

TOWN OF FALMOUTH
SELECT BOARD
AGENDA
THURSDAY, NOVEMBER 13, 2025 – 5:00 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.

Present: Robert P. Mascali, Chair; Heather M. H. Goldstone, Vice Chair; Douglas C. Brown; Jack Richardson; Colin W. Reed

Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Maura O’Keefe, Town Counsel

1. OPEN SESSION

Call to Order: By Chair Robert P. Mascali at 5:00 p.m.

Pledge of Allegiance: Led by Select Board

Announcements: None at this time.

Public Comment: None at this time.

2. BUSINESS

- a. Discuss and consider a vote to propose that a new police station be constructed at one of the following three locations recommended by the Police Station Advisory Committee:

- 484 Brick Kiln Rd., East Falmouth
- 100 Brick Kiln Rd., East Falmouth
- 0 Carriage Shop Road (across from Wagon Trail Rd.), East Falmouth

Mr. Renshaw explained that there were two community meetings regarding this item, one on September 25th and the other on October 28th. The Police Station Advisory Committee and his office heard the concerns expressed by community members and the Select Board with regards to the 484 Brick Kiln Road site. Direction was given to produce some alternative options for the Board to consider.

Boyd DeMello, Chair of the Police Station Advisory Committee (PSAC), made a presentation regarding the Committee’s recommendations for the three sites. In terms of selecting a location, some of the minimum requirements including a parcel size of five acres or more, road access and location, being outside of the flood zone, not having any conservation restrictions, and not requiring Article 97 relief. 500+ parcels were originally reviewed by the Community Development Office, and these were whittled down to 16 using a site selection matrix. Criteria on this matrix included availability of municipal water service, zoning restrictions, abutter

impacts from construction, abutter impacts from the Police Department operations, a municipal presence, sewer service availability, storm drainage infrastructure, vehicle access and sight lines, and recorded endangered species habitat. He reviewed a number of sites that were previously rejected for various reasons.

Regarding 484 Brick Kiln Road, Mr. DeMello explained that this is the recommended site by PSAC. The site has ease of vehicle access to all areas of the Town. There are also good sight lines in that section of Brick Kiln Road. The site is in close proximity to all patrol areas and in relation to other municipal uses in Town. This site would be able to tie into the Town sewer and is located outside the flood zone. It had a matrix score of 76. Some of the concerns regarding this site are that it is within the water supply zone B and within the Water Resource Protection Overlay District.

In terms of 100 Brick Kiln Road, this site ranked #2 in the PSAC's final listing of the three sites. This site has ease of vehicle access to all areas of Town and close proximity to the patrol areas. The site has some conditional deed restrictions that allow for both conservation and municipal uses. The site is located four minutes to the high school. There is sewer access available due to the current proposed sewer project. This site is well outside of the flood zone and is a previously disturbed site. This site had a matrix score of 76 as well. Some of the concerns for this site include that a portion of the site is needed for installation of a lift station and a sewer main on the western border. A portion of the site will need to be designed for open space and/or recreation.

0 Carriage Shop Road is 71 acres, 14 of which are available from municipal use. The site has some limitations in terms of narrow roads and blind curves. There is also a busy intersection in this area. This site has longer travel times through the five patrol sectors. There are potentially some endangered species on this site, and it is one of the preferred sites for wastewater discharge should the ocean outfall not be constructed. There is no sewer connection on this site. This parcel had a matrix score of 61.

Town Counsel O'Keefe reviewed information regarding Article 97. Article 97 is an amendment to the Massachusetts Constitution which states that land held by a municipality is held on behalf of the public, and the public is entitled to clean air, recreation, conservation of the land, and the protection of the historical and archaeological aspects of that land. In order to determine whether a particular parcel is protected by Article 97, many different factors have to be evaluated and no one factor is indicative. Some factors include how the Town took the property, how Town Meeting debated about the property, and how the property has historically and more recently been used. Additional unique factors of the property are considered as part of the analysis. All of these aspects were reviewed and analyzed for each of the properties being considered tonight. Once a piece of property is protected by Article 97, it is difficult to undo that. The legislature wants Article 97 protections to remain in perpetuity. If the land had some Article 97 value to it, the Town would have to complete a land swap to offer another property not currently protected by Article 97. This could be required at a 2:1 ratio by the State. The Town could also be asked to provide Article 97 protection on a separate piece of land, along with additional monies. If the State agreed to a land swap, the Town would still have to seek Town Meeting permission to go to the State legislature, and then both houses would have to take a 2/3 vote to release the Article 97 land. It usually takes approximately 4-5 years to get an Article 97 restriction released.

Dr. Goldstone expressed concerns with the process leading up to this point. She stated that she has heard from constituents that some trust has been eroded through this process. She has heard that an Article 97 swap could be completed in closer to a 1-2 year process. This process has historically had approximately an 80% success rate. She expressed concerns regarding the Augusta parcel design including the conceptual design. Mr. Johnson-Staub noted that there would be many opportunities for input into refining the design as the process moves forward.

Dr. Goldstone expressed concern regarding the Augusta parcel and a lack of community integration due to its location. Chief Lourie stated that Falmouth has 44 square miles and five sectors. It is important for the station to be centrally located to respond to calls. This is also important for community engagement. The Town swells to over 100,000 people in the summer and the Department will be more effective if centrally located. He likes the idea of a site on Brick Kiln Road. The Department needs to move out of the existing site.

Mr. Reed stated that he would like to see the programming space needs. He was surprised to see that the 484 Brick Kiln Road site is still the preferred location, given the input heard from the community. He stated that this is a 50-year problem that needs to be considered holistically. The Board and Town Manager's Office should have been examining possible efficiencies, grander visions, and common community centers. The Augusta parcel achieves a 1:1 replacement but is not the best choice because the parameters were never expanded to review all possible land.

Mr. DeMello stated that the PSAC took its charge and ran with it. The conceptual designs are forward thinking. There is room proposed for greater expansion. Mr. Reed agreed that the PSAC worked toward its charge. He stated that the group should have been given greater scope to look at additional sites.

Mr. Richardson stated that he is in favor of the 100 Brick Kiln Road site. He is concerned that 484 Brick Kiln Road is still being recommended after the community forum. The Town has comprehensive in its input against this site. He would like for there to be an agenda item regarding how to protect Long Pond in perpetuity. He stated that he would have liked the group to review other potential properties. He stated that the Town website needs to be improved, in speaking to Mr. Reed's issues in finding minutes from the PSAC meetings. He thanked the PSAC for its work.

Mr. Brown stated that he understands why 484 Brick Kiln Road is still on the list, as it would be the best site operationally. He believes the site could work. Mr. Mascali agreed.

There was discussion with a member of the public regarding an existing swale on the 100 Brick Kiln Road site that is downgradient from the proposed Station site. Mr. DeMello stated that the Station would be located farther away from this area on the flat gradient portion of the site.

Mr. Joe Netto stated that he supports the 100 Brick Kiln Road site.

Mr. Peter Hargraves, Precinct 9, spoke regarding concern about the opinions he heard amongst the Board on the process at hand. Board members should attend the public meetings where these

issues are discussed openly. He previously brought up a strategic approach to this item and was told there was not time.

Wendy Buessler, Precinct 2, stated that the Augusta property seems to meet many of the needs of the Town. It appears both the pumping station and Police Station can exist on the site. She urged the Town to start examining sites for the future Town Hall.

Judy Fenwick, Precinct 1, stated that she believes the Board needs to have a unified vote on this item. Employees of the Police Department need movement on this item as soon as possible.

Sue Hughes, Precinct 6, stated that she hopes the Board sees similarities between the proposed use of 484 Brick Kiln Road and protecting Long Pond, and the use of the 0 West Falmouth Hwy property and also protecting Long Pond.

Dave Boczenowski, Town Meeting Member elect, commended the process. He was initially in favor of the 484 Brick Kiln Road property. The alternative location is also very suitable.

Lyn Schad, Precinct 3, stated that the process to find a proper space for the Police Station while considering environmental concerns is an example of the decisions that will come before the Town moving forward. This amicable decision should give encouragement to consider future projects the same way.

Barbara Schneider, President of the Dog Park, thanked the Board for realizing the importance of the Dog Park. The 100 Brick Kiln Road site was the Dog Park's second choice for its location. The group supports the proposal.

Lin Whitehead, Precinct 1, stated that Falmouth is a great town that works well together.

Motion by Mr. Brown: To approve construction of a new Police Station at 100 Brick Kiln Road. Second: Dr. Goldstone.

Vote: Yes – 5 No - 0

3. ADJOURN

Motion by Mr. Richardson: To adjourn at 6:15pm. Second: Mr. Reed.

Vote: Yes – 5 No - 0

Respectfully submitted,
Kristan Patenaude, Recording Secretary