

# Town of Brewster Pond Planning Property Committee

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

## POND PROPERTY PLANNING COMMITTEE MEETING AGENDA

2198 Main Street  
July 12, 2023 at 4PM

### Pond Property Planning Committee

Doug Wilcock  
Chair- At Large

Cynthia Baran  
Vice Chair-Water  
Commissioners

Kari Hoffmann  
Select Board

Cynthia Bingham  
Select Board

Steve Ferris  
At Large

Jan Crocker  
At Large

Katie Gregoire  
At Large

Elizabeth Taylor  
Open Space  
Committee

Tim Hackert  
Housing Trust

Recreation  
Commission

Chris Williams  
Natural Resources  
Commission

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:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89802325739?pwd=Y3dETmUvWHdoTlB0dklOaVlEekdxQT09>

Passcode: 467353

US: +1 312 626 6799 or +1 929 436 2866 Webinar ID: 898 0232 5739 Passcode: 467353

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](http://livestream.brewster-ma.gov)), or **Video recording** ([tv.brewster-ma.gov](http://tv.brewster-ma.gov)).

Please note that the Pond Property Planning 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 Pond Property Planning Committee on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Pond Property Planning Committee will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
6. Review and Discuss Draft Presentation Materials and Planned Format for Second Community Forum
7. Discussion of Regulatory guidelines- Paul Anderson, Water Superintendent and Jon Idman, Town Planner
8. Short Term Uses of Property Updates
  - a. Conservation Day follow up-July 8th
  - b. Guided walk report update
  - d. Discussion of rescheduling Kayak trips to September from a Harwich or other landing
9. Feedback Request for Select Board Annual Retreat on Former Sea Camps Building Block
10. FYIs
11. Approval of Minutes from June 21, 2023
12. Matters Not Reasonably Anticipated by the Chair
13. Questions from the Media
14. Next Meetings: August 5, 2023 Forum #2, August 16 or September 6, 2023 at 4:00PM
15. Adjournment

Date Posted:  
07/7/2023

Date Revised:

Received by Town Clerk:

## KEY INTERESTS

The following takeaways are a distilled list that reflect the predominant interests expressed by the community at Community Forum #1 and through the follow up survey.

### **Key Interests - Bay Property**

- Expand opportunities for community use, including a potential community center (education, wellness, meetings, arts and cultural programs)
- Provide accessible passive recreation opportunities for all ages and abilities (ADA compliant walking trails, picnic areas, outdoor gathering areas)
- Re-use existing buildings and amenities where feasible
- Manage cost (revenue generation and phasing)
- Build appropriate partnerships for activation and stewardship
- Protect coastal resources and build sustainably (protect buffer zones and ecological resources, limit impermeable paving, restore native ecosystems)
- Provide housing options, prioritizing J1 / seasonal workforce
- Create experiences for younger generations (day camp, education, playground) and older generations (continuing education, programming, accessible resources)

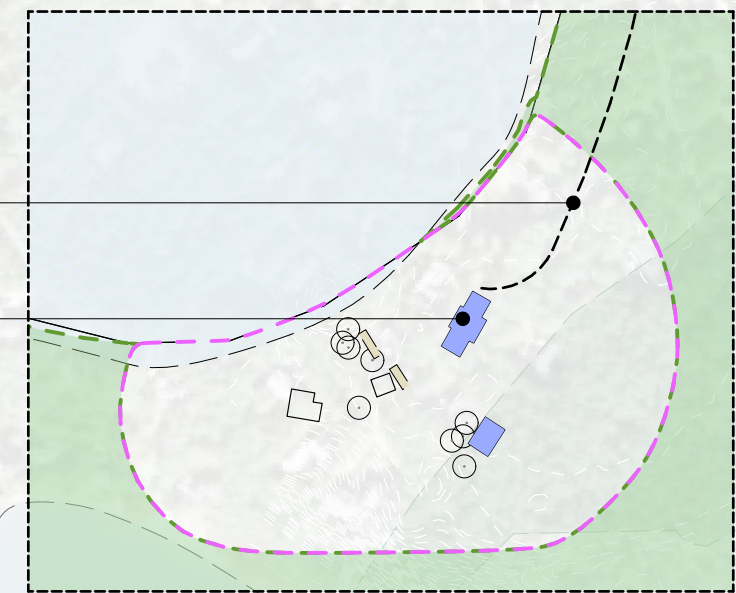
### **Key Interests - Pond Property**

- Provide community beach access (swimming, kayaking and SUP)
- Increase accessibility to the property and its resources (update roads, add ADA compliant walking trails, connection to Long Pond Woodlands, small parking areas)
- Establish conservation areas to protect key habitat and water resources
- Re-use existing buildings where feasible (potential for nature center, children's day camp, storage)
- Limit new building but consider appropriately scaled housing (affordable, workforce) and nature center
- Build partnerships with BCT and Mass Audubon for activation and stewardship

# OPTION 1: HYBRID HOUSING/CONSERVATION

- WORKFORCE OR AFFORDABLE HOUSING ALONG ROUTE 137
- MASS AUDUBON PROGRAMMING AT POND
- LIMITED-USE PUBLIC BEACH WITH BOAT STORAGE (~0.4 MILES FROM PUBLIC PARKING AREA)
- 1 SMALL PUBLIC PARKING AREA (8 SPOTS)
- 1 ADA PARKING (~0.13 MILES FROM BEACH)
- 54 ACRES OF PROPERTY CONSERVED (POTENTIAL PARTNERSHIP WITH BCT)

ZONE FOR WORKFORCE OR AFFORDABLE HOUSING (RELOCATED BUILDINGS FROM BAY PROPERTY OR NEW BUILDINGS)



CONSERVATION ZONE

INCREASED TRAILS

ZONE II WELLHEAD PROTECTION / DCPC

CONSERVE (BCT)

HOUSING + PARKING

ADA ACCESSIBLE PARKING AND DROP-OFF ZONE

PUBLIC BEACH WITH KAYAK/SUP STORAGE

MASS AUDUBON PROGRAMS

EDUCATE

ACCESS

100' WETLAND BUFFER ZONE

MINIMAL ROAD IMPROVEMENTS

PUBLIC PARKING (PERMEABLE) AND BIKE RACKS FOR TRAIL + BEACH ACCESS

LOW ← ● → HIGH  
PUBLIC ACCESS (BEACH, PARKING)

LOW ← ● → HIGH  
CONSERVATION AREA

LOW ← ● → HIGH  
COST (INFRASTRUCTURE, BUILDING, MAINTENANCE)

LOW ← ● → HIGH  
REVENUE-GENERATION

LOW ← ● → HIGH  
HOUSING AREA

POND PROPERTY (66 ACRES)

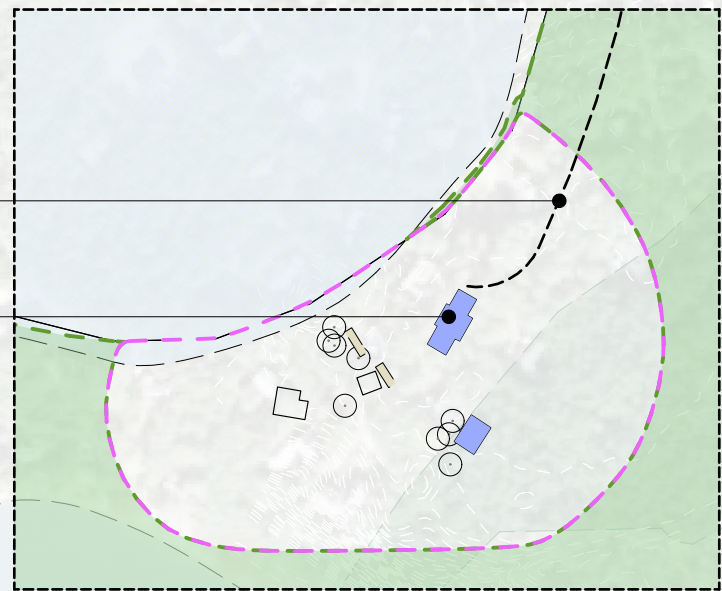
- HOUSING ~10 ACRES
- CONSERVE ~54 ACRES
- ACCESS ~1 ACRE
- EDUCATE ~1 ACRE

# OPTION 2: HOUSING, REVENUE + CONSERVATION

- WORKFORCE OR AFFORDABLE HOUSING ALONG ROUTE 137
- ART/SCIENCE RESIDENCY
- MASS AUDUBON PROGRAMMING AT POND
- LIMITED-USE PUBLIC BEACH WITH BOAT STORAGE (~0.4 MILES FROM PUBLIC PARKING AREA)
- 1 SMALL PUBLIC PARKING AREA (8 SPOTS)
- 1 ADA PARKING (~0.13 MILES FROM BEACH)
- 34 ACRES OF PROPERTY CONSERVED (POTENTIAL PARTNERSHIP WITH BCT)

ZONE FOR WORKFORCE OR AFFORDABLE HOUSING (RELOCATED BUILDINGS FROM BAY PROPERTY OR NEW BUILDINGS)

NEW ACCESSIBLE WALKING PATH FOR BEACH ACCESS  
KAYAK/SUP STORAGE



ADA ACCESSIBLE PARKING AND DROP-OFF ZONE



PUBLIC BEACH WITH KAYAK/SUP STORAGE

MASS AUDUBON PROGRAMS / NATURAL RESOURCES RESEARCH

EDUCATE

ACCESS

CONSERVE (BCT)

100' WETLAND BUFFER ZONE

RESIDENCY

HOUSING + PARKING

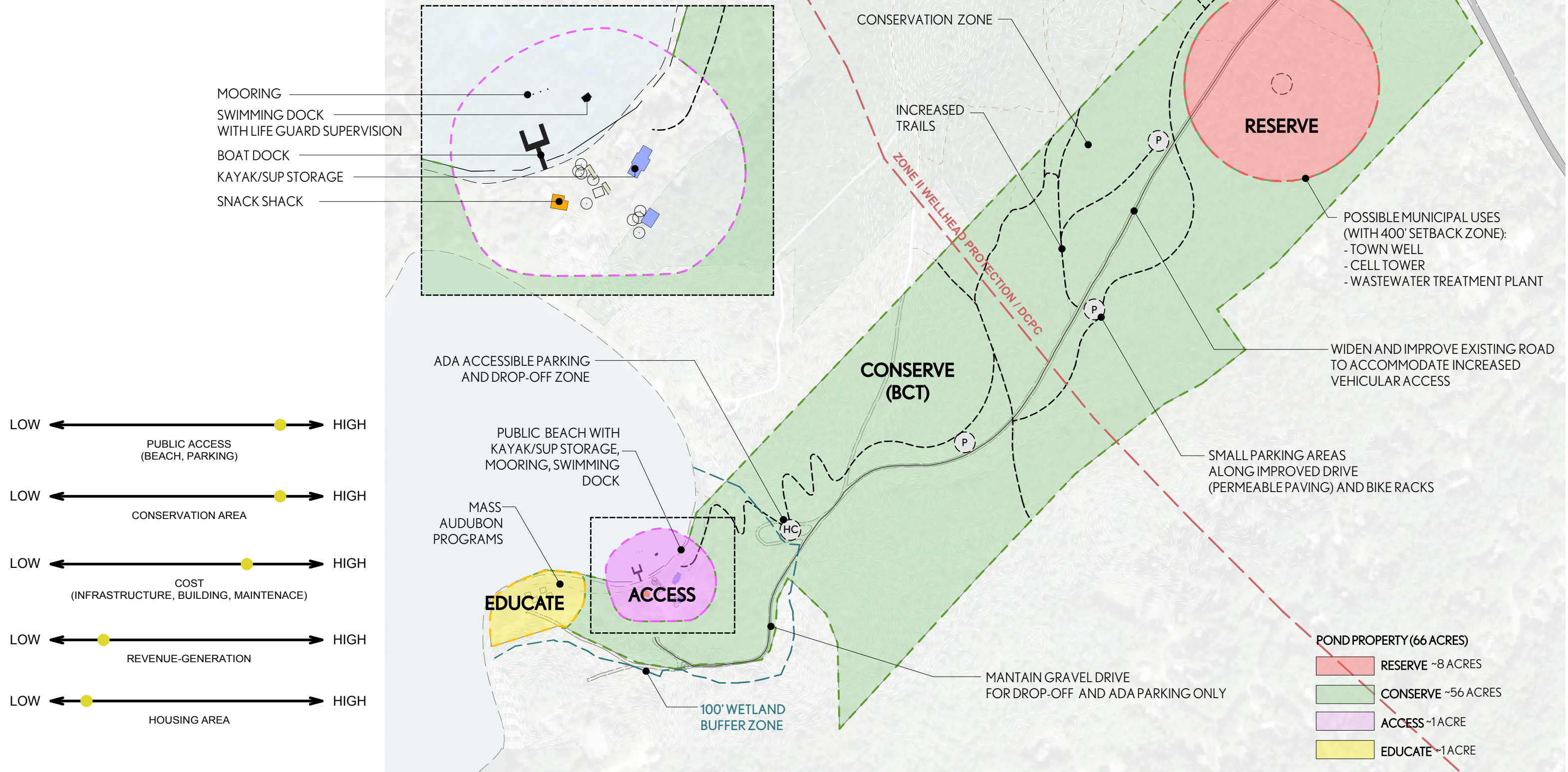
- ARTISTS OR SCIENTISTS IN RESIDENCE  
- SHORT TERM RENTAL (POTENTIALLY RELOCATED CABINS FROM BAY PROPERTY)

PUBLIC PARKING (PERMEABLE) AND BIKE RACKS FOR TRAIL + BEACH ACCESS

- POND PROPERTY
- HOUSING ~10 ACRES
  - RESIDENCY ~20 ACRES
  - CONSERVE ~34 ACRES
  - ACCESS ~1 ACRE
  - EDUCATE ~1 ACRE

# OPTION 3: MUNICIPAL USE + CONSERVATION

- TOWN WELL, CELL TOWER OR OTHER MUNICIPAL USE WITH 400' SETBACK ZONE
- MASS AUDUBON PROGRAMMING AT POND
- HIGH-USE PUBLIC BEACH WITH BOAT STORAGE, MOORING, SWIMMING DOCK (~0.4 MILES FROM CLOSEST PARKING AREA)
- 4 SMALL DISPERSED PUBLIC PARKING AREA (32 SPOTS)
- 1 ADA PARKING (~0.13 MILES FROM BEACH)
- 56 ACRES OF PROPERTY CONSERVED (POTENTIAL PARTNERSHIP WITH BCT)



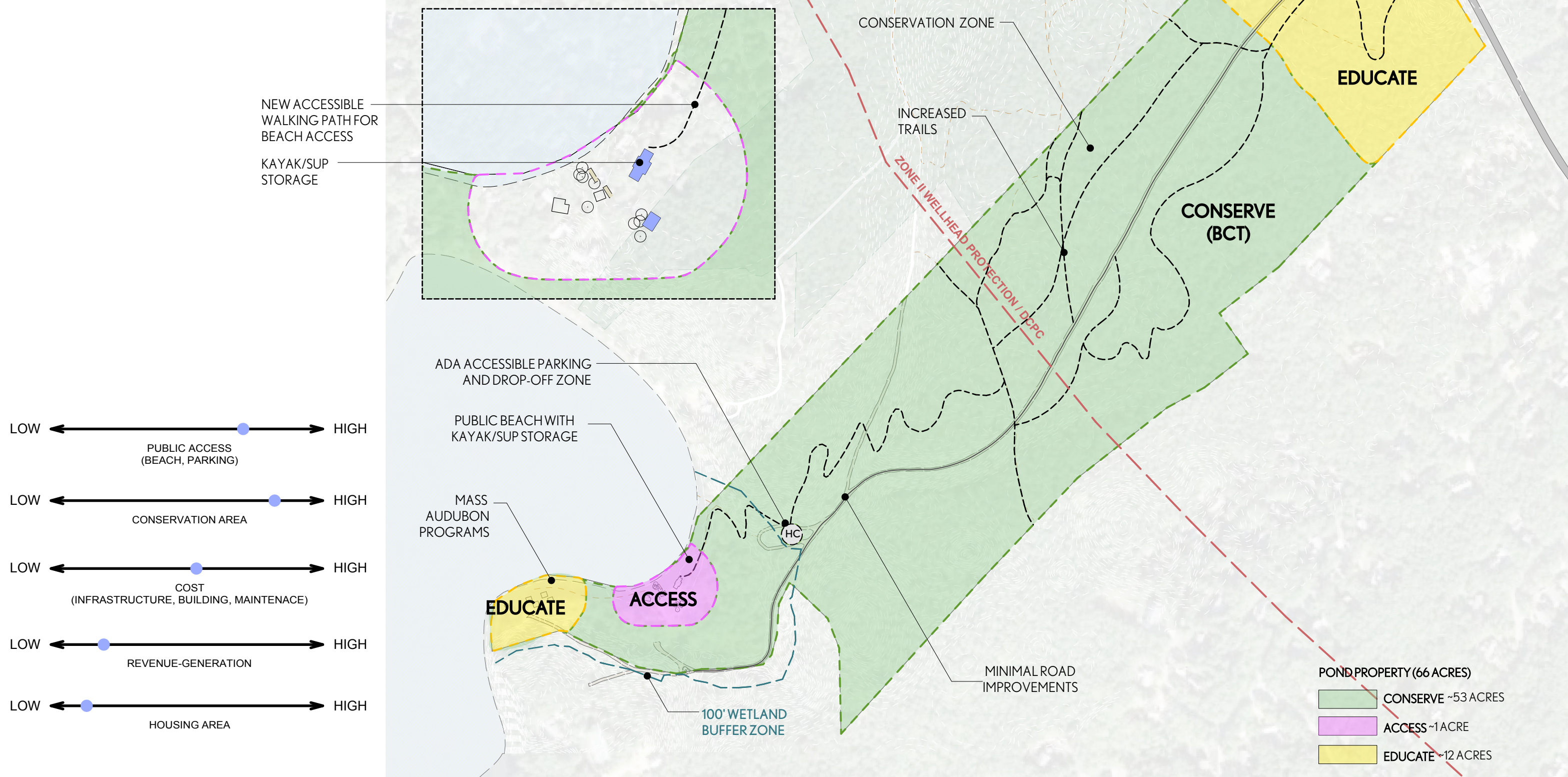
- MOORING
- SWIMMING DOCK WITH LIFE GUARD SUPERVISION
- BOAT DOCK
- KAYAK/SUP STORAGE
- SNACK SHACK

- LOW ← HIGH  
PUBLIC ACCESS (BEACH, PARKING)
- LOW ← HIGH  
CONSERVATION AREA
- LOW ← HIGH  
COST (INFRASTRUCTURE, BUILDING, MAINTENANCE)
- LOW ← HIGH  
REVENUE-GENERATION
- LOW ← HIGH  
HOUSING AREA

- POND PROPERTY (66 ACRES)
- RESERVE ~8 ACRES
- CONSERVE ~56 ACRES
- ACCESS ~1 ACRE
- EDUCATE ~1 ACRE

# OPTION 4: CONSERVATION + EDUCATION

- SMALL WELCOME / NATURE CENTER ALONG ROUTE 137
- MASS AUDUBON PROGRAMMING AT POND
- LIMITED-USE PUBLIC BEACH (~0.8 MILES FROM PUBLIC PARKING AREA)
- 1 PUBLIC PARKING AREA (12 SPOTS)
- 1 ADA PARKING (~0.13 MILES FROM BEACH)
- 53 ACRES OF PROPERTY CONSERVED (POTENTIAL PARTNERSHIP WITH BCT)



SMALL WELCOME / NATURE CENTER  
SHARED W/ TOWN FOR COMMUNITY EDUCATION

PARKING AREA  
(PERMEABLE PAVING)

**EDUCATE**

**CONSERVE  
(BCT)**

CONSERVATION ZONE

INCREASED TRAILS

ZONE II WELLHEAD PROTECTION / DCPC

NEW ACCESSIBLE  
WALKING PATH FOR  
BEACH ACCESS

KAYAK/SUP  
STORAGE

ADA ACCESSIBLE PARKING  
AND DROP-OFF ZONE

PUBLIC BEACH WITH  
KAYAK/SUP STORAGE

MASS  
AUDUBON  
PROGRAMS

**EDUCATE**

**ACCESS**

100' WETLAND  
BUFFER ZONE

MINIMAL ROAD  
IMPROVEMENTS

- POND PROPERTY (66 ACRES)
- CONSERVE ~53 ACRES
  - ACCESS ~1 ACRE
  - EDUCATE ~12 ACRES

LOW ← ● → HIGH  
PUBLIC ACCESS  
(BEACH, PARKING)

LOW ← ● → HIGH  
CONSERVATION AREA

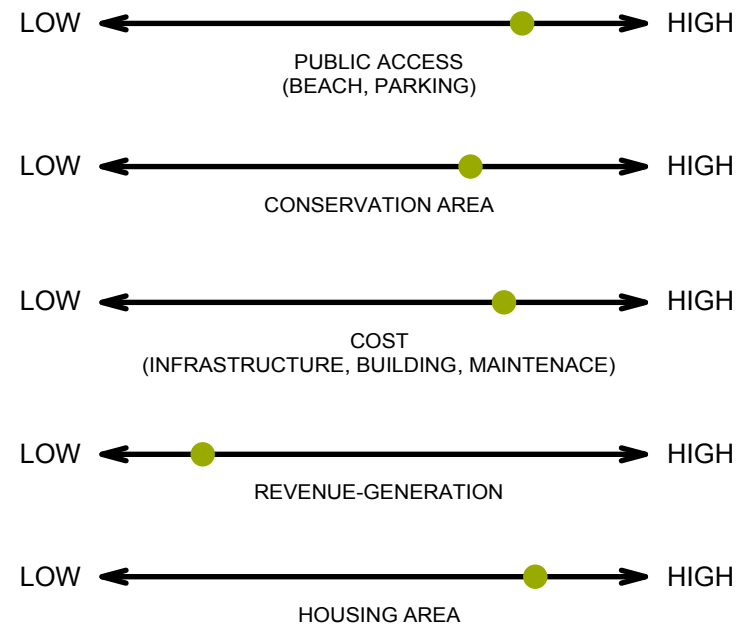
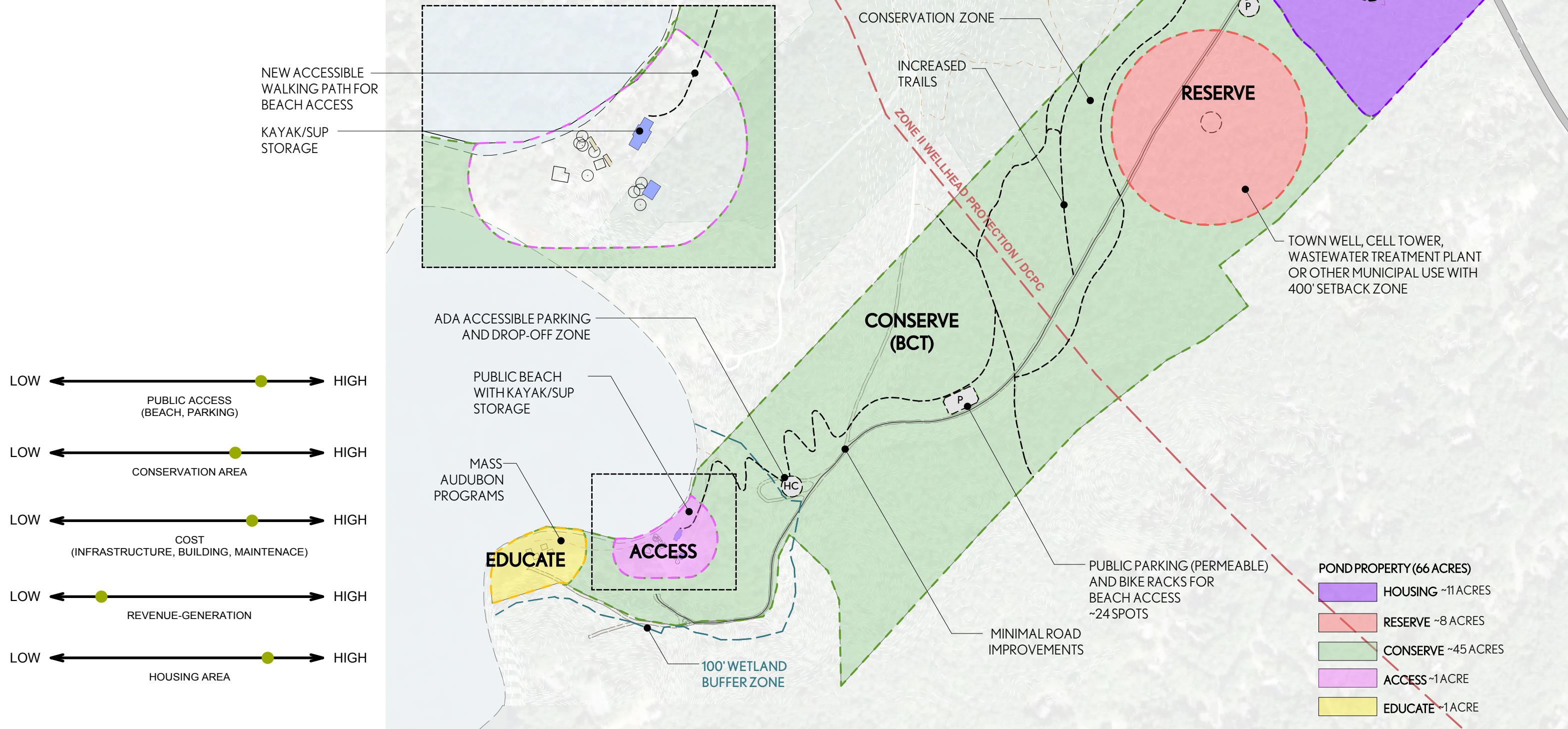
LOW ← ● → HIGH  
COST  
(INFRASTRUCTURE, BUILDING, MAINTENANCE)

LOW ← ● → HIGH  
REVENUE-GENERATION

LOW ← ● → HIGH  
HOUSING AREA

# OPTION 5: HYBRID HOUSING/CONSERVATION/ MUNICIPAL USE

- WORKFORCE OR AFFORDABLE HOUSING ALONG ROUTE 137
- TOWN WELL, CELL TOWER OR OTHER MUNICIPAL USE WITH 400' SETBACK ZONE
- MASS AUDUBON PROGRAMMING AT POND
- LIMITED-USE PUBLIC BEACH WITH BOAT STORAGE (~0.4 MILES FROM PUBLIC PARKING AREA)
- 2 PUBLIC PARKING AREAS (32 SPOTS)
- 1 ADA PARKING (~0.13 MILES FROM BEACH)
- 45 ACRES OF PROPERTY CONSERVED (POTENTIAL PARTNERSHIP WITH BCT)



POND PROPERTY (66 ACRES)	
<span style="display:inline-block; width:15px; height:15px; background-color:purple;"></span>	HOUSING ~11 ACRES
<span style="display:inline-block; width:15px; height:15px; background-color:red;"></span>	RESERVE ~8 ACRES
<span style="display:inline-block; width:15px; height:15px; background-color:green;"></span>	CONSERVE ~45 ACRES
<span style="display:inline-block; width:15px; height:15px; background-color:pink;"></span>	ACCESS ~1 ACRE
<span style="display:inline-block; width:15px; height:15px; background-color:yellow;"></span>	EDUCATE ~1 ACRE

# Town of Brewster Cape Cod Sea Camps Planning

## Join us for community forum #2!

Date: Saturday, August 5th 2023

Attend one of three sessions:

1pm-2pm, 2pm-3pm or 3pm-4pm

Location: Bay Property Dining Hall

*The Bay Property will be open to the public to explore by foot anytime between 12pm-5pm*

Registration for the forum is limited to town residents. To register for one of the workshop times, scan the QR code or follow this link:

<https://www.brewster-ma.gov/cape-cod-sea-camps-properties>



Community Forum #2 will be an engaging community event that shares preliminary planning scenarios for both the Bay and Pond properties based on resident feedback from Community Forum #1 and the survey.

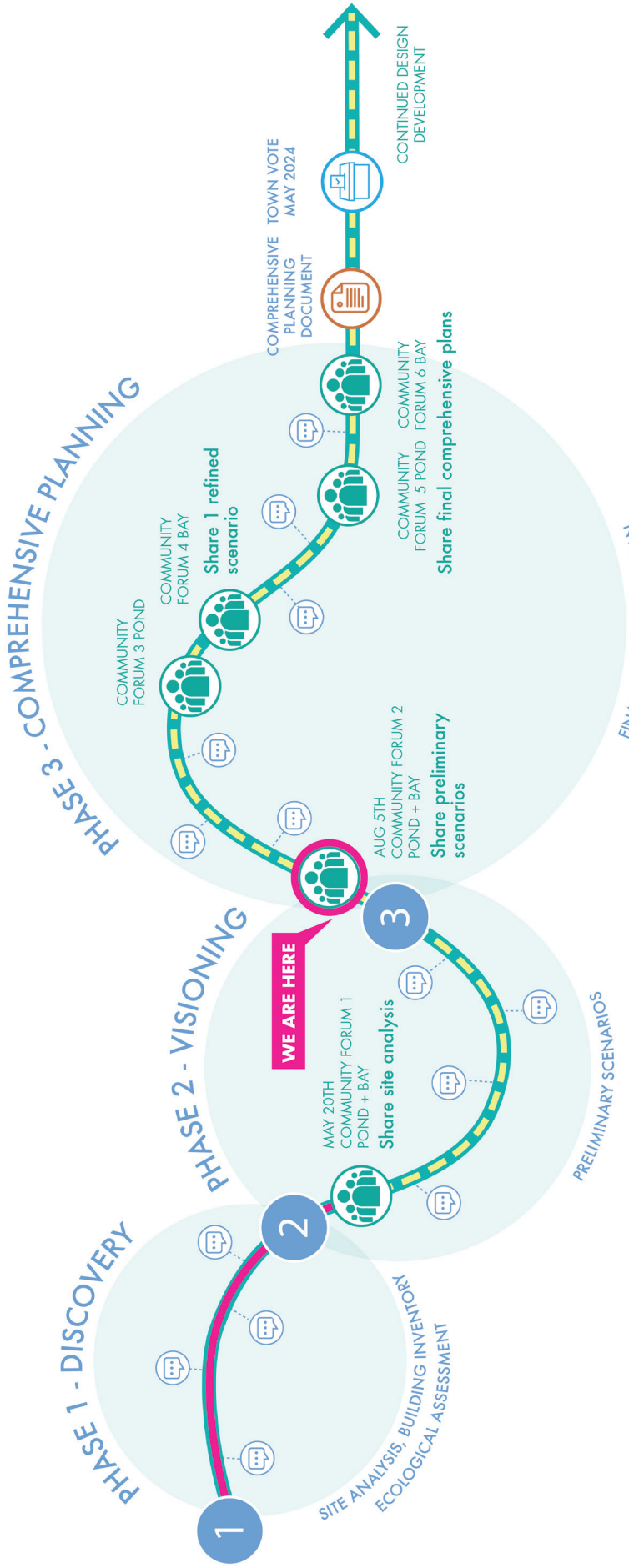
Each session will begin with introductory remarks. The remainder of the meeting will be a community workshop where residents will be invited to learn about the planning scenarios, indicate their preference and share feedback. This event will be the second public community workshop in a series of six that takes place over the course of the planning process.

The Council on Aging will be offering rides to and from community forum sessions. Please call the Council on Aging at 508-896-2737 by Thursday August 3rd to arrange for transportation.

For more details about the long-term planning process, information on Bay Property and Pond Property Planning Committee meetings and interim activities at both properties, please visit the project page, <https://www.brewster-ma.gov/cape-cod-sea-camps-properties>. To provide feedback to one of the committees, please email us at [bppc@brewster-ma.gov](mailto:bppc@brewster-ma.gov) (Bay property) or [pppc@brewster-ma.gov](mailto:pppc@brewster-ma.gov) (Pond property).







**Community Forum**

Identify your priorities with the planning team



**Committee Meetings**

Tune in to public meetings where community representatives workshop ideas with the planning team



**Comprehensive Planning Document**

See the vision for the future of the Sea Camp Properties



**Town Vote**

Vote to approve the comprehensive plans at the Spring 2024 Town Meeting

## Donna Kalinick

---

**From:** Tim Hackert <timhackert@gmail.com>  
**Sent:** Tuesday, June 27, 2023 12:16 PM  
**To:** madeleine@reedhildebrand.com; elizabeth@reedhildebrand.com  
**Cc:** Doug; Donna Kalinick  
**Subject:** Brewster MA Pond Parcel Planning Committee/Follow-Up Comment

As you are aware, I had some serious concerns with the Key Issues summary in the material from RH on the Public Forum and the Online Survey.

All the concept plans for the Pond Property should include appropriately scaled and landscape buffered Housing along the 137 corridor for the following reasons:

Brewster residents at the Community Forum (1) specified that Housing was a top 4 priority for the Pond Property and (2) made Housing the top priority among the stickers. AND of Brewster residents Online Survey responses (1) 72.8% wanted to see some type of Housing on the Pond Property (as compared to 39.6% who wanted to see no building on the Pond Property //NOTE: Responses do not add to 100% due to multiple responses//, (2) 23.4% wanted to see appropriately scaled Housing on the Pond Property and (3) almost half wanted Housing as a priority for the Pond Property.

Such Housing would only use a small portion of the Pond Property. Such Housing (1) would not interfere with the use of the remaining Pond Property for conservation, recreation and water resources (and could/should be designed to complement those uses) and (2) would not interfere with the proposed partnerships with the Audubon and the Brewster Conservation Trust for the Pond Property. Such Housing may be built and used so there is no negative impact on water resources. Such Housing is not inconsistent with and does not materially interfere with the other priorities/concerns specified by Brewster residents at the Public Forum and in the Online Survey responses for the Pond Property. Such Housing is consistent with the residential uses on the adjacent 137 properties.

In addition, the failure to include the Housing in all the concept plans for the Pond Property may result in the same strong negative public response to the failure of the Select Board to listen to Brewster residents about the proposed Boardwalk to Wing Island.

Each concept plan could include a different Housing layout.

This email will be included in the next packet for the Pond Property Planning Committee meeting.

Thank you for all your efforts. This is a very complicated process.

Timothy Hackett/Pond Planning Committee Member/Brewster Affordable Housing Trust Chair/Voting Fulltime Brewster Resident

## Chapter 179. Zoning

### Article XI. Water Quality Protection District

[Added 5-9-1994 ATM, Art. 51<sup>[1]</sup>]

[1] *Editor's Note: This article also repealed former Art. XI, Water Resource District, added 5-11-1982 ATM, Art. 88, as amended.*

#### § 179-53. Purpose.

[Amended 11-17-2008 FYTM, Art. 17<sup>[1]</sup>]

The purposes of this Water Quality Protection Bylaw are:

- A. To promote the health, safety and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions and businesses of the Town of Brewster;
- B. To preserve and protect all existing and potential sources of drinking water supplies within Brewster's borders;
- C. To identify uses that should be prohibited or allowed only by special permit and to establish performance standards that must be met for all uses within a Zone I, Zone II and/or the District of Critical Planning Concern ("DCPC").  
[Amended 11-15-2021 FYTM by Art. 10]
- D. To protect groundwater and surface water resources from viral, pathogenic, phosphorus and nitrogen contamination and pollution from stormwater runoff;
- E. To complement the commonwealth's Department of Environmental Protection regulations governing groundwater protection and the commonwealth's efforts to protect surface and coastal waters;
- F. To protect other sensitive water resource areas, including those land areas that contribute recharge to private drinking water supply wells;
- G. To conserve the natural resources of the Town; and
- H. To prevent temporary and permanent contamination of the water resources of the Town.

[1] *Editor's Note: This article also changed the title of Art. XI from Groundwater Protection District to Water Quality Protection District.*

## § 179-54. Scope of authority; overlay district.

[Amended 11-17-2008 FYTM, Art. 17; 10-19-2009 FYTM, Art. 18]

This bylaw establishes regulations governing land uses and structures and their potential impact upon the Town's water resources. The provisions of Article **XI** are superimposed over all zoning districts and all land within the Town of Brewster and shall function as an overlay district. Where this article establishes rules, regulations, requirements, standards or provisions that are stricter than the underlying zoning districts, including those uses and structures found in Table 1 of the Zoning Bylaw, the provisions of this article shall control. In addition, this article establishes specific requirements for land uses and activities within those portions of the Town of Brewster mapped and identified on the Zoning Map as the District of Critical Planning Concern ("DCPC"), entitled "Brewster Water Protection District," as adopted by the Barnstable County Assembly of Delegates pursuant to the Cape Cod Commission Act, which includes "Zone I" and "Zone II" and the "Groundwater Protection District" and the "Pleasant Bay Watershed."

## § 179-55. Definitions.

[Amended 11-17-2008 FYTM, Art. 17]

As used in this article, the following terms shall have the following meanings indicated:

### **AQUIFER**

Geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

### **BEST MANAGEMENT PRACTICES**

Any structural or nonstructural mechanism designed to minimize the impact of non-point source pollution on receiving waters or resources, including, but not limited to: detention ponds, construction or installation of vegetative swales and buffers, street cleaning, reduced road salting, and public education programs.

[Amended 11-15-2021 FYTM by Art. 10]

### **BUILDER'S ACRE**

A unit of land measure equal to 40,000 square feet, which is considered a building acre in accordance with standard real estate practices.

### **COMMERCIAL FERTILIZERS**

Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed by its manufacturer to have value, in promoting plant growth. Commercial fertilizers do not include unmanipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum.

### **EARTH REMOVAL**

The removal or relocation of geologic materials, such as topsoil, sand, gravel, metallic ores or bedrock. Mining activities are considered earth removal, whether the disturbed natural materials are removed from the site or reworked on the site.

### **DEP**

The Massachusetts Department of Environmental Protection.

**DEVELOPMENT**

The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mine, excavation, landfill, or land disturbance; and/or any change in use, or alteration or extension of the use, of land.

**DISCHARGE**

The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, incineration, or placing of toxic or hazardous material or waste upon or into any land or water so that such hazardous waste or any constituent thereof may enter the land or waters of Brewster. Discharge includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and disposal of such materials into any on-site leaching structure or sewage disposal system.

**HAZARDOUS OR TOXIC MATERIALS**

Any substance or mixture of physical, chemical or any infectious characteristics posing a significant, actual or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land or water of the Town of Brewster. Hazardous or toxic materials include, without limitation, organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, solvents and thinners and products such as pesticides, herbicides in quantities greater than normal household use; and all substances defined as hazardous or toxic under MGL c. 21C and MGL c. 21E, using the Massachusetts Oil and Hazardous Substance List (310 CMR 40.0000), and 310 CMR 30.000.

**HAZARDOUS MATERIAL OR WASTE, HOUSEHOLD QUANTITY OF**

Any or all of the following:

- A. Two hundred seventy-five gallons or less of oil on site at any time to be used for heating of a structure or to supply an emergency generator; and
- B. Twenty-five gallons (or the dry weight equivalent) or less of other hazardous materials on site at any time, including oil not used for heating or to supply an emergency generator; and
- C. A quantity of hazardous waste at the very small quantity generator level as defined in the Massachusetts Hazardous Waste Regulations, 310 CMR 30.353.

**HISTORICAL HIGH GROUNDWATER TABLE ELEVATION**

A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

**IMPERVIOUS SURFACE**

Material or structure on, above or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.

**LANDFILL**

A facility established in accordance with a valid site assignment for the purposes of disposing of solid waste into or on the land, pursuant to 310 CMR 19.006.

**LOT**

As per § 179-2, Definitions.

**MINING**

The removal or relocation of geologic materials, such as topsoil, sand, gravel, metallic ores or bedrock whether the disturbed natural materials are removed from the site or reworked on the site.

[Amended 11-15-2021 FYTM by Art. 10]

**NITROGEN MANAGEMENT**

The process of ensuring that nitrogen generated by land uses does not exceed established capacities of the resources receiving nitrogen inputs.

**NONSANITARY WASTEWATER**

Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage, including, but not limited to, activities specified in the Standard Industrial Classification (SIC) Codes set forth in 310 CMR 15.004(6).

**OPEN DUMP**

A facility which is operated or maintained in violation of the Resource Conservation and Recovery Act [42 U.S.c. § 4004(a)(b)], or the regulations and criteria for solid waste disposal.

**PETROLEUM PRODUCT**

Petroleum or petroleum byproduct, including, but not limited to: fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum product shall not include liquefied petroleum gas, including, but not limited to, liquefied natural gas, propane or butane.

**POTENTIAL DRINKING WATER SOURCES**

Areas that could provide significant potable water in the future.

**PROCESS WASTEWATER**

All wastewater disposed of on site other than sanitary wastewater.

**RECHARGE AREAS**

Areas that collect precipitation or surface water and carry it or have it pumped to aquifers. Recharge areas may include areas designated as Zone I, Zone II or Zone III.

**SEPTAGE**

The liquid, solid, and semisolid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. Septage does not include any material that is a hazardous waste, pursuant to 310 CMR 30.000.

**SLUDGE**

The solid, semisolid, and liquid residue that results from a process of wastewater treatment or drinking water treatment. Sludge does not include grit, screening, or grease and oil which are removed at the headworks of a facility.

**STORMWATER MANAGEMENT**

The process of ensuring that the magnitude and frequency of stormwater runoff does not increase the hazards associated with flooding and that water quality is not compromised by untreated stormwater flow.

**SUBDIVISION**

The division or redivision of a lot, tract, or parcel of land into two or more lots, tracts, or parcels in accordance with MGL c. 41 § 81L.

**TIGHT TANK**

Any and all containers or devices with regard to or used for wastewater disposal as defined and regulated by the State Sanitary Code, 310 CMR 15.260.

**TREATMENT WORKS**

Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

**VERY SMALL QUANTITY GENERATOR**

Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

**WASTE OIL RETENTION FACILITY**

A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with MGL c. 21, § 52A.

**WATER QUALITY REVIEW COMMITTEE (WQRC)**

Committee to be appointed by the Select Board to include seven members; one member each from the Select Board, Board of Health, Planning Board, Conservation Commission, and Water Commissions, the Brewster Building Commissioner and the Brewster Health Agent. At the initial appointment, to occur no later than three weeks after the effective date of this bylaw, members other than the Building Commissioner and the Health Agent shall be appointed for one-, two- and three-year terms and thereafter all members shall be appointed for three-year terms. The Building Commissioner and Health Agent shall serve as members of the WQRC while they are employed in their respective positions.

[Amended 11-18-2013 FYTM, Art. 10; 11-13-2017 FYTM, Art. 13; 11-15-2021 FYTM by Art. 10]

**ZONE I**

The immediate land area around a well. It is defined as a four-hundred-foot protective radius for wells greater than 100,000 gpd and a radius of 100 to 400 feet for wells less than 100,000 gpd, depending upon the pumping rate. The Zone I must be owned by the water supplier or controlled through a conservation restriction. Only water supplier activities are allowed in the Zone I.

**ZONE II**

The DEP-approved area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated as defined in 310 CMR 22.00. The Zone II includes the Zone I.

**ZONE III**

The land area beyond the area of Zone II from which surface water and groundwater drain into Zone II. Zone III boundaries are determined by identifying the topographic surface water drainage divides. The surface water drainage area commonly coincides with the groundwater drainage; however, in areas where they are not coincident, the Zone III encompasses both the surface and groundwater drainage area.

## § 179-56. Use regulations.

[Amended 11-17-2008 FYTM, Art. 17]

- A. Provided that all necessary permits, orders, or approvals as required by local, county, state, or federal law are also obtained, the following uses and activities shall not independently trigger the need for a special permit and shall be allowed as long as the uses and activities comply with applicable performance standards established in § 179-57.

[Amended 11-15-2021 FYTM by Art. 10]

- (1) (Reserved)
- (2) (Reserved)
- (3) Retail/wholesale sales/office/commercial uses with a lot size below 40,000 square feet and building area less than 5,000 square feet that store or handle hazardous materials or wastes in amounts that do not exceed household quantities;
- (4) Construction activities: The activities of constructing, repairing, or maintaining any building or structure, provided that all contractors, subcontractors, laborers, and their employees follow all local, county, state and federal laws when using, handling, storing, or producing any hazardous materials or wastes;
- (5) Household use: the use of hazardous materials or wastes in amounts that do not exceed household quantities;
- (6) Municipal use: the municipal use of hazardous materials and any materials stored and used for the sole purpose of water supply treatment or as required by law; and
- (7) Storage of oil(s): the storage of oil(s) used for heating fuel, provided that the container used for such storage shall be located within an enclosed structure that is sufficient to preclude leakage of oil to the external environment and to afford routine access for visual inspection and shall be sheltered to prevent the intrusion of precipitation;
- (8) Conservation of soil, water, plants, and wildlife;
- (9) Outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- (10) Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- (11) Use and development of single-family residential dwelling units;
- (12) Use of land pursuant to an approved definitive subdivision plan, special permit, or variance;
- (13) Farming, gardening, nursery, conservation, forestry, harvesting, and grazing;
- (14) Construction, maintenance, repair, and enlargement of drinking-water-supply-related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels;
- (15) Underground storage tanks related to permitted activities.



B. Prohibited uses within the Town of Brewster. The following uses are prohibited throughout and within the Town of Brewster:

- (1) (Reserved)
- (2) Landfills receiving only wastewater and/or septage (wastewater residuals "monofils") as defined in 310 CMR 32.05, approved by the DEP pursuant to MGL c. 21, §§ 26 through 53; MGL c. 111, § 17; MGL c. 83, §§ 6 and 7, and regulations promulgated thereunder.
- (3) Storage of sludge and septage, as defined in 310 CMR 32.05, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31.
- (4) Storage of deicing chemicals, chemically treated abrasives or other chemicals used for the removal of ice and snow on roads, unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
- (5) Storage of animal manure, unless such storage is covered or contained within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
- (6) Earth removal not consistent with § **179-39** of the Brewster Zoning Bylaw.
- (7) Facilities that generate, treat, store or dispose of hazardous waste subject to MGL c. 21C and 310 CMR 30.000, except for the following:
  - (a) Very small quantity generators of Class A regulated recyclable material as defined under 310 CMR 30.000.
  - (b) Household hazardous waste centers and collection events under 310 CMR 30.390.
  - (c) Waste oil retention facilities required by MGL c. 21, § 52A.
  - (d) Water remediation treatment works approved by the Department of Environmental Protection (DEP) designed in accordance with 314 CMR 5.00 for the treatment of contaminated groundwater or surface waters and operated in compliance with MGL c. 21E and 310 CMR 40.0000.
- (8) Automobile graveyards and junkyards, as defined in MGL c. 140B, § 1.
- (9) Storage of dry hazardous materials, as defined in MGL c. 21E, unless in a freestanding container within a building or above ground with adequate secondary containment adequate to contain a spill the size of the container's total storage capacity.
- (10) Storage of fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
- (11) (Reserved)<sup>[1]</sup>
  - [1] *Editor's Note: Former Subsection B(11), regarding land uses that create more than 15% or 2,500 square feet of impervious surface, was repealed 11-15-2021 FYTM by Art. 10.*
- (12) Any commercial floor drainage system which discharges to the ground without a DEP permit or authorization.  
[Amended 11-15-2021 FYTM by Art. 10]

- C. Prohibited uses within Zones I and Zones II of the Groundwater Protection District. The following uses, which may be allowed in other areas of the Town of Brewster, are prohibited in Zones I and II of the Groundwater Protection District. Notwithstanding language to the contrary found within § 179-52 of the Zoning Bylaw, no variance for a use or activity not otherwise permitted shall be granted by the Board of Appeals within Zones I or Zones II of the Groundwater Protection District.
- (1) Storage of liquid petroleum and/or liquid hazardous products (as defined in MGL c. 21E), except the following: normal household use, outdoor maintenance and heating of a structure; fuel storage facilities as licensed by the Town; waste oil retention facilities required by statute, rule or regulation; emergency generators required by statute, rule or regulation.
  - (2) Petroleum, fuel oil, and heating oil bulk stations and terminals, including, but not limited to, those listed under Standard Industrial Classification (SIC) Codes 5983 and 5171, not including liquefied petroleum gas.
  - (3) Treatment works that are subject to 314 CMR 5.00 (not Title 5 septic systems), including privately owned sewage treatment facilities, except for the following:
    - (a) The replacement or repair of an existing treatment works that will not result in a system capacity greater than the system capacity of the existing treatment works;
    - (b) The replacement of existing subsurface sewage disposal system(s) with wastewater treatment works that will not result in a system capacity greater than the system capacity of the existing system(s);
    - (c) Treatment works approved by DEP designed for the treatment of contaminated groundwater; and
    - (d) Sewage treatment facilities in those areas with existing water quality problems when it has been demonstrated to DEP and the Planning Board's satisfaction that these problems are attributable to current septic problems and that there will be a net improvement in water quality.
  - (4) Stockpiling and disposal of snow or ice removed from highways and streets located outside of a Zone II that contains sodium chloride, chemically treated abrasives or other chemicals used for snow and ice removal.
  - (5) Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material within 10 vertical feet of historical high groundwater table elevation, as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.
  - (6) Industrial and commercial uses which discharge process wastewater on site.
  - (7) Facilities or works for the treatment or disposal of nonsanitary wastewater that are subject to 314 CMR 5.00, or that discharge to the ground nonsanitary wastewater, including industrial and commercial process waste water, except the following:
    - (a) The replacement or repair of an existing system/treatment works that will not result in a design capacity greater than the design capacity of the existing system/treatment works;
    - (b) Treatment works approved by the Department of Environmental Protection designed for the treatment of contaminated groundwater and operating in compliance with 314 CMR 5.05(3) or 5.05(13); and
    - (c) Publicly owned treatment works.

- (8) Storage of commercial fertilizers, as defined herein and in MGL c. 128, § 64.
- (9) Gasoline stations, automotive service stations or car washes or motor vehicle or commercial boat storage or repair. For the purposes of this chapter, "commercial" is defined as any activity involving the sale of goods or services carried out with the intent of earning a profit.
- (10) Dry-cleaning establishments.

D. Uses/structures allowed by special permit.

- (1) Unless otherwise exempted or prohibited elsewhere by this article and as otherwise permitted in the underlying zoning district, the following uses and activities shall require a special permit from the Planning Board. Where the use or activity requires a special permit from another special permit granting authority, the provisions of this article shall nevertheless apply, although the Planning Board and the other special permit granting authority may hold a combined public hearing pursuant to MGL c. 40A, § 9 in lieu of separate public hearings:
  - (a) (Reserved)
  - (b) The application for the construction of 10 or more dwelling units, whether on one or more contiguous lots, tracts, or parcels, or whether contained within one or more structures;
  - (c) The application for a nonresidential use of 40,000 square feet or greater in lot size or 5,000 square feet or greater of gross floor area;  
[Amended 11-15-2021 FYTM by Art. 10]
- (2) Provided that the following uses and/or structures are permitted by the underlying zoning district and other relevant regulations, a special permit may be issued by the Planning Board for the following uses and/or structures, provided that the Planning Board may impose conditions upon the use or structure, consistent with the authority provided in MGL c. 40 § 9, such that the use or structure will not, in the Planning Board's sole judgment, be inconsistent with the purpose and intent of this bylaw. Notwithstanding the powers hereby conveyed by this article and MGL c. 40A, § 9 to the Planning Board and in recognition of the expertise found within the members of the Water Quality Review Committee, the Planning Board shall, in accordance with the procedures of MGL c. 40A, § 11, cause all applications for a special permit pursuant to this article to be submitted to the Water Quality Review Committee for the Committee's comments and recommendations as provided by MGL. c. 40A, § 11. The Planning Board shall include in its decision an explanation regarding any substantive deviation from the Committee's recommendation regarding the approval, denial or conditional approval of the special permit application.
  - (a) The application of fertilizers for nondomestic or nonagricultural uses. Such applications shall be made in a manner so as to minimize adverse impacts on groundwater due to nutrient transport, deposition and sedimentation and shall conform to Chapter **119** of the Brewster Town Code, Fertilizer Nutrient Control.  
[Amended 11-18-2019 FYTM, Art. 6]
  - (b) The construction of dams or other water control devices, ponds, pools or other changes in water bodies or courses, created for swimming, fishing or other recreational uses, or drainage improvements.
  - (c) (Reserved)<sup>[2]</sup>

[2] *Editor's Note: Former Subsection D(2), regarding uses that create more than 15% or 2,500 square feet of impervious surface, was repealed 11-15-2021 FYTM by Art. 10.*

- (d) Any use which involves on-site wastewater disposal facilities having over 10,000 gallons per day capacity or disposal of process waste from operations other than personal hygiene and food for residents, patrons and employees.
- (e) Commercial boat and motor vehicle storage, service or repair. For the purposes of this Chapter, "commercial" is defined as any activity involving the sale of goods or services carried out with the intent of earning a profit.
- (f) Storage of home heating fuels in approved containers in amounts greater than 275 gallons or in the aggregate, greater than 275 gallons.
- (g) Treatment works that are subject to 314 CMR 5.00, including privately owned sewage treatment facilities, and:
  - [1] The replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works.
  - [2] The replacement of existing subsurface sewage disposal system(s) with wastewater treatment works that will not result in a design capacity greater than the design capacity of the existing system(s).
  - [3] Treatment works approved by the Massachusetts Department of Environmental Protection designed for the treatment of contaminated groundwater.
  - [4] Sewage treatment facilities in those areas with existing water quality problems when it has been demonstrated to the Department of Environmental Protection's and the special permit granting authority's satisfaction both that these problems are attributable to current septic problems and that there will be a net improvement in water quality.

## § 179-57. Performance standards.

[Amended 11-17-2008 FYTM, Art. 17; 10-19-2009 FYTM, Art. 18]

To preserve the natural land surface providing high-quality recharge to the groundwater, to limit sewage flow and fertilizer application to amounts which will be adequately diluted by natural recharge and to prevent the discharge or leakage of toxic or hazardous substances into the surface and groundwater resources, all new, altered or expended uses within Zone I, Zone II and/or the DCPC area shall meet the following performance standards, in addition to those requirements imposed by this article or the Planning Board:

- A. No new, altered or expanded uses within Zone I, Zone II and/or the DCPC area shall exceed a five-parts-per-million (ppm) nitrogen loading standard based on the methodology contained in the Brewster Board of Health Nitrogen Loading Regulation. The overall concentration of nitrate nitrogen resulting from domestic wastewater disposal, road runoff, fertilizer application, and other nitrogen sources, when diluted by rainwater recharge on the lot, shall not exceed five parts per million (5 ppm). The policies and procedures in the Brewster Board of Health Nitrogen Loading Regulation will be used to confirm compliance with the 5 mg/L standard. The regulation requires the use of a nitrogen loading spreadsheet developed by the Board of Health to calculate the nitrogen concentration for a subject property based on the proposed land uses. The Board of Health or the Health Agent, or their designee, will review the proposed project and the nitrogen loading spreadsheet calculations for compliance with the health regulation and the performance standards in this bylaw.

[Amended 11-18-2019 FYTM, Art. 6; 11-15-2021 FYTM by Art. 10]

- B. All toxic or hazardous materials shall be stored in product-tight containers, protected from corrosion, accidental damage or vandalism and shall be used and handled in such a way as to prevent spillage with provisions for spill containment and cleanup procedures. In addition, commercial enterprises shall be required to maintain a product inventory and reconcile said inventory with purchase, use, sales and disposal records at sufficient intervals to detect product loss. Subsurface fuel and chemical storage facilities in compliance with local regulations and Massachusetts fire prevention regulations shall be deemed to be in compliance with this standard.
- C. No toxic or hazardous materials shall be present in waste disposed on the site. Waste composed in part or entirely of toxic or hazardous materials shall be retained in product-tight containers for removal and disposal by a licensed scavenger service or as directed by the Board of Health.
- D. Contaminant levels in groundwater resulting from disposal of any substance from operations, other than personal hygiene and food for residents, patrons and employees or from wastewater treatment and disposal systems greater than 10,000 gallons per day capacity, shall not exceed those levels specified in the Drinking Water Regulations of Massachusetts, 310 CMR 22.00, after allowing for dilution by natural recharge on the premises. If higher, background levels of individual constituents in the groundwater shall not be exceeded.
- E. All new, altered or expanded uses shall comply with the requirements of the Stormwater Management Bylaw (Chapter **272**) to collect, treat and manage stormwater.  
[Amended 11-15-2021 FYTM by Art. 10]
- F. (Reserved)<sup>[1]</sup>  
[1] *Editor's Note: Former Subsection F, regarding performance standards for stormwater management, was repealed 11-15-2021 FYTM by Art. 10.*
- G. Sand and gravel removal operations shall be limited to a plane that is at least 10 feet above the historical high groundwater level for that location. Land area exposed at any one time shall be limited to no more than five contiguous acres in surface area and land disturbed by sand and gravel removal operations shall be returned to a natural vegetative state within one year of completion of operations.
- H. Monitoring of regulated substances in groundwater monitoring wells. If required by the Planning Board, groundwater monitoring well(s) shall be provided at the expense of the applicant in a manner, number, and location approved by the Planning Board. Except for existing wells found by the Planning Board to be adequate for this provision, the required well(s) shall be installed by a water well contractor. Samples shall be analyzed and analytical reports that describe the quantity of any hazardous material or waste present in each monitoring well shall be prepared by a Massachusetts certified laboratory.

## § 179-58. Prohibited uses within Pleasant Bay Watershed.

[Amended 11-17-2008 FYTM, Art. 17]  
(Reserved)

### § 179-58.1. Uses/structures allowed by special permit within the Pleasant Bay Watershed.

[Added 11-17-2008 FYTM, Art. 17]  
(Reserved)

## § 179-58.2. Performance standards within Pleasant Bay Watershed.

[Added 11-17-2008 FYTM, Art. 17]  
(Reserved)

## § 179-59. Prohibited uses within the watersheds of surface water bodies other than Pleasant Bay.

[Amended 11-17-2008 FYTM, Art. 17]  
(Reserved)

### § 179-59.1. Uses/structures allowed by special permit within watersheds of surface water bodies other than Pleasant Bay.

[Added 11-17-2008 FYTM, Art. 17]  
(Reserved)

### § 179-59.2. Performance standards within watersheds of surface water bodies other than Pleasant Bay.

[Added 11-17-2008 FYTM, Art. 17]  
(Reserved)

### § 179-60. (Reserved)

[Amended 11-17-2008 FYTM, Art. 17]

## § 179-61. Water quality review.

- A. Water Quality Review Committee. There is hereby established a Water Quality Review Committee (WQRC), comprising one representative each appointed from time to time by and from the Select Board, Board of Health, Planning Board, Conservation Commission, Water Commission, Comprehensive Water Planning Committee, Health Director and Building Commissioner.

[Amended 11-18-2013 FYTM, Art. 10; 11-13-2017 FYTM, Art. 13]

- B. Certificate of water quality compliance.

- (1) A certificate of water quality compliance shall be obtained by the owner of the premises from the WQRC or, for special permit uses, from the SPGA:
    - (a) For erection of any new principal structure other than a single-family dwelling or for change in occupancy requiring a certificate of use and occupancy under the State Building Code.
    - (b) For occupancy of any premises not requiring a Certificate of use and occupancy but involving the storage, handling or transportation of toxic or hazardous wastes.
  - (2) No building permit or certificate of use and occupancy shall be issued by the Building Commissioner unless a certificate of water quality compliance, if required, has been applied for or obtained.
- C. Requirements. A certificate of water quality compliance shall be granted only as follows:  
[Amended 11-18-2019 FYTM, Art. 6]
- (1) For new construction or additions or new activities not involving structures, only if in full compliance with all requirements of § **179-57**, Performance standards.
  - (2) For change in occupancy or operation on previously developed premises, only if the requirements of § **179-57B, C and D** are met, and the requirements of all other subsections of § **179-57** are either met or, if previously exceeded, there will be no further increase in noncompliance.
- D. Submittals. In applying for a certificate of water quality compliance or a special permit, two paper sets and one electronic copy of application materials shall be submitted to the Building Commissioner, who shall forward them to each member of the WQRC. In the case of uses requiring a special permit under § **179-56D**, one set shall also be submitted to the SPGA along with any other application materials. All information necessary to demonstrate compliance must be submitted, including but not limited to the following:  
[Amended 11-18-2019 FYTM, Art. 6; 11-15-2021 FYTM by Art. 10]
- (1) A complete list of all chemicals, pesticides, fuels and other potentially toxic or hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use, accompanied by a description of measures to protect from vandalism, corrosion and leakage and to provide for control of spills.
  - (2) A description of potentially toxic or hazardous materials to be generated, indicating storage and disposal method.
  - (3) Evidence of approval by the Massachusetts Department of Environmental Protection of any industrial waste treatment or disposal system or any wastewater treatment system over 15,000 gallons per day capacity, accompanied by analysis by a professional engineer in sanitary or civil engineering registered in the Commonwealth of Massachusetts certifying compliance with § **179-57D**.
- E. Action. For uses not requiring a special permit under § **179-56D**, the WQRC shall act within 21 days of application, approving it by issuing a certificate of compliance if a majority determine that the applicant has adequately demonstrated compliance with the requirements of the Water Quality Protection District, and rejecting the application otherwise. For uses requiring a special permit under § **179-56D**, the WQRC shall make recommendations to the SPGA within 35 days of receipt of the application, as provided in MGL c. 40A, § 11.  
[Amended 11-18-2019 FYTM, Art. 6]
- F. Certificate review.

- (1) Each three years the WQRC shall review compliance with this article and the certificate of water quality compliance. Upon request, certificate holders shall submit the following:
  - (a) Description of any changes from the originally submitted materials.
  - (b) Description of any maintenance, repair, replacement, or expansion of the existing sewage disposal system, sewage pumping, or certified inspections completed from the date of the issuance of the last certificate renewal. The certificate holder shall self-certify that the sewage disposal system has been properly maintained and is in proper operating condition.  
[Amended 11-15-2021 FYTM by Art. 10]
  - (c) Results from analysis of leachate or wastewaters as may be required by the Board of Health.
  - (d) Documentation on the operation and maintenance of stormwater facilities permitted under the Stormwater Management Bylaw (Chapter **272**).  
[Added 11-15-2021 FYTM by Art. 10]
- (2) Evidence of noncompliance shall be reported to the Building Commissioner for enforcement action who shall have the authority to enforce the provisions of this bylaw.  
[Amended 11-15-2021 FYTM by Art. 10]

## § 179-62. Enforcement.

- A. Inspection. These provisions shall be enforced by the Building Commissioner. The Building Commissioner or agent of the Board of Health may enter upon the premises at any reasonable time to inspect for compliance with the provisions of this article. Evidence of compliance with approved waste disposal plans may be required by the enforcing officers. All records pertaining to waste disposal and removal shall be retained.
- B. Violations. Written notice of any violations shall be provided to the holder of the certificate of water quality compliance, specifying a time for compliance, including cleanup of any spilled materials which is reasonable in relation to the public health hazard involved and the difficulty of compliance, but in no event shall more than 30 days be allowed for either compliance or finalization of a plan for longer term compliance, approved by the WQRc.



## Chapter 179. Zoning

### Article XIII. Natural Resource Protection Design

[Added 10-19-2009 FYTM, Art. 17<sup>[1]</sup>]

[1] *Editor's Note: This article also redesignated former Art. XIII, Amendments and Validity, as Art. XIV, and former §§ 179-69 and 179-70 as §§ 179-76 and 179-77, respectively.*

#### § 179-69. Purpose

The primary purpose of this article is to protect water resources and preserve the open space of Brewster as identified on the map submitted with the application for the designation of the District of Critical Planning Concern (DCPC). This article, therefore, is intended to foster compact development patterns using flexible regulations for density and lot dimensions and to promote and encourage creativity in neighborhood design. The Town wishes to encourage the use of natural resource protection design ("NRPD") because NRPD results in the protection of water resources and the preservation of contiguous open space and important environmental resources, while allowing design flexibility. NRPD reduces development impacts on surface water and groundwater, forests, farmland, wildlife habitats, large tracts of contiguous open space, environmentally sensitive areas, steep slopes, scenic views and historically and culturally significant areas. NRPD also helps to reduce areas of impervious surface when compared to traditional grid subdivisions. To encourage this type of development, NRPD is allowed by right, subject only to the requirements of the regulations governing the subdivision of land.<sup>[1]</sup> NRPD that does not require approval as a subdivision is allowed by right subject to endorsement by the Planning Board.

[1] *Editor's Note: See Ch. 290, Subdivision Rules and Regulations.*

#### § 179-70. Applicability.

- A. A NRPD may be proposed anywhere in the area known as the "DCPC" in Brewster, as designated on July 16, 2008, when that area has an underlying residential designation.
- B. Subsection **A** above applies only to subdivisions of land as defined in MGL c. 41, § 81L, and not to construction of homes or businesses on individual lots that existed prior to the effective date of this bylaw. If subdivision approval is not required and an approval not required (ANR) plan is filed because a new roadway is not proposed, an applicant may apply for a NRPD under this article. If the proposed NRPD also involves one or more common driveways, density bonuses, and/or any other use that requires a special permit, the proceedings for all such special permits shall occur in one consolidated special permit proceeding before the Planning Board. It should be noted that a

special permit will be required for any other type of subdivision or for any plan for a NRPD that does not conform to the requirements herein. Maximum density allowances for all non-NRPD projects requiring a special permit shall be consistent with the allowable residential densities calculated for NRPD projects in § **179-72.2**.

## § 179-71. Development impact statement and natural resource analysis.

In order to enable the Planning Board to determine whether or not a proposed NRPD (or development by special permit that deviates from the requirements for NRPD) satisfies the purposes and standards of this article, an applicant must present sufficient information on the environmental and open space resources for the Board to make such determination. The required information shall be provided in the form of a development impact statement, including a "natural resource analysis" as described in Subsection **B(3)** of § **290-10** of the Subdivision Rules and Regulations. In the case of a NRPD that is not a subdivision (i.e., an ANR), the applicant shall not be required to submit a full development impact statement. However, the Planning Board may require the submission of all or part of a natural resource analysis as described in the subdivision regulations.

### § 179-71.1. Natural resource analysis and findings.

- A. Prior to filing an application, an applicant is encouraged to meet with the Planning Board to discuss the natural resources on the site. At such a meeting, the Planning Board shall indicate to the applicant which land is likely to have the most conservation value and be most important to preserve based on the statement of purpose in § **179-69** and where development may be most appropriately located. The Planning Board shall consult with the Conservation Administrator to determine the land areas with the most conservation value.
- B. In the case of a proposed plan that deviates from the requirements of this article, and if the Planning Board determines that the land with the greatest conservation value cannot be protected except by the use of a NRPD plan, the Planning Board shall deny the special permit for the deviation and require that the applicant submit a plan that complies with the requirements for a NRPD.
- C. The Planning Board, in consultation with the Conservation Commission and Open Space Committee, shall study the natural resource analysis, may conduct field visits, and shall recommend which land should be preserved and where development may be located. The Planning Board shall make written findings supporting this determination (the "natural resource findings"). The Planning Board shall deny any application that does not include sufficient information to make natural resource findings or that does not preserve land that the Planning Board determines should be preserved from development as a result of the natural resource analysis and findings.
- D. The Planning Board's natural resource findings shall be incorporated into its decision to approve, approve with conditions, or deny an application. The natural resource findings shall show land to be permanently preserved by a conservation restriction, as well as recommended uses, ownership, and management guidelines for such land. The natural resource findings shall also indicate preferred locations for development if the plan is denied based upon such findings.

### § 179-71.2. Minimum preserved open space.

The plan shall show that at least the percentages of the total acreage listed below will be preserved by conservation restriction, based upon the natural resource findings.

- A. RR District: minimum of 80%.
- B. RL District: minimum of 65%.
- C. RM District: minimum of 65%.

## § 179-72. Allowable residential units.

The maximum number of residential units in a NRPD is calculated by a formula based upon the net acreage of the property. This formula is intended to take into account site-specific development limitations that make some land less developable than other land. This calculation involves two steps, calculating the net acreage and dividing by the base allowed density, or number of acres required per dwelling unit.

### § 179-72.1. Net acreage calculation.

The factors named below are included in this section for net acreage calculation purposes only and do not convey or imply any regulatory constraints on development siting that are not contained in other applicable provisions of law, including this zoning bylaw. To determine net acreage, subtract the following from the total (gross) acreage of the site:

- A. Half of the acreage of land with slopes of 20% or greater (2,000 square feet or more of contiguous sloped area at least 10 feet in width);
- B. The total acreage of lakes, ponds, FEMA one-hundred-year floodplains, and all coastal and/or freshwater wetlands as defined in MGL c. 131, § 40, as delineated by an accredited wetlands specialist and approved by the Brewster Conservation Commission through an abbreviated notice of resource area delineation (ANRAD); and
- C. Land subject to easements or restrictions prohibiting development.

Applicants shall use the Field Data Form found in Appendix G of the Massachusetts DEP Handbook "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act" (1995) (the "Handbook"). The complete form shall be submitted, including all methods of determination, i.e., vegetation, soil, and any other indicators, as provided for on the form. If detailed vegetative assessments are not required by the Handbook for a particular site, the reasons must be noted on the Field Data Form. At the Planning Board's discretion, any of the information described above may be taken from current geographic information systems data available from the Massachusetts Department of Environmental Protection, MassGIS, and other credible sources, including delineations registered by the use of global positioning systems. The Conservation Commission may request more detailed information for potentially more sensitive areas.

### § 179-72.2. Unit count calculation.

To determine the base maximum number of allowable residential dwelling units on the site, divide the net acreage by five in the RR District, or by three in the RL and RM Districts. Fractional units of less than .5 shall be rounded down and .5 or more shall be rounded up.

### § 179-72.3. Density bonuses.

The unit count determined in § **179-72.2** above may be increased through density bonuses designed to advance important goals of the DCPC. Density bonuses are given by special permit at the discretion of the Planning Board based upon the expected public benefit. Bonus amounts refer to percentages of a unit, unless otherwise stated. Resulting fractional units, if any, shall be rounded up or down as in § **179-72.2**.

- A. If the applicant provides shared, on-site wastewater denitrification treatment: one unit.
- B. For every unit outside the proposed project, currently using a Title 5 system or cesspool, that is connected to the project's wastewater treatment facility: bonus of 25%.
- C. If the applicant provides a minimum of three low impact development components, including but not limited to: bioretention, rain gardens, xeriscapes, vegetated swales, pervious pavement, green roofs: a maximum bonus of 25%.
- D. If the applicant preserves as permanent open space more than the minimum required percentage: a maximum bonus of 10% per additional 5% of the parcel preserved as open space.
- E. If the applicant provides an area of three acres or more for agricultural use, including community gardens: a maximum bonus of 10%. Up to 1/2 of the area provided may be contained within the required open space. For a community garden, the applicant will also install Town water.
- F. Solar panel or wind turbine installation: a maximum of 10% per installation.
- G. If the applicant allows deeded public access to the open space portion of the property and the Planning Board finds that such public access provides a significant recreational benefit to the Town (such as access to an important natural area or a trail system): a maximum bonus of 10%. Any bonus granted for public access to open space land shall not compromise the conservation value of such open space land, based upon the natural resource findings of the Planning Board.

### § 179-72.4. Maximum density bonus.

The density bonuses allowed in § **179-72.3** above may result in a total unit count increase not exceeding the number of units permitted under any other type of subdivision in residential districts outside the DCPC area. Density bonuses may only be used if the resulting development complies with Title 5 of the State Environmental Code as determined by the Board of Health.

### § 179-72.5. Lots in more than one district.

For lots in more than one zoning district, the allowable unit count (excluding bonuses) and required open space for each district shall be computed separately first. These totals shall be added together and the allowable maximum bonus for the entire development shall be calculated based upon this combined total number of units. The permitted location of the units and protected open space shall be wherever the Planning Board determines best fits the characteristics of the land, based upon the natural resource analysis and findings.

## § 179-73. Types of residential development.

The allowable residential units may be developed as single-family or two-family dwellings, provided that applicable special permit review requirements for the zoning district are satisfied and that the number of dwelling units does not exceed the allowable unit count in §§ **179-72.2** and **179-72.3** above. The subdivision approval and special permit requirements shall be fulfilled concurrently in one proceeding to the extent practical. Any NRPD application involving two-family dwellings shall include a site plan that shows the location, layout, height, and setbacks of such dwellings.

## § 179-74. Dimensional and design requirements.

### § 179-74.1. Minimum lot sizes in NRPDs.

The limiting factor on lot size in NRPDs is the need for adequate water supply and sewage disposal. Therefore, there is no required minimum lot size for zoning purposes. This does not affect the powers of the Board of Health to require minimum lot area for the disposal of sewage and the protection of water supply.

### § 179-74.2. Setbacks, road frontage and road requirements.

The minimum setback shall be 10 feet from any property line except that, when the lot line is the exterior line of the subdivision, the setback shall be 25 feet. There shall be no numerical requirements for road frontage in NRPD, provided that each lot has legal and adequate vehicular access to a public way or a way approved under the Subdivision Rules and Regulations<sup>[1]</sup> across its own frontage or via a shared driveway. All dwellings must comply with applicable Board of Health requirements. The Planning Board may modify the applicable road construction requirements for new roads within NRPD as provided in the regulations governing the subdivision of land, if it finds that such modifications will be consistent with the purposes of Article **XIII** and the DCPC purposes and goals.

[1] *Editor's Note: See Ch. 290, Subdivision rules and regulations.*

### § 179-74.3. Arrangement of lots.

- A. Lots shall be located and arranged in a manner that protects:
- (1) Ponds and other surface waters;
  - (2) Access to ponds and other surface waters;
  - (3) Groundwater;
  - (4) Views from designated scenic roads;

- (5) Wildlife habitat and corridors;
- (6) Farmland;
- (7) Open fields;
- (8) Large intact forest areas;
- (9) Contiguous undeveloped land;
- (10) Existing protected open space areas;
- (11) Steep slopes;
- (12) Other sensitive environmental resources, while facilitating pedestrian circulation. Generally, residential lots shall be located the minimum feasible distance from existing public roadways. The Planning Board shall take into consideration the natural resource analysis and findings in approving the arrangement of lots.

B. Lot, roadway, and driveway layouts, land alterations, and placement of structures shall follow any design guidelines for NRPD which may be adopted by the Planning Board through its Subdivision Rules and Regulations.<sup>[1]</sup>

[1] *Editor's Note: See Ch. 290, Subdivision Rules and Regulations.*

## § 179-75. Permanent open space.

Open space set aside in a NRPD or as a condition of any special permit approval shall be permanently preserved from development as required by this section. The Planning Board shall not require such open space land to be accessible to the public, unless a density bonus is allowed under § 179-72.3. Any development permitted in connection with the setting aside of open space land shall not compromise the conservation value of such open space land, based upon the natural resource findings of the Planning Board. Such open space shall remain in a natural and undisturbed state unless otherwise stated by the Planning Board.

### § 179-75.1. Permanent preservation of open space land.

All land required to be set aside as open space in connection with any NRPD shall be so noted on any approved plans as a separate lot(s) and shall be protected by a permanent conservation restriction, to be held by the Town of Brewster Conservation Commission, the Commonwealth of Massachusetts, or a nonprofit conservation organization qualified to hold conservation restrictions under MGL c. 184, § 31, and also qualified to hold tax-deductible conservation easements under Section 170(h) of the Internal Revenue Code. The restriction shall specify the permitted uses of the restricted land which may otherwise constitute development. The restriction may permit, but the Planning Board may not require, public access or access by residents of the development to the protected open space land. In addition, the boundaries between the permanent open space and the developed parcels shall be clearly marked with concrete bounds and appropriately distinguished iron pipes no shorter than three feet to prevent encroachment into or disturbance of the open space area.

A. Ownership of open space land.

- (1) At the developer's option and subject to approval by the Planning Board, all areas to be protected as permanent open space shall be:
- (a) Conveyed to the Town to be placed under the care, custody and control of the Conservation Commission, and be accepted by it for a park or open space use. Land conveyed to the Town will be open for public use;
  - (b) Conveyed to a nonprofit organization, the principal purpose of which is the conservation or preservation of open space, with a conservation restriction as specified in 4.6.2 below. Such organization shall be acceptable to the Board as a bona fide conservation organization; or
  - (c) Conveyed to a corporation or trust owned or to be owned by the owners of lots or residential units within the development (i.e., "homeowners' association"). The documents which form said association are subject to approval by the Planning Board. If such a corporation or trust is utilized, as indicated herein, ownership thereof shall pass with conveyance of the lots or residential units. The developer is responsible for the maintenance of the open space and other facilities to be held in common until such time as the homeowners' association is capable of assuming such responsibility. Thereafter, the members of the association shall share the cost of maintaining the open space. The Planning Board shall require the applicant to provide documentation that the homeowners' association is an automatic (mandatory) association that has been established prior to the conveyance of any lots within the subdivision.

Ongoing maintenance standards shall be established as a condition of development approval to ensure that the open space land is not used for storage or dumping of refuse, junk, or other offensive or hazardous materials.

- B. Permanent restriction. In any case where open space is not conveyed to the Town, a permanent conservation or agricultural preservation restriction approved by the Conservation Commission, and Select Board, conforming to the standards of and approved by the Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA), Division of Conservation Services and enforceable by the Town or holder of the conservation restriction, shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways except as permitted in the conservation restriction. Restrictions shall provide for periodic inspection of the open space by the Town. Such restriction shall be submitted to the Planning Board prior to endorsement of the plan and covenant for the project and recorded at the Registry of Deeds/Land Court prior to endorsement of the definitive subdivision plan. The Planning Board may require a management plan that describes how existing woods, fields, meadows or other natural areas shall be maintained in accordance with good conservation practices.  
[Amended 11-13-2017 FYTM, Art. 13]
- C. Encumbrances. All areas to be set aside as open space shall be conveyed free of any mortgage interest, security interest, liens or other encumbrances. Certification of said condition by a qualified title examiner shall be provided to the Planning Board at the time of conveyance.

A free and fun event  
for the whole family

12TH  
ANNUAL

# Brewster Conservation Day

JULY  
8  
2023

9:30  
TILL  
1:30

## DRUMMER BOY PARK

40 exhibitors - puppet show - Trevor the Juggler  
passport game for kids  
learning and fun in the sun



[brewsterconservationtrust.org](http://brewsterconservationtrust.org)



## Donna Kalinick

---

**From:** Peter Lombardi  
**Sent:** Tuesday, June 27, 2023 12:24 PM  
**To:** Amanda Bebrin; Andrea Nevins- COA; Golf Commission; Brewster School Committee; Brian Harrison-ZBA; Chris Easley- NRSC; Clare O-Connor Rice; Cynthia Baran WQRC; David Bennett- BOH; Diana Lamb; Diane Pansire - Housing Part; Doug Erikson; Doug Wilcock- PPPC; E Taylor; Faythe Ellis; Frank Bridges; Jeff Carter- Co Chair ZBA; Jim Trabulsie-HDC; Joan Pernice-BLL; Joseph Sullivan; Katie Miller Jacobus- School Committee; Kim Conn -BHA; Kim Crocker Pearson; Kyle Hinkle; Meg Morris (brewster.recycling@gmail.com); Michael Gradone; Michael Tobin- Conservation; Pete Dahl; Roland Bassett; Sean Parker - Human Services; Sharon Tennstedt \_COA; Sophia-Cemetery; Tim Hackert; Tom Rogers  
**Cc:** townmanager; Conor Kenny; Erika Mawn; Select Board  
**Subject:** Select Board Annual Retreat & Strategic Plan  
**Attachments:** Brewster Select Board FY23-24 Strategic Plan FINAL 08.22.pdf; SUMMARY OF REVISIONS IN 2023 DRAFT LCP FINAL 061223.docx; VPC REVISIONS 2023 DRAFT LCP FINAL 061223 Master for Staff Review.docx

Good afternoon all,

I hope this email finds you well as we head into peak summer season. The Select Board is meeting for their annual retreat at the end of next month. The key takeaway from this all-day session will be an update to their Strategic Plan. This plan is broadly intended to reflect and convey our current organizational and community goals for the upcoming 2 fiscal years – once again, it will serve as our guide to prioritizing work in the months ahead. Thanks to the continued outstanding work of your committees & Town staff, we have made substantial progress in many areas this past year.

At this time, we are looking for feedback from your board/committee regarding the goals identified in the attached FY23-24 plan. Should any be modified? Should any be eliminated? Should new goals be considered?

As we have done each of the past four years, your collective input will serve to inform the Board's discussion at their retreat. Note that we have asked for similar feedback from Department Heads as well. This year, we will also be asking for residents to weigh in on Town values and priorities to help inform the Board's decision making.

A few key points to convey:

- Following the results of the March 6 Special Town Meeting, the Select Board voted on March 13 to cease all Town activities associated with design, permitting, and/or construction of a new boardwalk to Wing Island
- Following the results of the November 14 and March 6 Special Town Meetings, the Town has ceased all planning/design work associated with Drummer Boy Park improvements and the Select Board is set to appoint a newly reconstituted Drummer Boy Park Advisory Committee next month who will report back their findings to Town Meeting in Spring 2024
- Following the results of the November 14 and March 6 Special Town Meetings and related Town actions, the Vision Planning Committee (VPC) has spent the last few months making a series of potential changes to the Local Comprehensive Plan (LCP). An updated draft of this document and a summary of the suggested edits is currently under review by Town staff and is attached for your reference. Please note that once staff feedback has been incorporated into the latest draft LCP, the VPC anticipates asking for further community input later this summer in advance of bringing it to Town Meeting this fall.

I look forward to hearing from you at your earliest convenience – ideally by **Friday July 14** - so that your comments can be incorporated into our supporting materials for the retreat.

Thank you for your continued service to the community.

Peter

**Peter Lombardi**

Town Manager

Town of Brewster

508-896-3701 x. 1128

*Brewster Town Offices are open to the public Monday through Thursday from 8:30am to 4:00pm, and by appointment on Fridays.*

**Select Board FY23-24 Strategic Plan**

**FINAL APPROVED 08.22.22**

Vision Building Block	Goal #	Goal Description	Timeline	Degree of Complexity	Vision Plan / Local Comprehensive Plan	FY22-23 SB Plan	Primary Responsible Party	Other Key Stakeholders
Former Sea Camps Properties	SC-1	Complete discovery phase, including building inventories/ assessments, and continue to implement interim property management plan	FY23	Medium		X	Town Administration and Bay & Pond Property Planning Committees	Town Staff
	SC-2	Continue to develop/refine and implement interim public access/use plans	FY23-24	Higher	X	X	Town Administration and Bay & Pond Property Planning Committees	Select Board; BPPC & PPPC Liaisons, Representatives, and Town Staff
	SC-3	Launch community planning process, engage residents and stakeholders, determine support for constructing new community center on bay property, and develop long-term comprehensive plans for both properties	FY23-24	Higher	X	X	Town Administration and Bay & Pond Property Planning Committees	Select Board; BPPC & PPPC Liaisons, Representatives, and Town Staff
	SC-4	Continue to explore potential short- and long-term partnerships that may mitigate acquisition costs or operating expenses and may provide enhanced services, programs, or amenities for residents	FY23-24	Medium	X	X	Town Administration and Bay & Pond Property Planning Committees	Select Board; BPPC & PPPC Liaisons and Representatives, and Town Staff
Community Character	CC-1	Adopt and implement 5-year Community Preservation Plan and seek adoption of proposed bylaw amendments to support maximum flexibility to fund projects to meet community needs	FY23	Lower		X	Community Preservation Committee	Town Administration; Select Board; Finance Committee; Open Space Committee; Affordable Housing Trust; Historical Commission; Recreation Commission
	CC-2	Identify and evaluate benefits of introducing/ expanding targeted local tax relief options	FY23	Medium	X	X	Finance Team	Select Board; Finance Committee; Board of Assessors; Brewster Association of Part-Time Residents
	CC-3	Complete sociodemographic study to inform next steps in crafting and advancing diversity, equity, and inclusion initiatives	FY23	Lower	X	X	Town Administration	Select Board; Human Resources Dept; Town Staff
Open Space	OS-1	Complete design and implement updated Drummer Boy Park Master Plan Phase I improvements in coordination with Wing Island Boardwalk project	FY23-24	Medium	X	X	Town Administration	Select Board; Natural Resources Commission & Dept; Department of Public Works; Brewster Conservation Trust; Brewster Historical Society
	OS-2	Identify and resolve private party encroachments on Town land	FY23-24	Lower			Town Administration & Natural Resources Dept	Select Board; Conservation Commission; Water Commission & Dept; Brewster Conservation Trust
Housing	H-1	Develop five-year financial plan for Affordable Housing Trust and determine whether additional funding streams should be explored to support housing initiatives at a range of income levels	FY23	Medium	X	X	Affordable Housing Trust & Finance Team	Select Board; Finance Committee; Housing Coordinator
	H-2	Begin implementing updated Housing Production Plan priority strategies	FY23	Medium	X	X	Affordable Housing Trust & Housing Coordinator	Select Board; Planning Board; Housing Partnership; Town Administration; Planner
	H-3	Continue to provide support services to residents, including CDBG housing rehabilitation and childcare vouchers	FY23-24	Medium	X		Housing Coordinator	Select Board; Town Administration; Affordable Housing Trust; Human Services Committee; Council on Aging
	H-4	Advance Millstone Road Community Housing project	FY23-24	Higher	X	X	Town Administration & Housing Coordinator	Select Board; Affordable Housing Trust; Community Preservation Committee; Planning Dept & Zoning Board of Appeals

**Select Board FY23-24 Strategic Plan**

**FINAL APPROVED 08.22.22**

Vision Building Block	Goal #	Goal Description	Timeline	Degree of Complexity	Vision Plan / Local Comprehensive Plan	FY22-23 SB Plan	Primary Responsible Party	Other Key Stakeholders
Local Economy	LE-1	Define and provide necessary supports to effectively implement electronic permitting and invest in phased digitization of Town records	FY23	Medium	X	X	Town Administration	Select Board; IT Director; Building Dept; Health Dept; Planning Dept
	LE-2	Continue to host semi-annual roundtable with Town officials, Chamber of Commerce, and local business community to build on increased outreach and communication developed during pandemic	FY23-24	Lower	X	X	Town Administration	Select Board; Town Staff; Chamber of Commerce
	LE-3	Develop Guide to Doing Business in Brewster	FY24	Medium	X		Town Administration	Building Dept; Health Dept; Planning Dept; Natural Resources Dept; Town Clerk; Chamber of Commerce
Coastal Management	CM-1	Complete design and permitting of Wing Island boardwalk	FY23	Higher	X	X	Town Administration	Select Board; Conservation Commission; Natural Resources Commission & Dept; Department of Public Works; Brewster Conservation Trust; Cape Cod Museum of Natural History
	CM-2	Consider merits of Cape Cod Commission's model coastal resiliency bylaws/regulations and potential implementation	FY23-24	Medium	X		Planning Dept	Planning Board; Town Administration; Board of Health & Health Dept; Conservation Commission & Natural Resources Dept; Building Dept
Water Resources	WR-1	Convene a new Water Resources Task Force and develop updated plan and timeline for advancing integrated water quality initiatives, to include addressing DEP's proposed changes to Title V regulations and continuing collaboration with external stakeholders	FY23-24	Higher	X	X	Water Resources Task Force	Town Administration; Select Board; Natural Resources Commission & Dept; Water Commission & Dept; Board of Health & Health Dept; Planning Board & Dept; Finance Committee; Brewster Ponds Coalition
	WR-2	Continue to educate public about new stormwater bylaw/regulations and consider refinements as needed	FY23	Lower	X	X	Planning Dept	Planning Board; Town Administration; Conservation Commission & Natural Resources Dept; Building Dept
Community Infrastructure	CI-1	Determine support for advancing proposed Brewster Ladies Library renovation project	FY23	Lower			Select Board	Town Administration; Brewster Ladies Library Association & Library Dept
	CI-2	Conduct a needs assessment and develop FY24-28 COA (Age Friendly) Community Action Plan	FY23	Medium	X		Council on Aging Board & Dept	Select Board; Town Administration; Bay Property Planning Committee
	CI-3	Work with Nauset School officials to clarify process and timeline of next steps regarding results of Elementary School Consolidation Feasibility Study, especially in relation to other potential Town & School capital investments	FY23	Medium	X	X	Select Board & Town Administration	Brewster School Committee & Nauset Administration; Finance Committee
	CI-4	Complete Millstone Road project final design/ permitting and create Road Capital Prioritization Plan	FY22-23	Higher	X	X	DPW Director & Town Administration	Select Board; Finance Committee
	CI-5	Develop policy to clarify provision of Town services on private roads and consider potential amendments to private road betterment bylaw	FY23-24	Medium			DPW Director & Town Administration	Select Board; Public Safety Team; Planning Dept & Planning Board; Finance Team

**Select Board FY23-24 Strategic Plan**

**FINAL APPROVED 08.22.22**

<b>Vision Building Block</b>	<b>Goal #</b>	<b>Goal Description</b>	<b>Timeline</b>	<b>Degree of Complexity</b>	<b>Vision Plan / Local Comprehensive Plan</b>	<b>FY22-23 SB Plan</b>	<b>Primary Responsible Party</b>	<b>Other Key Stakeholders</b>
Governance	G-1	Establish and communicate budget capacity to Nauset School officials based on the Town's current and long-term fiscal sustainability	FY23	Medium		X	Select Board & Town Administration	Finance Committee & Finance Team; Nauset Regional School Committee; Brewster School Committee; Nauset School Administration; Nauset region Town officials
	G-2	Launch new Town website and identify preferred enhancements to current communications model	FY23	Medium	X	X	Town Administration	Select Board; IT Dept; BGTV
	G-3	Establish process to revise Brewster Town seal & draft related use policy	FY23-24	Medium			Select Board	Town Administration & Town Staff
	G-4	Evaluate potential amendments to noise bylaw and/or develop entertainment license regulations	FY23	Lower			Select Board & Town Administration	Town Staff
	G-5	Finalize, adopt, and implement Local Comprehensive Plan and monitor progress	FY23-24	Medium	X	X	Vision Planning Committee, Select Board, and Planning Board	Planning Dept; Town Administration; Town Staff
	G-6	Develop and launch capital budget and other transparency features of new online platform to continue to improve accessibility of Town finances	FY23	Medium	X	X	Finance Team	Select Board; Finance Committee
	G-7	Support Human Resource Department by: 1. Continuing to implement findings from HR audit, including development of employee handbook 2. Continuing to monitor and support employee wellness 3. Creating programs to recognize Town staff/volunteers for their community service	FY23-24	Medium	X	X	Town Administration	Select Board; Human Resources
	G-8	Identify priority areas to increase organizational capacity to meet enhanced service needs and expanded project demands and develop long-term financing plan to fund necessary personnel	FY23-24	Medium	X	X	Town Administration & Finance Team	Select Board; Finance Committee; Town Staff
	G-9	Consider need for and structure of new Parks & Recreation Department responsible for management of Drummer Boy Park, former Sea Camps, Dog Park, and other existing recreational amenities/programs	FY23-24	Higher	X	X	Town Administration	Select Board; Finance Team; Human Resources; Recreation Dept & Commission; Natural Resources Dept; Department of Public Works
	G-10	Develop standard criteria and process to evaluate potential land acquisitions and consider establishing municipal land acquisition committee	FY23	Medium	X		Select Board	Town Administration; Open Space Committee; Affordable Housing Trust; Water Commission
Climate Mitigation & Adaptation	CA-1	Develop and implement updated staffing and committee model that reflects the Town's commitment to comprehensively advancing energy, climate change, and resiliency initiatives	FY23	Medium	X		Town Administration	Select Board; Energy Committee & Manager
	CA-2	Develop net zero energy roadmap	FY24	Higher	X	X	Town Administration	Energy Committee & Manager; Select Board; Facilities Manager
Solid Waste Management	SW-1	Complete site assessment and determine next steps to improve Department of Public Works and Recycling Center property and facilities	FY23	Lower	X		DPW Director	Town Administration; Select Board; Recycling Commission
	SW-2	Continue hydration station installation project	FY23-24	Lower		X	Water Superintendent	Town Administration; Select Board; Recycling Committee; Water Commission; Facilities Manager