

Town of Brewster

2198 Main St., Brewster, MA 02631
(508) 896-3701

Drummer Boy Park Advisory Committee Meeting Agenda 2198 Main Street, Room A February 6, 2024 at 6:00PM

Members:

Katharine Scott,
Chair

Devin McGuire, Vice
Chair

Chris Ellis
(Recreation
Commission), Clerk

Jillian Douglass

Allyson Felix

Jay Green
(Council on Aging
Board)

Patricia Hughes
(Nat. Resources
Advisory Committee)

**Select Board
Liaison**
David Whitney

Town Manager
Peter Lombardi

**Natural Resources
Director**
Chris Miller

DPW Director
Griffin Ryder

Recreation Director
Mike Gradone

COA Director
Elton Cutler

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. **As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law.** Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting may do so in the following manner:

Phone: Call (646) 931 3860 or (929) 436 2866. Webinar ID: 835 3228 0815 Passcode: 551105

To request to speak: Press *9 and wait to be recognized.

Zoom Webinar: <https://us02web.zoom.us/j/83532280815?pwd=RmwzZ3hXS3ZKQnN4QVZoa1NHZS9nZz09>
Passcode: 551105

To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** (livestream.brewster-ma.gov), or **Video recording** (tv.brewster-ma.gov).

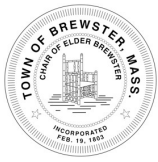
Please note that the Committee may take official action, including votes, on any item on this agenda.

1. Call to Order
2. Declaration of a Quorum
3. Meeting Participation Statement
4. Recording Statement: As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the chair.
5. Public Announcements and Comment: Members of the public may address the Committee on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Committee will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
6. Update on Community Survey
7. Clarify Role of Committee and Discuss Format of Town Meeting Report
8. Update on Sea Camps Community Planning Process
9. Approve Meeting Minutes: January 2 and January 16, 2026
10. Future Meetings: February 20 and March 4, 2024
11. Other Matters Not Reasonably Anticipated by the Chair
12. Adjournment

Date Posted:
01/31/2024

Date Revised:

Received by Town Clerk:



DRUMMER BOY PARK PLANNING SURVEY

Welcome to the Town of Brewster's Drummer Boy Park Planning Survey

In November 2021, Town Meeting approved an updated Master Plan for Drummer Boy Park based on the recommendations of a citizens advisory committee formed in 2020. At the Special Town Meeting in March 2023, Brewster voted to refer the 2021 Master Plan to a new committee for further study. The Select Board charged the new committee with removing all references to improving access to Wing Island from their recommended plans. This new committee will deliver a report to Town Meeting this May.

In preparing their recommendations, the Drummer Boy Park Advisory Committee is conducting this survey to find out what Brewster citizens think are the important improvements to make at the park in the next few years. Questions are organized around four main issues in the Master Plan: parking, stormwater management, accessibility, and amenities. This map shows the current conditions at Drummer Boy Park and the adjacent properties owned by the Town of Brewster, the Brewster Historical Society, and the Brewster Conservation Trust.

The survey should take about 5-10 minutes to complete. You can skip a section by clicking on the "NEXT" button at the bottom of a page.

All survey responses will be anonymous. The survey closes on February 14th.

If you have questions about the survey, please contact the Town Manager at townmanager@brewster-ma.gov

For more information about the Drummer Boy Park Advisory Committee, please check out the [committee page](#) on the Town Website.

The committee recently requested updated cost estimates for the scope of work originally proposed in the 2021 Plan to help inform decision making. This new information is available on the [committee page](#). The committee has not decided what they will recommend to Town Meeting in May 2024.

Thank you for sharing your opinions and ideas. The Committee values your input!



DRUMMER BOY PARK PLANNING SURVEY

Please tell us about yourself....

What is your age group?

- 15-25
- 26-40
- 41-60
- 61-80
- 81+

Are you a

- Full-time resident of Brewster?
- Part-time resident of Brewster?

How long have you lived in Brewster?

- 5 years or less
- 6-10 years
- 11-20 years
- More than 20 years

*** How often do you visit Drummer Boy Park?**

- Frequently (at least a few times each month)
- Sometimes (several times a year)
- Occasionally (once or twice a year)
- Never



DRUMMER BOY PARK PLANNING SURVEY

What do you like to do at Drummer Boy Park?

Check all that apply.

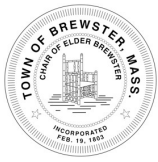
- Walk or run on the paved paths
- Walk the woodland trail
- Picnic
- Visit the playground
- Play on the grassy fields
- Walk a dog
- Participate in organized group activities (such as exercise, book groups, meetings)
- Meet and visit with friends / family
- Enjoy the vista
- Attend events (such as Brewster Band Concerts, Fairs, Brewster Conservation Day, Holiday Tree lighting)
- Visit the Historic Village and the Windmill
- Visit Whale Rock and the trail on Windmill Meadow
- Visit the Cedar Ridge Reserve
- Other (please specify)



DRUMMER BOY PARK PLANNING SURVEY

If you did go to Drummer Boy Park, what would you like to do?
Check all that apply.

- Walk or run on the paved paths
- Walk the woodland trail
- Picnic
- Visit the playground
- Play on the grassy fields
- Walk a dog
- Participate in organized group activities (such as exercise, book groups, meetings)
- Meet and visit with friends / family
- Enjoy the vista
- Attend events (such as Brewster Band Concerts, Fairs, Brewster Conservation Day, Holiday Tree lighting)
- Visit the Historic Village and the Windmill
- Visit Whale Rock and the trail on Windmill Meadow
- Visit the Cedar Ridge Reserve
- Other (please specify)
- None of the above - I don't plan to go to the park.



DRUMMER BOY PARK PLANNING SURVEY

PARKING

Currently there are four defined handicapped parking spaces but no other marked parking spaces. Visitors park on the pavement around the circle or on the grass beside the paved area. Currently there are about 45 informal parking spaces in total. Visitors sometimes also park on the grassy areas. Major events at Drummer Boy generally have organized parking arrangements on the fields that are approved by the Town in advance. Tour buses, particularly in the Fall, park on the paved areas as well.

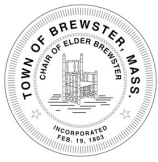
Overall how satisfied are you with the current parking situation at Drummer Boy Park?

VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please tell us what you think about each of the following to manage parking at Drummer Boy Park.

	NOT IMPORTANT	SLIGHTLY IMPORTANT	MODERATELY IMPORTANT	VERY IMPORTANT	DON'T KNOW
Designating and marking paved parking spots to improve safety, circulation, and availability of parking spaces	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Using materials other than asphalt pavement, such as crushed stone or permeable pavement or pavers, for parking areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintaining a similar number of parking spaces as available now	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adding curbing to prevent parking on grassy fields (except for planned large events)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Making no changes to the informal parking arrangement currently available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any other comments about parking?



DRUMMER BOY PARK PLANNING SURVEY

STORMWATER MANAGEMENT

Currently, there are no formal stormwater management features or facilities at the park. As shown [here](#), during heavy rain events, water often floods portions of the park and temporarily ponds to the south of the paved area and adjacent to the playground, making some areas of the park temporarily unusable. If certain improvements are made at the park (for example, playground and/or parking), the Town will be required to improve drainage to comply with Brewster's Stormwater Management Bylaw.

Overall how satisfied are you with the current stormwater conditions at Drummer Boy Park?

VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please tell us how important you think each of the following is to improve stormwater management.

	NOT IMPORTANT	SLIGHTLY IMPORTANT	MODERATELY IMPORTANT	VERY IMPORTANT	DON'T KNOW
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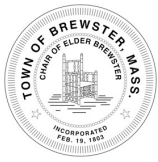
Establishing stormwater management features (drainage improvements such as catch basins) to minimize flooding and ponding and to remove stormwater from heavily used areas

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Using a variety of alternative stormwater management techniques, including "green" techniques such as rain gardens and vegetative swales wherever possible

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Any other comments about stormwater management?



DRUMMER BOY PARK PLANNING SURVEY

ACCESSIBILITY AND CONNECTIVITY

The park features a network of paved paths (approximately $\frac{1}{4}$ mile) to improve access for all visitors. The Town has also created a woodland trail on the western side of the park, although roots can make walking difficult at times. The park is bounded by Brewster Historical Society (Historical Village) and Brewster Conservation Trust (Windmill Meadow) properties to the west and by the Town-owned Cedar Ridge Reserve to the east. However, currently there are no formal connections to these properties. The Select Board has charged the new committee with removing all references to improving access to Wing Island from their recommended plans.

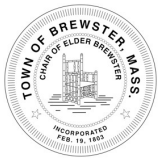
Overall how satisfied are you with current accessibility and connections to adjacent properties at Drummer Boy Park?

VERY DISSATISFIED	DISSATISFIED	NEUTRAL	SATISFIED	VERY SATISFIED
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please tell us how important you think each of the following improvements is to deal with accessibility and connectivity at the park.

	NOT IMPORTANT	SLIGHTLY IMPORTANT	MODERATELY IMPORTANT	VERY IMPORTANT	DON'T KNOW
Extending the current network of paved paths	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adding distance markers along the paved paths	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Placing additional benches at spaced intervals for those with mobility challenges	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Making the woodland trail more accessible	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Establishing more formal connections to the Brewster Historical Society and Brewster Conservation Trust properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Creating a trail to the adjacent Cedar Ridge property	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selectively clearing some understory vegetation and invasive species to enhance the marsh and bay views	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selectively clearing some trees and shrubs along Route 6A to enhance the roadside view	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any other comments about improving accessibility and connectivity?



DRUMMER BOY PARK PLANNING SURVEY

AMENITIES

Drummer Boy Park currently includes several amenities such as a gazebo, playground, picnic tables, seasonal port-a-potties, bike racks, benches, and large open fields for community use. The playground is located near a wetland. In addition, there is a deteriorated building - the former gift shop now used for storage - between the circle and the playground which is not open to the public and needs renovation if it is to be used. In 2023, from mid-May to mid-August, there were eight fairs or similar large events on weekends.

Overall how satisfied are you with the current amenities at Drummer Boy Park?

VERY

DISSATISFIED

DISSATISFIED

NEUTRAL

SATISFIED

VERY SATISFIED

Please tell us how important you think each of the following improvements to amenities is at the park.

	NOT IMPORTANT	SLIGHTLY IMPORTANT	MODERATELY IMPORTANT	VERY IMPORTANT	DON'T KNOW
Building an ADA compliant covered pavilion with picnic tables on the site of the current storage building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Putting in year-round toilet facilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Installing a water station	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Relocating and renovating the playground to be ADA compliant and closer to the shade pavilion for better drainage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Upgrading or improving the bandstand / gazebo	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adding appropriately sized signage to identify all of the amenities at the park	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adding appropriately sized signage to explain the history and ecology of the area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adding a viewing platform overlooking the marsh	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Moving some large events to other locations in town	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any other comments about improving amenities at the park?



DRUMMER BOY PARK PLANNING SURVEY

Thank you for your time and input!

Once you hit the "Done" button, you will not be able to return to the survey.

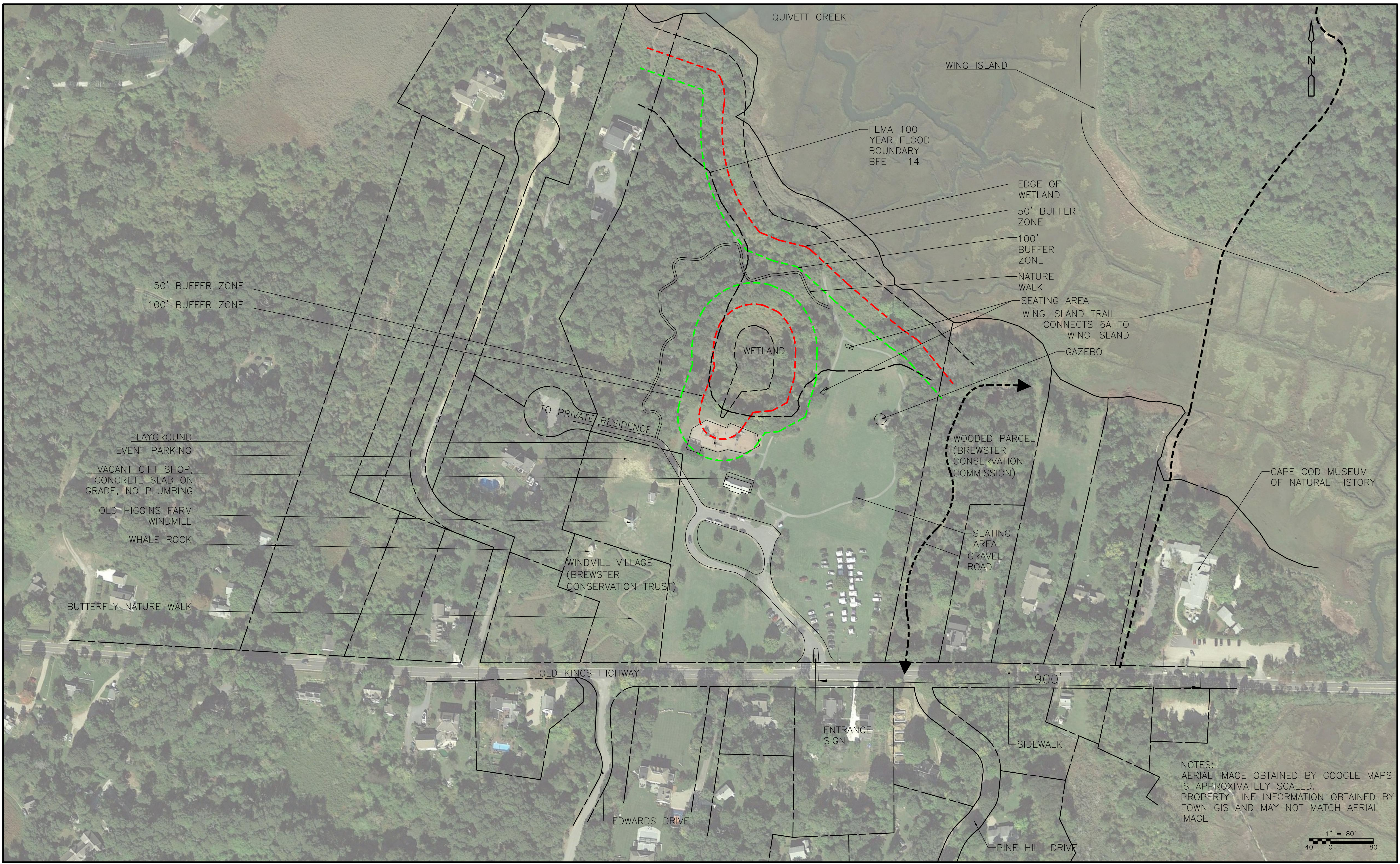
If you have any questions, please contact the Town Manager:

townmanager@brewster-ma.gov

Stay tuned for more information from the Drummer Boy Park Advisory Committee at:

<https://www.brewster-ma.gov/drummer-boy-park-advisory-committee>

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Drummer Boy Park

Stormwater & Drainage Photos

Existing Conditions During Rain Events



Trail
of
of
Program







Town of Brewster

2198 Main Street
Brewster, MA 02631-1898
Phone: (508) 896-3701
townmanager@brewster-ma.gov

Office of:
Select Board
Town Manager

MEMORANDUM

FROM: Peter Lombardi, Town Manager
RE: Updated Cost Estimates for 2021 Drummer Boy Park Master Plan
DATE: January 2024

As the Drummer Boy Park Advisory Committee prepares to develop their report to Town Meeting in May 2024, they requested updated pricing on the cost estimates included in the 2021 Master Plan. The original plan anticipated the project would be divided into two phases:

1. Parking & Access Drive Improvements, Stormwater/Drainage Improvements (including rain gardens), Enhanced Connectivity (expanded paved walking paths), and Selective Amenities (eg. replacing existing maintenance building with new open-air pavilion structure)
2. Playground Replacement, Remaining Stormwater/Drainage, and Remaining Connectivity Improvements

In 2021, Phase I was estimated to cost about \$1.25M and Phase II was expected to cost about \$900k – see pages 25-28 of the plan. These estimates included a 25% contingency and 15% for engineering, plus additional soft costs related to the planned improvements.

The updated cost estimates for Phase I are attached. For comparison purposes, the scope of work for this phase remains the same as what was included in the 2021 plan. These revised Phase I estimates reflect a \$1.7M cost, which now includes a 30% contingency. Our engineering consultants further advised that we should assume Phase II as proposed in the 2021 plan, will cost about \$1.25M. Some of these cost increases reflect current market conditions. Contingency amounts have also been increased due to a more conservative approach to developing cost estimates. The committee will use this information to help inform their report to Town Meeting in May 2024.



Project: Drummer Boy Park Phase I
Location: Brewster, MA

Submission: Initial Opinion of Probable Costs
Date: 1/12/2024

Estimator: MCL

Checked By: RAC

Division 2-GENERAL SITEWORK	Unit	Quantity	Unit Cost	Total Cost
SITE PREPARATION				
Site Mobilization / Demobilization	LS	1	\$ 35,000.00	\$ 35,000.00
Subtotal Site Preparation (Rounded)			\$ 35,000.00	
EROSION CONTROL				
Silt Sock Erosion Control	LS	1	\$ 18,000.00	\$ 18,000.00
Catch Basin Inserts (silt sack)	EA	3	\$ 375.00	\$ 1,125.00
Temporary Construction Fence and Safety Signage	LS	1	\$ 7,500.00	\$ 7,500.00
Temp. Entrance Mat For Truck Traffic & Sediment Control	EA	1	\$ 3,250.00	\$ 3,250.00
Subtotal Erosion Control (Rounded)			\$ 30,000.00	
SITE DEMOLITION				
Remove and Dispose Asphalt	SY	3,460	\$ 9.00	\$ 31,140.00
Remove and Dispose Cape Cod Berm	LF	540	\$ 5.00	\$ 2,700.00
Subtotal Site Demo (Rounded)			\$ 34,000.00	
SITE CLEARING				
Clear & Grub Site	LS	1	\$ 12,500.00	\$ 12,500.00
Cutting and disposing isolated trees and stumps (4"- 24")	EA	8	\$ 500.00	\$ 4,000.00
Cutting and disposing isolated trees and stumps (24" or plus)	EA	1	\$ 1,500.00	\$ 1,500.00
Subtotal Site Clearing (Rounded)			\$ 18,000.00	
EARTHWORKS				
Excavate and Relocate Material	CY	1,500	\$ 30.00	\$ 45,000.00
Subtotal Earthworks (Rounded)			\$ 45,000.00	
DRAINAGE COLLECTION SYSTEM				
12-inch HDPE	LF	112	\$ 85.00	\$ 9,520.00
18-inch HDPE	LF	58	\$ 130.00	\$ 7,540.00
4" PVC Perforated Underdrain	LF	150	\$ 55.00	\$ 8,250.00
4' Dia. Manholes	EA	3	\$ 7,500.00	\$ 22,500.00
Catch Basin	EA	3	\$ 5,500.00	\$ 16,500.00
Cleanouts	EA	2	\$ 750.00	\$ 1,500.00
Subtotal Drainage Collection (Rounded)			\$ 66,000.00	
UNDERGROUND INFILTRATION CHAMBERS				
StormTech SC-740	EA	56	\$ 1,250.00	\$ 70,000.00
Subtotal Infiltration Chambers (Rounded)			\$ 70,000.00	
BIORETENTION & WETMEADOW AREAS				
Bioretention Area	SF	1,220	\$ 30.00	\$ 36,600.00
Wetmeadow	SF	1,850	\$ 20.00	\$ 37,000.00
Sediment Forebays	SF	272	\$ 30.00	\$ 8,160.00
Subtotal Bioretention & Wetmeadow Areas (Rounded)			\$ 82,000.00	
WATER				
2-inch Copper	LF	161	\$ 28.00	\$ 4,508.00
Water Fill Station	EA	1	\$ 10,000.00	\$ 10,000.00
Subtotal Water (Rounded)			\$ 15,000.00	
LANDSCAPE				
Loam and Seed	SY	2,497	\$ 15.00	\$ 42,455.00
Seed only	SY	500	\$ 4.50	\$ 2,250.00
Landscaping	LS	1	\$ 20,000.00	\$ 70,000.00
Subtotal Landscape (Rounded)			\$ 115,000.00	

Project: Drummer Boy Park Phase I
Location: Brewster, MA

Submission: Initial Opinion of Probable Costs
Date: 1/12/2024

Estimator: MCL

Checked By: RAC

PAVING & CURBING

3" Paving - Driveway and Parking Area	TON	500	\$	255.00	\$	127,500.00
Seed only	SY	500	\$	4.50	\$	2,250.00
6" Gravel for Bituminous Walkways	CY	80	\$	105.00	\$	12,400.00
Bituminous Walkways	TON	80	\$	395.00	\$	31,600.00
Pavement Markings	LS	1	\$	1,200.00	\$	1,200.00
Concrete Pavers	SF	1,400	\$	35.00	\$	49,000.00
Asphalt Curbing	LF	1,060	\$	22.00	\$	23,320.00
Granite Curb	LF	160	\$	70.00	\$	11,200.00
Subtotal Paving & Curbing (Rounded)			\$	259,000.00		

SITE IMPROVEMENTS

Bike Rack	EA	1	\$	4,000.00	\$	4,000.00
Renovate Existing Vacant Building	ALLOW	1	\$	275,000.00	\$	250,000.00
10' x 18' Storage Shed on Concrete Pad	EA	1	\$	17,500.00	\$	17,500.00
Accessible Portable Restroom 6' x 6'	EA	2	\$	6,000.00	\$	12,000.00
Bench on Concrete Pad	EA	5	\$	3,150.00	\$	15,750.00
Nature Trail Accessibility Improvements	LS	1	\$	17,500.00	\$	17,500.00
Signage	ALLOW	1	\$	12,500.00	\$	12,500.00
Building Engineering Analysis and Design and Playground 60% Design	ALLOW	1	\$	200,000.00	\$	200,000.00
Subtotal Misc (Rounded)			\$	530,000.00		

TOTAL ESTIMATED CONSTRUCTION COST	\$	1,300,000.00
CONTINGENCY 30%	\$	390,000.00
TOTAL ESTIMATED COST	\$	1,700,000.00

Quantities provided are based on "Conceptual Site Plan, Drummer Boy Park Phase I," Horsley Witten Group, dated November 2022 and "Phase I Improvements Plan," CDM Smith, dated July 2021

Unit prices provided are based upon typical 2023 construction costs and data available for MADOT District 5. Unit prices are subject to change due to adjustments to material and labor costs, site conditions and inflation.



Town of Brewster

2198 Main Street
Brewster, MA 02631-1898
Phone: (508) 896-3701
townmanager@brewster-ma.gov

Office of:
Select Board
Town Manager

MEMORANDUM

TO: Select Board
FROM: Peter Lombardi, Town Manager
RE: Proposed Charge for Reconstituted Drummer Boy Park Advisory Committee
DATE: March 30, 2023

In Summer 2020, the Town received \$33,000 in state grant funds through the Community Compact best practice program to develop an updated Master Plan for Drummer Boy Park. Originally purchased by the Town in 1988, the first Master Plan for Drummer Boy Park was adopted by Town Meeting in 1995 and has informed the Town's overall approach to the property since.

With these grant funds, the Town hired a consultant, CDM Smith Inc., to review the park's condition and uses, help develop plans and designs for expanded or alternative uses, estimate costs for such plans, and conduct public outreach regarding the park's future. To shepherd this important work, the Select Board formed an ad hoc Drummer Boy Park Advisory Committee charged with evaluating existing and potential future uses of the Drummer Boy Park property and developing an updated Master Plan to present to Town Meeting. The committee was appointed in Fall 2020. The seven (7) member committee was comprised of one (1) representative from the Recreation Commission, one (1) representative from the Council on Aging, one (1) representative from the Natural Resources Advisory Commission, and four (4) Brewster citizens at large.

Given their proximity to the park and shared interest in its future use, representatives from the Brewster Historical Society, Brewster Conservation Trust, and Museum of Natural History were invited to attend and participate in the committee's meetings on a regular basis. The committee was supported by the Natural Resources Director, the Council on Aging Director, the Recreation Director, and the DPW Director.

From December 2020 through June 2021, the committee met and developed a series of schematic concept plans that culminated in the presentation of a recommended plan to the Select Board in June 2021.

The goals of the plan were to:

- Preserve the character of the park and enhance the views of the bay
- Collaborate with the Brewster Historical Society and the Brewster Conservation Trust in preserving the character of the complex and enhancing its use
- Plan for increased use and provide additional access to and throughout the park
- Identify park use areas

The plan identified two implementation phases. The first focused on improving parking, pedestrian access, and stormwater infrastructure. The second identified amenity upgrades to the playground, gazebo, and replacing the storage building (old gift shop structure) with a shade pavilion. Recognizing that the Town was then in the early stages of planning for a potential elevated boardwalk to Wing Island from Drummer Boy Park via the adjacent Cedar Ridge Reserve property, that possibility was referenced in the plan.

The plan was presented to and unanimously adopted by Town Meeting in November 2021. Following the Town Meeting vote, the Select Board disbanded the committee in December 2021. In May 2022, Town Meeting appropriated \$75,000 to advance design and permitting for Phase I improvements as outlined in the plan. The Town hired Horsley Witten to help develop their design plans and assist with permitting.

In parallel with these actions related to Drummer Boy Park improvements, the Town secured \$50k in state grant funding to advance design and permitting for a new boardwalk to Wing Island and a \$30k contribution from a then anonymous donor via the Brewster Conservation Trust. Town Meeting approved \$50k for this project in November 2021. To ensure coordination between the two projects, Horsley Witten was hired to assist in these efforts as well.

In August 2022, the Town hosted a public forum focused on conceptual plans for the Wing Island boardwalk. Many residents expressed concerns about this proposal over the ensuing months. At the same time, Horsley Witten developed conceptual plans for Phase I improvements to Drummer Boy Park, seeking to formalize parking, improve drainage, and provide better and safer pedestrian access. The anticipated costs of this work were approximately \$750k. In November 2022, Town Meeting did not approve the \$255k appropriation proposed by the Town for Phase I, in large part due to concerns about the connections between this work and the proposed boardwalk. Following that vote, all design work was suspended and no further action has been taken in advancing Drummer Boy Park Master Plan implementation. The Town continues to maintain the property, including making repairs to the playground.

In March 2023, a Special Town Meeting was convened to act on three citizens petitions. Article 3 originally sought to rescind the Drummer Boy Park Master Plan vote by Town Meeting of November 2021. Ultimately, Town Meeting voted to refer the 2021 Master Plan to a newly reconstituted committee to be appointed by the Select Board in

consultation with the Moderator who would then report back to Town Meeting in May 2024. Although this process will be led by this new committee, there is currently no funding in place to support their efforts, outside of Town staff time.

For the Select Board's consideration, I offer the following draft charge for the committee:

PURPOSE: The Drummer Boy Park (DBP) Advisory Committee will re-evaluate the 2021 Drummer Boy Park Master Plan and will deliver a report to the May 2024 Annual Town Meeting. This report may include an updated Master Plan, but any such plan shall not incorporate or include any new means of access to Wing Island. The DBP Advisory Committee is an ad hoc committee.

APPROACH: The DBP Advisory Committee will review the overall goals and recommendations identified in the 2021 Master Plan and will determine whether any changes are appropriate. This review process should consider other recent Town strategic planning documents, including but not limited to the Town's recently updated Open Space and Recreation Plan. It should also account for ongoing community input regarding potential future public uses of the Sea Camps properties. The DBP Advisory Committee will conduct public outreach and solicit resident feedback in developing their report for Town Meeting.

MEMBERSHIP: The DBP Advisory Committee will consist of seven (7) members to be appointed by the Select Board in consultation with the Moderator and will include: one (1) Natural Resources Advisory Commission member; one (1) Council on Aging member; one (1) Recreation Commission member; and four (4) members from the community at-large. The Select Board will make appointments to seat the new committee as soon as is practicable. The term of committee appointments will be through May 2024. The Select Board will appoint a liaison to the DBP Advisory Committee. The DBP Advisory Committee will be supported by the Natural Resources Director, COA Director, Recreation Director, DPW Director, and/or Town Administration as necessary. Non-voting representatives from the Brewster Historical Society, Brewster Conservation Trust, and Museum of Natural History will be invited to attend and participate as appropriate.

Once the Select Board approves the committee's updated charge, we will then post an announcement on the homepage of the Town website and on the Town's social media platforms soliciting letters of interest from residents interested in serving. The Select Board will then follow their standard committee appointment policy; however, in this instance, that process will also include the Moderator in the initial screening phase. Consistent with that policy, recommended candidates will be included in the FYI section of a future Select Board packet 2 weeks in advance of formal appointment.

Town of Brewster
Citizen Petitioned – Special Town Meeting Report
March 6th, 2023

Report of the
Citizen Petitioned - Special Town Meeting
Monday, March 6th, 2023

In accordance with the Warrant, the Citizen Petitioned - Special Town Meeting was held at the Stony Brook Elementary School, 384 Underpass Road on Monday, March 6th, 2023.

A quorum was present with 848 of 8592 eligible voters. 9%

The counters and tellers were Anne Best, David Briggs, Lauren Elliott-Grunes, June Cameron, Robert Harris, Julie Menges, Sharon Ryone, Charlie Winn, Thaddeus Nabywaniec, and Jayanne Monger, Assistant Town Clerk.

The Citizen Petitioned - Special Town Meeting of March 6th, 2023 was called to order by Moderator Charles Sumner at 6:12pm.

Town Meeting was held indoors in the Elementary School gymnasium. The Moderator, Charles Sumner made a few announcements before proceeding with Town Meeting. He has filed a Conflict of Interest statement with the Town Clerk. Due to the overflow crowd, the library has been set up for seating as well. Benjamin DeRuyter was the Deputy Moderator appointed and sworn by the Moderator to preside over the Library. Brewster follows Town Meeting Time for their Town Meeting rules of order, but the Moderator has some discretion on time limits, and as a courtesy he has allowed for the petitioners to have extra time while presenting their articles.

Posting and return of service of the Citizen Petitioned - Special Town Meeting warrant was confirmed. There being no objections the Moderator began dispensing with the articles, which after discussion with the petitioners will be called in Article order, not by lottery.

6:17pm

NO FURTHER WING ISLAND BOARDWALK FUNDING

ARTICLE NO. 1: To see if the Town will vote to adopt the following:

No funds previously appropriated by the Town shall be expended by the Town in any way, including without limitation for staff time, or to pay any consultant or professional or outside contractor, for any design, permitting, construction, or promoting in any way of a boardwalk to Wing Island, or other re-design or modification of the existing access to Wing Island, provided that any invoice for payment submitted by such consultant or professional or outside contractor prior to the date of the warrant for this Special Town Meeting may be paid from sums previously appropriated or grants or gifts previously received; nor shall the Treasurer approve for payment any warrant for payment approved by the Select Board that includes an authorization for payment of any sums that would be in violation of this Article.

It is further the sense of the Town Meeting to the Select Board, and the Select Board is hereby advised by the Town Meeting, that, no grants or gifts received by the Town which the Select Board is authorized by law to accept or expend, shall be expended for staff time, or to pay any consultant or professional or outside contractor, for design, permitting, construction, or promoting in any way of a boardwalk to Wing Island, or other re-design or modification of the existing access to Wing Island, or to take any other action relative thereto.

(Citizen's Petition)

(Majority Vote Required)

MOTION made by Citizen Debra Johnson: I move Article 1 as printed in the warrant.

ACTION on the Main Motion: Adopted by a greater than majority. Voter Cards.

AMENDMENT made by Citizen Doug Wilcock: I move that the following amendment be made to Article 1 so that the phrase which, if passed, shall remain in effect until March 6, 2028 be inserted in the introduction to the article so that Article 1 reads:

To see if the Town will vote to adopt the following which, if passed, shall remain in effect until March 6, 2028:

ACTION on this Amendment: Defeated. Voter Cards.

AMENDMENT made by Citizen Carol Marie Anderson: I move to remove, starting, halfway down in the first paragraph, from the word provided to the word received.

ACTION on this Amendment: Defeated. Voter Cards.

At 7:10pm a motion was made to “Move the previous question” by Citizen Tim Hackert. This was adopted by a Moderator declared greater than 2/3 majority. Voter Cards.

7:16pm

TRANSFER CARE, CUSTODY AND CONTROL OF WING ISLAND AND CHANGE USES

ARTICLE NO. 2: To see if the Town will vote to transfer the care, custody, and control of the land acquired by the Town of Brewster pursuant to an Order of Taking dated July 14, 1961 and recorded on July 28, 1961 in Barnstable Deeds at Book 1123 Page 170 (Wing Island, so-called) from the Select Board to the Brewster Conservation Commission to be used for conservation, open space, and passive educational purposes, said land to be managed by the Conservation Commission for such purposes, or to take any other action relative thereto.

(Citizen’s Petition)

(Majority Vote Required)

MOTION made by Petitioner John Dupuy: I move the Town vote to transfer the care, custody, and control of the land acquired by the Town of Brewster pursuant to an Order of Taking dated July 14, 1961 and recorded on July 28, 1961 in Barnstable Deeds at Book 1123 Page 170 (Wing Island, so-called) from the Select Board to the Brewster Conservation Commission to be used for, and permanently dedicated to, conservation and open space purposes, said land to be managed by the Conservation Commission for such purposes.

ACTION on the Main Motion: Adopted by a Moderator declared 2/3 vote. Voter Cards.

At 7:41pm a motion was made to “Move the previous question” by Citizen Tim Hackert. This was adopted by a greater than 2/3 majority. Voter Cards.

► Moderator Sumner took this opportunity to recognize former State Representative Timothy Whelan and current State Representative Christopher Flanagan.

7:52pm

RESCIND DRUMMER BOY MASTER PLAN VOTE

ARTICLE NO. 3: To see if the Town will vote to rescind its vote to accept the “2021 Drummer Boy Park Master Plan” taken under Article 12 of the November 15, 2021 Special Town Meeting or to take any other action relative thereto.

(Citizen’s Petition)

(Majority Vote Required)

MOTION made by Petitioner Jillian Douglass: I move that the Town vote to reconsider the vote to accept the “2021 Drummer Boy Park Master Plan” take under Article 12 of the November 15, 2021 Special Town Meeting; and that the 2021 Drummer Boy Master Plan be referred to a new committee to be appointed by the Select Board in conjunction with the Moderator, to study and report to the May 2024 Annual Town Meeting.

ACTION on the Main Motion: Adopted by a greater than majority. Voter Cards.

A Motion was made to “Move the previous question” by Tim Hackert. This was adopted by a Moderator declared greater than 2/3 majority. Voter Cards.

Town of Brewster
Citizen Petitioned – Special Town Meeting Report
March 6th, 2023

At 8:07pm a motion was made to “Move the previous question” by Citizen Jim King. This was adopted by a Moderator declared greater than 2/3 majority. Voter Cards.

Select Board Chair David Whitney motioned to dissolve the Special Town Meeting of March 6th, 2023. Majority vote. Voice.

The Citizen Petitioned – Special Town Meeting of March 6th, 2023 was dissolved at 8:09pm by a majority vote. Voice.

A True Copy Attest:



Colette M. Williams, MMC/CMMC

Town Clerk

Brewster, MA



DRUMMER BOY PARK



MASTERPLAN REPORT, BREWSTER, MA, SPRING 1995



Mary Smith Associates, P.C.
Landscape Architects & Planners
30 Chestnut Street, Quincy, MA 02169
(617) 770-4717 / Fax (617) 773-7655

We would sincerely like to thank the following individuals for all of their hard work and participation in this project.

The Drummer Boy Park Advisory Committee Members:

George Flemming, Chairman

Arthur Chapin

Louise Crocker

R. Christine Durgin

Duane Sawhill

David Thyng

Charles Sumner

We would also like to thank the following for all of their help in researching and completing this study.

Jillian Douglas, Liana Rasmussen, Janine Perry, Mary Louise and Ruth Eddy, Bill Neilson, Paul Bowker, Susan Lindquist, Barbara Brewer, the All Citizens Access Committee and the Playground by the Bay Committee. The topographic plan used as a basis for our work was produced by Bennett & O'Reilly Inc. of Brewster, Massachusetts. There were a great many kind and helpful citizens that are not mentioned here by name, but we sincerely appreciate your help and hospitality over these last few months.

Mary Smith Associates was engaged by the Drummer Boy Park Advisory Committee to develop a masterplan for the Drummer Boy Park in Brewster MA. This 17 acre park in the western part of Brewster holds a special place in hearts of the residents and many people are concerned with the future uses of the park.

The master plan is intended to accommodate:

- The bandstand concerts
- “Festival-type” uses, such as the Historic Society’s Antique Fair and the Brewster in Bloom Festival
- The playground
- Maintain the park-like atmosphere

The challenge has been to locate all of these activities so that they will not conflict with one another and to preserve and, in fact, enhance the view of the bay.

The committee’s program for use and activity indicated that we look at the following:

- The existing location of the bandstand
- Walking/Hiking Paths
- Where to locate the playground
- Gift Shop - Include its improvement to provide public rest rooms and a small kitchen. Alternatively, consider option to remove the building.
- Residence Building - Include option to renovate and repair structure; another option to move and renovate structure; final option would be the removal of this structure.
- Develop use option to facilitate use of property for large-scale activities such as the concert series and Historical Society fund-raisers.
- Picnic areas
- Trash and recycling containers
- Various parking facility alternatives
- Natural open space

The current uses of the site are “festival type” events like Brewster in Bloom, the Antique Show and Fair sponsored by the Brewster Historic Society, and the Sunday night band concerts in the summer months.

To develop this masterplan we researched the history of the site, performed a Site Analysis and a Use Analysis, created a map of opportunities and constraints for developing activities in the park, considered the program provided by the committee and developed six different schemes for a masterplan. After reviewing the six schemes with the committee we produced the masterplan that was presented at a public meeting on April 6, 1995. With further refinement this plan was presented to the town meeting on May 1, 1995 as the committee's Masterplan for the Drummer Boy site.

Site Analysis

See Site Plan L-1

Views

The sweeping vista of Cape Cod Bay from this site makes a lasting impression on any visitor to this site. This is one of the only views out to the Bay afforded to travelers on route 6A through Brewster. The locations of the view sheds from the street are indicated on the Site Analysis Plan.



Plant Materials

There are many plant communities on this site. The forest is made up of a mixture of White Pines, Pitch Pines, Red Oaks, White Oaks, Eastern Red Cedars, Cherries and understory plants. The Bayberry thicket area contains Northern Bayberry, Blueberry, Cat Briar, and Sumac. Approximately half of the site is covered by turfgrass maintained as a

lawn. There are two types of wetlands on site. There is a small freshwater bog in the forest and the north edge of the site borders on a large salt marsh that makes up the edge of Cape Cod Bay.



Existing Buildings

Three existing buildings are located in the Drummer Boy Park. The condition of the existing residence and vacant gift shop have been evaluated by the committee. Their findings appear later in this report. The Bandstand / Gazebo is a relatively new addition to the park donated by the Brewster Board of Trade.

Wetland and Flood Zones

Along the north border of the site is the salt marsh. There is no survey available that identifies the “top of coastal bank”. The Brewster Conservation Commission will treat the 12’ contour as the top of coastal bank until a definitive survey locates it on this site. From site observations the top of coastal bank does not seem to be in the same location as the 12’ contour. The bank seems closer to the salt marsh. The 12’ contour and the 100’ buffer zones are indicated on the site analysis.

Soils and Slopes

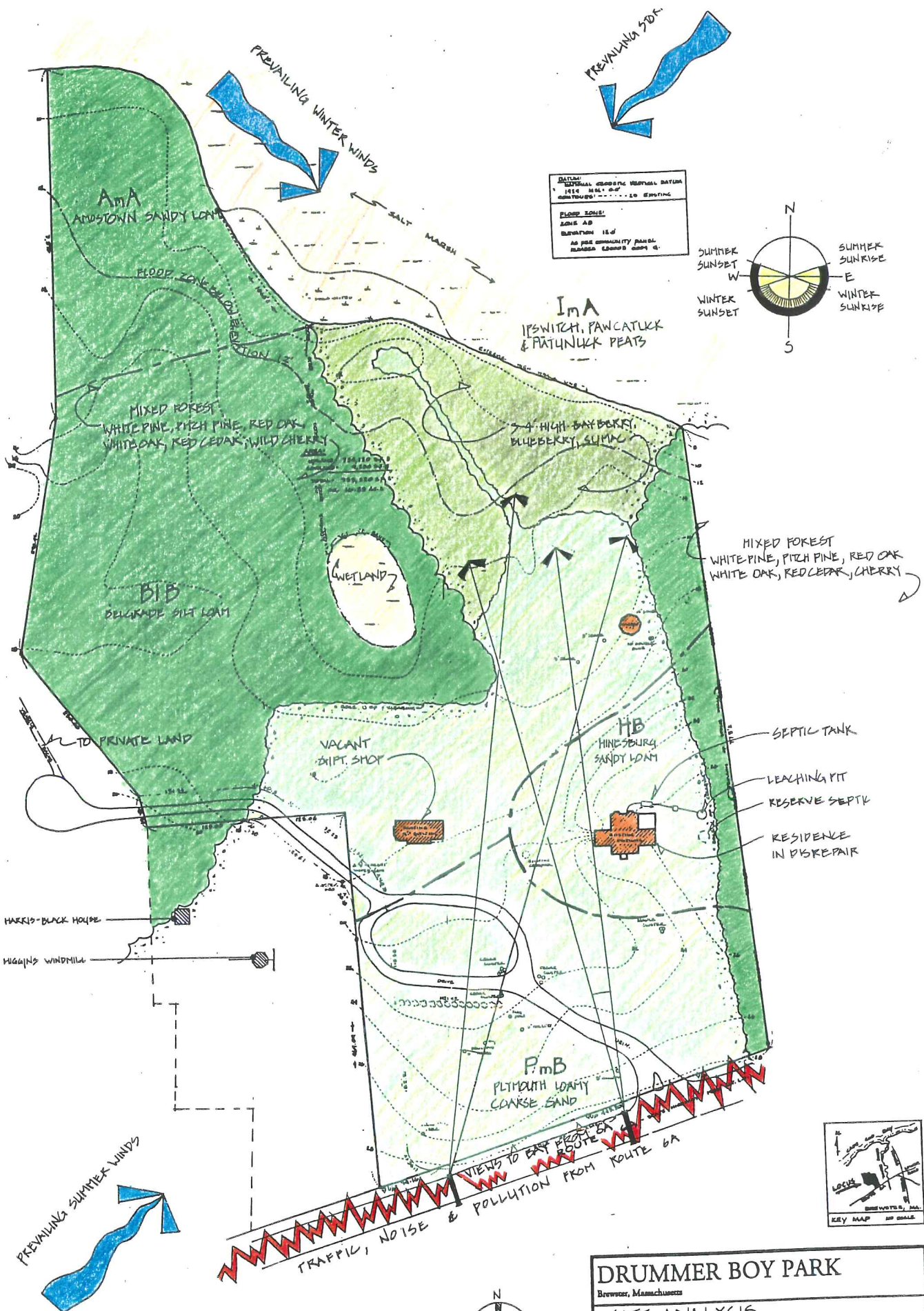
According to the soils survey of Barnstable County, there are five different types of soil on the Drummer Boy site. They are, from the south to the north of the site; Plymouth Loamy Coarse Sand, Hinesburg Sandy Loam, Belgrade Silt Loam, Amostown Sandy Loam and Ipswitch, Pawcatuck and Pawunuck Peats. The peat soils are located in the salt marsh and can not be disturbed. All of the upland soils have severe limitations for development of septic systems. The only soil on the site that can contain a septic system is the Hinesburg Sandy Loam where the existing septic system is located. The high water table and limited permeability restrict its use for septic systems, but enlarging the absorption field helps to overcome its limited permeability. All of the upland soils on the site are well suited for forest, meadow and lawn uses. The slopes on site are gently rolling between 0% and 8%.

Sun and Wind

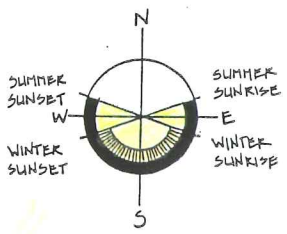
Approximately half the site is in the full sun all day long. The winds are predominately from the west. Winter winds are from the north west except in the case of a "Nor-Easter" winter storm. The summer breezes are out of the south west during the day and become onshore breezes as the warm air rises in the evenings.


Wildlife

The wildlife on this site is comprised mainly of small mammals, birds, amphibians and insects. Deer tracks in an area of disturbed soil indicate the occasional passing through of larger animals.



DATUM: NATIONAL GEODESIC REFERENCE DATUM
 1914 M.S.L. 8.0'
 CONTROLS: --- 2.0' SPACING
 FLOOD ZONE:
 ZONE AS
 ELEVATION 18.0'
 AS PER COMMUNITY PANEL
 NUMBER 1000000000 4



DRUMMER BOY PARK		SCALE: As Shown	
Brewster, Massachusetts		DATE: 3-27-95	
SITE ANALYSIS		L - 1	
			
MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 30 CHESTNUT STREET QUINCY, MA 02169 (617) 776-4717 - Fax (617) 773-7655			

PLAN FROM 9-1-99 PLAN
 SANNETT & O'REILLY, INC.

Use Analysis

See Site Plan L-2

The site is currently the home of “festival type” events such as, Brewster in Bloom, the Antique Show and Fair sponsored by the Brewster Historic Society, and the Sunday night band concerts in the summer months.

Buildings

Currently the Bandstand is the only building on site that is used. The Residence seems to be used for storage and the gift shop is vacant.

Annual Events

There are several “festival type” events that occur on the site each year. The event displays are set up in the area between the street and the driveway circle. Parking occurs on the grass in front of the residence and between the gift shop and residence.

Bandstand

The site plays host to a very popular series of band concerts on Sunday evenings during the summer months. During band concerts parking occurs on the grass all across the front of the site.

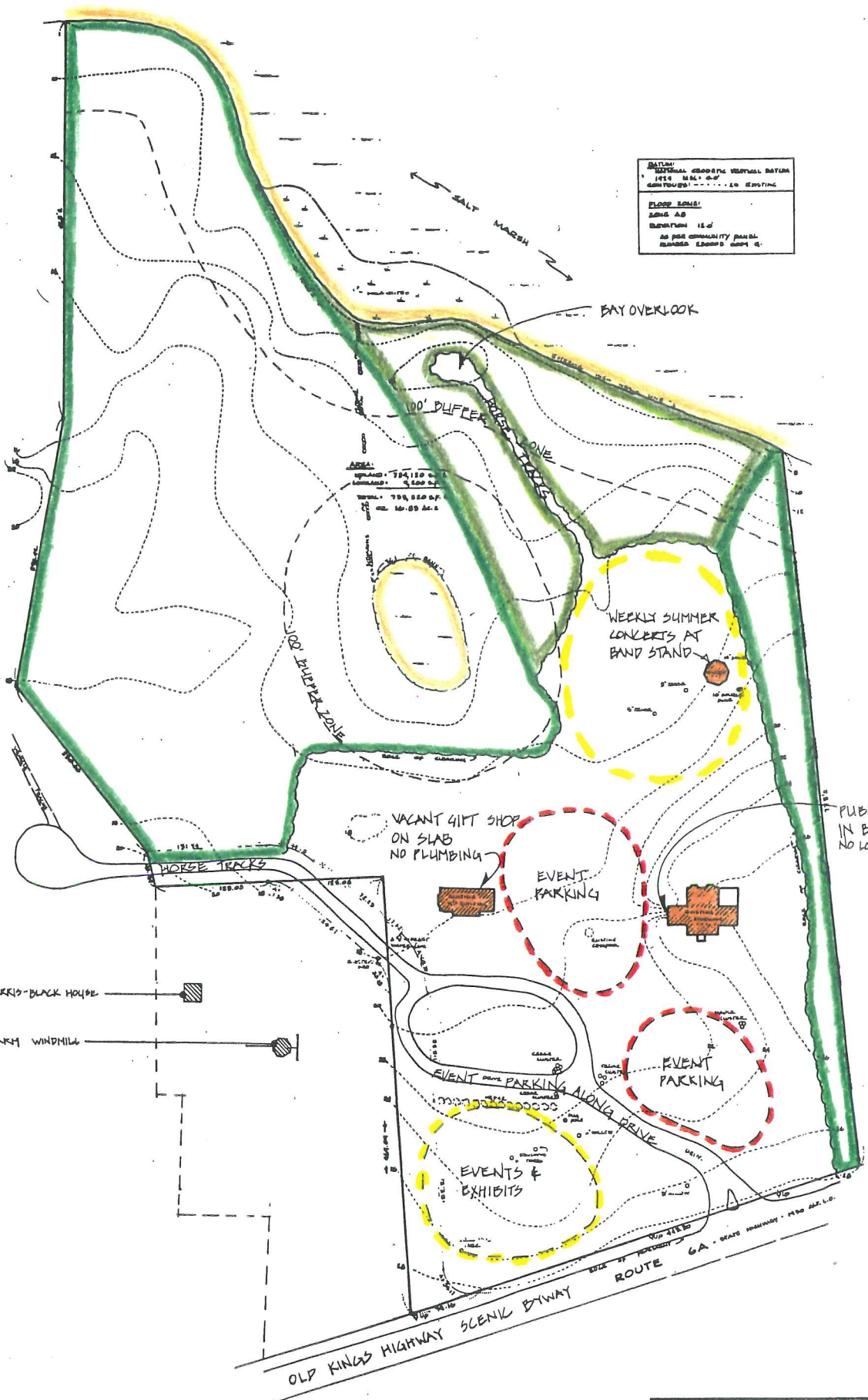


Use of the driveway

The driveway provides access to the Historical Society's property as well as neighboring properties to the west. Frequently the driveway will be used as parking for one or two cars of visitors to the park.

History

The use of this site has a very interesting history. Before the 1820s a large portion of the site was covered by saltworks. The U.S. Coast Survey of 1868 indicates some still remaining saltworks, a little pasture land and no trees. A 1938 aerial photograph shows all pasture and no trees on the site. The existing forest is no more than 50 years old, and possibly even younger. Tony McGowan purchased the land in the 1950s before it was subdivided into house lots. He lived in the residence and operated the Drummer Boy Museum. The Town of Brewster purchased the land in 1988. Later the museum was demolished and the gift of the bandstand was accepted.



DATUM	NATIONAL GEODETIC MEAN SEA LEVEL DATUM
VERTICAL	1912 M.S.L. ± 0.0
CONTOURS	1.00' TO EXISTING
FLOOD ELEV.	
AREA A-B	SEA LEVEL ± 0.0
AREA C-D	SEA LEVEL ± 0.0
AREA E-F	SEA LEVEL ± 0.0

KEY FROM 9-1-99 PLAN BY BENNETT & O'REILLY, INC.



DRUMMER BOY PARK		Beverly, Massachusetts	
USE ANALYSIS		SCALE: As Shown	
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 30 CHESTNUT STREET QUINCY, MA 02169 (617) 778-4217 - Fax (617) 778-7653		DATE:
			L-2

Opportunities and Constraints

See Site Plan L-3

After examining the committee's program, the site analysis and the use analysis, a series of possible opportunities and constraints to development were compiled. There are two major constraints to development on the site. The first is the fragile wetlands that need to be protected. No development can take place within the 100 foot buffer zone of the wetlands without conservation commission permission. The second constraint are the poorly drained soils. The only soil that can provide adequate drainage for a septic system is the Hinesburg Sandy Loam.

Given these constraints, there are still a great many opportunities to enhance and preserve the open character of the park. The following are a few of the opportunities identified on the plan.

The opportunity to:

- Create a more informal setting with the removal of the hedge and partial removal of the circular drive.
- Renovate the giftshop, add public toilets and connect to the existing septic system.
- Improve views to bay by removing all buildings and restoring grades to predevelopment levels.
- Repair and improve public toilets on first floor of existing residence and abandon those in basement.
- Preserve open character of site with proper maintenance and selective clearing.
- Create an open informal edge by selectively adding or removing vegetation.
- Improve views across marsh by selectively cutting spaces into the thicket at edge.
- Gain visual access to the bog with selective clearing and pruning.
- Improve views to bay with selective clearing and pruning.
- Conceal new development by tucking it into woods.

OPPORTUNITY TO IMPROVE VIEWS ACROSS MARSH BY SELECTIVELY CUTTING SPACES INTO BRUSH AT EDGE.

DATUM: NATIONAL GEODESIC REFERENCE SYSTEM 1916 MEAL 807 CONTINUED TO SHEET 20 EASTING	
FLOOD ZONE: ZONE A-D ELEVATION 15.0' AS PER COMMUNITY PANEL PLANNED BOARD 2004 G.	

NO BUILDING WITHIN 100' WETLAND BUFFER ZONES OR FLOOD PLAIN.

OPPORTUNITY TO CREATE AN OPEN INFORMAL EDGE BY SELECTIVELY ADDING OR REMOVING VEGETATION.

OPPORTUNITY TO PRESERVE OPEN CHARACTER OF SITE WITH PROPER MAINTENANCE & SELECTIVE CLEARING.

HINESELUNG SANDY LOAM - ONLY SOIL ON SITE SUITABLE FOR SEPTIC.

OPPORTUNITY TO REPAIR & IMPROVE PUBLIC TOILETS ON FIRST FLOOR & ABANDON THOSE IN BASEMENT.

OPPORTUNITY TO IMPROVE VIEW TO BAY BY REMOVING BUILDINGS & RESTORING GRAPES TO PREDEVELOPMENT LEVELS.

OPPORTUNITY TO RENOVATE GIFTSHOP, ADD PUBLIC TOILETS & CONNECT TO WORKING SEPTIC SYSTEM WITH PUMP.

OPPORTUNITY TO GAIN VISUAL ACCESS TO BAY WITH SELECTIVE CLEARING & PRUNING

OPPORTUNITY TO IMPROVE VIEWS TO BAY WITH SELECTIVE CLEARING & PRUNING

OPPORTUNITY TO CONCEAL NEW DEVELOPMENT BY "TUCKING INTO WOODS"

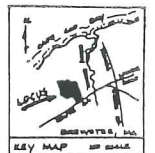
HARRIS-BLACK HOUSE

HIGGINS WINDMILL

OPPORTUNITY TO CREATE MORE INFORMAL SETTING WITH THE REMOVAL OF HEDGE & PARTIAL REMOVAL OF CIRCULAR DRIVE.

SURVEY FROM 9-1-99 PLAN BY BENNETT & O'REILLY, INC.

SCALE IN FEET



<h2>DRUMMER BOY PARK</h2> <p>Brewster, Massachusetts</p>		
<h3>OPPORTUNITIES & CONSTRAINTS</h3>		
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 30 CHESTNUT STREET QUINCY, MA 02169 (617)778-4717 • Fax (617)778-7633	SCALE: As Shown DATE: 3-27-95
	<h1>L-3</h1>	

Based on our opportunities and constraints plan and the program from the committee, Mary Smith Associates developed six different schemes for the park.

Schemes 1- 6

See Corresponding Site Plan Schemes 1-6

Scheme # 1

1. Open views through site by removing both buildings.
2. Keep development on the east side of park.
3. New Visitor's Center located near the street looks like a house.
4. Playground located at the top of the hill with paths connecting to loop.
5. Cut back the forest to expose the bog. Create a boardwalk over the bog.
6. Event space stays in front. Primary event parking in the woods - secondary event parking in the meadow.
7. Plant a few great trees to separate the two lawn areas.

Scheme # 2

1. Open two views to the water.
2. Repair residence foundation and update public toilets on the first floor. Abandon toilets in basement.
3. Remove gift shop building.
4. Playground at the front of the site. Four foot picket or open fence for safety.
5. Accessible stone dust path system to open picnic area.
6. Cut back large swath through woods. Leave forest around the bog in the center of the site.
7. Primary event parking in woods and secondary event parking in open space.

Scheme # 3

1. Eliminate hard edges at field tree line by selective clearing and planting more trees.
2. Develop internal views including an open view to the bog.
3. Develop paths, trails and teaching areas.

4. Expand the existing residence building and add the handicap accessible walk, landing and furnished overlook, and new first floor bathrooms.
5. The playground and the play field parking area adjacent to each other. The playground is tucked partly into the woods. This alignment created as a multi-use space.
6. Expand the view to the bay by removing the small gift shop and cutting back some woods.
7. Keep gazebo/ bandstand in place.
8. Park 300 - 400 cars for events.
9. Eliminate part of circular drive to create a meandering, less formal drive.

Scheme # 4

1. Increase the width of the view to Cape Cod Bay from the road and provide new views within site.
2. Open woods up at the north (Bay side) of site, exposing the stone wall.
3. Playground is tucked back into the wooded area.
4. Repair and renovate existing residence into a Visitor's Center with accessible first floor bathrooms. Event parking clustered near the Visitor's Center for approximately 300 cars.
5. Remove the gift shop and add overlook and handicap accessible paths.
6. Eliminate park of driveway circle.
7. Use bog and woods for trails, boardwalks, and teaching areas.
8. Open up wooded edges by selective clearing, creating softer, shady areas for picnics.
9. Keep gazebo in place.

Scheme # 5

1. Remove both buildings, no new buildings or bathrooms added.
2. Soften the edges of the woods by clustering trees. Selective clearing to prevent straight "wood-lot" edges.
3. Open up the views within and across the site.
4. Create a new "field" for play or to park 100 cars during an event.
5. Plant some trees to screen views to the playground, tucked in next to the field.

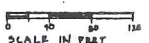
6. Create trails around the bog and through the woods.
7. There is a more open view to the bay from the street.
8. Park 350 - 400 cars for special occasions.
9. Eliminate part of circle drive.
10. Handicap path to overlook with benches.

Scheme # 6

1. Open views to the bay by removing both existing buildings
2. New Visitor's Center hidden from road by plantings. The views to the bay from both sides of the new building are expanded.
3. Events space to be on both sides of driveway.
4. The playground is tucked into the woods. Create an open swath to water for views.
5. New parking for Visitor's Center near new building off circle.
6. Path and picnic overlooks along marsh edge.
7. The cranberry bog remains surrounded by woods and is accessible by path and by boardwalk.
8. Handicap accessible overlook with benches and shade trees at the top of the hill.
9. New views created within site.



SURVEY FROM 9-1-99 PLAN BY BENNETT & O'REILLY, INC.



DRUMMER BOY PARK Brewster, Massachusetts	
SCHEME # 1	
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 50 CHESTNUT STREET QUINCY, MA 01906 5177778-4717 - Fax 5177778-7899
	SCALE: As Shown DATE: L





LEGEND
 DASHED LINE WITH ARROW: EXISTING
 SOLID LINE WITH ARROW: NEW
 DASHED LINE: EXISTING
 SOLID LINE: NEW
 AS PER COMMUNITY PLAN, BARRIS & ASSOCIATES 2004

GATHERING SPACE ALONG PATH

HANDICAPPED ACCESSIBLE STONE LOT PATH TO GATHERING SPACES WITH VIEWS OF POND

PAVED AREA

HARRIS-BLACK HOUSE
 HIGGINS WATERMILL

SURVEY FROM 9-1-99 PLAN BY BENNETT & O'REILLY, INC.

SCALE IN FEET



DRUMMER BOY PARK Drewton, Massachusetts	
SCHEME #2	
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS IN PLANNING 88 COUNTRY STREET QUINCY, MA 01909 507-770-8777 • FAX 507-770-7400
	DATE: _____ SCALE: AS SHOWN L



Note: All areas shown within
 this plan are
 subject to change
 as per authority plans.
 Please check with it.

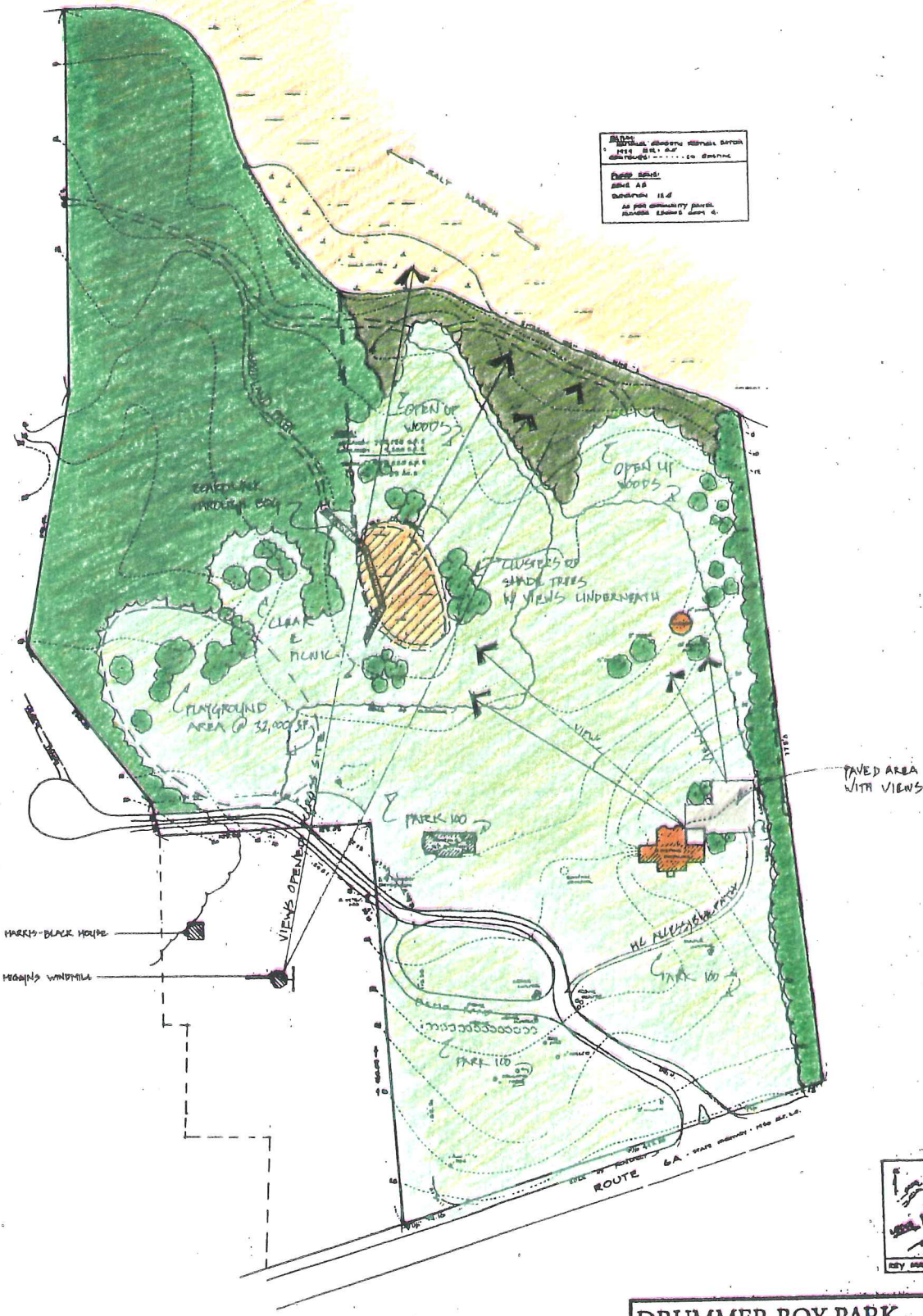
SURVEY FROM 9-1-99 PLAN
 BY BENNETT & O'REILLY, INC.

SCALE IN FEET
 0 20 40 60 80 100



DRUMMER BOY PARK	
Dorchester, Massachusetts	
SCHEME #3	
	MARY BETH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 80 CHAFFINOT STREET QUINCY, MA 01906 (508) 778-8717 • fax (508) 778-8865
	SCALE AS SHOWN SHEET L -





BANK
 Solid green symbol shown
 1/4" = 10' - 0" (1:400)

SLOPE
 Dashed lines
 1/4" = 10' - 0" (1:400)

DEEP SOIL
 Dotted lines
 1/4" = 10' - 0" (1:400)

As per site survey plots
 Number shown on map 4.

HARRIS-BLACK HOUSE
 HADDINS WINDMILL

PAVED AREA
 WITH VIEWS

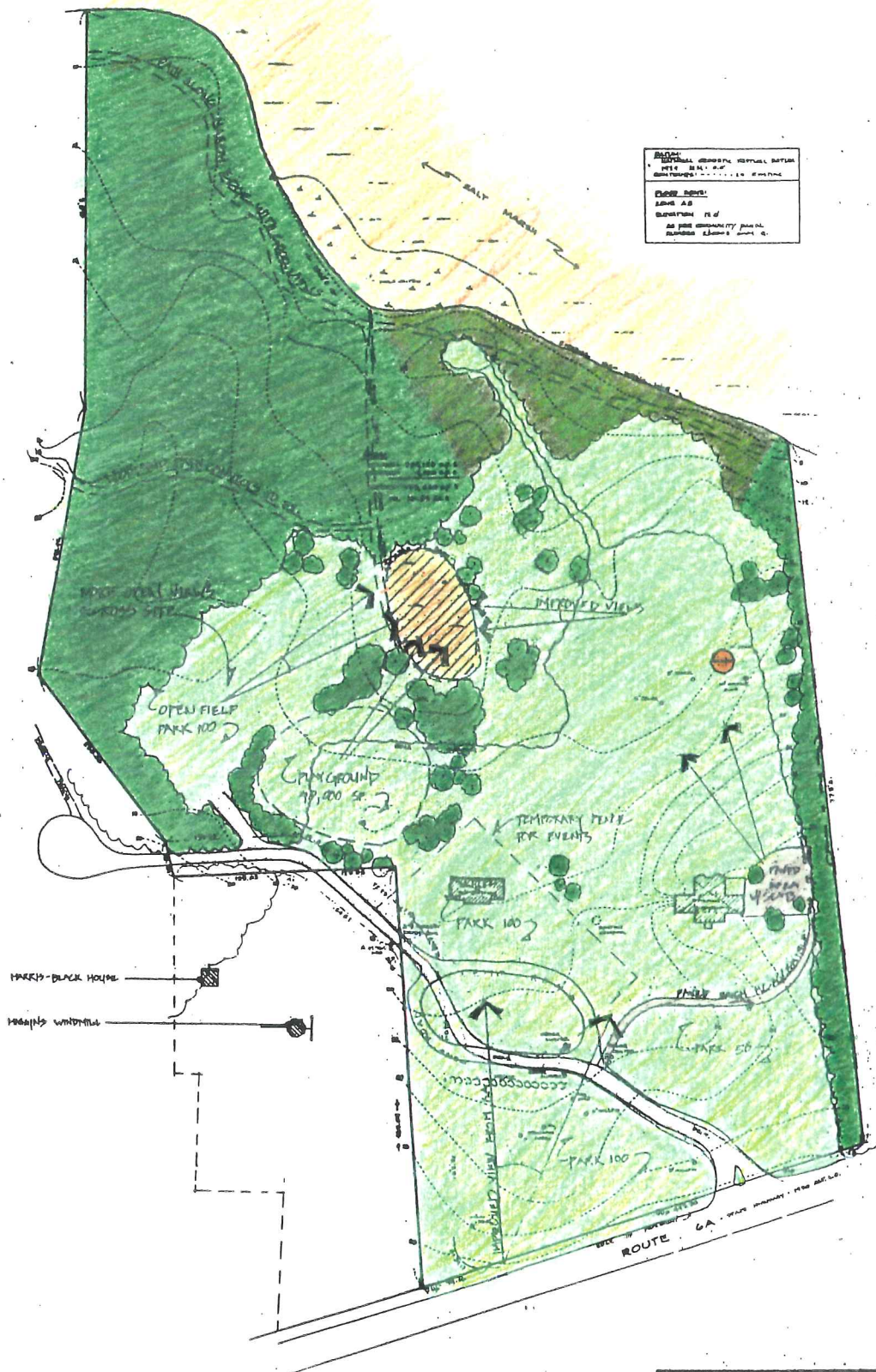


SCALE IN FEET
 0 20 40 60 80 100



SURVEY FROM 9-1-99 PLAN
 BY BENNETT & O'BRIEN, INC.

DRUMMER BOY PARK Drewton, Massachusetts	
SCHEME # 4	
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 50 CHESTNUT STREET QUINCY, MA 01906 (517) 776-0717 - fax (517) 775-9251
	SCALE As Shown DATE 1



BASE:
 NATIONAL GEODETIC SURVEY DATUM
 1983 B.M. 404
 CONTIGUOUS TO THE BOUNDARY

DATE: 1985
 LENS: AS
 QUANTITY: 100
 AS PER COMPANY POLICY
 DRAWING NUMBER: 100-100-100

HARRIS-BLACK HOUSE
 HARRIS WINDMILL

SURVEY FROM 9-1-77 PLAN
 BY BENNETT & O'REILLY, INC

0 50 100
 SCALE IN FEET



DRUMMER BOY PARK Brewster, Massachusetts		
SCHEME # 5		SCALE: As Shown
	MARY RUTH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS 20 FLORENCE 30 CHRISTY STREET QUINCY, MA 01906 (517) 776-4717 - FAX (517) 776-2697	DRAWN L

Masterplan

The committee chose which opportunities to pursue, reviewed all of the schemes and made recommendations for refinement. Following is the committee's recommendation with regards to the existing buildings.

The committee reviewed the condition of the former residence building and the gift shop building. A cost analysis was performed by David Thyng, Brewster's building commissioner and Arthur Chapin, a professional structural engineer, who serves on the Drummer Boy Advisory Committee. After a thorough examination of the residence building, it was determined that, in order to make this structure usable as a public building, it would cost the town approximately between \$60,000 and \$110,000 to complete the necessary repairs. The major deficiencies discovered were:

- Insufficient bearing capacity for the floors.
- Lack of insulation
- Deficiency of heating, electrical and plumbing systems.
- Failure of the structure's foundation, which would necessitate replacement.

In addition to the initial capital expense, the town would need to appropriate an annual maintenance budget. The committee decided that there was no reason for the town to undertake such expenses, particularly in light of the fact that no specific need for this building has been identified. The review of the gift shop building revealed that it is a sound structure with greater potential for renovation for public use. This structure is approximately 1,500 square feet in size. The cost to bring this building up to public code would be approximately \$30,000. This renovation would include the possible installation of insulation, a heating system, public rest room facilities, and a small kitchen. Maintenance of this structure would be substantially less expensive, due to its smaller size and simple construction.

Based on these determinations the Drummer Boy ad hoc Committee unanimously recommended that the residence building be removed and the gift shop building be renovated to become a Visitor's Center.

Based on the comments on schemes 1-6 from the committee and the concerned citizens, MSA developed a masterplan for the Drummer Boy Park. The final Masterplan is at the end of this section on drawing L-4.

Areas were identified to continue to be used as they are currently. The events will be held in the front area between the driveway and the street. Event parking will continue to be in the front to the east of the driveway. Parking for the summer band concerts will be on both sides of the driveway in the front of the site. No cars will be allowed north of the old gift shop on the lawn.

The existing gift shop will be renovated to contain a kitchen and bathrooms. This new Visitor's Center will be used for community meetings as well as a base for all of the site events. The gravel parking area will be better defined by improving the edge between the gravel and the lawn. This will become the handicapped parking for the site. The privet hedge will be relocated to open the lawn and make it more usable for events. The flagpole will be relocated to the entry of the Visitor's Center.

The existing residence will be removed from the site. It could be offered to a charity or an organization like Habitat for Humanity to remove from the site. If they could not move it for use as a residence, they could use pieces in other construction in progress. The basement will be filled in and an overlook area will be paved on the top of the knoll. This overlook will offer sweeping views of the park and the bay. Shade trees and benches will encourage visitors to pause and enjoy the view.

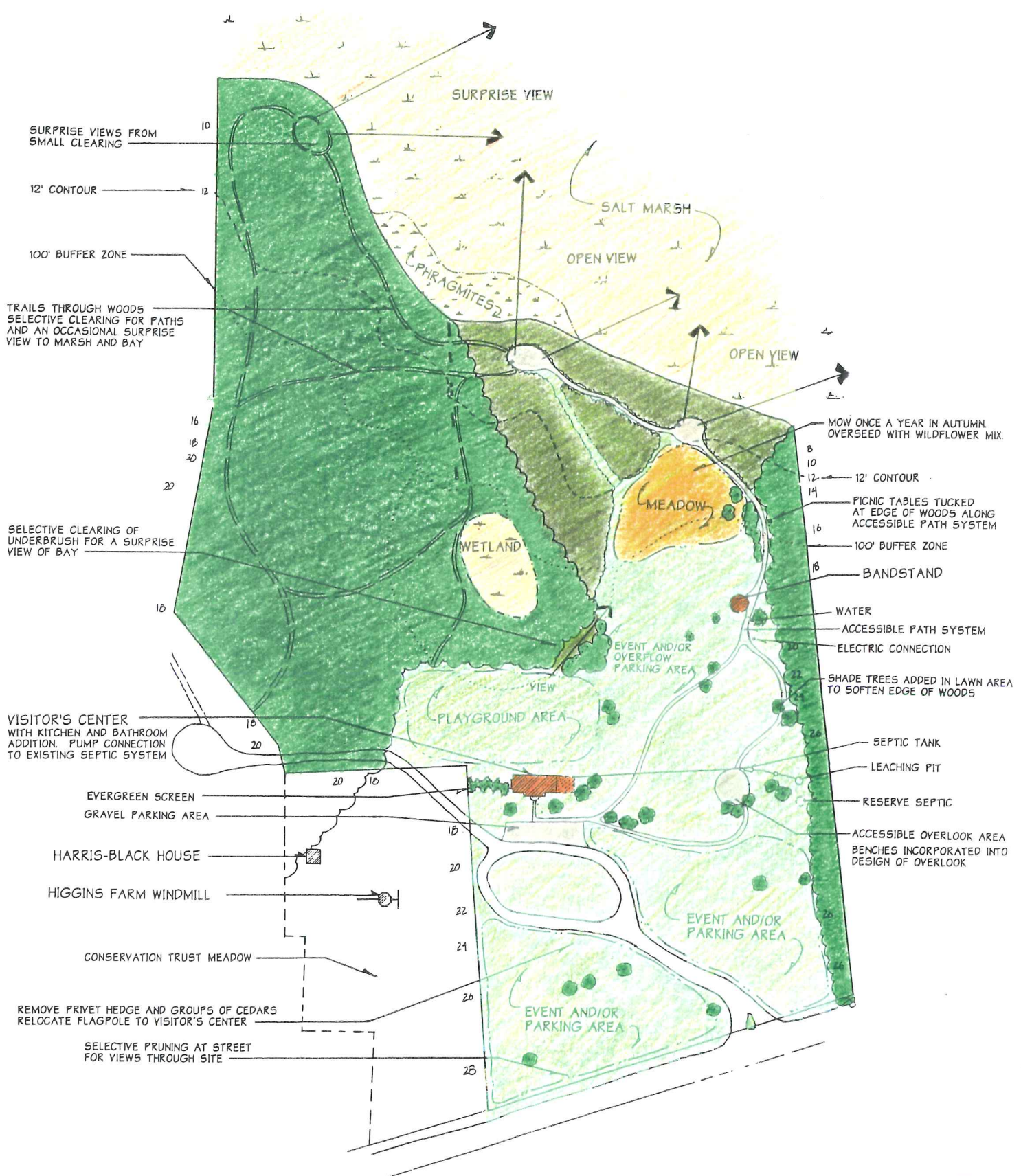
An accessible path will connect the Visitor's Center and handicap parking to the overlook. This path will then meander down the slope to the bandstand. Another accessible path will connect the Visitor's Center and bandstand directly. The path will continue down to the top of the coastal bank to provide panoramic views of the bay, Wings Island and back into the park. The accessible path system will provide a variety of experiences through an open grassy field, to the top of the knoll, at the edge of the woods, into the bandstand, into the woods, and between a wildflower meadow and the Bayberry thicket. The wildflower meadow will be established to echo the meadow maintained by the Conservation Trust to the west of the park. The educational walks and butterfly observation that currently occur in the Conservation Trust meadow can be extended to this new meadow. The meadow also provides a handsome transition from the mown lawn to the Bayberry thicket and

increase the species diversity in the park. Shade trees will be clustered in a few positions throughout the park to provide shade and frame views.

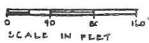
A hiking trail system will continue from the second overlook at the bay through the woods and connect back to the driveway and to the playground. The playground will be located directly behind the Visitor's Center. A surprise view out to the rest of the park and to the Bay will be provided by selective pruning and removal of branches. This will be a perfect area for a bench for people watching their children in the playground.

In this new park everyone will enjoy a more open view of the bay. From the street your eye will travel over a rolling expanse of lawn and a wildflower meadow, to a thicket of Bayberry, across the saltmarsh then out to the bay. Thanks to the hard work of your Drummer Boy Advisory Committee and all the concerned citizens who helped, this Masterplan maintains and enhances the beautiful views to the Bay for all the citizens of Brewster.





SURVEY FROM 9-1-97 PLAN BY BARNETT & O'KEILLY, INC.



DRUMMER BOY PARK Brewster, Massachusetts	
MASTER PLAN	
	MARY SMITH ASSOCIATES, P.C. LANDSCAPE ARCHITECTS & PLANNERS 30 CHESTNUT STREET QUINCY, MA 02169 (617)770-8717 • fax (617)773-7655
	SCALE: As Shown DATE: 5-1-95 <div style="font-size: 2em; font-weight: bold; text-align: center;">L - 4</div>

REPORT OF THE DRUMMER BOY AD HOC COMMITTEE

INTRODUCTION

A seven member ad hoc committee was appointed by the Board of Selectmen in early November of 1991 to study the situation that resulted from the complete take over of the Drummer Boy land and buildings.

This committee was charged to report back to the Board of Selectmen with their suggestions by February 26, 1991. This deadline was specified to allow the Selectmen time to study any further ideas and to place the matter before Brewster voters at the Annual Town Meeting on May 11, 1992.

PROCEDURE

The Committee as appointed consisted of the following Brewster residents: Charles Dedon, Sally Desmond, Robert Franklin, Terry Ladd, William Nielsen, Paul Saint, and Robert Wilkinson. Charles Sumner became the ex-officio member.

The first meeting was held on November 4, 1991, and at that time elected William Nielsen as chairman. The following guideline considerations were set forth as criteria for deliberation:

1. The intention of the Town in buying the property.
2. Assessment of land and buildings.
3. The voice of the public as to usage.
4. Financial considerations.

Numerous posted meetings were held in November, December, January, and February at which the use of the property was reviewed within the context of the guidelines.

In early November the Committee toured the grounds and all three buildings to better assess site conditions.

In addition, a public hearing was held on December 4, 1991 at which the Committee heard from many interested citizens as to their ideas on the use of the property.

CONSIDERATIONS

I. The intention of the Town in buying this property

The Town's feelings as stated in the purchase and sale agreement dated December 15, 1987 reads as follows:

"The Town of Brewster agrees that in the development and the use of the property, all development and use will be designed, sited, and maintained so that no harm is done to the natural and scenic qualities of the area and so that the fragile wetland, dune and upland areas will be protected to prevent erosion and to preserve critical habitats and the area's natural scenic qualities, including the unparalleled view of Cape Cod Bay from Route 6A."

The summary statement on Article 1 of the Special Town Meeting of January 25, 1988 reads as follows:

"...The Board of Selectmen feel this is a prime opportunity for the Town of Brewster to purchase a parcel of land that contains an unparalleled view of Cape Cod Bay from Route 6A. The parcel contains 500 feet of frontage on Route 6A and a significant frontage on the fragile wetland and dune area on Cape Cod Bay."

"Finally, we intend to amend the article at Town Meeting to require that any future use of this property will have to be reviewed and approved by Town Meeting."

II. ASSESSMENT OF LAND AND BUILDINGS

With the change of occupancy and complete ownership/control from the McGowan family to the Town of Brewster, come a number of potential problems that must be faced. Both short-term and long-term, before any of the buildings can be occupied or opened to the public, the property must conform to current codes and regulations. Changes are required in the septic system, electrical, plumbing and handicap access to conform with the new Americans with Disabilities Act.

III. THE VOICE OF THE PUBLIC AS TO USE

The Committee heard and weighed the following proposals:

- A. Maintain the property as it is.
- B. Establish a public park.
- * C. Keep the Museum in operation.
- D. Establish a Tourist Information Center in the Gift Shop building.
- E. Rent the residence to a caretaker to maintain the grounds.
- * F. Demolish all existing buildings.
- * G. Build an Elementary School.
- * H. Convert existing buildings to a Town Hall.
- * I. Build a new Town Hall on the property.
- * J. Build an Astronomical Observatory.
- * K. Use the land for recreational activities.
- * L. Have the Historical Society move and operate buildings.
- * M. Use the residence for club/group meetings
- * N. Build a Crematorium.
- * O. Create a walk-on cemetery.
- P. Locate a bandstand on the property.
- * Q. Lease Gift Shop for sale of antiques/gifts.
- * R. Use land for elderly housing.
- S. Add picnic tables and swings for children.
- T. Continue to hold antique and art shows on the grounds.
- * U. Convert the land to a Community Farm.
- * V. Lease buildings for a Medical Center/Sanitorium.
- * W. Lease the buildings for a Research Center.

After consideration of all aspects of each of these uses, those proposals that have been indicated with an asterisk (*) were eliminated for the present time, because one or more of the guideline criteria made them impractical or non-viable options at this time.

IV. FINANCIAL CONSIDERATIONS

This represents a major stumbling block, as any use of the property/buildings involves a financial obligation. The Committee's recommendations have taken the position that with Brewster's present financial difficulties, any use must severely curtail additional expense to the Taxpayers. Bearing this in mind, please note that for the immediate future, the only suggested expense involves a system for security of the buildings.

V. RECOMMENDATIONS

A. A short term solution, in light of the current financial condition of Brewster and our general economy, is to mothball the buildings. However, we the Committee would very strongly urge the Town to have an adequate security system installed without delay.

Mothballing would allow Brewster to buy time to actively pursue use of the buildings by financially solvent groups or organizations that would agree to meet required codes and regulations.

B. We suggest that the Town consider allowing the Brewster Board of Trade and/or the Chamber of Commerce availability of the "Gift Shop" building as an Information Center for visitors to our Town, provided that such a program would be cost free in all respects to the taxpayers.

C. We applaud the offer of the Brewster Board of Trade to donate a bandstand for concerts on the Drummer Boy land. This bandstand would then become part of the Town's normal maintenance program.

D. We also suggest the Town seek a caretaker to reside in the residence, rent free. The caretaker would agree to pay all related building expenses, such as heat, electricity, water, phone, insurance, etc. The caretaker would also be responsible for maintenance of the grounds, including cutting the grass, and would agree to act as a resident security guard.

E. The concept of an astronomical observatory is laudable, but the Committee feels that such a use would compromise the Town's original intention for acquiring the land, and that the consequence of a required 25 year lease is essentially the same as selling the land. Therefore it is the conclusion of the Committee that this is not an appropriate use of the site.

F. This leaves the museum building in question. To date no group or organization has come forward to offer the money needed in order to meet building codes and regulations.

As this museum is one of a kind and a true asset to Brewster,

we urge the Selectmen to continue to search for an appropriate museum related use as a means of preserving this cultural resource. While our immediate short-term recommendation is to keep the buildings mothballed, we urge the Selectmen to keep looking.

The Committee also suggests that if the Board of Selectmen agree with the museum proposition, that every effort be made to obtain the museum's paintings and related exhibits for inclusion in a future museum.

G. Although not specified in this Committee's original scope and purpose, we would like to recommend the establishment of a permanent Land Committee. In light of the evolution of the Town as a major land holder, we suggest that the Board of Selectmen consider appointing a permanent Land and Buildings Management Body/Committee to coordinate with all Town entities controlling land, to serve as an interim authority for oversight of land not yet designated to a specific department, and to develop a comprehensive long-term Land Management Plan for all Town Lands.

CONCLUSION

This report is meant to serve as a summary of the Committee's full deliberations. All letters received by the Committee, as well as detailed minutes of all meetings, including the public hearing, are being submitted with this report in order to provide back-up information and a complete file for reference and/or review. Our recommendations are based on conditions existing at this time and should be evaluated on that basis.

This Committee wishes to express its appreciation to the many citizens, societies, and organizations who came forward with timely proposals for the use of this valued Drummer Boy property. We wish also to stress that any future use must take into consideration the intent of the Town in purchasing this land.

Respectfully submitted,

William S. Nielsen, Chairman

Date

For the Drummer Boy Ad Hoc Committee:

Charles S. Dedon
Sally C. Desmond
Robert M. Franklin
Terry Ladd
Paul F. Saint
Robert L. Wilkinson
Charles L. Sumner

DEED OF LIFE ESTATE AND REMAINDER
WITH RETAINED LIFE ESTATE
SUBJECT TO CONDITIONS

LEWIS A. MCGOWAN, JR., of Route 6A, Brewster, Barnstable County, Massachusetts 02631, in consideration of ONE DOLLAR (\$1.00) paid by Elizabeth McGowan and NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000.00), paid by the Inhabitants of the Town of Brewster, and retaining a life estate in the Grantor, grants to ELIZABETH MCGOWAN, Route 6A, Brewster, Barnstable County, Massachusetts 02631, during her life, and the remaining fee interest, WITH QUITCLAIM COVENANTS, to THE INHABITANTS OF THE TOWN OF BREWSTER, a Municipal Corporation having its principal place of business at the Town Offices, Main Street, Brewster, Barnstable County, Massachusetts 02631, the land in Brewster, Barnstable County, Massachusetts, together with the buildings thereon, bounded and described as follows:

LOT #2 as shown on, "Division Plan of Land in Brewster made for Lewis A. McGowan, Jr. Scale: 1 in. = 100 ft. Feb., 1988 Slade Associates, Inc., Reg. Land Surveyors, Rte 6 & Pine Pt. Rd., Wellfleet, MA. and recorded with Barnstable Deeds in Plan Book 445, Page 98 .

Containing an area of about 17 acres, more or less and including the the fee in the two "Right-of-Way" areas shown within Lot #2 on said plan.

This conveyance does not convey to either Grantee any express or implied rights in nor easements over Lot 1 as shown on said plan.

Meaning and intending to create life estates to the said McGowans to be held in common and conveying the remainder to the Town of Brewster.

Said reserved life estate and conveyances shall be subject to the following additional reservations and conditions:

1. Retaining in the Grantor a right of way easement for all purposes for which ways are used in the Town of Brewster over the "Right of Way and Existing Right of Way as shown on said plan appurtenant to Lot 1 as shown on said plan. Said easement shall include the right to construct a subdivision road over said easement to access two residential lots to be created from Lot 1 and to install underground utilities under and along said right of way and strips 10 feet wide abutting said right of way, and to locate drainage easements and utilize same as required to obtain Planning Board approval for a subdivision plan and to construct said road in accordance therewith.

COMMONWEALTH OF MASSACHUSETTS
DEEDS & EXCISE
900.00
CANCELLED
MAR 1 1988
BARNSTABLE

COMMONWEALTH OF MASSACHUSETTS
DEEDS & EXCISE
366.00
CANCELLED
MAR 1 1988
BARNSTABLE

COMMONWEALTH OF MASSACHUSETTS
DEEDS & EXCISE
900.00
CANCELLED
MAR 1 1988
BARNSTABLE

T

2. DURING THE TERM OF THE AFOREMENTIONED LIFE ESTATES, MR. AND MRS. MCGOWAN SHALL HAVE THE RIGHT TO RESIDE IN THE RESIDENCE ON THE PREMISES AS WELL AS TO OPERATE THE "DRUMMER BOY MUSEUM AND GIFT SHOP." DURING THE PERIOD OF THIS OPERATION, THE GRANTOR SHALL BE RESPONSIBLE FOR PAYMENT OF ALL COSTS IN CONNECTION WITH THE OPERATION OF THE MUSEUM AND GIFT SHOP AND ALL PROCEEDS FROM THE OPERATION OF THE SAME SHALL REMAIN THE PROPERTY OF THE GRANTOR. DURING THE TERM OF THE AFOREMENTIONED LIFE ESTATES, THE GRANTOR SHALL AT HIS OWN EXPENSE BE RESPONSIBLE FOR THE CARE, MAINTENANCE AND UPKEEP OF THE BUILDINGS AND OTHER IMPROVEMENTS AS WELL AS THE GROUNDS SURROUNDING THE SAME.

3. DURING THE PERIOD OF THE AFOREMENTIONED LIFE ESTATES, SHOULD THE LIFE TENANTS OR THE SURVIVOR OF THEM, BECOME INCAPACITATED, EITHER PHYSICALLY OR MENTALLY AND TAKE UP RESIDENCE OTHER THAN ON THE PREMISES; THEN, AND IN THAT EVENT, THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER SHALL HAVE THE OPTION TO TERMINATE THE LIFE ESTATE OF THE LIFE TENANTS OR THE SURVIVING LIFE TENANT BY PAYMENT OF \$50,000.00 TO THE LIFE TENANT OR TENANTS OR THEIR LEGAL REPRESENTATIVE. THE RECEIPT OF SUCH PAYMENT SHALL FORTHWITH TERMINATE THE LIFE TENANCY AND ALL RIGHTS ACCRUING TO THE LIFE TENANTS OR THE SURVIVING LIFE TENANT THEREUNDER. THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER SHALL BE ENTITLED TO RECEIVE A DEED OF SAID INTEREST FROM THE LIFE TENANT OR TENANTS OR THEIR LEGAL REPRESENTATIVE.

4. FOLLOWING THE CONVEYANCE OF THIS PROPERTY TO THE GRANTEES AND DURING THE PERIOD OF THE LIFE TENANCIES, ALL OBLIGATIONS AND RESPONSIBILITIES FOR REAL ESTATE TAXES ON THE SUBJECT PROPERTY BOTH LAND AND BUILDINGS SHALL BE THE SOLE RESPONSIBILITY OF THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER.

5. FOLLOWING THE CONVEYANCE OF THE PROPERTY TO THE TOWN AND DURING THE PERIOD OF THE LIFE TENANCY, THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER SHALL BE RESPONSIBLE FOR PAYMENT OF THE FIRE AND CASUALTY INSURANCE ON THE BUILDINGS AND IMPROVEMENTS ON THE PREMISES. SUCH INSURANCE COVERING FIRE AND EXTENDED COVERAGE SHALL BE FOR THE REPLACEMENT VALUE OF THE BUILDINGS AND SITE IMPROVEMENTS AND ANY DEDUCTIBLE SHALL BE PAID BY THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER IN THE EVENT OF ANY LOSS.

6. FOLLOWING THE CONVEYANCE OF THE PROPERTY TO THE GRANTEES AND DURING THE TERM OF THE AFOREMENTIONED LIFE ESTATES, PERSONAL INJURY AND LIABILITY INSURANCE SHALL BE MAINTAINED ON THE RESIDENCE, DRUMMER BOY MUSEUM AND GIFT SHOP IN A MINIMUM AMOUNT OF ONE MILLION (\$1,000,000.00) DOLLARS; HOWEVER, THE PAYMENT OF THE SAME SHALL BE BORN BY THE GRANTOR AS PART OF THE OPERATION OF THE DRUMMER BOY MUSEUM AND GIFT SHOP. THE GRANTOR AGREES THAT AS OF THE DATE OF THE CLOSING HE WILL MAINTAIN THE AFOREMENTIONED PERSONAL LIABILITY INSURANCE IN A MINIMUM AMOUNT OF \$1,000,000.00 ON THE SUBJECT PREMISES AND SHALL CAUSE TO BE NAMED THE TOWN OF BREWSTER AS A CO-INSURED ON SAID POLICY. THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER, COMMENCING ON THE DATE OF CLOSING SHALL MAINTAIN FIRE INSURANCE AND EXTENDED COVERAGE INSURANCE ON THE BUILDINGS AND IMPROVEMENTS ON THE PREMISES AND SHALL CAUSE TO HAVE NAMED THE GRANTOR AND GRANTEE ELIZABETH MCGOWAN AS CO-INSUREDS ON SAID POLICY.

7. THE GRANTOR FURTHER AGREES TO INDEMNIFY AND SAVE HARMLESS THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER FROM AND AGAINST ANY AND ALL CLAIMS OF WHATEVER NATURE ARISING FROM ANY ACCIDENT, INJURY, OR DAMAGE WHATSOEVER CAUSED TO ANY PERSON, OR TO THE PROPERTY OF ANY PERSON, OCCURRING DURING THE LIFE TENANCIES AND THE OPERATION OF THE DRUMMER BOY MUSUEM AND GIFT SHOP IN, OR ABOUT THE SUBJECT PROPERTY OR THE BUILDINGS CONSTRUCTED THEREON. THIS INDEMNITY AGAINST ALL COSTS, EXPENSES AND LIABILITIES INCURRED SHALL INCLUDE COSTS, EXPENSES AND LIABILITIES INCURRED IN OR IN CONNECTION WITH ANY SUCH CLAIM OR PROCEEDING BROUGHT THEREON AND THE DEFENSE THEREOF.

8. WITH RESPECT TO THE AFOREMENTIONED POLICIES OF PERSONAL LIABILITY INSURANCE, THE SAME SHALL BE NON-CANCELLABLE WITH RESPECT TO THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER WITHOUT TEN (10) DAYS PRIOR WRITTEN NOTICE TO SAID GRANTEE AND THROUGHOUT THE TERM OF THE LIFE ESTATES A DUPLICATE POLICY ORIGINAL OR CERTIFICATE THEREOF SHALL BE DELIVERED BY THE GRANTOR TO SAID GRANTEE.

9. THE GRANTOR AGREES THAT DURING THE TERM OF THE AFOREMENTIONED LIFE ESTATES WHILE HE IS RESPONSIBLE FOR THE CARE, MAINTENANCE, AND UPKEEP OF THE BUILDINGS AND IMPROVEMENTS ON THE PROPERTY AND GROUNDS, THAT HE SHALL INDEMNIFY THE GRANTEE INHABITANTS OF THE TOWN OF BREWSTER AGAINST ALL LIABILITIES, EXPENSES AND LOSSES INCURRED BY SAID GRANTEE AS A RESULT OF:

(A) FAILURE OF THE GRANTOR TO PERFORM ANY COVENANT OR AGREEMENT REQUIRED TO BE PERFORMED IN CONNECTION WITH THE CARE, MAINTENANCE AND UPKEEP OF THE BUILDINGS.

(B) ANY ACCIDENT, INJURY OR DAMAGE WHICH SHALL HAPPEN IN OR ABOUT THE SUBJECT PREMISES OR APPURTENANCES CAUSED BY ANY ACTIVITIES OCCURRING ON THE PREMISES DURING THE LIFE ESTATE OR AS PART OF THE ACTIVITIES OF THE GRANTOR IN CONNECTION WITH THE OPERATION OF THE MUSEUM AND GIFT SHOP.

(C) ANY MECHANICS LIEN, SECURITY AGREEMENT OR ATTACHMENT, FILED AGAINST THE SUBJECT PROPERTY, OR ANY MATERIALS USED IN CONNECTION WITH THE CONSTRUCTION, REPAIR, OR ALTERATION OF THE BUILDINGS AND IMPROVEMENTS ON THE SUBJECT PROPERTY.

For title, see deed of Leonard Dubin and Philip Dubin to Lewis A. McGowan, Jr., dated September 9, 1959 and recorded with Barnstable Registry of Deeds in Book 1054, Page 1.

WITNESS my hand and seal this // day of March 1988.

Lewis A. McGowan, Jr.

Lewis A. McGowan, Jr.

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss. *March 11* 1988.

Then personally appeared the above named Lewis A. McGowan, Jr. and acknowledged the foregoing instrument to be his free act and deed, before me,

Richard C. Perkins

Notary Public
My commission expires: *2/7/1989* (place notary seal here)

Report of the
SPECIAL TOWN MEETING

January 25, 1988

In accordance with the warrant the Special Town Meeting was held in the Brewster Elementary School Cafetorium, Monday January 25, 1988.

This Meeting was called to order at 7:20 P.M. by the Moderator, Stephen L. Doyle. The tellers were Dorothy Grenier, Edwin Blease, June Gallant, and J. Ogden J. Tyldsley, Jr. Checkers were Dorothea Dugan, Jean Gage, Carl Scrivener, Margo Cathie. A Quorum of 229 was present.

ARTICLE 1. I move that (A) the Board of Selectmen is hereby authorized to purchase for municipal purposes from Lewis A. McGowan, Jr., for the sum of NINE HUNDRED FIFTY THOUSAND (\$950,000) DOLLARS, the land and buildings thereon, situated in West Brewster, Barnstable County, Massachusetts, located on the northerly side of Route 6A, containing approximately seventeen (17) acres, more or less, having five hundred (500) feet of frontage, more or less, on Route 6A, to be shown on a plan drawn by Slade Associates, and being a portion of the premises described in the deed to the seller from Leonard Dubin of Waltham, Middlesex County, Massachusetts, and Philip Dubin of Dennis, Barnstable County, Massachusetts, said deed being dated September 9, 1959, and recorded with the Barnstable Registry of Deeds in Book 1054, Page 1, said land comprising all of the seller's property set forth in said deed excepting two residential building lots comprising 5.85 acres, more or less, on the westerly side of the property, which will be retained by the seller and which will be shown on a plan hereinafter referred to; the land shall be conveyed subject to a forty (40) foot wide right of way to access the retained two lots and subject to obtaining Planning Board approval therefor; said right of way shall comprise the existing way shown on Plan of Land in Brewster for Lewis A. McGowan, Jr., dated June 3, 1974 and recorded with Barnstable Deeds in Plan Book 293, Page 61, plus an extension of said right of way northwesterly to the two lots shown on said plan; subject to a life estate to be granted to Lewis A. McGowan, Jr. and Elizabeth McGowan by the Town of Brewster, and according to the executed purchase and sale agreement, between Lewis A. McGowan, Jr., as seller, and the inhabitants of the Town of Brewster, as buyer, which is on file in the office of the Town Clerk; (B) the sum of \$950,000 is hereby appropriated to finance the cost of acquiring such land and that to raise this appropriation, the sum of \$200,000 shall be transferred from available funds in the Treasury and the Treasurer, with the approval of the Selectmen, is authorized to borrow the sum of \$750,000 under and pursuant to Chapter 44, Section 7(3), of the General Laws, as amended and supplemented, or any other enabling authority, by the issuance and sale of bonds or notes payable to Lewis A. McGowan, Jr. over a term of seven (7) years from the date thereof in accordance with the terms of the purchase and sale agreement hereinbefore described; (C) the further sum of \$20,000 is hereby appropriated and shall be raised by transfer from available funds in the Treasury for the first payment of interest on the bonds or notes issued hereunder and costs associated with the transaction; and (D) the Board of Selectmen and other Town officers and officials are hereby authorized to take any and all action deemed by them necessary to complete the transactions authorized herein; and that any future use of this property shall be determined by Town Meeting action.

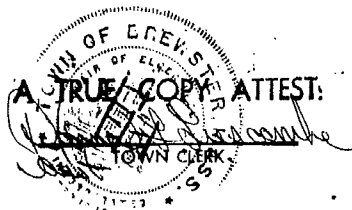
ADOPTED YES 504 NO 10

ARTICLE 2. To act on any other business that may legally come before this meeting.

There being no other business to come before this meeting, it was adjourned at 8:25.

A True Copy ATTEST:

Barbara A. Vaughn, CNO/AAR
Town Clerk



RECORDED MAR 11 88

ZISSON AND VEARA

ATTORNEYS AT LAW

RICHARD L. ZISSON
EDWARD E. VEARA
PAUL V. BENATTI
JILL J. BROFSKY
E. JAMES VEARA

AT WELLESLEY OFFICE PARK
45 WILLIAM STREET
WELLESLEY, MASSACHUSETTS 02181
TEL (617) 431-2100
FAX (617) 237-0766

828 MAIN STREET-BOX 2031
OLD KINGS HIGHWAY
DENNIS, MASSACHUSETTS 02638-1530
TEL (508) 385-6031
FAX (508) 385-6914

August 15, 1994

Ms. Jillian Douglass
Administrative Assistant
Board of Selectmen
Town of Brewster
Brewster, MA 02631

Re: Use of Drummer Boy Property

Dear Ms. Douglass:

Recently, you contacted this office, on behalf of the Board of Selectmen, to request a legal opinion on various issues surrounding the use of the Drummer Boy property. I have researched the matter, and this letter is written to convey my response. My analysis of the queries contained in the Request are set forth here below, in the order in which they were presented to me in your letter.

The first issue raised in your Request concerned the legality of the Board of Selectmen's recent vote regarding a playground on town-owned property. The factual history, as I understand it, began with the meeting of the Board, at which time the Playground Committee proposed to donate playground equipment to the Town for use on Town property. Evidently, the Committee considered a number of different Town-owned sites, and its first preference is the Drummer Boy property. At the meeting, the Selectmen voted 3-2 to establish a recreation site on the Drummer Boy Property or at a site to be determined. At the time of the vote, Town Administrator, Charles Sumner, indicated that such a vote would not need Town Meeting approval because the Selectmen merely approved the concept of accepting a volunteer built playground somewhere in the Town with the focus being on the Drummer Boy property. Mr. Sumner explained that this would allow the Committee to begin the fund-raising efforts as soon as possible and allow time for an Advisory Committee to work on the specific details of the proposal.

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The challenge to this Vote stems from the fact that, at a January 1988 Special Town Meeting, the Town mandated that "any future use of [the Drummer Boy] property shall be determined by Town Meeting. Obviously, the Board of Selectmen's most recent vote on the Playground was taken without Town Meeting approval. It is my opinion that the Board of Selectmen were fully within their authority when they rendered their vote on the playground and that the vote was not improper.

The Board of Selectmen did not authorize the Committee to put the playground on the Drummer Boy property. The Vote merely authorized the donation of the playground to the Town, at a location to be determined after a study was completed, with the help of the Advisory Board. Although the vote reflected a preference for the Drummer Boy site, it also very clearly mandated that other sites also be considered. While it is true that the Board does not have the authority to mandate the uses to which the Drummer Boy property is devoted due to the January 1988 Special Town Meeting, it is also true that this most recent vote by the Board did not include such a mandate. This recent vote simply authorized the donation of a playground at a site to be determined.

Your next query concerned some restrictive language contained in the Purchase and Sale Agreement (hereinafter referred to as "P&S") whereby the Town agreed to purchase the Drummer Boy Property. Article 32 of Schedule "B" of the P&S addresses the uses to which the Town agreed to put the property. In relevant part, it states the following:

"The Town of Brewster agrees that in the development and the use of the property all development and use will be designed, sited and maintained so that no harm is done to the natural and scenic qualities of the area and so that the fragile wetland, dune, and upland areas will be protected to prevent erosion and to preserve critical habitats and the area's natural scenic qualities, including the unparalleled view of the Cape Cod Bay from Route 6A."

The Purchase and Sale Agreement further provides in Article 12 that:

"The acceptance of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed."

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The language from Article 32 of the P&S in which the Town agreed to limit the uses of the property is still binding on the Town due to Article 12 of the P&S. A P&S agreement is a contract which is binding on the parties to the extent of the terms contained therein. In addition to maintaining the unparalleled view of Cape Cod Bay from Route 6A, the Town also agreed to maintain the natural, scenic and environmental aspects of the property.

Technically, because of the broad and vague language used in the P&S, any activities which would disturb these interests violates Article 32; however, the parties' intent as they were negotiating the contract is instructive for determining the extent of the restrictions. Because the McGowans have both passed away, their intent can only be determined from existing records. Incidentally, only the McGowans and their estates would have standing to object to any action taken by the Town in violation of the agreement.

It is my opinion that Article 32 probably encompasses permanent structures that would affect the interests listed in the P&S. Temporary structures and activities, however, have less effect on these interests due precisely to their temporary nature, and, therefore, such activities more than likely do not fall within the precepts of Article 32 of the P&S.

Your next query centered around Town Meetings discussion which concerned limiting the property to "open space" uses only. It is my opinion that debate alone during Town Meeting does not have any legal force or effect on the use to which the Town puts the property. At this time, only a new Town Meeting vote could specify exclusive open space use. Because the words "open space" do not appear in the P&S or in any Town vote, they are not binding on the Town.

The requirement that the Town maintain "the unparalleled view of Cape Cod Bay from Route 6A" obviously refers to the view that already existed and therefore buildings existing at that time are in compliance.

You next asked if a playground and bandstand are permitted uses on the Drummer Boy property. It is my opinion that, as it stands right now, a playground could not be built on the Drummer Boy property without Town Meeting approval. The bandstand has already been constructed and, technically, its construction violated the 1988 Town Meeting Vote, as it was constructed without Town approval. However, subsequent Town Meeting could be used to ratify the Board's vote on the bandstand and this would rectify any current misstep. As for whether the bandstand violates the P&S, this would depend on how much the structure impedes the view of the

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Bay from Route 6A and interferes with the natural and environmental qualities of the area. Whether it impedes the view is a factual issue which can perhaps only be decided after an objective analysis by a disinterested party. If the Conservation Commission approved the bandstand, then it is doubtful it interferes with intent of the agreement that the natural and environmental qualities of the parcel not be disturbed. Moreover, it must be recalled that various buildings have been removed from the site and that the Town had only to maintain the quality of the Bay view as it once existed. To the extent that the addition of the bandstand and the removal of several buildings represented a net increase or improvement of the view of the Bay, the P&S provisions were not transgressed.

You next asked if the "open space" restriction affects the existing buildings. As I have already noted, no such "open space" restriction exists because there is no Town vote concerning this issue, merely debate and discussion. It might be argued that the restriction contained in Article 32 of the P&S concerning the preservation of "the unparalleled view of Cape Cod Bay from Route 6A" pertains to the existing buildings, as well. It is my opinion, however, that the language in the P&S does not apply to those buildings. That restriction explicitly speaks of "the unparalleled view", which can only mean the view which existed at the time the P&S was being negotiated. At that time, those buildings were already in existence and, therefore, their continued existence does not violate the P&S. With regard to the uses the remaining buildings can serve and what activities can be conducted in them, it is my opinion that this should be decided by Town Meeting. The P&S and the Deed do not include any restrictions regarding the use of those buildings. Nevertheless, please see my discussion regarding these structures and the building code further on in this response.

Your next inquiry concerned the fact that the Deed reflecting the transfer of the Drummer Boy property does not include any language regarding the use to which the Town agreed to devote the property. The Town, as the grantee party, is bound by the deed's terms. The Town is also bound by the written contract which constitutes the Purchase and Sale Agreement (hereinafter, "P&S"). Normally, as Article 12 of the P&S sets forth, the execution of the deed nullifies all prior agreements not contained in the instrument; however, Article 12 goes on to state that obligations contained in the P&S which were to take place after the delivery of the deed are to remain in effect against the party so obliged. Because Article 12 of the P&S extinguishes only those obligations which would arise before the delivery of the deed, the use restrictions contained in Article 32 of that agreement remain effective. The deed would prevail if it contained language related

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to the use of the land. Because the deed is silent on this topic, the P&S restrictions are not displaced. //

Your Request next asks what effect the January 1988 vote had on the authority of the Board of Selectmen to approve periodic events on the property. As I already noted, Article I of the 1988 Special Town Meeting states that "any future use of this property shall be determined by Town Meeting." Whether the Town Meeting vote restricts the Board of Selectmen's authority to allow periodic events to take place on the property depends on an interpretation of the intent of those who voted to approve it. The vote appears geared mostly to approving the purchase of the land by the Town. The last clause of the Vote, which limits the determination of any future use to Town Meeting action, must be interpreted within the context of the vote and the discussions which preceded it. Given the broad nature of the language contained in the text of the vote, the words "future use" were probably intended by the Town Meeting to refer to permanent future uses of the property; however, the word "any" comes directly before the term "future use," and this casts a doubt about the true meaning of the clause. Because I do not have a copy of the minutes of the Meeting, I cannot discern the true intent underlying this clause. In any event, as I noted above, a new Town Meeting vote can be utilized to clarify any ambiguity. A new vote can be used to alter or repeal any prior Town restriction placed on the use of the property. Furthermore, a future Town Meeting can clarify the distinction between ongoing events and single occurrence events and can also give the Board of Selectmen the authority to decide whether to approve those uses. Thus, if such a vote were passed, the Board would obviously have jurisdiction over those activities. //

Your Request next raises the issue of the current "use policy" of the Board of Selectmen and what it authorizes the Selectmen to do. Ordinarily, under M.G.L. c. 40 §3, the Board of Selectmen control the disposition of property, unless Town Meeting places control of the property in another board's hands. Such a Special Town Meeting Vote is, of course, binding on the Board of Selectmen. This is precisely what happened with the Drummer Boy property. Needless to say, however, the Town can always amend a prior vote at another Town Meeting. Thus, the Selectmen still have full authority to determine the use of all town-owned property without the need for a town vote, except the use of the Drummer Boy property. The Selectmen, therefore, do not need Town Meeting approval of their "use policy" as it concerns other town-owned property; however, their "use policy" cannot apply to the use of the Drummer Boy property because of the restriction imposed by 1988 Meeting. Therefore, it is my opinion that the Selectmen do not, at this time, have the authority to rule, on a case by case basis, //

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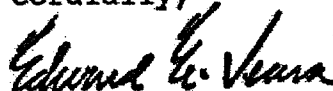
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upon the various uses of the Drummer Boy property. Approval of the "use policy" by Town Meeting would not change that fact. M

Your final question concerned the liability and risk exposure represented by the existing structures on the Drummer Boy property. Because the buildings do not comply with the codes governing use of public buildings, the exposure of the Town is great. Because of recent amendments to the Massachusetts Tort Claims Act, towns are no longer immune from tort suits. It is my opinion, therefore, that the Town demolish or remove the buildings or else bring them in conformance with the pertinent codes. I also strongly suggest the Selectmen review the Town's insurance policies to ensure that the structures are afforded full coverage.

This concludes my response to your Request. Should you have any more questions regarding these matters, please do not hesitate to call.

Cordially,



Edward E. Veara
Town Counsel

STF/ja

cc: Board of Selectmen

Definitions from Black's Law Dictionary
Special Deluxe Fifth Edition - 1981

(Page 984)

Open Space - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open spaces.

Common Open Space - An open space area within or related to a site designated as a development and designed and intended for the use or enjoyment of residents and owners of the development. Common open space may contain such complimentary structures as are necessary and appropriate for the use of enjoyment of residents and owners of the development.

Structure - Any construction, or any production, or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed; an edifice or building of any kind.

A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

COMMENT

The Brewster floodplain district was first adopted as a zoning overlay in 1985. The bylaw has been amended over time as subsequent district boundaries and state and federal regulations have changed. The amendments proposed in this article are designed to incorporate recommended changes from the state’s updated model floodplain bylaw. No changes to the floodplain district boundary are proposed as part of this zoning bylaw amendment.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 7, No 0, Abs 0

Planning Board:

Yes 7, No 0, Abs 0

DRUMMER BOY PARK MASTER PLAN UPDATE

ARTICLE NO. 12: To see if Town will vote to accept the 2021 Drummer Boy Park Master Plan, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

After purchasing the Drummer Boy property in 1988, a Comprehensive Master Plan was developed and adopted by Town Meeting in 1995. That plan identified opportunities and constraints for the site and developed a programmatic plan for the property via a phased implementation approach. Some of these improvements, including the bandstand, playground, and walking paths, have been implemented. Twenty-five years later, Drummer Boy Park continues to provide diverse active and passive recreational uses for countless residents and visitors, and it remains a vital community asset.

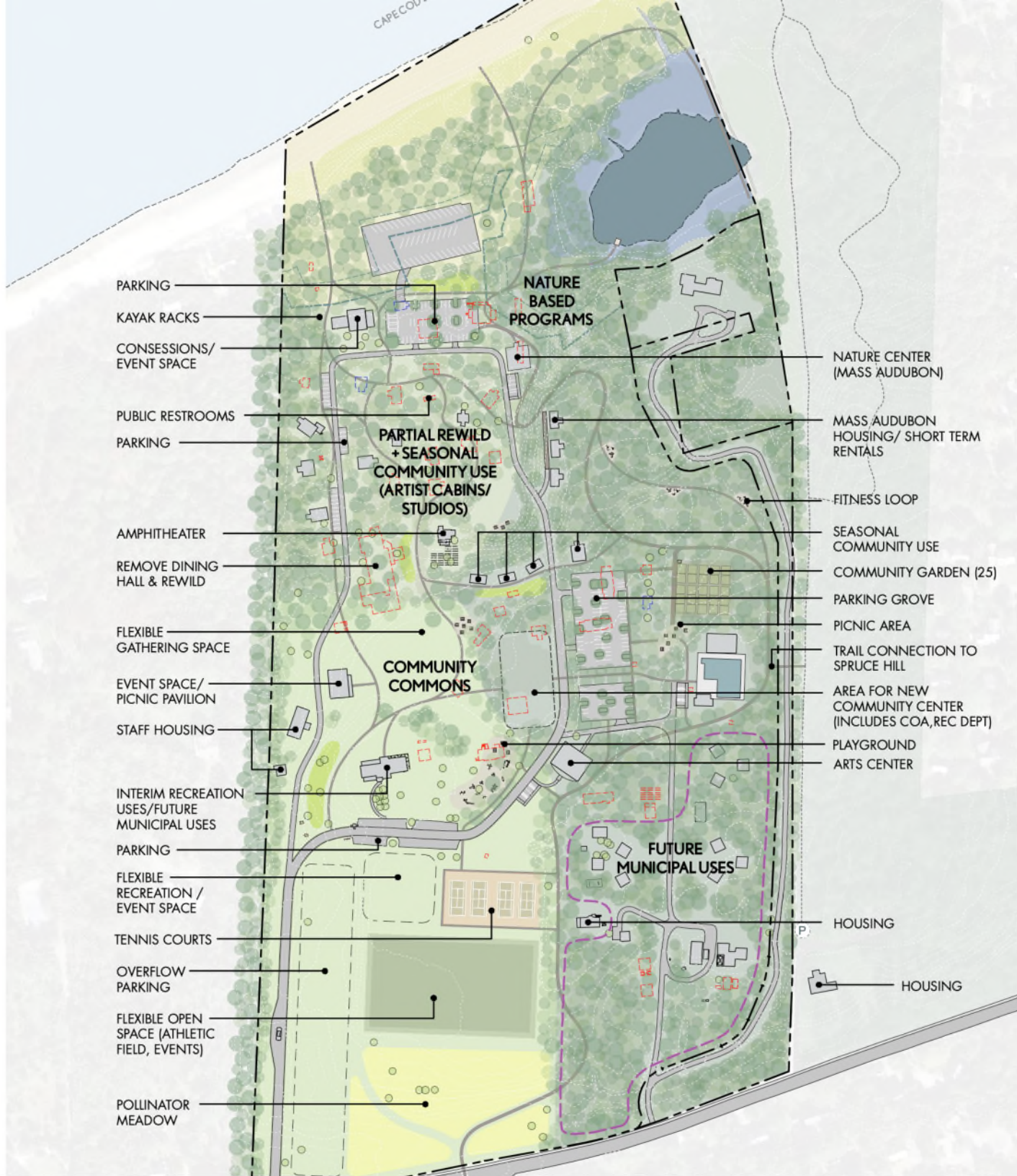
In 2020, the Select Board established the Drummer Boy Park Advisory Committee to review the park’s current condition and uses, develop designs for expanded or alternative uses, and estimate costs and funding scenarios for such future plans. The resulting updated Master Plan was informed by feedback from residents and relevant stakeholders such as the Brewster Historical Society and Brewster Conservation Trust, who own adjacent properties.

The goals of this new Plan are to preserve the character of the park, improve views of the bay, enhance existing uses, and provide additional access to and throughout the park. The Plan also seeks to account for future increased use given the proposed construction of a new elevated boardwalk to Wing Island from the Town-owned conservation land immediately to the east of Drummer Boy. Additional details and more information on the Plan can be found on the Drummer Boy Park Advisory Committee on the Town website or in the Town Administrator’s office.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 7, No 0, Abs 0





Town of Brewster

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MINUTES OF THE DRUMMER BOY PARK ADVISORY COMMITTEE

Date: January 2, 2024
Time: 6:00 PM
Location: 2198 Main Street, Room A

Committee Members Present: Chair Katie Scott, Vice Chair Devin McGuire, Jillian Douglass, Jay Green, Allyson Felix

Supporting Members Present: Town Manager Peter Lombardi, Natural Resources Director Chris Miller

Remote Supporting Members: Recreation Director Mike Gradone

Other Participants Present: Hal Minis (Brewster Conservation Trust), Ray Hebert (Museum of Natural History)

Absent: Patricia Hughes, Chris Ellis

Call to Order, Declaration of a Quorum, Meeting Participation Statement and Recording Statement

Chair Scott called the meeting to order at 6:05pm declared a quorum, read both the meeting participation statement and the recording statement.

Public Announcements and Comment

None

Review Information about Parking & Stormwater

Mr. Lombardi noted that in the Horsley Witten high level analysis of impervious area, it shows that there is currently a little under 25,000 sq ft of impervious area in the access drive and parking area. This includes the gravel shoulder, about 6,000 sq ft of compacted shoulder along the perimeter. This is based on the most accurate representation of where people are parking. As proposed, the area would increase to a little over 31,000 sq ft in total. Included would be the access drive, parking area and sidewalks. About half the increase is related to the new sidewalks that don't currently exist along the perimeter. This is about 13% of impervious areas directly related to parking. Mr. Lombardi reminded the committee this analysis was based on the conceptual design plans that Horsely Witten was working on, not the original Master Plan.

Mr. Lombardi added for the purposes of the Town's stormwater bylaw, it doesn't have to be paved to be considered impervious, even permeable pavement is considered impervious based on the bylaws. The conceptual design that the Town was working on assumed that it was all paved surfacing, and the stormwater systems were designed to treat stormwater off those surfaces. The stormwater systems designed were intended to help with treating runoff related to the paved surfaces and the areas directly adjacent.

Ray Hebert observed that with the recent rain, he was surprised to see how much rain was coming from across the street down the hill into the park and how this can be addressed. Mr. Lombardi shared that there is a stormwater collection area just west of the main entrance.



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Hal Minis noted that one of the elements of the original plan for managing stormwater that he believes was a good idea was the educational value, which demonstrates different kinds of stormwater management techniques. He believes this is an important element to retain.

Chris Miller commented that because of the poor soil in the area, the ground gets saturated, and more infiltration cannot happen, in bigger storms the ground will be overwhelmed. Mr. Lombardi added that this is an issue we are seeing across Town with major stormwater events. It is important to remember that 6A is a state road, any changes to drainage would require an involved design and approval process.

Ray Hebert shared a new kind of thinking, basically a rain garden with a mound of “sponge” that cleans and catches the water, he suggests looking into them and include in the thought process.

Mr. Miller noted that in recent projects in Town, most recently at Lond Pond, started at the top and put in catch basins and drainage areas, so that water is caught at multiple places as it runs downhill. This does not catch every bit of the water but is being treated the best we can. Also, at the Long Pond parcel put in a vegetative swale that will hold the water more in larger rainstorms and go into vegetation and move out through wetland area before it goes to Long Pond. Mr. Miller stated that at Drummer Boy Park there isn't a lot of elevation change to get water to flow where we want it. In looking at the original plan, there was discussion about additional vegetation swales, this is a great opportunity to demonstrate low impact, easy to maintain, nutrient eating stormwater options.

Member Douglass shared her thoughts about considering locations closer to 6A and less in the center of the property where the pooling currently happens. She mentioned the properties on both sides of the park, Brewster Historical Society and Cedar Ridge, and if it has been considered for permanent parking for higher intensity uses at the park.

Member Felix stated that when considering the survey and communication, it is critical that people understand how much water is an issue at the park. Mr. Lombardi suggested using photos on the project page on the Town website to show what the park looks like in heavy rain events.

Mr. Miller commented that the road needs to remain where it is as it is access from the State highway and doesn't believe there needs to be focus on developing formal parking areas.

Member McGuire suggested that the harms of pooling water would be an element of education to consider when presenting to the public.

Mr. Lombardi noted that the last Drummer Boy Park Advisory committee was sensitive to community character and making any dramatic changes to what people were accustomed to. The view corridor across the meadow out to the Bay was important, which is why the plan included that the vista was enhanced and preserved. Mr. Lombardi shares the concerns about shifting parking to a different area, this would have significant costs and esthetic implications.



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Member Douglass commented that there might be parking spaces at Cedar Ridge, that would not impede the view. On the other side of the property, it is about 2-3 feet higher, that might have some capacity for pervious parking.

Mr. Lombardi noted that there were three large areas identified in the plan that was approved by Town Meeting, in between where parking is now and 6A for drainage swales/rain gardens to treat some of the runoff and prevent it from migrating to the lower portion of the property. There was also at least one or two smaller natural drainage systems that were proposed adjacent to the playground to intercept the rainwater.

Discuss 2021 Drummer Boy Park Master Plan: Accessibility, Connectivity, and Site/Amenity Improvements

Mr. Lombardi noted that Phase 2 of the original plan, the focus was on expanding the existing trail network and providing better connectivity between Cedar Ridge, Drummer Boy Park, and the meadow through new paved paths. It also included proposed improvements to the gazebo structure, a new playground as well as replacement of the existing building either to reuse or as a new shade pavilion. There were also plans for more formal restrooms and other smaller elements.

The same footprint would be used for the existing building for the proposed pavilion, with the potential to remove the walls and keep the roof structure. Mr. Gradone added that if an open-air pavilion is created, essentially the playground can be moved away from the wetlands.

Douglass on the pavilion the gazebo is raised up, the tendency of the water to puddle around the building, possibility with pavilion to be up higher than grade. Open under that, close it somewhat, air circulation like the gazebo and above that would be protected from water. Miller the existing used have gutters, something that could be put into pipes and moved away from the building.

There was discussion about signage at the park, the consideration is if a shade pavilion is built to use one side to post about amenities and information about the property and trails. The inclination is not to have too much sign pollution, acknowledging that there are opportunities to have interpretive signage to help educate residents and visitors.

Updated cost estimates from Horsley Witten will be available at the next meeting for the committee to review.

Mr. Gradone expressed the need to have an accessible pathway to the pavilion from the playground, as it should be ADA accessible and inclusive.

Mr. Miller commented that Cedar Ridge Reserve is under the care, custody and control of the Conservation Commission and is a separate parcel. This committee would be the right body to make recommendations to provide connectivity. Mr. Lombardi noted that the report of the committee for Town Meeting may say that there is interest in future potential phasing at Cedar Ridge and would encourage examination in coordination with the Conservation Commission and Brewster Conservation Trust who hold the Conservation Restriction.



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Member Douglass asked if it is the purview of this committee to be working also with the Bay Planning Committee, as some uses may be more appropriate there. Chair Scott responded that since the Bay Property Planning Committee is still in the planning phases it would be hard to coordinate anything at this point. Mr. Lombardi stated that information has been shared as to where the process is, including the analysis looking at the overall footprint for parking and community uses on Drummer Boy Park and for the entrance fields at the Bay. This broadly means the Town could shift some of the events and activities to the Bay property if we wanted to in the future. Mr. Lombardi expects the uses at Drummer Boy Park to remain the same, and if anything is shifted off the property the uses will be less intensive than they are now. Member McGuire added the committee is not looking to add more uses but focusing on the improvements needed.

Discuss Resident Survey

Member Felix recapped that the committee had decided that about 15-16 questions as the ideal number of questions to have participation. The committee has identified four different primary areas: parking safety and circulation, water management drainage, improved accessibility, and site amenities. Mr. Lombardi added that to start there would be 4 to 5 high level demographic questions, so the survey will be closer to 20 questions total.

Hal Minis reviewed both the Vision Plan survey and the Next Step survey created for the Local Comprehensive Plan. He noted that the surveys included either a four-point scale or five-point scale asking if respondents agreed or didn't agree with the question. In the comments people felt this type of questioning was too direct. Asking if the respondent feels something is important allows them to give more of their opinion. Hal suggested using this type of questioning and volunteered to format the survey into a draft survey for the next meeting.

Mr. Lombardi requested that each committee member send him 2-4 questions for each of the four areas discussed. He will then work with Hal to put into a survey format for the next meeting. The committee charge outlines conducting public outreach in soliciting resident feedback in developing their report for Town meeting, and a survey is the easiest to get input from the most amount of people.

Discuss Format of Town Meeting Report

Mr. Lombardi stated that the report can take any form and thinks that as we are designing the survey to think about the end and work our way backwards, keeping in mind what the report should look like. The report should be something that can be easily referenced in the future. The committee will need the feedback from the survey to decide on how to structure the report. The committee shared what they feel is important in the report including visual aids, current conditions, stormwater pictures, maps and a table of actions. Mr. Lombardi noted that information will be sent out through the Town website and social media as part of the Town Meeting process. Additionally, information can be posted on the committee page on the website.



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Approve Meeting Minutes: November 29 and December 11

No meeting minutes for approval available.

Future Meetings

January 16, February 6, February 20, and March 4, 2024

Adjournment

Member Felix moved to adjourn at 7:35pm. Member Douglass seconded the motion. A roll call vote was taken. Member Douglass- yes, Member McGuire-yes, Member Green-yes, Member Felix-yes, Chair Scott-yes. The vote was: 5-Yes, 0-No.

Respectfully submitted by Erika Mawn,
Town Manager's Office

Approved: _____ Signed: _____
Date Member Ellis, Clerk



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MINUTES OF THE DRUMMER BOY PARK ADVISORY COMMITTEE

Date: January 16, 2024
Time: 6:00 PM
Location: 2198 Main Street, Room A

Committee Members Present: Chair Katie Scott, Vice Chair Devin McGuire, Jillian Douglass, Jay Green,

Remote Committee Members: Chris Ellis

Absent: Patricia Hughes, Allyson Felix

Supporting Members Present: Town Manager Peter Lombardi, Natural Resources Director Chris Miller

Remote Supporting Members: Department of Public Works Griffin Ryder

Other Participants Present: Sharonn Tennstedt, Ray Hebert (Museum of Natural History), John Depuy

Call to Order, Declaration of a Quorum, Meeting Participation Statement and Recording Statement

Chair Scott called the meeting to order at 6:00pm, read both the meeting participation and recording statement, and declared a quorum.

Public Announcements and Comment

John Depuy, 833 Main Street, commented that the reason that the committee exists is to find the most appropriate path for all to deal with the hot topics, at the time of the Town Meeting it was the boardwalk, he would like to see things move forward in the most pragmatic way possible. Mr. Depuy noted that the two important aspects were the boardwalk and the desire to preserve the large green space at Drummer Boy Park for the fundamental belief that green is better than developed. There was also a feeling that the Town had significant spending in its future, with the acquisition of the Sea Camps, rumors about school refurbishment and the inevitable pressures of inflation. Mr. Depuy applauds the process and intends to be a regular participant and conduit of this information. He thinks that using the old Local Comprehensive Plan that was voted down is a starting point. In the process that is considered he asks for the option to leave the park green and not spend a lot of money to be articulated, debated, and considered, and not only have development options.

Review and Discuss Draft Community Survey

The draft survey was shared with the committee, it includes demographic questions to start and then is structured into the four key areas that the committee has been discussing.

Hal Minis was not available to attend the meeting, so Sharon Tennstedt was present to review the draft survey on his behalf, she was part of the Vision Planning Committee and has a lot of experience with Town surveys. Ms. Tennstedt reviewed high-level principles in developing surveys, noting that it should be kept as simple as possible and encourage people to complete it.



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Member Douglass expressed that there is not an option throughout the survey for “do nothing”, to keep things the way they are today. Mr. Lombardi asked how she would like this represented in the survey?

Member Ellis shared that he likes the survey and feels it is easy and accessible. The open-ended comments allow for the ability to provide more information. He believes that the “not important” option is very telling as a first option. He suggested that on the opening page the link to “learn more” should open in a new tab, Ms. Tennstedt will make the change. Member McGuire feels that the survey is well crafted as it hits the four topics the committee decided on. She inquired if there was some way to form a question that asks the community what is more important to them.

Member Douglass reviewed the questions on the draft survey and again stated that some people may feel very strongly against adding anything further and believes there should be an additional question that asks this specifically, for example “there is no need for additional parking/pavement”. She would like to give people the full spectrum, not just what the committee has thought of and believes it is important to include this option in all four of the main questions. Mr. Miller commented that if any work is to be done at the park, it will generate the need for stormwater control, under our stormwater bylaw.

Mr. Hebert suggested that in the questions related to parking permeable should be defined or examples should be provided. The committee agreed to provide material options. Mr. Lombardi reminded the committee that a master plan won’t typically specify what materials are going to be used.

Member Douglass commented that part of the criticism that the Town received previously had to do with the broad brush and not getting into the details. There are people in the Town who are interested in the details, asking when they would have the opportunity to be involved in the design. Mr. Lombardi respond in the design phase, which was what the Town has started in Fall 2022.

Ms. Tennstedt, speaking as a citizen, understood that the article and vote at Town Meeting last March, was a request to review and revise the plan accordingly and was primarily in relation to the boardwalk situation. There were comments about the various elements of the survey and if there is a way to ask the community if they opposed the plan at the last Town Meeting what the reason specifically was, a way to try to identify the pain points.

Mr. Deput commented that the boardwalk was the primary issue, though there was a very meaningful strong desire to leave the park primarily green space, adding that some modification is okay. He believes the survey was a total miss last year and the will of the people as voted was overwhelmingly different than the survey. Mr. Deput believes that providing information with details about the cost of the phased approach is difficult to get in a survey. A small subset of people will complete the survey, which may not represent the whole issue. This is a nice questionnaire for what it is, but he doesn’t believe it really addresses the concerns of a lot of people.



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Ms. Tennstedt asked the committee what is the objective of the survey? Chair Scott responded to get community feedback on the four main points that the plan discusses. Mr. Lombardi added that the committee is tasked with, by Town Meeting, with reviewing the 2021 Master Plan that was adopted at Town meeting and bringing back a report to the May Town Meeting on that plan. The Select Board in developing the committee expressly took any references to Wing Island, improved access, or the boardwalk off the table, and this is stated in the beginning of the survey. The committee is to solicit community feedback, which is the goal of the survey, to understand where residents stand in terms of the park and what was purposed and originally adopted by Town Meeting in terms of recommended improvements.

Mr. Deputy asked for clarification about the vote at Town Meeting. Mr. Lombardi stated that what was voted on at Town Meeting was to send the plan to a new committee, the Select Board developed the charge in concert with the Moderator which was consistent with what Town Meeting approved. The Moderator and Select Board were involved in vetting applicants for the committee and the committee is to report back to Tow Meeting in May.

Member Ellis commented that he feels the committee is moving forward in the right manner, the committee has discussed what they think is important and doing due diligence to report back to Town Meeting. Member Green added that the survey will help to narrow things down as to what direction the committee will go in.

Ms. Tennstedt stated that an item can be included that essentially says, no changes or improvements to each of the 4 categories. It was agreed that the text addressing stormwater assumes the person wants stormwater management. Mr. Miller commented that he believed that the committee was unanimous in wanting to address the significant drainage issues that limit use of the park now and the question should address this concern. Mr. Lombardi added that there is an important distinction between stormwater and everything else, he believes that some question about maintaining status quo makes sense, but not under stormwater given all the conversations that committee has had. It was suggested to add text to the introduction that that the Town has an obligation to deal with stormwater management.

Mr. Deputy commented that he believes that the question about stormwater leads the witness unintentionally and could lead to a situation where a person answers what they did not intend. Adding that everyone knows there is a water issue at the park and it should be explicit if it is in violation of a town bylaw.

Mr. Ryder stated that the stormwater requirements will be a result of development, if pavement is being increased, there will have to be an increase in stormwater infrastructure to address it. We currently have a sub-standard stormwater condition that could be addressed with potential improvements to existing conditions.

Mr. Lombardi suggested the following statement: Certain improvements to the park would require compliance with the Town's stormwater bylaw.



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Member McGuire shared her concerns that there are obvious needs that need to be addressed at the park, the playground being one of them. If we do nothing, this will lead to a different path for the park and is trying to understand what this would mean.

Mr. Lombardi read the motion that Town Meeting voted on that Jillian Douglass read on Town Meeting floor, to be clear on statements made tonight: “ I move that the town vote to reconsider the vote to accept the 2021 Drummer Boy Park Master plan taken under Article 12 of the November 15, 2021 Special Town Meeting and that the 2021 Drummer Boy Master Plan be referred to a new committee to be appointed by the Select Board in conjunction with the Moderator, to study and report to the May 2024 Annual Town Meeting.” The charge for the committee is clear, to use the plan as a basis to report back to Town Meeting.

Member Douglass believes that there is a decision of the Town as to how much we invest in one location given that if you invest in another location, the Sea Camps, you might have a better outcome. She is not sure this is coming across in the survey.

Ms. Tennstedt commented that what the data is going to tell us is for those who respond to the survey, the degree of importance of each of these amenities and will give some sense of what is more important than others. Mr. Lombardi added that the data will not necessarily be a straight comparison between amenities. The committee will have to interpret the information to figure out how best to deal with each of the elements in the plan.

Member Douglass motioned to include a question under parking that there be no changes or improvements to existing parking. Member Green seconded the motion.

Mr. Lombardi stated that no changes or improvements to parking are listed as important or not important. Member Ellis likes the survey as it is and thinks the answers will be telling as what residents respond to as priorities. Member Douglass specified that there is not a “no” option for parking. Member McGuire pointed out that there is a “not important” option, and we are looking to see what residents find important and communicate what feels important so we can help drive towards a plan.

Ms. Tennstedt shared that an option is to add an item at the beginning with a different scale that asks the degree to which they agree that parking needs to be addressed.

Member Douglass amended her motion to add an additional statement asking in the survey whether it is important to citizens to address parking on the site or not. Member Green seconded the motion.

Mr. Lombardi shared his concern about holding apart a separate question as it will be treated differently than the other questions. Member Douglass agreed and suggested adding the question in for stormwater management and accessibility and connectivity, there is already a version of the question under amenities.



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Ms. Tennstedt reviewed the two options, one is to include text as an additional item in addition to the other four or add a completely differently worded item at the beginning, which would make the other answers not applicable. Member Douglass asked about the overall question under amenities about how satisfied the respondent is and if it is possible for this question to be included in the other topics.

Mr. Depuy commented if it is appropriate to ask questions about interest in these topics without a price tag which might impact the answer. We are asking people to vote at Town Meeting if they want something or not, without all the information. He suggested placing broad budget parameters to these things. Ms. Tennstedt responded that she does not believe the survey is the place to combine the two, as it adds another layer of complexity to the survey. While Mr. Depuy agreed, he feels it is material information in asking how one might think about something when there is a price tag with it. Chair Scott commented that she feels this is outside the objective of the survey.

Mr. Lombardi noted that the committee has talked about providing residents filling out the survey with information to get informed feedback, there will be a link to the committee's page that has the 1995 and 2021 plan that includes cost estimates. Adding that it might be helpful to put the updated cost information on the website. Horsley Witten is putting something together before the survey is released on an existing condition plan from the 2021 plan.

Member Douglass clarified that her motion was to add a statement or question similar to the one at the beginning of the amenities page that asks about overall satisfaction of parking, stormwater, accessibility and connectivity. Member Green seconded the motion. A roll call vote was taken. Member Maguire- yes, Member Ellis-yes, Chair Scott- yes, Member Douglass-yes, Member Green-yes. The vote was 5-yes, 0-no.

Review and Discuss Updated Cost Estimates for 2021 Master Plan

Mr. Lombardi shared that Horsley Witten went back and looked at the early cost estimates developed by CDM Smith in their 2021 report. The methodology that Horsley Witten uses was a little different, but helpful to understand what the cost of each phase would be. The market has obviously changed in the past couple of years and Horsley Witten has taken a more conservative approach, recognizing that costing out a master plan is challenging. The CDM Smith estimates call out overhead separately, where Horsley Witten includes it in the estimating on a per unit basis.

Mr. Lombardi provided a high-level overview, in the 2021 report, CDM Smith estimated \$1.25M for improvements in phase 1 of the 2021 plan, Horsley Witten estimates the same improvements at \$1.7M. Phase 1 was more of the site work, including stormwater and parking, phase 2 includes the primary amenities, where the major cost driver is the playground. CDM Smith cost estimate in 2021 was \$920K and Horsley Witten suggested estimates is \$1.25M. The original costs were about \$2.2M and now the costs are closer to \$3M. Particularly with the phase 2 work, it was suggested that since it is further out and that there is little specificity in terms of design in the master plan, a healthy contingency of 30% is built in by Horsley Witten. There still needs to be clarification on the cost estimate to either renovate the maintenance building into the pavilion or build new.



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It was discussed that the committee could recommend different phasing and/or components within the phasing as part of their report to Town Meeting. If a different version or elements of the plan are brought forward, we could ask Horsley Witten for help with cost estimates. Mr. Lombardi noted that the ultimate cost driver on playgrounds is surfacing, the Town is currently working with Nauset Youth Alliance on a new playground at Stony Brook Elementary and looking at costing as part of the Sea Camps Bay property, and costs are consistent to what the 2021 plan shows.

Mr. Depuy shared that he lives next to Drummer Boy, and he regularly plays with his grandchildren on the playground, he would love to have an enhanced playground, but does get the issue of cost overall. He stated that the ultimate objective of the group is to bring forward something that will get passed to make some improvement to the park, his opinion is that at a \$3M price tag is a huge price tag with the other cost pressures and real needs in Town. He suggests that the committee make a recommendation for an economy option along with the \$3M in upgrades.

Member Douglass stated that after we get information back from the survey and start to know a little bit more about what community priorities would be a good time to tackle the phasing components, which would include the budget phasing as well. Mr. Lombardi commented that relative to phasing, cost is absolutely a consideration, but there are also practical considerations for making improvements. There is a reason why we prioritize parking and stormwater, we can't make the other improvements and back into the infrastructure improvements. Typically, you frontload infrastructure and site work and then start looking at some of the improvements and amenities, being sensitive to price impacts along the way.

Member Ellis noted that all things considered, it is very helpful to see the updated costs estimates, considering this is the only real public park and playground fully accessibly in Town. The \$3M price tag is for all the upgrades, thinks it is good to consider options as we see what the results will be.

Mr. Lombardi noted that it is important to know what financing options are available. Community Preservation Act funding could be used for some of the improvements. The funding that was set aside for the project originally last year is not available anymore. There will be more discussion about how each element of the plan could be financed. The paved pathways were largely funded with state grants, and there are similar opportunities available for some of the amenity improvements.

Member Green commented that the estimates are good guidelines, and the results of the survey will help point the direction the committee moves in. At that point we can compare what people are looking to have done at what costs. There may be elements that can be done without major site improvements. Mr. Lombardi agreed, adding that we don't want people to think this is the plan and this is what it will cost. We need to be careful on how we share and convey the information.



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Approve Meeting Minutes: November 29, December 11, and January 2, 2023

The meeting minutes that are available to approve are November 29 and December 11, 2023. Member Douglass moved to change the wording in the last paragraph of the December 11, 2023, minutes. Member Green seconded the motion. Member McGuire amended the motion to include “ensure people have the opportunity”. Member Douglass seconded the motion. Member Douglass moved the minutes of December 11, 2023, with the amendments proposed. Member Maguire seconded the motion. A roll call vote was taken. Member Maguire- yes, Member Ellis-yes, Chair Scott- yes, Member Douglass-yes, Member Green-yes. The vote was 5-yes, 0-no.

Member Ellis moved to approve the November 29, 2023; minutes as stated. Member Douglass seconded the motion. A roll call vote was taken. Member Maguire- yes, Member Ellis-yes, Chair Scott- yes, Member Douglass-yes, Member Green-yes. The vote was 5-yes, 0-no.

Future Meetings

February 6, February 20, and March 4, 2024

Other Matters Not Reasonably Anticipated by the Chair

None

Adjournment

Member Douglass moved to adjourn at 7:54pm. Member Maguire seconded the motion. A roll call vote was taken. Member Maguire- yes, Member Ellis-yes, Member Douglass-yes, Member Green-yes, Chair Scott-yes. The vote was 5-yes, 0-no.

Respectfully submitted by Erika Mawn,
Town Manager’s Office

Approved: _____ Signed: _____
Date Member Ellis, Clerk