

TOWN OF FALMOUTH
SELECT BOARD
Open Meeting Minutes
MONDAY, MARCH 10, 2025 – 6:30 P.M.
OLD SILVER / SURF DRIVE PROGRAM ROOM
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.

Select Board:

Present: Nancy Robbins Taylor, Chair; Edwin (Scott) Zylinski II, Vice-Chair; Douglas C. Brown; Robert P. Mascali; Heather M. H. Goldstone

Absent: None

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager

6:30 p.m. OPEN SESSION

Call to Order: By Chair Taylor

Pledge of Allegiance: Led by Select Board

Recognition: Swearing in of Police Officers

Chief Lourie reviewed the status of the police department, saying they had hired 27 new officers, 13 to be sworn in and all current staff to reaffirm their oaths. Each of the 13 officers was introduced individually with brief biographical information. Clerk Michael Palmer then swore them in and they were pinned by the designated party of each officer. Chief Lourie thanked Chair Taylor and Vice-Chair Zylinski, since neither was seeking re-election, for their support of him and the department.

Announcements:

Mr. Mascali announced the showing of the Katharine Lee Bates documentary film at the public library and Museums on the Green on Thursday. Also, there would be a meeting of the workers and family group this Saturday at the Hermann Meeting Room at the library.

Ms. Goldstone recognized Dr. Chris Neill for an outstanding service award from the Mass. Assn. of Conservation Commissions. She also announced a meeting on Tuesday at the rec center regarding an amendment to the state obscenity law.

Mr. Brown announced a meeting of the League of Women Voters on Thursday at the Hermann Room.

Public Comment:

Matt Handley, 710 Thomas Landers Rd. – addressed the issue of freedom of speech at a public meeting – said he was discouraged from speaking at a recent WQMC meeting and was not allowed to speak at a public meeting about betterments – said the ability to speak about water quality is being limited – said some homeowners don't know about changes regarding water quality that will affect their homes – said the public needs to be brought in, notified, and there need to be public hearings on those issues – said his input has been ignored – said he is speaking for taxpayers that have been ignored and is helping to protect their freedom of speech.

COMMITTEE INTERVIEWS

Interview and consider a vote to appoint a representative to the Environmental Advisory Council's Joint Base Cape Cod Community Advisory Council (CAC):

Robert Crevey said he felt his application was complete and thorough. Ms. Goldstone complimented Mr. Crevey's credentials and experience and asked if representing Falmouth's specific interests would be difficult in any way. Mr. Crevey said he regards himself as a scientist and would follow where the evidence leads. He said he felt he could be impartial. Mr. Brown also asked about a conflict, and if Mr. Crevey felt his role would be akin to the fox guarding the henhouse. Mr. Crevey again said he did not feel concern in this area. Mr. Goldstone asked about his top issue. He said the ongoing issue is the groundwater monitoring program and said that currently, they are doing a very good job, but he is interested in seeing it from this new perspective.

Mr. Mascali asked if applicants applied for the Falmouth resident or an at-large position. Mr. Renshaw said there are one Falmouth and four at-large positions, and Mr. Crevey has indicated he has no preference.

Dr. K.E. Schrieber said her application was complete and thorough. Ms. Goldstone asked what Dr. Schrieber would identify as the biggest issues to focus on. Dr. Schrieber said that she has noticed a lack of transparency surrounding issues and would work to support that Falmouth gets the information it needs. She said she has no current involvement with programs at the military base.

Motion by Mr. Mascali: To recommend the appointment of Dr. K.E. Schrieber to the Governor's Office for the position of at-large member of the Environmental Advisory Council's Joint Base Cape Cod Community Advisory Council **Second: Mr. Brown** **Vote: Yes – 5 No – 0**

Motion by Ms. Goldstone: To nominate Robert Crevey to the Falmouth representative of the Environmental Advisory Council's Joint Base Cape Cod Community Advisory Council **Second: Mr. Zylinski**
Vote: Yes – 5 No – 0

PUBLIC HEARINGS

Consider a vote to approve an application for the Transfer of an All-Alcoholic Beverages Restaurant License – Quicks Hole Taqueria, LLC d/b/a Quicks Hole Taqueria, 28 Water Street, Unit C. An application for a Common Victualler License is also in process.

Mr. Zylinski read out the hearing notice.

Mr. Renshaw said he had no comment on the application. The applicant was present.

Public comment: None

Motion by Mr. Mascali: To close the hearing **Second: Mr. Zylinski** **Vote: Yes – 5 No – 0**

Motion by Mr. Brown: To approve the application for the Transfer of an All-Alcoholic Beverages Restaurant License – Quicks Hole Taqueria, LLC d/b/a Quicks Hole Taqueria, 28 Water Street, Unit C as presented **Second: Mr. Mascali** **Vote: Yes – 5 No – 0**

Consider a vote to approve an application for Entertainment Licenses – New England Festivals, Inc. – Harbor Lights Illumination concert series and night markets, Lin Whitehead Band Shell at Marine Park, 180 Scranton Ave. – Saturdays: July 5, 12, 19 and August 9, 16, 23, 2025 from 5:00 p.m. to 9:30 p.m.

Mr. Zylinski read out the hearing notice.

Mr. Renshaw orally reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Public Hearing 2 - Consider a vote to approve an application for Entertainment Licenses – New England Festivals, Inc. – Harbor Lights Illumination concert series and night markets, Lin Whitehead Band Shell at Marine Park, 180 Scranton Ave. – Saturdays: July 5, 12, 19 and August 9, 16, 23, 2025 from 5:00 p.m. to 9:30 p.m.* in the Select Board packet. He said the entertainment license for this special event was now required in accordance with regulations adopted by the Board last July. This would be the 5th annual concert series and night market. He recommended approval.

Mr. Mascali asked if there have been any complaints over the past 4 years. Mr. Renshaw said he is not aware of any from the past 4 years, but there have been emails over the past 48 hours on behalf of abutters. Mr. Brown said the emails are from the same person, and that there may be confusion over which events are causing the concerns. The applicant, Lillian Kazanis, said she cuts off live sound at 9:00. She said she is happy to adjust sound as needed. Ms. Kazanis went on to explain why she started the event, which included heartfelt comment about her connection to the Falmouth community and to Lin Whitehead.

Mr. Brown asked that the applicant pay attention to the new, stricter entertainment regulations regarding noise.

Public comment:

Joe Seblock, property manager for the Admiralty Apartments, outlined the physical layout of the building he manages. He said the noise level is not a problem. He said he and residents fully support the event. He said everybody involved does a tremendous job with cleanup.

Alice Kociemba, chair of the Falmouth Cultural Council, said the event received a grant from the council. She said she supports fun, inclusive events such as this. She said economically it drives us in the right direction.

Barbara Schneider, Precinct 4, said everyone who lives on the water hears almost everything that is going on. She said this is what the community is about and that we should want this. She said that if someone is complaining because they are hearing music, she is sorry for them. She asked that the Board not get so tight on these things that we cannot function and enjoy the beautiful things that are offered to us.

John Benninghoff, Falmouth, said music is ingrained in this Town and it would be a shame to prevent that for anyone. He said he understands people's concern, but the harbor is noisy. He said please don't ruin one of the best things about the Town.

Roseann Amireau, a resident since 1962, said this event is so good for families. She said it's a free, donation-based event, and money goes back into the Town. She said there have been virtually no complaints and that it should continue.

Pat Ryan, a resident since 1989, has been involved in music for years and supports the event going forward. He said he doesn't know the details of the new rules, but would like civility, decency, and human interaction also to be part of the equation.

Rick Mape, 174 Queen St., said it's not that he is not in support, but his unit is located about 30 yards away from the bandstand, and that every Saturday night there is that form of entertainment. He said it's the amount of time that is being requested. He said it impacts family gatherings on weekends. He asked if the number of times could be limited.

At this point, Mr. Johnson-Staub said the application this year matches last year's with 6 events. Mr. Brown suggested the noise referred to might be from a different event.

Motion by Mr. Zylinski: To close the hearing Second: Mr. Mascali Vote: Yes – 5 No – 0

Ms. Goldstone said we need to support events such as this, saying that there have not been complaints over the years.

Motion by Ms. Goldstone: To approve Second: Mr. Brown

There was brief Board comment on the new entertainment regulations adopted last July. Mr. Mascali said it will be a learning process on the part of the Board as it moves forward on applications that come before it.

Vote: Yes – 5 No - 0

BUSINESS

Presentation – Cape Cod Commission's "Year in Review" – Kristi Senatori, Executive Director

Ms. Senatori recognized John Druley, Falmouth's representative on the CCC. She orally presented information in the commission's approximately 15-page *2024 Year in Review*. Issues such as housing, water quality, zoning, traffic, climate and coastal resiliency, and replacement of the canal bridges were included in the report. Mr. Druley briefly spoke at the end of Ms. Senatori's presentation, summarizing the issues/projects he has worked on.

Mr. Brown asked if the CCC had been invited to the planning initiative out at the base. Ms. Senatori said the CCC has been engaged with base leadership as well as leadership at Mass Development, saying there is an opportunity for the commission and the county to play a role there where it makes sense.

Chair Taylor asked if the Falmouth Housing Authority or the Falmouth Housing Trust was involved in the regional housing planning process. Ms. Senatori said that the CCC had reached out to a variety of different groups and

organizations as it developed the plan, and that there would be more opportunities for more boards and organizations to be included during implementation.

Mr. Mascali, as a former member of the CCC, complimented the commission, especially on the way it handled the YMCA application. On the permitting process, he asked if the CCC had more recommendations on how to speed up the process for affordable housing projects. Ms. Senatori said a series of zoning recommendations has been put together as a first step, as well as some recommendations for streamlining permitting in the right places. She said the CCC is also looking internally at its own regulations for advancing housing. Mr. Mascali commended Mr. Renshaw and Mr. Johnson-Staub for their collaboration with the CCC for the betterment of Falmouth.

Hear a presentation on the draft Single-Use Plastics Rules and Regulations for Food Establishments

Mr. Renshaw introduced a slide presentation on this issue. Philip Gessen, an advocate for plastic waste reduction, reviewed the information contained on approximately 15 screens, first giving an overview of the content of the presentation, which included motivation, formulation of the Plastic Reduction Advisory Committee, the process it used, a summary of the draft regulation itself, lessons learned, and pathway forward. He said this committee has disbanded because its work is concluded. There is a Board of Health hearing on the draft regulations on March 25.

Chair Taylor commented on the large volume of work that the Plastic Reduction Advisory Committee has done. Mr. Brown complimented the presentation and the work done by the committee.

Public comment:

Stephanie Murphy, a committee member, said there may be an opportunity, perhaps through the Cape Cod Commission, for Falmouth to get more regional regulation or sponsorship.

Discuss the establishment of a Green Dog Program

Mr. Renshaw orally introduced the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 3 - Discuss the establishment of a Green Dog Program* in the Select Board packet. He said Sally Clymer would be presenting the information.

Ms. Clymer said she was addressing the issue of the leash law in Falmouth and its sometimes-restrictive nature. She referred to the Green Dog Program in Brookline and outlined some of the characteristics of that program. She focused on the impossibility of enforcing the existing Falmouth law, saying that the Brookline program would help to mitigate that and offer some off-leash time. She referred to 2 screens of information about this program. She asked the Board to consider this suggestion.

Board discussion raised several issues:

- How the program is insured or how liability is handled by the town
- If non-Town-owned parcels had been considered for this potential program
- If discussions with pet control staff or other related staff had been contacted

Mr. Brown said he supports the idea. He said some non-Town-owned open space parcels are not as accessible as Town properties.

Public comment:

Regarding the dog park, Barbara Schneider, along with Molly Mason, the senior animal control officer in Falmouth, said that there is a problem with dog feces from off-leash dogs running free. She said every day, stewards of the dog park collect and dispose of these feces (anywhere from a dozen to twenty piles). She said this problem is the first thing that comes to mind with dogs off leashes. Another thing is that dogs often run ahead of owners, increasing the potential for unwelcome interactions with other dogs or humans. She said she had not been contacted by anyone. Dr. Schneider also outlined potential harm from off-leash dogs when encountering marine life on beaches in the winter. She said keeping the dog park clean is a daily activity for the stewards and invited others to come help out.

Regarding insurance, Dr. Schneider said that former Town Counsel Frank Duffy told her that “you are not ever allowed to charge a penny for someone to go on Town land because the minute you do, the Town is liable.”

Joe Seblock – said he has experience with Pet Smart and Pets Hotel– said people in general, do not have decent control of their animals – said he has often been bitten by dogs who have not been trained – said he was routinely cleaning up after dogs – offered to volunteer to be on a committee to deal with this issue.

Consider a vote to approve proposed updated Water Quality Management Committee (WQMC) charge document

Mr. Johnson-Staub said the update was requested by the WQMC. The proposed draft was a joint effort between staff and the committee. It does not represent a substantial change in the mission or operation of the committee.

Steve Rafferty, chair of the WQMC, summarized the reasons he felt an update to the original charge was opportune because the original document was “kind of” out of date. He said it is a way the committee could re-focus and honor the charge to address water quality in Falmouth.

Ms. Goldstone said she would love to see Point 5 expanded to include ponds and estuaries. She also suggested expanding language to ensure coordination on matters relevant to water health. Mr. Rafferty said he could confer with Mr. Johnson-Staub on the language, but assured the Board there is ongoing engagement with other boards that deal with these issues.

Motion by Mr. Mascali: That we approve the charge of the Water Quality Management Committee as presented
Second: Mr. Zylinski
Vote: Yes – 5 No - 0

Consider a vote to send the petition to stop Holtec from evaporating nuclear waste to the Town Clerk to be placed on the May 20, 2025 Annual Town Election Ballot

Mr. Renshaw orally reviewed the item for the Board, referring to the *Agenda Item Summary Sheet*, Item number and Title: *Business 5 - Consider a vote to send the petition to stop Holtec from evaporating nuclear waste to the Town Clerk to be placed on the May 20, 2025 Annual Town Election Ballot* in the Select Board packet. He recommended approval.

Rosemary Carey, who submitted the request, was present. Ms. Goldstone asked Ms. Carey why she chose this route rather than simply asking the Board to communicate with the governor. Ms. Carey deferred the question to Diane Turgo from Cape Downwinders, who said that this method involved getting the opinion of the public. She said it would be on every ballot of Cape Cod towns. She said the Board could also communicate directly with the governor.

Mr. Mascali said he appreciated the work that has been done on this issue by this group and requested that the chair hold this issue for another meeting to think more thoroughly about it. Ensuing Board comment included the following points:

- The pros and cons of delaying a vote
- Lack of clarity about Holtec’s actions regarding radioactive industrial wastewater
- The desire to look more deeply into the issue since there is no urgency regarding the deadline for the ballot
- The value of gauging public opinion through the ballot process
- That the question of urgency could also mean taking up the issue of the actions of Holtec regardless of or in addition to the ballot timeline
- The value of sending a letter from the Board to the governor regardless of the ballot strategy
- The need to have all of the facts before acting

Motion by Ms. Goldstone: To table this from this Board sending this to the Town Clerk to be included on the May 2025 ballot

Ms. Carey offered more comment. She said Plymouth has approved it, and that all Cape towns are considering it. She said she knew instinctively that Falmouth would support it. She urged the Board to make a decision tonight to support it.

Second: Mr. Mascali

Amended motion by Ms. Goldstone: To table this and take up at the first opportunity possible the drafting of a letter to the governor on this issue
Second: Mr. Mascali
Vote: Yes – 3 No – 2 (Chair Taylor and Mr. Zylinski)

CONSENT AGENDA

1. Licenses
 - a. Consider a vote to approve an application for a Common Victualler License – Quicks Hole Taqueria, LLC d/b/a Quicks Hole Taqueria, 28 Water Street, Unit C
 - b. Consider a vote to approve an application for six, Special One-Day All Alcohol Liquor Licenses – New England Festivals, Inc. – Harbor Lights Illumination concert series and night markets, Lin Whitehead Band Shell, Marine Park, 180 Scranton Ave., Saturdays: July 5, 12, 19 and August 9, 16, 23, 2025 from 5:00 p.m. – 9:30 p.m.
2. Administrative Orders
 - a. Consider a vote to adopt meal and travel policies

Motion by Mr. Zylinski: To move the Consent Agenda Second: Mr. Brown Vote: Yes – 5 No - 0

MINUTES

Review and vote to approve minutes of meetings

Public Sessions:

October 25, 2021 and February 24, 2025

Motion by Mr. Zylinski: To approve the minutes of Oct. 25, 2021 and February 24, 2025

Second: Mr. Brown Vote: Yes – 5 No - 0

Executive Sessions:

July 15, 2024 – **Motion by Mr. Brown: To approve and not release**

Second: Mr. Zylinski

Vote: Yes – 5 No - 0

August 12, 2024 – **Motion by Mr. Zylinski: To approve and not release Second: Mr. Brown**

Ms. Goldstone noted that in the minutes, there is a statement that the same Board member moved and seconded the action, which needs to be reviewed before approval. Chair Taylor said the minutes will be amended, so the motion would be **to approve as amended and not release. Mr. Zylinski said he would amend his motion to Ms.**

Goldstone's comment..

Vote: Yes – 5 No - 0

December 16, 2024 – **Motion by Mr. Zylinski: To approve**

Second: Mr. Brown

Vote: Yes – 5 No – 0

Chair Taylor said they are not to be released until they are redacted.

January 6, 2025 – **Motion by Mr. Zylinski: To approve**

Second: Ms. Goldstone

Vote: Yes – 5 No - 0

Chair Taylor said they are not to be released without being redacted.

TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Renshaw updated the Board on the following:

- A site visit to Bad Martha's Brewery on March 5 to meet with managers to see renovations and improvements – Mr. Renshaw described the sound system they will use and saw acoustic carpeting. He said they are also looking into sound-limiting boards to place around the performance area. They are waiting for a report from an acoustic engineer. He said he was impressed by the improvements. He said he will visit every 6-7 weeks and then update the Board.
- Coastal resiliency specialist recruitment – Mr. Renshaw described the changes made in the recruitment to make it more attractive. He added potential for a relocation bonus and an increased step. There were 67 applications. Eight were selected for interview and 5 for second-round interviews. He said he feels like this will be a successful recruitment.

SELECT BOARD REPORTS

Ms. Goldstone reported on the following:

- Attended the Stand Up For Science rally in Woods Hole last Friday, which was uplifting and energizing

Mr. Mascali said that he would not be present for the March 24 Select Board meeting. Mr. Brown asked if there would be a problem regarding the Holtec letter. Mr. Renshaw said there are a couple of opportunities to meet the 35-day deadline for the ballot. Chair Taylor said they would save the Holtec/letter issue for April.

Mr. Brown reported on the following:

- The Cape and Islands Municipal Leaders meeting is this Friday at the Sandwich Center for Active Living

ADJOURN

Motion by Mr. Zylinski: To adjourn

Second: Ms. Goldstone

Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary