

**TOWN OF FALMOUTH**  
**SELECT BOARD**  
**Meeting Minutes**  
**Open Session**  
**MONDAY, OCTOBER 30, 2023 – 6:00 P.M.**  
**FALMOUTH SENIOR CENTER**  
**780 MAIN STREET, FALMOUTH, MA 02540**

*The Select Board may discuss and vote appropriate action on any item listed on this Agenda unless a different disposition is noted. At the discretion of the Chair, agenda items may be taken out of order.*

Present: Nancy Robbins Taylor, Chair; Edwin P. Zylinski II, Vice Chair; Onjalé Scott Price.

Present via telephone: Douglas C. Brown.

Absent: Robert P. Mascali.

Staff Present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager.

**6:30 p.m. OPEN SESSION**

1. Chair Call to Order at 6pm.

**Mr. Zylinski made a motion to convene the executive session under M.G.L. c.30A s.21(a)(3) – To discuss strategy with respect to collective bargaining - Falmouth Library Association contract renewal because to not go into executive session could prejudice ongoing negotiations. Ms. Scott Price seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

2. Chair Taylor reconvened the open session at approximately 6:30pm and announced that the Falmouth Library Association Contract renewal was approved by the Select Board in Executive Session.

3. Pledge of Allegiance

4. Recognition

None.

5. Announcements

Chair Taylor announced that Mr. Brown is participating remotely for this meeting and all Select Board votes will be made by roll call.

6. Public Comment – General

Richard Porter, Jeffrey Lane, full time resident, supports the extension of the sewer project and read a statement. It is the most viable solution to improve nitrogen loading in Great Pond. Falmouth needs more wastewater treatment centers. Financial burden of replacing their private septic system would be significant compared to the cost of the betterment of the sewer project, and hook up would be much easier. He encouraged the Town to move forward with the sewer treatment project in Teaticket.

Josh Bound, Green Pond Road, in support of Warrant Article 6. Great Bay has a nitrogen crisis, Article 6 is beginning of the master plan publicized by the Town in December 2022. Plan was comprehensive and included alternative technologies. Striking how moderate the temporary sewerage area is, and he supports this article. If it is not moved forward, everything is put on hold.

Michael Palmer, North Falmouth, spoke of the importance of affordable housing. Housing uncertainty has been constant for him since moving to Falmouth two years ago. The people who fill crucial roles in the

community, including police, fire, and the hospital are having difficulty, and he hopes to this will improve for the people we all rely on.

7. Public Comment – Comments Specific to 375 Sandwich Road 40B Project

Tom Zine, East Falmouth, extended time to 8 minutes for comments by four individuals. Save Sandwich Now opposes this project. The Cape Cod Commission (CCC) told them that if they were asked, the CCC would review the project. Mr. Zine asked that it be referred to the CCC as a development of regional impact; need traffic study. Light and sound pollution studies should be done. Psychological effects need to be considered. Hydrology study, Falmouth already faces water restrictions every year. Nitrogen loading summary. Letter A in the packet, Town on a mandate from the State to reduce nitrogen. The project is in a nitrogen sensitive area. Letter B refers to box turtles. Need an environmental study. Letter C in the packet. Habitat destruction while testing caused chaos and havoc to wildlife species. Adjacent to the Coonamessett River restoration. Coonamessett Greenway affected by loss of the forest. Density issues, the density at 2.5 ppl per unit, density of this project is 50 people per acre. The population in Town will increase by about 2%. Thanked Falmouth for rejecting this project.

Laura Innis asked the project to be sent to the Conservation Commission for review. Home to various wildlife, migration area, she hopes this could be built downtown. If it proceeds at this location, count of the trees, test the sand, it may be harmful to build there pending the fill. The land and water are what gives Cape Cod the economic value.

## COMMITTEE INTERVIEWS

1. Interview, vote and appoint committee members
  - a. Human Services Committee

Linda Sattel: withdrew her application.

Howard Lipton

Mr. Lipton has experience in Human Services, he is an attorney. He reviewed his work experience, which included human services. He was an attorney in related organizations. He has been retired for five years, a resident of Falmouth for three years, and seeks this opportunity.

**Mr. Brown made a motion to appoint Howard Lipton. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

## PUBLIC HEARINGS

1. Application for renewal of Shellfish Aquaculture Permit #A19-03 – Daniel Ward, Ward Aquafarms, LLC – Site identified as Site B in the Falmouth Statement of Qualifications issued 7/5/2019 within a perimeter of approximately 0.5 acre in Eel Pond Approximately 200' west of Washburn Island

Mr. Zylinski read the hearing notice.

Mr. Renshaw referred to the packet to highlight points.

Mr. Ward stated the project is going well.

Public Comment: None.

**Ms. Scott Price made a motion to close the hearing. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

**Ms. Scott Price made a motion to approve. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

2. Application for renewal of Shellfish Aquaculture Permit #A19-02 – Mary M. Murphy, Falmouth Shellfish Cooperative – Site identified as Site A in the Falmouth Statement of Qualifications issued 7/5/2019 within a perimeter of approximately 0.5 acre located in Eel Pond approximately 150’ west of Washburn Island

Mr. Zylinski read the hearing notice.

The applicant is out of town. Peter Chase and Steve Murphy were present and reported that the project is going well.

Public comments: None.

**Mr. Zylinski made a motion to close the hearing. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

**Ms. Scott Price made a motion to approve. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

3. Application for renewal of Shellfish Aquaculture Permit #A19-04 – Matthew Weeks – Site identified as Site C in the Falmouth Statement of Qualifications issued 7/25/2019 within a perimeter of approximately 0.5 acre located in Eel Pond approximately 150’ west of Washburn Island

Mr. Zylinski read the hearing notice.

Mr. Weeks was present and reported it is going well.

Public comment: none.

**Ms. Scott Price made a motion to close the hearing. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

**Ms. Scott Price made a motion to approve. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

4. Request to name the connector from the Shining Sea Bikeway to the crossing at Palmer Ave. onto Katharine Lee Bates Rd. as the “Kevin Lynch Connector” and to place a plaque in his honor

Mr. Zylinski read the hearing notice.

Mr. Renshaw commented that staff and he recommend approval.

Katherine Jansen, Chair of the Bicycle and Pedestrian Committee, and Leonard Johnson were present. Ms. Jansen noted the location is about 50 feet from where it was stated originally, it will be on the bikeway across from the Station Grille.

Ms. Scott Price asked if there were any concerns and/or opposition to this naming. Chair Taylor noted one email in opposition that was received today.

Kevin Lynch Pathway because he was responsible for the extension through Carlson Lane. Kevin Lynch Pathway, Mr. Lynch’s legacy is honored by naming it that and where it is posted.

Public comment: none.

**Ms. Scott Price made a motion to close the hearing. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye. Absent: Mr. Brown.**

**Ms. Scott Price read the motion in the packet. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye. Absent: Mr. Brown.**

5. Request to name the connector from the Shining Sea Bikeway to the crossing at Palmer Ave. into Goodwill Park as the “Bob Fitzpatrick Connector” and to place a plaque in his honor

Mr. Zylinski read the hearing notice.

Mr. Renshaw recommends approval.

Ms. Jansen reported the Goodwill Crossing numbers from the Cape Cod Commission are ninety crosses per day.

Public comment: none.

Mr. Brown noted email for notice falmouthma.gov.

**Mr. Zylinski made a motion to close the hearing. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

**Ms. Scott Price made a motion and read the motion in the packet. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

## **BUSINESS**

1. Affirm appointment of Water Superintendent (**5 minutes**)  
Matt Lanen recommended by Mr. Renshaw, residency for division heads requested to be waived.  
  
Mr. Lanen looks forward to working for Falmouth.  
  
**Ms. Scott Price made a motion to affirm the appointment of Matt Lanen and approve waiver of the residency requirement for division heads. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**
2. Vote on Water Quality Management Committee request for Air Force Center for Environmental Excellence (AFCEE) fund expenditure  
  
Steven Rafferty, Chair Water Quality Management Committee, asking for \$6,500 to pay for the laboratory analysis for another year of sampling.  
  
**Ms. Scott Price made a motion to approve an expenditure of up to \$6,500. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**
3. Report – School Committee  
Melissa Keating, Chair, Dr. Lori Duerr, Superintendent made a computer presentation of the Clipper Experience, enrollment, noting there has been a decline in enrollment. There are 160 students participating in School Choice.  
  
The Belonging Series is for staff and families. Eventually possibly expanded to the Community.
4. Designate member of the Select Board to seek input on the request to add a plaque to the band shell on the Falmouth Music and Arts Pavilion naming the band shell “The Lin Whitehead Band Shell”  
  
Mr. Renshaw noted the naming policy in the packet. Purpose is for gathering input on the request to add the plaque. Mr. Renshaw provided a background summary. The one-year waiting period has passed. Mr. Renshaw recommends a Select Board member be appointed.  
  
Dr. Lin Whitehead said the community is fantastic, many attending performances at the Band Shell. This request was made because there has been confusion about the name. Lin was instrumental in getting the money for the bandshell to be renovated.

Chair Taylor offered to

**Mr. Zylinski made a motion to designate Chair Taylor as the Select Board member to seek input on the request to add a plaque to the band shell on the Falmouth Music and Arts Pavilion. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

5. Request for variance to sign code §184-18, §184-25 and §184-31 – Barlo Signs International on behalf of The Wilder Company, 137 Teaticket Highway, in order to replace two freestanding signs, and approval of Grant of License for sign located within the layout of Worcester Court

Mr. Renshaw provided background from previous Select Board meeting and meeting with the applicant regarding line of sight concerns. The applicant lower the height of the planter box base to 24” and only low growing annuals to be planted in the base box.

Attorney Anthony Tsakalos, behalf of Barlo Signs International, explained the signs and grant of license to one of the signs because it is located on Town property. Attorney Tsakalos made a computer presentation.

The only change is the planter height.

Mr. Renshaw reported that the Town Engineer is satisfied with the revised proposal.

**Ms. Scott Price motion to approve the sign variance request for the sign at the Worcester Court entrance as presented. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

**Ms. Scott Price motion to approve the variance request for the sign in the layout of Teaticket as presented. Mr. Z seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

## CONSENT AGENDA

1. Administrative Orders
  - a. Approve the FY23 Edward Byrne Memorial Justice Grant in the amount of \$11,601 to be used for the purchase of an ATV
  - b. Approve Temporary Grant of Access License to Brian Halligan to enter upon town property at 0 Oyster Pond Road for the purpose of conducting invasive species management on the property
  - c. Approve application for grant funding for two coastal resiliency/culvert replacements projects in Falmouth (Oyster Pond and Red Brook) through application by Association to Protect Cape Cod (APCC) for an FY25 NOAA Transformational Habitat Restoration Grant competition
  - d. Approve request for exemption under G.L. c. 268A, § 19(b) of the Conflict of Interest Law – Disclosure by non-elected municipal employee of financial interest and Determination by Appointing Authority – Marilyn J. Rowland, Falmouth Cultural Council, relative to ArtsFalmouth, Inc. application to Falmouth Cultural Council for grant funding
  - e. Approve request for exemption under G.L. c. 268A, § 20(d) of the Conflict of Interest Law – Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract – Marilyn J. Rowland

**Mr. Zylinski made a motion to approve the consent agenda. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

## MEETING MINUTES

1. Review and Approve Minutes of Meetings

a. Public Sessions

September 11, 2023

**Mr. Zylinski made a motion to approve. Mr. Brown seconded the motion. Roll Call Vote: Mr. Brown, aye; Mr. Zylinski, aye; Chair Taylor, aye. Abstain: Ms. Scott Price.**

October 16, 2023

**Ms. Scott Price made a motion to approve. Mr. Zylinski seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

## **TOWN MANAGER'S SUPPLEMENTAL REPORT**

Provided update on the housing production plan due to expire in January 2024, they are working on an update. Announced a public meeting to be held on Wednesday, 11/8/24, at Falmouth HS Cafeteria A from 6:30-8:00 pm to include a presentation followed by small group discussions.

Comprehensive review of Town Parcels led by the Planning Department to determine municipal uses, including new police department building, Beach Offices, and affordable housing. This will be a comprehensive review with a database that may be updated in the future.

Library partnership opportunities with the Barnstable Sheriff's Office (BSO), Falmouth Library Director Brian Stokes has begun organizing their book collection, he visits the BSO on Wednesdays and Fridays alternate weeks to visit with inmates. They are taking requests from inmates and filling those with materials from Friends of Falmouth Library. Mr. Stokes would like to expand this in the future.

Attended the following meetings:

Toured Marine Biological Laboratory (MBL) facilities.

Toured the Upper Cape Regional Transfer Station and spoke with the current Board of Managers.

Dedication of the interactive Resilient Woods Hole Climate and Walking Trail.

Ribbon cutting at the Woods Hole Oceanographic Institute (WHOI) and tour of the Quissett campus, discussed lack of affordable housing affecting the institution and toured the facilities on the campus.

The Schedule for Select Board meetings through 12/18/23 is in the packet.

## **SELECT BOARD REPORTS**

Mr. Zylinski:

Attended the ZBA Workshop last Saturday with Mr. Renshaw.

Ms. Scott Price:

Attended the dedication of the interactive Resilient Woods Hole Climate and Walking Trail.

Mr. Brown:

none

## **DISCUSSION OF FUTURE AGENDA ITEMS**

Ms. Scott Price would like an update on the hiring status of the Diversity, Equity, and Inclusion position vacancy.

Mr. Brown would like to discuss the bike trail, specifically the rail to trail v. rail with trail.

## **ADJOURN**

**Mr. Zylinski made a motion to adjourn. Ms. Scott Price seconded the motion. Roll Call Vote: Mr. Brown, aye; Ms. Scott Price, aye; Mr. Zylinski, aye; Chair Taylor, aye.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary