

# AGENDA

Tuesday

September 5, 2017

**TOWN OF EASTHAM  
BOARD OF SELECTMEN AGENDA  
Tuesday, September 5, 2017  
5:00PM**

Location: Earle Mountain Room

**I. PUBLIC/SELECTMEN INFORMATION**

**II. PUBLIC NOTICE**

5:05 p.m. Opening of Eastham Special Town Meeting Warrant for Monday, October 23, 2017

**III. APPOINTMENTS (discussion & vote may be taken)**

5:10 p.m. Introduction of Deputy Fire Chief Daniel Keane – Chief Kent Farrenkopf

5:20 p.m. Field of Dreams Project Update – Paul Lagg, Town Planner

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

**IV. LICENSING**

1. Transient Vendor Permits

**V. ADMINISTRATIVE MATTERS**

**A. Action/Discussion (votes may be taken)**

1. Committee Appointment – Carol Martin, Affordable Housing Trust
2. Committee Resignation – Peter W. Milsky, Cultural Council
3. Miscellaneous Reappointment – Walter Sabastian, Lower Cape Community Access Television, Inc.
4. Change in Charge for Cable T.V. License Advisory Committee
5. Draft FY19 Budget Policy

**VI. TOWN ADMINISTRATOR'S REPORT**

**VII. OTHER BUSINESS**

**Upcoming Meetings**

<del>Wednesday, September 6, 2017</del>	<del>2:30p.m.</del>	<del>Meeting Cancelled</del>	
Monday, September 18, 2017	5:00p.m.	Earle Mountain Room	Regular Session
Wednesday, September 20, 2017	2:30p.m.	Small Meeting Room	Work Session

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

*This meeting is video recorded and broadcast over Local Access Channel 18 and on the Town website at [www.eastham-ma.gov](http://www.eastham-ma.gov).*

*If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact Laurie Gillespie-Lee, 5900 x3207*

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## TOWN OF EASTHAM PUBLIC NOTICE

The Town of Eastham will hold a Special Town Meeting on Monday, October 23, 2017 at 7PM in the Auditorium at the Nauset Regional High School, 100 Cable Road, Eastham, MA. The Warrant for the Eastham Special Town Meeting, will open on Tuesday, September 5, 2017 and will close Tuesday, September 19, 2017 at 4:00pm.

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**Public Notice:** Published in Friday, September 1, 2017 edition of the Cape Codder – Legal Ad and on the Eastham page

**On Website:** News and Announcements

**Posted:** Town Hall inside/outside boards

# APPOINTMENTS





## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642  
*All Departments 508-240-5900*  
[www.eastham-ma.gov](http://www.eastham-ma.gov)

### MEMORANDUM

DATE: August 31, 2017

TO: Eastham Board of Selectmen  
Jacqui Beebe, Assistant Town Administrator

FROM: Paul Lagg, Town Planner

CC: Christine Mickle, Recreation Director  
Neil Andres, DPW Superintendant

RE: Field of Dreams Status Update

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The Town has awarded the contract to the **Robert B. Our Company**. Town staff is working with the contractor to review the full breakdown of the project budget to make we have identified any opportunities for additional cost savings.

Site work is scheduled to commence on **September 11<sup>th</sup>**. Construction is scheduled to last 8-10 weeks ending at the beginning of November. During construction, the gravel parking lot behind the Fire Station will be used as a staging area for equipment. This will require a shift in staff parking along the rear of Town Hall. Site logistics to accommodate this have been worked out with Police, Fire and Administration. No adverse impact to customer parking or public access to Town Hall or the playing fields is anticipated.

The project is funded through a \$500,000 CPA grant (approved at 2016 ATM). The project will entail work on the area in-between the playing fields and the parking lot. No work is proposed for the actual playing fields at this time. The refurbished site will feature the following amenities

- Refurbished Basketball Court
- Lighting
- Pickle Ball Courts (2)
- Playground Area
- Shade Shelter/Picnic Area
- New benches and tables

It should be noted that this project has been a group effort with our engineering consultant, and the Park & Rec Commission but the efforts of Christine Mickle and Neil Andres have been particularly helpful in finalizing the site plans and the bid documents. We are all excited to get the project underway.

Please let me know if you have any questions or would like additional information.

# EASTHAM RECREATIONAL MASTER PLAN FIELD OF DREAMS

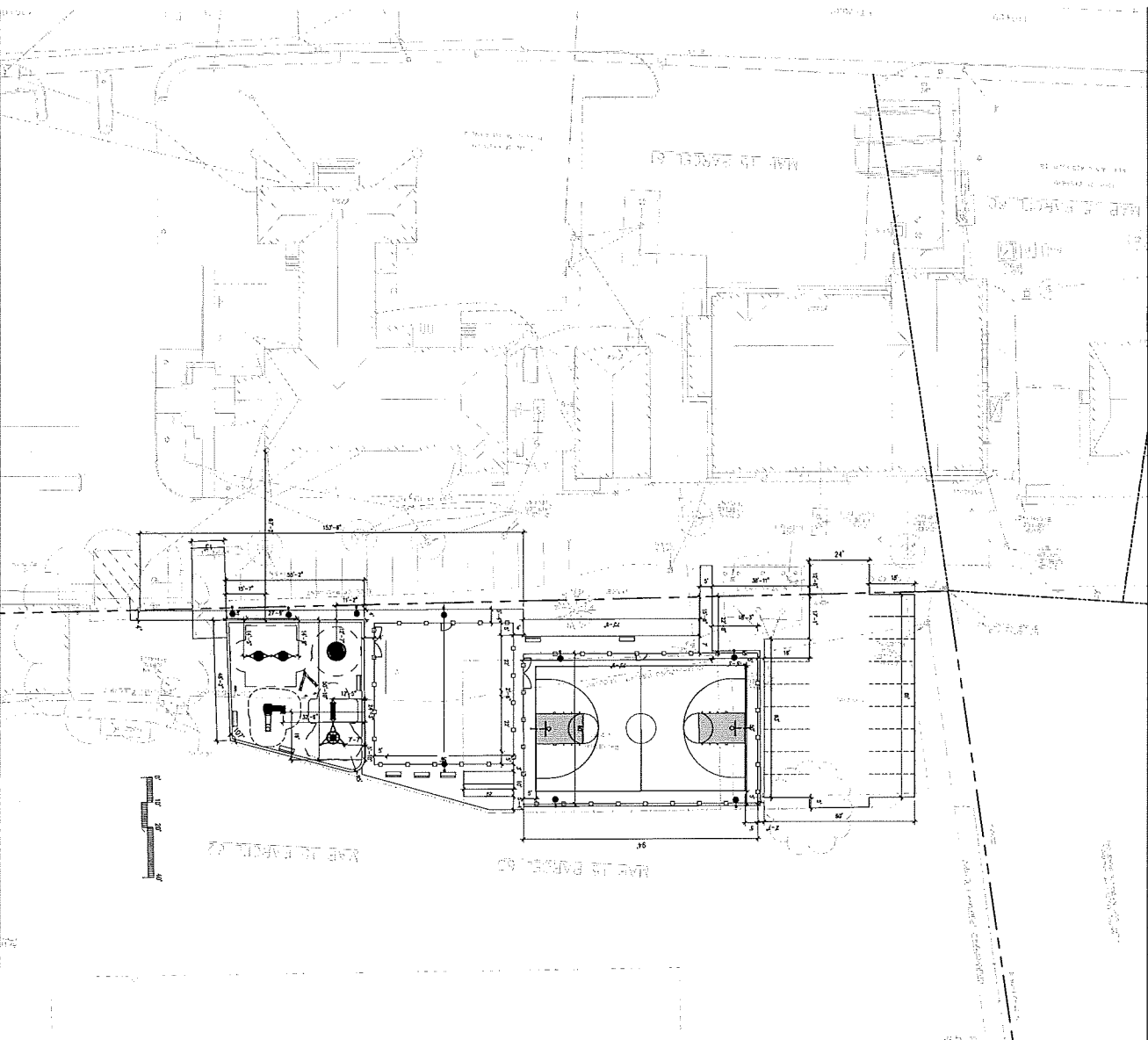
EASTHAM, MA

## LEGEND

- PROPERTY LINE
- SITE LIGHTING
- SILT SOXX
- FINAL PAV SURFACING
- BITUMINOUS CONCRETE SIDEWALK

## LAYOUT AND MATERIAL NOTES

- EXISTING CONDITIONS INFORMATION IS DERIVED FROM THE SURVEY PREPARED BY TAYLOR CARE ENGINEERING, OF ORLAND, MA, AND IS DATED 23 FEBRUARY 2017.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ARE BASED ON THE SURVEY REFERENCED ABOVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK. ANY COMPANIES TO CORRECT THE LOCATION OF ALL UTILITIES SHALL BE BOUND BY THE CONTRACTOR.
- CONTRACTORS SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL CONSTRUCTION DOCUMENTS, SPECIFICATIONS, AND SITE CONDITIONS PRIOR TO BIDDING AND PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS, AND SITE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE OWNER REPRESENTATIVE FOR CLARIFICATION AND RESOLUTION PRIOR TO BIDDING.
- ALL WORK COMPLETED WITHIN THE SITE BOUNDARIES SHALL CONFORM TO THE REQUIREMENTS AND SPECIFICATIONS OF THE TOWN OF EASTHAM, MA.
- SEE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND ALL DETAILS CONTIGUOUS TO THE BUILDING, INCLUDING SPECIALS, EAVES, UTILITY ENTRANCE LOCATIONS, WALL ROCKS, CONCRETE DOOR THRESHOLDS, ETC. SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ACCESS TO THE PROPERTY LINE SHALL BE MAINTAINED AT ALL TIMES.
- ALL DIMENSIONS ARE TO FACE OF CURB AT GUTTER LINE.
- ALL DIMENSIONS ARE TO FACE OF CURB AT GUTTER LINE.
- FOR LAYOUT AND DIMENSIONING OF BUILDINGS, SEE ARCHITECTURAL DRAWINGS.
- SCREENED IMAGES SHOW EXISTING CONDITIONS. WHERE EXISTING CONDITIONS ARE LARGER OR ARE IMPROVED UPON BY PROPOSED BUILDINGS AND/OR SITE ELEMENTS, THE EXISTING CONDITION WILL BE REMOVED, ABANDONED AND/OR COVERED OR ENCLOSED AS INDICATED.



**DZ**  
Devellis Zrein Inc.

Lead Planning and Engineering  
Landscape Architecture  
Professional Seal  
MA 01945-0114

SCALE: AS SHOWN

DATE: 8.11.17

C-1

# LICENSING



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

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

Date: September 5, 2017

To: Board of Selectmen

From: Jacqueline W. Beebe, Town Administrator

**Re: Transient Vendor Permits**

40<sup>th</sup> Annual Anniversary Eastham Windmill Weekend - September 8-11, 2017

Please find below the Transient Vendor applicants for approval by the Board of Selectmen.  
In each case, the \$20.00 fee has been received. The following permits valid as stated below.

Whittemore, JoAnn (Cape Cod Henna) 377 Great Western Road Harwich, MA 02645 Valid: September 5, 2017- September 5, 2018	Foster, Stephanie (Stephanie's Garden) 20 North Road P.O. Box 518 West Harwich, MA 02671 Valid: September 5, 2017- September 5, 2018

# ADMINISTRATIVE MATTERS



## TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

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

Date: September 5, 2017  
To: Board of Selectmen  
From: Jacqueline W. Beebe, Town Administrator  
Re: **Committee Appointments**

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The following is the information needed for the following committee appointment.

**Carol Martin**

The Search Committee recommends the appointment of Carol Martin to the Community Preservation Committee as the **Affordable Housing Trust** representative.

If the Board appoints her, her first term would commence July 1, 2017 and expire June 30, 2020.

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Date: September 5, 2017

To: Board of Selectmen

From: Jacqueline W. Beebe, Town Administrator

**Re: Committee Resignation**

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Please note the following member from the Town's Committees, Boards and Commissions who has resigned effective 09/05/17.

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Cultural Council

**Peter W. Milsky**

(resigned: 08/25/17)

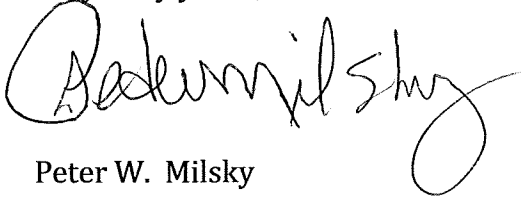
30 Cedar Lane  
Eastham, Ma. 02642  
August 25, 2017

Board of Selectmen  
Town of Eastham  
Town Hall  
Eastham, Ma.

Dear Sirs:

This is to notify you that as of August 30, 2017 I am resigning from the Eastham Cultural Council. I have been a member of the Council for several terms and I was notified by the State that I have to resign at the end of this term. I have enjoyed serving on the Cultural Council and I thank you for the appointment.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter W. Milsky". The signature is fluid and cursive, with a large loop at the end of the last name.

Peter W. Milsky



Date: September 5, 2017

To: Board of Selectmen

From: Jacqueline W. Beebe, Town Administrator

**Re: Miscellaneous Reappointment**

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Please find the following member from "Miscellaneous Appointments" who is seeking reappointment starting September 5, 2017.

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Lower Cape Community Access Television, Inc.    **Walter Sebastian**    (Term ended: 08/07/16)

## **CABLE T.V. LICENSE RENEWAL ADVISORY COMMITTEE**

In accordance with G.L. c166A, the Board of Selectmen hereby establish a Cable T.V. Advisory Committee, composed of ~~seven~~five (75) members, who shall focus on recommending acceptance of a cable T.V. license or renewal of an existing license to the Board of Selectmen. In developing said recommendation, the Committee shall, at a minimum, review the following:

- X License Term
- X Service Area/Line Extensions
- X System Upgrading Potential and Schedule
- X Future Technology - How Accessed, Service Area
- X Institutional Networks (I-Nets)
- X Public Access/Local Origination
- X Customer Service Standards
- X Senior Citizen Discounts
- X Annual Performance Review
- X Performance Bonds
- X Gross Revenue - Definition- How Much - Pass Through

The Committee may decide to recommend an "Informal Renewal Process," which is less rigid.

The Committee shall report bi-monthly to the Board of Selectmen on progress and to discuss any other issues not explicitly stated in the charge but of concern in the license renewal process.

*Adopted by the Board of Selectmen September 5, 2017*

# INFORMATION

## Gillespie-Lee, Laurie

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**From:** Jacqueline Beebe <jbeebe@eastham-ma.gov>  
**Sent:** Tuesday, August 29, 2017 9:01 AM  
**To:** Gillespie-Lee, Laurie  
**Subject:** FW: Eastham Wastewater Planning/Orleans Water Quality Advisory Panel

Hi Laurie-

This email correspondence should be placed in the next packet for all of the BOS. Thanks, Jacqui

**From:** Adele Blong [mailto:capeporter@comcast.net]  
**Sent:** Sunday, August 27, 2017 11:22 AM  
**To:** Jacqueline Beebe <jbeebe@eastham-ma.gov>  
**Subject:** FW: Eastham Wastewater Planning/Orleans Water Quality Advisory Panel

FYI Adele

**From:** Charles Harris [mailto:cdh800sam@yahoo.com]  
**Sent:** Thursday, August 24, 2017 4:38 PM  
**To:** Easthambos2@eastham-ma.gov  
**Cc:** Jane Crowley <jcrowley@eastham-ma.gov>; Adele Blong <capeporter@comcast.net>; Scott Lewis <s46l@yahoo.com>; Suzanne Bryan <sbryan349@gmail.com>; Jeff Bumby <jeffbumby@charter.net>; MaryLou Roberts <roberts.marylou001@gmail.com>; Nancy Munger <mungbean54@hotmail.com>  
**Subject:** Eastham Wastewater Planning/Orleans Water Quality Advisory Panel

Wally Adams:

I answered a question on Eastham's wastewater planning while attending the Orleans Water Quality Advisory Panel meeting Aug 16, 2017.

After the 10 am break Mike Dominica, Orleans consultant, presented an update on the selection of a site for the discharge of the treated effluent from the wastewater treatment plant that Orleans intends to build for sewage and likely including septage. Dominica stated plant design capacities to be 150,000 gallons per day for average flow and 250,000 GPD peak. A panel member asked "What about Eastham and Brewster? Dominica pointed out that the Cape Cod Commission had reviewed the Comprehensive Wastewater Plan and would review the downtown and Meeting House Pond sewage collection and treatment plans under the Development of Regional Impact (DRI) process. Another panel member asked What if some day Eastham and Brewster want to use the plant and who pays for their design? Dominica responded that "they" have to provide design capital cost for capacity in excess of Orleans' need, and proportional, operations and maintenance costs, and that doing so is very beneficial due to economies of scale. Alan McClennen state that the Orleans Selectmen directed (Dominica and AECOM) to meet with Brewster and Eastham.

A panel member ask What are Eastham and Brewster going to do? I raise my hand and the Chair, McClennen recognized me. I state that professional wastewater engineers twice have recommended Eastham combine with Orleans for sewage treatment, once in a needs analysis completed in Jun 2009 (by Stearns and Wheler) and recently in Technical Memorandum 4 by GHD, based on the economy of scale advantage. I also stated that I understood the Eastham Selectmen in a letter to the Orleans Selectmen had state the Eastham interest in joining the proposed Orleans downtown wastewater treatment plant. Dominica state he had a copy of that letter.

Records of the 3 hour meeting exist in minutes and video, neither of which I have viewed.

I attend the Orleans Water Quality Advisory Panel monthly meetings and the Downtown Sewer, Aquaculture, Permeable Reactive Barrier, and Freshwater Pond sub-committee meetings as the alternate Eastham Representative. I listen a lot, but rarely speak. Orleans' meeting highlights I present to the Water Management Committee. Bryan Dudley, MA DEP and Patty Daly, CCC, attend most meetings. A Brewster representative has attended Panel a few times. Thanks.

Charles Harris



## Technical Assistance Panel (TAP) Agreement

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This Technical Assistance Program Agreement ("Agreement") is entered into effective the 23rd day of August, 2017 by an agreement between ULI – The Urban Land Institute on behalf of the Urban Land Institute Boston/New England (hereinafter "ULI") and the Town of Eastham ("Agency"). The foregoing entities are collectively referred to herein as the "Parties."

**SERVICES; SCHEDULE OF PERFORMANCE:** The Services to be provided involve a technical assistance panel ("TAP") to be held on September 27, 2017 and entitled Eastham TAP. The TAP program and the schedule of services to be provided by ULI are more particularly described in the Scope of Services attached hereto as Exhibit A and incorporated herein by reference.

**STANDARD OF CARE:** ULI shall perform all services under this Agreement in a skillful and competent manner, consistent with all applicable laws and with the educational mission of ULI. ULI warrants that all TAP work product will not infringe upon the intellectual property rights of any third party. Except as stated above, ULI makes no express or implied warranties regarding the work product to be provided hereunder, and all work product is provided "AS IS."

**COMPENSATION:**

An Administration fee of \$5,000 and The Writer's Report fee of \$1,500 will be paid by the time the sponsor receives the final report.

**Use/Ownership of Work Product:** Any work product arising from the TAP shall be considered a "work made for hire" and shall belong to the Agency, and any ULI recommendations arising out of the TAP may or may not be implemented by the Agency in its discretion. Notwithstanding the foregoing, it is further understood that ULI shall have a non-transferable royalty-free perpetual license to may make such non-commercial use of the TAP work product as it may deem desirable, and the Agency hereby specifically agrees that ULI may publish and disseminate any TAP report or any part thereof in conjunction with its programs.

**TERMINATION:** This Agreement may be terminated in the event of a material breach by a party, which breach is not cured within fifteen (15) days after written notice thereof from the non-breaching party. If this Agreement is terminated for any reason prior to completion of the TAP project, ULI shall be entitled to be paid in full for those services adequately completed prior to the notification of termination.

**Force Majeure:** Failure by either Party to perform its duties and obligations will be excused by unforeseeable circumstances beyond its reasonable control and not due to its negligence, including acts of nature, acts of terrorism, riots, labor disputes, fire, flood, explosion, and governmental prohibition. The non-declaring Party may cancel the contract without penalty if performance does not resume within 30 days of the declaration. In the event of such cancellation, ULI shall be paid the reasonable value of the services completed through the date of termination.

**Notices:** Notices and other communications provided for herein shall be given in writing by registered or certified mail, return receipt requested, by receipted hand delivery, by courier (UPS, Federal Express or other similar and reliable carrier), by e-mail, or by fax showing the date and time of successful receipt. Notices shall be sent to the individuals who signed the contract using the contact information following the signatures. Each such notice shall be deemed to have been provided at the time it is actually received. By giving notice, either Party may change the contact information.

**Confidential Information:** Each Party, including its agents and subcontractors, to this contract may have or gain access to confidential data or information owned or maintained by the other Party in the course of carrying out its responsibilities under this contract. Each Party shall presume all information received from the other Party or to which it gains access pursuant to this contract is confidential. No confidential data collected, maintained, or used in the course of performance of the contract shall be disseminated except as authorized by law and with the written consent of the disclosing Party, either during the period of this Agreement or thereafter. The foregoing obligations shall not apply to confidential data or information lawfully in the receiving Party's possession prior to its acquisition from the disclosing Party; received in good faith from a third-party not subject to any confidentiality obligation to the disclosing Party; now is or later becomes publicly known through no breach of confidentiality obligation by the receiving Party; or is independently developed by the receiving Party without the use or benefit of the disclosing Party's confidential information.

**Independent Contractor:** ULI shall act as an independent contractor and not an agent, partner, employee, or joint venturer with the Agency. All payments by the Agency shall be made on that basis and shall be without the withholding of any taxes.

**INDEMNIFICATION:** To the fullest extent permitted by law, ULI shall defend, indemnify and hold the Agency, its directors, officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising from the gross negligence or willful misconduct on the part of ULI, officers, directors, employees, subcontractors, or agents in connection with the performance of this Agreement. Notwithstanding the foregoing, ULI's aggregate liability for damages of any nature shall be limited to the amount of the fee under this Agreement. In no event will ULI be responsible for incidental or consequential damages arising out of the services it provides under this Agreement.

**GOVERNING LAW; VENUE; ATTORNEY'S FEES:** This Agreement shall be interpreted in accordance with the laws of the District of Columbia, without regard to its conflict of laws principles. Any action brought to interpret or enforce any term of this Agreement shall be brought in a court of competent jurisdiction in the District of Columbia. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party shall be entitled to recover all reasonable fees and costs incurred, including reasonable attorney's fees, as determined by the court.

**ASSIGNMENT; AMENDMENT:** Neither party may assign transfer this Agreement or any rights hereunder without the written consent of the other party. This Agreement may not be modified or altered except in writing signed by both parties hereto. Except to the extent expressly provided for in the termination paragraph above, there are no intended third party beneficiaries of any right or obligation assumed by the Parties.

**ENTIRE AGREEMENT; CONSTRUCTION & CAPTIONS:** This Agreement represents the entire understanding of the parties as to those matters contained herein, and supersedes and cancels any prior oral or written understanding or representations with respect to matters covered hereunder. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. The captions of the various paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content or intent of this Agreement.

**No Waiver.** None of the terms or provisions of this Agreement shall be deemed to have been abrogated or waived by reason of any failure or failures to enforce the same.

**Severability.** In the event that a court of competent jurisdiction holds any provision of this Agreement to be invalid, such holding shall have no effect on the remaining provisions of this Agreement, and they shall continue in full force and effect.

**Exhibits.** The exhibits to this Agreement are incorporated by reference herein, and the Parties agree to comply with all of the terms and conditions set forth in such exhibits. To the extent that there is a conflict between an exhibit and this Agreement, the terms of this Agreement shall control.

**Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be considered an original, and all of which taken together will constitute one and the same instrument and will be effective as of the Effective Date.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties by their authorized representatives have executed this Agreement effective as of the date first set forth above.

ULI – The Urban Land Institute, on behalf of  
ULI Boston

Town of Eastham

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

ULI Boston  
400 Atlantic Avenue  
Boston, MA 02110  
Fax: 857-263-8863  
[boston@uli.org](mailto:boston@uli.org)

Attention: Paul Lagg  
Town of Eastham  
2500 State Highway  
Eastham, MA 02642  
508-240-5900 X3228  
[plagg@eastham-ma.gov](mailto:plagg@eastham-ma.gov)



# Technical Assistance Panel (TAP) Program

## Objectives of ULI Boston/ New England TAP Program

ULI Boston/New England's TAP program provides expert advice to public agencies and nonprofit organizations facing complex land use and real estate issues. Drawing from its extensive, multi-disciplinary membership base, ULI Boston/New England conducts panels to offer objective, responsible—and market-based—advice on a wide variety of land use and real estate issues ranging from site-specific projects to public policy questions.



Sponsored By:



## Technical Assistance Panel Sample Agenda

### Pre-TAP

#### Sponsor Briefing

*The briefing will augment the briefing books and provide an opportunity for the panelists to ask clarifying questions. The meeting lasts 1.5 hours and takes place a week prior to the TAP.*

### TAP Day

- 8:00 am Welcome and Introductions
- 8:30 am Site Tour  
*Walking / bus tour of project site(s) and surrounding areas being addressed by the panel.*
- 10:00 am Stakeholder Interviews  
*Panelists will conduct closed-door interviews with relevant stakeholders. Information gathered through the interviews will help inform the panel's recommendations.*
- 12:00 pm Panel Working Session  
*Panel begins to deliberate. They will spend the afternoon formulating recommendations for each of the sponsor's questions.*
- 6:00 pm Presentation  
*Panelists will present their findings in a public presentation, followed by a question-and-answer session.*

### Post TAP

#### Final Report

*Within 6-8 weeks, recommendations will be summarized in a final report and made available on the [boston.uli.org](http://boston.uli.org) website.*

ULI Boston/New England  
400 Atlantic Avenue, Boston, MA  
Tel: 617-982-6369 [www.boston.uli.org](http://www.boston.uli.org)

APPENDIX A





## Technical Assistance Panel (TAP) Program

### A ULI Advisory Service

### How a TAP can help a public agency or nonprofit organization

The TAP program provides a unique, market-based perspective to address a broad range of issues, including:

- Strategies for revitalizing corridors or specific properties
- Analyzing the re-use potential of existing properties
- Identifying key economic and land use issues relating to public/private land use situations
- Long range visioning for corridors or nodes
- Evaluating specific development and land proposals or issues

## The TAP Process and Deliverables

TAPs are comprised of 8-10 experienced members of ULI Boston/New England, representing a broad range of disciplines.

- Panelists are chosen specifically for each assignment, and are pre-screened to ensure that no conflicts of interest exist. Depending on the assignment, panel member expertise includes developers and owners, investors, land use attorneys, designers, planners, engineers, market and financial analysts, and members of the public and not-for-profit sectors.
- Panels last 1 day, during which panelists tour the area, meet with stakeholders, and work to produce an initial report of findings, presented at the end of the second day.
- After the panel is completed, the findings are compiled in a final report that is made publicly available on the [uli.boston.org](http://uli.boston.org) website.



*Provincetown, MA TAP*

## Examples of Prior TAPs

ULI Boston/New England has conducted TAPs for:

- Dedham, MA
- Provincetown, MA
- Revere, MA
- Taunton, MA
- Leominster, MA
- Worcester, MA
- Saugus, MA
- Westfield, MA
- Providence, RI

## TAP Application and Schedule

After receiving an application, members of the TAP Committee will arrange an initial conference call to understand and refine the assignment objectives as well as identify key issues. Decisions on whether the committee can accept the panel assignment will be determined shortly after the initial meeting. A two- to three-month lead-time is necessary to provide sufficient time to assemble the best available panel members, compile briefing materials, and plan for the logistics of the TAP program. ULI Boston/New England charges a \$5,000 administrative fee and \$1,500 writer's fee for each of its panels to cover associated costs and staff time. MassDevelopment partners with select communities to cover the \$5,000 administrative fee.

## About our Sponsor

MassDevelopment, the state's finance and development agency, works with businesses, nonprofits, financial institutions, and communities to stimulate economic growth across the Commonwealth.

To learn more about the TAP program or to request an application, please contact Ileana Tauscher at [ileana.tauscher@uli.org](mailto:ileana.tauscher@uli.org) or 617-982-6369.



**MASSACHUSETTS  
MUNICIPAL  
ASSOCIATION**

**ADMINISTRATION**

**AUG 23 2017**

**RECEIVED**

ONE WINTHROP SQUARE, BOSTON, MA 02110

617-426-7272 • 800-882-1498 • fax 617-695-1314 • [www.mma.org](http://www.mma.org)

*Info*

**Announcing MMA's Legislative Breakfasts on September 15, 22 and 29**

August 21, 2017

Dear Local Official,

The Massachusetts Municipal Association's fall Friday morning Legislative Breakfast meetings have been scheduled in cities and towns across the Commonwealth. Please be sure to register for meetings on September 15th, September 22nd, and September 29th.

We hope you can join us at a meeting near you and be part of a lively discussion with your legislators and MMA staff about state and local government in Massachusetts and important legislative and budget priorities for the year.

These meetings will occur at an important time, as state officials report on the challenging close to fiscal 2017, take a first good look at the stability of the fiscal 2018 budget adopted in July, and start thinking about next year's budget and local aid plan due in January. There are a lot of budget issues to talk about at the state, local, and federal levels. Our Legislative Breakfasts will also provide an opportunity for us to update local officials on many legislative issues, such as the revised recreational marijuana law signed by the governor in July, and several zoning and housing bills moving their way through the Legislature. The MMA has been keeping its finger on the pulse of these and many other local and federal issues, and we look forward to discussing them with you in September.

The breakfast meetings will be a great time to talk with area legislators, fellow municipal officials and MMA staff about new ideas for local government and key legislative initiatives. 2017 has been incredibly busy and exciting, and we want to be sure your communities have all the most up-to-date information. Please pick a meeting near you to attend and bring your good questions and best advice.

**PLEASE SIGN UP TODAY!** Register through [www.mma.org](http://www.mma.org) or by contacting Vanessa Calaban at [vcalaban@mma.org](mailto:vcalaban@mma.org) or 617-426-7272, ext. 121. And after you register, please call your Representatives and Senators and urge them to attend, too. We've sent them an invitation, but it will be very helpful for them to know you'll be there!

Thank you very much.

Sincerely,

Geoffrey C. Beckwith  
Executive Director & CEO

Enclosure



Info



# MASSACHUSETTS MUNICIPAL ASSOCIATION

ONE WINTHROP SQUARE, BOSTON, MA 02110  
617-426-7272 • 800-882-1498 • fax 617-695-1314 • [www.mma.org](http://www.mma.org)

## 2017 Fall Legislative Breakfast Meetings Please Register Now!

Please register online at [www.mma.org](http://www.mma.org) or complete this registration form and send it to:  
Vanessa Calaban, Massachusetts Municipal Association, One Winthrop Square, Boston, MA  
02110, or by email to [ycalaban@mma.org](mailto:ycalaban@mma.org)

Registrant's Name: \_\_\_\_\_

Municipality: \_\_\_\_\_

Job Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Breakfast Location (Please check the meeting you will attend):

**September 15th** (registration deadline: September 8th)

- ☐ **Marshfield**, School Administration Building, 76 South River Street
- ☐ **Stockbridge**, Town Hall, 50 Main Street

**September 22nd** (registration deadline: September 15th)

- ☐ **Northampton**, Police Station Community Room, 29 Center Street
- ☐ **Stow**, Pompositticut Community Center, 509 Great Road

**September 29th** (registration deadline: September 22nd)

- ☐ **Auburn**, Town Hall, 104 Central Street
- ☐ **Rowley**, Town Hall, 139 Main Street

While the meetings are free, attendees are asked to register by the noted deadlines so the planners can have an accurate count for food and space. All legislative breakfast meetings will begin at **8:00 a.m.** and end by **10:00 a.m.**

THANK YOU FOR REGISTERING – WE LOOK FORWARD TO SEEING YOU THERE!



David E. Pierce, Ph.D.  
Director

# Commonwealth of Massachusetts

## Division of Marine Fisheries

251 Causeway Street, Suite 400

Boston, Massachusetts 02114

(617)626-1520

fax (617)626-1509

ADMINISTRATION

AUG 24 2017

RECEIVED



Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Ronald Amidon  
Commissioner

Mary-Lee King  
Deputy Commissioner

August 19, 2017

Honorable Select Boards of the following towns: Sandwich,  
Barnstable, Yarmouth, Chatham, Harwich, Brewster, Wellfleet, Dennis, Eastham,  
Orleans, Aquinnah, Chilmark, West Tisbury, Tisbury, Oak Bluffs, Edgartown

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that shellfish areas in the Towns of Sandwich, Barnstable, Yarmouth, Chatham, Harwich, Brewster, Wellfleet, Dennis, Eastham, Orleans, Aquinnah, Chilmark, West Tisbury, Tisbury, Oak Bluffs, Edgartown (designated shellfish growing areas SC21 – SC64, CCB8 – CCB35 and OC1, OC7 and OC8 and V1 – V36) no longer meet the requirements for an open status due to unacceptable water quality resulting from an extremely heavy rain event on August 18 and 19, 2017.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75, **effective at 1100AM on August 19, 2017**, the below-defined areas have been placed in a **“CLOSED TO SHELLFISHING”** status to the taking of all shellfish. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined areas is prohibited.

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of shellfish as defined above from the below-defined areas.

### STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH AS DEFINED BELOW

“The waters, flats and all tributaries of Massachusetts within the following DSGA’s SC21 – SC64, CCB8 – CCB35 and OC1, OC7 and OC8 and V1 – V36 in the towns of Sandwich, Barnstable, Yarmouth, Chatham, Harwich, Brewster, Dennis, Wellfleet, Eastham, Orleans, Aquinnah, Chilmark, West Tisbury, Tisbury, Oak Bluffs, Edgartown .”

The above-described areas shall remain closed until notification has been received from the Division that the areas have been placed into an open status.

Sincerely,

David E. Pierce,  
Director



David E. Pierce, Ph.D.  
Director

# Commonwealth of Massachusetts

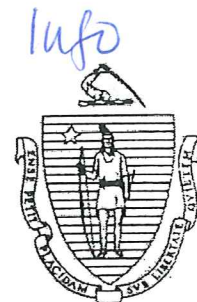
## Division of Marine Fisheries

251 Causeway Street, Suite 400

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Charles D. Baker  
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Matthew A. Beaton  
Secretary

Ronald Amidon  
Commissioner

Mary-Lee King  
Deputy Commissioner

ADMINISTRATION

AUG 24 2017

RECEIVED

August 19, 2017

Honorable Select Boards of the Town of Eastham and Orleans

Ladies and Gentlemen:

In accordance with Chapter 130, section 74A of the Massachusetts General Laws, the Division of Marine Fisheries has determined that shellfish areas (OC2 – OC6), in the Towns of Eastham and Orleans, no longer meet the requirements for an open status due to unacceptable water quality resulting from an extremely heavy rain event on August 18 and 19, 2017.

Therefore, under authority of Massachusetts General Laws, Chapter 130, sections 74A and 75, **effective at 1100AM on August 19, 2017**, the below-defined areas have been placed in a **"CLOSED TO SHELLFISHING"** status to the taking of all shellfish. Digging, harvesting or collecting and/or attempting to dig, harvest or collect shellfish and the possession of shellfish from the below-defined areas is prohibited.

Under authority of 322 CMR 7.01 (7) all permits issued there under are hereby conditioned to prohibit the taking, selling or possession of shellfish as defined above from the below-defined areas.

### STATUS: CLOSED TO THE TAKING OF ALL SHELLFISH AS DEFINED BELOW

"The waters, flats and all tributaries of OC2- OC6 in the Towns of Eastham and Orleans."

The above-described areas shall remain closed until notification has been received from the Division that the areas have been placed into an open status.

Sincerely,

David E. Pierce,  
Director

cc: J. McGinn, B. Perrin, P. Moran, DELE  
D. McKiernan, M. Hickey, T. Sheilds, DMF  
R. Amidon, M. King, DFG  
J. Hobill, DEP  
FDA  
DPH  
Shellfish Constables of Eastham and Orleans

Info.

**Nauset Estuary Watershed Nutrient Load Allocation  
Joint Evaluation of Existing and Expanded Water Quality Data**

**Project kick off and determine work plan objectives** **\$1000**

**Meetings and Analysis**

- Facilitate discussion of shared loads in Nauset Estuary with appointed watershed stakeholders with progress updates (minimum 2 meeting)
- Share existing water quality data and compile report/trend analysis
- Develop logistics for expanded sampling program
- Review results of new data/expanded analysis to establish current conditions **\$6330**

**Deliverables**

Draft Technical Memo for review and Final Technical Memo based on workgroup progress on water quality conditions. **\$2670**

**Total** **\$10,000**



Info

**Fiscal Year 2018  
Real Estate & Personal Property  
1st-half Tax Bills Mailed**

Fiscal 2018 first-half tax bills have been mailed and are due and payable on or before 4 p.m. on **Wednesday November 1, 2017**. The tax bills are based on Eastham's Fiscal Year 2018 tax rate of \$8.35 per \$1,000 of value and a 3% Community Preservation Act (CPA) tax.

For information regarding tax payment options including new on-line payment options, go to [www.eastham-ma.gov](http://www.eastham-ma.gov) for further details.

By statute, a tax bill must be assessed to the owner(s) of record as of January 1, 2017. If the property has sold since that date, bills must be forwarded to the new owner. If an owner does not receive a copy of the bill, they should contact the Treasurer-Collector's office at 774 801-3219

For questions regarding your assessment, contact the Assessor's office 774 801-3215.

Lost in SEP 1, 2017 Edition of The Cape  
Coddex



CAPE COD  
COMMISSION

SCOPE OF WORK     **AUGUST 23, 2017**

## Complete Streets Prioritization Plan: Improving Safety and Accommodating All Users

EASTHAM, MA

### BACKGROUND

The Town of Eastham has agreed to join MassDOT's Complete Streets program to provide streets that address the mobility needs of all users – pedestrians, cyclists, drivers, persons with disabilities, and transit riders – making streets safer, sustainable, and more accessible to a wide variety of people. Providing safer, more accessible and comfortable means of travel between home, school, work, recreation and retail destination helps promote a more livable community.

The project team will review all streets in Eastham and collect the needed data. Automatic Traffic Recorder (ATR) counts as well as Turning Movement Counts (TMCs) will be collected. High traffic volumes, particularly in the summer months, has caused congestion and crashes along some of the main routes, such as Route 6.

The study will rely on public participation to better understand how street design can impact the quality of life in Eastham neighborhoods. The Cape Cod Commission will meet with stakeholders and interested members of the public to facilitate the project direction, develop alternatives and a list of priority projects to improve Eastham streets.

### STUDY OBJECTIVES

The purpose of this study is to explore transportation improvement alternatives that will reduce conflicts, improve traffic flow and incorporate multi-modal transportation options in Eastham while furthering the creation of vibrant, pedestrian and bicycle oriented mixed-use centers





throughout the town. The safe accommodation of pedestrians and bicycles has been previously identified by the Cape Cod Commission as critical to achieving the goals of the town to create nodes of mixed-use development.

The study aims to establish a preferred roadway redesign which addresses multi-modal transportation improvements, including pedestrian and bicycle connectivity. The study will make recommendations for roadway changes that accommodate projected traffic volumes while accommodating all users of the roadway. This evaluation of preferred alternatives will result in a Prioritization Plan for the Town of Eastham.

## TASK 1: PROJECT INITIATION

The Cape Cod Commission will conduct an initial site(s) visit and kickoff meeting for the project with the DPW Director and invited participants.

The Cape Cod Commission will gather information regarding previous ATR counts and TMCs within the study area. The meeting will also be held to record ideas and input. During this meeting the Cape Cod Commission staff will determine stakeholders, agencies, and organizations to contact, to set strategies for working with the community, and to assist in preparing the public involvement portion of the project.

### Deliverables

- Electronic copies of meeting notes

## TASK 1A: DATA COLLECTION/MAPPING

The Cape Cod Commission will inventory existing ATR counts and TMCs in Eastham and analyze these patterns. The MassDOT Project Intake Tool (MAPIT) will be used for data collection and mapping. Additionally, existing studies from local and regional planning initiatives will be reviewed. The inventory and analysis will include the following:

- Roadway congestion
- Parking availability



- Existing Right-of-Way (ROW) issues
- Pavement and markings conditions
- Bicycle/pedestrian usage
- Capital investment plans
- Network gap analyses (bicycle, pedestrian & transit)
- Roadway maintenance plans
- Pavement management systems
- Private development projects
- ADA assessments
- Bicycle & pedestrian assessments
- Roadway safety audits

#### Deliverables

- Inventory of existing roadways and facilities
- Maps of existing roadways and facilities
- Summary of existing plans and related studies

### TASK 1B: ON-SITE RECONNAISSANCE

The Cape Cod Commission will visit the existing facilities in Eastham while evaluating and photographing ground-level conditions.

### TASK 2: PUBLIC INFORMATIONAL MEETING

The Cape Cod Commission will conduct a public informational meeting. The Commission staff will provide meeting materials, including sign-in sheets, and comment forms. Cape Cod Commission staff representatives at the meeting will include at least two key personnel knowledgeable of the project. The Town of Eastham will secure the locations, dates, times, and advertising for the meetings.

#### Deliverables

- Cape Cod Commission staff will provide a draft and final meeting summary of all comments received

### TASK 2A: OPPORTUNITIES AND CONSTRAINTS



As part of a public kickoff meeting, develop opportunities and constraints throughout Eastham and identify areas for detailed study.

### TASK 3: CONCEPTUAL DESIGN

Develop conceptual design plans that demonstrate Complete Streets initiatives. Cape Cod Commission will meet with stakeholders and review data to determine areas of major concern and identify potential solutions for these areas.

#### Deliverables

- Conceptual design plans

### TASK 4: TECHNICAL REVIEW

Peer review conceptual designs and incorporate revisions for final presentation and public participation meeting.

### TASK 5: PUBLIC PARTICIPATION

Cape Cod Commission will hold a public participation meeting to showcase the conceptual design plans and receive feedback from citizens.

#### Deliverables

- Cape Cod Commission staff will provide a draft and final meeting summary of all comments received

### TASK 6: FINAL REPORT AND PRIORITIZATION PLAN

A Final Report and Prioritization Plan will be developed to identify projects (crosswalks, shoulder work, pedestrian signals, sharrows, etc.) that incorporate Complete Streets elements, then each project will be ranked based on their ability to address defined issues/needs. A



minimum of 15 potential projects will be included, intended to focus on the following needs:

- Safety: Addresses high crash locations, reduces vehicular speeds, etc.
- ADA accessibility: wheelchair ramps added, etc.
- Pedestrian safety or mobility: New/improved crosswalks, sidewalks/paths, pedestrian signals, etc.
- Bicycle safety or mobility: New bike lanes, wider shoulders, signal accommodation, bicycle parking, etc.
- Transit operations and access: Enhanced stop amenities, queue jump lanes, stop consolidation, etc.
- Vehicular operations
- Freight operations

The Prioritization Plan will include:

- Preparation of preliminary project estimates to assist with programming construction funds
- Preparation of estimated construction duration/schedules to assist with identifying projects that can meet fiscal year deadlines

#### Deliverables

- Final Report
- Prioritization Plan

## BUDGET

Cost to provide services outlined in this scope of work: \$25,000





CAPE COD  
COMMISSION

## TIMELINE

Tasks	Month1	Month2	Month3	Month4	Month5	Month6	Month7	Month8
Task 1: Project Initiation								
Task 1a: Data Collection/Mapping								
Task 1b: On-Site Reconnaissance								
Task 2: Public Informational Meeting								
Task 2a: Opportunities and Constraints								
Task 3: Conceptual Design(s)								
Task 4: Technical Review								
Task 5: Public Participation								
Task 6: Final Report and Prioritization Plan								

## CCC STAFF CONTACTS

Glenn Cannon, Technical Services Director

Anne Reynolds, GIS Director

Dave Nolan, Transportation Planner

Martha Hevenor, Planner/Bicycle & Pedestrian Coordinator

Chloe Schaefer, Community Design Planner

Lev Malakhoff, Senior Transportation Engineer

Heather Cormier, GIS Analyst

## CAPE COD COMMISSION

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info



CAPE COD  
COMMISSION

**DECISION OF THE CAPE COD COMMISSION  
ACCEPTANCE OF DISTRICT OF CRITICAL PLANNING CONCERN (DCPC)  
NOMINATION FOR CONSIDERATION  
TOWN OF EASTHAM DCPC**

Date of Nomination: August 24, 2017  
Date of Acceptance: August 31, 2017  
Nominating Agency: Eastham Board of Selectmen  
Location of District: Eastham, MA  
Type of District: Economic or Development Resource District  
Affordable Housing Resource District  
Transportation Management District

---

**BOUNDARY**

The proposed boundary of the District of Critical Planning Concern (hereinafter "DCPC") encompasses commercially zoned land in the Town of Eastham, including District C Industrial, District D Retail Sales and Service, and District E Residential/Limited Commercial, and all land within the North Eastham Overlay District bounded on the north by the Eastham/Wellfleet Town boundary, to the south by Old Orchard Road, to the east by the Cape Cod Rail Trail, and to the west by Herring Brook Road and Massasoit Road. The proposed District consists of approximately 280 acres of land area and approximately 2.9 acres of open water. A map of the proposed District is appended to this Decision as Exhibit "A".

## **GENERAL STATEMENT OF PURPOSE AND REASONS FOR ACCEPTANCE**

In accepting the nomination of the Eastham DCPC the Cape Cod Commission (Commission) makes the following findings:

1. There is a need for special planning and regulations in the Eastham DCPC that will preserve or maintain values and resources intended to be protected by the Cape Cod Commission Act ("the Act"). This designation is of critical value to Barnstable County due to the following features: the presence of significant natural and economic resources or values of regional, statewide, or national significance; and, the presence or proposed establishment of a major capital public facility or area of public investment.
2. Regulatory and/or planning tools are available which are likely to be effective in protecting or otherwise meeting the objectives of the proposed district.
3. Transportation, economic development, affordable housing, and community character are regional issues identified in the 2009 Regional Policy Plan.
4. The Town of Eastham is the gateway to Cape Cod National Seashore, a national and regional recreational and cultural resource that draws over 3 million visitors per year. The tourism generated by the National Seashore affects nearly every component of Eastham's local economy, including the hospitality, recreation, and service trades that are located within the proposed District.
5. The proposed District is bisected by U.S. Route 6, a Federal/State highway that serves as the major travel corridor to the Outer Cape towns of Wellfleet, Truro and Provincetown with average summer daily traffic volumes of approximately 25,000 - 30,000 vehicles/day. Average summer daily traffic volumes on Route 6 at the Wellfleet/Truro town line average 14,000 vehicles/day, and 12,000 vehicles/day at the Truro/Provincetown town line. The roadway also serves as Eastham's "Main Street" providing access to the Town's primary commercial area and core economic activity located at Brackett Road and Route 6.
6. Summer traffic congestion and safety on Route 6 impacts both residents and visitors daily. The Eastham section of Route 6 consists of a four-lane cross-section with 12-foot vehicle lanes and a 5-foot sidewalk on the west side of the roadway. There are no sidewalks on the east side of the roadway where most of the businesses and numerous curb cuts are located. There are approximately 100 curb cuts along the approximately 2.5-mile section of Route 6 within the proposed District. Accessing these businesses on foot or bicycle is challenging and hazardous for employees and customers, forcing them



to walk on the highway immediately adjacent to motor vehicles. According to a 2014 Cape Cod Commission report titled “Barnstable County High Crash Locations”, the Route 6/Brackett Road intersection ranked 46<sup>th</sup> on Cape Cod based on the number of crashes. From 2012 – 2014, a total of 105 crashes were reported along the section of Route 6 within the proposed District. In 2015, fatalities on Route 6 included a pedestrian at the Brackett Road intersection and a bicyclist just south of the intersection, trying to cross the road.

7. The corridor lacks sufficient bicycle and pedestrian accommodations, and has not received upgrades to mitigate traffic volumes, safety issues, and stormwater runoff. As a state highway, Route 6 is under the jurisdiction of the Massachusetts Department of Transportation (“MassDOT”) and the Town lacks the capacity and the regulatory framework to implement comprehensive improvements to the roadway. The proposed DCPC would provide the means for the Town to plan comprehensively to manage traffic congestion and safety issues.
8. The southeasterly portion of the proposed District lies within the contributing area to the Salt Pond subembayment, within the Nauset Harbor watershed. According to the Final Massachusetts Estuary Project (“MEP”) Report for Nauset Harbor, the Salt Pond subembayment watershed requires significant nitrogen removal (i.e. removal of 100% of the septic load). An approved Total Maximum Daily Load (“TMDL”) report, currently in progress, will require nitrogen reductions in the Salt Pond subembayment. Reductions in nitrogen loading within the watershed could be targeted to both development and redevelopment. Stormwater management retrofits or installations of best management practices (“BMPs”) within the District that treat for nitrogen would reduce nitrogen loading to Salt Pond and greater Nauset watershed. Additionally, minimizing turf (i.e. fertilizer application), impervious surfaces (i.e. generation of stormwater runoff), and wastewater discharges within the Nauset Marsh watershed would help mitigate any increase in nitrogen load to the already-impaired embayments.
9. The Town has invested considerable funds into the proposed District. In 2015, Eastham Town Meeting authorized the design and construction of a one hundred thirty million dollar (\$130M) public water supply system throughout the Town. This major public investment will provide town water to all properties within the proposed District. New development and redevelopment is now more feasible for many property owners within the proposed District, as evidenced by several recent retail and residential development proposals and permits issued by the Town. Town officials are concerned about the impact of future growth on existing businesses as well as the character of the community.
10. The proposed District is primarily zoned for general business use, which allows a variety of retail, accommodations, and other commercial uses. In 2014, the Town approved

overlay zoning within the proposed District to encourage mixed-use development in a traditional village-style development pattern. The overlay zoning has not yielded any new mixed-use development and the bylaw has not been effective in producing the form and type of development desired by the Town. At the 2017 Annual Town Meeting, Eastham voters approved amendments to the Overlay bylaw as an interim measure until a comprehensive analysis could be completed. The DCPC process will allow the town to look comprehensively at future development potential in the proposed District under existing zoning and with the availability of town water and provide an opportunity to create more effective regulations that support the community's vision for the District.

11. The availability of public transit provided by the Cape Cod Regional Transit Authority ("CCRTA") Flex bus, coupled with the proximity of commercial and retail services along Route 6, makes the proposed District an appropriate location for affordable housing. Affordable housing development recently permitted within the proposed District includes a 65-unit comprehensive permit issued under M.G.L. Chapter 40B on Town-owned land. Regulations and guidelines developed through the DCPC process will help the Town diversify its housing stock by promoting mixed-use/village style development in the District, providing additional opportunities to accommodate appropriately designed affordable residential units at higher densities that are necessary to make them financially viable.
12. The designation of this area as an Economic or Development Resource District will allow the town to plan and adopt zoning and other strategies to guide future development and redevelopment in a way that contributes to and respects the character and historic development patterns of the area and provides appropriate tools to support and foster the local economy.
13. The designation of this area as an Affordable Housing District will allow the Town to develop regulations and guidelines to diversify its housing stock by promoting mixed use/village style development. This type of development will provide additional opportunities to accommodate appropriately designed residential units at higher densities; which is a vital component in making the development of affordable housing economically viable.
14. Designation of this area as a Transportation Management District will allow the Town to comprehensively address traffic congestion and safety issues, and to plan for adequate pedestrian and bicycle accommodations within the proposed District.
15. The proposed District is bisected by a four-lane undivided highway with multiple curb cuts and higher traffic volumes than other sections of U.S. Route 6. Permissive commercial zoning and the recent provision of town water to the proposed District have resulted in high-traffic volume commercial development proposals whose layout and design could be improved with adequate regulatory controls. Implementing regulations

will allow the Town to provide the regulations desired by the community and ensure that this small economic center will grow in a way that existing infrastructure can support.

16. The proposed boundary of the District is reasonably related to the purposes of the District and follows an easily definable boundary.

### **TYPES AND CLASSES OF DEVELOPMENT THAT MAY PROCEED**

Pursuant to Section 11(c) of the Cape Cod Commission Act, "the acceptance of a nomination for consideration for designation as a district of critical planning concern shall continue to suspend the power of a municipality to grant development permits for development within the nominated district."

The Commission, in conjunction with the Eastham Board of Selectmen, has identified the following types or classes of proposed development which may proceed notwithstanding this nomination during consideration and designation and until Implementing Regulations are adopted pursuant to Section 11 (d) & (e) of the Act, provided however that such permits could have been issued in accordance with bylaws and regulations in effect in the town of Eastham at the time of the local permit application. The Commission certifies, by the acceptance of this nomination, that these types or classes of proposed development are not substantially detrimental to the protection of public health, safety, and welfare and do not contravene the purposes of the Cape Cod Commission Act and the DCPC nomination. Where a type or class of development is not included below, it may not proceed unless the district fails, until Implementing Regulations are adopted, or until it is exempt pursuant to Section 22 of the Act.

The following uses/activities shall be allowed to continue in the Town of Eastham District during the moratorium:

1. New residential single-family development on residentially zoned parcels within the proposed district.
2. Normal and customary repair or maintenance to a single-family house or any other residential use.
3. Normal and customary repair or maintenance to duly permitted accessory structures such as storage sheds, garages or accessory residential structures.
4. Normal and customary repair, maintenance to non-residential structures and uses.

5. The change, alteration or expansion of use of any commercial, retail or mixed-use structure where such change, alteration or expansion is limited to the interior of the structure and will not increase or intensify the use of the structure and will not result in any change to the building footprint or any other exterior component that would require Site Plan Approval - Special Permit under Section XIII of the Eastham Zoning Bylaw.
6. Normal and customary repair or maintenance to on-site septic systems. Such repairs or maintenance shall not increase the number of bedrooms or wastewater disposal capacity or result in an increase in impervious area.
7. Normal and customary repair or maintenance to duly permitted signs.
8. Installation of new signs provided they conform to the Eastham Sign Code.
9. Any development or redevelopment activity where all necessary permits have been issued before August 31, 2017.
10. Connections to public and/or private water supply systems.
11. Municipal projects.
12. Any development that constitutes emergency work as defined by Section 24 of the Cape Cod Commission Act. The proponent of any emergency work must notify the Commission immediately upon applying to a municipal agency or official for an application to conduct such emergency work. Emergency work shall be permitted and proceed only in accordance with the standards and procedures set forth in Section 24 of the Act and the Enabling Regulations Governing Review of Developments of Regional Impact.

### **CONCLUSION**

Based on the findings above, the Cape Cod Commission hereby accepts the nomination for consideration of the Town of Eastham District in the Town of Eastham as a District of Critical Planning Concern.

**Signature page follows**

**SIGNATURE(S)**

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss \_\_\_\_\_, 2017

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.

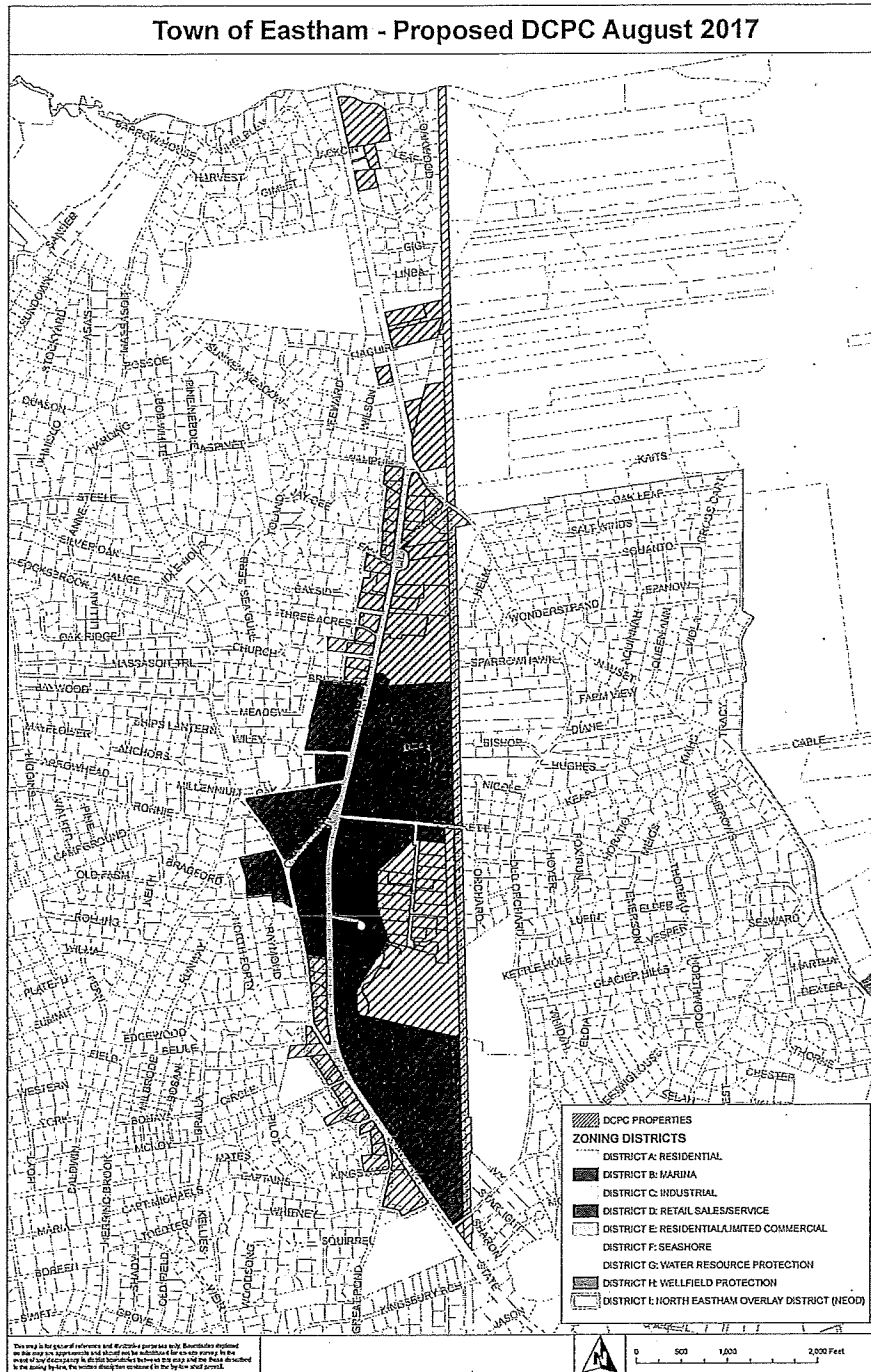
\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires:



# **EXHIBIT A** **MAP OF PROPOSED DCPC BOUNDARIES**



EASTHAM DCPC – EASTHAM, MA  
 NOMINATION FOR CONSIDERATION DRAFT DECISION

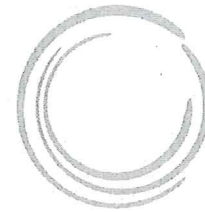
Info

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

ADMINISTRATION

AUG 30 2017

RECEIVED



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

**NOTICE OF RECEIPT  
CAPE COD COMMISSION  
DISTRICT OF CRITICAL PLANNING CONCERN NOMINATION  
TOWN OF EASTHAM**

The Cape Cod Commission ("Commission") has received a nomination from the Town of Eastham Board of Selectmen seeking the creation of a District of Critical Planning Concern (DCPC) under Sections 10 and 11 of the Cape Cod Commission Act.

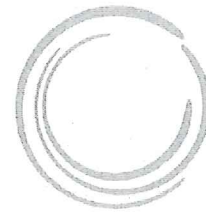
The nominated area is known as the Eastham District of Critical Planning Concern. **The Eastham boundaries encompass commercially zoned land in the Town of Eastham, including District C Industrial, District D Retail Sales and Service, and District E Residential/Limited Commercial, and all land within the North Eastham Overlay District bounded on the north by the Eastham/Wellfleet Town boundary, to the south by Old Orchard Road, to the east by the Cape Cod Rail Trail, and to the west by Herring Brook Road and Massasoit Road. The proposed District consists of approximately 280 acres of land area and approximately 2.9 acres of open water. The boundaries of the nominated area are shown on the map submitted with the nomination.**

The Cape Cod Commission will vote to accept for consideration or reject the nomination at its meeting on **Thursday, August 31, 2017 beginning at 3:00 p.m. in the First District Courthouse, Assembly of Delegates Chamber, 3195 Main Street, Route 6A, Barnstable, MA.** The nomination was received by the Commission on August 24, 2017.

The district boundary map, plans and relevant documents may be viewed at the Cape Cod Commission office at 3225 Main Street, Route 6A, Barnstable, MA 02630 between the hours of 8:30 a.m. and 4:30 p.m. For further information, please contact the Commission office at (508) 362-3828.

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

ADMINISTRATION  
AUG 30 2017  
RECEIVED



(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

CAPE COD  
COMMISSION

## HEARING NOTICE CAPE COD COMMISSION

**Chapter G, Growth Incentive Zone Regulations Proposed Amendment  
September 14, 2017**

The Cape Cod Commission ("Commission") will conduct a public hearing on **Thursday, September 14, 2017 at 3:00 p.m. in the First District Courthouse, Assembly of Delegates Chambers, 3195 Main Street, Route 6A, Barnstable, MA.** At this hearing the Commission will consider and potentially vote on proposed amendments to Chapter G, Growth Incentive Zone Regulations, Barnstable County Ordinance 05-13, as amended. The purpose of the proposed amendment is to allow the Growth Incentive Zone designation period to be extended one time by the Executive Director for a period of up to 180 days.

Anyone wishing to testify orally will be welcome to do so. Written comments may also 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 on or before the date of the hearing. The 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, contact the Cape Cod Commission at (508)362-3828; for Telecommunications Relay Services (TRS) dial 711.**

**Caso estas informações sejam necessárias em outro idioma, por favor, contate o Coordenador de Título VI da MPO pelo telefone (508)362-3828 or Para serviços de retransmissão de telecomunicações, disque 711.**



**All States Asphalt, Inc.**

All States Materials Group®

PO Box 91  
Sunderland, MA 01375  
413-665-7021

FYI

September 7, 2017

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

Dear Mr. Andres,

Thank you for using the Asphalt Rubber Chip Seal on some of your roadways this year. Hopefully you will see the value of this product and utilize it again in the future as another tool in your maintenance plans.

This product uses recycled rubber that comes from automobile tires and is a "green" product. The roads we did this year in Eastham used the equivalent of 4168 tires.

Thanks again and let me know if you have any further questions.

Sincerely,

Peter Roberts  
Sales Representative





Info

ADMINISTRATION  
AUG 31 2017  
RECEIVED

August 25, 2017

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

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

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

Notice is hereby given that the above referenced document has been submitted electronically to the Massachusetts Department of Environmental Protection (MassDEP).

The objective of the Immediate Response Action program was to identify private water wells in the vicinity of the Eastham Landfill that have been impacted by 1,4 dioxane, and to provide alternative safe drinking water to affected residents. A Municipal Water Supply (MWS) system has been constructed and affected residents around the landfill have been connected to this system. Therefore, the condition that created the need for the IRA (i.e., 1,4-dioxane in drinking water at concentrations above the drinking water standard/guideline) has been addressed and the IRA Program is complete.

The submitted documents for this RTN can be viewed on line at <http://public.dep.state.ma.us/fileviewer/Rtn.aspx?rtn=4-0024301> or at the MassDEP Southeast regional office. For more information about these options, please visit <http://www.mass.gov/eea/agencies/massdep/>.

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

Sincerely,  
*Environmental Strategies & Management, Inc.*

Douglas Heely, LSP

Copy: MassDEP Southeast Region

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Environmental Strategies & Management | [www.esm-inc.com](http://www.esm-inc.com)

Norton, Massachusetts  
508-226-1800

Pawtucket, Rhode Island  
401-728-6860

Newburyport, Massachusetts  
617-840-0363





## TOWN OF EASTHAM

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

info  
ADMINISTRATION

AUG 28 2017

RECEIVED

August 21, 2017

Dear Resident:

The Eastham Water System is progressing with the construction of the Phase IIA water mains and appurtenances. The Town's contractors will be installing water services from the water mains to adjacent property lines. At each approximate property line there will be valve called a "curb stop." The Town pays for the installation of the water service from the water main to your approximate property line, including the curb stop.

Every property is receiving a curb stop, even if there is no interest in connecting to the water system. Once installed, the curb stop will be in its permanent location. A white flag will be placed where the Town proposes to install the curb stop and a door hanger will be left at the property. Please email the address below if you'd like to specify a different location along your property line for your curb stop to be located. If needed, call the number below, but quicker response would occur utilizing the email address. Please respond within four weeks of the date on this notice if you would like to revise your proposed curb stop location.

- Eastham Water Projects Email Address: **[easthamwater@envpartners.com](mailto:easthamwater@envpartners.com)**
- Eastham Water Projects Phone No.: **617-657-0279**

After construction is complete, you will be able to connect to the curb stop at your property line by installing a private water service line to your interior domestic plumbing. When you connect to the public water system you will have to permanently separate the existing well from your interior (domestic) plumbing.

The Town has published an approved plumbers and contractor's list on the Town's website (<http://easthamwaterproject.weebly.com/approved-contractor-list.html>) if you need to discuss the best location for the curb stop and water service line. We appreciate your cooperation during this very important public construction project.