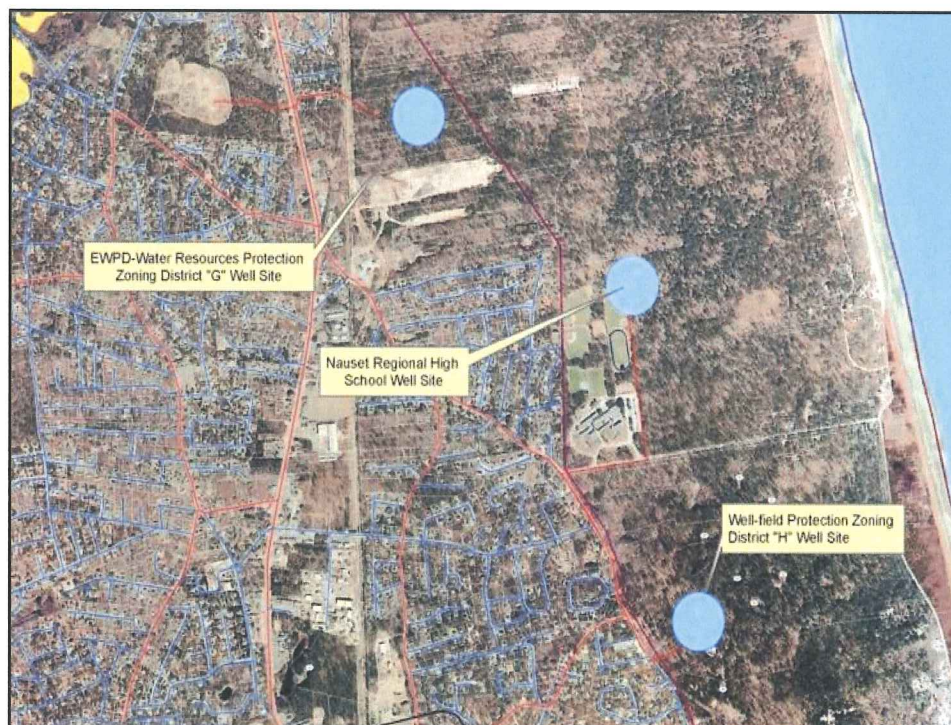
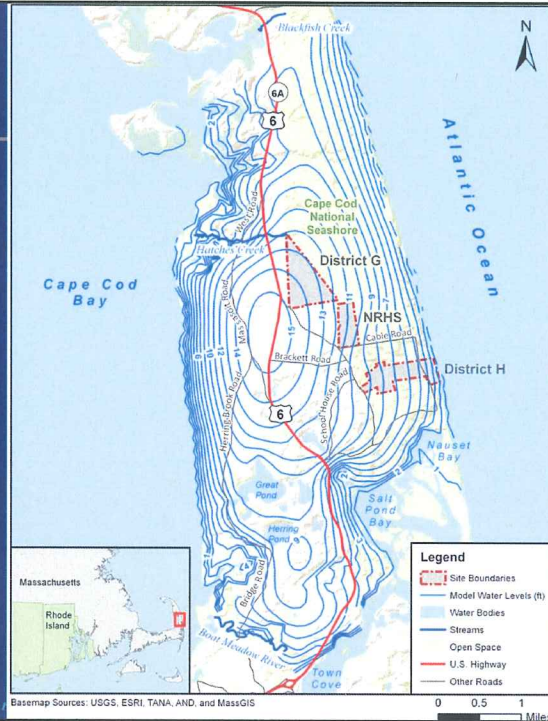


*Jeff Ruben
Heather McRoy*

Water Supplies (DEP Approved)

To be built now:
District G
NRHS

For future phase:
District H



District G

DEP-approved rate
955,000 gpd

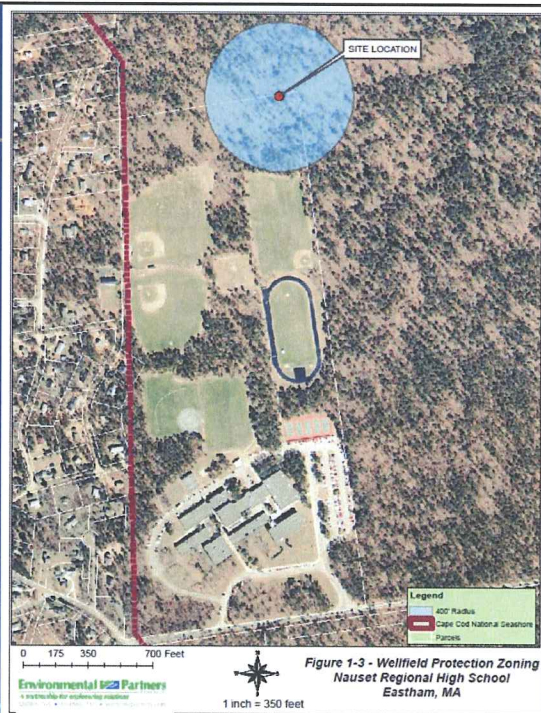
Pump rate,
this phase
200,000 gpd



NRHS

DEP-approved rate
833,000 gpd

Pump rate,
this phase
215,000 gpd



District H

DEP-approved rate
1,310,000 gpd

Not Constructed
This Phase



**FIGURE 2:
Well-field Protection Zoning
District "H" Well Site**

Environmental  Partner

Environmental Partners
A Division of The Environmental Protection Agency

District G & NRHS

Pump Station Building (11' x 26')



Zone II and Wellhead Protection

- Existing zoning (District G, District F) provides water resource protection
- Some of Zone I and II areas within National Seashore
- Eastham BOH to adopt well head protection bylaw for remaining Zone II areas

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Water Storage Tank

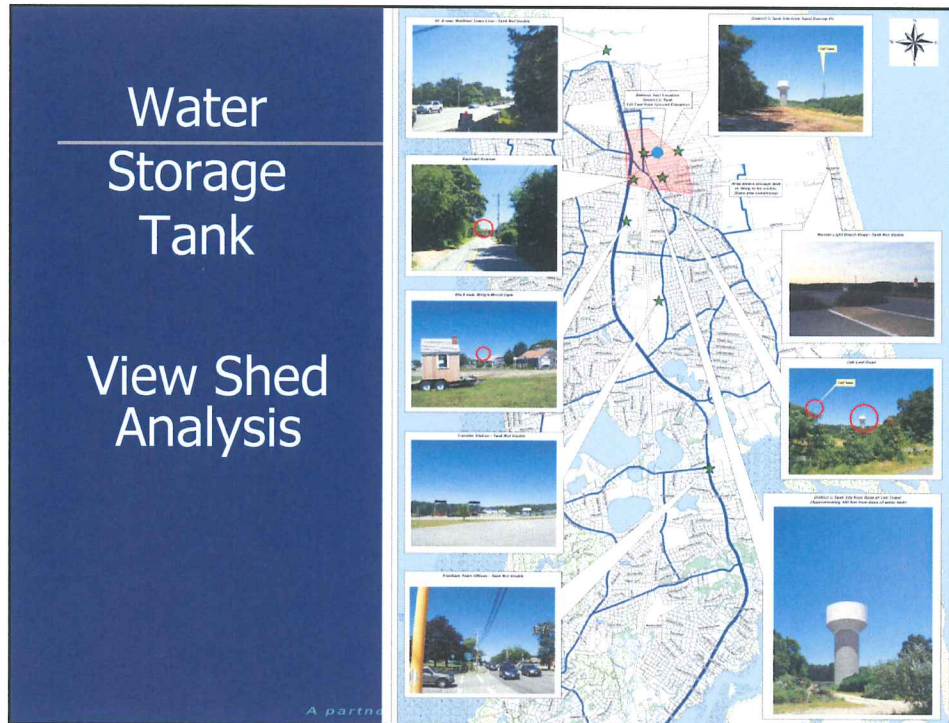
- At District G
- Town property (used by DPW)
- 750,000 gallons
- 135' tall
- Adjacent to cell tower (190' tall)



A partnership for engineering

Water Storage Tank

View Shed Analysis



Storage Tank & Well Fields NHESP Compliance

- Box Turtle – District G and NRHS Turtle Management Plan
- Common's Panic Grass – District G Botanical Survey
- Consultation with NHESP

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Surface Water and Wetlands

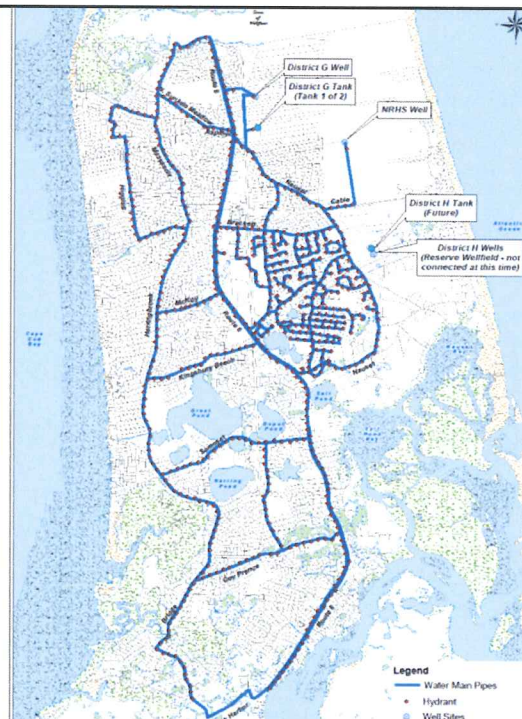
- No wetlands or ponds in vicinity of well fields
- Hatches Creek – north of District G
Barely discernible effects
Monitoring program to be implemented
Consultation with CCC staff



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Distribution System

- Backbone for Town-wide system
- Hydrants
- Almost all within roadway and ROW



A partnership

Common's
Panic GRASS
Thug / Bus Man
Housekeeper

Uncommon
Panic
GRASS
Queen Knight
Duke

Water main installations

- Rt 6 - MassDOT
- BMPs for erosion and sedimentation controls
- Section 106
Ma. Historic Commission
Seashore
- Eastham Conservation
Commission



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Permitting Activities

- DEP Water Withdrawal Permit
- MEPA ENF and Single EIR
- Cape Cod Commission DRI
- MassDOT
- Eastham Conservation Commission
- Eastham Zoning Board of Appeals

Ongoing Coordination with:

Natural Heritage & Endangered Species
Massachusetts Historical Commission
Cape Cod National Seashore

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Project Benefits

- Addresses primary goal of Town's LCP: provide high quality and reliable source of drinking water.
- Supports several goals of RPP: economic sustainability, water resource protection and water supply.

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Project Benefits

- Provides a permanent solution for drinking water to properties in vicinity of landfill with degraded water quality.
- Positions the Town to expand water system to serve entire community.
- Provides improved fire protection
- Takes advantage of favorable funding opportunity with SRF

A partnership for engineering solutions.



DISCUSSION

A partnership for engineering solutions.



Detriments

Five Centennial Drive
Peabody, MA 01960-7985
tel: 978-532-1900 fax: 978-977-0100
www.westonandsampson.com

engineering, energy,
planning, permitting,
design, construction,
operation, maintenance

Weston&Sampson®

January 12, 2015

Ms. Sheila Vanderhoef
Town Administrator
Town of Eastham
2500 State Highway
Eastham, Massachusetts 02642

**Re: Peer Review – Contract 1 - District G Water Storage Tank
Eastham, Massachusetts. W&S Project No. 2140681**

Dear Ms. Vanderhoef:

Weston & Sampson is pleased to provide comments of the listed contract documents related to our review for the Contract 1 - District G Water Storage Tank for the Town of Eastham.

We reviewed the following documents provided by Environmental Partners Group:

- Contract 1 - District G Water Storage Tank Contract Drawings: December, 2014
- Basis of Design: Storage Tanks and Wells, December 11, 2014

Electrical plans and all specifications were not reviewed. They will be reviewed when they are received. Overall, the plans appear to be quite complete with minor suggestions noted. Specific comments are included as annotations within each of the above PDF documents, which are attached. Summarized general comments and points of concern of the reviewed documents are as follows:

- Contract 1 - District G Water Storage Tank Contract Drawings
 - Potential freezing of pipes within the tank pedestal
 - Mixing system appropriateness to prevent ice cap formation and prevent temperature stratification.
 - Full size (12") check valve on tank outlet without reduction
 - Accuracy of proposed contour lines on the site plan
 - General line type and font consistency within documents
- Basis of Design: Water storage tank
 - Maximum fire flow used: 3000 vs. 3500 gpm
 - Design pressure range: 40 to 70 psi vs. 50 to 80 psi.
 - Foundation diameter

A meeting has been scheduled at Environmental Partners Group's office on Wednesday January 14th at 10 am to review and discuss our comments. Please let us know if you have any questions.

Very truly yours,
WESTON & SAMPSON



Bruce W. Adams, P.E.
Vice President

Massachusetts Connecticut New Hampshire Vermont New York Pennsylvania New Jersey South Carolina Florida

When it's essential...it's Weston&Sampson®

December 11, 2014

Mr. Bruce W. Adams, P.E.
Vice President
Weston & Sampson Engineers, Inc.
5 Centennial Drive
Peabody, MA 01960

RE: Eastham MA: Water System
Project No: 217-1401
Basis of Design: Storage Tank and Wells

Dear Mr. Adams:

As discussed at our initial meeting, Environmental Partners Group Inc. (EPG) has prepared the basis of design for the project. The major elements of the project and basis of design are described below.

Demands:

Phase I: Average Day: 0.33 mgd. Max. Day/Avg Day Ratio: 2.8. Max Day demand: 0.924 mgd.

Buildout: Average Day: 0.91 mgd. Max. Day/Avg Day Ratio: 2.8. Max Day demand: 2.94 mgd.

Storage Tank:

The storage volume is based on the following assumptions.

Location: District G area, town-owned lots, east of the cellular tower.

Storage Requirements Calculation: See the attached table.

Fire flow presumed: 3,000 gpm for 3 hours.

Volume Provided: 750,000 gallons

Type of Tank: Elevated Tank; composite construction.

Overflow Elevation (NAVD): 179.00 feet.

Static Pressure Range in Distribution System: 40 to 70 psi.

3500 gpm more commonly used. Any reason for reducing from the max ISO requirement?

195 to 200 feet suggested for consideration

50 to 80 psi suggested to minimize customer complaints and allow for full use of equalization volume

Foundation Design: Refer to the attached memorandum. A net bearing pressure of 1.5 tons per square foot (tsf) has been determined.

A second tank will be provided to be approximately 750,000

As discussed, W&S has concerns with this type of mixing system (static type). We expect that it may not be possible to provide adequate mixing to prevent an ice cap from forming and to prevent temperature stratification and water quality issues.

The tank project is packaged as Contract 1. Drawings were sent via email on December 8. The drawings are based on a composite tank with a welded and painted top reservoir, as available from Phoenix Fabricators, Chicago Bridge & Iron, Caldwell Tanks, and Landmark Structures. A passive mixing system using tideflex-type valves will be provided to provide mixing when the tank is filling. Within the tank base, the SCADA/RTU panel and electrical panels will be wall mounted. The tank will be provided with rail for mounting third party commercial antennas in the future.

Hyannis:

297 North Street, Suite 311, Hyannis, MA 02601
TL 508.568.5103 • FX 508.568.5125

Headquarters:

1900 Crown Colony Drive, Suite 402, Quincy, MA 02169
TL 617.657.0200 • FX 617.657.0201

Woburn:

18 Commerce Way, Suite 2000, Woburn, MA 01801
TL 781.281.2542 • FX 781.281.2543

Pricing from these contractors has been in the \$1.95-2.00M range for a complete tank including site work, utilities and electrical work.

As an alternate, EPG is considering an Aquastore-type tank with a concrete pedestal and a reservoir constructed from glass-fused-to-steel panels that are bolted together. The geometry of this type of tank is different than the welded and painted metal reservoir type tanks. We have received preliminary pricing of \$2.15M from Aquastore but this price excludes significant cost components such as excavation, backfill, site work, utilities, mixing system, electrical, and SCADA components. These items will add at least \$0.4-\$0.5M to the total cost.

As you are aware, at the present time, Aquastore is the dominant supplier and constructor of this type of tank in the United States. A competitor, Fusion Tanks, based in the United Kingdom, is making efforts to break into the municipal water storage tank market in the U.S. and in New England. However, we are unaware of any of Fusion's installations in New England for municipal water.

The advantage of the glass-fused-to-steel panels is that the expected frequency of repair and maintenance work is reportedly minimal compared to the repainting work required for a welded, painted tank.

We are in the process of gathering costs for maintenance work for each type of tank and we will be preparing a lifecycle cost comparison.

W&S will review
when available

Wells:

Well casings were installed in 2010 at District G, Nauset Regional High School and District H. The well casings are 12 inches in diameter.

The MADEP approved yield for District G and the NRHS wells are 691 gpm and 613 gpm, respectively. The District H well has an approved yield of 909 gpm.

In Phase I, a submersible pump will be installed at the well at District G and at the NRHS. The capacity of the well pump will be approximately 800 gpm. The total dynamic head (TDH) at District G and the NRHS well is 223 feet and 225 feet, respectively. The motor horsepower will be 75 HP, controlled by a variable frequency drive (VFD) unit.

Well water will be pumped to a control building to be located nearby. The building will be a modular, precast concrete structure housing the flow meter, pH analyzer, pressure transducer, and electrical and SCADA panels. Chemical treatment will consist of addition of potassium hydroxide to raise the pH to a neutral range (7-7.5), and addition of sodium hypochlorite for disinfection.

An emergency generator fueled by propane will be located adjacent to the building. The generator will be exercised on a weekly basis. To the extent practicable, EPG will standardize the generator units to be consistent with the DPW's current Kohler generator units.

EPG is working with NSTAR regarding the three phase power supply needed at each well station, and the power supply for the storage tank. The details of the service size, duct bank configuration, burial requirements, and costs are being developed.

The SCADA system will consist of three remote telemetry units (RTU) at Wells G, NRHS and the storage tank and a computer for monitoring and adjusting the system operation parameters to be installed at the DPW. At each well, the SCADA system will consist of a panel with an operator interface screen, and a programmable logic controller (PLC) based control system for well level, flow, pressure and

Mr. Bruce W. Adams, P.E.
December 11, 2014

Page 3

chemical feed system pacing. Signal transmission will be via radio. Antennas will be mounted at the appropriate height at each well station and at the tank and DPW building.

A full set of the progress drawings for Contract 2 are attached. EPG looks forward to receiving feedback from Weston & Sampson on the progress drawings.

Should you have any questions or comments on the above, please do not hesitate to contact me.

Very Truly Yours,

ENVIRONMENTAL PARTNERS GROUP, INC.

Paul C. Millett, P.E.
Project Manager

Enclosure: Contract 1 Storage Tank: Volume Calculation Table. Geotechnical Design Memorandum

Contract 2 District G and NRHS Well and Control Buildings. Progress Set of Drawings;
December 2014.

Cc: Sheila Vanderhoef, Neil Andres, Town of Eastham
Mark White, Ryan Trahan, EPG

EASTHAM TANK SIZING - Phase 1		
	Volume	
1. Fire Flow 3000 gpm for 3 hours	540,000	gallons
2. Demand during 3-hr fire on Max Day 0.924 MGD Max Day - Phase 1 System-3 hrs	115,500	gallons
3. Storage depletion prior to start of fire 50% of Average Day - Phase 1 (0.33 MGD)	165,000	gallons
Subtotal, required storage	820,500	gallons
4. Less pumpage during fire 600 gpm, 3 hrs. largest source offline - NRHS	108000	gallons
TOTAL VOLUME REQUIRED FROM STORAGE	712,500	gallons

Proposed System HGL of 179' (NAVD88)-35' TANK BOWL Nauset near Tracy Ln
Height of Highest Customer - Phase 1 62 feet

Required Minimum Elevation of Useable Storage for Service Pressure (35 psi)
142.85 feet
36.15 difference in feet

ALL STORAGE IN PHASE 1 WOULD BE USEABLE

Required Minimum Elevation of Useable Storage for Fire Flow Pressure (20 psi)
108.2 feet

ALL 0.75 MG WOULD BE USEABLE AND AVAILABLE FOR FIRE FLOW

EASTHAM TANK SIZING - Full System		
	Volume	
1. Fire Flow 3000 gpm for 3 hours	540,000	gallons
2. Demand during 3-hr fire on Max Day 2.94 MGD Max Day - Full System-3 hrs	367,500	gallons
3. Storage depletion prior to start of fire 50% of Average Day - Full System (0.990 MGD)	495,000	gallons
Subtotal, required storage	1,402,500	gallons
4. Less pumpage during fire 1290 gpm, 3 hrs. largest source offline - District H	232200	gallons
TOTAL VOLUME REQUIRED FROM STORAGE	1,170,300	gallons

Height of Highest Customer - Full Buildout 73.5 feet Cummings Rd Area

Required Minimum Elevation of Useable Storage for Service Pressure (35 psi)
154.35 feet
24.65 FOOT DIFFERENCE

TANK GEOMETRY PROVIDED ABOUT 21,500 GALLONS PER FOOT OF STORAGE

24.65 X 21,500 = 529,975 GALLONS USEABLE FOR FULL BUILDOUT ABOVE SERVICE PRESSURE
TIMES TWO TANKS = TOTAL FULL BUILDOUT USEABLE VOLUME OF ~1.06 MG

Required Minimum Elevation of Useable Storage for Fire Flow Pressure (20 psi)

ALL 1.5 MG WOULD BE USEABLE AND AVAILABLE FOR FIRE FLOW

This will provide 40 psi pressure to homes at the highest elevations in town during normal demand periods. We have found that this will likely lead to future complaints of insufficient pressure. W&S suggests increasing this to about 50 psi, or a tank overflow elevation of about 200 feet, which is about 20 feet higher.

January 1, 2015

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

RECEIVED
JAN 05 2015
ADMINISTRATION

Dear Sirs and Madams:

As a homeowner on the bayside of North Eastham since 1975, I have supported a full town-wide water system ever since it was first proposed.

It was a great disappointment that the Town decided last year not to pursue a comprehensive solution to our water crisis, leaving my house a short quarter-mile away from the water line that turns the corner from Higgins Rd. onto Steele Rd.

Many homes in my neighborhood have water issues, including salt incursion, high iron levels and turbidity, increasing nitrate levels, too close proximity to septic systems, as well as odor, taste and appearance issues. Some of us need Town water now; many more will need it sooner or later.

Please advise me when I will be able to hook up to this nearby water system through an extension of the water pipe down Steele Rd. towards Cooks Brook Beach. It isn't far, and many of us along the north side of Steele Rd. in particular would benefit, since we have water that is already too poor to drink. We need Town water now.

I am willing to pay a fee to hook-up to the new water system.

Thank you.

Sincerely,



Ben Hood
450 Steele Rd.
Eastham, MA 02642
413-283-2141 (cell phone)
bhoo.librarian@gmail.com

INFORMATION



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

January 12, 2015

Sheila Vanderhoef
Town Administration
Town of Eastham
2500 State Highway
Eastham, MA 02642

ADMINISTRATION

JAN 15 2015

RECEIVED

RE: Eastham Water System, Eastham, MA. MHC # RC.48184. EEA #15273.

Dear Ms. Vanderhoef:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Single Environmental Impact Report (SEIR) submitted by Environmental Partners Group, Inc., received December 18, 2014, and additional information, including geotechnical data and soil boring logs and project plans, received December 22, 2014 and January 8, 2014, for the project referenced above.

The SEIR includes information that is responsive to the MHC's comments on the Environmental Notification Form. The SEIR indicates that the Cape Cod National Seashore (CACO), owned and administered by the National Park Service, has consulted with project planners regarding project elements within CACO and intends to provide further comments. Copies of any written comments provided by the CACO for the project should be submitted to the MHC.

The SEIR and additional information include updated project plans that clarify proposed project impacts for Contract elements 2 through 8. Although the majority of wells, water lines and associated infrastructure are proposed primarily within existing paved roads, soil boring logs indicate that the depth of previous disturbance to existing soils associated with construction of existing paved roadways is variable. Portions of Contract areas 3, 4, 5, 7 and 8 are within potentially undisturbed areas of Eastham that are archaeologically sensitive, including unpaved roads, at least one cross-country pipeline alignment, and project impact areas in proximity to archaeological sites and/or National Register listed historic properties included in the MHC's Inventory. For example, a portion of the Contract 5 alignment (Sheet C-11) is proposed through Windmill Park within the National Register-listed Eastham Center Historic District (MHC# EAS.B). The Whepley Road to Jackcin Road cross-country pipeline alignment in Contract 7 (Sheets C-17 and C-18) is within and adjacent to the Nickerson's Field Site (MHC # 19-BN-485). Alternative Phase 2 project elements, including water tank and well locations at the Candlewood Area and adjacent to Town Hall; and at the District H Wellfield within CACO, also appear to be within undisturbed areas of Eastham that are archaeologically sensitive due to their favorable environmental characteristics and proximity to previously recorded archaeological sites.

The MHC notes that the project has been designed to avoid potential project impacts to significant historic burial grounds, at the Cove Burying Ground (MHC # EAS.800) (Contract 6) and the Bridge Road Cemetery (EAS.803) (Contract 8), by locating proposed water mains adjacent to these burial grounds on the opposite side of the existing road right-of-ways. Implementation of the project impact areas as proposed should avoid adversely affecting any unmarked burials at these locations. If project plans are modified as project planning for Contracts 6 and 8 proceeds, then current project plans should be submitted to the MHC for review and comment.

The MHC requests that an archaeological reconnaissance survey (950 CMR 70) be conducted for Contracts 3 through 8 and currently proposed Phase 2 project elements. The goal of the investigation is to provide a detailed archaeological sensitivity assessment for the project, and to provide recommendations for further archaeological testing, if any, that may be required to locate and identify any significant archaeological resources that could be affected by the project, in advance of project construction for each contract element.

The archaeological survey is conducted under a State Archaeologists Permit (950 CMR 70) and an application should be submitted to the MHC by a professional archaeological consulting firm with previous experience in this region of Massachusetts. The scope should include limited subsurface testing to assist in the sensitivity assessment and implementation of a contingency for archaeological monitoring during construction as necessary. The maximum project impact area for Phase 2 project elements should be staked in the field prior to conducting the investigation. The results of survey(s) will be used in consultation in order to avoid, minimize, or mitigate adverse effects to identified significant archaeological resources.

As the engineering design of the project continues to be refined, current existing and proposed conditions project plans should continue to be submitted by project planners to the MHC for review and comment.

The MHC looks forward to reviewing the information requested above, and to consultation to avoid, minimize or mitigate adverse effects to significant historic and archaeological resources.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800) and M.G.L Chapter 9, Sections 26-27C (950 CMR 70-71). If you have any immediate questions or require additional information please contact Jonathan K. Patton, Archaeologist/Preservation Planner, at this office.

Sincerely,



Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

xc: John F. Knight, Eastham Water Commission Chairman
Neil Andres, Superintendent, Eastham Department of Public Works
Marty Mickle, Assistant Superintendent, Eastham DPW
John Felix, DEP-BRP
Secretary Maeve Valley Bartlett, EEA, Attn: Alex Strycky, MEPA Unit
Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah)
Ramona Peters, Mashpee Wampanoag Tribe
George E. Price, Jr. Superintendent, Cape Cod National Seashore, Attn: Bill Burke
DEP-SERO, Div. Water Pollution Control
Eastham Historical Commission
Mark N. White, Environmental Partners Group, Inc.

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BARNSTABLE, MASSACHUSETTS 02630



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COMMISSION

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STAFF REPORT

TO: SUBCOMMITTEE MEMBERS

FROM: COMMISSION STAFF

SUBJECT: EASTHAM WATER SUPPLY SYSTEM (JR14023)

DATE: JANUARY 8, 2015

PROJECT DESCRIPTION

The system will involve construction of two well fields, a water storage tank and 45 miles of distribution system piping. The two wells fields, located at so called "District G" and the Nauset Regional High School (NRHS), have already been permitted by the Department of Environmental Protection (DEP) under their drinking water new water supply source approval program. The water storage tank is to be located at the Town's District G property, and will be located adjacent to an existing wireless communications tower. The distribution system includes transmission mains located throughout the Town to provide the "backbone" of the distribution system that, should the Town decide to do so in the future, would also allow the Town to extend the system by installing laterals to these transmission mains.

The water system is to be almost entirely constructed on previously disturbed land and existing roadway areas and rights of way. The overall land area where construction activities will occur is estimated to be 22.8 acres. 96% of the project area is associated with water main installations, which will occur predominantly within existing roadway areas. The storage tank and well fields are to be constructed in previously disturbed areas, of which only approximately 0.46 acres will occur in undisturbed area. New structures resulting from the project consist of a small pump house at each of the two well fields (26' x 11' in size) and a water storage tank. The water storage tank will have a foundation footprint of approximately 800 square feet (32' diameter) and will be approximately 135' tall.

Jon Eidelbert

The application materials indicate that small portions of the project are located in the towns of Wellfleet and Orleans to provide a “looped” system. The Town has offered to have an inter-town connection to the Orleans water supply system, which many other towns on the Cape have implemented. If necessary, alternative plans without portions of the project in Wellfleet or Orleans must be submitted to the Commission for review and approval.

PROCEDURAL HISTORY

The Town of Eastham submitted an Expanded Environmental Notification Form (EENF) to the Executive Office of Energy and Environmental Affairs – MEPA Unit (MEPA) on November XX, 2014. The Commission provided comments on the EENF on November 19, 2014. MEPA issued a certificate on the EENF on November 26, 2014 allowing the Town to file a single Environmental Impact Report (EIR).

Joint Review was initiated in December 2015, with the review of the single EIR for the Eastham Water System. The Applicant requested Joint MEPA/Commission Review pursuant to the Memorandum of Understanding between the Commission and MEPA. The Commission received the application for Joint Review from the Applicant’s representative, Mark White, of Environmental Partners Group on December 19, 2014. Additionally, the project is undergoing simultaneous EIR/ DRI review pursuant to Section 13(b) of the Commission Act that provides in relevant part:

...for any development subject to the provisions of sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws, the commission shall conduct the public hearing referred to in subsection (a) within ninety days of the secretary of environmental affairs certification that no environmental impact report is required, or, if an environmental impact report is required, within forty-five days after the secretary of environmental affairs certifies the adequacy of the final environmental impact report; provided, however, that for any plan or project proposed by a public or quasi-public entity for managing wastewater, watersheds, water resources or water quality, the commission may conduct the public hearing under subsection (a) and issue the decision under subsection (e) jointly, prior to or concurrent with the issuance of a certificate by the secretary of energy and environmental affairs or a successor agency, certifying compliance with said sections 61 to 62H, inclusive, of chapter 30 of the General Laws...

JURISDICTION

The Project comes under the jurisdiction of the Commission pursuant to Section 2(d)(i) of the Commission’s *Enabling Regulations* which requires proposed development for which an Environmental Impact Report (EIR) is required to be prepared under the provisions of MEPA (MGL Chapter 30, Sections 61 to 62H, inclusive) to undergo Development of Regional Impact (DRI) review.

COMMENTS

The following Commission staff comments are arranged by the respective issue area of the Regional Policy Plan (RPP).

Land Use

As the Town of Eastham does not have a municipal water system, this project reaches the first goal of the town's Local Comprehensive Plan (LCP) of protecting and improving water quality and supply. The project is proposed to meet the applicable goals of the RPP's Land Use issue area, including efficient use of capital infrastructure (given the tailored footprint of the proposed system) and minimizing development impacts by protection of sensitive resources. Consistent with RPP Land Use Goals, the LCP Build-out analyses suggest that the water system is proposed to facilitate connection to existing developed properties rather than facilitating additional development outside the core development footprint of the town.

Economic Development

The RPP states that new infrastructure projects "shall improve the availability, reliability, quality, and cost of services." Given that there is no existing municipal water service in the town; that private drinking water wells serve properties in the town; and that drinking water wells in some parts of the town have been compromised, this project is essential to ensure that safe drinking water is available throughout the Town of Eastham to serve present and future needs.

Water Resources

The Town of Eastham Water System EIR is an important document that contains an excellent narrative of the need for, and a detailed description of, the project, and an explanation of the fundamental components of the project. The Town and its consultants have done an admirable job preparing the document. The project consists of the delivery of 345,000 gpd annual average flow of high quality drinking water to provide relief to residents in the down-gradient area of the municipal landfill and other residential and commercial users of private wells that have experienced decreased quality of their drinking water from private wells.

The project will provide for seasonal average demands of 415,000 gpd with capacity to provide for peak day demands exceeding 1,000,000 gpd. The project consists of developing two water supply sites in District G and the Nauset Regional High School with permitted capacities of 995,000 and 833,000 gpd respectively. The town has previously received new source approval and water withdrawal permits from DEP for the wells. These wells will supply water to a 130 ft. tall water supply tank with a 750,000 gallon capacity and approximately 45 miles of water distribution with fire hydrants located every 500 ft. resulting in the provision of fire protection for 80% of the Town. The project will be constructed over two years, divided into eight project segments which may occur in sequence or simultaneously.

A portion of the Zone I for well G is in the Cape Cod National Seashore, whose management goals for land use are consistent with the protective requirements of the DEP regulations. A supportive response from the National Park Service was submitted through the new source approval process.

The RPP addresses the potential impacts from water withdrawals on surface water dependent ecosystems. The application materials include the results of the pump tests, groundwater

modeling, and impact analysis which are requirements for projects with a water withdrawal exceeding 20,000 gpd. The application materials and supplemental reports indicate the absence of surface water dependent ecosystems in proximity to the wells and the area of drawdown, as well as a barely measureable decrease in stream flow at Hatches Creek under average pumping conditions. A DRI decision will be conditioned on Commission review and approval of a monitoring plan to evaluate groundwater levels at Hatches Creek and the pumping wells.

While current project plans do not show any new turf or landscaping associated with the project, the Commission will require submission of a Turf and Landscape Management Plan for its staff review and approval if any turf or landscaping is included as project plans are finalized.

DEP requires that the Town adopt a Wellhead Protection bylaw for the delineated Zone IIs. The prohibitions and performance standards of the bylaw once adopted will provide preventative measures, similar to the RPP, to protect the water quality. Project plans show the use of propane for emergency power generators at the site. A release of propane gas will not impair the quality of groundwater, thus it or similar natural gas must be the only fuel used at the well sites for such purposes. Copies of the By-law must be provided to Commission staff for review prior to adoption, and as adopted.

The Town has included Chapter 21E site assessments regarding water quality as part of the new source approval process with MassDEP.

The RPP requires that all roof run-off be directly infiltrated. The proposed project will create a limited amount of roof run-off from the small, prefabricated buildings at each well site and from the water tower, which is shown to be directly infiltrated on the project plans. As the project proposes no new roadways or parking areas, there is no new stormwater associated with the project. As final plans are developed, the Commission will require that construction best management practices for erosion and sedimentation controls are specified and in place prior to construction to prevent erosion, control sediment movement and stabilize exposed soils.

Natural Resources

The two well sites and water tank will be located on previously disturbed town-owned properties and will require minimal additional clearing. These three sites are located within mapped habitat for rare species, but are not adjacent to wetlands or vernal pools. According to the application materials, the water main installations largely consist of redevelopment within existing road rights of way and will result in minimal clearing. Portions of the project will occur within the boundaries of the Inner Cape Cod Bay Area of Critical Environmental Concern (ACEC). The RPP prohibits new development within ACECs, but does not prohibit redevelopment.

Because so much of the work is proposed within existing disturbed areas, Commission staff has few concerns about the impacts of the project on wetlands, wildlife, or plant habitats. Any work proposed within the buffer zone to wetlands, including but not limited to water main installations, must be designed to minimize disturbance and utilize Best Management Practices

(BMPs) during construction. The RPP allows for utility work within buffer zones so long as impacts are minimized and there are no other feasible alternatives. The work to install the wells and water tank, as well as some of the water main installations, will occur within rare species habitat; the Town must work closely with the Natural Heritage and Endangered Species Program to minimize impacts and mitigate, as necessary. Based on conversations with the Applicant, a “No Take” letter is anticipated. The Town must provide Commission staff a copy of said letter and other pertinent correspondence with NHESP prior to any construction commencing. Where mains will be installed within the boundaries of the ACEC, efforts must be made to minimize impacts from stormwater runoff and erosion, evidenced by construction BMPs provided for CCC staff review and approval.

- ✕ The Commission will require adoption of best management practices for invasive species management into construction plans in order to avoid spread of invasive species due to the disturbance associated with construction.

Open space mitigation is not required, as there is a minimal amount of clearing associated with the project and mitigation is not required from municipal entities.

Transportation

As there are no new, proposed ongoing vehicle trips beyond the construction phase of the project, and no new access or egress points from Rte. 6 proposed, no associated permanent and sustained transportation impacts are expected.

MassDOT has jurisdiction over the work within the Rte. 6 right of way, and the town will work with MassDOT to manage transportation impacts during the construction phase of the project. The RPP requires that DRI projects obtain all necessary federal, state and local roadwork permits, and that the Commission be provided with a copy of such permits and approval prior to commencement of project construction.

Waste Management

As the proposed well sites will be located in Wellhead Protection Areas, the Town must minimize hazardous materials at the site to comply with Waste Management Goal WM1 (Hazardous Materials and Waste). Project plans show the use of propane for emergency power generators at the site. A release of propane gas will not impair the quality of groundwater, thus it or similar natural gas must be the only fuel used at the well sites for such purposes.

The project will create some construction and demolition (C&D) waste during installation, thus the Town must provide a narrative C&D waste plan prior to the commencement of development to comply with Waste Management Goal WM2 (Solid Waste). The project will not result in any significant creation of solid waste once operational.

Energy

The RPP issues area of Energy only addresses building development and wind energy conversion facility development. Therefore, the standards and goals do not apply.

Affordable Housing

Standards under the issue area of Affordable Housing do not apply to municipal infrastructure projects, such as a municipal water service system.

Heritage Preservation/ Community Character

The photo renderings of the proposed District G storage tank provide views from several locations. The photo renderings show where the water tank is likely to be visible, and confirm that historic areas of town and key visitor areas are outside of the visibility zone. While a portion of the Cape Cod Rail Trail will have a clear view, it is a limited portion where there are already industrial uses so the tower's visibility is unlikely to have a significant impact on the trail users' experience.

The EIR has listed and described in the context of the proposed construction layout all of the Town's historic districts including the Old Town Center Historic District, a local historic district; the Town Hall Center Historic District; the Fort Hill Rural Historic District; the Collins Cottage Historic District. The Town did not include individual historic properties such as town cemeteries and buildings previously considered for an historic district in the Rock Harbor area. Prior to commencement of construction, the Commission will require that both historic districts and individual National Register properties like the cemeteries and Nauset Light Station not described in the EIR be included on, or addressed in the context of, final construction plan sets to address work on adjacent road layouts and the installation of hydrants.

The Massachusetts Historical Commission (MHC) has provided comments during the MEPA process that focus on potential archaeological resources. More detailed construction plans will be needed as permitting proceeds to determine how sensitive historic and archaeological resources which may be encountered may be appropriately accommodated during installation. Continuing consultation with the National Park Service/Cape Cod National Seashore and Massachusetts Historical Commission is expected to address any concerns about potential future impacts to archaeological or historic resources.

While current project plans do not show any new turf or landscaping associated with the project, the Town must submit a landscape plan if any turf or landscaping is included as project plans are finalized. Likewise, a photometric plan and fixture details must be submitted if any exterior lighting is included as project plans are finalized.

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BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

DECISION OF THE CAPE COD COMMISSION

DATE: FEBRUARY ____, 2015

TO: MARK WHITE, ENVIRONMENTAL PARTNERS GROUP
1900 CROWN COLONY DRIVE, STE. 402, QUINCY, MA 02169

FROM: CAPE COD COMMISSION

RE: DEVELOPMENT OF REGIONAL IMPACT DECISION

PROJECT APPLICANT: TOWN OF EASTHAM
C/O SHEILA VANDERHOEF, TOWN MANAGER
TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA 02642

PROJECT NUMBER: JR14023

PROJECT: EASTHAM WATER SUPPLY SYSTEM, EASTHAM, MA

LOCATION: TOWN OF EASTHAM

The Cape Cod Commission (Commission) hereby approves with conditions the Application of the Town of Eastham (Applicant) for the Eastham Water Supply System (Project) as a Development of Regional Impact (DRI) in accordance with Sections 12 and 13 of the Cape Cod Commission Act (Act). This decision is rendered pursuant to a vote of the Cape Cod Commission on February ____, 2015.

PROCEDURAL HISTORY

The Town of Eastham submitted an Expanded Environmental Notification Form (EENF) to the Executive Office of Energy and Environmental Affairs – MEPA Unit (MEPA) on October 14, 2014. The Commission provided comments on the EENF on November 19, 2014. MEPA issued a

certificate on the EENF on November 26, 2014 allowing the Applicant to file a single Environmental Impact Report (SEIR), which is the functional equivalent of a Final Environmental Impact Report (FEIR). (The terms "SEIR" and "FEIR" are used interchangeably herein.)

Joint Review was initiated in December 2015, with the review of the single Environmental Impact Report for the Eastham Water System. The Applicant requested Joint MEPA/Commission Review pursuant to the Memorandum of Understanding between the Commission and MEPA. The FEIR was published in the MEPA Environmental Monitor on December 24, 2014. The Commission received the application for Joint Review from the Applicant's representative, Mark White, of Environmental Partners Group on December 19, 2014. Additionally, the Project is undergoing simultaneous FEIR/ DRI review pursuant to Section 13(b) of the Commission Act that provides in relevant part:

...for any development subject to the provisions of sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws, the commission shall conduct the public hearing referred to in subsection (a) within ninety days of the secretary of environmental affairs certification that no environmental impact report is required, or, if an environmental impact report is required, within forty-five days after the secretary of environmental affairs certifies the adequacy of the final environmental impact report; provided, however, that for any plan or project proposed by a public or quasi-public entity for managing wastewater, watersheds, water resources or water quality, the commission may conduct the public hearing under subsection (a) and issue the decision under subsection (e) jointly, prior to or concurrent with the issuance of a certificate by the secretary of energy and environmental affairs or a successor agency, certifying compliance with said sections 61 to 62H, inclusive, of chapter 30 of the General Laws...

A Joint MEPA/DRI Review public hearing was held on January 13, 2015 and the DRI hearing was continued to February 5, 2015 meeting of the Cape Cod Commission. Commission staff comments on the FEIR were submitted to MEPA on January 23, 2015 and a certificate on the FEIR was issued by the Secretary of EEA on January 30, 2015. The purpose of the January 13, 2015 public hearing was to gather information for the Joint MEPA/DRI Review of the Project and review a staff report and draft DRI decision prepared by Commission staff.

PROJECT DESCRIPTION

The system will involve construction of two well fields, a water storage tank, and 45 miles of distribution system piping. The two wells fields, located at so-called "District G" and the Nauset Regional High School (NRHS), have already been permitted by the Massachusetts Department of Environmental Protection (DEP) under their drinking water new water supply source approval program. The water storage tank is to be located at the Applicant's District G property, and will be located adjacent to an existing wireless communications tower. The distribution system includes transmission mains located throughout the town to provide the "backbone" of the distribution system that, should the Applicant decide to do so in the future, would also allow the Applicant to extend the system by installing laterals to these transmission mains.

The water system is to be almost entirely constructed on previously disturbed land and existing roadway areas and rights of way. The overall land area where construction activities will occur is

estimated to be 22.8 acres. 96% of the project area is associated with water main installations, which will occur predominantly within existing roadway areas. The storage tank and well fields are to be constructed in previously disturbed areas, of which only approximately 0.46 acres will occur in undisturbed area. New structures resulting from the Project consist of a small pump house at each of the two well fields (26' x 11' in size) and a water storage tank. The water storage tank will have a foundation footprint of approximately 800 square feet (32' diameter) and will be approximately 135' tall.

The application materials indicate that small portions of the Project are located in the towns of Wellfleet and Orleans to provide a "looped" system. The Applicant has offered to have an inter-town connection to the Orleans water supply system, which many other towns on the Cape have implemented. If necessary, as permitting for the Project proceeds, alternative plans without portions of the Project in Wellfleet or Orleans shall be submitted to the Commission in the future for review and approval.

JURISDICTION

The Project comes under the jurisdiction of the Commission pursuant to Section 2(d)(i) of the Commission's *Enabling Regulations* which requires proposed development for which an Environmental Impact Report (EIR) is required to be prepared under the provisions of MEPA (MGL Chapter 30, Sections 61 to 62H, inclusive) to undergo Development of Regional Impact (DRI) review.

RECORD MATERIALS

TABLE 1: MATERIALS SUBMITTED FOR THE RECORD

<i>Materials from Cape Cod Commission</i>	<i>Date Sent</i>
Staff report	1/7/14
Minutes from 1/13/15 hearing	1/XX/15
<i>Materials from Applicant</i>	<i>Date Sent</i>
DRI Distribution List	12/18/14
Environmental Impact Report, dated 12/15/14	12/19/14
Email Mark White to Jeffrey Ribeiro re: Project Benefits	1/9/15
<i>Materials from Public Agencies/Towns/State/Federal</i>	<i>Date Sent</i>
n/a	
<i>Materials to/from Members of the Public</i>	<i>Date Sent</i>
n/a	

FINDINGS

The Commission hereby finds as follows:

GENERAL FINDINGS

GF1. The Project consists of two well fields, a water storage tank, and 45 miles of distribution system piping.

GF2. The Project comes under the jurisdiction of the Commission pursuant to Section 2(d)(i) of the Commission's *Enabling Regulations*, which requires proposed development for which an EIR is required to be prepared under the provisions of MEPA to undergo mandatory DRI review.

GF3. The Secretary issued a Final Certificate on January 30, 2015 stating that the single EIR adequately and properly complies with MEPA and its implementing regulations.

GF4. The first substantive DRI public hearing on the Project was held on January 13, 2015, continued to February 5, 2015.

GF5. According to the application materials and review by Commission staff, the Project is consistent with local development by-laws and the town's Local Comprehensive Plan as the first stated goal in the LCP is to "*Protect/improve water quality and supply.*"

GF5(a). While the proposed water tower is beyond the height limitations for District G as set forth in the Town of Eastham Zoning By-laws, the project does not deviate from the by-law's intent, stating in part:

"the Water Resource Protection District is designed to protect the public health by preventing contamination of the ground and surface water resources providing a portion of the potential public water supply for the Town of Eastham."

GF6. The Project has previously received complete funding from Eastham Town Meeting.

GF7. Benefits of the Project include the provision of a comprehensive, predictable, cost effective, and safe drinking water supply for current and future needs of the town; attempts at regional coordination between municipal and other governmental agencies; and provision for fire protection coverage to 85% of the community.

LAND USE FINDINGS

LUF1. Land Use Goal LU1 (Compact Growth and Resource Protection) seeks to minimize adverse impacts of development on the land by using land efficiently and protecting sensitive resources, and to create vibrant communities by directing growth and redevelopment to appropriate locations. Given that the land surrounding the well sites has been zoned for water protection as required by DEP, the proposed development does not present a threat to the resources and/or characteristics intended to be protected and maintained by its land use category and meets Minimum Performance Standard (MPS) LU1.1 (Development Location).

LUF2. While MPS LU1.2 (Compact Development) only applies to building development, the Project may be a vehicle for future projects to meet the MPS as it is assumed that the Project, as well as the LCP Build-out analyses, will drive more efficient redevelopment patterns within the town by allowing for development that is more compact.

LUF3. MPS LU2.1 (Connections to Existing Infrastructure) is likewise met as the proposed project is intended to support and serve existing and future needs, based on the town's existing compact development patterns.

ECONOMIC DEVELOPMENT FINDINGS

EDF1. MPS ED4.1 (Demonstrated Need and Public Benefit) states that new infrastructure projects “shall improve the availability, reliability, quality, and cost of services.” Given that there is no existing municipal water service in the town; that private drinking water wells serve properties in the town; and that drinking water wells in some parts of the town have been compromised, the Project is essential to ensure that safe drinking water is available throughout the Town of Eastham to serve present and future needs.

WATER RESOURCES FINDINGS

WRF1. The Project consists of the delivery of 345,000 gpd annual average flow of high quality drinking water to provide relief to residents in the down-gradient area of the municipal landfill and other residential and commercial users of private wells that have experienced decreased quality of their drinking water from private wells. The Project will provide for seasonal average demands of 415,000 gpd with capacity to provide for peak day demands exceeding 1,000,000 gpd. The Project consists of developing two water supply sites in District G and the Nauset Regional High School with permitted capacities of 995,000 and 833,000 gpd respectively. The Applicant has previously received new source approval and water withdrawal permits from DEP for the wells.

WRF2. MPS WR1.2 (Identification of Drinking Water Wells) requires identification of proposed drinking water wells and existing private drinking water wells on abutting properties within 400 feet. The Applicant has assessed the impact of the development on the water quality of these wells and all other existing wells that may potentially be affected by the proposed development. The application materials include the results of the pump tests, groundwater modeling, and impact analysis showing no significant impact to existing private wells.

WRF3. The RPP addresses the potential impacts from water withdrawals on surface water dependent ecosystems. The application materials include the results of the pump tests, groundwater modeling, and impact analysis which are requirements for projects with a water withdrawal exceeding 20,000 gpd. The application materials and supplemental reports indicate the absence of surface water dependent ecosystems in proximity to the wells and the area of drawdown, as well as a barely measureable decrease in stream flow at Hatches Creek under average pumping conditions. To further comply with MPS WR1.3 (Groundwater Study Requirement), this decision shall be conditioned on Commission review and approval of a monitoring plan to evaluate groundwater levels at Hatches Creek and the pumping wells prior to any construction commencing.

WRF4. While current project plans do not show any new turf or landscaping associated with the Project, the Applicant must submit a Turf and Landscape Management Plan if any turf or landscaping is included as project plans are finalized, in order to comply with MPS WR1.5 (Turf and Landscape Management Plan).

WRF5. The Project meets RPP Best Development Practices (BDPs) WR1.6 (Management of Water Withdrawals/Wastewater Discharges) and WR1.7 (Use of Water-conservation Technologies) through requirements imposed by DEP and the Commission.

WRF6. DEP requires that the Applicant adopt a Wellhead Protection bylaw for the delineated Zone IIs, meeting BDP WR1.9 (Greater Protection of Groundwater/Surface Water). The prohibitions and performance standards of the bylaw once adopted will provide preventative measures, similar to the RPP, to protect the water quality. The Applicant shall provide copies of the bylaw to Commission staff for review prior to adoption, and as adopted.

WRF7. Project plans show the use of propane for emergency power generators at the site, meeting MPS WR2.2 (Prohibition on Hazardous Materials/Wastes). Any release of propane gas will not impair the quality of groundwater, thus this decision shall be conditioned on the use of propane or similar natural gas as the only fuel used at the well sites for such purposes.

WRF8. To comply with MPS WR7.9 (Best Management Practices During Construction), this decision shall be conditioned on the Applicant providing final project plans that show construction Best Management Practices (BMPs) for erosion and sedimentation controls are specified and in place prior to construction to prevent erosion, control sediment movement, and stabilize exposed soils for review and approval by Commission staff.

WRF9. As the Project proposes no wastewater, MPS' under Water Resources Goals WR3 (Marine Water Recharge Areas), WR4 (Freshwater Ponds and Lakes), and WR6 (Public and Private Wastewater Treatment Facilities) do not apply.

NATURAL RESOURCES FINDINGS

NRF1. Portions of the project will occur within the boundaries of the Inner Cape Cod Bay Area of Critical Environmental Concern (ACEC). The RPP prohibits new development within ACECs, but does not prohibit redevelopment. Because so much of the work is proposed within existing disturbed areas, the Project complies with MPS CR2.5 (Barrier Beaches, Coastal Dunes and Their Buffers).

NRF2. As no portions of the Project are located offshore, MPS' under the RPP issue area of Marine Resources does not apply.

NRF3. The two well sites and water tank will be located on previously disturbed town-owned properties and will require minimal additional clearing. These three sites are located within mapped habitat for rare species, but are not adjacent to wetlands or vernal pools. According to the application materials, the water main installations largely consist of redevelopment within existing road rights of way and will result in minimal clearing. Thus, as outlined in Technical Bulletin 92-002 *Guidelines for Natural Resources Inventory*, it is appropriate to release the Applicant from preparation of a Natural Resources Inventory under MPS WPH1.1 (Natural Resources Inventory).

NRF4. In order to comply with other MPS under RPP Wildlife and Plant Habitat Goal WPH1 (Prevent Loss, Minimize Adverse Impact, and Maintain Diversity), the Applicant shall continue to work closely with the Natural Heritage and Endangered Species Program (NHESP) to

minimize impacts and mitigate, as necessary. Based on conversations with the Applicant, a “No Take” letter is anticipated. This decision shall be conditioned on the Applicant providing Commission staff a copy of said letter and other pertinent correspondence with NHESP prior to any construction commencing.

NRF5. In order to comply with MPS under RPP Wetlands Goal WET1 (Wetlands Protection), all work proposed within the buffer zone to wetlands and/or within the boundaries of the ACEC, including but not limited to water main installations, shall be designed to minimize disturbance and utilize BMPs during construction. The RPP allows for utility work within buffer zones so long as impacts are minimized and there are no other feasible alternatives. This decision shall be conditioned on Commission review and approval of said plans prior to any construction commencing on portions of the Project depicted therein.

NRF6. MPS’ under the RPP issue area of Open Space Protection/Recreation do not apply, as there is a minimal amount of clearing associated with the project and mitigation is not required from municipal entities.

TRANSPORTATION FINDINGS

TRF1. As there are no new, proposed ongoing vehicle trips beyond the construction phase of the project, and no new access or egress points from Rte. 6 proposed, no associated permanent and sustained transportation impacts are expected. Thus, MPS’ under the RPP issue area of Transportation do not apply.

TRF2. MassDOT has jurisdiction over the work within the Rte. 6 right of way, and the Applicant shall work with MassDOT to manage transportation impacts during the construction phase of the Project. This decision shall be conditioned on the Applicant obtaining all necessary federal, state, and local roadwork permits, and that the Commission is provided with a copy of such permits and approval prior to commencement of project construction on portions of the Project for which they are required.

WASTE MANAGEMENT FINDINGS

WMF1. Project plans show the use of propane for emergency power generators at the site, meeting MPS WM1.2 (Hazardous Materials/Waste Restrictions). Any release of propane gas will not impair the quality of groundwater, thus this decision shall be conditioned on the use of propane or similar natural gas as the only fuel used at the well sites for such purposes.

WMF2. The project will create some construction and demolition (C&D) waste during installation, thus this decision shall be conditioned on the Applicant providing a narrative C&D waste plan prior to the commencement of construction to comply with MPS WM2 (C&D Waste Plan).

WMF3. Other MPS’ under the issue area of Waste Management do not apply, as the Project will not result in any significant creation of solid waste once operational.

ENERGY FINDINGS

EF1. The RPP issues area of Energy only addresses building development and wind energy conversion facility development. Therefore, the standards and goals do not apply.

AFFORDABLE HOUSING FINDINGS

AHF1. Goals and standards under the issue area of Affordable Housing do not apply to municipal infrastructure projects, such as a municipal water service system.

HISTORIC PRESERVATION/COMMUNITY CHARACTER FINDINGS

HPCCF1. The photo renderings of the proposed District G storage tank provide views from several locations. The photo renderings show where the water tank is likely to be visible, and confirm that historic areas of town and key visitor areas are outside of the visibility zone. While a portion of the Cape Cod Rail Trail will have a clear view, it is a limited portion where there are already industrial uses so the tower's visibility is unlikely to have a significant impact on the trail users' experience. Thus, the Project meets MPS HPCC2.3 (Avoid Adverse Visual Impacts).

HPCCF2. The FEIR has listed and described in the context of the proposed construction layout all of the Town's historic districts including the Old Town Center Historic District, a local historic district; the Town Hall Center Historic District; the Fort Hill Rural Historic District; the Collins Cottage Historic District. The Applicant did not include individual historic properties such as town cemeteries and buildings previously considered for an historic district in the Rock Harbor area.

HPCCF3. To comply with MPS HPCC1.1 (Historic Structures), this decision shall be conditioned on Commission review and approval of final construction plans that address work on adjacent road layouts and the installation of hydrants within historic districts and adjacent to individual National Register properties, including but not limited to the cemeteries and Nauset Light Station.

HPCCF4. The Massachusetts Historical Commission (MHC) has provided comments during the MEPA process that focus on potential archaeological resources. More detailed construction plans will be needed as permitting proceeds to determine how sensitive historic and archaeological resources which may be encountered may be appropriately accommodated during installation. To comply with MPS HPCC1.3 (Archeological Sites), this decision shall be conditioned on the Applicant providing Commission staff a copy of any pertinent correspondence between the Applicant and MHC and/or the National Park Service/Cape Cod National Seashore.

HPCCF5. While current project plans do not show any new turf or landscaping associated with the project, the Applicant must submit a landscape plan for review and approval by Commission staff if any turf or landscaping is included as project plans are finalized. Likewise, a photometric plan and fixture details must be submitted for review and approval by Commission staff if any exterior lighting is included as project plans are finalized.

CONCLUSION

Based on the Findings above, the Commission hereby concludes and finds further that:

1. Subject to and upon satisfaction of the conditions identified in this decision, the Project is consistent with the Act and the 2009 Regional Policy Plan (as amended).
2. The Project is consistent with Eastham's Local Comprehensive Plan.
3. The Project is consistent with municipal development by-laws, subject to the Applicant obtaining all required local approvals, licenses, and permits for the Project, including but not limited to an Order of Conditions from the Eastham Conservation Commission, a zoning variance from the Eastham Zoning Board of Appeals for water tower height, and a road opening permit.
4. The Project is consistent with regulation adopted pursuant to the Cape –wide Fertilizer Management District of Critical Planning Concern, which is the only DCPC applicable to the Project. The Eastham Conservation Commission and Board of Health adopted implementing regulations pursuant to said DCPC, though the Project does not propose any establishment of turf, or use of any fertilizer or other nutrient containing material as a fertility source for turf.
5. The probable project benefit outweighs the probable project detriment.

The Commission hereby approves the application of the Town of Eastham for its Water Supply System as a DRI, subject to the following conditions:

GENERAL CONDITIONS

GC1. This decision is valid for a period of 7 years and local development permits may be issued pursuant hereto for a period of 7 years from the date of this written decision.

GC2. Failure to comply, and remain in compliance, with all findings and conditions stated herein, and with all related Commission laws and regulations, shall be deemed cause to revoke or modify this decision.

GC3. The Applicant shall obtain all necessary federal, state, and local permits for the proposed project, including but not limited to roadway permits. Specifically, prior to the issuance of a Preliminary Certificate of Compliance, the Applicant shall obtain all necessary municipal permits, licenses and approvals for the project, including but not limited to a Wetlands Order of Conditions.

GC3(a). The project's consistency with municipal development by-laws or ordinances shall be evidenced and confirmed by the Applicant obtaining all said necessary municipal permits, licenses and approvals.

GC4. No development work, as the term "*development*" is defined or referred to in the Cape Cod Commission Act (Act), Regulations, and as approved herein, shall be undertaken until this decision is final and the Commission Clerk certifies that the decision appeal period has elapsed or if such an appeal has been filed, until the appeal has been finally dismissed, adjudicated, or otherwise disposed of.

GC5. Prior to issuance of any Preliminary Certificate of Compliance by the Cape Cod Commission for development as the term "*development*" is defined in the Cape Cod Commission

Act, and as approved herein, the Applicant shall submit final project plans as approved by state, federal, and local authorities for review by Commission staff who shall determine their consistency with this decision. If Commission staff determines that the final plans are not consistent with the Eastham Water System FEIR, dated December 15, 2014, prepared by Environmental Partners Group, approved, referenced, and incorporated herein, the Commission shall require that the Applicant seek a modification to this decision for further review and approval of the project plans changes in accordance with the "*Modification*" section of the Commission's *Enabling Regulations* in effect at the time the modification is sought.

GC6. All plans and documents required to be submitted as conditions of this decision shall hereby be incorporated into this condition as and when received, reviewed, and approved by Commission staff.

GC7. Prior to undertaking any development as the term "*development*" is defined or referred to in the Commission Act, Regulations, and as approved herein, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to the issuance of a Preliminary Certificate of Compliance have been satisfied, and that the Project is in compliance with this decision. The Commission may issue Partial or multiple Preliminary Certificates of Compliance if the Applicant proceeds to develop the Project in segments or phases, and in this event, Commission staff will establish a schedule in which outstanding Conditions must be satisfied prior to issuance of any subsequent Certificates of Compliance.

GC8. The Applicant shall obtain a Final Certificate of Compliance from the Commission prior to system operation that evidences that all conditions in this decision have been satisfied and that the Project is in compliance with this decision.

GC9. Commission staff will undertake a review of the Project's compliance with this decision, including the applicable conditions hereof, upon the Applicant's request to the Commission for issuance of any Preliminary or Final Certificate of Compliance. At the time the Applicant requests such a Certificate, it shall provide Commission staff a list of key project contact(s), along with their telephone numbers, mailing addresses, and email addresses, in the event questions arise during the Commission's compliance review. As part of its compliance review, Commission staff may make, and the Applicant hereby authorizes, site inspections upon reasonable notice to the Applicant, as such visits are needed. Upon review, the Commission shall either prepare and issue the requested Certificate, or inform the Applicant in writing of any compliance deficiencies and the remedial action required for the issuance of the requested Certificate.

GC10. Prior to the issuance of a Preliminary Certificate of Compliance, but not until the appeal period for this decision has elapsed, or if such an appeal has been filed, until the appeal has been finally dismissed, adjudicated or otherwise disposed of, the Applicant shall record a copy of this decision with the Barnstable Registry of Deeds and provide a copy of the same to Commission staff of such recording. This decision shall not be effective until a copy of the same has been so recorded.

GC11. Prior to issuance of a preliminary Certificate of Compliance, the Applicant shall provide evidence to the Commission that a copy of this decision has been provided to the general contractor for the Project.

GC12. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall obtain, and provide evidence to the Commission of the same, any licenses, consents, easements or other property rights necessary to construct the Project, including from private property owners, the Cape Cod National Seashore, town of Wellfleet, town of Orleans. If locating the Project partially in the towns of Orleans or Wellfleet is determined infeasible, an alternative Project layout entirely within the town of Eastham shall be provided to Commission staff for review and approval prior to project construction, or any relevant phase thereof, approval of such alternative layout to be reflected in a Certificate of Compliance.

WATER RESOURCES CONDITIONS

WRC1. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide a monitoring plan to evaluate groundwater levels at Hatches Creek and the pumping wells for review and approval by Commission staff. The monitoring plan shall indicate that the Commission will receive copies of regular water supply reporting to DEP including Annual Statistic Reports and consumer confidence reports.

WRC2. Prior to issuance of a Final Certificate of Compliance, the Applicant shall provide copies of the Wellhead Protection bylaw for the delineated Zone IIs to Commission staff for review prior to adoption, and as adopted.

WRC3. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide final construction plans for review and approval by Commission staff that show construction Best Management Practices (BMPs) for erosion and sedimentation controls are specified and in place prior to construction to prevent erosion, control sediment movement, and stabilize exposed soils.

WRC4. The Project shall use only propane or similar natural gas as the only fuel used at the well sites for emergency power generation.

NATURAL RESOURCES CONDITIONS

NRC1. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide for review and approval by Commission staff final construction plans for all work proposed within the buffer zone to wetlands and/or within the boundaries of the ACEC, including but not limited to water main installations, that minimize disturbance and utilize BMPs during construction.

NRC2. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide Commission staff a copy of a "No Take" letter from NHESP and/or any other pertinent correspondence from NHESP. The Applicant shall comply with any conditions required by NHESP to ensure no impact to rare species.

NRC3. Prior to issuance of a Preliminary Certificate of Compliance, the town shall develop invasive species best management practices for Commission staff review and approval for the construction and operational phases of the Project.

WASTE MANAGEMENT CONDITIONS

WMC1. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide a narrative C&D waste plan for review and approval by Commission staff.

HISTORIC PRESERVATION/COMMUNITY CHARACTER CONDITIONS

HPCCC1. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide for review and approval by Commission staff final construction plans that address work on adjacent road layouts and the installation of hydrants within historic districts, and identify and address individual State or National Register properties adjacent to the Project, including but not limited to the cemeteries and Nauset Light Station identified as Register properties.

HPCCC2. Prior to issuance of a Preliminary Certificate of Compliance, the Applicant shall provide Commission staff a copy of any pertinent correspondence between the Applicant and MHC and/or the National Park Service/Cape Cod National Seashore, including correspondence regarding archaeological resources that may exist in the Project layout.

HPCCC3. The Applicant shall submit a final landscape plan for review and approval by Commission staff if any turf or landscaping is included as project plans are finalized, in which case Commission approval of such plan shall be evidenced in a Certificate of Compliance.

HPCCC4. The Applicant shall submit a photometric plan and fixture details for review and approval by Commission staff if any exterior lighting is included as project plans are finalized, in which case Commission approval of such plan shall be evidenced in a Certificate of Compliance.

SEE NEXT PAGE FOR SIGNATURES

SIGNATURES

Executed this _____ day of _____ 2014.

Signature

Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

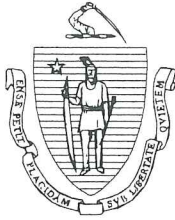
Barnstable, ss
2014

Before me, the undersigned notary public, personally
appeared _____,

in his/her capacity as _____ of the Cape Cod
Commission, whose name is signed on the preceding document, and such person
acknowledged to me that he/she signed such document voluntarily for its stated
purpose. The identity of such person was proved to me through satisfactory evidence of
identification, which was [] photographic identification with signature issued by a
federal or state governmental agency, [] oath or affirmation of a credible witness, or []
personal knowledge of the undersigned.

Notary Public

My Commission Expires:



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Deval L. Patrick, Governor ♦ ♦ Aaron Gornstein, Undersecretary

mf

January 1, 2015

Jay Coburn
Executive Director
Community Development Partnership
3 Main Street Mercantile, Unit 7
Eastham, MA 02624

ADMINISTRATION

JAN 07 2015

RECEIVED

Dear Mr. Coburn:

On behalf of Governor Deval Patrick, I am pleased to inform you of Community Development Partnership's selection as a Community Partner and award of a 2015 allocation of Community Investment Tax Credits in the amount of up to \$100,000 from the Massachusetts Community Investment Tax Credit (CITC) Program. These tax credits are provided by the Commonwealth to increase the capacity of community-based organizations such as yours. The Department's evaluation of your organization's Community Investment Plan and related application materials resulted in this investment decision. This award is contingent upon Community Development Partnership's return of an execution agreement with the Department and the satisfaction of its conditions and requirements, including 95% utilization of 2014 credits, if applicable. An execution agreement will be forwarded under separate cover.

This letter constitutes certification to your organization, consistent with Chapter 62 Section 6M(c)(6), that you have been awarded a community investment tax credit allocation. You may receive qualified investments from taxpayers or a community partnership fund, as of the date of this letter.

The CITC Program staff is available to provide technical assistance and to answer any questions you may have. Please contact Mark Southard or Jennifer Constable for further information. They can be reached at (617) 573-1436 or 617 573-1354, respectively.

Congratulations once again. I look forward to working together to address our community development needs.

Sincerely,

Aaron Gornstein
Undersecretary

AG/fmg

See the attached list for recipients of this letter

The Following have received copies of this letter:

cc: Senator Daniel A. Wolf
Representative Sarah K. Peake
Linda S. Burt, Chair Eastham BOS

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org



CAPE COD
COMMISSION

HEARING NOTICE CAPE COD COMMISSION

(continued hearing from January 13, 2015)

Date: Thursday, February 5, 2015
Time: 3:00 p.m.
Place: **First District Courthouse**
Assembly of Delegates Chambers • Main Street (Route 6A), Barnstable, MA
Project: Eastham Water Supply System
Project No.: JR14023
Project Applicant: Town of Eastham
Project Location: Town of Eastham

Project Description: The system will involve the construction of two well fields, a water storage tank and 45 miles of distribution system piping.

This project is being heard and reviewed for Development of Regional Impact (DRI) approval pursuant to Sections 12 and 13 of the Cape Cod Commission Act and Section 2(d)(i) of the Cape Cod Commission DRI Enabling Regulations. Anyone wishing to testify orally will be welcome to do so. Written comments may be submitted at the hearing, or delivered or mailed to the Cape Cod Commission, P.O. Box 226, 3225 Main Street, Barnstable, MA 02630 for receipt prior to the close of the hearing. The project application, plans and relevant documents may be viewed by calling the Commission office at (508) 362-3828 to schedule an appointment between the hours of 8:30 a.m. and 4:30 p.m. If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, please contact the Cape Cod Commission at (508)362-3828 or TTY (508)362-5885.

INFO

Elizabeth Shaw

From: Fred Fenlon [fredfj@comcast.net]
Sent: Thursday, January 15, 2015 2:49 PM
To: Martin, Selectman, Carol; Knight, John; Burt, Chair, Linda; service@haband.net; Vanderhoef, Sheila
Cc: Shaw, Lisa
Subject: Cape Light Compact

To: Eastham Selectmen; Administrator and Assistant Administrator,

Attached below is an important part of *The Cape Light Compact's* pages to Eastham's "Annual Report 2015" book.

If you have any question, please call the undersigned at 508-240-3258.

To: Lisa Shaw >> Please forewarn to Selectmen, not listed and to the Assistant Administrator.

Fred Fenlon
508-240-3258

ENERGY EFFICIENCY - \$736,591, was paid to Eastham, by the Compact.

Jan – Dec 2014	# of Participants	Customer Savings	kWh Saved	Rebates/Incentives Paid to Customers
Low Income	22	\$5,531.60	27,658	\$79,281.45
Residential	477	\$99,317.80	496,589	\$577,203.07
Commercial	7	\$75,618.80	383,881	\$80,106.89
Total	506	\$180,468.20	908,128	\$736,591.41

Funding for the energy efficiency programs (i.e. energy audits for homes and businesses,

rebates on the purchase of energy efficient appliances and energy education in our schools) comes from a monthly customer "energy conservation" charge (\$0.0025 cents multiplied by the number of kilowatt hours used during the month) and a portion of the "distribution charge" (\$0.01510 for residential customers and \$0.00972 for commercial and industrial customers) that appears on each customer's electric bill.

Cape Light Compact Efforts Include:

- Eastham achieved 318.5 % of its Cape Light Compact goal for the full year of 2014. This is compared to Eastham's 299.8% of its goal for the full 2013 year. As of December 2014 Eastham is in first place of its goal of all 15 towns on Cape Cod. In 2013 Eastham achieved first place of its goal for the full 2013 year, of all Cape towns.