TOWN OF FALMOUTH
SELECT BOARD
AGENDA
MONDAY, JUNE 1, 2026 – 6:00 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; Colin Reed; Elizabeth Klein
Others present: Mike Renshaw, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Maura O'Keefe, Town Counsel

1. OPEN SESSION

By Chair Robert P. Mascali at 6:00 p.m.

2. EXECUTIVE SESSION

a. M.G.L. c.30A s.21(a)(3) - Review and consider approval of proposed settlement for a personal injury claim with a third party insurance company pursuant to Section 65-13 of the Town bylaws

b. M.G.L. C.30A s. 21(a)(3) - Discuss the threat of potential litigation

Motion by Dr. Goldstone: To enter into Executive Session at 6:01pm. Second: Mr. Brown. Roll Call Vote: Yes – 5 No – 0

Call to Order: By Chair Robert P. Mascali at 6:30 p.m.

Pledge of Allegiance: Led by Select Board

Reorganization of the Select Board

Motion by Mr. Reed: To nominate Dr. Heather Goldstone as Chair of the Select Board.
Second: Mr. Mascali.
Dr. Goldstone accepted the nomination.

Mr. Brown noted that he would also like to be Chair and asked for the Board's consideration. He stated that he would like the Board Chair to respond to the public's emails. Dr. Goldstone agreed that this is important and stated that she would commit to making sure emails are answered within 48 hours of being received.

Vote: Yes – 5 No – 0

Motion by Dr. Goldstone: To nominate Mr. Doug Brown as Vice Chair of the Select Board.

Mr. Brown declined the nomination.

Motion by Dr. Goldstone: To nominate Mr. Colin Reed as Vice Chair/Clerk of the Select Board. Second: Mr. Mascali.
Mr. Reed accepted the nomination.
Vote: Yes – 5 No – 0

Proclamation:

a. Pride Day Proclamation: Town of Falmouth Pride Day: "Step Right Up For Pride!" on Friday, June 12, 2026

Mr. Mascali read the proclamation into the record.

Dr. Goldstone noted that the Woods Hole Pride Parade will be this Saturday and the Falmouth Pride celebration will be on June 12th.

b. Proclamation: Juneteenth - June 19, 2026

Mr. Brown read the proclamation into the record.

Recognition: Dr. Goldstone recognized the Bike and Pedestrian Committee for a jubilee on Saturday.

Ms. Klein recognized the Walk for Hope event on Sunday.

Dr. Goldstone recognized Mr. Mascali on his 75th birthday.

Announcements: Mr. Brown announced that on Friday morning the Wounded Warriors will ride from North Falmouth to Woods Hole at 9:30am. Ms. Klein announced that on June 13th 8am-10am there will be an event regarding financial fraud. Dr. Goldstone stated that June 13th is Arts Alive. She also congratulated the Falmouth High School graduates who will walk across the stage on Saturday. Mr. Mascali stated that the Board received an email from Representative Vieira that the bill with respect to the Licensing Commission has moved forward to a third reading.

Town Manager's Report: Mr. Renshaw explained that on April 23rd, the school became aware of some structural issues with regards to wooden trusses in multiple areas of the roof at North Falmouth School. There was one immediately impacted room but subsequently a second room was also impacted. The Board was going to consider calling a Special Town Meeting on July 20th to discuss the necessary repairs to the roof trusses, costing approximately $1.9M, and the process to appropriate that sum. The School's engineer has been looking into how to repair this, and the Town's insurance carrier was also engaged in those meetings. The engineer made the determination that the damage to 2/3 of the roof was a covered peril. In other words, during the storms in January and February, the snow load on the roof caused the damage to those trusses. Therefore, insurance will cover 2/3 of the cost of $1.9M. It was also discovered that the remaining the balance of the 1/3 of the school roof may also be covered in full by insurance. Due to this information, he decided to remove the Select Board consideration for calling a Special Town Meeting from the agenda.

Secondly, in the aftermath of the epic failure that was the Memorial Day launch of the new trash containers from Nauset Disposal, Nauset has owned the disaster. Approximately 1,000 of the 35-gallon carts were erroneously delivered to people that did not order them. He thanked the DPW Director for meeting last week with Nauset representatives. Nauset planned to send their subcontractor out to pick up the erroneously delivered 35-gallon containers and replace them with the appropriate 65- or 95-gallon containers. Nauset is confident that the majority of the erroneously delivered carts have been picked up at this time and there have been no more phone requests from residents either through Nauset's office or the Town's for additional pickups. Nauset is in the process of delivering the balance of the correct carts. If anyone in the community is still dissatisfied with the carts delivered, he encouraged them to contact Nauset using a monitored hotline at 508-255-1419, or email at falmouth@nausetdisposal.com.

Finally, he noted that the Town's Finance Director, Laura Sitrin, retired last Friday, May 29th. The Town has been in the process for the past several weeks of interviewing candidate. A first round interview with three candidates occurred not long ago, and a second round interviews was held on Friday, May 29th with two highly qualified candidates. Staff feels confident they will be able to get someone into the position over the next month or so.

Mr. Brown thanked Ms. Sitrin for her work.

<u>Public Comment:</u>

Nan Garrett-Logan, Woods Hole Road and part of the Falmouth Gun Safety Coalition, explained that this coming weekend is known across the country as Wear Orange Weekend. This began in 2015 to establish orange as the color worn for gun violence prevention in memory of Hadiya Pendleton and other victims of gun violence. Hadiya Pendleton had just returned home after playing with her school band at the presidential inauguration in January 2013, when she was killed in a random shooting in her neighborhood. Her friends and family were looking for a way to honor her memory and came up with the idea of wearing orange on her birthday every year. She would have been celebrating her 28th birthday tomorrow, June 2nd. The idea has spread across the country. Beyond wearing orange, some towns light bridges and monuments in orange for the weekend. Orange was chosen because it is the color worn to prevent being shot when out walking in the woods and fields. The Falmouth Gun Safety Coalition has made orange ribbons for the Board to wear anytime. Beyond this, the Coalition has been busy with the variety of gun violence prevention and gun safety activities, including new brochures and pop ups at community events to offer free gun locks.

Raquel Russell, Precinct 4, expressed concern regarding the North Falmouth roof and oversight for the project. In 2024 the District contracted with Next Level OPM as a project manager through 2028, but he supposedly walked off the roof job in July. She does not believe that a finance director and head custodian for the schools are qualified to oversee the project moving forward. An insurance company will do the bare minimum, if they are chosen for the oversight. Also, all of the trusses need reinforcement if not replacement and so there is a question regarding what happens if the insurance will not cover 1/3 of them. It is concerning that there was not one inspection prior to children returning to the school, as the new roof construction was calculated to be heavier than what was recommended. From the beginning, many things should have been done to prevent this, but all winter the children have been inside the building with a roof above them on the brink of collapsing, as was explained to her. One more snow event and that side of the building would have collapsed. She stated that she would like documentation of the structural load capacity test presented to the public.

2. CONSENT AGENDA

a. Licenses

1) Consider a vote to approve an application by Bad Martha's Farmer's Brewery, LLC, 876 East Falmouth Highway, East Falmouth, for a Change of Officers/Directors/ LLC Manager

2) Consider a vote to approve the application by West Falmouth Library, 575 West Falmouth Highway, for a Special One-Day Wine & Malt Beverages License for a Garden Party on June 13, 2026, from 5:00 pm to 7:00 pm for approximately 120 guests.

3) Consider a vote to approve the application by West Falmouth Library, 575 West Falmouth Highway, for a Special One-Day Wine & Malt Beverages License for their Annual Auction on July 11, 2026, from 5:00 pm to 7:00 pm, for approximately 120 guests.

b. Administrative Orders

~~1) Discuss and consider a vote to approve a letter opposing the Steamship Authority's use of a 5:30 AM ferry service out of Woods Hole~~ - *This item was held for further discussion*

2) Consider a vote to approve a request from the Falmouth Police Department to accept the donation of a Zoll Automatic External Defibrillator (AED) valued at $1,973.06 from Bands for Badges for placement in a police cruiser to assist officers during emergency response and critical incidents

3) Consider a request for a variance to Sign Code §184-32-Off-Premises Signs for the placement of 13 off-premises lawn signs for Artisans at the Harbor to be held on Thursdays from June 25 to August 27, 2026

~~4) Consider a vote to approve a request from John Wesley United Methodist Church for a reduction of the special event permit fee for Worship Services at Surf Drive Beach on Sundays from 7/5 – 8/30/26 (except 7/12 and 8/16)~~ *This item was held for further discussion*

5) Consider a vote to approve a request from Falmouth Farmers Market for a reduction in the special event permit fee for the Falmouth Farmers Markets at Marina Park, 180 Scranton Ave., from 5/21 - 10/15/26

~~6) Consider a vote to approve the petition by NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install 11 (eleven) new Mid-Span JO poles labeled 429/1-5, 429/2-5, 429/3-5, 429/4-5, 429/5-5, 429/6-5, 429/7-5, 429/8-5, 429/9-5, 429/10-5 & 429/11-5 in the Right of Way of Nathan Ellis Highway in Falmouth.~~

~~These pole locations are necessary to provide system improvements and increased reliability to Nathan Ellis Highway in Falmouth~~. - *This item was held for further discussion*

7) Consider a vote to approve and sign the Town's response letter to the Executive Office of Housing and Livable Communities 30-day notice of an application for a Project Eligibility Letter regarding the housing project at 0 Locustfield Road

Motion by Mr. Mascali: To approve the Consent Agenda, aside from Administrative Orders #1, #4, and #6. Second: Ms. Klein.
Vote: Yes – 5 No – 0

b. Administrative Orders

1) Discuss and consider a vote to approve a letter opposing the Steamship Authority's use of a 5:30 AM ferry service out of Woods Hole

Dr. Goldstone suggested two minor edits to the proposed letter.

Motion by Mr. Mascali: To approve Administrative Order #1, with the proposed changes. Second: Mr. Brown.
Vote: Yes – 5 No – 0

4) Consider a vote to approve a request from John Wesley United Methodist Church for a reduction of the special event permit fee for Worship Services at Surf Drive Beach on Sundays from 7/5 – 8/30/26 (except 7/12 and 8/16)

Dr. Goldstone expressed concern with providing a financial subsidy for worship services. Equitable access to Town properties and facilities is provided for religious organizations and their activities.

Motion by Mr. Mascali: To approve Administrative Order #4, noting that this has been consistently approved by the Select Board and predecessor Boards. Second: Mr. Brown.

Discussion:
Mr. Brown stated that there is no charge for attendance which has been part of the criteria for waiving fees more so than whether or not it is a religious based event.

Ms. Klein asked if this type of fee reduction has been offered to other religious denominations in Falmouth. Mr. Renshaw stated that the Waquoit Church may be one example, but he is not positive. Mr. Brown stated that this is offered often for non-profits. Ms. Klein stated that she would be less inclined to offer a fee waiver to a religious organization, however, these are services that are open to the public and have become somewhat of a tradition in Falmouth.

Vote: Yes – 4 No – 1

6) Consider a vote to approve the petition by NSTAR Electric Company d/b/a Eversource Energy and Verizon New England, Inc. for permission to install 11 (eleven) new Mid-Span JO poles labeled 429/1-5, 429/2-5, 429/3-5, 429/4-5, 429/5-5, 429/6-5, 429/7-5, 429/8-5, 429/9-5, 429/10-5 & 429/11-5 in the Right of Way of Nathan Ellis Highway in Falmouth. These pole locations are necessary to provide system improvements and increased reliability to Nathan Ellis Highway in Falmouth

Mr. Reed stated that he has received comment from people in Town that poles are being serviced by Eversource and Verizon. These services are not being well coordinated, and debris is being left behind. He asked about accountability for making sure debris and secondary poles are finalized. Mr. Renshaw stated that he has had direct conversations about accountability with Eversource and people should be referred to his office to speak on this further. Dr. Goldstone suggested a level of being proactive for these projects.

Motion by Mr. Reed: To approve Administrative Order #6. Second: Dr. Goldstone.
Vote: Yes – 5 No – 0

3. PUBLIC HEARINGS

a. Shade Tree Hearing - on application for the removal of two (2) White oaks located on Hudson Street for house #122 Jericho Path (10 minutes)

The Board opened the public hearing at 7:20 p.m.

Mr. Renshaw explained that the homeowner recently had construction done on the house. Most of the vegetation on the property has been cleared besides what falls within the Town Right of Way. The homeowner would like to construct a new driveway, but town trees are in the way. The Tree Warden recommends that the Select Board vote to allow the removal of the smaller sparse oak and to replant another tree or tree(s).

A representative for the applicant explained that there are two trees at the entrance to the driveway which need to be removed. The intention is to mitigate with two trees on Hudson Street and eight other sizeable trees and over 100 shrubs on the property itself. The two trees are square in the entrance to the driveway and garage. From a safety standpoint, in order to access the driveway, the trees should be removed. In terms of the Tree Warden's recommendation to only remove one of the trees, they are right next to each other. Aesthetically, the two trees proposed will better represent the property.

Ms. Klein stated that Mr. Pearson's point is that the smaller of the two trees is recommended for removal because it cannot grow properly in the way things are sited. A 19" diameter oak tree has been on site for quite some time and a 1:1 replacement may not be quite enough from a scientific and carbon storage standpoint. She is in favor of the Tree Warden's recommendation.

Dr. Goldstone asked about a map showing the existing trees. She stated that only a map showing the proposed tree locations was submitted.

Mr. Mascali stated that the Tree Warden's recommendation is that the proposed driveway be removed. He asked if that was possible. The applicant's representative stated that this would negatively impact the future homeowner's desire to enter the driveway straight into the garage instead of backing up at an angle. The house has already been built on the site.

Dr. Goldstone stated that the proposed number of trees to be replaced does not adequate reflect the value of the existing trees. She recommended that the smaller be removed but not the larger. Also, this will require a minimum of five replacement trees to be planted. The applicant's representative explained that the proposal is to plant two trees along the street and then ten larger trees, all locally sourced.

Sandy Stowes stated that she walks this area often and sees older homes being torn down for new construction. This house is under contract for approximately $4.5M on a 0.4 acre lot. These trees are at least 60 years old and the replantings are often small and die if not cared for properly. These are not a replacement for what will be lost from removal of the existing trees. Falmouth Heights has been losing a lot of trees due to new development. Preservation of the two trees is not a hardship to the developer. This spec home could have been built in other ways to get around this, and this should have been considered. She suggested preserving the valued shade trees.

Mr. Brown stated that he would like to support the Tree Warden's recommendation and suggested that the applicant work this into the plan and come back with a revised plan. Mr. Mascali stated that he would support a continuance if the applicant could continue to work on the plan and revise it. Ms. Klein stated that she is prepared to vote this evening.

Motion by Mr. Mascali: To continue the public hearing to June 8, 2026. Second: Mr. Brown.
Vote: Yes – 5 No – 0

b. Consider a request to approve an application by Holly Park Variety, Inc., 580A North Falmouth Highway, Falmouth, for Multiple Amendments to its Wine & Malt Beverages Package Store License including a Change of Manager, Change of Officers/Directors/LLC Managers, Issuance/Transfer of Stock/New Stockholder, and Pledge of Collateral (5 minutes)

The Board opened the public hearing at 7:30 p.m.

Mr. Renshaw explained that a complete application was received on May 5, 2026. The Police, Health, and Fire Rescue Departments reviewed the application with no issues or objections found. On May 8th, the applicant's attorney requested a continuance of the hearing because the applicant has a longstanding commitment that conflicts with attending a meeting on June 1st.

Motion by Mr. Reed: To continue the public hearing to June 8, 2026. Second: Mr. Brown.

Vote: Yes – 5 No – 0

4. BUSINESS

h. 8:10 PM - Discuss and consider a vote to amend the 2026 Select Board meeting calendar by adding a new meeting date of June 8 and removing the June 15 meeting date (5 minutes) – *The Board took up this item at this time.*

Motion by Mr. Reed: To adopt the changes to the June 2026 meeting schedule, as presented. Second: Mr. Brown.
Vote: Yes – 5 No – 0

a. 7:00 PM - The Select Board, as Trustees of the Falmouth Affordable Housing Fund, discuss and consider a vote to approve an application for funding from Falmouth Housing Trust, Inc. to the Falmouth Affordable Housing Fund for the project located at 21 Pheasant Lane (5 minutes)

Kimberly Fish, Housing Coordinator, explained that this agenda item and the next one are for applications to the Falmouth Affordable Housing Fund for construction of a single family home at 21 Pheasant Lane and 20 Brigantine Lane. Both properties were part of the RFP process.

The Board agreed to hear both agenda items as part of the same presentation.

Laura Moynihan, Falmouth Housing Trust, explained that 21 Pheasant Lane is a property in Davisville. The proposal is to build a three bedroom home at this location. This is approximately an 11,000 s.f. lot. This requires a special comprehensive permit from the Zoning Board which will be applied for. The requested funding from the Falmouth Affordable Housing Fund is $175,000. This was property was awarded to the Housing Trust through an RFP process. This would be an 80% AMI home, eligible for the subsidized housing inventory. The proposed sale price is $285,000. The hope would be to have a family in the home within the next 1-1.5 years.

Regarding 20 Brigantine Drive, Ms. Moynihan explained that this is in Hatchville and is a by-right building lot. The proposal is for a two bedroom home. The lot was also part of the RFP process. This lot has a large drainage area on it, leading to a narrower two bedroom home. This would be a 140% AMI home, sold at approximately $360,000. The goal is to start construction in the next few months. The request is for $175,000 in funding from Falmouth Affordable Housing Fund.

Ms. Klein asked about a future homeowner with an IA system on this lot being required to bear the cost of hooking up to the sewer, if the sewering project ends up coming to this neighborhood in the future. Mr. Johnson-Staub stated that there are not usually exemptions from connecting to the sewer within a sewer service area.

Dr. Goldstone asked about the amount of donor funds being applied to one of these projects over the other. Ms. Moynihan stated that this is driven by the sales price revenue. The lower the AMI the less that the house can be sold for. As the Brigantine Drive project is 140% AMI, it has a higher sales price and as there will be a higher sales price going into the project, it requires less other funding. For Pheasant Lane, the request was 80% AMI, and so other funding is needed in order to meet the project development costs to zero out the budget. A number of foundations will be applied to, along with requests from generous donors.

Dr. Goldstone stated that she would like to see appraisals for future properties that go through this process. Ms. Moynihan stated that the Pheasant Lane lot is unbuildable and so has a very low value. The Brigantine Drive lot has a low value due to the limited development area.

Mr. Mascali recommended that the Zoning Board take the Select Board's support of the project into account when considering the special comprehensive permit required.

Motion by Mr. Mascali: To approve the application to the Falmouth Affordable Housing Fund from Falmouth Housing Trust, Inc. in the amount of $175,000, $25,000 for pre-development costs and $150,000 for construction costs for the construction of one (1) single-family home to be deed restricted at 80% of the area median income at 21 Pheasant Lane., and to authorize the Town Manager to execute documentation setting forth the terms of the financial award to the Falmouth Housing Trust. Second: Mr. Brown.
Vote: Yes – 5 No – 0

b. 7:05 PM - The Select Board, as Trustees of the Falmouth Affordable Housing Fund, discuss and consider a vote to approve an application for funding from Falmouth Housing Trust, Inc. to the Falmouth Affordable Housing Fund for the project located at 20 Brigantine Drive (5 minutes)

Motion by Mr. Mascali: To approve the application to the Falmouth Affordable Housing Fund from Falmouth Housing Trust, Inc. in the amount of $175,000, $25,000 for pre-development costs and $150,000 for construction costs for the construction of one (1) single-family home to be deed restricted at 140% of the area median income at 20 Brigantine Drive, and to authorize the Town Manager to execute documentation setting forth the terms of the financial award to the Falmouth Housing Trust. Second: Ms. Klein.
Vote: Yes – 5 No – 0

Mr. Reed suggested a future agenda item regarding the Town moving toward a Land Trust system as opposed to individual housing trusts.

c. 7:10 PM - Discuss and consider the adoption of an Environmentally Preferable Products (EPP) Purchasing Policy as required by the Massachusetts Department of Environmental Protection (10 minutes)

Mr. Renshaw explained that in 1997, Falmouth's Select Board adopted a written policy for the procurement of recycled products. Per the Policy, the Town commits to purchasing products which are made of recycled materials. The Massachusetts Department of Environmental Protection now requires that every city and town adopt an updated Environmentally Preferable Products (EPP) purchasing policy by June 1 2026, to stay eligible for 2026 Sustainable Materials Recovery Program (SMRP) grants. The Town was granted a filing extension by MassDEP.

Motion by Mr. Reed: To adopt the Environmentally Preferable Products (EPP) Purchasing Policy as required by the Massachusetts Department of Environmental Protection, as presented. Second: Mr. Brown.
Vote: Yes – 5 No – 0

d. 7:20 PM - Discuss and consider the adoption of the Watershed Management Financial Fairness Task Force charging document (15 minutes)

Mr. Renshaw explained that, on November 10, 2025, the Board of Health submitted a letter to the Select Board outlining the Board's concerns over how the implementation of the Commonwealth's mandated Watershed Management Plans will financially impact residents in different ways depending upon whether they will be required to connect their home to the Town wastewater system, will be required to install an Innovative Alternative (I/A) septic systems, or take no immediate action. I/A septic systems are advanced wastewater treatment units designed to remove excess nutrients, primarily nitrogen, that conventional Title 5 systems cannot handle. In its November 2025 letter to the Select Board, the Board of Health indicated that it was engaging with the public over regulation development and implementation focused on the nitrogen management problem, and that during the course of these conversations with community members the primary concern was the cost to homeowners for the installation and maintenance of the I/A systems. On February 9, 2026, the Select Board held a joint meeting with the Board of Health, during which one of the points of discussion was the equitable cost distribution of watershed management planning. During that discussion, the Select Board directed the Town Manager to initiate a process for the creation of a Select Board-appointed committee or task force that would be responsible for advising the Select Board and Town Manager on the identification of fair and equitable cost distributions among property owners related to the implementation of the Commonwealth-mandated Watershed Management Plan, and to recommend goals, action steps, and measurable milestones that can be integrated into the Select Board's Strategic Plan. A draft charging document and statement of purpose for the proposed Watershed Management Financial Fairness Task Force is attached for the Select Board's consideration. Once the charge is approved, the next step is for the posting and advertisement for the task force vacancies and the scheduling of interviews before the Select Board, if necessary.

Dr. Goldstone stated that she does not feel as though a member of the Select Board is needed to sit on the task force, as it will be advising the Board. She suggested searching for a member of the public with expertise in economics, ethics, and large infrastructure projects.

Mr. Mascali stated that other task forces have had Select Board members appointed. He suggested a potential liaison, if not member, included.

Mr. Brown stated that the goal of the task force is to determine the equitability of Town funding of a portion of these projects on private property. This will be more of a social science.

Ms. Klein stated that she was happy to see urine diversion included in the charter.

Mr. Reed agreed that a Board liaison could be helpful to the task force.

Motion by Mr. Reed: To approve and adopt the amended Watershed Management Financial Fairness Task Force charging document with the inclusion of a Select Board liaison. Second: Mr. Brown.
Vote: Yes – 5 No – 0

e. 7:35 PM - Consider a vote to approve an application by MVC Hospitality, Inc. d/b/a Inn on the Square for a Lodging House License to be executed at 40 North Main Street, Falmouth (10 minutes)

Mr. Renshaw explained that a complete application was received on May 16, 2026. A Certificate of Inspection is pending in the Building Department and Hotel/Motel and Swimming Pool Permits are pending in the Health Department. Closing on the property was scheduled for May 29, 2026. Special Permit #19-12 is included in the packet; there are six earlier permits associated with this property available upon request. Reviews of the application were received from the Fire-Rescue and Health Departments with no concerns or issues expressed.

Michael Rosen, Mount Vernon Company, explained that the Inn on the Square will be operated by a company called Olympia Hospitality, which currently operates 41 hotels throughout the country, roughly half of which are boutique and unique. All of the applications have been submitted. The floor plans for the hotel have been updated from the ones on file which were 20+ years old. The Building Inspector has reviewed and signed off on them

Dr. Goldstone asked the difference between an Inn Holder License and a Lodging House License, as there is also a restaurant involved in this location. Mr. Rosen explained that the applicant will hold the exact same licenses that were already in place. He noted that this location does not operate the restaurant nor does it hold a liquor license or anything else with regard to food service. That leased tenant has a breakfast and lunch.

Mr. Mascali stated that the Inn on the Square has always been a very accommodating and affordable option for people coming to the town of Falmouth. He asked if the applicant envisions there being a big increase in the rates. Mr. Rosen stated that this will be taken one step at a time. There could be incremental increases to cover the costs to update the inn. There are no plans to make major renovations to the property at this time.

Mr. Reed stated that the scientific community is the Town’s largest employer outside of the Steamship Authority and the hospital and it relies on hotels such as the Inn in the Square. There have previously been beneficial rates for the community, and he hopes that the hotel will continue to consider those rates.

Ms. Klein asked about retaining the current staff. Mr. Rosen stated that the majority of employees will be retained. The management company will be brought onboard. The lease has already been renewed for the summer employees.

Dr. Goldstone asked if there will be a change in the restaurant lessee. Mr. Rosen stated that the existing lease with the operator has a few years left. There may be a change made in the future, as it would be nice to see dinner served.

Motion by Mr. Mascali: To approve the application by MVC Hospitality, Inc. d/b/a Inn on the Square for a Lodging House License to be executed at 40 North Main Street, Falmouth.
Second: Mr. Brown.
Vote: Yes – 5 No – 0

f. 7:45 PM - Discuss and consider a vote to approve the application for a Change of Manager by Bad Martha's Farmer's Brewery, LLC, at 876 East Falmouth Highway, East Falmouth (10 minutes)

Mr. Renshaw stated that the original application was filed on November 3, 2025. The Select Board approved the application on December 1, 2025, and forwarded it to the ABCC on December 4th. On April 13th, an Alcoholic Beverages Control Commission investigator sent notification that the application was being "Returned No Action" and requested assistance from the Select Board office, having been unable to reach either the proposed manager or Bad Martha's - Edgartown manager Mia Benedetto, who signed the application erroneously. The Select Board office emailed LLC Manager Jonathan Blum, proposed manager, and Edgartown Bed Martha's manager advising them of the outstanding requirements and the ABCC's inability to contact managers. On April 29th, the ABCC advised that all Change of Manager applications that are returned due to inconsistencies between the application and the officers of the entity with a beneficial interest in the license require a new Change of Manager application and an application for Change of Officers/Directors, LLC Manager. On May 4th, with no required applications received from Bad Martha's, a Notice of Violation was sent to the LLC Manager and to the Brewery by US Mail and email. On May 8th, the Select Board office was advised that attorney John P. Connell would assist Bad Martha's Farmer's Brewery, LLC in completion of the required applications. Applications were received May 14, 2026, and completed with minor adjustment on May 19th. No concerns have been expressed by the Town departments.

Dr. Goldstone stated that Bad Marthas license has not been without complaints and problems over the past couple of years. This turn of events is a bit worrisome and there may be questions about accountability moving forward.

Mr. Brown asked who the manager has been recently during this interim period. The applicant’s representative stated that the previous manager of record was a man named Joshua Flanders. He left at some time during the fall. Ralph Younger was the manager of record during the November application. The proposal will make this official and ensure this is in compliance.

Mr. Mascali asked if there have been any recent complaints from neighbors. Mr. Renshaw stated that there have not. There were previously noise complaints, and he worked with Mr. Younger on exterior improvements to mitigate these issues.

Dr. Goldstone expressed concern that Mr. Younger has been acting as manager since November, though the period of non-responsiveness. The applicant’s representative explained that it appears the ABCC was trying to contact a woman by the name of Mia Benedetto, who is involved with the Edgartown property. This person is not involved with the Falmouth location, and her name must have been included in error. Mr. Renshaw agreed that this appears to have been the issue.

In response to a question from Mr. Brown, Ralph Younger stated that he has been with the company since 2019 and is present on site approximately 60-70 hours per week. This issue appears to have been a communication breakdown.

Ms. Klein asked about having a plan in place for neighbor concerns. Mr. Younger stated that decibel readings are taken each time there is live music. A new sound mitigation panel is being created for installation.

Motion by Mr. Brown: To approve the application for a Change of Manager by Bad Martha's Farmer's Brewery, LLC, at 876 East Falmouth Highway, East Falmouth as presented. Second: Mr. Mascali.
Vote: Yes – 5 No – 0

g. 7:55 PM – Discuss and consider a vote to accept the requested change to the Local Initiative Program application submitted by Northland Residential Corporation for the housing project located at 809 Sandwich Road (15 minutes)

Mr. Johnson-Staub explained that on December 16, 2024, the Town supported a Local Initiative Program ("LIP") application from Northland Residential Corporation for a thirty-six (36) unit rental project at the property located at 809 Sandwich Road. Of those thirty-six (36), nine (9) were to be deed restricted at 80% of the area median income ("AMI") (required by the Chapter 40B statute). Northland Residential Corporation agreed to further deed restrict two (2) units at 100% of the AMI, one (1) unit at 110% of the AMI and one (1) unit at 120% of the AMI. All thirty-six (36) units would qualify for the town's Subsidized Housing Inventory. On April 23, 2026, Northland Residential Corporation, through their attorney, Peter Freeman, sent a letter to the Executive Office of Housing and Livable Communities ("EOHLC") advising of their intent to change the project from thirty-six (36) rental units to thirty-six (36) ownership units and reducing the number of deed-restricted units to the 25% required by the Chapter 40B statute, which would only be nine (9) units. Only nine (9) of the total thirty-six (36) units would be included on the town's Subsidized Housing Inventory. On May 4, 2026, the Select Board voted not to support the change to the LIP application. On May 21, 2026, the town received a copy of a letter to EOHLC from Northland Residential Corporation through their attorney, Peter Freeman, to amend the Local Initiative Program application entered into with the Town on December 16, 2024. They now would like to keep the units as rental units and reduce the number of deed-restricted affordable units from thirteen (13) to eleven (11). This represents 31% of the total, which represents two (2) units more than required by the Chapter 40B statute. All thirty-six rental units will qualify for the town's Subsidized Housing Inventory. Of those two (2) units, one (1) will be deed restricted at 100% of the AMI and one (1) unit will be deed restricted at 110% of the AMI. The Housing Development Working Group gave the Town Manager a positive recommendation to support this amendment to the LIP application. By memo dated May 22, 2026, the Town Manager gave a positive recommendation to the Select Board to support this amendment. This fits well with the Town's housing needs.

Ms. Klein stated that she has heard there have been some tensions between the abutters and the developer. She would have liked to hear how those items are going. She also asked if the developer would consider having some of the units go down in AMI. Mr. Johnson-Staub stated that the AMI amount could be further considered with the developer. Abutter issues are generally handled at the ZBA level. Ms. Klein noted that by shifting back to a rental model, all of the units then count towards the SHI list as opposed to only those that are technically affordable. Mr. Johnson-Staub agreed and stated that staff could ask the developer if he would be interested in adjusting the affordability targets as an amendment down the road. The applicant is eager to move forward with the permitting process at this point.

Motion by Mr. Reed: To vote to accept the requested change to the Local Initiative Program application submitted by Northland Residential Corporation for the housing project located at 809 Sandwich Road. Second: Mr. Brown.
Vote: Yes – 5 No – 0

i. 8:15 PM - Discuss and consider a vote to adopt an Artificial Intelligence policy (15 minutes)

Mr. Johnson-Staub explained that the Board reviewed AI policies adopted following legal counsel review by Rockland, MA, and Brookline, MA, at the meeting on April 13, 2026. At that meeting, the consensus direction from the Board was to adopt a simple policy in the near future to facilitate careful, appropriate use of generative AI with the understanding the policy may need to be updated periodically as new development emerge. The draft policy included in the meeting packet is based upon the Rockland policy and has been reviewed and revised by Town Counsel and staff.

Dr. Goldstone stated that she would prefer to see a Data Privacy Policy. She concurs with the intent to protect sensitive data but her concern with the phrasing is that she would be surprised if the current finance packages do not include AI based functions where there is sensitive data. She would prefer to see that the prohibited data cannot be entered into any software or online tool not approved by IT.

Mr. Mascali stated that this should be reviewed closely moving forward as AI is evolving daily. He believes the Town needs to have a policy to limit its potential liability with respect to generative AI.

Mr. Brown stated that a paragraph could be added to the draft policy based on Dr. Goldstone’s comments.

Dr. Goldstone suggested an inclusion regarding disclosure when generative AI is used to create a document.

Ms. Klein stated that there are some in the public who are very concerned about AI and its adoption into mainstream society. For the sake of transparency, a disclosure statement is a good idea. She appreciated the role/responsibility chart that was included in Brookline, MA’s policy.

She suggested considering thoughtful AI use when generating content in terms of sustainability concerns.

Mr. Reed asked about one of the items listed under prohibited uses: that generative AI may not be used for the following purposes - seeking legal or medical advice for personal use. He did not that in either of the other policies and is wondering if it is related to the Town having a contractual relationship with a software vendor. Town Counsel O'Keefe explained that the legal advice was part of the original policy from Rockland. Asking AI for medical and legal advice should be in the same bucket. The Town should not want its employees circumventing medical advice in this way. Personal use overlaps with the existing Technology Use Policy to explain that AI for personal use should not be used during work hours.

Mr. Johnson-Staub explained that the private sector appears to be moving away from disclosing AI use because it was becoming ubiquitous. Mr. Brown expressed concern that a disclosure statement may make people less sure about a work product. Dr. Goldstone stated that this may be the point. Ms. Klein stated that the private sector and town government have different transparency responsibilities to the public.

Dr. Goldstone suggested another draft of this policy to review as part of the Consent Agenda, including language about disclosure and broadening prohibited data to include that it must not be entered into any AI prompt online tool or software without IT approval. Mr. Brown asked for additional staff comment on the disclosure suggestion. Mr. Johnson-Staub explained that some managers use AI to craft better email messages. The email signature could contain language that some emails are crafted with the assistance of AI. Dr. Goldstone stated that this is why she leans away from having an AI Policy because it is unclear if this is needed if someone uses an autofill. AI based features are so pervasive that it is almost impossible to know if one is using something within it or not. She suggested a compromise that policies and documents need to disclose the use of AI.

The Board agreed that this could be discussed further as a Consent Agenda item.

6. SELECT BOARD REPORTS:

Mr. Reed stated that he appreciates the Vice Chair nomination he received earlier. The Board has his utmost commitment.

Dr. Goldstone stated that she was able to participate in a tabletop emergency planning exercise which worked through potential emergency situations with Fire, Police, Human Services, the Steamship Authority, and multiple members of representatives of other nonprofits. Communication and Emergency Management communication with the community was a large part of the exercise. She also expressed interest in receiving an update from the Beach Superintendent about the early season activities. Also, on behalf of the DEIB Committee, she received feedback that the Committee did not feel that their work was fully respected by the Board during the last discussion topic with them. It is a reminder to all Board members that the committees are doing an immense amount of volunteer work, and the Board should be mindful of that work.

Ms. Kelin noted that she and Mr. Reed will be attending a training on June 12th for newly elected Select Board members.

Mr. Mascali noted that there will be a housing forum on June 9th with the Housing Authority.

7. FUTURE AGENDA ITEMS

- Discuss LGBTQ+ Sanctuary Town
- Discuss walkability improvements
- Discuss current Town website functionality and potential redesign
- Discuss 10-year spending on consultant fees
- Discuss the need for a municipal building inventory and review of current/planned uses
- Discuss adding a third monthly Select Board workshop meeting targeting specific topics

Mr. Renshaw offered cyber security training to occur on June 8th prior to the next Board meeting.

Mr. Reed stated that he would like to see future agenda items regarding balancing the budget in 2028 and a discussion regarding the local comprehensive plan and Select Board strategic plan.

8. ADJOURN

Motion by Mr. Brown: To adjourn at 8:56pm. Second: Mr. Reed.
Vote: Yes – 5 No - 0

Respectfully submitted,
Kristan Patenaude, Recording Secretary