Town of Falmouth Select Board
Regular Meeting Minutes

Monday, September 29, 2025, 6:00 PM
Select Board Meeting Room
Town Hall
59 Town Hall Square, Falmouth, MA 02540

Select Board
Present: Robert P. Mascali, Chair; Heather M. H. Goldstone, Vice-Chair; Douglas C. Brown; Colin Reed; Jack Richardson
Others present: Mike Renshaw, Town Manager: Peter Johnson-Staub, Assistant Town Manager: Maura O'Keefe, Town Counsel

1. OPEN SESSION

2. EXECUTIVE SESSION

a. M.G.L. c.30A s.21(a)(3) - Review and consider approval of a proposed workers' compensation settlement for a Town employee

A roll call vote was taken to go into Executive Session and return at 6:30 for Open Session.

3. OPEN SESSION

a. Call to Order – Chair Mascali called the meeting to order at 6:32 following Executive Session.

b. Pledge of Allegiance - Led by Select Board

c. Proclamations
   1) Proclamation 1 - Falmouth Parks Department Arbor Day - October 17, 2025 – Read out by Mr. Brown. Jeremiah Pearson said the event will occur at East Falmouth School.

   2) Proclamation 2 - Indigenous Peoples' Day - October 13, 2025 – Read out by Dr. Goldstone.
   Dr. Faiman-Silva made some pertinent comments regarding the proclamation.

d. Recognitions
   Dr. Goldstone recognized Leonard Johnson as the Ansel B. Chaplin Award winner bestowed by the Compact of Cape Cod Conservation Trust.

   Chair Mascali recognized the Falmouth Police Department and Chief Lourie for the recent fund raiser supporting the Special Olympics.

e. Announcements - None

f. Public Comment - None

4. CONSENT AGENDA

a. Licenses

1) Consider a vote to approve an application by Falmouth Theatre Guild for three Special One-Day All-Alcoholic Beverages Licenses for performances of The Addams Family on the following dates: Fridays and Saturdays 10/31 & 11/01, 11/07 & 11/08 and 11/14 & 11/15/25 from 6:30 pm to 9:30 pm and Sundays 11/2, 11/9 and 11/16/25 from 1:00 pm to 5:00 pm at Highfield Theater, 58 Highfield Drive

2) Consider a vote to approve an application by Wagner Hospitality & Management, LLC located at 291 Jones Road, Falmouth for a Change of DBA (d/b/a) of its All-Alcoholic Beverages Innholder License to Iris Hotel Cape Cod

3) Consider a vote to approve the request to correct the business entity name on the existing Entertainment License held by Cape Arts & Entertainment, Inc. to Cape Arts & Entertainment, Inc. d/b/a Cape Symphony & Cape Symphony Presents

4) Consider a vote to approve an application by Cape Arts & Entertainment, Inc. d/b/a Cape Symphony & Cape Symphony Presents for a Special One-Day Wine & Malt Beverages License as part of their Fall Cape Cod Record Fair to be held on Saturday, 10/25/25, on the Cape Symphony campus at 60 Highfield Drive from 10:00 am to 4:00 pm

5) Consider a vote to approve an application from WM Cycling Events, Inc. for a Special One-Day Wine & Malt Beverages License for the Really RAD Festival of Cyclo Cross at Cape Cod Fairgrounds, 1220 Nathan Ellis Highway, E. Falmouth on Saturday, 10/25 and Sunday, 10/26/25 from 11:00 a.m. to 5:00 p.m.

6) Consider a vote to approve the application by Falmouth Oriental, Inc. d/b/a Asia Restaurant located at 452 Main Street for a Change of Hours to its All-Alcoholic Beverages Restaurant License to 11:30 am through 1:00 am

7) Consider a vote to approve the application by Falmouth Oriental, Inc. d/b/a Asia Restaurant located at 452 Main Street to amend the hours of entertainment for its annual Entertainment and Sunday Entertainment Licenses to 11:30 am to 1:00 am

b. Administrative Orders

1) Consider a vote to approve a request for a waiver of the special event permit fee for the 26th annual Chris Wetherbee Memorial Toy Run fundraising motorcycle ride on Sunday, 11/2/25

2) Consider a vote to approve a petition by NSTAR Electric Company d/b/a Eversource Energy to install one (1) Handhole HH22/H36 and approximately 16' (feet) of 4" conduit from existing JO Pole 22/86 in the Right of Way of Davisville Road. This work is necessary to provide service at 468 Davisville Road.

3) Consider a vote to accept a donation from Tim and Rachel Burns in the amount of $1,000.00 to Falmouth Fire Rescue Department

4) Consider a vote to approve a request from the DEIB Advisory Committee for the use of Select Board donation account funds to support the planned Indigenous Peoples Day event on October 12, 2025

5) Consider a vote to approve an Intermunicipal Agreement for Sale of Shellfish to Town of Dennis

6) Consider a vote to appoint Benefits Administrator Robin Callaghan as the Town of Falmouth Alternate Representative to the Cape Cod Municipal Health Group (CCMHG)

Motion by Mr. Reed: To approve the Consent Agenda as presented
Second: Mr. Richardson Vote: Yes – 5 No - 0

5. COMMITTEE INTERVIEWS
Interview and consider a vote to appoint committee members:

Cultural Council - Avila Rudd, a student at Falmouth High School, explained her reasons for applying for the position. The Board made positive comments regarding Ms. Rudd's desire to serve, especially thanking her for doing so.

Motion by Mr. Reed: To appoint Avila Rudd for the term ending 2027 to the Falmouth Cultural Council Second: Dr. Goldstone
Vote: Yes – 5 No - 0

Freshwater Ponds Advisory Committee - Liese Siemann summarized her background and reasons for applying for the position. She also provided some information about the pond restoration project that she is currently involved in.

Motion by Dr. Goldstone: To appoint Liese Siemann to the Freshwater Pond Advisory Committee for a three-year term ending June 30, 2028 Second: Mr. Reed
Vote: Yes – 5 No – 0

6. PUBLIC HEARINGS

a. Discuss and consider a vote to approve the application by Holly Park, LLC d/b/a Exit Cape Realty located at 634 North Falmouth Highway, North Falmouth for a One-Day Entertainment-Sunday Entertainment License for "Exit Gives Back Vendor and Food Truck Fair" to be executed in the business' parking lot on Sunday, October 19, 2025, from 11:00 am to 4:00 pm.

Dr. Goldstone read out the hearing notice.

Claudine Ryder, representing Cape Realty, outlined the event as described in the application included in the Select Board packet. She said the applicant has applied for an entertainment license and detailed that aspect of the event. She said she now understands the process required by the Town. Mr. Renshaw said the application has been reviewed by police, fire/rescue, and health departments with no objections. He said the parking details were part of that review. Mr. Brown made a point to say that the sound needed to be monitored.

Public comment – None

Motion by Dr. Goldstone: To close the public hearing Second: Mr. Brown
Vote: Yes – 5 No – 0

Motion by Mr. Brown: To approve Second: Mr. Richardson
Vote: Yes – 5 No - 0

7. BUSINESS

a. Consider a vote to approve the sale of $8,885,000 in general obligation bonds and sign bond documents

Mr. Renshaw praised the Finance Director Laura Sitrin for the efficient work done on this item. Ms. Sitrin then detailed the specifics of the sale for the Board which are outlined in *Item Report 7.a.* in the Select Board packet.

Motion by Mr. Brown: To approve Second: Mr. Reed Vote: Yes – 5 No - 0

b. Report - Recreation Committee

Mr. Renshaw outlined features of the recreation committee status as contained in *Item Report 7.b.* in the Select Board packet.

Tommy Zine, chair of the committee, narrated the approximately 12-screen report to the Board via a power point presentation included in the Select Board packet. Following the report, the Board asked questions and/or commented on the following recreation-related issues:

- The new fee for the adult programs and attendance impact
- The impact of using synthetic fields in Falmouth – (Mr. Johnson-Staub said that CPA funds cannot be used to install synthetic fields.)
- The need for programs to benefit 7th and 8th graders
- The need for programs that support inclusivity, and anti-bullying training for staff and coaching volunteers
- Ongoing coordination with the Senior Center to provide needed programs for seniors, such as pickleball, walking, and exercise and moving classes

In addition to Mr. Zine, Recreation Director Judy Williams-Tinkham provided information during Board discussion.

c. Police Station Advisory Committee Report and Consider Vote to Select Site for New Police Station

Mr. Renshaw thanked the advisory committee and its chairman Boyd DeMello, for their diligence over the past year.

Mr. DeMello introduced others who assisted with the report presentation: Matt Salad from Tecton Architects; and Steve Kirby from Vertex, Owner's Project Manager. Collectively they narrated the approximately 34-screen report, presented via power-point, included in its entirety in the Select Board packet, which covered all aspects of project conception, siting, and design. Mr. Kirby said the preferred option is Parcel 14 on Brick Kiln Rd. Mr. Salad concluded with an overview of conceptual design. Mr. DeMello said that the committee has voted to recommend Parcel 14 to the Select Board and asked for consideration at tonight's meeting or at the next meeting. The goal is to bring an article to Town Meeting in November.

Following the presentation, the Board engaged in an extended discussion with presenters and other contributors, such as DPW Director Peter McConarty, Assistant Town Manager Peter Johnson-Staub, and Chief Lourie regarding issues connected with the preferred site. The Board asked questions concerning the following topics:

- The possibility of considering other parcels in Town that are currently in existing use due to concerns of siting the facility on top of land near a water resource area (Long Pond).
- That all sites considered were undisturbed except for one, and reasons for those choices
- Wastewater (sewer) and runoff concerns that go with the recommended site, and specifics of how those concerns were addressed in the selection process
- Issues connected with the firing range and where best to locate it – indoors or outdoors
- The importance of selecting a site large enough to meet the identified needs of the new facility
- The urgency of moving the project along due to the existing situation(s) at the current police facility

- The large size of the proposed parking lot and questions about whether there are alternatives to that
- When best to install solar panels on the parking canopy and costs related to that
- The need to continue to explore procurement avenues during the design phase of the project
- Assurances from the DPW director that extensive review, monitoring, and vigilant permitting will occur during design and beyond to protect the water supply to the Town
- Suggestion to add a full or half basement and perhaps house a modified shooting range
- The Board's desire to work with the committee on the details of the parking lot once the site is chosen
- How/if the pedestrian and bike path would connect with this new facility location
- Again, the idea of exploring parcels being used currently, in addition to undisturbed parcels, to assure settling on the best location for the facility, and complications associated with the process of re-use of a public facility

Public comment:
Barbara Schneider, Precinct 4 – using the Falmouth Dog Park as a reference point, spoke favorably about the location and its ease of accessibility for residents all over Town

Mr. Renshaw said that the Board could table this item until the Oct. 14 meeting for a vote. Board members said they appreciated the work the committee has put into this project as well as the additional time to consider all the discussion points before the vote.

Chair Mascali said that information about what will happen to the existing police station campus is important for residents to know. He ascertained that the Board was in consensus about tabling the vote on the site until Oct. 14.

d. <u>Discuss and consider a vote to approve the site location for the new East Falmouth Library as recommended by the East Falmouth Library Building Advisory Committee</u>

Mr. Renshaw and Mr. Johnson-Staub provided a brief recap of the issue for the Board.

Brian Stokes, Library Director, Jennifer McGrory for CHA, and Judy Fenwick, chair of the library trustees were present for the report. Mr. Stokes began with an overview of the project beginning with a survey in 2022 and followed by a construction grant letter of intent and building assessment for the existing structure. The decision for new construction was made and the grant application was awarded for $150,000 for planning design. Mr. Stokes used screens with maps and drawings to illustrate the viability of the existing site to accommodate the needs of the new facility. He said the advisory committee voted on Sept. 11 to recommend the site to the library board of trustees, which was accepted.

Comment from the Board included these points:
- That the committee is at the early design phase so no renderings are available at this time
- Why 81 Davisville Rd. was not recommended (it is densely wooded and would require clear cutting and resultant wildlife disturbance)

- Concern about parking and where spaces would go, as well as the possibility for public/private parking agreements, and the need to meet all existing requirements
- The difficulty of approving a site without a more concrete design, given the specific grant requirements and timeline
- The need to follow the specifics of the grant in terms of building design in the application
- The advantages of a one-floor design in terms of staffing and vision of area
- The advantage of Board approval at this meeting to move on with the next step: design

Mr. Richardson thanked the advisory board and staff for their work, saying how incredibly important libraries are.

Motion by Mr. Richardson: To approve the recommendation of the East Falmouth Library Building Advisory Committee to identify 310 East Falmouth Highway as the preferred site for planning and design of the new library Second: Dr. Goldstone
Vote: Yes – 5 No-0

e. <u>Presentation from Falmouth Emergency Management Director regarding storm preparedness and evacuation planning</u>

Chief Tim Smith narrated approximately 14 screens of information dealing with emergency preparedness and evacuation planning due to weather or other events such as droughts or disease included in the Select Board packet. He said information pamphlets are available on the Town's website.

Dr. Goldstone asked if, in an extreme storm, the 2nd floor of the fire department feels like a secure enough location for an emergency operations center. Answer: yes. She also asked if there have been conversations about the impact of bridge construction and/or renovations on our emergency plans. Answer: Bourne and Sandwich yes, but not at our level. Those conversations have not gotten to emergency managers on this part of the Cape yet.

Mr. Brown asked if there were an evacuation order, who coordinates the traffic management at the Otis rotary and the bridge. Answer: the state police, who coordinate traffic patterns and plans. There was further brief discussion about the room upstairs and how it would be used if needed and by whom.

Mr. Reed asked how to get this information out to citizens to avoid possible chaos in an emergency. Chief Smith said he was confident that existing planning and coordination with their partners would produce good management in those situations. There was further brief comment between the Board and Chief Smith on some specifics of how the regional coordination/collaboration would work.

Chair Mascali said that he would skip the next item and proceed to the following one.

f. <u>Discuss and consider a vote to approve an application to the Falmouth Affordable Housing Fund from Bushwood 545, LLC (Michael Galasso) regarding the project located at 545 Main Street **(Skipped)**</u>

g. Discuss and consider a vote to approve an application to the Falmouth Affordable Housing Fund from Habitat for Humanity of Cape Cod regarding the project located at 805 Gifford Street, Ext.

Mr. Renshaw orally reviewed the item for the Board, referring to *Item Report, Item 7.g*. in the Select Board packet. He then turned the presentation over to Noreen Browne, Director of Land Acquisition for Habitat. She referred to a map on the screen to help explain the project. She said they hoped to take title in the fall of this year and start infrastructure work next spring. Chair Mascali reminded the Board that FAHF guidelines allow up to $150,000 per unit.

Motion by Dr. Goldstone: Acting as trustees of the Falmouth Affordable Housing Fund, I move approval to award $100,000 in supplemental funding to Habitat for Humanity of Cape Cod for a collective total of all appropriations to equal $600,000 for the project located at 805 Gifford St. Ext. and authorize the Town Manager to execute the documentation setting forth the terms of the financial award to Habitat for Humanity of Cape Cod Second: Mr. Richardson Vote: Yes – 5 No - 0

At this point, Chair Mascali returned to the previously skipped item.

f. Discuss and consider a vote to approve an application to the Falmouth Affordable Housing Fund from Bushwood 545, LLC (Michael Galasso) regarding the project located at 545 Main Street

Mr. Renshaw orally reviewed the item for the Board, focusing on the importance of the project and his support of it, referring to *Item Report, Item 7.f.* in the Select Board packet when appropriate. He informed them of new information as of this morning. He said he met with Mr. Galasso to learn that the original asking price has been reduced to $3.2M and explained briefly what would happen due to that reduction. He said his first priority throughout all discussions of this project is to protect the Town's investment in it. He said he is revising the original recommendation in the packet: $3.4M total allocation, $2.1M of which would be allocated for land acquisition.

Next, Mr. Galasso, first thanking all who participated in getting the project to where it is this evening, highlighted some particulars, including its history, funding process, and when construction will begin (hopefully next year). He showed a screen listing eligibility requirements for certain units and said the project makes great strides with affordability. He praised a new partner in the project and local business for help with additional funding. He said he is here tonight to request approval of the Town Manager's recommendation to increase the award to $3.4M and allow use of $2.1M of the $3.4M to acquire the site.

Chair Mascali made a statement wherein he credited all who worked on this project for their persistence and diligence, saying it was a testament to good collaboration among all. He said he, too, was concerned about the security of the Town's investment and said the new information received today has been a major improvement in that security. He said he is in support of the project, and many letters received in the office are also in support.

Ensuing discussion among the Board covered these points:
That we're at $100,000 per unit for the 34 affordable units, which is below the cap
That these types of projects solve the housing problem on Cape Cod, to re-purpose an existing building
That this is an example of a public/private partnerships to help solve the housing crisis
That the goal is to close in 90 days

Public comment:
Dr. Rae Nishi, retired neurobiologist from MBL – states her very strong support –says she knows so many people who face housing challenges in Falmouth – very happy to hear Board support.

Carter Hunt, Linden Rd. – appreciates support of Board– involved with veterans' outreach center of Cape and Islands, and would like to add veterans to this equation – said they, too, would appreciate it.

Motion by Mr. Brown: I recommend that the Select Board, as Trustees of the Falmouth Affordable Housing Fund, support this application with the following revised recommended motion: I move that the Select Board acting as Trustees of the Falmouth Affordable Housing Fund award $3.4 million to Bushwood 545, LLC, for the creation of affordable housing at 545 Main Street, to be awarded as a loan secured by two mortgages on the property, of which $2.1 million will be awarded for the acquisition of the property located at 545 Main Street, and $1.3 million for the construction of the 34 affordable deed-restricted rental units with conditions to be further determined in the financial documentation, and to authorize the Town Manager to execute the documentation setting forth the terms of the financial award to Bushwood 545, LLC
Second: Mr. Richardson Vote: Yes – 5 No - 0

h. <u>Vote articles and execute warrant for November 17, 2025 Town Meeting</u>
Mr. Renshaw orally reviewed the item for the Board, referring to *Item Report, Item 7.h.* in the Select Board packet. He then began reading out the articles one by one up to Article 9.

With Article 9, Mr. Renshaw stopped and provided a brief summary of large community input regarding the noise bylaw and referred to the red-line version of the new bylaw, drafted by Town Counsel, that includes ideas contained in commentary from the community forums. He said it is a significant improvement over the current noise bylaw. He said it contains standards that address pickleball, a necessity to move forward with a pickleball facility. He also said standards make it easier to enforce.

Dr. Goldstone said she very much appreciated all the efforts of staff and the Town Manager to produce the new draft and understands the need for a framework. However, she said she still has concerns over the approach of the proposed draft and the details in it and doesn't feel that putting it onto the warrant at the request of the Select Board is authentic. She said she is not ready to move forward with the noise bylaw as drafted.

When asked what she might change, Dr. Goldstone said that she feels uncomfortable with the idea of crafting a broad noise bylaw and singling out one very specific activity within it. She went on to give specifics of the sounds related to pickleball and how they are measured. She suggested offering to look at pickleball as a land-use activity and how best to address resultant issues, but not necessarily as a noise bylaw.

Follow-up Board discussion raised these points:

- That more time is needed to plan it out consider the type of noise the bylaw should be regulating
- That one activity should not be singled out in a general noise bylaw
- The possibility of considering various noise mitigation standards other than by using a bylaw
- That delaying the issue until April Town Meeting would not hinder the funding timeline for a pickleball facility, including securing CPA funding if the application is approved
- The need for noise standards to be in place prior to the construction of a new facility
- The need to consider various types of noise and what the state vs. local community standards are for those different types

Public comment:
Barbara Schneider, representative of the pickleball working group – said CPA funds must be applied for and should not be regarded as a given – said the goal was to have a noise bylaw in place in order to ask for funds – suggested that maybe continuing to work on this and planning for April Town Meeting would allow the Town Manager's office to have RFPs ready right after Town Meeting – said 4 of 5 members of the pickleball working group are in support of the draft – said the whole world is trying to quiet down pickleball – thinks naming pickleball in the noise bylaw will be seen more and more – thinks the bylaw looks good for the most part, but if it needs tweaking or education, great – said again that the working group would ask for rather than assume getting CPA funding.

Mr. Renshaw said there appeared to be consensus on not recommending Articles 9 and 10 at this time. He said he would continue with reviewing each article with the understanding that Articles 9 and 10, both dealing with the noise bylaw, would be held.

Mr. Reed asked about Article 11 and what was being voted. Mr. Johnson-Staub clarified that it is just for the design funds and not specific to the site. More specifics would be offered at the next meeting when recommendations are voted.

Town Counsel explained the details of Article 14 to the Board. She said it's the land use, accept the donation, and permission to enter into all the agreements. She also explained Article 15. She said both articles work together. Mr. Brown asked about modifications to the project going forward and if there's ability to do that. Town Counsel said she thinks there is still room for that.

She said the articles are written allowing the Town Manager to negotiate the lease and other agreements.

Chair Mascali asked what would happen if the Town were to vote Articles 14 and 15 and we don't get legislative approval. Town Counsel said then we'd have to talk about procurement and how to go about doing that.

Mr. Brown raised the issue of the importance of the order of the articles, especially 14, 15, and 16.

Mr. Renshaw said Article 18 would remain on the warrant despite the petitioner's request to withdraw it. Town Counsel then outlined the various possible actions that could occur on Town Meeting floor regarding this article.
Regarding Article 18, there was brief discussion over how to handle the problematic nature of the article itself. The Board cannot remove a petitioner's article from the warrant. The recommendation to be voted at the next meeting could address the problem(s) inherent in the article.

Mr. Brown raised a question about Article 21 and the problem of sewer connections. Mr. Johnson-Staub said Mr. Brown was correct in his thinking about the impossibility of altering sewer service areas without addressing capacity issues.

Motion by Mr. Richardson: To vote the articles and execute the warrant as presented, removing Articles 9 and 10 related to the noise bylaw, and direct staff to renumber those articles   Second: Dr. Goldstone   Vote: Yes - 5   No - 0

8. MINUTES

a. Review and consider a vote to approve minutes of meetings: November 18, 2024; December 16, 2024; September 8, 2025 and September 20, 2025

Mr. Brown asked that in the September 8 joint meeting with the Planning Board, he would like included two comments: 1) I proposed considering a sunset of three years on irrigation systems using municipal water; and 2) on tiny homes, I recommended the planning board might consider changing zoning in some areas that might have 2-acre zoning to allow for re-subdividing those lots to allow tiny homes to be integrated throughout those areas

**Motion by Dr. Goldstone: To approve the minutes of 11/18/2024, 12/16/2024, 9/8/2025 with the amendments noted by Mr. Brown, and 9/20/2025   Second: Mr. Richardson
Vote: Yes – 5   No - 0**

9. TOWN MANAGER'S SUPPLEMENTAL REPORT

Mr. Renshaw reported on the following:

- Provided an update for digital implementation grant – Town was awarded $84,954 – a consultant will be hired to implement a digital navigator program to help community members.

10. SELECT BOARD REPORTS

Mr. Brown:

- Short term rental committee has put its thought on paper and is working on presenting its work to Town Counsel to put into proper form for a community forum

Mr. Richardson:

- Met with Mashpee Chamber of Commerce who all talked about their residential tax exemption and would like to get that on a future agenda (That will be on the next agenda, said Mr. Renshaw.)
- Was asked by a community member for scheduling an update on the ICE and immigration forum
- To discuss the retail cannabis dispensary license at some point

Dr. Goldstone:

- Expressed enthusiasm for a civic academy of some sort to understand better how town government works and how people can get involved
- To have a formal presentation of the parking study that was completed last year
- To review our land holdings with a focus toward conservation land and talking about what parcels should be formally conserved vs. open space

Chair Mascali:

- To have a report on the progress of housing plans for Joint Base Cape Cod

11. FUTURE AGENDA ITEMS

a.
- Discuss Seasonal Communities designation
- Discuss implementation of residential tax exemption program - Water Infrastructure Investment Fund (WIIF)
- Discuss correspondence and media inquiry policies
- DEIB/Immigration "Community Conversations"
- Discuss retail cannabis dispensary license
- Discuss Town-supported day care (Brewster model)
- LGBTQ+ Sanctuary Town
- Discuss walkability improvements
- Discuss rail to trail letter of support

12. ADJOURN

Motion by Mr. Richardson: To adjourn Second: Dr. Goldstone Vote: Yes – 5 No - 0

Respectfully submitted,
Carole Sutherland, Recording Secretary