



Town of Brewster Select Board

2198 Main St., Brewster, MA 02631

townmanager@brewster-ma.gov

(508) 896-3701

AMENDED SELECT BOARD MEETING AGENDA

2198 Main Street

April 3, 2023 at 5:15 PM

Select Board

David Whitney
Chair

Edward Chatelain
Vice Chair

Kari Hoffmann
Clerk

Mary Chaffee

Cynthia Bingham

Town Manager
Peter Lombardi

Assistant Town
Manager
Donna Kalinick

Project Manager
Conor Kenny

Executive
Assistant
Erika Mawn

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 (312) 626 6799 or (301) 715-8592. Webinar ID:890 9291 0526 Passcode: 509224

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

Zoom Webinar: <https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVklhSTloWWWhVU09kanUzQT09>

Passcode: 509224

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).

1. Call to Order
 2. Declaration of a Quorum
 3. Meeting Participation Statement
 4. Recording Statement
 5. Executive Session
 - To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Personnel Bylaw & Police Personnel Bylaw)
 - To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (Police Officers Union, Police Superiors Union, Police Dispatchers Union, OPEIU, & SEIU Library)
- 6:00 PM – Anticipated Start Time for Open Session
6. Vote on FY24-26 Police Personnel Bylaw, Personnel Bylaw, OPEIU, Police Officers, Police Superiors and/or Police Dispatchers Union Contracts
 7. Public Announcements and Comment: Members of the public may address the Select Board on matters not on the meeting's agenda for a maximum 3-5 minutes at the Chair's discretion. Under the Open Meeting Law, the Select Board is unable to reply but may add items presented to a future agenda.
 8. Select Board Announcements and Liaison Reports
 9. Town Manager's Report (pages 3-6)
 10. Consent Agenda (pages 7-68)
 - a. Meeting Minutes: March 20, 2023
 - b. Acceptance of Grants and Gifts
 - c. Facility Use Applications: Family Pantry of Cape Cod and The Anglican Church of the Resurrection (with Fee Waiver Request)
 - d. One Day Liquor License Applications: Cape Rep Theatre
 - e. One Day Entertainment License Application: Nichols (345 Robbins Hill Rd)
 - f. Approve and Sign Updated Amendment to Local Initiative Program (LIP) Home Ownership Regulatory Agreement and Declaration of Restrictive Covenants for Two Affordable Habitat for Humanity Homes on Phoebe Way
 - g. Town Landing and Public Beach Access Request; Point of Rocks Landing



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11. 6:15pm Public Hearing: Change of Liquor License Classification: JDT Investments, LLC d/b/a the Kitchen Café, 2671 Main Street (pages 69-106)
12. Discuss and Potential Vote on Proposed Drummer Boy Park Advisory Committee Charge - Joint with Town Moderator (pages 107-188)
13. Discuss and Vote on Proposed Changes to Vision Planning Committee Charge (pages 189-190)
14. Review and Vote on Select Board Policy for Brewster Community Pool (pages 191-195)
15. Review and Vote to Place Proposition 2 ½ Nauset Regional and Brewster Elementary School Operating Overrides on May 16, 2023 Local Election Ballot (pages 196-198)
16. Discuss and Vote on Spring 2023 Town Meeting Warrant Articles (pages 199-237)
17. Vote to Close and Post May 1, 2023 Town Meeting Warrant
18. FYIs (pages 238-240)
19. Matters Not Reasonably Anticipated by the Chair
20. Questions from the Media
21. Next Meetings: April 24, May 1, May 8, May 17, May 22, and June 5, 2023
22. Adjournment

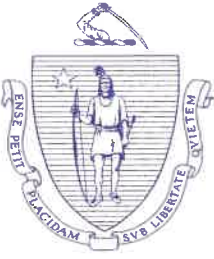
Date Posted:
03/30/2023

Date Revised:
03/31/2023

Received by Town Clerk:

BREWSTER TOWN CLERK

23 MAR 31 11:25AM



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

March 31, 2023

Peter Lombardi, Town Administrator
2198 Main St
Brewster, MA 02631

Dear Town Administrator Lombardi:

I am writing to congratulate you and your colleagues in Brewster on entering into a third Community Compact agreement. Both Governor Healey and I understand that in order to have a thriving Commonwealth, we need thriving cities and towns. And as you know, Community Compacts enhance our shared commitment to provide more efficient, professional, and responsive services.

We are excited to continue to partner with you to implement your chosen best practice(s), as noted below:

- *Best Practice #1: Conduct a baseline assessment, informed with data, age- and dementia-friendly indicators, and community feedback to inform the planning and implementation of specific age- and dementia-friendly community initiatives.*
- *Best Practice #2: Equity Audit – Conduct a town/city wide equity audit to determine what the existing barriers are to equitable representation and participation, access and opportunity for all residents and business owners in the community.*

Governor Healey and I appreciate Brewster participating in the Community Compact program and we look forward to continuing our strong partnership to improve services at the local level.

Sincerely,

A handwritten signature in blue ink that reads "Kimberley Driscoll".

Kimberley Driscoll
Lieutenant Governor

cc: Sean Cronin, Senior Deputy Commissioner of Local Services
Juan Gallego, Assistant Deputy Chief of Staff to the Lieutenant Governor

Archived: Friday, March 31, 2023 12:52:23 PM
From: [KP Law, P.C.](#)
Sent: Thursday, March 30, 2023 10:48:10 AM
To: [KP Law, P.C.](#)
Subject: KP Law, P.C. – eUpdate – Pandemic Related Legal Updates
Importance: Normal
Sensitivity: None

Governor signs supplemental budget, extending certain pandemic-related relief provisions.

Yesterday, the Governor signed Chapter 2 of the Acts of 2023, supplemental state budget provisions for Fiscal Year 2023. Within that legislation ([found here](#)), several pandemic-related relief provisions were further extended, as noted below:

1. **Open Meeting Law.** Public bodies are authorized to continue to hold entirely remote meetings, or so-called “hybrid” meetings, upon the provision of “adequate, alternative means” of public access, until **March 31, 2025**. As a friendly reminder, if your meeting agendas refer to prior legislative enactments authorizing remote/hybrid meetings, you will want to update those references to Chapter 2 of the Acts of 2023.
2. **Quorum Reduction.** The Select Board, in consultation with and approval of the Town Moderator, can still reduce the quorum for Town Meetings to not less than 10% of the regularly required number. This requires at least a seven-day notification requirement before any Select Board vote. Also in effect until **March 31, 2025**.
3. **Remote Representative Town Meeting.** A representative town meeting can continue to be held remotely, until **March 31, 2025**.
4. **Outdoor Dining/Alcohol to Go** – Extended through **April 1, 2024**; note that the Alcoholic Beverages Control Commission (ABCC) has scheduled a meeting on this for April 7, 2023 (<https://www.mass.gov/news/notice-of-public-meeting-april-7-2022>) to discuss “Extension and Allowance of Outdoor Table Service / Patio Guidelines.”

As Chapter 2 contains an emergency preamble, these provisions are effective immediately.

Also, the Legislature permanently amended state law to allow for **Virtual Notarization**. We have not summarized those statutory changes here, as the extensions listed above are the most critical to municipal governance and operations.

If you have any questions about any of these areas, please do not hesitate to contact your KP Law attorney.

KP | LAW

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[Home](#) > Town Meeting Forum (Rm A)

Town Meeting Forum (Rm A)

Event Date:

Tuesday, April 18, 2023 - 6:00pm

To highlight the major articles on the warrant and to give a mini presentation on each of them. There will also be a question and answer segment of this for residents to ask questions about the articles.

Related Agenda

Town Meeting Forum (Rm A)

Submitted on March 28, 2023 - 8:57am

Date:

Tuesday, April 18, 2023 - 6:00pm

Related Event:

[Town Meeting Forum \(Rm A\)](#)

Source URL: <https://www.brewster-ma.gov/home/events/6971>



Town of Brewster

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Office of:
Select Board
Town Manager

MEMORANDUM

TO: Kevin Varley, Deputy Fire Chief
FROM: Peter Lombardi, Town Manager
CC: Fire Chief Moran
Susan Broderick, HR Director
RE: Acting Fire Chief Appointment
DATE: March 29, 2023

Following up on Chief Moran's memo of March 24, 2023 recommending your appointment as Acting Fire Chief while the Chief is out on medical leave, I am appointing you to serve in that capacity effective April 6, 2023 and until Chief Moran is cleared to return to work. This temporary appointment is made consistent with MGL Chapter 48 Section 42 and Chapter 4-1-4 (A)(i) of the Brewster Town Charter. We look forward to supporting you in this role as needed. Thank you in advance for your service.

Consent Agenda Cover Page

a. Meeting Minutes: March 20, 2023

Draft meeting minutes from the Select Board regular session meeting held on March 20, 2023 have been submitted for approval.

ADMINISTRATIVE RECOMMENDATION

We recommend the Select Board approve the meeting minutes as presented.

b. Acceptance of Grants and Gifts

Consistent with MGL Ch. 44 Sec 53A, the Select Board is required to regularly vote to accept gifts made to the Town from July 1, 2022 to March 31, 2023. The enclosed spreadsheet details donations made to the Town for various purposes.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the request for use of Breakwater Beach.

c. Facility Use Applications: Family Pantry of Cape Cod and The Anglican Church of the Resurrection

The Family Pantry of Cape Cod would like to host a Food Grab and Go event at the Brewster Council on Aging (COA) parking lot. The date of the event is Sunday May 21, 2023 from 10am until 12pm. They expect to serve 200 families, there is no registration requirement for the event. The COA Director is supportive of this event.

Reverend Lawrence McErlean, of the Anglican Church of the Resurrection is requesting permission to hold a short beach service at Breakwater Beach on Easter Sunday, April 9, 2023 at 7:30am. The Church is requesting to use the beach from 7:15am until 9:15am and expect 50 people to attend. They are also requesting the fee waiver of \$50 for use of Breakwater Beach. Their request for use of the beach for Sunday services will be reviewed by the Select Board at a later meeting date.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve these facility use applications.

d. One Day Liquor License Applications: Cape Rep Theatre

The Cape Rep Theatre is requesting (6) One Day Liquor Licenses at their location, 3299 Main Street. All requests are to be able to serve beer, wine, and hard cider at performances between 6pm – 10pm each night. The dates of the request are:

- Wednesday April 12, 2023
- Friday April 14, 2023
- Saturday April 15, 2023
- Friday April 21, 2023
- Friday April 28, 2023
- Friday May 5, 2023

The Cape Rep Theatre has a limit of 30 One Day Liquor license per calendar year. The Police Chief, Fire Chief and Town Administration has reviewed the application and placed the following conditions on each one-day license: A barrier or signage should clearly

delineate where people are permitted to consume alcohol and parking is allowed only in assigned parking spaces and parking areas. No parking on interior roadways or in areas surrounding the theatre that may block emergency access to the facility.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve these one-day liquor license request.

e. One Day Entertainment License Application: Nichols (345 Robbins Hill Road)

Owen Nichols is requesting a one-day entertainment license to have a live band at a wedding reception on Saturday June 24, 2023 at 345 Robbins Hill Road. The Vincent King Live band will be on location from 12pm – 10pm. Various department heads have reviewed and provided feedback. There is no parking allowed at the beach landings for people attending the event.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the one-day entertainment application.

f. Approve and Sign Amendment to Local Initiative Program (LIP) Home Ownership Regulatory Agreement and Declaration of Restrictive Covenants for Two Affordable Habitat for Humanity Homes on Phoebe Way

The proposed amendment to the Regulatory Agreement states the sales prices of the two affordable Habitat homes that will be built on Phoebe Way. One will be sold to be affordable at an income limit of 60% Area Median Income, the second at 80% Area Median Income. The Regulatory Agreement has been reviewed by Brewster legal counsel and approved by the MA Department of Housing and Community Development (DHCD). This is coming before the Board again as a correction was made, reducing the sales prices of the homes.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the Regulatory Agreement and authorize the Chair to sign.

g. Town Landing and Public Beach Access Request: Point of Rocks Landing

Crawford Land Management, on behalf of the owners of 347 Point of Rocks Road and 290 Foster Road, has applied for use of Town Landing and public beach access at Point of Rocks beach. The Point of Rocks beach parking lot will be the access point for material deliveries and over-sand travel to the beach land for the purpose of performing sand nourishment. Overnight parking for three machines and storage of sand is also requested. Access will be granted from Tuesday April 18, 2023 to sunset, Friday, April 21, 2023. The conditions for approval for use of Point of Rocks beach landing are outlined in the accompanying letter, which has been drafted by Town Management in conjunction with the Conservation Administrator.

ADMINISTRATIVE RECOMMENDATION

We recommend the Board vote to authorize staff to approve this request, pending coordination with Conservation.



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Office of:
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MINUTES OF THE SELECT BOARD MEETING

REGULAR SESSION

DATE: March 20, 2023
TIME: 5:45 PM
PLACE: Remote Participation

Participants: Acting Chair Hoffmann, Selectperson Bingham, Selectperson Chaffee, Town Manager Peter Lombardi, Assistant Town Manager Donna Kalinick, Doug Wilcock, Finance Director Mimi Bernardo, Brooke Clenchy, Katie Miller-Jacobus, Keith Gauley, Chris Easley, Tom Fitzgibbon, Chris Miller

Remote participants: Steve Guditus, Giovanna Venditti, Arlynn Consiglio

Absent: Chair Whitney, Selectperson Chatelain

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

Acting Chair Hoffmann called the meeting to order at 5:47pm, declared a quorum by announcing three members of the Board are present and read the meeting participation and recording statements.

Executive Session

- To discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (OPEIU, Fire Union, Police Superiors Union, Police Officers Union)

Selectperson Chaffee moved to enter executive session. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

The Board returned to regular session at 6pm.

Public Announcements and Comment:

Margaret Shea, 36 Aunt Molls Ridge Road- spoke in support of a recommendation that the Town establish a Diversity, Equity, and Inclusion committee for purpose of identifying issues and advising the Town on remedial action.

Glenn Casey, 288 Fletcher Lane- commented on the new website that currently the previous year's packets are currently not available. In regard to the Millstone Affordable Housing project, Mr. Casey recently attended a Zoning Board meeting and was dismayed at the interaction the attorney for POAH/HAC had with the Zoning Board. Mr. Casey expressed his concerns with the housing project and contended that the \$22M that was bid in 2021 needs to be updated. Mr. Casey also commented on the endangered species that are in the area of the proposed project.

Meadow Dibble, Portland ME- noted the letter sent to the Select Board and the Town Administrators, which is included in the packet. Ms. Dibble believes the Town of Brewster urgently needs to create a Diversity, Equity, and Inclusion Committee. The Town has an opportunity to draw valuable lessons from our history



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and create accountability systems which play a critical role in helping companies, schools, and municipal organizations to promote social justice, attract and retain a diverse population, foster inclusion, improve community relations and meet legal obligations. Ms. Dibble would like the creation of a D.E.I committee added to an upcoming agenda for discussion.

Select Board Announcements and Liaison Reports

None

Town Manager's Report

Mr. Lombardi shared that the Town will be hosting the Beautify Brewster Event on Saturday April 29 with a rain date of Sunday of April 30. Contact Ryan Burch at the Natural Resources Department or Meg Morris, Chair of the Recycling Commission if interested in participating.

To ensure the Town is ready to open the Brewster Community Pool by late June, the Town is planning on posting for a Pool Manager as well as Lifeguards and Water Safety Instructors. Please help spread the word.

Consent Agenda

- a. Meeting Minutes: March 13, 2023
- b. Reappointment: Democratic Registrar, Thaddeus Nabywaniec
- c. One-Day Entertainment License Application: 226 Ambergris Circle
- d. Crosby Mansion Fee Waiver Request: Council on Aging
- e. Grant Application Request: Community Compact Best Practices Funding for Age Friendly Community Survey and Action Plan & Diversity, Equity, and Inclusion Policy Review/ Audit and Training

Mr. Lombardi noted that the Town commissioned a socio-demographic/D.E.I. study in which the findings from the report were presented to the Select Board in late September. The report included recommendations in terms of moving forward on D.E.I. issues. The number one priority that was identified was commissioning a review and audit of the Towns policies and providing training for staff and Town officials. The grant funding that the Town is seeking is the next step in looking to make progress.

Selectperson Chaffee moved to approve the Consent Agenda. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Release of Pond Property Planning Committee Video

Doug Wilcock, Chair of the Pond Property Planning Committee (PPPC), shared that while safe and appropriate access is being determined, the PPPC has created a video providing a virtual tour of the 66-acre parcel. Mr. Wilcock and Selectperson Hoffmann thanked the many people that contributed to the video, the first public showing of the video was played.



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6:15pm- Public Hearing, Renewal of Seasonal Liquor Licenses: J.T.'s Seafood Restaurant, Cape Cod National Golf Club, Breakwater Lobster & Fish Market, Beach House Spa, Cobie's, the Kitchen Café, and El Guapos Taqueria

Selectperson Chaffee moved to open the public hearing as noticed in the Cape Codder on 3/10 and 3/17. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffed moved that the Board vote to approve the following Seasonal General On-Premises All Alcoholic Beverages Liquor License renewal pending they have passed their inspection, have submitted the required liability insurance and all financial obligations have been paid to the Town in the case of Cape Cod National Golf Club, LLC d/b/a Cape Cod National Golf Club. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffed moved that the Board vote to approve the following Seasonal General On-Premises Wines and Malt Beverages Liquor License renewal pending they have passed their inspection, have submitted the required liability insurance and all financial obligations have been paid to the Town in the case of 2740 Main Street Holdings, LLC d/b/a Beach House Spa. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffed moved that the Board vote to approve the following Seasonal Restaurant All Alcoholic Beverages Liquor License renewals pending they have passed their inspection, have submitted the required liability insurance and all financial obligations have been paid to the Town in the case of Fishack Corporation d/b/a J.T.'s Seafood Restaurant, Roberts Inc. d/b/a Cobies, and JDT Investments LLC, d/b/a The Kitchen Café. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffed moved that the Board vote to approve the following Seasonal Restaurant Wines and Malt Beverages Liquor License renewal pending they have passed their inspection, have submitted the required liability insurance and all financial obligations have been paid to the Town in the case Breakwater Lobster and Fish Market, Inc. d/b/a Breakwater Fish & Lobster. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffed moved that the Board vote to revoke the Seasonal Restaurant All Alcoholic Beverages Liquor License renewal for El Guapos Taqueria who have failed to renew their license for the upcoming year. Selectperson Bingham second.

Acting Chair Hoffmann noted that it was brought to the administration's attention that they have not received any communication from the owner Kyle Parker. We believe he is selling the business but have not received any information directly from the owner.



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A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Selectperson Chaffee moved to close the public hearing. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

6:25pm- Public Hearing, Change of Classification: JDT Investments, d/b/a The Kitchen Café, 2671 Main Street

Selectperson Chaffee moved to open the public hearing as noticed in the Cape Codder on 3/10 and 3/17. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Acting Chair Hoffmann noted that it was brought to the attention of the administrative assistant that the applicant has failed to notify abutters as required. In communicating with the attorney, we advised that the public hearing would be continued until date certain April 3, 2023.

Selectperson Chaffee moved to continue the public hearing for the change of classification for the liquor license held by JDT Investments LLC, d/b/a the Kitchen Café to April 3, 2023 at 6:15pm. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Presentation and Discussion on FY24 Nauset Public School Budgets- Select Board FY23-24 Strategic Plan Goal G-1

Brooke Clenchy (Nauset Regional School District Superintendent), Keith Gauley (Stony Brook Elementary Principal), Steve Guditus (Eddy Elementary Principal), Giovanna Venditti (Director of Finance and Operations for Nauset Public Schools), and Katie Miller Jacobs (Chair of the School Committee) all presented the Nauset Public Schools FY24 Budget. The highlights of the Elementary School Budget presentation included:

- Review of the budget development process
- Brewster Elementary Schools Enrollment: for 2022-2023 PreK through grade 5 there is a total of 433
- Overview of where every dollar goes per Elementary school (largest driver is personnel for both)
 - Stony Brook Elementary FY24 Budget = \$4,662,1000
 - Eddy Elementary FY24 Budget = \$4,129,710
- 2023-2034 Brewster operating budget overview (includes regular day and special education)
 - Stony Brook Elementary School total is up 7.74% from 2023
 - Eddy Elementary School total is up 8.06% from 2023

Members of the Select Board directed questions at school officials including the increase in the special education budget, the percentage increase that the Town advised could be accommodated in this year's budget, benefits, steps taken by school officials to try reducing the budget, and enrollment trends.



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Mr. Lombardi shared that the Town is looking at increases on the order of 8%, which is more than the Town can accommodate within our tax levy. For the Elementary school we would have to advance to operating override on the order of \$315,000 for FY24.

Brooke Clenchy (Nauset Regional School District Superintendent), Chris Easley and Tom Fitzgibbons (Nauset Region School Committee) all presented the Nauset Public Schools FY24 Budget starting with the Brewster Elementary Schools. The highlights of the presentation included:

Chris Easley and Tom Fitzgibbons of the Nauset Region School Committee joined the meeting to present an overview of the Middle School and High School budgets. Mr. Easley stated that the school committee as an elected body has a responsibility to the citizens of the Towns to develop and present budgets that address the educational needs of the communities' children. Noting the deficits in learning and behavioral challenges brought on by the pandemic. In the budgets presented an attempt has been made to invest in people, programs and in services that will impact the behavioral, mental health and learning loss of our students.

The highlights of the High School and Middle School Budget presentation included:

- NPS- Focus and Needs
 - Anxiety, depression, mental health issues and substance abuse issues.
 - Student behavioral issues
 - Learning loss
 - Review of the action taken to help with the concerns post COVID.
 - Review of transportation concerns and the action taken.
 - Review of technology concerns and steps taken
- General Information that was taken into consideration when developing the budgets
- 2023-2024 Nauset Regional Budget Overview income
- 2023-2024 Nauset Region Budget Overview Expenses/Revenue
- 2023-2024 Net Operating Budget Increase

Members of the Select Board asked questions regarding the presentation including school choice students, reasons why students leave the district, and the High School project capacity.

Mr. Lombardi noted that regarding the prospect of an override, with the 7.7% for the Nauset Region, the Town is looking at an operating override of about \$650K. Between both the Elementary School and the Region looking at about \$965K in terms of an operating override. The Select Board will be deciding to bring either one or two overrides to Town Meeting in May. Mr. Lombardi referenced the debt for the High School project, the amount that is included in the budget and the impact on the FY24 tax rate is about half of the total costs. There will be a second increase in the costs of the High School project once the long-term debt is issued a year from now, which will be coming online in FY25.

Presentation on Proposed Stony Brook Mill Fishways Improvements Project and Discuss Next Steps- Chris Miller, Natural Resources Director



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Chris Miller provided a presentation on the two projects, the presentation included video of the locations and engineering plans for the projects. Mr. Miller reviewed the following:

- The project design partners
- Budget Overview for both projects, total cost for construction is \$917K
 - 75% of costs are provided by a grant from Natural Resource Conservation Service (\$876K) and \$116K in technical assistance funding
 - Local contributions include \$41K, Brewster is responsible for 25% match to the final construction costs
 - CPC grant for \$125K
 - Will seek \$200K at the May Annual Town Meeting for the rest of the local match
- Project purpose and site plan overview
- Proposed changes to fish weirs

Selectperson Chaffee shared that this project combines our identity of our community, our history, and our celebration of the herring, as part of our culture and social activities. Mr. Miller added that these improvements will provide adequate spawning grounds with good healthy water quality. The project would begin in the Fall after the permitting process is completed. This could go into next Fall if there are any delays.

Review and Vote on Draft Special Legislation Regarding Wing Island Protection

Mr. Lombardi shared that at Special Town Meeting there was an overwhelming vote in favor of Article 2 seeking to transfer care, custody, and control of the Island to the Conservation Commission and to change the designated uses of the Island. Town Counsel has opined that the Town needs to get State approval to take these actions through Special Legislation and has drafted two versions of the article for May Town Meeting. One draft references a Conservation Restriction and one without. Mr. Lombardi noted that an overwhelming majority of the Town's conservation properties hold a Conservation Restriction. This is best practice in conservation land management as it requires the development of an ecological assessment, the development of a management plan and expressly states what can and cannot be done on the property. In the draft article the final approval of a Conservation Restriction is in the hand of Town Meeting not the Select Board. This provided the opportunity to have community conversation and work through the process of what details the Conservation Restriction would have.

The following is a brief overview of comments made by the public:

Bill Henchy, 64 Old Meadow Road- stated that the omission of a Conservation Restriction in Article 2 was not inadvertent, the decision was made because the Town does not gain anything from a Conservation Restriction on Wing Island. Does not believe it is appropriate to delegate management and control of the Island to a third party. Encouraged the Board to carry out the mandate of Town Meeting.

Mr. Lombardi noted that it has been identified through this process that while the Town has a long-standing relationship with the Museum, we do not have anything memorialized and the Town could benefit in advancing a Conservation Restriction that would affirmatively grant clear rights to the Museum.



Town of Brewster

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

Office of:
Select Board
Town Manager

Len Egert, 92 Six Penny Lane- advocate for option 2 with no Conservation Restriction as voted on at Special Town meeting. If you want to seek a Conservation Restriction on the property, the Select Board can do so at a later date.

Deborah Johnson, Foster Road- read M.G.L Part 1, Title 7, Chapter 40 Section 15A and believes that the Select Board can transfer use of Wing Island to Conservation Commission without going through the State Legislature. Stated that we do not need a Conservation Restriction and do not need a third party stepping in and holding a Conservation Restriction on the property. As for the museum not having a contract, it is worked fine since the museums founding, suggested finding a way to figure this out without the State.

Mr. Lombardi stated has Town Counsel's opinion, yes there are special conditions/processes that are in place by Law and regulation relative to the change of use of Article 97 protected land. Which is Why we are bringing a special act forward rather than the SB having the ability take the action on their own without State legislative approval.

John Depuy, 833 Main Street- stated that the point is that the voters were crystal clear which two paths to pursue and believes that the right position is option 2. It should be accepted it and move forward, if there is a need for Conservation Restriction in the future, it can be addressed separately.

Joe Swaluk, 76 Quasons Path- The Special Town Meeting was overwhelming in favor of what the citizen group wanted to do, so there should be no discussion other than to do anything than what was voted on.

Bill Finnegan, 36 Blueberry Pond Drive- There was over 800 voters at Special Town Meeting that voted and now something is being drafted that counteracts the vote. Suggested to withdraw this article.

Selectperson Chaffee stated that what has happened has torn the Town apart and was not necessary and it is not necessary now. Moved to proceed with Option 2 and do not pursue a Conservation Restriction at this time. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

FYIs

None

Matters Not Reasonably Anticipated by the Chair

None

Questions from the Media

None

Next Meetings

March 27, April 3, and April 24, 2023



Town of Brewster

2198 Main Street
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Phone: (508) 896-3701
www.brewster-ma.gov

Office of:
Select Board
Town Manager

Adjournment

Selectperson Bingham moved to adjourn at 9:22pm. Selectperson Chaffee second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Acting Chair Hoffmann-yes. The Board vote was 3-Yes, 0-No.

Respectfully submitted by Erika Mawn,
Executive Assistant

Approved: _____ Signed: _____
Date Selectperson Hoffmann, Clerk of the Select Board

Accompanying Documents in Packet: Agenda, Town Manager's report, Consent items, PPC Video, Seasonal Liquor License Renewals, FY24 Nauset Public School Budgets, Stony Brook Mill Fishway Improvements, Wing Island Protection documents, For Your Information

DRAFT

FY 23 CONSENT AGENDA
BOARD OF SELECTMEN

7/1/22 -3/31/23

DONATION APPROVAL LIST:

<u>DEPARTMENT:</u>	<u>AMOUNT:</u>	<u>DESCRIPTION:</u>	<u>Account #</u>
1 Selectboard/Town Administration	\$ 20,000.00	Cape Cod Sea Camps Donation	204-1221-4830
2 Police Dept.	\$ 18.00	Animal Welfare Donation	204-2101-4830
3 Natural Resources Donations	\$ 1,977.00	Natural Resources Donations	204-2961-4830
4 DPW Donation from Covanta/Semass	\$ 3,541.00	Hazardous Waste Shed for Transfer Station	204-4221-4830
5 Council on Aging	\$ 5,338.15	Council on Aging Donations	204-5411-4830
6 Crosby Mansion	\$ 12,524.70	Crosby Mansion Donations	204-6701-4830
7 Mill Sites	\$ 5,112.00	Mill Sites Donations	204-6991-4830
TOTAL:	\$ <u>48,510.85</u>		

APPROVED: _____

DATE: _____



TOWN OF BREWSTER

1673 MAIN STREET
BREWSTER, MA 02631
PHONE: (508) 896-2737
FAX: (508) 896-7587
BCOA@TOWN.BREWSTER.MA.US

COUNCIL ON AGING

March 24, 2023

Brewster Select Board
2198 Main Street
Brewster, MA 02631

Dear Select Board,

Each year The Family Pantry of Cape Cod holds an annual spring event Food Grab and Go. This event introduces their programs to individuals and families who might need them. In the past, they have held it in the parking lot of the Monomoy High School. This year they are expanding and are hoping to hold the event in two locations. Barnstable High School has agreed and the Brewster COA parking lot is the proposed the second site.

Date: Sunday, May 21, 2023
Time: 10:00 AM – Noon or until distribution is complete
Place: Brewster COA parking lot
Distribution: Drive Through Event
Families Served: 200
Registration: None, everyone is welcome

My experience working with this agency has always been a very positive one, their drive through events are well-organized, well-staffed and efficient.

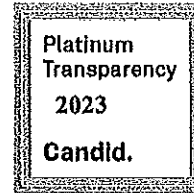
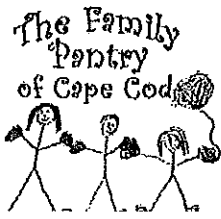
At this time, I'm asking for your approval to host this event and to waive the applicable fees for a non-profit organization.

Please review attached letter outlining this event.

Thank you for your consideration and support.

Sincerely,

Elton R. Cutler, Director
Brewster Council on Aging
1673 Main Street | Brewster, MA 02631
508-896-2737 | ecutler@brewster-ma.gov



133 Queen Anne Road
Harwich, MA 02645
www.thefamilypantry.com
508-432-6519



Christine H. Menard
Executive Director
cmenard@thefamilypantry.com

Trustees

Shelly O'Neill, *Chairperson*
Norman Clarke
Paul Covell
Lorraine Cowhey
Nancy Diehl DiGiovanni
Richard Gomes
Shirley A. Gomes
Lisa Griffin
Eileen Leary
Peter Moynagh
John Our
James Peterson
Thomas H. Peterson, Jr.
Anne Watson
Daniel Wolf

Directors

Melissa Masi *President*
Mary Kate Gallagher, *Vice President*
Kathy McNamara, *Secretary*
John DeVito, *Treasurer*
Kathy Kellogg
Larry Lyford
Maureen Maguire
Craig Morong
Patricia Nadle
Richard Roy
Sally Tarbell
Justin Tavano

March 22, 2023

Brewster Council on Aging
Elton Cutler
1673 Main St
Brewster, MA 02631

Dear Elton

Thanks for taking the time to discuss our annual spring Food Grab and Go. Each year we hold the event to introduce The Family Pantry of Cape Cod to people who might need us. We have operated for the past 33 years and it is amazing that families still do not know we exist and are able to help. In the past, we have held it in the parking lot of the Monomoy High School. This year we are expanding and hope to hold the event in two locations. Barnstable High School has agreed and we are hoping to use the Brewster COAs parking lot as the second site.

We will provide a Certificate of Insurance and we will provide a police detail to make sure traffic is handled professionally and efficiently.

The Pantry will bring a truck with 200 Family Meals Boxes with staples (Rice, Beans, Pasta, Tuna, Peanut Butter, Juice, etc.). In addition, families will receive a bag of apples and a \$20.00 gift card to Shaws/Star Market.

This is a drive through event with the groceries placed in the vehicles as they drive through the parking lot.

The process is very simple and once it is over you will never know we were there. We will include information on the Pantry and are happy to include any information on the COA in each box.

There will be press on this leading up to the event. Typically, we have it run on the 4 radio stations of CapeCodRadio.com, PSAs on the local town channels, the Cape Cod Chronicle, and all of our social media outlets.

Date: Sunday May 21, 2023
Time: 10:00-Noon or until distribution is complete
Place: Brewster COA parking lot
Distribution: Drive Through Event
Families Served: 200
Registration: None, everyone is welcome

If you could get town approval as soon as possible that would be great.

Thank you for your consideration,

Christine H. Menard



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER RogersGray Kingston 0090 410 University Ave Westwood MA 02090	CONTACT NAME: PHONE (A/C, No, Ext): 800-553-1801 FAX (A/C, No): 877-816-2156 E-MAIL: mail@rogersgray.com ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		
INSURED The Family Pantry of Cape Cod Corp 133 Queen Anne Road Harwich MA 02645	FAMIPAN-01	INSURER A : Arbella Protection	NAIC # 41360
		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER: 1933776751** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR LVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			8500059591	7/15/2022	7/15/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			1020020653	7/15/2022	7/15/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			4620082981	7/15/2022	7/15/2023	EACH OCCURRENCE	\$ 2,000,000
							AGGREGATE	\$ 2,000,000
								\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	4220056107 07	7/15/2022	7/15/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$ 500,000
							E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Town of Brewster Brewster Council on Aging 1673 Main Street Brewster MA 02631	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

APPLICATION FOR FACILITY USE

BREWSTER BOARD OF SELECTMEN
2198 MAIN STREET, BREWSTER, MA 02631

All requests must be made **at least two (2) weeks in advance of the desired use date**. For more information please call the Selectmen's Office at 896-3701. Completed forms may be dropped-off or mailed to the address above, or **faxed back to 508-896-8089**.

ORGANIZATION OR GROUP: The Family Pantry of Cape Cod

LOCAL SPONSORING ORGANIZATION: Brewster COA

AREA OR FACILITIES NEEDED: Brewster COA Parking Lot

DATE OR DATES REQUESTED: Sunday, May 21, 2023

TIME IN: 9 AM TIME OUT: 1 PM (INCLUDING PREPARATION & DISMANTLING)

PURPOSE OF FACILITY USE: Food Grab and GO program

NATURE OF ACTIVITY TO TAKE PLACE: Food Pantry

WILL ADMISSION FEE BE CHARGED? YES NO AMOUNT _____

NON-PROFIT ORGANIZATION: YES NO

IRS # N/A TOTAL NUMBER OF PERSONS EXPECTED 200

MAXIMUM PEOPLE EXPECTED AT ONE TIME: CARS in parking Lot - Drive through.

ANY SPECIAL EQUIPMENT NEEDED?:
N/A

PERSON RESPONSIBLE FOR THE OBLIGATIONS OF THE GROUP WHO WILL PAY THE BILL - NAME:

Christine H. Menard

MAILING ADDRESS: 133 Queen Anne Rd Harwich, MA 02645

TELEPHONE NUMBER: 508-432-6519 or [REDACTED]

I have read the regulations and understand them with the acknowledgement that any additional expenses incurred will be paid by my organization and that any violation may jeopardize continue use of the building.

Signature: Ellen R. Cutler, Director Brewster COA

Telephone: 508-896-2737 x 4222

The Anglican Church of the Resurrection
P.O. Box 1704, Brewster MA 02631

March 28, 2023

Select Board of the Town of Brewster,
Erika Mawn,
Town of Brewster

To Whom It May Concern,

I write on behalf of the Anglican Church of the Resurrection, which I currently serve as interim pastor.

We ask permission to hold an Easter service at Breakwater Beach on April 9 at 7:30 am. With the approval of the Town, the Church of the Resurrection has been offering this early service since 2009. I also ask that the fee of \$50.00 be waived, as we are a registered charity.


We have also been offering a service at 7:30 am on Sundays from the beginning of July to Labor Day weekend, again with the Town's permission, and we would like to request that we be allowed to hold these services at Breakwater Beach again this year, 2023. This is a short service (about one-half in duration). We have visitors join us from Massachusetts and other parts of the country, some of whom vacation in Brewster.

You may be aware that our church held services in the Brewster Council on Aging for many years, until the closing of that building under Covid-19 restrictions. We enjoyed a good relationship with the staff there.

If you wish to speak with me about our request, you may reach me at 774-237-8021, or at pastorbuzzmc@gmail.com.

Thank you for your consideration in this matter.

Yours truly,


The Rev'd Lawrence P. McErlean

APPLICATION FOR FACILITY USE

BREWSTER BOARD OF SELECTMEN
2198 MAIN STREET, BREWSTER, MA 02631

All requests must be made **at least two (2) weeks in advance of the desired use date.** For more information please call the Selectmen's Office at 896-3701. Completed forms may be dropped-off or mailed to the address above, or **faxed back to 508-896-8089.**

ORGANIZATION OR GROUP: Anglican Church of the Resurrection

LOCAL SPONSORING ORGANIZATION: _____

AREA OR FACILITIES NEEDED: Breakwater Beach and adjacent parking lot.

DATE OR DATES REQUESTED: April 9, 2023

TIME IN: 7:15 am TIME OUT: 9:15 am (INCLUDING PREPARATION & DISMANTLING)

PURPOSE OF FACILITY USE: Easter Worship Service

NATURE OF ACTIVITY TO TAKE PLACE: singing, preaching, and fellowship

WILL ADMISSION FEE BE CHARGED? YES _____ NO X AMOUNT _____

NON-PROFIT ORGANIZATION: YES X NO _____

IRS # 06-1727626 TOTAL NUMBER OF PERSONS EXPECTED 50

MAXIMUM PEOPLE EXPECTED AT ONE TIME: 50

ANY SPECIAL EQUIPMENT NEEDED?: No.

PERSON RESPONSIBLE FOR THE OBLIGATIONS OF THE GROUP WHO WILL PAY THE BILL - NAME:

Donald Richards. (Treasurer)

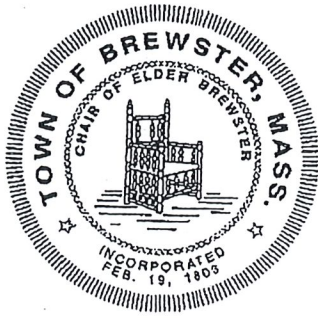
MAILING ADDRESS: 16 Hilltop Drive, Sandwich MA 02563

TELEPHONE NUMBER: _____

I have read the regulations and understand them with the acknowledgement that any additional expenses incurred will be paid by my organization and that any violation may jeopardize continue use of the building.

Signature: Lawrence P. McErlane

Telephone: _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance - opening night

Location and Address where Liquor will be served if different from Applicant's Address:
Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:

Day: April 12, 2023 Times: 6-10 p.m.

Types of Liquor to be served: Beer & wine & hard cider

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

Contact phone number(s) for Server(s):
[REDACTED]

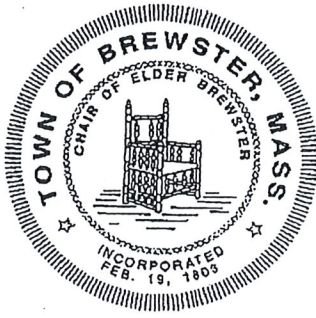
FEE= \$35/day/location

Signature of Applicant: Maura Hobbs
attorney for Cape Rep Theatre

Date: 3/27/2023

Signature indicating for Licensing Authority's Approval:

Date _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance

Location and Address where Liquor will be served if different from Applicant's Address:

Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:

Day: April 14, 2023 Times: 6-10 p.m.

Types of Liquor to be served:

Beer & wine & hard cider

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

Contact phone number(s) for Server(s):

[REDACTED]

FEE= \$35/day/location

Signature of Applicant:

Maria Harris
attorney for Cape Rep Theatre

Date: 3/27/2023

Signature indicating for Licensing Authority's Approval:

_____ Date _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance

Location and Address where Liquor will be served if different from Applicant's Address:
Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:
Day: April 15, 2023 Times: 6-10 p.m.

Types of Liquor to be served: Beer & wine & Hard cider

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

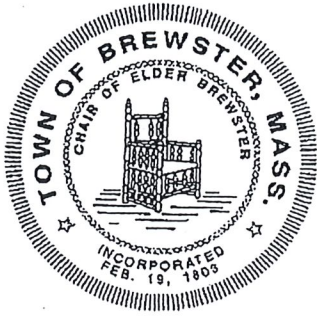
Contact phone number(s) for Server(s):
[REDACTED]

FEE= \$35/day/location

Signature of Applicant: Maura Hoads Date: 3/27/2023
attorney for Cape Rep

Signature indicating for Licensing Authority's Approval:

Date _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance

Location and Address where Liquor will be served if different from Applicant's Address:

Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:

Day: April 21, 2023 Times: 6-10 p.m.

Types of Liquor to be served:

Beer & wine & hard cider

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

Contact phone number(s) for Server(s):

[REDACTED]

FEE= \$35/day/location

Signature of Applicant:

Janine Perry
Attorney for Cape Rep Theatre

Date: 3/27/2023

Signature indicating for Licensing Authority's Approval:

_____ Date _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance

Location and Address where Liquor will be served if different from Applicant's Address:
Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:
Day: April 28, 2023 Times: 6-10 p.m.

Types of Liquor to be served: Beer & wine

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

Contact phone number(s) for Server(s):
[REDACTED]

FEE= \$35/day/location

Signature of Applicant: [Signature] Date: 3/27/2023
attorney for Cape Rep

Signature indicating for Licensing Authority's Approval:

_____ Date _____



Board of Selectmen
Town Administrator

2198 Main Street
Brewster, Massachusetts 02631-1898
(508) 896-3701
FAX (508) 896-8089

APPLICATION FOR
ONE-DAY LIQUOR LICENSE

(must be submitted with application fee two (2) weeks prior to the date of the event)

Applicant's Name: Cape Rep Theatre Phone: 508 896-1888
Applicant's Address: 3299 Main Street
Brewster, MA 02631

Type of Event: Performance

Location and Address where Liquor will be served if different from Applicant's Address:

Same - 3299 Main St.

Date and hours requested for Licensed Authorization to serve Liquor:

Day: May 5, 2023 Times: 6 - 10 p.m.

Types of Liquor to be served: Beer & wine & hard cider

Will food be provided? Yes

Number of attendees anticipated? 125

Who will serve the liquor?

Name: Janine Perry

Address: 3299 Main St.

Contact phone number(s) for Server(s):

FEE= \$35/day/location

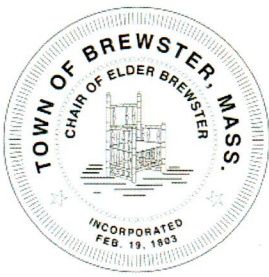
Signature of Applicant:

Janine Perry
Attorney for Cape Rep

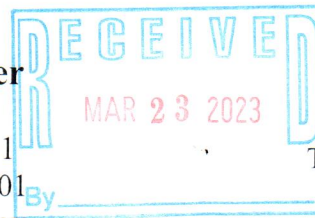
Date: 3/27/2023

Signature indicating for Licensing Authority's Approval:

Date _____



Town of Brewster
2198 Main Street
Brewster, MA 02631
Phone: (508) 896-3701
www.brewster-ma.gov



Office of:
Select Board
Town Manager

Application Fee: \$35.00

check # 1551
enclosed

APPLICATION FOR ONE-DAY ENTERTAINMENT LICENSE

Application must be submitted at least 4 weeks prior to the date of the event. Following submission of a completed application and payment, the request will be placed on a Select Board meeting agenda for review. Submit to Town Manager's office or emawn@brewster-ma.gov.

Section 1: Applicant Information

Applicant's Name:	Owen Nichols
Applicant's Address:	33 Country Ln Brewster MA 02631
Telephone # and Email Address:	[REDACTED]

Section 2: Event Information

Type of Event:	Wedding Reception
Location of Event:	345 Robbins Hill Rd
Date of Event & Proposed Times:	6/24/2023 12-10 PM
Description of entertainment proposed (include name of band or DJ, and if entertainment will be live, acoustic or amplified, etc.):	Vincent King Live amplified
Will entertainment be performed indoors or outdoors:	outdoors in tent

Section 3: Additional Information:

Will temporary structures be erected (i.e., platforms, scaffolds, tents, pavilions, etc.)? Yes: X No:
 *If yes, a building permit may be needed, please contact the building department for more information. *-done.*

Number of anticipated attendees over the course of the event: 135 Maximum # at any one time: 135

Applicant Signature: [Signature] Date: 3/19/2023

**AMENDMENT TO LIP OWNERSHIP REGULATORY AGREEMENT
AND DECLARATION OF RESTRICTIVE COVENANTS**

Reference is made to that certain Regulatory Agreement and Declaration of Restrictive Covenants (the "Agreement") executed on October 12, 2022, by and among the Commonwealth of Massachusetts, acting by and through the Department of Housing and Community Development ("DHCD"), pursuant to G.L. c. 23B §1 as amended by Chapter 19 of the Acts of 2007, the Town of Brewster ("the Municipality"), and Habitat for Humanity of Cape Cod, Inc. a Massachusetts corporation having an address at 411 Main Street (Rte. 6A), Suite 6, Yarmouth Port, Massachusetts, and its successors and assigns ("Project Sponsor"), as recorded with said Registry of Deeds in Book 35434, Page 166.

Whereas, the Agreement requires the Project Sponsor to construct two (2) detached dwellings (the "Units") on a .56 acre± site on 26 Red Top Road, Brewster, Massachusetts, and to convey said Units to persons or households with incomes at or below eighty percent (80%) (the "Eligible Households") of the area median household income ("AMI");

Whereas, notwithstanding the foregoing, as set forth in Exhibit B to the Agreement, the Project Sponsor was to convey both Units to Eligible Households at a maximum price at or below 65% of AMI, or for \$169,250 each (the "Initial Sales Price");

Whereas, the Project Sponsor intends to change the Initial Sales Price for one (1) of the Units and to amend the Initial Sales Price of both Units to reflect increase in the HUD income limits; and

Whereas, DHCD and the Municipality are amenable to said changes.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which his hereby acknowledged, the Agreement is hereby amended as follows:

1. One (1) of the Units shall be conveyed at or below 60% AMI, for a maximum sales price of \$164,750.00;
2. The other Unit shall be conveyed at a price at or below 80% of AMI, for a maximum price of \$233,700.00;
3. Exhibit "B" of the Agreement is hereby stricken and deleted in its entirety and replaced with the attached Exhibit "B"; and
4. In all other respects the Agreement is hereby ratified and confirmed.

Executed as a sealed instrument this ____ day of _____, 2023.

HABITAT FOR HUMANITY OF CAPE COD,
INC.

By: _____
Wendy Cullinan, Its President

DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT

By: _____
Its Associate Director

TOWN OF BREWSTER,
By its Select Board

By: _____
Its Chair

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, ss.

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as _____ of Habitat for Humanity of Cape Cod, Inc. [Project Sponsor] and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
Print name:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK, ss.

On this _____ day of _____, 2023__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as _____ for the Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
Print name:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF BARNSTABLE, ss.

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared _____, Chair of the Brewster Select Board, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Brewster (the Municipality).

Notary Public
Print Name:
My Commission Expires:

EXHIBIT B

Re: Red Top Road Community Housing
 (Project name)
Brewster
 (City/Town)
Habitat for Humanity of Cape Cod, Inc
 (Developer)

Maximum Selling Prices, Initial Condominium Fees, and Percentage Interest Assigned to Low and Moderate Income Units

	<u>Sales Price</u>	<u>HOA Fee</u>	<u>% Interest</u>
One bedroom units	\$ _____	\$ _____	_____
Two bedroom units	\$ _____	\$ _____	_____
One Three bedroom unit @ 80% AMI	\$ <u>233,700</u>	\$ <u>60 per month</u>	_____
One Three bedroom unit @ 60% AMI	\$ <u>164,750</u>	\$ <u>60 per month</u>	_____
Four bedroom units	\$ _____	\$ _____	_____

Location of Low and Moderate Income Units

The housing units which are Low and Moderate Income Units are those designated as Lots A and B on:

- a plan of land entitled "Definitive Subdivision Plan of Land of 26 Red Top Road, Brewster, MA for Habitat for Humanity of Cape Cod, Inc." recorded with the Barnstable County Registry of Deeds in Book 694, Page 44.
- floor plans recorded with the Master Deed of the _____ recorded with the _____ Registry of Deeds in Book _____, Page _____.



Town of Brewster

2198 Main Street
Brewster, MA 02631-1898
Phone: (508) 896-3701
Fax: (508) 896-8089

Office of:
Select Board
Town Manager

April 3, 2023

Stephanie Haussmann
Crawford Land Management
88 Route 6A #2B
Sandwich, MA 02563

RE: Access to Point of Rocks Beach for Sand Nourishment, Crawford Land Management

Dear Ms. Haussmann;

Permission to utilize the Town's property at Point of Rocks beach for the purpose of sand nourishment at 347 Point of Rocks Road and 290 Foster Road has been granted to Crawford Land Management of Sandwich, MA. This approval is contingent upon:

1. Access from Point of Rocks beach shall be granted beginning at **sunrise on Tuesday, Tuesday April 18, 2023 to sunset, Friday, April 21, 2023** for supplying sand to 347 Point of Rocks Road and 290 Foster Road. Access shall be allowed for one excavator, one front-end loader, and one skid steer.
2. The above dates are not subject to change. No extensions will be granted.
3. Permission extends to allow the above listed equipment, including sand, to be stored on the Town's property. Equipment must be stored behind sawhorses to discourage unauthorized access or vandalism, and Crawford Land Management must ensure the protection of the pavement from the vehicle tracks. The Town warrants no protection or safety for unsupervised equipment or materials stored on Town property. The Town representative may require modifications relating to project activities/staging, including necessary steps to protect the landing during use. If so, said conditions will be provided at the time of the required, pre-work on-site meeting.
4. You are required to maintain access for shell fishermen/pick-up trucks to service their shellfish grants at Point of Rocks beach, as well as residents. We request that you access Point of Rocks Landing from Point of Rocks Road during the duration of this nourishment process, due to the fact that Foster Road will have undergone recent paving.
5. Prior to the use of the landing, a minimum eighteen inch (18") sand cover (exact depth to be determined at the site visit) must be spread over the asphalt pavement in order to protect the integrity of the asphalt. The sand cover, as well as the sand cover to

be utilized for beach re-nourishment or to bury any fiber rolls or other permitted sub-surface stabilizing materials, shall be "Mason Grade" sand, compatible in color and texture to that material which naturally exists on the beach. No work is to be done within thirty-six inches (36") of the edge of any catch basins, drains or groins.

6. Work shall be coordinated to take place during low tides in order to prevent vehicular equipment traffic over the drainage structures, pipes, groins and/or private property.

7. The contractor shall provide a certificate of insurance that shall certify valid liability insurance coverage in the minimum amount of \$1,000,000 throughout the duration of the use of the landing. (received)

8. The contractor shall provide a \$10,000 bank check or bond, to be held by the Town as financial assurance of performance and to cover the potential cost of reparations of any damage to the Town's property. (received)

9. The contractor shall be required to take and provide photographs, taken prior to the start of any construction work, showing the pre-construction conditions of the parking and landing area and the public beach. These photos shall be submitted to the Conservation Department and the Select Board's Office.

10. All excess sand cover shall be cleared from the landing upon completion of the work and utilized to restore base-line beach profiles, if doing so would be consistent with the Order of Conditions issued by the Conservation Commission in relation to this project.

11. The Town Manager's office (in addition to the Conservation Commission Office and DPW) shall be notified when "on-site" phase meetings are scheduled. Advance notice of a minimum of 24 hours shall be provided to the Select Board/Town Manager's Office, the Conservation Commission and the DPW prior to staging and commencement of work. At least one representative from the Town should meet the contractor on-site, prior to commencement to ensure adequate coordination (This meeting still needs to be scheduled before work begins).

Please call me at 508-896-3701, x 1129, if you have any questions or need to relay any important information about this project.

Sincerely,

Conor Kenny

Conor Kenny
Project Manager

Cc: Chris Miller, Director of Natural Resources
William Grafton, Conservation Administrator
Griffin Ryder, DPW Superintendent
Jimmy Jones, DPW Foreman



March 23, 2023

To Whom it May Concern:

Crawford Land Management is seeking the approval from the Town of Brewster to use the public Point of Rock Beach landing as an access point for nourishment as permitted in DEP # SE 9-1814 and DEP SE # 9-1631, to nourish the beaches at 347 Point of Rocks Road and 290 Foster Road.

We are sending this letter to let you know that we plan to perform the work in April 2023. During this time we would be making multiple trips across the beach. All work will be completed between normal work hours of 8am to 5pm. The anticipated amount of time for the work to be completed is 4 days.

Please let us know if you have any questions or concerns.

Best,

A handwritten signature in black ink, appearing to read 'Stephanie Haussmann', with a long horizontal flourish extending to the right.

Stephanie Haussmann
Assistant Account Manager
Crawford Land Management

Equipment to be stored on site:

Excavator
Front End Loader
Skid Steer

CC: Brewster Conservation Commission



TOWN OF BREWSTER

1657 MAIN STREET

BREWSTER, MA 02631

PHONE: (508) 896-4546

FAX: (508) 896-8089

CONSERVATION@BREWSTER-MA.GOV

OFFICE OF
CONSERVATION COMMISSION

Town Landing and Public Beach Access Request Form

Complete each section below and submit this Request Form to the Office of the Conservation Commission a minimum of 21 days prior to the requested start-date. Access is granted on a first come basis, and only one contractor is permitted the use of any one town landing at any given time. Check boxes are for office use.

Town Landing and Public Beach Access Information

- Town Landing and Beach where access is requested: Point of Rocks
- Proposed start and finish dates: April 2023
- Estimated duration of work: 4 days
- Attach a description of proposed work to include vehicles, equipment, and/or materials to be stored on public property overnight. Vehicle registration numbers for any equipment must also be provided.

Contractor Information

- Name of contractor(s) performing work: Crawford Land Management
- Phone number for contractor(s): 508-477-1346
- Email for contractor(s): Stephanie@CrawfordLm.com
- Address of contractor(s): 88 Route 6A #2B Sandwich, MA 02563

Property Information

- Address of property where work is to be performed: 290 Foster Road
- Property owner(s): Bill Hargman
- Phone number of owner(s): _____
- Email of owner(s): bharg@Firstrealtymgt.com

Conservation Permit Number for work: SE 9 1631

- Submit Conservation performance bond if applicable under the Orders of Conditions
- Submit sieve analysis and source information for nourishment sand
- Submit sieve analysis for existing sand on the property
- Submit written work notice and "before" photos of the project site



TOWN OF BREWSTER

**1657 MAIN STREET
BREWSTER, MA 02631**

PHONE: (508) 896-4546

FAX: (508) 896-8089

CONSERVATION@BREWSTER-MA.GOV

OFFICE OF
CONSERVATION COMMISSION

Attachments:

Your application will not be considered complete until all of the below are submitted.

- Site map for the property where work is to be performed (to include the access route)
 - Copy of abutter's list and notification letter
 - Certificate of Insurance
 - Town Landing Use Fee of \$50 (to be submitted to Town Administration Office)
 - Performance Bond/Bank Check for Use of Town Landing (minimum \$10,000)
 - Funds will be returned upon successful completion of the work
 - To be submitted to Town Administration Office
 - Description of proposed work (see Town Landing and Public Beach Access Information)
-



March 23, 2023

To Whom it May Concern:

Crawford Land Management is seeking the approval from the Town of Brewster to use the public Point of Rock Beach landing as an access point for nourishment as permitted in DEP # SE 9-1814 and DEP SE # 9-1631.

We are sending this letter to let you know that we plan to perform the work in April 2023. During this time we would be making multiple trips across the beach. All work will be completed between normal work hours of 8am to 5pm. The anticipated amount of time for the work to be completed is 4 days.

Please let us know if you have any questions or concerns.

Best,

A handwritten signature in black ink, appearing to read 'Stephanie Haussmann', with a long, sweeping underline.

Stephanie Haussmann
Assistant Account Manager
Crawford Land Management

Equipment to be stored on site:

Excavator
Front End Loader
Skid Steer

1573 Main Street
Brewster, MA 02631

BENNETT ENVIRONMENTAL ASSOCIATES, LLC

A Natural Systems Utilities Company

LICENSED SITE PROFESSIONALS, ENVIRONMENTAL SCIENTISTS, GEOLOGISTS, ENGINEERS

Phone: 508-896-1706
Fax: 508-896-5109

SIEVE ANALYSIS DATA AND COMPUTATION SHEET

Date: 4/25/2022 Sheet 1 of 1

Job Name: Merchant-Sieves Job Number: K10740B

Sample Number: 1/4" Screened Sand (Received 4/25/22)

Sample Collected by: CS&R Sample Tested by: R. Trimble

Notes: Sand: 99.37% Silt/Clay: 0.63% USCS: SP
D60 ~ 0.830 D10 ~ 0.271 Coefficient of Uniformity = D60/D10 = 3.063
D30 ~ 0.500 Coefficient of Conformity = (D30^2)/(D60*D10) = 1.110

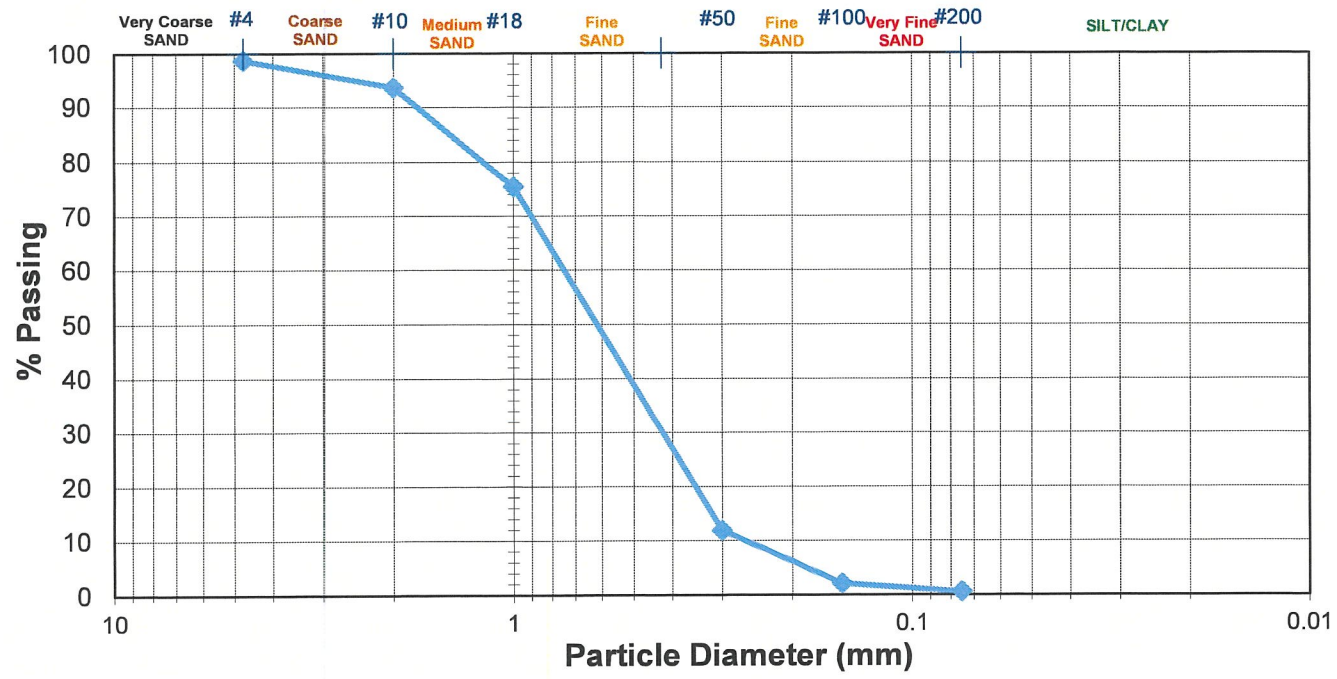
SIEVE OPENING IN MILLIMETERS	SIEVE MESH	WEIGHT RETAINED IN GRAMS (Cumulative)		PERCENT RETAINED (Cumulative)		CUMULATIVE PERCENT FINER	PROJECT MANUAL SPECIFICATION (USCS)
4.75	4	1.5	1.5	1.36%	1.36%	98.64%	Very Coarse Sand
2	10	5.6	7.1	5.08%	6.44%	93.56%	Coarse Sand
1	18	20.0	27.1	18.13%	24.57%	75.43%	Medium Sand
0.3	50	70.1	97.2	63.55%	88.12%	11.88%	Fine Sand
0.15	100	10.7	107.9	9.70%	97.82%	2.18%	Fine Sand
0.075	200	1.7	109.6	1.54%	99.37%	0.63%	Very Fine Sand
PAN	PAN	0.7	110.3	0.63%	100%	0%	Silty/Clay
PASSED MESH SIEVE TOTAL		110.3 g		99.10%			

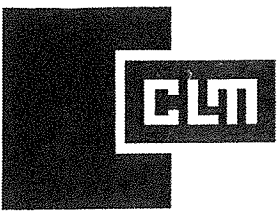
Sample Weight Wet: 113.7 g

Sample Weight Dry: 110.3 g

Percent Moisture: 2.11 %

Sample Weight Passed Through Sieves: 110.3 g





March 23, 2023

To Whom it May Concern,

Crawford Land Management is seeking the approval from the Town of Brewster to use Point of Rocks Landing for access to provide nourishment at 347 Point of Rocks Road as permitted in SE- 9-1814, and 290 Foster Road as permitted in SE 9-1631.

We are sending this letter as a courtesy to let you know that we intend on performing the work beginning in April. Work duration is anticipated to be approximately two to three days but will be weather dependent. During this time we would be making multiple trips across the beach in front of your property. All work will be completed between normal work hours of 8 a.m. to 5 p.m.

If you have any questions or concerns please do not hesitate to contact us.


Respectfully,

Nick Crawford, Principal & Co-Founder

CRAWFORD LAND MANAGEMENT



TOWN OF BREWSTER, MA
 BOARD OF ASSESSORS
 2198 Main Street Brewster, MA 02631

Certified by:

 James M. Gallagher, MAA
 Deputy Assessor

Custom Abutters List for Parcel 79/26/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
618	79-24-0-E (6-7-1)	BREWSTER TOWN OF POINT OF ROCKS ROAD	0 POINT OF ROCKS ROAD	2198 MAIN STREET	BREWSTER	MA	02631
619	79-25-0-R (6-8)	TULLY MARK E & DANA M	300 FOSTER ROAD	4 WOOD LANE	WINCHESTER	MA	01890
620	79-26-0-R (6-9)	KARGMAN WILLIAM M & LYNN TRSTEES	290 FOSTER ROAD	221 MT AUBURN ST # 703	CAMBRIDGE	MA	02138

79-24-0-E

BREWSTER TOWN OF
POINT OF ROCKS ROAD
2198 MAIN STREET
BREWSTER, MA 02631

79-25-0-R

TULLY MARK E & DANA M
4 WOOD LANE
WINCHESTER, MA 01890

79-26-0-R

KARGMAN WILLIAM M & LYNN TRSTEEES
221 MT AUBURN ST # 703
CAMBRIDGE, MA 02138

Owner affirmation of responsibility for work and
5-day request for site inspection/notice of work for
Order of Conditions

To:
Brewster Conservation Commission
2198 Main Street
BREWSTER, MA, 02631

3/23/23

(Date of Request for Site Inspection)

Order of Conditions (SE 9- 1631) - Order of Conditions recorded at the Registry of Deeds or
Land Court, Barnstable County on 6/12/14.

Location of project - Street 290 Foster Road Assessor's Map 79 Parcel 26

I, Crawford Land Management (Contractor), wish to schedule a site visit with an agent of the
Conservation Commission to inspect the siltation barrier for this project. I would like the inspection to take
place at the following date and time: _____.

The Order was recorded at the Registry of Deeds or Land Court, Barnstable, and proof of recording was
submitted to the Conservation Department for the project file. I understand that work shall commence only
with approval of the Conservation Agent, and that any work activities which have commenced prior to an
inspection and approval by the Conservation Commission may result in a "cease and desist" order and fine of
up to \$300.00 per day.

The type of work is renourishment
(dwelling construction, sewage disposal installation, landscape work, etc.)

Included with this request is a series of photos of the existing wetland edge and the installed erosion control
barriers. A copy of the Order of Conditions and the approved site plan are available on the site. This form
shall serve as proof that I have read and understand the terms of this Order of Conditions.

Telephone Number of Contractor 508-477-1346

Signature of Contractor [Signature]
DocuSigned by:

Signature of Owner Bill Kargman This form shall serve as proof that I, the
owner of the above referenced property, have read and understand the terms of this Order of Conditions, and
am responsible for any violation which occurs on this property.

Signature/Initial of Conservation Agent _____ The required erosion controls were installed
according to the plans approved by the Conservation Commission.



LICENSE OR PERMIT BOND

Bond No.: 999173273

KNOW ALL BY THESE PRESENTS, That we, White Mountain Inc. as Principal, of 88 ROUTE 6A, SUITE 2B, SANDWICH, MA 02563, and the The Ohio Casualty Insurance Company, a New Hampshire corporation, as Surety, are held and firmly bound unto Town of Brewster, of 2198 Main St., Brewster, MA 02631, as Obligee, in the sum of Twenty Thousand Dollars And Zero Cents (\$20,000.00) for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this 14th day of April, 2022.

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT WHEREAS, the Principal has been or is about to be granted a license or permit to do business as Landscape/conservation by the Obligee.

NOW, THEREFORE, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER:

1. This bond shall continue in force: [X] Until 14th day of April, 2023, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

[] Until canceled as herein provided.

2. This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

White Mountain Inc.

By _____ Principal



The Ohio Casualty Insurance Company

By Timothy A. Mikolajewski Timothy A. Mikolajewski Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

The Ohio Casualty Insurance Company

POWER OF ATTORNEY

Principal: White Mountain Inc.

Agency Name: THE HILB GROUP OF NEW ENGLAND, LLC

Bond Number: 999173273

Obligee: Town of Brewster

Bond Amount: (\$20,000.00) Twenty Thousand Dollars And Zero Cents

KNOW ALL PERSONS BY THESE PRESENTS: that The Ohio Casualty Insurance Company, a corporation duly organized under the laws of the State of New Hampshire (herein collectively called the "Company"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint **Timothy A. Mikolajewski** in the city and state of **Seattle, WA**, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Company in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of the Company has been affixed thereto this 26th day of September, 2016.



The Ohio Casualty Insurance Company

By: *David M. Carey*

David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

STATE OF PENNSYLVANIA SS
COUNTY OF MONTGOMERY

On this 26th day of September, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of The Ohio Casualty Insurance Company and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: *Teresa Pastella*

Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-law and Authorizations of The Ohio Casualty Insurance Company, which is now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature or electronic signatures of any assistant secretary of the Company or facsimile or mechanically reproduced or electronic seal of the Company, wherever appearing upon a certified copy of any power of attorney or bond issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of The Ohio Casualty Insurance Company do hereby certify that this power of attorney executed by said Company is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Company this 14th day of April, 2022.



By: *Renee C. Llewellyn*

Renee C. Llewellyn, Assistant Secretary

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



Liberty Mutual Surety: National Bond Center
350 E. 96th Street
Indianapolis, IN 46240
(888) 844-2663 Fax: (866) 547-4883

TRANSACTION REPORT

Transaction Date: April 14, 2022
Preparer Name: Emily Montgomery
Preparer Email: emontgomery@doins.com

Agency Name: THE HILB GROUP OF NEW ENGLAND, LLC
Agency Code: 971466

Principal:
White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Obligee:
Town of Brewster
2198 Main St.
Brewster, MA 02631

Underwriting Information:
Bond is freely written

Bond Information:

Bond Number: 999173273
Bond Amount: \$20,000.00
Renewal Type: Renewable (by certificate)
Renewal Billing Method: Direct Bill
Renewal Term (Months): 12
Renew Automatically: Yes
Description of Bond: Landscape/conservation

Effective Date: April 14, 2022
Expiration Date: April 14, 2023
Cancel Days: 30 Days
Class Code: S906
Underwriting Paper: The Ohio Casualty Insurance Company
Bond Rating State: Massachusetts

Invoiced To:

White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Renewal Billing Information:

White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Remarks:

Premium Information:

Bond Premium: \$100.00
Total Premium Due: \$100.00

This bond is a direct billed bond. It is the applicant's responsibility to ensure payment is received in full for this new business. Payment must be received within 20 days from the date this bond was issued. If payment is not received in full, this bond may be subject to cancellation. Bond(s) changes are available for your agency through <https://agents.libertymutualsurety.com>

Mail Payment To:

Liberty Mutual Insurance Company
25761 Network Place
Chicago, IL 60673-1257





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/23/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Hilb Group New England, LLC dba Dowling & O'Neil 973 Iyannough Road Hyannis MA 02601	CONTACT NAME: Emily Montgomery PHONE (A/C, No, Ext): (800) 640-1620 E-MAIL ADDRESS: emontgomery@hilbgroup.com	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED White Mountain Inc. dba Jenick Studio a/o Crawford Land Management 88 Route 6a Ste 2b Sandwich MA 02563	INSURER A: Twin City Fire Insurance Co	NAIC # 29459
	INSURER B: Hartford Accident & Indemnity Co	22357
	INSURER C: Lloyd's of London	
	INSURER D:	
	INSURER E:	
	INSURER F:	


COVERAGES **CERTIFICATE NUMBER:** CL2332352427 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			08SBAAB4854	07/06/2022	07/06/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			08UECAZ7327	07/06/2022	07/06/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			08SBAAB4854	07/06/2022	07/06/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	ERRORS & OMISSIONS			ANE156333523	03/01/2023	03/01/2024	PER CLAIM \$1,000,000 AGGREGATE \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurance coverage is limited to the terms, conditions, exclusions, other limitations and endorsements. Nothing contained in the certificate of insurance shall be deemed to have altered, waived, or extended the coverage provided by the policy provisions.

CERTIFICATE HOLDER Town of Brewster 2198 Main Street Brewster MA 02631	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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Crawford Land Management

88 Route 6A, Unit 2B
Sandwich, MA 02563

Citizens

5-7017/2110

1822



PAY TO THE ORDER OF

Town of Brewster

DATE 3/29/23

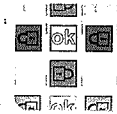
two thousand and 00/100

\$ 2000^{00/100}

DOLLARS

FOR SEQ-1631-Hargman
per person & bond

Dorinda Melchior



Details on back



Security Features

⑈001822⑈ ⑆211070175⑆ 1328403324⑈

Crawford Land Management

88 Route 6A, Unit 2B
Sandwich, MA 02563

Citizens

5-7017/2110

1820



PAY TO THE ORDER OF

Town of Brewster

DATE 3/29/23

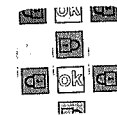
fifty and 00/100

\$ 50^{00/100}

DOLLARS

FOR SEQ-1631-Hargman -
bylaw fee

Dorinda Melchior



Details on back



Security Features

⑈001820⑈ ⑆211070175⑆ 1328403324⑈



March 23, 2023

To Whom it May Concern:

Crawford Land Management is seeking the approval from the Town of Brewster to use the public Point of Rock Beach landing as an access point for nourishment as permitted in DEP # SE 9-1814 and DEP SE # 9-1631, to nourish the beaches at 347 Point of Rocks Road and 290 Foster Road.

We are sending this letter to let you know that we plan to perform the work in April 2023. During this time we would be making multiple trips across the beach. All work will be completed between normal work hours of 8am to 5pm. The anticipated amount of time for the work to be completed is 4 days.

Please let us know if you have any questions or concerns.

Best,

A handwritten signature in black ink, appearing to read 'Stephanie Hausmann', with a long horizontal flourish extending to the right.

Stephanie Hausmann
Assistant Account Manager
Crawford Land Management

Equipment to be stored on site:

Excavator
Front End Loader
Skid Steer

CC: Brewster Conservation Commission



TOWN OF BREWSTER

1657 MAIN STREET

BREWSTER, MA 02631

PHONE: (508) 896-4546

FAX: (508) 896-8089

CONSERVATION@BREWSTER-MA.GOV

OFFICE OF
CONSERVATION COMMISSION

Town Landing and Public Beach Access Request Form

Complete each section below and submit this Request Form to the Office of the Conservation Commission a minimum of 21 days prior to the requested start-date. Access is granted on a first come basis, and only one contractor is permitted the use of any one town landing at any given time. Check boxes are for office use.

Town Landing and Public Beach Access Information

- Town Landing and Beach where access is requested: Point of Rocks
- Proposed start and finish dates: April 2023
- Estimated duration of work: 4 days
- Attach a description of proposed work to include vehicles, equipment, and/or materials to be stored on public property overnight. Vehicle registration numbers for any equipment must also be provided.

Contractor Information

- Name of contractor(s) performing work: Crawford Land Management
- Phone number for contractor(s): 508-477-1346
- Email for contractor(s): Stephanie@crawfordlm.com
- Address of contractor(s): 88 Route 6A #2B Sandwich, MA 02563

Property Information

- Address of property where work is to be performed: 347 Point of Rocks Road
- Property owner(s): Raymond and Jeanne Sullivan
- Phone number of owner(s): 508-896-6168
- Email of owner(s): gnomonma@mac.com

Conservation Permit Number for work: SE 9-1814

- Submit Conservation performance bond if applicable under the Orders of Conditions
- Submit sieve analysis and source information for nourishment sand
- Submit sieve analysis for existing sand on the property
- Submit written work notice and "before" photos of the project site



TOWN OF BREWSTER
1657 MAIN STREET
BREWSTER, MA 02631
PHONE: (508) 896-4546
FAX: (508) 896-8089
CONSERVATION@BREWSTER-MA.GOV

OFFICE OF
CONSERVATION COMMISSION

Attachments:

Your application will not be considered complete until all of the below are submitted.

- Site map for the property where work is to be performed (to include the access route)
 - Copy of abutter's list and notification letter
 - Certificate of Insurance
 - Town Landing Use Fee of \$50 (to be submitted to Town Administration Office)
 - Performance Bond/Bank Check for Use of Town Landing (minimum \$10,000)
 - Funds will be returned upon successful completion of the work
 - To be submitted to Town Administration Office
 - Description of proposed work (see Town Landing and Public Beach Access Information)
-



March 23, 2023

To Whom it May Concern:

Crawford Land Management is seeking the approval from the Town of Brewster to use the public Point of Rock Beach landing as an access point for nourishment as permitted in DEP # SE 9-1814 and DEP SE # 9-1631.

We are sending this letter to let you know that we plan to perform the work in April 2023. During this time we would be making multiple trips across the beach. All work will be completed between normal work hours of 8am to 5pm. The anticipated amount of time for the work to be completed is 4 days.

Please let us know if you have any questions or concerns.

Best,

A handwritten signature in black ink, appearing to read 'Stephanie Haussmann', written in a cursive style.

Stephanie Haussmann
Assistant Account Manager
Crawford Land Management

Equipment to be stored on site:

Excavator
Front End Loader
Skid Steer

1573 Main Street
Brewster, MA 02631

BENNETT ENVIRONMENTAL ASSOCIATES, LLC

A Natural Systems Utilities Company

LICENSED SITE PROFESSIONALS, ENVIRONMENTAL SCIENTISTS, GEOLOGISTS, ENGINEERS

Phone: 508-896-1706
Fax: 508-896-5109

SIEVE ANALYSIS DATA AND COMPUTATION SHEET

Date: 4/25/2022 Sheet 1 of 1

Job Name: Merchant-Sieves Job Number: K10740B

Sample Number: 1/4" Screened Sand (Received 4/25/22)

Sample Collected by: CS&R Sample Tested by: R. Trimble

Notes: Sand: 99.37% Silt/Clay: 0.63% USCS: SP
D60 ~ 0.830 D10 ~ 0.271 Coefficient of Uniformity = D60/D10 = 3.063
D30 ~ 0.500 Coefficient of Conformity = (D30^2)/(D60*D10) = 1.110

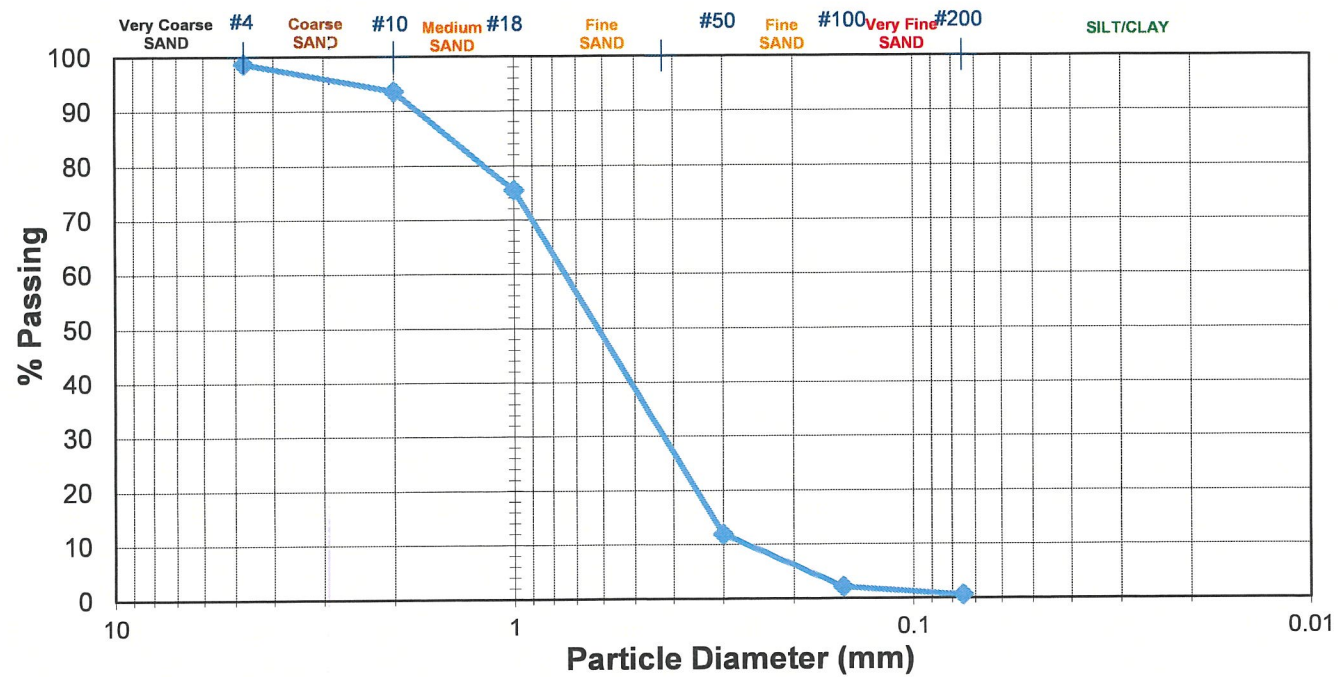
SIEVE OPENING IN MILLIMETERS	SIEVE MESH	WEIGHT RETAINED IN GRAMS (Cumulative)		PERCENT RETAINED (Cumulative)		CUMULATIVE PERCENT FINER	PROJECT MANUAL SPECIFICATION (USCS)
4.75	4	1.5	1.5	1.36%	1.36%	98.64%	Very Coarse Sand
2	10	5.6	7.1	5.08%	6.44%	93.56%	Coarse Sand
1	18	20.0	27.1	18.13%	24.57%	75.43%	Medium Sand
0.3	50	70.1	97.2	63.55%	88.12%	11.88%	Fine Sand
0.15	100	10.7	107.9	9.70%	97.82%	2.18%	Fine Sand
0.075	200	1.7	109.6	1.54%	99.37%	0.63%	Very Fine Sand
PAN	PAN	0.7	110.3	0.63%	100%	0%	Silty/Clay
PASSED MESH SIEVE TOTAL		110.3 g		99.10%			

Sample Weight Wet: 113.7 g

Sample Weight Dry: 110.3 g

Percent Moisture: 2.11 %

Sample Weight Passed Through Sieves: 110.3 g





March 23, 2023

To Whom it May Concern,

Crawford Land Management is seeking the approval from the Town of Brewster to use Point of Rocks Landing for access to provide nourishment at 347 Point of Rocks Road as permitted in SE- 9-1814, and 290 Foster Road as permitted in SE 9-1631.

We are sending this letter as a courtesy to let you know that we intend on performing the work beginning in April. Work duration is anticipated to be approximately two to three days but will be weather dependent. During this time we would be making multiple trips across the beach in front of your property. All work will be completed between normal work hours of 8 a.m. to 5 p.m.

If you have any questions or concerns please do not hesitate to contact us.

Respectfully,

Nick Crawford, Principal & Co-Founder

CRAWFORD LAND MANAGEMENT

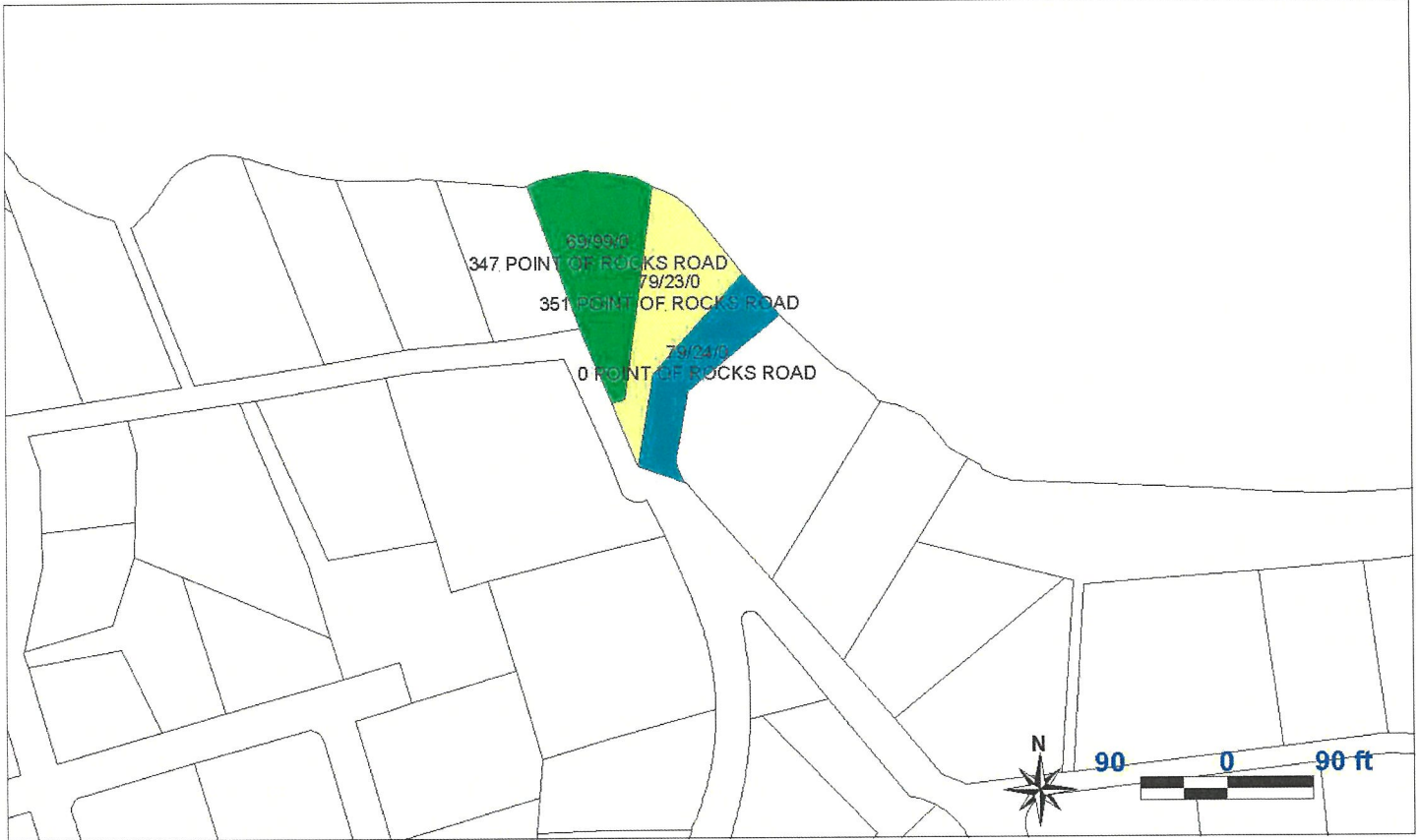
TOWN OF BREWSTER, MA
 BOARD OF ASSESSORS
 2198 Main Street Brewster, MA 02631

Certified by:



James M. Gallagher, MAA
 Deputy Assessor

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
616	69-99-0-R (6-6)	SULLIVAN RAYMOND A & JEANNE C	347 POINT OF ROCKS ROAD	PO BOX 1067	BREWSTER	MA	02631
617	79-23-0-R (6-7)	HEINTZELMAN PROPERTIES LLC	351 POINT OF ROCKS ROAD	96 WINTERHOFF TRAIL	BREWSTER	MA	02631
618	79-24-0-E (6-7-1)	BREWSTER TOWN OF POINT OF ROCKS ROAD	0 POINT OF ROCKS ROAD	2198 MAIN STREET	BREWSTER	MA	02631

69-99-0-R

SULLIVAN RAYMOND A & JEANNE C
PO BOX 1067
BREWSTER, MA 02631

79-23-0-R

HEINTZELMAN PROPERTIES LLC
96 WINTERHOFF TRAIL
BREWSTER, MA 02631

79-24-0-E

BREWSTER TOWN OF
POINT OF ROCKS ROAD
2198 MAIN STREET
BREWSTER, MA 02631

Owner affirmation of responsibility for work and
5-day request for site inspection/notice of work for
Order of Conditions

To:
Brewster Conservation Commission
2198 Main Street
BREWSTER, MA, 02631

3/23/23
(Date of Request for Site Inspection)

Order of Conditions (SE 9- 1814) - Order of Conditions recorded at the Registry of Deeds or
Land Court, Barnstable County on 3-22-2019.

Location of project - Street 347 Point of Reversal Assessor's Map 69 Parcel 99(6/6)

I, Crawford Land Management (Contractor), wish to schedule a site visit with an agent of the
Conservation Commission to inspect the siltation barrier for this project. I would like the inspection to take
place at the following date and time: _____.

The Order was recorded at the Registry of Deeds or Land Court, Barnstable, and proof of recording was
submitted to the Conservation Department for the project file. I understand that work shall commence only
with approval of the Conservation Agent, and that any work activities which have commenced prior to an
inspection and approval by the Conservation Commission may result in a "cease and desist" order and fine of
up to \$300.00 per day.

The type of work is nourishment
(dwelling construction, sewage disposal installation, landscape work, etc.)

Included with this request is a series of photos of the existing wetland edge and the installed erosion control
barriers. A copy of the Order of Conditions and the approved site plan are available on the site. This form
shall serve as proof that I have read and understand the terms of this Order of Conditions.

Telephone Number of Contractor 508-477-1346

Signature of Contractor Stephen Hawron

Signature of Owner Raymond Polk This form shall serve as proof that I, the
owner of the above referenced property, have read and understand the terms of this Order of Conditions, and
am responsible for any violation which occurs on this property.

Signature/Initial of Conservation Agent _____ The required erosion controls were installed
according to the plans approved by the Conservation Commission.





LICENSE OR PERMIT BOND

Bond No.: 999173273

KNOW ALL BY THESE PRESENTS, That we, White Mountain Inc. as Principal, of 88 ROUTE 6A, SUITE 2B, SANDWICH, MA 02563, and the The Ohio Casualty Insurance Company, a New Hampshire corporation, as Surety, are held and firmly bound unto Town of Brewster, of 2198 Main St., Brewster, MA 02631, as Obligee, in the sum of Twenty Thousand Dollars And Zero Cents (\$20,000.00) for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this 14th day of April, 2022.

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT WHEREAS, the Principal has been or is about to be granted a license or permit to do business as Landscape/conservation by the Obligee.

NOW, THEREFORE, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER:

1. This bond shall continue in force: [X] Until 14th day of April, 2023, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

[] Until canceled as herein provided.

2. This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

White Mountain Inc.

By _____ Principal



The Ohio Casualty Insurance Company

By Timothy A. Mikolajewski Timothy A. Mikolajewski Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

The Ohio Casualty Insurance Company

POWER OF ATTORNEY

Principal: White Mountain Inc.
Agency Name: THE HILB GROUP OF NEW ENGLAND, LLC
Bond Number: 999173273
Obligee: Town of Brewster
Bond Amount: (\$20,000.00) Twenty Thousand Dollars And Zero Cents

KNOW ALL PERSONS BY THESE PRESENTS: that The Ohio Casualty Insurance Company, a corporation duly organized under the laws of the State of New Hampshire (herein collectively called the "Company"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Timothy A. Mikolajewski in the city and state of Seattle, WA, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Company in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of the Company has been affixed thereto this 26th day of September, 2016.



The Ohio Casualty Insurance Company

By: David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 26th day of September, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of The Ohio Casualty Insurance Company and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-law and Authorizations of The Ohio Casualty Insurance Company, which is now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature or electronic signatures of any assistant secretary of the Company or facsimile or mechanically reproduced or electronic seal of the Company, wherever appearing upon a certified copy of any power of attorney or bond issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of The Ohio Casualty Insurance Company do hereby certify that this power of attorney executed by said Company is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Company this 14th day of April, 2022.



By: Renee C. Llewellyn, Assistant Secretary

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



Liberty Mutual Surety: National Bond Center
350 E. 96th Street
Indianapolis, IN 46240
(888) 844-2663 Fax: (866) 547-4883

TRANSACTION REPORT

Transaction Date: April 14, 2022
Preparer Name: Emily Montgomery
Preparer Email: emontgomery@doins.com

Agency Name: THE HILB GROUP OF NEW ENGLAND, LLC
Agency Code: 971466

Principal:
White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Obligee:
Town of Brewster
2198 Main St.
Brewster, MA 02631

Underwriting Information:
Bond is freely written

Bond Information:

Bond Number: 999173273	Effective Date: April 14, 2022
Bond Amount: \$20,000.00	Expiration Date: April 14, 2023
Renewal Type: Renewable (by certificate)	Cancel Days: 30 Days
Renewal Billing Method: Direct Bill	Class Code: S906
Renewal Term (Months): 12	Underwriting Paper: The Ohio Casualty Insurance Company
Renew Automatically: Yes	Bond Rating State: Massachusetts
Description of Bond: Landscape/conservation	

Invoiced To:
White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Renewal Billing Information:
White Mountain Inc.
88 ROUTE 6A, SUITE 2B
SANDWICH, MA 02563

Remarks:

Premium Information:
Bond Premium: \$100.00
Total Premium Due: \$100.00

This bond is a direct billed bond. It is the applicant's responsibility to ensure payment is received in full for this new business. Payment must be received within 20 days from the date this bond was issued. If payment is not received in full, this bond may be subject to cancellation. Bond(s) changes are available for your agency through <https://agents.libertymutualsurety.com>

Mail Payment To:
Liberty Mutual Insurance Company
25761 Network Place
Chicago, IL 60673-1257



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/23/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER The Hilb Group New England, LLC dba Dowling & O'Neil 973 Iyannough Road Hyannis MA 02601	CONTACT NAME: Emily Montgomery PHONE (A/C, No, Ext): (800) 640-1620 E-MAIL ADDRESS: emontgomery@hilbgroup.com	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED White Mountain Inc. dba Jenick Studio a/o Crawford Land Management 88 Route 6a Ste 2b Sandwich MA 02563	INSURER A: Twin City Fire Insurance Co INSURER B: Hartford Accident & Indemnity Co INSURER C: Lloyd's of London INSURER D: INSURER E: INSURER F:	NAIC # 29459 22357

COVERAGES

CERTIFICATE NUMBER: CL2332352427

REVISION NUMBER:


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			08SBAAB4854	07/06/2022	07/06/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			08UECAZ7327	07/06/2022	07/06/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			08SBAAB4854	07/06/2022	07/06/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	ERRORS & OMISSIONS			ANE156333523	03/01/2023	03/01/2024	PER CLAIM \$1,000,000 AGGREGATE \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurance coverage is limited to the terms, conditions, exclusions, other limitations and endorsements. Nothing contained in the certificate of insurance shall be deemed to have altered, waived, or extended the coverage provided by the policy provisions.

CERTIFICATE HOLDER**CANCELLATION**

Town of Brewster 2198 Main Street Brewster MA 02631	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	---

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HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER. HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED.

Crawford Land Management
88 Route 6A, Unit 2B
Sandwich, MA 02563

Citizens

5-7017/2110

1823



PAY TO THE ORDER OF

Town of Brewster

DATE 3/29/23

two thousand and 00/100

\$ 2000⁰⁰/₁₀₀

DOLLARS



FOR SE 9-1814-Sullivan

Deanna Melchioris

⑈001823⑈ ⑆211070175⑆ 1328403324⑈

Details on back



Security Features

HOLD TO LIGHT TO VIEW TRUE WATERMARK IN PAPER. HEAT SENSITIVE RED LOCK DISAPPEARS WHEN HEATED.

Crawford Land Management
88 Route 6A, Unit 2B
Sandwich, MA 02563

Citizens

5-7017/2110

1821



PAY TO THE ORDER OF

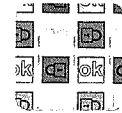
Town of Brewster

DATE 3/29/23

fifty and 00/100

\$ 50⁰⁰/₁₀₀

DOLLARS



FOR SE 9-1814-Sullivan
by lawtee

Deanna Melchioris

⑈001821⑈ ⑆211070175⑆ 1328403324⑈

Details on back



Security Features



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

Office of:
Town Manager

Memo

To: Brewster Select Board/Local Licensing Authority

From: Erika Mawn, Executive Assistant

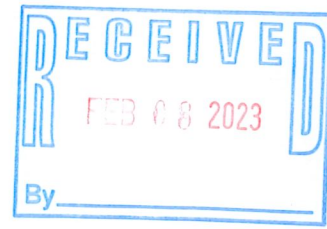
Date: March 31, 2023

RE: The Kitchen Café Change of Classification application

On February 8, 2023 the Town Manager's office received an application for Change of Classification regarding the liquor license for JDT Investments, LLC d/b/a The Kitchen Café located at 2671 Main Street. The Kitchen Café currently holds a Seasonal All Alcohol Beverages, On-Premises Liquor License which was originally approved by the Local Licensing Authority on March 21, 2022 and approved by the Alcoholic Beverages Control Commission (ABCC) on April 29, 2022. The Seasonal Liquor License was just approved by the Select Board on March 20, 2023 for the upcoming season. The seasonal dates of liquor licenses are April 1 through December 31 each year.

The Kitchen Café is requesting to change their classification from Seasonal to Annual All Alcohol Beverages, On-Premises Liquor License. The Town currently has one such license available, since APT Cape Cod released their license in February. The approved premises which were provided by JDT Investments LLC on their original application is not changing and consists of "a street level, 1st floor restaurant, the .5 floor is for an office, with access only through the kitchen, no customer access. Two main indoor dining areas, with an enclosed outdoor patio and an open-air patio." No other location on the property is approved for alcohol sales or consumption. The hours in which alcohol can be served, will remain the same: Monday through Saturday 8am until 9pm and Sundays 12pm- 9pm.

As part of the application process, the Town Manager's office placed an advertisement in the local paper and the applicant was also required to notify abutters of their request for change of classification. Various department heads had the opportunity to review the application and there are no concerns with the request.



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-mail: adenapoli@tbhr-law.com

February 6, 2023

VIA FEDERAL EXPRESS:

Erika Mawn
c/o Brewster Selectboard
Brewster Town Hall
2198 Main Street
Brewster, MA 02631

**RE: JDT Investments, LLC d/b/a The Kitchen Café
2671 Main Street, Brewster
Application for Change of Classification regarding Liquor License**

Dear Erika:

I am refileing the application earlier filed and returned to me after the expiration of 30 days. I am doing this to begin the 30 day period again.

Accordingly, please find the following documents in connection with the above-referenced matter.

1. Retail Alcoholic Beverages License Application/Monetary Transmittal Form;
2. Application for Change of Classification.
3. Entity Vote;
4. Applicant's Statement;
5. The Department of Revenue, Certificate of Good Standing and/or Tax Compliance; and
6. The Department of Unemployment Assistance, Certificate of Good Standing.


Please do not hesitate to contact me with any questions you may have.



Erika Mawn
Brewster, Selectboard
February 6, 2023
Page 2

Thank you for your attention to this matter.

Very truly yours,


Albert A. DeNapoli

AAD/sc
Enclosures

cc: Danielle Panzica (via e-mail)
4894-9370-6567.v3



RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR AMENDMENT-Change of License Classification

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



JDT INVESTMENTS, LLC
21 WORMWOOD ST UNIT 402
BOSTON MA 02210-1634

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, JDT INVESTMENTS, LLC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker
GOVERNOR

Karyn E. Polito
LT. GOVERNOR



409998034

Rosalin Acosta
SECRETARY

Connie C. Carter
INTERIM DIRECTOR

JDT INVESTMENTS LLC
21 WORMWOOD STREET
BOSTON, MA 02210

EAN: 22077457
December 23, 2022

Certificate Id:65629

The Department of Unemployment Assistance certifies that as of 12/23/2022 ,JDT INVESTMENTS LLC is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Connie C. Carter, Interim Director

Department of Unemployment Assistance



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR AMENDMENT-Change of License Classification

Change of Category

(e.g. All Alcohol, Wines and Malt)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Category Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

Change of Class

(e.g. Seasonal /Annual)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Classification Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

Change of License Type

(\$12 ONLY, e.g. general on premises, tavern, inn, restaurant)

- Payment Receipt
- Monetary Transmittal Form
- Change of License Type Application
- Vote of the Entity
- Advertisement*
- Payment Receipt

*If abutter notification and advertisement are required for transaction, please see the local licensing authority.

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
JDT Investments, LLC	Brewster	06744-RS-0134

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

The Licensee, a holder of a seasonal all alcohol restaurant license, is seeking to change the class of the license to an annual all alcohol restaurant license.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Albert A. DeNapoli	Attorney	adenapoli@tbhr-law.com	(508) 577-1698

2. LICENSE CLASSIFICATION INFORMATION

2a. Change of License Category	Last-Approved License Category	<input type="text"/>
All Alcohol, Wine and Malt, Wine Malt and Cordials	Requested New License Category	<input type="text"/>
2b. Change of License Class	Last-Approved License Class	Seasonal
Seasonal or Annual	Requested New License Class	Annual
2c. Change of License Type*	Last-Approved License Type	<input type="text"/>
E.g. Restaurant to Club *Certain License Types CANNOT change once issued*	Requested New License Type	<input type="text"/>

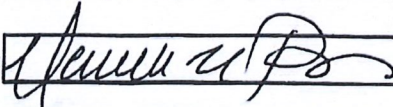
APPLICANT'S STATEMENT

I, Danielle Panzica the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of JDT Investments, LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: 

Date: 12/29/2022

Title: LLC Manager/Member

ENTITY VOTE

The Board of Directors or LLC Managers of

JDT Investments, LLC

Entity Name

duly voted to apply to the Licensing Authority of

Brewster

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

12/20/22

Date of Meeting

For the following transactions (Check all that apply):

- Change of Class (i.e. Annual / Seasonal)
- Change of License Type (i.e. club / restaurant)
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Other

"VOTED: To authorize

Danielle Panzica

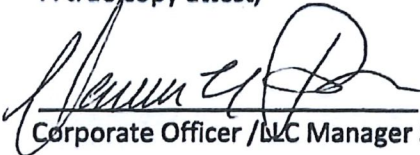
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,

For Corporations ONLY

A true copy attest,


Corporate Officer / LLC Manager Signature

Corporation Clerk's Signature

Danielle Panzica
(Print Name)

(Print Name)

-External Email: Use Caution-

YOUR RECEIPT >>

Please include the payment receipt with your application. Thank you.

Paid To

Name: Massachusetts Alcoholic Beverages Control Commission - Retail
Address 1: 95 Fourth Street, Suite 3
City: Chelsea
State: Massachusetts
Zip: 02150

Payment On Behalf Of

First Name: Albert **Last Name:** DeNapoli
Address 1: 9 Acadia Road
City: West Yarmouth **State/Territory:** MA **Zip:** 02673
Phone: (508) 577-1698

Description	ID	Service Fee	Amount
FILING FEES-RETAIL	06744-RS-0134	\$4.70	\$200.00

Receipt Date: 3/1/2023 9:36:08 AM EDT
Invoice Number: 3a14e3f5-ae53-4102-856c-8a865559c76e

Total Amount Paid: **\$204.70**

Billing Information

First Name Albert
Last Name DeNapoli
Address 1 9 Acadia Road
City West Yarmouth
State/Territory MA
Zip 02673
Email adenapoli@tbhr-law.com

Credit / Debit Card Information

Card Type Visa
Card Number [REDACTED]

IMPORTANT INFORMATION >>

Please include the payment receipt with your application. Thank you.

Please verify the information shown above. Your payment has been submitted to the location listed above.

Ad Preview

SEL/THE KITCHEN CAFE
LEGAL NOTICE
TOWN OF BREWSTER
Liquor License Hearing

In accordance with MGL Chapter 138, Sections 4 – 17C, the Brewster Select Board will hold a public hearing on Monday, March 20, 2023 at 6:25p.m. to review and vote on an application for Change of License Classification for JDT Investments, LLC d/b/a The Kitchen Café located at 2671 Main Street, Brewster MA 02631. All interested parties are invited to attend.

This hearing will be conducted in person at 2198 Main Street, Brewster MA 02631. This means that at least a quorum of the members of the public body will attend the hearing in person and members of the public are welcome to attend in person as well. As a courtesy only, access to the hearing 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 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 hearing remotely may do so in the following manner:

Phone: Call (312) 626 6799 or (301) 715-8592. Webinar ID: 890 9291 0526 Passcode: 509224

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

Zoom Webinar:
[https://us02web.zoom.us/j/89092910526?](https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVklhSTloWWhVU09kanUzQT09)
[pwd=WHM2V3hrVklhSTloWWhVU09kanUzQT09](https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVklhSTloWWhVU09kanUzQT09)
Passcode: 509224

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

AD#8525427
Cape Codder 3/10, 3/17/23



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

Licensing Authority Certification

Municipality: Brewster

ABCC Commission Decision

APPROVED

Ralph Sacramone
Executive Director

Date of Commission Decision: 04/29/2022

License Information:

Applicant Name/DBA:	JDT Investments LLC / The Kitchen Cafe	License Number (if applicable):	06744-RS-0134
Premises Address:	2671 Main Street Brewster MA 02631	Record Number:	2022-000267-RT-APP
Manager Name:	Danielle Panzica		
Class:	Seasonal	Granted Under Special Legislation?	Yes <input type="radio"/> No <input checked="" type="radio"/>
Category:	All Alcoholic Beverages		
On / Off Premises:	On-Premises Consumption	Is there a pledge on this license?	Yes <input type="radio"/> No <input checked="" type="radio"/>
Type:	Restaurant	Is this license under a management agreement?	Yes <input type="radio"/> No <input checked="" type="radio"/>

Transaction Type:

New/Transfer License: New

Application Contact:

Name: Danielle Panzica Title: Owner Phone: (917) 952-4991 Email: danielle_panzica@hotmail.com



ABCC License #
06744- RS-0134

LICENSE

ALCOHOLIC BEVERAGES

The Licensing Board of the
TOWN OF BREWSTER, Massachusetts
Hereby Grants an

SEASONAL ALL ALCOHOLIC BEVERAGES RESTAURANT LICENSE

To Expose, Keep for Sale, and to Sell All Kinds of Alcoholic Beverages
TO BE CONSUMED ON THE PREMISES

To: **JDT INVESTMENTS, LLC**
d/b/a THE KITCHEN CAFE
Danielle Panzica, Manager

On the following described premises at 2671 Main Street, Brewster MA:
Consisting of a street level, 1st floor restaurant. Two (2) main dining areas, with an enclosed outdoor patio and an open-air patio.

This license is granted and accepted upon the express condition that the license shall, in all respects, conform to all of the provisions of the Liquor Control Act, Chapter 138 of the General Law, as amended, and any rules or regulations made thereunder by the licensing authorities.

This license is valid from April 1, 2023 and expires on December 31, 2023 unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 20th day of March 2023.

Brewster Select Board
Local Licensing Authority

The hours during which alcoholic beverages may be sold are:

Monday – Saturday: 11:00am – 11:00pm

Sunday: 12:00pm – 10:00pm

In accordance with State Law governing same and subject to
State ABCC rulings.

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS LOCATION



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Brewster Main Street Realty LLC
P.O. Box 524
South Yarmouth, M 02664

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

To whom it may concern:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Meridith Baier, Trustee
Clarmar Trust
2663 Main Street
Brewster, MA 02631

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

Dear Ms. Baier:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TKC Investments LLC
21 Wormwood Street, Apt. 402
Boston, MA 02210

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

To whom it may concern:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

N & N Real Properties LLC
34 Russet Road
Brewster, MA 02631

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

To whom it may concern:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,


Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John A. Mostyn, Trustee
Old King's Highway Nominee Trust
2907 Main Street
Brewster, MA 02631

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

Dear Mr. Mostyn:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Leighton Keller LLC
35 Route 134 Unit 1
South Dennis, MA 02660

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

To whom it may concern:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,


Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Louis A. Baerga
Andrea C. Baerga
PO Box 687
Brewster, MA 02631

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

Dear Louis and Andrea:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe



Albert A. DeNapoli
Direct Dial: (617) 218-2024
E-Mail: adenapoli@tbhr-law.com

March 21, 2023

Via CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Matthew R. Eldredge
Kristina M. Eldredge
34 Winslow Landing Road
Brewster, MA 02631

RE: JDT Investments, LLC d/b/a The Kitchen Cafe
2671 Main Street,
Brewster, MA 02631

Dear Matthew and Kristina:

Enclosed please find a legal ad and a notice of hearing from the Brewster Select Board relative to the Application for a Change of Classification of the Alcoholic Beverages License filed for the above-referenced location.

Thank you for your attention to this. If you have any questions, please feel free to contact me.

Very truly yours,

Albert A. DeNapoli

Enclosure
cc: The Kitchen Cafe

TO: Abutters of 2671 Main Street, Brewster MA 02631

To Whom It May Concern.

Please note that JDT Investments LLC, d/b/a The Kitchen Cafe has filed an application with the Select Board for a liquor license classification change. The Kitchen Café has requested to change from a Seasonal All Alcohol Beverages License to an Annual All Alcohol Beverages License. Below are the legal ads that ran in the March 10 and March 17, 2023, edition of the Cape Codder Newspaper. The public hearing will be held on Monday April 3, 2023 at 6:15pm at Brewster Town Hall in Room A.

TOWN OF BREWSTER
Liquor License Hearing

In accordance with MGL Chapter 138, Sections 4 – 17C, the Brewster Select Board will hold a public hearing to review and vote on an application for Change of License Classification for JDT Investments, LLC d/b/a The Kitchen Café located at 2671 Main Street, Brewster MA 02631. All interested parties are invited to attend.

This hearing will be conducted in person at 2198 Main Street, Brewster MA 02631. This means that at least a quorum of the members of the public body will attend the hearing in person and members of the public are welcome to attend in person as well. As a courtesy only, access to the hearing 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 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 hearing remotely may do so in the following manner:

Phone: Call (312) 626 6799 or (301) 715-8592. Webinar ID: 890 9291 0526 Passcode: 509224
To request to speak: Press *9 and wait to be recognized.

Zoom Webinar:

<https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVklhSTloWWWhVU09kanUzQT09>
Passcode: 509224

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

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	
\$	
Total Postage and Fees	
\$	

ADD
Postmark Here
KIT108-001

Sent To	BREWSTER MAIN STREET REALTY LLC
Street and Apartment or Box No.	PO BOX 524
City, State, ZIP+4®	SOUTH YARMOUTH, MA 02664

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

BREWSTER MAIN STREET REALTY LLC
PO BOX 524
SOUTH YARMOUTH, MA 02664



9590 9402 3060 7124 7759 45

7017 3380 0000 8944 3272

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

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Collect on Delivery

Collect on Delivery Restricted Delivery

Registered Mail

Registered Mail Restricted Delivery

(over \$500)

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Registered Mail Restricted Delivery

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- Return Receipt (hardcopy) \$ _____
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- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

**BAIER MERIDITH TRUSTEE
CLARMAR TRUST**

Street and Apt. No., or P.O. Box No.

2663 MAIN STREET

City, State, ZIP

BREWSTER, MA 02631

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

ADD

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

BAIER MERIDITH TRUSTEE
CLARMAR TRUST
2663 MAIN STREET
BREWSTER, MA 02631



9590 9402 3060 7124 7760 27

2 Article Number (Transfer from service label)

7022 0410 0002 7199 0929

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Restricted Delivery	

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
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Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

TKC INVESTMENTS LLC

Street and Apt. No., or P.O. Box No.

21 WORMWOOD STREET, APT. 402

City, State, ZIP+4®

BOSTON, MA 02210

AAD
KIT108-001
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SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TKC INVESTMENTS LLC
21 WORMWOOD STREET, APT. 402
BOSTON, MA 02210



9590 9402 3060 7124 7757 92

2 Article Number (Transfer from service label)

7022 0410 0002 7199 4897

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1?** Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
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- Signature Confirmation Restricted Delivery

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage	\$
Total Postage and Fees	\$

ADD
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KJT108-001

Sent To	N & N REAL PROPERTIES LLC
Street and Apt. No.	34 RUSSET ROAD
City, State, ZIP+4	BREWSTER, MA 02631

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

N & N REAL PROPERTIES LLC
34 RUSSET ROAD
BREWSTER, MA 02631



9590 9402 3060 7124 7760 41

2. Tracking Number (Transfer from service label)

7022 0410 0002 7199 0905

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

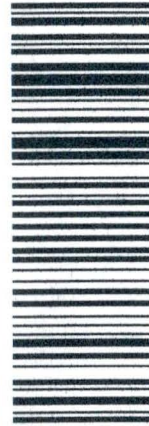
Return Receipt for Merchandise

Signature Confirmation™

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
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- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

MOSTYN JOHN A TRUSTEE
OLD KINGS HIGHWAY NOM TRUST
2907 MAIN STREET
BREWSTER, MA 02631

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

ADD

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SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MOSTYN JOHN A TRUSTEE
OLD KINGS HIGHWAY NOM TRUST
2907 MAIN STREET
BREWSTER, MA 02631



9590 9402 3060 7124 7760 34

2. Article Number (Transfer from service label)

7022 0410 0002 7199 0899

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
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- Signature Confirmation Restricted Delivery

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<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage
\$ _____

Total Postage and Fees
\$ _____

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KIT108-001

Sent To
LEIGHTON KELLER LLC

Street and Apt. **35 ROUTE 134 UNIT 1**

City, State, ZIP+4® **SOUTH DENNIS, MA 02660**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

LEIGHTON KELLER LLC
35 ROUTE 134 UNIT 1
SOUTH DENNIS, MA 02660



9590 9402 3060 7124 7759 38

2. Article Number (Transfer from service label)

7022 0410 0002 7199 0882

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

Restricted Delivery

(over 500)

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7022 0410 0002 7199 3883

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Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____
Total Postage and Fees	\$ _____

ADD
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KIT108-001

Sent To	BAERGA LOUIS A & ANDREA C
Street and Apt. No.	PO BOX 687
City, State, ZIP+4®	BREWSTER, MA 02631

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BAERGA LOUIS A & ANDREA C
PO BOX 687
BREWSTER, MA 02631



9590 9402 3060 7124 7759 21

2. Article Number (Transfer from service label)

7022 0410 0002 7199 3883

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

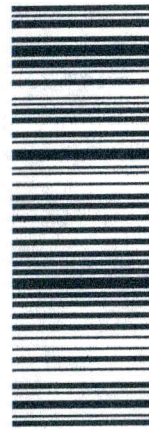
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
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- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

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7010 0290 0002 4185 3264

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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KIT108-001

Sent To

ELDREDGE MATTHEW R. & KRISTINA M
Street, Apt., P.O.,
or PO Box 34 WINSLOW LANDING ROAD
City, State BREWSTER, MA 02631

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ELDREDGE MATTHEW R. & KRISTINA M
34 WINSLOW LANDING ROAD
BREWSTER, MA 02631



9590 9402 3060 7124 7759 14

2. Article Number (Transfer from service label)

7010 0290 0002 4185 3264

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Registered Mail Restricted Delivery (\$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



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.

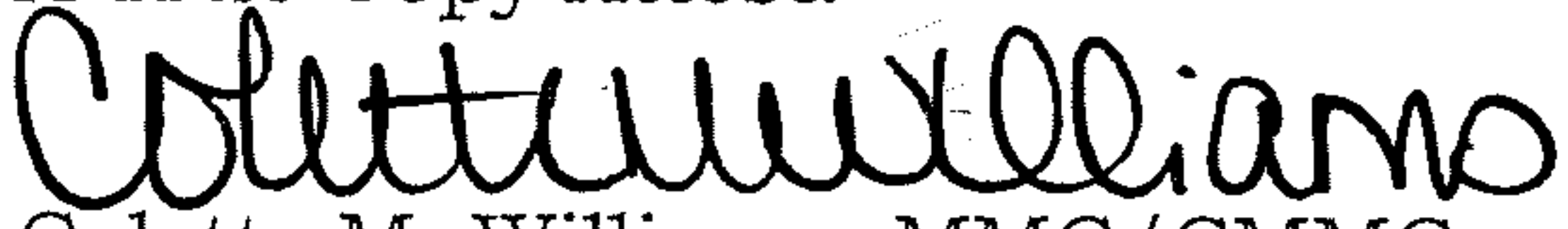
Town of Brewster
Citizen Petitioned – Special Town Meeting Report
March 6th, 2023

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

Final Report

**Town of Brewster,
Massachusetts**
Drummer Boy Park Master Plan

October 2021



Photo: Brewster Conservation Day - July 2018

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Section 1

Study Purpose and Team

The Town of Brewster purchased a property in town in 1988 that was occupied by a museum and residence building. In 1995 the Town of Brewster in collaboration with Mary Smith Associates, P.C. Landscape Architects & Planners completed a Master Plan Study on Drummer Boy Park. That Master Plan was presented to and approved by Town Meeting on May 1, 1995. The study identified the opportunities and constraints for the site and developed a programmatic plan to maximize the potential into the future via a phased implementation approach. Some of these improvements, including the bandstand, playground, and some walking paths, have already been implemented. In 2020 the Select Board established the Drummer Boy Park Advisory Committee to review the park and revise the Master Plan. CDM Smith was hired by the town to assist the committee in preparing the revised design.

1.1 Study Purpose

The purpose of this study is to update the Master Plan for Drummer Boy Park considering the current needs of the town. Identifying specific opportunities and constraints at the site allows local representatives and the public to understand the site better and then decide how best to structure a plan to protect the resource as well as meet the needs of the community for many years to come. Factoring in knowledge and concepts from existing user groups as well as potential user groups is an important component of this master plan development.

1.2 Project Team

This project was coordinated for the town by an advisory committee which included the Brewster Department of Natural Resources, Department of Public Works, the Council on Aging, Recreation Department, Conservation Trust, local historical organizations, Brewster residents, and CDM Smith, and comprised of the following individuals:

Committee Members

- E. James Veara, Chair
- John Kissida, Vice Chair
- Cherlyanne Lombardi, Clerk
- Andrea Nevins
- Stephen Najarian
- Tom Wingard, Brewster Recreation Commission Representative.

Advisory Members

- Bob Smith, Cape Cod Museum of Natural History
- Sally Gunning, Brewster Historical Society
- Hal Minis, Brewster Conservation Trust
- Chris Miller, Director, Brewster Department of Natural Resources
- Patrick Ellis, Superintendent, Brewster Department of Public Works
- Michael Gradone, Director, Brewster Recreation Department
- Denise Rego, Director, Brewster Council on Aging
- Patricia Hughes, Brewster Natural Resources Advisory Commission Representative

Consultants

- Michael Dodson, CDM Smith
- David Young, CDM Smith

Several town staff members, elected and town officials, user groups and members of the community also provided input at committee meetings, community meetings, and general correspondence.

Section 2

Data Collection and Existing Conditions Analysis

A significant amount of data was collected by the project team and town representatives during preparation of the master plan. Understanding the parks uses and user groups, and site constraints and opportunities is an important step in master plan development.

2.1 Data Collection

The town provided property limits and ownership of parcels around Drummer Boy Park which identified opportunities to provide connections to adjacent properties. Historic plans were provided that included the historic residential dwelling as well as the museum that was demolished. A site plan that was developed by J.M. O'Reilly & Associates, Inc. was also provided that showed limits of the recently installed asphalt walkway meandering through the site and also wetland limits. The limits of wetland and wetland buffers were used to define limits of proposed improvements. The town also provided information for the abandoned gift shop, which is useful to understand the vacant structure's potential for reuse. A Playground Safety Audit as prepared by Playground Inspections of New England, LLC, and Nancy White a Certified Playground Safety Inspection. The audit identified that the playground is in need of many improvements including improved drainage, deteriorated structures, and accessibility improvements. The Town has taken care of any immediate safety issues that were noted.

2.2 Existing Conditions

The park is sited between Old Kings Highway (Route 6A) to the south and Quivett Creek and Wing Island to the north. Old Higgins Farm Windmill and Windmill Village owned by Brewster Historical Society and Windmill Meadows owned by Brewster Conservation Trust are located to the west, and a wooded parcel owned by the Town is located to the east. This wooded parcel is under the care, custody, and control of the Conservation Commission. The close proximity to these town resources provided the opportunity to integrate each parcel together as one cohesive park. Further to the east is the Cape Cod Museum of Natural History with a sidewalk leading to the park.

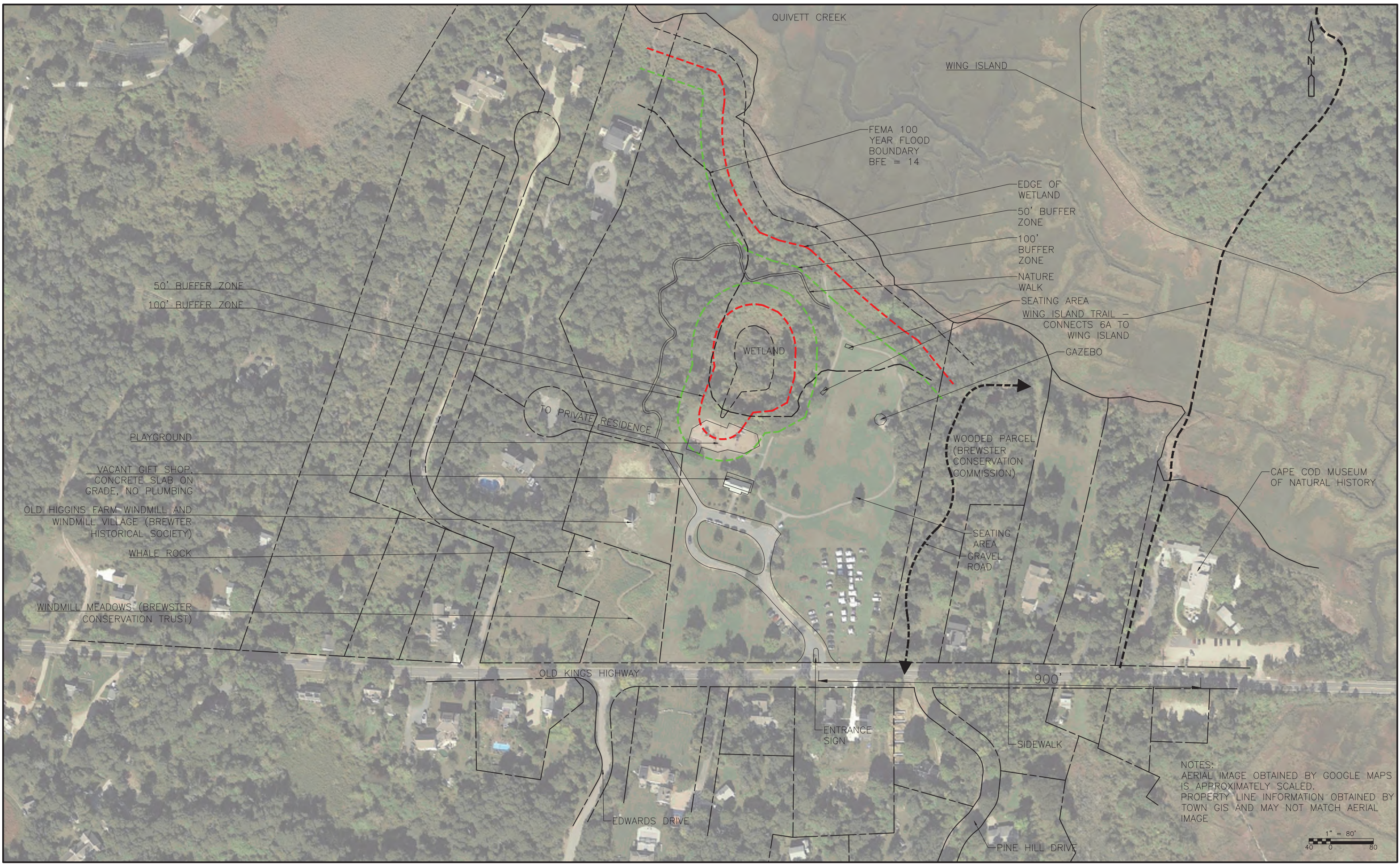
When driving into the site, the driver's view is partially blocked by an existing hydrangea shrub. Vehicles are able to drive counterclockwise around a central green that holds the town's seasonal tree that is decorated during the holiday season in December. The parking area is laid out organically and vehicles parallel park on each side of the drive aisle. When spaces within the paved area are fully occupied, vehicles park off of the pavement area where there was once grass but is now mostly bare soil.

Adjacent to the parking area, the vacant gift shop stores equipment used by a local band that plays at the bandstand. The view of the playground is unfavorably blocked by this vacant building. The playground surfacing is covered with wood chips and is not considered accessible by Massachusetts Architectural Access Board (MAAAB).

The parking area and playground open to a meandering walkway that was paved in 2020. This leads visitors around the site with a few seating areas located to take advantage of views of Quivett Creek. Another wooded trail was developed in the woods on the western side of the property. Some visitors walk through a partially exposed wooded trail on the east side of the parcel to access an existing gravel road to access Wing Island. Existing features were captured and labeled on an Existing Conditions Plan (**Figure 2-1**).

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2.3 Initial Site Visit with Town

In October of 2020 CDM Smith visited the site with town officials to discuss goals, identify opportunities and constraints, and review improvement priorities. Upon entering the site, it was clear that one of the goals of the project is to enhance the views of Quivett Creek and the bay. Another goal emphasized was to preserve the character of the park.

Drummer Boy Park is used for many passive activities including walking, picnicking, bird watching, and enjoying the outdoor environment. Recreational activities at the site include frisbee, playing catch, and use of the playground. The Brewster Band performs at the gazebo weekly during the summer months providing an opportunity for the community to gather and view live music. Organized activities including craft shows, farmer's markets, fairs, festivals, and weddings occur at the site throughout the year. For these events, tents and vehicles are grouped in open lawn areas that are identified prior to the event.

It is a goal to identify the park use areas based on the organized activities scheduled at the site. Drummer Boy Park attracts many people of all ages for different activities. Increased use at the park creates a desire for additional parking, but it was stressed that if too many parking spaces are provided, the character of the park would become compromised. The stated goal of the Advisory Committee was not to create a "large, paved parking lot"

2.4 Opportunities and Constraints

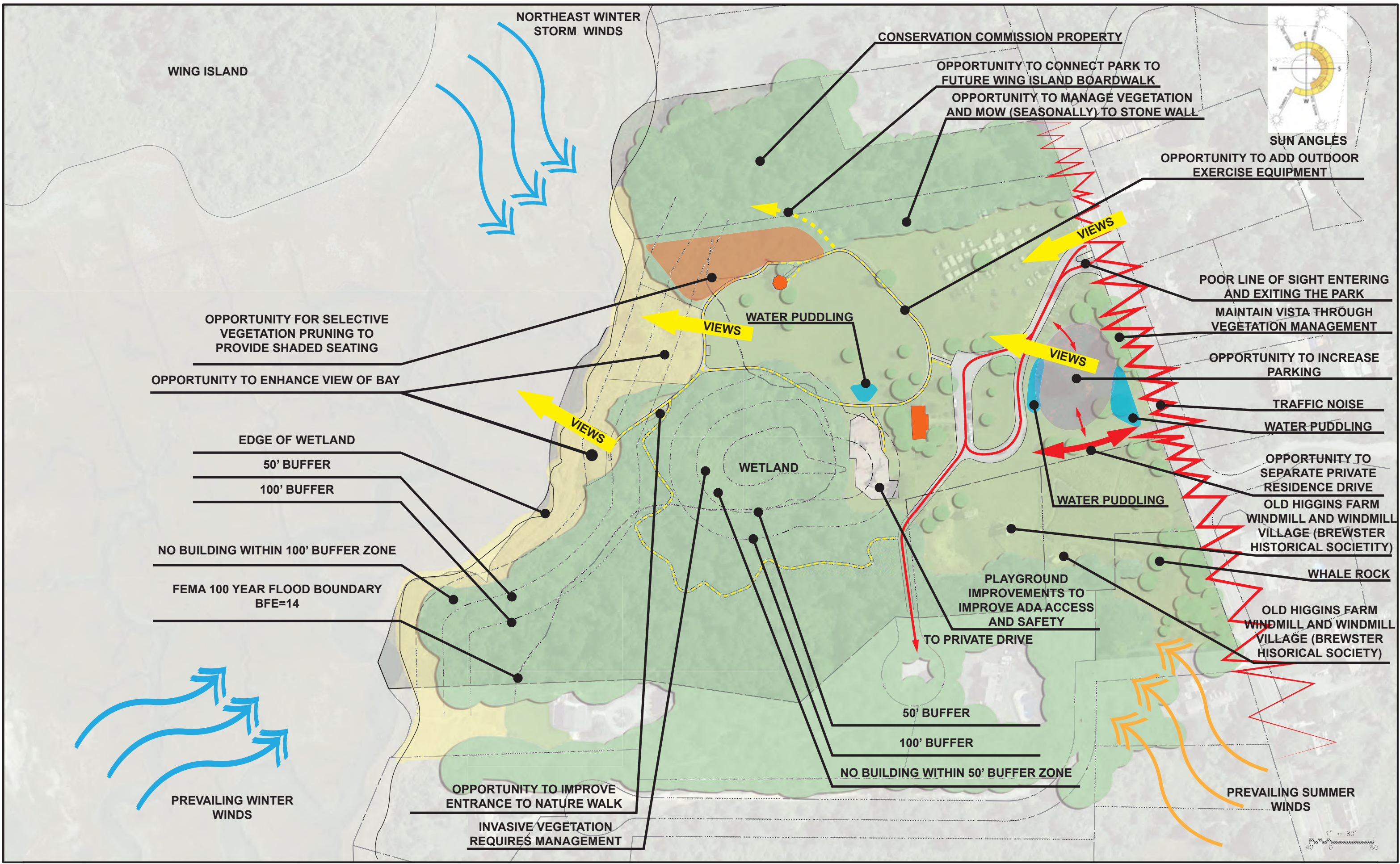
Improvements are needed to serve current and future needs of the community. The site has significant potential to enhance the existing features and increase activities. There is great opportunity for the Town, Brewster Historical Society and Brewster Conservation Trust to collaborate on future integration of their properties to form the Brewster Drummer Boy Park Complex. From the data collected and observations on site, an Opportunities and Constraints plan was prepared (**Figure 2-2**).

An opportunity was identified to selectively clear understory vegetation to enhance views of Quivett Creek. The view is currently constrained from vegetation along the edge of the creek as well as partially from trees along Old Kings Highway. View corridors were identified and added to the plan. Selective clearing could also provide additional shaded seating areas accessible from the existing walkways. The existing wooded trail has become overgrown with invasive vegetation, and there is an opportunity to manage the vegetation, while proving better visual access to the trail and making it more easily accessible.

There are opportunities to expand pedestrian walkways to the wooded parcel on the east as well as the Windmill Village on the west. This would create a setting where visitors could access the adjacent parcels and increase the overall use of the site. There are plans to create a connection to Wing Island in the future with a boardwalk, and access to the boardwalk would likely come from Drummer Boy Park. The planned location can be found in **Appendix A**. Increased pedestrians entering the site will need to be considered when planning walkway locations and widths.

Due to the current use at the site and the anticipated increase in use for the future, there is an opportunity to increase the structured parking area while still preserving the character of the

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site. As an alternative, expansion of the existing parking area could be considered if deemed necessary by the town in the future. Because of the existing soil there are some areas on the site where puddles form and should be addressed by proposed improvements. There is an opportunity to create rain gardens intended to collect and infiltrate stormwater in the wet areas around the site.

There is an opportunity to add restrooms to the park allowing visitors to stay longer. However, due to the poor draining soils most of the site is unable to accommodate a Title 5 leaching field. The only area suitable for a leaching field is on the eastern portion of the site in the location of the previously demolished residential property. Ideally, restrooms would be included in the area of the vacant gift shop.

The existing playground, located too close to the wetland, is often wet, is outdated, not identified as accessible by the MAAAB, and does not provide a source for shade. There is an opportunity to demolish the existing playground and shift to the south, closer to the vacant gift shop. The vacant gift shop could be renovated into a shade structure pavilion. This would preserve the character of the existing structure, would provide shade, and would open the views from the parking area to the playground.

2.5 Site Visit with Advisory Committee

In December of 2020, CDM Smith met with the Drummer Boy Park Advisory Committee to review the Existing Conditions Plan, Opportunities and Constraints Plan, and to identify additional opportunities that the park could provide. Expansion of structured parking to the open lawn on the southwest corner of the site was discussed. Though it would create many additional parking spaces, there were concerns that it would reduce the natural character of the site and it was determined that the parking area should not be expanded. It was recommended that the drive aisle and parking spaces be reconfigured to maximize parking spaces while reducing the overall paved area.

Section 3

Schematic Concept Plans

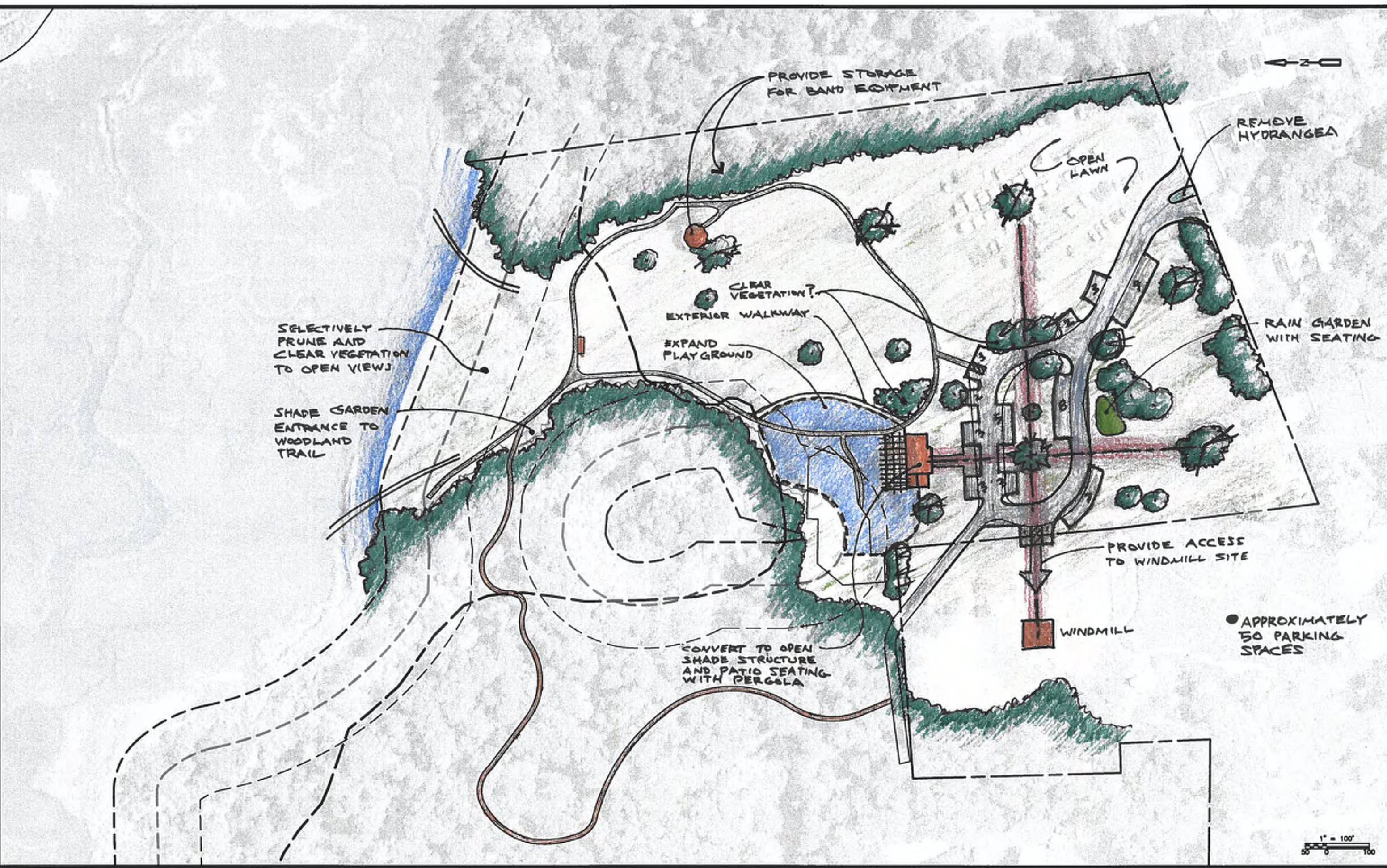
Utilizing the data collected, Opportunities and Constraints Plan, and comments from the Advisory Committee, schematic concept plans were created and presented at each monthly meeting with the Advisory Committee. During each meeting thoughtful feedback was provided, and the schematic plans evolved into the Recommended Master Plan.

3.1 Concept Plan I

In January of 2021 CDM Smith presented the first Schematic Concept Plan (**Figure 3-1**). Approximately 50 straight in parking spaces were proposed around the existing drive and staggered to reduce the overall width of pavement. It was proposed to selectively prune and remove vegetation between the park and the bay to enhance and open views. The existing hydrangea at the entrance should be pruned or removed and replaced with a low-growing shrub so that the sightline leading into the park is not blocked. The playground area was proposed to be increased in size and extend over the existing walkway to the east. Adjacent to the playground, it was proposed to convert the abandoned visitor center to an open pavilion. The roof may be able to be preserved and the walls removed though a thorough structural investigation would be required. Stormwater and wet areas within the site are proposed to be handled by rain gardens. This would be a sustainable way of encouraging stormwater to infiltrate and be stored in a controlled space. It would also add interest and color to the site, while providing habitat to pollinators and other species.

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DRUMMER BOY PARK
TOWN OF BREWSTER, MA

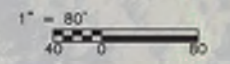
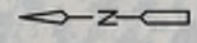
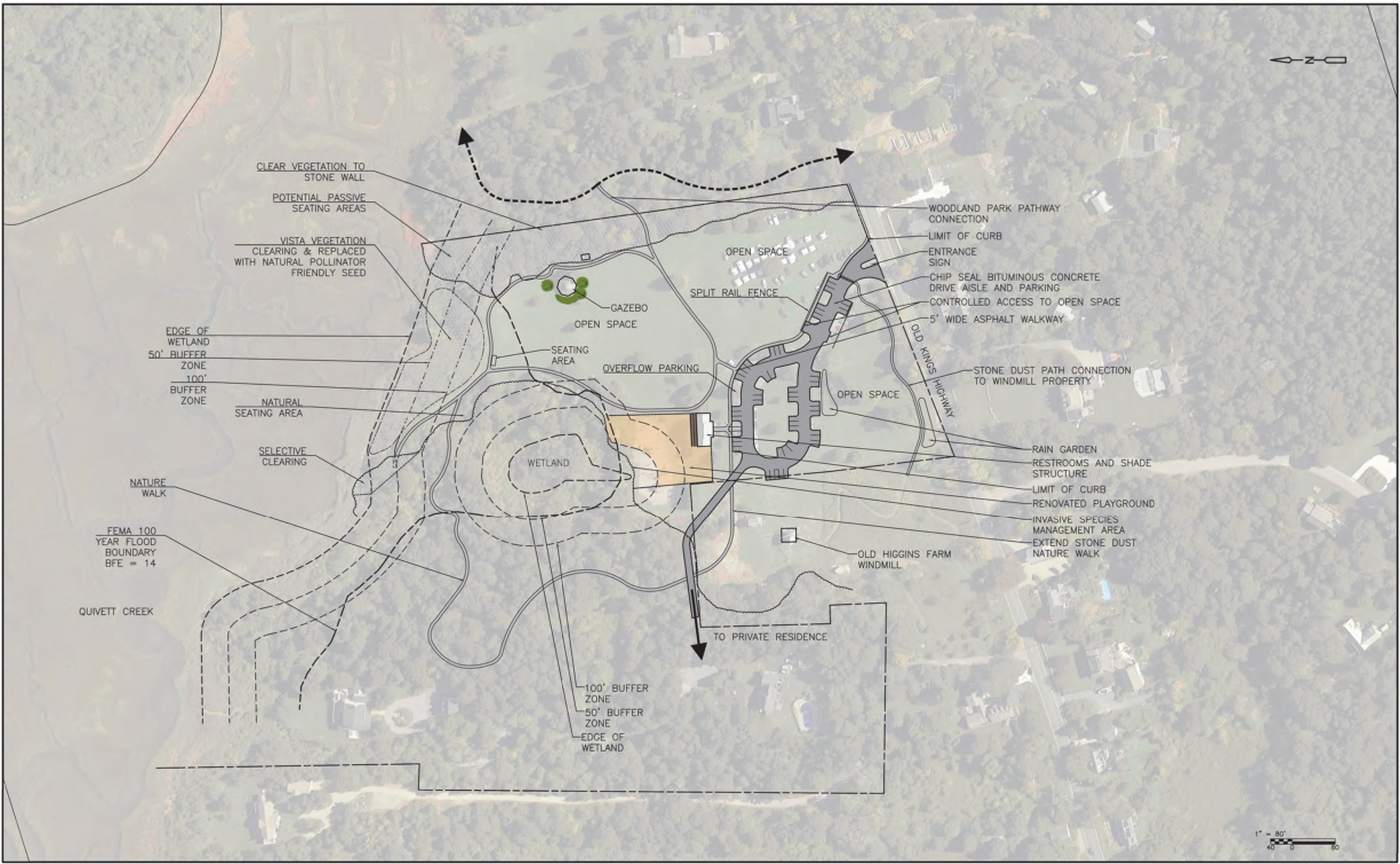
Conceptual Site Plan A
1/6/2021

3.2 Concept Plan II

In February of 2021 CDM Smith presented the second Schematic Concept Plan (**Figure 3-2**) addressing comments from the Advisory Committee. It was recommended to include an asphalt sidewalk along the access drive, providing pedestrian access from Old Kings Highway into the park. The sidewalk along the drive would include a vertical granite curb to serve as protection from potential conflict with vehicles. An additional asphalt walk would connect from the park entrance around the open space on the southwest corner of the park and connect to the existing mowed walk at windmill meadows. This asphalt walk would continue to the north and connect to the shade pavilion, and other access throughout the site including the nature walk. All new asphalt walking trails, parking spaces and drive aisle should be finished with a chip seal to naturalize the appearance of the asphalt. A restroom with potential tight tank is located inside of the shade structure. Vegetation on the eastern portion of the site would be selectively cleared to expand the park and add potential passive seating areas. Large shade trees would be protected to encourage shade but invasive species and understory would be removed. A new asphalt walk would extend over the eastern existing walk through the existing stone wall and continue to the gravel driveway that leads to Wing Island. The playground area was reduced in size so that it would not extend the existing walk. This was requested from the advisory committee so that there was a separation between children playing in the playground and the other users of the park.

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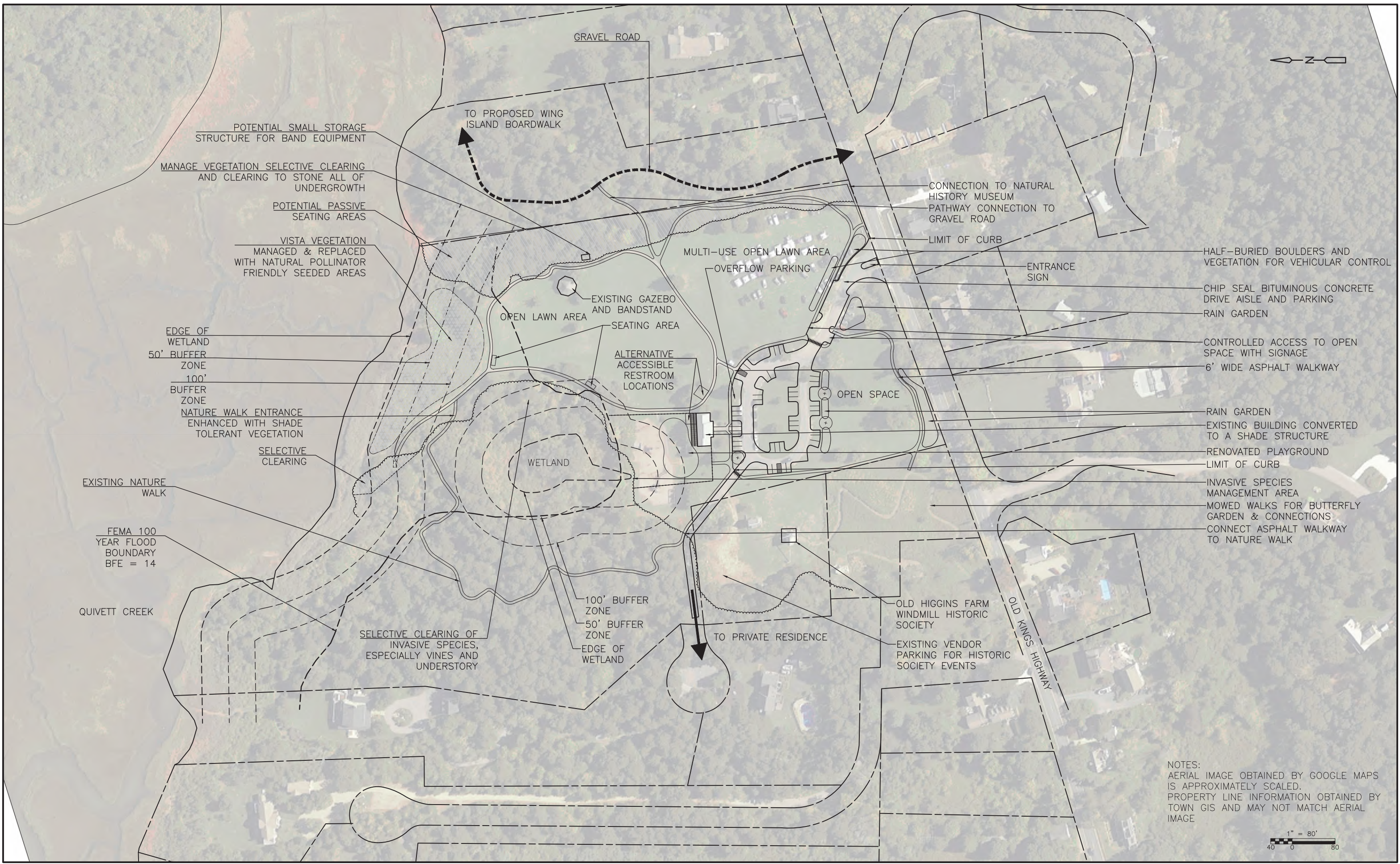
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3.3 Concept Plan III

In March of 2021 CDM Smith presented the third Schematic Concept Plan (**Figure 3-3**) addressing comments from the Advisory Committee. At the entrance to the park, it was determined to include parallel parking spaces to accommodate three cars on each side of the drive. The length of these spaces would also allow one bus to park on each side. Parking arrangement was refined to maximize parking spaces while providing access to the open lawns. A three-tiered parking strategy was proposed. At low volume, vehicles can park only in paved parking spaces. During busier times, vehicles could park in the lawn areas between the paved parking spaces. During large events one or multiple open lawn areas would be permissible to park. An additional asphalt walk is proposed to connect to the sidewalk on Old Kings Highway and run along the stone wall on the eastern side of the park. This walk would continue and connect to the existing asphalt walk. Additional rain gardens were placed adjacent to the access road to serve as vehicular control to keep vehicles outside of the open space lawns, except when authorized by the town. It was recommended that accessible portable restrooms would be included either inside the shade pavilion or directly outside. Outside of the gazebo band stand, a small storage shed was proposed to house the band equipment. This structure would be set back in the woods so that no views would be blocked of the bay.

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POTENTIAL SMALL STORAGE STRUCTURE FOR BAND EQUIPMENT

MANAGE VEGETATION SELECTIVE CLEARING AND CLEARING TO STONE ALL OF UNDERGROWTH

POTENTIAL PASSIVE SEATING AREAS

VISTA VEGETATION MANAGED & REPLACED WITH NATURAL POLLINATOR FRIENDLY SEEDED AREAS

EDGE OF WETLAND
50' BUFFER ZONE
100' BUFFER ZONE

NATURE WALK ENTRANCE ENHANCED WITH SHADE TOLERANT VEGETATION

SELECTIVE CLEARING

EXISTING NATURE WALK

FEMA 100 YEAR FLOOD BOUNDARY BFE = 14

QUIVETT CREEK

SELECTIVE CLEARING OF INVASIVE SPECIES, ESPECIALLY VINES AND UNDERSTORY

100' BUFFER ZONE
50' BUFFER ZONE
EDGE OF WETLAND

TO PROPOSED WING ISLAND BOARDWALK

GRAVEL ROAD

OPEN LAWN AREA

SEATING AREA

ALTERNATIVE ACCESSIBLE RESTROOM LOCATIONS

EXISTING GAZEBO AND BANDSTAND

MULTI-USE OPEN LAWN AREA

OVERFLOW PARKING

OPEN SPACE

CONNECTION TO NATURAL HISTORY MUSEUM
PATHWAY CONNECTION TO GRAVEL ROAD

LIMIT OF CURB

ENTRANCE SIGN

HALF-BURIED BOULDERS AND VEGETATION FOR VEHICULAR CONTROL

CHIP SEAL BITUMINOUS CONCRETE DRIVE AISLE AND PARKING
RAIN GARDEN

CONTROLLED ACCESS TO OPEN SPACE WITH SIGNAGE
6' WIDE ASPHALT WALKWAY

RAIN GARDEN
EXISTING BUILDING CONVERTED TO A SHADE STRUCTURE
RENOVATED PLAYGROUND
LIMIT OF CURB

INVASIVE SPECIES MANAGEMENT AREA
MOWED WALKS FOR BUTTERFLY GARDEN & CONNECTIONS
CONNECT ASPHALT WALKWAY TO NATURE WALK

OLD HIGGINS FARM WINDMILL HISTORIC SOCIETY

EXISTING VENDOR PARKING FOR HISTORIC SOCIETY EVENTS

OLD KINGS HIGHWAY

TO PRIVATE RESIDENCE

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1" = 80'
40 0 80

Section 4

Recommended Master Plan

Utilizing the data collected, Opportunities and Constraints Plan, and comments from the Advisory Committee, and Schematic Concept Plan development, a Recommended Master Plan (**Figure 4-1**) was created. This plan was used to identify a phasing strategy and identify the Order of Magnitude Project Budget.

4.1 Recommended Master Plan Overview

Final modifications were made to the previous schematic to incorporate all comments from the Advisory Committee, adjacent user groups, and members of the community. It was determined that the vacant gift shop will be converted to a shade pavilion or demolished to install a new shade pavilion. Additional analysis is required to determine the feasibility of converting the vacant gift shop to a shade pavilion. It was also recommended to analyze the gazebo to determine the remaining life and provide improvement recommendations. Two accessible portable restrooms are proposed inside of the shade pavilion. The front façade on the front of the vacant gift shop will be protected to block views of the restrooms and keep the character of the historic building. A bike rack and water fill station were added to the plan outside of the shade pavilion. Park use areas were identified and a Park Use Area Plan was created (**Figure 4-2**). This plan can be distributed to vendors or event users of the park to instruct which open lawn space to utilize or to park when the town grants permission.

Project goals include the following:

- 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
- Collaborate with local advisory committee representing the town and coordinate with adjacent user groups

Design criteria was identified including the following:

- New asphalt walking trails are to be 6 feet in width
- New asphalt walking trails, parking and road are to be installed with chip seal
- Understory to be selectively cleared against eastern stone wall
- 50 asphalt parking stalls to be provided

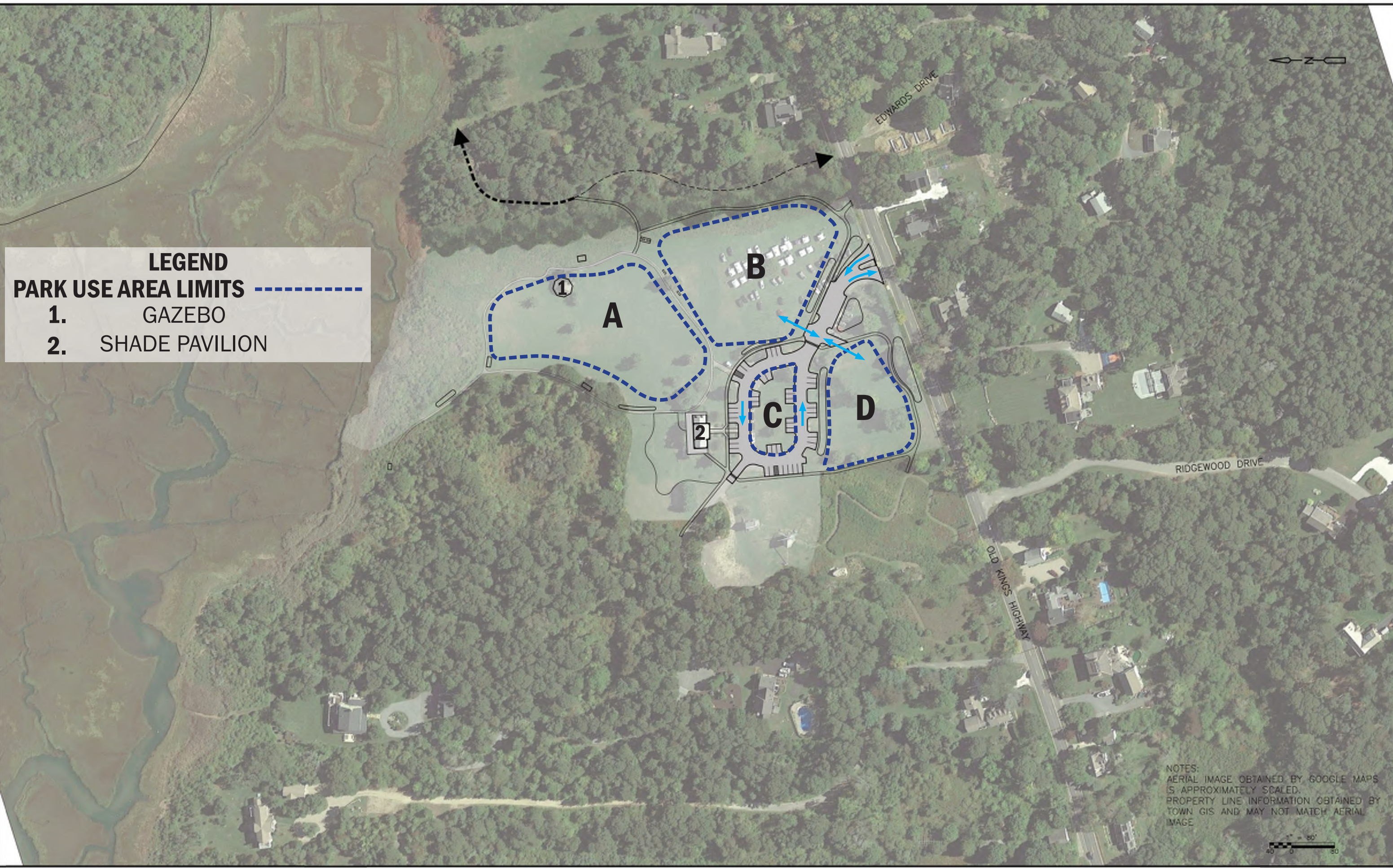
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LEGEND

PARK USE AREA LIMITS - - - - -

1. GAZEBO

2. SHADE PAVILION



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 IMAGE

- Native plantings and flowering trees to be utilized
- Views of the bay are not to be blocked

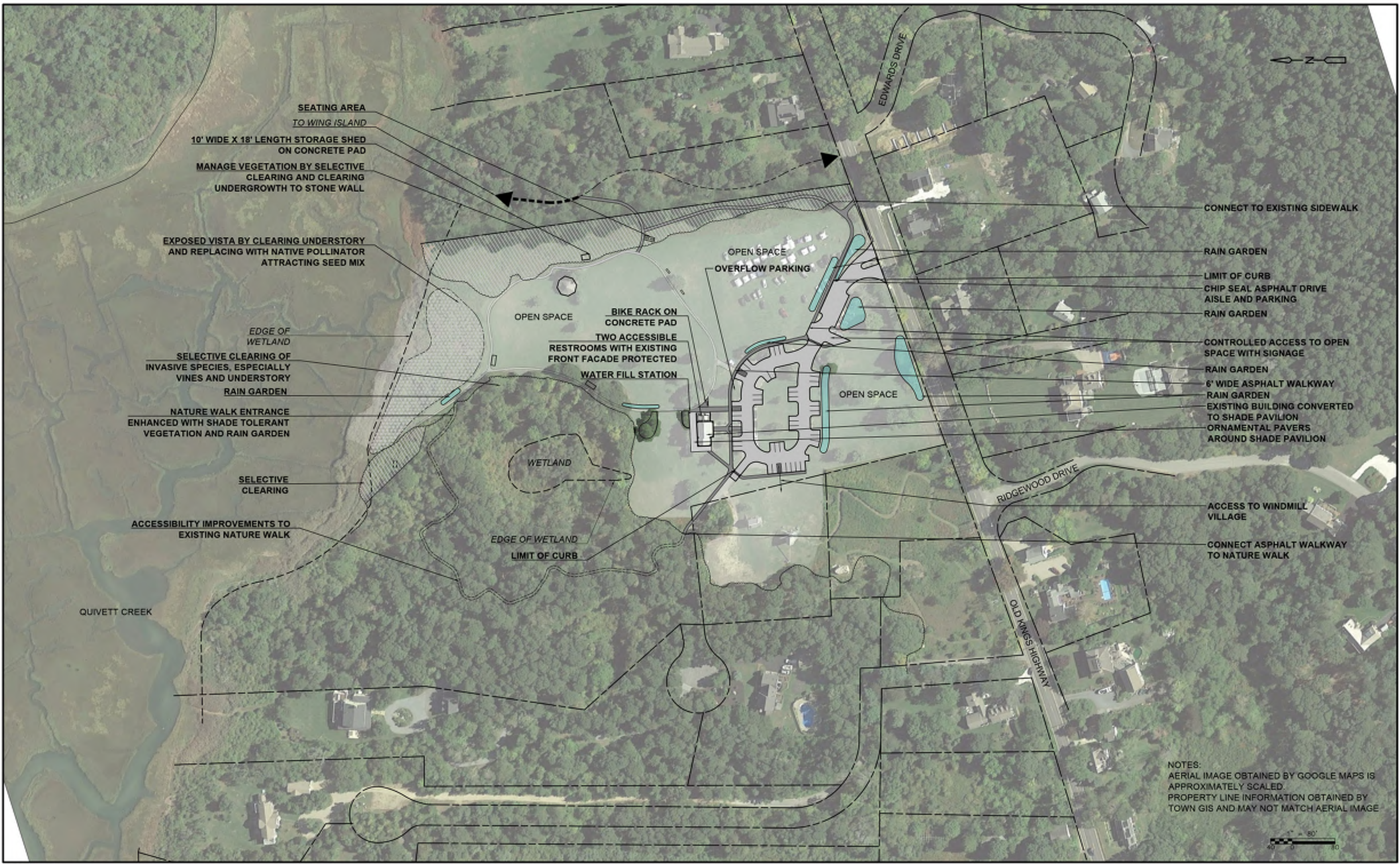
4.2 Phasing Strategy

Due to the size and complexity of the improvements identified in the Recommended Master Plan, it is planned that the park improvements will be implemented in two or more phases. Decisions on what elements are to be prioritized will be determined by many factors including available funds and community interest. For the purposes of this study, a Phase I Improvements Plan (**Figure 4-3**) was created. This plan can be implemented in several sub-phases. The majority of the Recommended Master Plan is included in the Phase I Improvements Plan; however, the playground is planned to be constructed in the second phase and the southwestern walking path is planned for a future phase.

4.3 Order of Magnitude Project Budget

In order to plan for project funding and schedule, an Order of Magnitude Project Budget (**Appendix B and C**) was created for the first phase and second phase. The budget identifies estimated demolitions costs, material costs, contractor costs for overhead and profit, engineering costs, and costs for analyzing the feasibility of implementing improvement for the vacant gift shop and bandstand gazebo. A 25 percent contingency is included in the budget to account for project unknowns. As the final design is refined the contingency will be reduced and the elements to be included in the first phase of implementation will be identified.

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Section 5

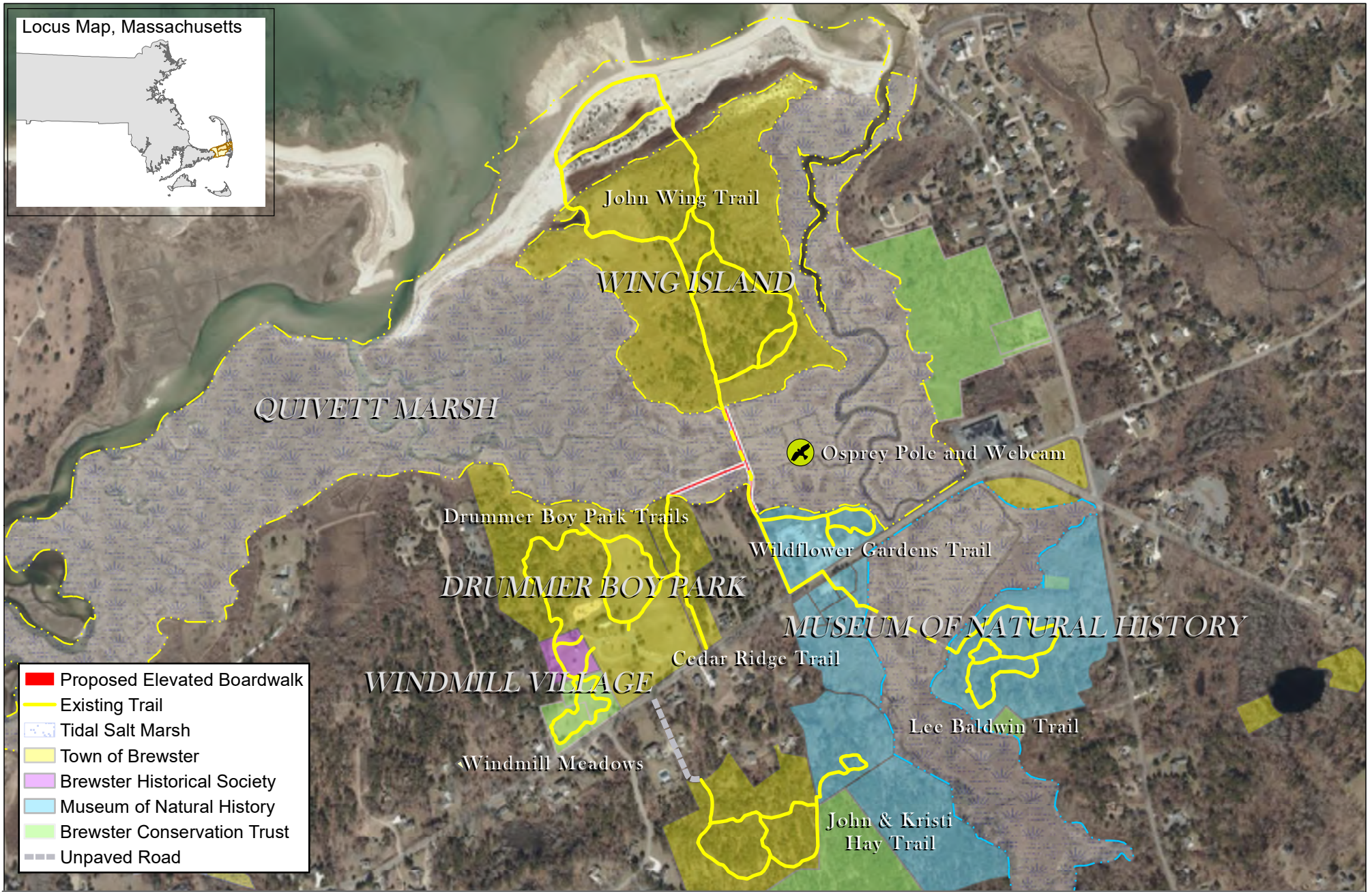
Conclusion









Obtaining feedback from the community is an important step in planning improvements to public spaces. It is critical that members of the community and park users have a voice to inform and educate designers about their priorities and needs. The improvements to Drummer Boy Park were presented via zoom on April 26, 2021 to the public and positive feedback was received. The Advisory Committee Met in May to review and discuss comments from the public. In Brewster, the Select Board act as the Park Commissioners, and changes to the park are required to be reviewed by the Selectmen prior to being presented at Town Meeting. On June 7, 2021 the improvements to Drummer Boy Park were presented to the Select Board (**Appendix D**). The Master Plan for Drummer Boy Park will be presented at the Town Meeting in the fall of 2021 for approval.

Appendix A

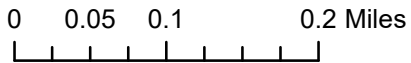
Proposed Raised Boardwalk to Wing Island

Locus Map, Massachusetts



-  Proposed Elevated Boardwalk
-  Existing Trail
-  Tidal Salt Marsh
-  Town of Brewster
-  Brewster Historical Society
-  Museum of Natural History
-  Brewster Conservation Trust
-  Unpaved Road

PROPOSED RAISED BOARDWALK TO WING ISLAND AND ADJACENT TRAIL SYSTEMS



CREATED BY: DAJ
02/01/21
CREDITS: MASSGIS

Appendix B

Order of Magnitude Opinion of Probable Project Cost, Phase I

Drummer Boy Park

Brewster, MA

Phase I

ORDER OF MAGNITUDE OPINION OF PROBABLE PROJECT COST

7/16/2021

Based on Phase I Improvements Plan dated July 2021

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL
Site Preparation				
Erosion and Sedimentation Control	1	ls	\$5,000.00	\$ 5,000
Temporary fencing and safety signage	1	ls	\$5,000.00	\$ 5,000
Clear and Grub/ Vegetation Selective Clearing (Approximately 80,000 square feet)	1	ls	\$15,000.00	\$ 15,000
Site Preparation Subtotal				\$ 25,000
General Site Improvements				
Bituminous concrete walkway	500	sy	\$45.00	\$ 22,500
Full depth bituminous concrete access drive and parking with chip seal	2,300	sy	\$70.00	\$ 161,000
Mill and Overlay bituminous concrete access drive and parking with chip seal	900	sy	\$35.00	\$ 31,500
Renovate existing vacant gift shop or install new shade pavillion	1	allowance	\$200,000.00	\$ 200,000
10' wide by 18' length storage shed on concrete	1	ea	\$15,000.00	\$ 15,000
Granite Curbing with 6" Reveal	550	lf	\$45.00	\$ 24,750
Concrete Pavers	1,400	sf	\$30.00	\$ 42,000
Accessibility Improvements to Nature Trail	1	ls	\$15,000.00	\$ 15,000
Two (2) 6' x 6' accessible portable restroom	2	ea	\$5,000.00	\$ 10,000
Bench with Poured Concrete Pad	5	ea	\$2,700.00	\$ 13,500
Rain Garden (Approximately 10,500 square feet)	1	ls	\$50,000.00	\$ 50,000
Loam and Seed Disturbed Areas	1	ls	\$5,000.00	\$ 5,000
Plantings	1	allowance	\$50,000.00	\$ 50,000
Signage	1	allowance	\$10,000.00	\$ 10,000
Bike Rack on Concrete Pad	1	ea	\$4,000.00	\$ 4,000
Miscellaneous Work and Cleanup	1	ls	\$20,000.00	\$ 20,000
General Site Improvements Subtotal, rounded				\$ 674,300
Project Subtotal				\$ 699,300
			Subtotal Direct Costs	\$ 699,300
			Contractor Mobilization/Demobilization - 5% (Rounded)	\$ 35,000
			Subtotal Direct Costs plus Mobilization/Demobilization	\$ 734,000
			Div 01 (Gen. Cond.) and General Contractors OHP - 15% (Rounded)	\$ 110,000
			ESTIMATED CONSTRUCTION COST, ROUNDED	\$ 844,000
			Contingency - 25%, (Rounded)	\$ 211,000
			TOTAL CONSTRUCTION COST, ROUNDED	\$ 1,055,000
			Engineering- 15%, (Rounded) plus \$8K for existing building analysis, plus \$25K for playground 60% design.	\$ 190,000
			ESTIMATED TOTAL PROJECT CONSTRUCTION COST WITH CONTINGENCY AND ENGINEERING	\$ 1,250,000

Appendix C

Order of Magnitude Opinion of Probable Project Cost, Phase II

Drummer Boy Park

Brewster, MA

Phase I

ORDER OF MAGNITUDE OPINION OF PROBABLE PROJECT COST

7/16/2021

Based on Phase II Improvements Plan dated July 2021

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL
Site Preparation				
Erosion and Sedimentation Control	1	ls	\$2,000.00	\$ 2,000
Temporary fencing and safety signage	1	ls	\$2,000.00	\$ 2,000
Demo Existing Playground	1	ls	\$10,000.00	\$ 10,000
Clear and Grub	1	ls	\$2,000.00	\$ 2,000
	Site Preparation Subtotal			\$ 16,000
General Site Improvements				
Playground with Poured in Place Surfacing	1	ls	\$500,000.00	\$ 500,000
Bench with Poured Concrete Pad	2	ea	\$2,700.00	\$ 5,400
Bituminous Concrete Walkway (Southwest Path)	105	sy	\$45.00	\$ 4,725
Rain Garden	1	ls	\$10,000.00	\$ 10,000
Loam and Seed Disturbed Areas	1	ls	\$2,000.00	\$ 2,000
Plantings	1	allowance	\$5,000.00	\$ 5,000
Miscellaneous Work and Cleanup	1	ls	\$5,000.00	\$ 5,000
	General Site Improvements Subtotal, rounded			\$ 532,100
	Project Subtotal			\$ 548,100
	Subtotal Direct Costs			\$ 548,100
	Contractor Mobilization/Demobilization - 5% (Rounded)			\$ 27,000
	Subtotal Direct Costs plus Mobilization/Demobilization			\$ 575,000
	Div 01 (Gen. Cond.) and General Contractors OHP - 15% (Rounded)			\$ 86,000
	ESTIMATED CONSTRUCTION COST, ROUNDED			\$ 661,000
	Contingency - 25%, (Rounded)			\$ 165,000
	TOTAL CONSTRUCTION COST, ROUNDED			\$ 826,000
	Playground Final Design (\$55K), Bidding Services (\$8K), Services During Construction (\$35K)			\$ 98,000
	ESTIMATED TOTAL PROJECT CONSTRUCTION COST WITH CONTINGENCY AND ENGINEERING			\$ 920,000

Appendix D

Drummer Boy Park Master Plan Presentation, June 7, 2021



Drummer Boy Park

Master Plan



Chris Miller, Director
Dept. of Natural Resources

James Veara,
Committee Chair

Michael Dodson, RLA
CDM Smith

David Young, P.E.
CDM Smith

June 7, 2021

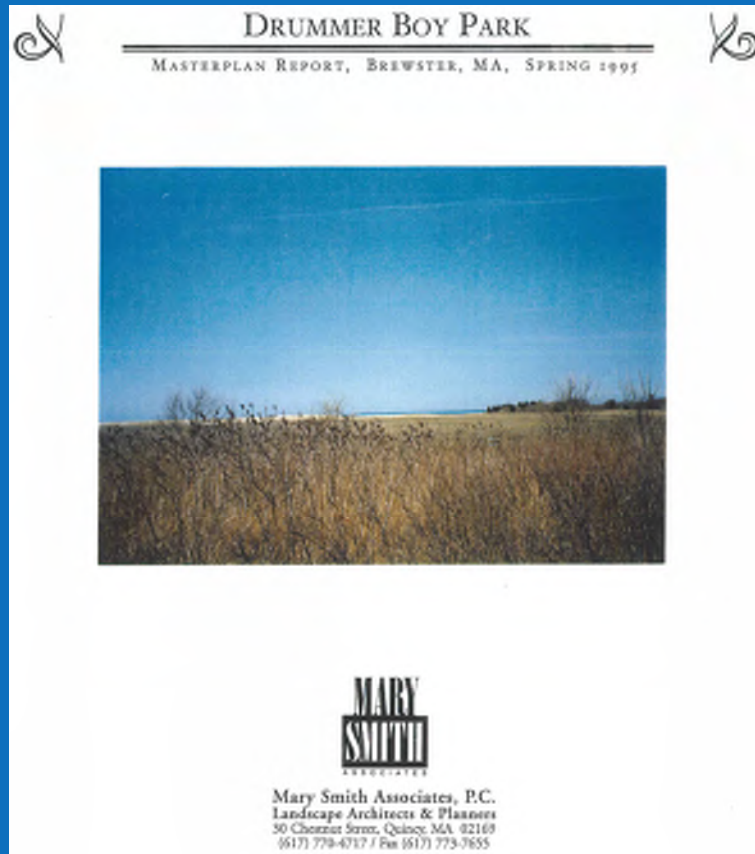
**CDM
Smith®**



Brewster Conservation Day



Project History



- Town of Brewster purchased property in 1988.
- Select Board act as the Park Commissioners, changes to the park are required to go to Town Meeting for approval.
- Initial Master Plan for Drummer Boy Park was presented at the May 1, 1995 Town Meeting and was approved.
- The existing museum/residence building was removed, and the bandstand and playground were added.
- A walking path through the grassy field was created and later paved to allow better accessibility.
- A trail through the woods behind the playground was also established.
- In 2020 the Select Board established the Drummer Boy Park Advisory Committee to review the park and revise the Master Plan. CDM Smith was hired by the town to assist the committee in preparing the revised plans.
- The new Master Plan will go to Town Meeting in fall 2021 for approval.

Advisory Committee – Thank you!

- James Veara
- John Kissida
- Cherylanne Lombardi
- Chris Miller
- Patrick Ellis
- Andrea Nevins
- Tom Wingard
- Hal Minis
- Michael Gradone
- Sally Gunning
- Stephen Najarian
- Denise Rego
- Bob Smith
- Patricia Hughes

Project Goals

- Preserve character of the park
- Enhance and preserve views of the bay
- Increase use and access
- Identify park use areas
- Collaborate with local advisory committee representing the Town
- Plan development coordinated with adjacent user groups
- This is your park!

Existing Park and Surrounding Area



Existing Park and Surrounding Area



Existing Vacant Gift Shop and Gazebo



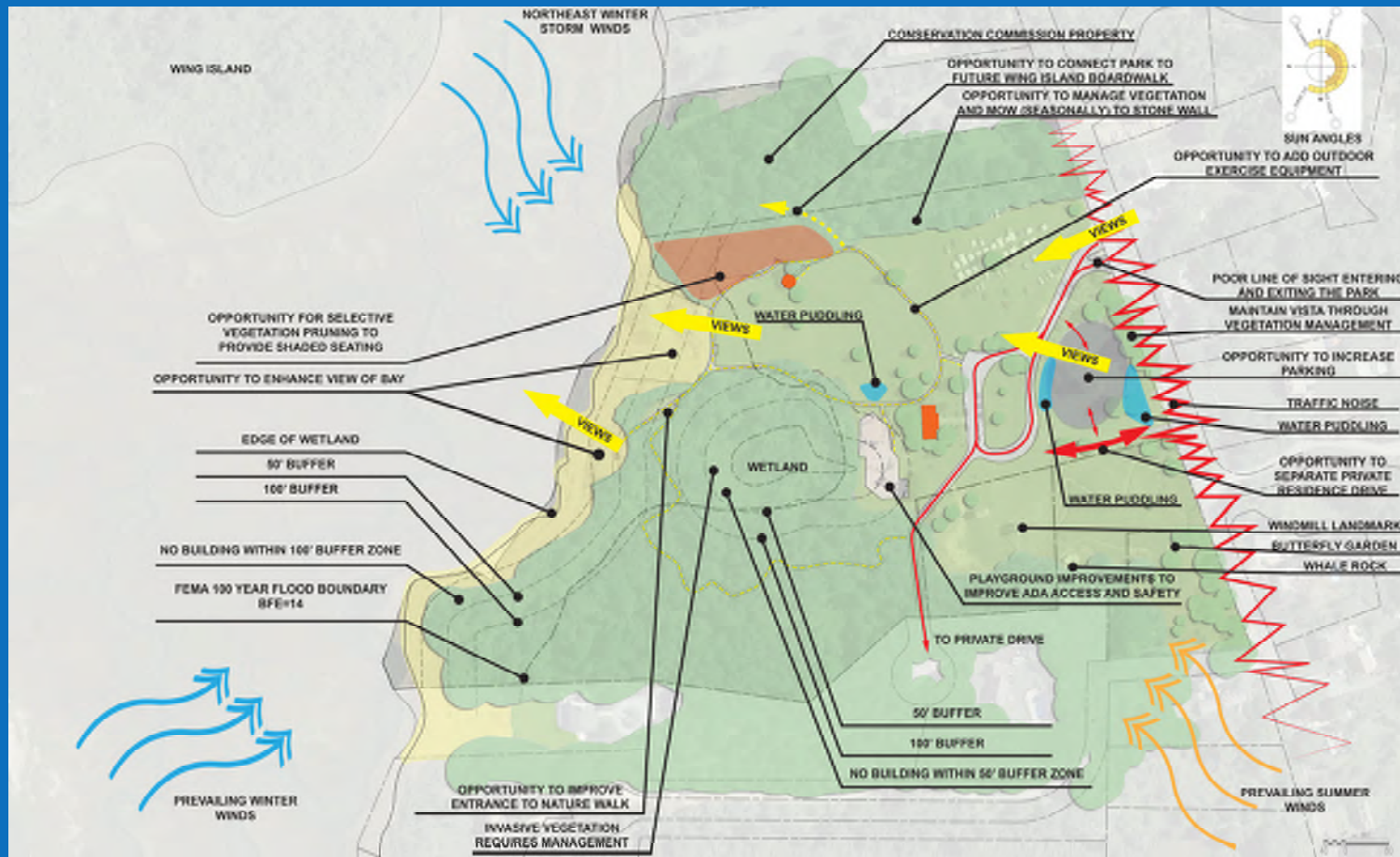
Existing Playground



Drainage Challenges



Opportunities and Constraints



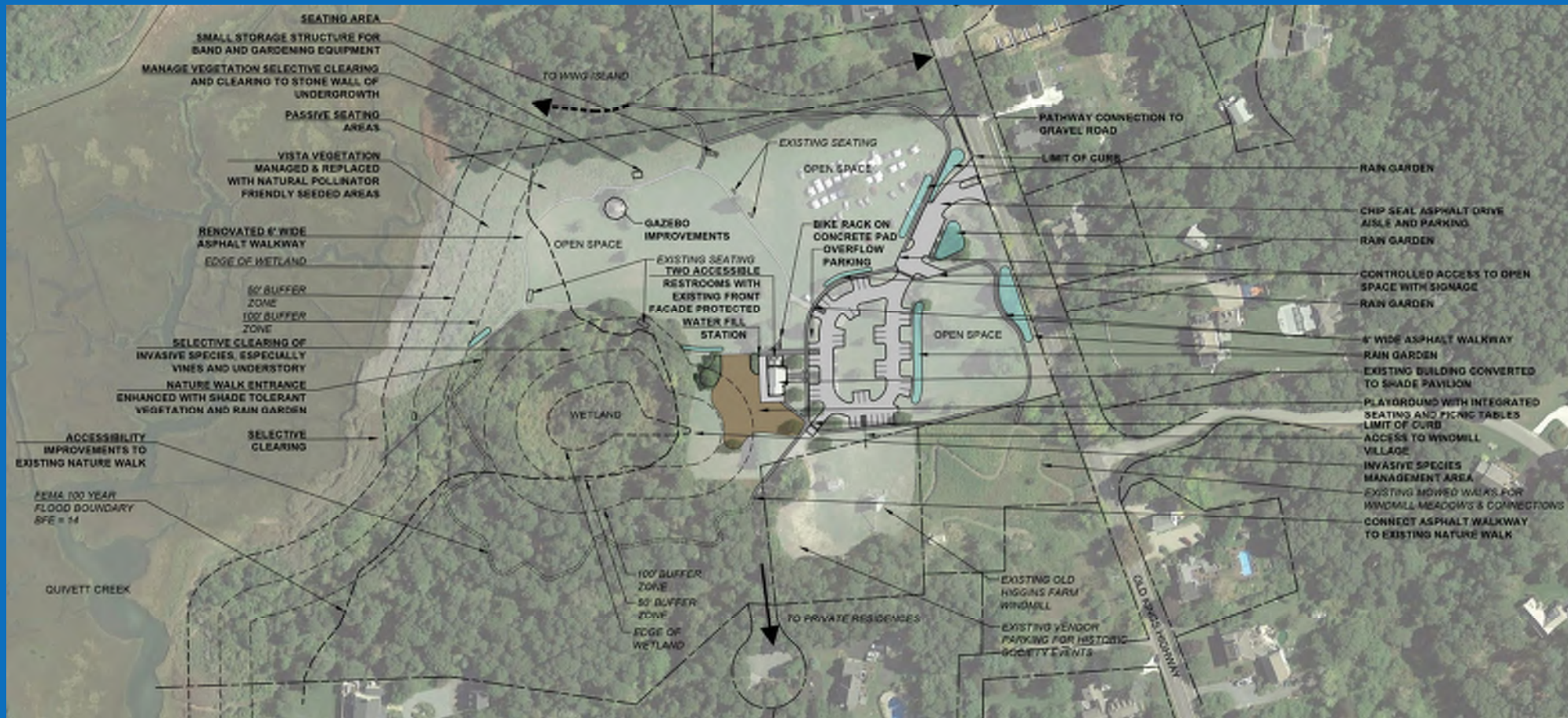
Proposed Improvements

- Parking improvements
- New playground
- Improvements to vacant gift shop
- Nature trail enhancements
- Additional walking paths and seating areas
- Drainage improvements
- Identification of park use areas
- Prioritized Phase I Improvements

Design Criteria

- 6-ft wide asphalt walking trails
- Selectively clear understory against eastern rock wall
- Provide 50 parking stalls using town requirements
- Utilize native plantings and flowering trees
- Do not block views to bay

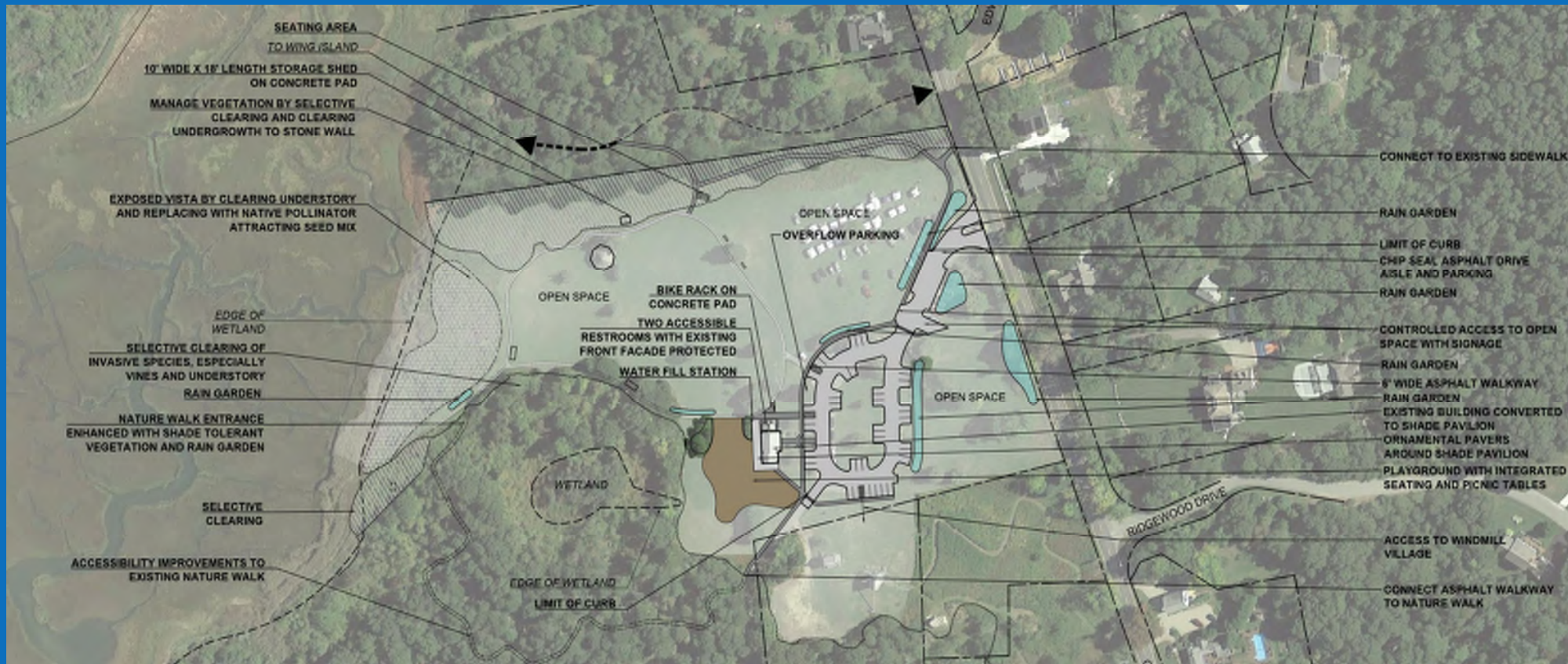
Recommended Master Plan



Recommended Master Plan

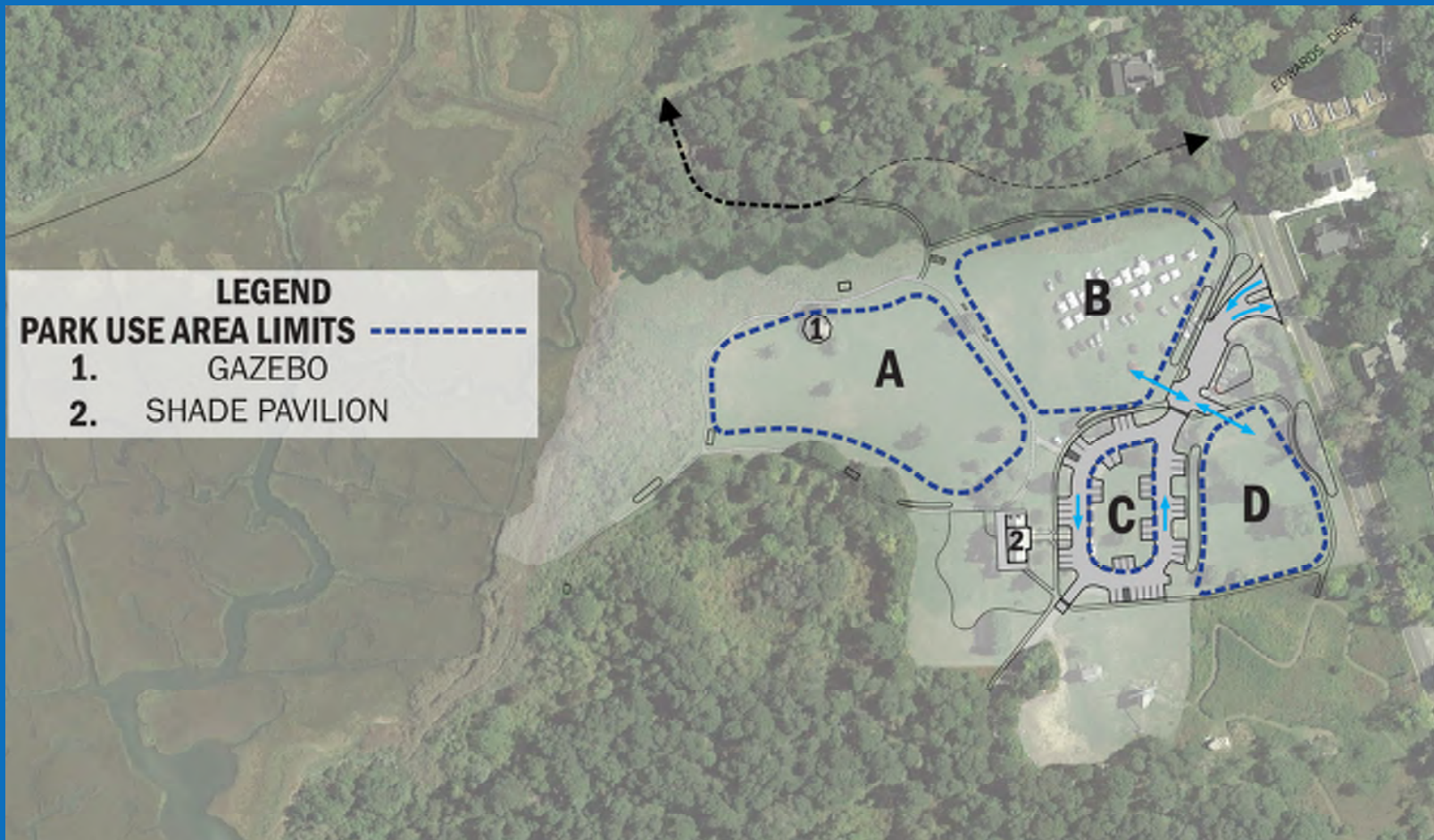


Phase I Improvements Plan



Phase I Improvements Cost: Approximately \$2 Million

Park Use Area Plan



Questions and Discussion



Appendix E

Meeting Minutes



Town of Brewster

Drummer Boy Park Advisory Committee

drummerboymeeting@brewster-ma.gov

MEETING Minutes
Wednesday February 3, 2021 at 1:00pm

BREWSTER TOWN CLERK

21 MAY 10 2021

Drummer Boy Park Advisory Committee

John Kissida

Cherylanne
Lombardi

Andrea Nevins

E. James Veira

Tom Wingard

Stephen Najarian

Natural Resources
Director
Chris Miller

Council on Aging
Director
Denise Rego

Recreation Director
Mike Gradone

Public Works
Director
Patrick Ellis

1. Call to Order
 - Chris called the meeting to order at 1:00PM
2. Declaration of a Quorum
 - Chris declared a quorum was present
 - Members in Attendance: John Kissida, Cherylanne Lombardi, Stephen Najarian, Andrea Nevins, James Veira; Not Present: Tom Wingard
 - Other Attendees: Mike Dodson, CDM Smith; Patrick Ellis, Public Works Director; Mike Gradone, Recreation Director; Sally Gunning, Brewster Historical Society; Chris Miller, Natural Resources Director; Hal Minis, Brewster Conservation Trust; Denise Rego, Council on Aging Director; Bob Smith, Cape Cod Museum of Natural History; Dave Young, CDM Smith
3. Meeting Participation Statement
 - Chris read the meeting participation statement
4. Public Comment
 - No public comments on items not on the agenda were made
5. Introductions
6. Election of committee chair, vice chair, and clerk
 - Nominations to serve as chair, vice chair, and clerk
 - John Kissida accepts vice chair nomination
 - Jamie Veira accepts chair nomination
 - Cherylanne Lombardi accepts clerk nomination
 - Jamie makes motion to vote on all nominations; seconded by John; unanimous vote in favor of all nominations
7. Discuss Overall Project Objectives & Proposed Project Timeline
8. Review Current Park Uses and Discuss Potential Desired Park Uses, including Update on Proposed Wing Island Boardwalk Project
9. Review Existing Conditions Site Base Plan and Discuss Consultant Analysis of Opportunities and Limitations
 - Review of Revised Existing Conditions Plan
 - Mike D. shares updates to Existing Conditions Plan (graphic)
 - Hal of Brewster Conservation Trust suggests inclusion of BCT land (south and west of Windmill Villageland)
 - Bob of Cape Cod Museum of Natural History suggests correction of boundary lines (lot lines of private residences)
 - Chris shares that the wooded trail pathway has been modified and should be updated on the Plan

- Mike D. discusses vistas added, references public comment about clearing of trees along rock wall, and queries committee members for input
- John clarifies prior discussion of "selective clearing" of brush and undergrowth, not trees, as desirable approach; underscores the importance of stating rationale for selective clearing (i.e. to expose stonewall; invasives control, improve vista)
- Chris suggests exposing the stonewall (neighboring conservation land on north side - wetland buffer zone - may limit selective pruning)
- Consensus to protect shade trees and provide invasives control
- John refers to public comment to not expand formal parking area near 6A; Mike follows up with additional public comment to not add new curb cut to entrance - committee consensus on both points made
- Dave clarifies aim of Existing Conditions Plan under consideration (opportunities and constraints), not a Master Plan
- Hal poses opportunity to integrate BHS and BCT properties with DBP; extend walking paths from wooded path to BHS and BCT lands; Sally concurs BHS is in agreement with walking paths along backside of property
- John calls for inclusion of BHS and BCT parcels to be named on analysis of existing conditions to consider the incorporation of their features on the Master Plan
- Chris and John suggest disclosure of private properties from existing conditions plan (refer to updated property lines)
- Hal clarifies entities that define the DBP site under study (BHS, BCT, and town property to be treated as an integrated whole)
- Review of updated Conceptual Site Plan
 - Mike D. shares updates to Conceptual Site Plan (graphic)
- *Discussion of walking path relative to Conceptual Site Plan*
 - Mike D. discusses opportunities: for woodland trail connection to BHS and BCT; extension of walking path from BCT toward entrance; proposal of sidewalk and curbing

- along open lawn (east of entrance); proposal of formal parking spaces along entrance roadway and loop
- Jamie suggests need to separate pedestrian/vehicular traffic, inquires about controlled access to open lawn space - Will it be flat to allow for vehicles to traverse into open lawn space? Is access wide enough for 2-way traffic?
 - Mike G. inquires into split rail fence option to separate entrance road from open lawn space to the east
 - Chris inquires into ease of access to overflow parking on open lawn space with a possible split rail fence
 - Mike D. refers to existing split rail fencing on the site that may be more consistent with character of DBP; Chris proposes concern over a permanent post (various options open to consideration)
 - Chris queries crosswalk location suggested in Conceptual Site Plan - concern for pedestrian safety
 - John refers to prior discussion of entrance (i.e. perhaps, reducing entrance footprint); agrees with Chris regarding crosswalk safety concerns; suggests parking be relocated closer to/inside circle (i.e. remove at least 6 spaces nearest entrance); suggests defining overflow parking space without use of curbing; undecided with regard to split rail fence/posts; favors fewer barriers (i.e. vertical) to overflow parking
 - Jamie agrees with elimination of parking spaces along entrance road and fenceless point of access to open space lawn
 - John mentions drainage improvements required for potential pathway connecting BCT property to entrance
 - Chris refers to existing split rail, suggests granite curbing and flower beds along entryway
 - Cherylanne agrees with relocating crosswalk and eliminating parking spaces along entryway; suggests a more natural barrier (i.e. large rocks) to overflow parking on open space; inquires into parking space surfacing and proposes use of porous pavers as a potential option for consideration
 - Mike D. mentions asphalt as material under consideration for parking usage; refers to drainage issues regarding porous pavers

- John agrees with Mike regarding challenges of establishing porous pavers and suggests chip seal and accompanying rain gardens to limit access to open lawn space
- Rain gardens shown in areas where water currently collects (graphic)
- Chris comments about increasing walking trails on property, connecting sidewalk from playground to wooded trail (following property boundary), behind Windmill Village, toward grassy Wildflower Meadow trail, intersecting at loop; suggests paving as more efficacious than stonedust
- Dave refers to previous meeting discussion of extending walkway near stonewall to connect to conservation land
- Chris shares town submission of application for trail to Wing's Island Boardwalk (ADA compatible); refers to conservation restriction in terms of parking near eastern boarder of DBP
- Hal emphasizes need to anticipate increased usage of DBP, heightened visitor interest, and greater demands for parking with Wing's Island access; proposes parking near stonewall (i.e. soft surface) as a consideration; recommends a provision made for consideration of future parking demand
- Jamie disagrees with formal parking lot in place of open space; suggests parking occur "organically"
- *Parking under consideration relative to Conceptual Site Plan*
 - Mike D. suggests offering vendors a parking plan for events (town charged with designating/ mapping out spaces for heavy use)
 - John suggests defining overflow parking areas during heavy usage without paving
 - Patrick proposes parking spaces reconfigured (i.e. parallel parking) around loop to lesson the visual impact of formalized parking spaces and increase availability of space
 - Steve agrees with unstripped parallel space, not to block traffic flow and rain gardens/ flower island along split rail fencing
 - Bob shares Hal's concern over increased parking demand with successful construction of boardwalk to access Wing's Island

- Cherylanne proposes consideration of multiple iterations of a Master Plan (i.e. offering a plan that is consistent with existing parking demands and a second option that reflects anticipated parking demands)
- Mike D. prepared an earlier graphic that includes increased parking to accommodate greater need, which could be revisited as a later conceptual option to consider as necessary
- Chris discusses expansion of opportunities for park visitors to enjoy the grounds relative to increased access to acreage through town partnerships (BHS, BCT)
- Dave classifies usage in terms of tiers (i.e. day-to-day; interest in Wing Island; larger events such as craft fairs)
- Hal stresses importance that existing plan allow for flexibility (i.e. changing future needs)
- Mike G. agrees with parallel parking (i.e. school bus) - consensus reached
- Patrick refers to using pervious pavement (depending on permeability rates) for parking spaces
- Chris proposes a controlled access point near open space south of Windmill Village
- Mike D. asks for committee input on controlled access points (i.e. split rail vs post w/ chain) to limit vehicle access where a curb does not exist
- Denise favors post and chain over split rail fence option and mentions rescue truck access
- Chris suggests a post option with roping
- Cherylanne disagrees with a post and chain option and concurs that a rope would likely be durable and easy to remove as necessary and is in favor of a less permanent structure more consistent with character of park
- Patrick offers an example of a roping system at Mayflower Beach, Dennis and split rail fencing throughout town (i.e. conservation land, beaches)
- John proposes signage (removable); questions whether it is even necessary to have permanent structures in place at controlled access points; opposes post and chain option; favors openness of park

- Dave will plan to offer different layout options for designating controlled vehicle access points
- *Discussion of playground relative to Conceptual Site Plan*
 - Mike D. shares split rail fencing option to demarcate playground area and contain playground users
 - Mike G. discusses drainage issues/water table within the playground area and suggests shifting its location toward building
 - Mike D. discusses possibility of elevating playground
 - John agrees with locating playground closer to building and suggests an examination of the playground footprint, perhaps reducing the space
 - Mike G. offers to investigate playground elements utilized in current space at DBP and draw comparisons to school playgrounds in town with regard to overall playground space allocation; will look into fencing requirements
 - Chris proposes picnic areas/benches at west end of playground (without clearing) using hard surfacing to mitigate flooding that occurs in woodchipped area
 - Mike D. suggests swingset locations backing up to woodlands (i.e., safety precaution); designated swing areas; fibrous playground surfacing
 - Mike G. suggests the current building be repurposed into an open air space for families to gather
- *Discussion of restroom facilities relative to Conceptual Site Plan*
 - Dave asks for committee input on type of restroom facility and location
 - Chris sees no issue with the use of a serviced tight tank (i.e. portable trailer/temporary)
 - John proposes temporary usage consistent with year-round demand; Jamie agrees
 - Cherylanne agrees with open air structure to provide shelter (i.e., rain/shade) and suggests some separation/delineation between spaces (i.e. separate open air structure/pavillion from restroom facilities and from actual playground space) while maintaining a coherent integration of the spaces
 - John agrees that the play area should remain independent from the structure (open air pavillion)
 - Cherylanne suggests reconsideration of restroom location

- Chris mentions portable unit must be accessible for the purpose of pumping
- Patrick suggests looking into space between parking loop and current building (relatively flat, open, unused area) to consider locating restroom facilities at front entrance
- Mike D. proposes vertical playground structures as one way to reduce square footage of playground area
- Dave asks about band storage needs (remain in question)
- Jamie proposes storage on east side of building and offer restroom facilities that are less prominently displayed
- Cherylanne suggests potential space for restroom facility west of playground (between the current building and grassy area that abuts private road in the direction of Windmill Village); does not advocate for increased playground square footage but recognizes the multiage age use of playground and benefit of spacing out elements in an area where kids are running around in all directions; not in favor of fencing around playground unless it is a requirement; only concern is playground proximity to any additional parking lanes
- *Discussion of Gazebo/Bandstand & Windmill Village relative to Conceptual Site Plan*
 - John queries into band stand condition and the potential for storage of band equipment at the band stand rather than at the location of the current building
 - Mike D. offers landscaping as an option to conceal storage around bandstand
 - John proposes the possibility of storage within a newly designed and replacement bandstand or along its backside
 - Sally of Brewster Historical Society asks for clarification of walkway surfacing material and location relative to BHS property; suggests a painted crosswalk over private road; mentions BHS split rail fence along property line and parking loop and current designation of vendor parking space
 - Chris suggests reworking design of Conceptual Site Plan to more accurately depict property boundaries
 - John recommends revisiting the conceptual design plan earlier devised for BHS and distributed to the committee,

which includes a handicap parking space and access ramp to Windmill Village

- Sally shares designated entrance to BHS property
 - Patrick mentions the present one-way directionality of parking loop that is unregulated yet understood and followed by residents and visitors alike without the presence of signage; cautions against overprescribing parking rules/regulations and related signage
 - John suggests flowering trees to offset parking expansion and offers species examples for rain gardens as well
 - Cherylanne suggests additional rain garden to the east of the playground adjacent to the swings (right/back side of current building); mentions the need to keep restroom facilities central but in consideration of available space and the desired focal points of entry into the park
 - Chris mentions provisions for emergency helicopter use
10. Discuss agenda items for next meeting
 11. Future Meeting – March 3, 2021
 - Jamie - next meeting will be held on Wednesday, March 3rd at 1pm
 12. Other Business not anticipated by Chair within last 48 hours
 13. Adjournment
 - John Kissida makes motion to adjourn; Cherylanne seconds the motion; all in favor

<http://video.brewster-ma.gov/CablecastPublicSite/show/5205?channel=1>

Date Approved: April 7, 2021



Town of Brewster

Drummer Boy Park Advisory Committee

drummerboymeeting@brewster-ma.gov

MEETING Minutes
Wednesday March 3, 2021 at 1:00pm

BREWSTER TOWN CLERK

21 MAY 10 3:31 PM

Drummer Boy Park Advisory Committee

John Kissida

Cherylanne
Lombardi

Andrea Nevins

E. James Veira

Tom Wingard

Stephen Najarian

Natural Resources
Director
Chris Miller

Council on Aging
Director
Denise Rego

Recreation Director
Mike Gradone

Public Works
Director
Patrick Ellis

1. Call to Order
 - Jamie called the meeting to order at 1:01PM
2. Declaration of a Quorum
 - Jamie declared a quorum was present
 - Members in Attendance: John Kissida; Vice Chair; Cherylanne Lombardi, Clerk; Andrea Nevins; James Veira, Chair; Tom Wingard, Stephen Najarian
 - Other Attendees: Mike Dodson, CDM Smith; Mike Gradone, Recreation Director; Sally Gunning, Brewster Historical Society; Patricia Hughes, Member of Natural Resources Advisory Commission; Chris Miller, Natural Resources Director; Hal Minis, Brewster Conservation Trust; Denise Rego, Council on Aging Director; Bob Smith, Cape Cod Museum of Natural History, David Young, CDM Smith
3. Meeting Participation Statement
 - Jamie read the meeting participation statement
4. Public Comment
 - No public comments on items not on the agenda were made
5. Introductions
6. Discuss Overall Project Objectives & Proposed Project Timeline
 - Review of Proposed Schedule for Project Completion
 - Mike D. discusses goals of current meeting: to review schematic drawings of updated plans and define priorities prior to April 7th meeting when costs estimates are identified and recommended future phases are clarified; a community meeting is scheduled for April 21st; Master Plan is on schedule to be finalized on May 5th; the committee plans to present to the Select Board a month after finalizing the plan
 - Dave suggests the committee consider the format and logistics of the upcoming community meeting
 - Chris Miller suggests an in-person community meeting will not likely be feasible given the current social distancing guidelines and will check with the Town Administrator for recommended process for
 - Cherylanne asks, "Will there be another scheduled site visit?"
 - Jamie is in favor of a second site visit
 - Mike D. proposes the consideration of an outdoor community meeting on site

- Jamie suggests seeking Town guidance on format for gathering community input
 - Hal refers to Brewster Conservation Day as an example of a successful outdoor tented gathering on site
 - Jamie reiterates the need to consider state COVID restrictions on size of gatherings and distancing and is in favor of a committee site visit
7. Review Current Park Uses and Discuss Potential Desired Park Uses, including Update on Proposed Wing Island Boardwalk Project
- a. Form Follow Function: Andrea Nevins
 - Andrea discusses park needs of older adults such as exercise venues and social activities; mentions qualifications for parks suited to older adults – safe walking trails, strategic placement of seating/benches, shade trees
 - Andrea offers a PowerPoint on age-friendly parks
 - Andrea expresses enthusiasm for converting the existing building into an open-air pavilion for multiple uses such as exercise programs, art activities, parties, etc.
 - Mike G. agrees with the need for a shade structure with portable picnic tables so that the space
 - Cherylanne mentions the need to consider the surfacing of the open-air pavilion
 - Mike G. reached out to Nauset Disposal; handicap accessible Porta Potty available for use on a seasonal basis seems to be the most feasible option
 - Tom Wingard inquires as to whether the Health Dept. has been contacted regarding a tight tank option
 - Chris refers to soil constraints per the site evaluation completed as part of the initial Master Plan and volunteers to reach out to the Health Dept.
 - b. Story Walk
 - Chris describes Story Walk concept and provides background information of proposal by resident and Brewster Ladies Library
 - Hal discusses success of past Brewster Conservation Trust Story Walks and the preference of BCT to continue to offer them on a periodic basis without installation of any permanent structures on Trust lands
 - Mike G. suggests to place a permanent structure such as this on the wooded trail rather than along the paved path

- Chris suggests that Freeman's Fields may be an alternative to Drummer Boy Park
- John opposes signage on the open space lawn/paved pathway of Drummer Boy Park
- Cherylanne agrees that the wooded trail would be a more preferable location for any installation of permanent Story Walk structures and suggests that the texts be regularly rotated to avoid stale signage; Cherylanne shares her view of opportunities Story Walks may afford multiple age groups with regard to shared reading experiences, vocabulary development, and knowledge building through complex themes addressed in texts selected
- Chris references the Little Free Library seasonally placed at the Park entrance and the willingness of the Brewster Ladies Library to take the lead on maintaining the Story Walk
- Cherylanne inquires as to whether an elevated boardwalk might be installed to connect the wooded trail over the wetlands to the playground rather than to the private road
- Dave Young expresses concern that the wooded trail is not handicap accessible and suggests consideration of Story Walk structures installed along the perimeter of the playground
- Mike G. clarifies that fencing around the playground is not a requirement and expresses concern over structures placed in the wetlands that presently border the playground
- Jamie agrees with John's remarks on signage and suggests the Story Walk may be something to integrate at a later phase
- Chris concurs that the intergration of a Story Walk may be feasible at a later phase
- Tom recommends a boardwalk or elevated walkway over the wetlands to create a connected pathway
- Hal agrees that the Story Walk works well on circular trails and does not view Trust property on Drummer Boy as well suited for a Story Walk
- Cherylanne agrees with locating Story Walk signage within the wooded trail and set back off the trail; Cherylanne proposes that the Story Walk project might provide an impetus for leveling the grade of the trail and making it more senior-friendly

- Chris plans to reach out to the resident who proposed Story Walk and the Building Commissioner
- 8. Review Existing Conditions Site Base Plan and Discuss Consultant Analysis of Opportunities and Limitations
 - Mike D. introduces the proposed Conceptual Plan and discusses revisions to the plan with regard to parking, vehicle control, rain gardens, and walkways
 - Jamie wonders about walkway surface
 - Mike suggests asphalt for continuity's sake and recommends widening the walkways (6-8')
 - Pat is in favor of expanded walking opportunities but is not in favor of widening paths beyond 6' nor using pavement in order to maintain the rural character of the Park
 - Chris mentions that existing Town sidewalks are all paved and suggests that the additional paved loop within the multi-use lawn area from Windmill Meadow toward the entrance may not be necessary if an additional pathway is created in conjunction with the planned Wing Island boardwalk
 - Paved walkways
 - Cherylanne appreciates the addition of rain gardens and more natural barriers but is not in favor formalized asphalt walkways cutting through open space lawn and would rather see walking paths that extend along the perimeter of the Park, perhaps along the rockwall.
 - Jamie is not necessarily in favor of additional asphalt visible from 6A on either the east or west side of the parking area; Jamie is in favor of a crosswalk and rain gardens
 - John suggests the additional walking path on the west may be desirable in a later phase and could be made less visible from 6A with rain gardens; favors parallel parking plan and would like to further consider parking surfacing to avoid creating the look of an expanded parking lot; expresses initial enthusiasm for potential path along the rockwall but wonders how a walkway may be integrated into the existing gravel path beyond the rockwall; would like to consider narrowing the park entrance/exit; recommends connecting to Windmill Village; agrees with connecting playground and wooded trail for the possible inclusion of a Story Walk loop

- Mike D. queries committee about the proposed paved path to the east and Conservation Commission land where a gravel path presently exists
- Chris identifies an existing break in the stonewall
- Jamie is in favor of eliminating the asphalt path along the stonewall
- Andrea is also in favor of eliminating the asphalt path along the stonewall and recommends a path in the wooded area toward the north east corner of the Drummer Boy parcel with views of the Bay and potential space for benches and picnic tables
- Historic Windmill Village
 - Hal clarifies its name, Windmill Meadows, not "butterfly garden"; agrees that the additional asphalt pathways shown on the plan should be reconsidered at a later phase of the project; recommends interpretative signage to invite visitors to the Historic Windmill Village, Windmill Meadows, etc.; such signage should represent the various elements of the park as an integrated whole and perhaps be located near the parking area
 - Mike D. sums up the committee's intent to present the paved pathways (east and west) as a later phase proposal
 - Bob asks if it would be possible to show the existing paved pathways in a different shade on the diagram to differentiate between existing versus proposed walkways
 - Jamie would like different phases of the Master Plan to be depicted on separate diagrams
 - John suggests that handicap accessibility from the parking area to Windmill Village would require consideration of the vertical grade and refers to the plan he earlier prepared for Brewster Historical Society that accounts for the sloped land
 - Sally clarifies that Windmill Village is not presently handicap accessible and will likely require additional planning and preparation on the part of the Brewster Historical Society to comply; states the preferred entrance to Windmill Village as the opening in the split rail fence in line with the windmill
 - All in agreement that parking improvements should be Phase 1
- Pathway along east property line near stonewall

- Chris inquires as to whether other committee members would like paved pathway along the stonewall given the potential connectivity to the existing sidewalk
- Cherylanne wonders if two parallel paths (i.e. paved path along stonewall and gravel path beyond) might be duplicative; agrees that additional paved pathways should be considered at a later phase and proposes strategic placement of seating areas, perhaps nearby a rain garden as a pathway endpoint rather than continuing a fully paved loop; inquires into visually representing aspects of the Master Plan (i.e. walkways, seating, parking, relocating of structures, etc.) separately in addition to holistically
- Chris suggests the anticipated additional use of the gravel path would be more respectful of neighbors if visitors entered the park and were directed to the gravel path at its midpoint
- Steven is not in favor of two parallel paths along each side of the stonewall and inquires into the location of the break in the wall as a point of connection; would prefer to reduce the three-way paved junction to a two-way
- Dave suggests that benches may be purposeful near the stonewall at its highpoint to overlook the Bay
- Pat does not support hardening of proposed walkway along the east side of Park; recommends seeking public input regarding the pathway along the east property line and to clearly indicate it as either Phase 1 or 2; suggests that the vistas are the park's defining attribute
- Jamie concurs that public comment is desirable
- Mike D.
- Chris suggests parking spaces in beach lots have been kept narrow
- Playground, shade structure, and restrooms
 - Jamie recommends playground as a Phase 1 improvement
 - John agrees that the playground area and strategic seating should be a part of Phase 1; suggests the connector between the proposed Wing Island boardwalk and park should be a meandering path and avoid the paved Y-shape intersection depicted on the graphic; recommends additional seating areas along the pathway to benefit seniors

- Mike D. queries the committee with regard to preferred quantity and type restrooms
- Jamie believes two restrooms will be sufficient and agrees with their placement near the shade structure
- Tom agrees with two restrooms; refers to Hal's earlier comments about interpretive signage and suggests placement of a graphic/sign be located in a centralized location near open air structure and parking
- Cherylanne agrees that two restrooms would be sufficient; and raises concern about its placement directly connected to the open-air shade structure; anticipates pavilion uses (i.e. ceremonies, social gatherings, exercise programs, picnics, etc.) and recommends separation of restrooms from proposed open-air structure and perhaps relocating restrooms on the west side of present building, nearer Windmill Village
- Chris mentions that a Porta Potty could be reasonable concealed with constructing a wall(s) that frame the restrooms
- Cherylanne recommends utilizing existing treescape to conceal restroom facilities
- Mike G. agrees that the restroom should be shielded with a wall(s) or fencing, and the playground should be incorporated in Phase 1
- Jamie states he must leave the meeting early and requests next month's agenda include approval of meeting minutes
- Chris recommends making use of a portion of the existing building as a restroom facility
- John assumes the role of committee chair in Jamie's absence
- Chris suggests a bottling filling station be included near the shade structure/restroom area
- Gazebo/band stand
 - Committee is interested in needs of the Brewster band with regard to storage requirements; Chris Miller is looking into uses, needs, and dimensions of current bandstand
- Rain gardens and planting around playground area
 - John recommends the plan account for a greater expanse of rain gardens
 - Pat suggests members of the Association to Preserve Cape Cod may be a resource in determining plant species

- John suggests cost savings if community-based organizations are involved in plantings; proposes the entrance to the nature walk be visually enhanced, and proposes a tree planting budget
 - Chris suggests height requirements for plantings so as not to obstruct the vistas as plants flourish
 - John asks Mike G. to determine an estimated playground budget to replace the play structure in its entirety and recommends seating and plantings surrounding the playground
 - Playground size (square footage) based on playground utilization and surfacing material under consideration
9. Discuss agenda items for next meeting
- Cherylanne asks, "What is our plan for getting the word out to the public that we are interested in their input?"
 - Chris will work with chair and Town leadership to determine process for public meeting and a date to schedule such meeting
 - Approval of meeting minutes will be on next agenda
10. Future Meeting - April 7, 2021 @ 1 pm
11. Other Business not anticipated by Chair within last 48 hours
12. Adjournment
- Pat makes motion to adjourn; Andrea seconds the motion; all in favor
 - Meeting is adjourned at 3:14PM

<http://video.brewster-ma.gov/CablecastPublicSite/show/5269?channel=1>

Date Approved: April 7, 2021



Town of Brewster

Drummer Boy Park Advisory Committee

drummerboymeeting@brewster-ma.gov

MEETING Minutes
Wednesday January 6, 2021 at 1:00pm

BREWSTER TOWN CLERK
21 JAN 10 2:36 PM

Drummer Boy Park Advisory Committee

John Kissida

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Lombardi

Andrea Nevins

E. James Veara

Tom Wingard

Stephen Najarian

Natural Resources
Director
Chris Miller

Council on Aging
Director
Denise Rego

Recreation Director
Mike Gradone

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1. Call to Order at 1:03 pm by Chris Miller
2. Roll call and Declaration of a Quorum declared by Chris
 - Members in Attendance: John Kissida, Cherylanne Lombardi, Andrea Nevins, Stephen Najarian, Jamie Veara; Not present: Tom Wingard.
 - Other Attendees: Mike Dodson, CDM Smith; Patrick Ellis, Public Works Director; Mike Gradone, Recreation Director; Sally Gunning, Brewster Historical Society; Chris Miller, Natural Resources Director; Hal Minis, Brewster Conservation Trust; Denise Rego, Council on Aging Director; Bob Smith, Cape Cod Museum of Natural History; David Young, CDM Smith
3. Meeting Participation Statement read by Chris Miller
4. Public Comment: none
5. Introductions.
 - New committee member, Stephen Najarian, was introduced; the Natural Resources Advisory Commission representative will be chosen at their Thursday January 7th meeting.
6. Election of committee chair, vice chair, and clerk was tabled until the next committee meeting by John Kissida, second by Cherylanne Lombardi, Unanimous vote in favor.
7. Discuss Overall Project Objectives & Proposed Project Timeline; and Review Current Park Uses and Discuss Potential Desired Park Uses, including Update on Proposed Wing Island Boardwalk Project: Discussion led by Michael Dodson, CDM Smith.
 - Mr. Dodson shared his screen and presented the originally prepared plan.
 - Discussion of the site visit by committee and opportunities/constraints that were observed.
 - Discussion on modifications to include on general site plan "Opportunities and Constraints":
 - Property lines
 - Integrate adjacent properties (BCT, Historical, Conservation parcel). Include all buildings, "whale rock", paths etc. 'basically integral to the park'. Scale out plan to show up to Museum property and trail to Wing Island, or have a second plan showing out to Wing Island/big picture.
 - Show other off site structures, across 6a and to west and east, that abut parcel(s).



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- Parking callout discussed during site visit; more discussion on parking on subsequent plans to be discussed today.
- Brief discussion on parking south of circle. General agreement that we are not discussing a large formal parking lot as not in character for site.
- Discussion on desire for additional vista pruning at north end, plus along east side of grass area.
- Additional pruning is beyond existing permit but management should be part of discussion.
- Vegetation at northeast blocks view of Wing Island.
- View of island available from adjacent conservation land; there was a vista prune plan on that parcel.
- Access to Wing Island; will be submitting a grant proposal for a raised boardwalk to Wing Island from adjacent conservation land.
- Larger volume of people will be present at park if improved access to Wing Island.
- Mike Dodson shared a draft plan (DrummerBoyPark_ConceptA_1.6.2021.pdf).
 - Plan adds parking along existing oval, instead of parallel parking, extends straight in spots and reduces drive isle width to 20'. Increase to approximately 50 spaces.
 - Discussion on how various groups have been using space at island and south.
 - Aerial view of site shows wear to grass demonstrating where people regularly park along drive isles.
 - New sketch showing a potential design for formalized parking design south of circle. Could be grass pave or just two strips of pavement with grass between, split rail etc. to designate areas.
 - Initial parking could be expanding parking at circle as shown in plan. Secondary design could add another 50 cars to south of oval.
 - Jamie: Likes idea of dedicated parking along oval. Prefer more "organic" use like now to south of oval versus formal design.
 - Mike: design along loop would accommodate daily use and Wing use. Perhaps a way to "rotate" parking along lawn areas.



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Formalize plan when taking reservations and designate where use is allowed.

- John: Likes plan around circle, does not like plan to south of circle. Need to check zoning for drive/parking space size. Parking at circle should not be across from each other; limit large expanse of parking. Limit size of adjacent spots, 4-5 max. Need to provide access places to additional parking on lawn for events. Vendors could provide plans for parking/ use.
- Dave Young: Design was for day-to-day users as primary, then to events. Depends on time of year, grass condition, etc. Formalize like a site-plan review for larger events, town decide on how to use park.
- Middle ground especially if boardwalk is in use (parking plan south of island). More like summer peak use. Was just one concept for talking purposes. Use rain gardens for drainage, low area for parking so does not affect vista from road.
- Chris: Would like to see some kind of control to "open lawn" area. Want to control to keep parking along circle first, and not driving out to park there on a daily basis. Could be split rail, gates, etc. to allow use for larger events, etc.
- This is a master plan, could be phased, or options if uses increase over time/needs change.
- Hal: Agree, we have some idea on daily/event use. Improvements we are discussing will bring more use, more cars. If boardwalk goes through, pretty considerable draw. Will boardwalk users compete for daily use? Contrary to Chris, do we need an intentional parking area on southeast side for wing island access?
- Chris: if we designate a parking area at southeast, we should provide a walkway along eastern side of parcel.
- Patrick: Great opportunity for stormwater in rain garden, obligated to control drainage.
- Post and rail or post and rope system to control parking on lawn area; need for that now to keep people from parking across area into vista.
- Recommend a chip seal treatment on pavement; can change color for parking stalls, etc. Tone down the 'black' pavement.



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- John: natural stone versus pavement. Start with signage "parking on pavement only" etc.? Too much tall rail fencing "playpen" look.
- Chris: really only was thinking of along eastern side of driveway, low rail for better control, area that can be opened.
- Patrick: could be curbing; may want to extend sidewalk along that side. Would cut that off. Leave sidewalk on 6a, step onto pavement.
- Most new vehicles/SUVs make curbing easily crossed.
- Walkway entrance to park for accessibility to site via foot.
- Not much access to site by bike due to Rt. 6a and limited length of sidewalks. Causeway across marsh narrow, limits biking/walking east of Museum. To west, not much walking along 6a. Mostly people come by vehicle.
- Organic parking, green space, look is what people in town want.
- Hal: re Bike access, in future, desirable to extend sidewalks past lemon tree, lukes plaza; limit is marsh crossing. Future offset boardwalk? Culvert was made extra wide to allow sidewalk on either side. Town as advocate to MassDOT is only way this will happen.
- Hal: On analysis plan, show the foot path through woods on west side crossing the road and including paths on Historical and BCT meadow property, whale rock, etc.
- Emphasis on connectivity of three parcels.
- Include other buildings on historical society property, whale rock, path.
- Patrick: Vista very big part; should be included in plan. Long term plan should emphasize preservation of vista. Mowing phragmites at marsh can be done. Tara Nye at Horsley Witten semi annual mowing projects could be example. Native grasses instead of tall phragmites.
- Chris: Look at vista from various locations due to elevation; phragmites mostly impacts vista near north end north of band stand. Look at vista heights; lot of wind at site, and we may want a varied elevation; not just grasses. Look at from Rt. 6a,



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- path above bandstand, bandstand, path at north. Most appropriate views from each point.
- Hal: Other vistas at site; windmill, view of Cape Cod Bay; should identify them in plan and how to maintain.
 - Only unobstructed view of ocean in Brewster from 6a.
 - John: include control of invasives in planning. Not just at north, also invasives in woods.
 - Photos in 1995 master plan shows only one or two trees in vista versus now; document to show what we are trying "to bring back".
 - Stephen: Appreciate concept A parking plan.
 - Mike: sounds like we are not going to formalize parking south of circle. Primary parking around oval, different configuration. Open some spaces for bigger events, but not formalized.
 - John: need to look at where tents have been set up and where parking has occurred; Master plan should include recommendations on where parking and tents should be conducted. Set some guidelines on how to set up and vary.
 - Sally: we designate area for parking and market stalls (much on our property). Visitors to market designated parking along fence by BCT.
 - Castleberry does tents in wet area to south and park on lawn area up to gazebo. By the Bay sets up tents on lawn area. Wet area often set off by caution tape.
 - There is not a formal process from town telling them where they can set up and park. Town should be telling vendors where to set up and park.
 - Hal: Brewster Conservation Day mid July may attract up to 1000 people on a Saturday; parking on open lawn and south of circle, tents surround circle and in center of circle.
 - Chris: suggest we limit any driving to south of new paved path, not allow up to bandstand.
 - Mike: Plan can designate five or six "zones" on property to direct what can be done in each area.
 - Parking along circle is parallel; can block access to informal parking to south.
 - Could be adding gates to keep those areas available.



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- Discussion on how to direct/limit where people park for different events. Parking/activity areas a/b/c/d etc. Rotate areas and more formality to maintain condition of park etc.
- Discussion on where to place tents/activities. May be push back from long term vendors.
- Some smaller events may occur more to north (weddings, etc.) but they do not generate real vehicle traffic.
- Discussion on how park is used in various events.
- Discussion on potential changes to parking along entry road and circle.
- Discussion on additional formalized parking and drainage south of circle. If wet area addressed, vendors may be very happy to use that area near street.
- Even without formal parking layout we should address drainage, rain gardens.
- Review of vistas, opportunities to increase views of marsh and ocean. Vegetation management plan along 6a. Not remove trees but keep eye on vista, maintain. Look at island and sight lines at entrance.
- Review where drainage enters site from Rt. 6a, address in master plan.
- If drainage/rain gardens are established, the area to south of circle may be used more.
- Look at Rt. 6a vista and plan for vegetation management/pruning as needed to maintain vista.
 - Expansion of playground, do we extend to east across walkway and move walkway? Will not impact view and will make playground more visible. Pergola for shade and visual element?
 - John: Do we need to expand beyond current size? Spoke about pulling it closer to structure, away from poor soils/wetland. Need help from Recreation on need and how large/user groups. Open space/master plan discuss needs? Was located behind building to block view from Rt. 6a



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- Have Nancy White evaluation. Existing will be outdated by time of implementation.
- Can walkway go through playground or is separation needed?
- Patrick: downside to this playground seems to be soils/wet.
- Not many other locations in town for a playground with these features.
- Place playground on a mound/elevate and keep in same location? Hard to relocate to another site.
- Could move it slightly off wetland buffer/filled area, move south.
- Mike: If structure opened up, shade structure only, will remove some concerns that it is blocked by building. Could include fencing around playground? Could be split rail, etc. in character with site. Current design usually has some form of control over area. Playground improvements in plan?
- Why complicate with fence? Lived on site this long without one.
- Dave Young: playground was never "approved"? per original; was it ever approved? Same for bandstand.
- Sally: was much discussed at at least one town meeting (acceptance of gift). Include as a design element in the new plan and town meeting will accept it now.
- Any change in use, change in vista, structures on site need town meeting approval. Any of those items would require funding and likely would go to town meeting anyways.
- Mike: Design for playground, sounds like moving away from wetland, same general area. Fencing? Visual border, plantings.
- Playgrounds in town: one at each school, but not accessible except evening/weekends. Only other is this one. Discussion about adding one at Freemans Way fields. Should ask recreation commission about needs, size, etc.
- Mike: eastern side of park, pull back vegetation to stone wall/property line? Improves vistas, expands size of park.



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- Andrea: Could include alcoves, seating, exercise stations, storage for band equipment, game tables, but not in vista. Keep shade trees.
- Understory clearing, shade trees remain.
- At north end within wetlands jurisdiction and pretty well vegetated now.
- Andrea: Also consider wind, affect on park.
- Chris: Would need to maintain some vegetation to hide structures from vista at Rt. 6a.
- Patrick: East side could be more like the meadow at BCT; mow once per year, not just lawn. Adds depth, but not weekly mowing schedule.
- Mike: add pollinator seed mix, etc.
- Habitat, most missing part is flowering plants.
- Entrance to woodland trail: Instead of just a sign, open up a bit, shade garden, add perennials and help define opening better.
- Cherylanne: Bandstand plantings, incorporate to storage so band doesn't need to store equipment in building but nearer use.
- Chris: Brewster Band and Brewster Garden Club both use site; should get feedback. Garden club does plantings at entrance and around bandstand.
- John: pathway at southeast end, would this add to site pathways?
- Chris: Could incorporate existing "driveway" on conservation land into a new path leading towards boardwalk. Expands available area of park. On aerial view it is visible.
- Parking for island possible on that parcel? Conservation restriction may not allow a parking lot on that parcel. How to access, put in road across park? New curb cut would be complicated.
- Cherylanne: Any collaboration with Museum to allow parking for Wing Island access?



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- Bob: Issue for over 20 years; lots are private, has been a difficult issue already for Museum. Busy museum days lots on both side are full with museum goers. Constantly "chasing away" people who want to go to the island; have been sending them to Drummer Boy.
- Cherylanne: Utilities and condition?
- Chris: Power line to several locations, also water service to several locations, building, island, bandstand. No idea of condition/age. Need to evaluate needs for this and whether it is sufficient.
- Craft fairs generally don't use power; some events use limited power at circle, band may use it for lighting, amplification? Power line in open field area at east, then underground to existing building, circle and bandstand. Similar for water service.
- Next agenda: Very similar topics on next agenda.
- Chair, vice chair, clerk nominations/vote
- No public comment during meeting.
- Next meeting February 3rd, 1 pm.
- Agenda sent by Mike Dodson sets deadlines, topics.
- Chris to reach out to garden club, recreation, band.
- Other Business not anticipated by Chair within last 48 hours: None.
- Motion to Adjourn by Jamie Veara, seconded by John Kissida. Roll call vote was unanimous in favor. Meeting adjourned at 2:59 pm.

<http://video.brewster-ma.gov/CablecastPublicSite/show/5124?channel=1>

Date Approved: April 7, 2021

Archived: Friday, March 31, 2023 3:39:28 PM
From: [Charles Sumner](#)
Mail received time: Sat, 18 Mar 2023 14:15:42
Sent: Sat, 18 Mar 2023 10:15:36
To: [Peter Lombardi](#)
Subject: Re: New DBP committee
Importance: Normal
Sensitivity: None

Cant remember if I shared this message from Jillian.

On Mar 14, 2023, at 10:32 AM, jill douglas <[REDACTED]> wrote:

Hi, Gang - Sorry - I didn't know there was a meeting. It is typically suggested that a Committee consist of an odd number of voting members to ensure there are no tie votes, so I go back to 7 members. I do NOT support 2 members from the Town, as all members are being screened, selected and appointed by the Select Board. One "Administration" member should be sufficient because the Administration and Staff input is already heavily weighted in all Town processes, and we know that staff will be the ultimate "boots on the ground" for most daily management and maintenance activity on the site. I would suggest who ever is chair should have open communication with Town staff members when/is issues of concern arise. (i.e. Report maintenance issues as they are identified...) This could be a "Friends of..." role as well. Believe it or not, "Accessibility" is already required via the ADA and AAB regulations for any new public investment in new features or construction within a public park. One of the roles of the All Citizens Access Committee is to be reviewing Town facilities for inclusion and access, regularly. A new Park Committee could work more closely with the ACAC to review and comment on proposed changes/features. I remind folks that one of the primary public purposes of the Town's acquisition of Tony McGowan's Drummer Boy Museum was to retain a very important historical view from the OK Highway. **I still feel a member of the OKH-HDC should be participating in the Park's planning processes**, to ensure that structures do not encroach upon the "unobstructed view" of CC Bay from the mainland. This alone is a major attraction of this site. I also want to stress that the action by the BOS last night to enter into an Intermunicipal Agreement(IMA) with Orleans & Dennis with respect to "coastal and shoreline management" is a big deal. I suspect that there will be a **Steering Committee for the undertaking of this new 2-year study**, probably with **Chris Miller as the Town's liaison**, and it will be very important for anyone interested in the marsh and the island to be paying very close attention to the development and progress of the study, and that committee's activities. So that's my opinion...

From: Brenda Locke <[REDACTED]>
Sent: Tuesday, March 14, 2023 8:55 AM
To: Debra Ann Johnson <[REDACTED]>; Mary Oneil <[REDACTED]>; Charles Sumner <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Re: New DBP committee

I second that opinion!

From: Debra Ann Johnson <[REDACTED]>
Sent: Monday, March 13, 2023 8:22 PM
To: Mary Oneil <[REDACTED]>; Charles Sumner <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
<[REDACTED]>
Subject: Re: New DBP committee

I think having someone from the Council on Aging is a waste.

From: Mary Oneil <[REDACTED]>
Sent: Monday, March 13, 2023 6:20 PM
To: Charles Sumner <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Re: New DBP committee

Hello again,
The Steering Committee of the FOWI had a touch-base meeting over the week-end and one thing we discussed was the appointment of a new planning committee on DBP. Considering

the multiple stakeholders, we narrowed our thoughts to 8 people that I am forwarding, as suggestions, for your consideration.

Make-up of committee (8 people)

2 from the Town (recreation dept. and natural resources dept.)

1 from FOWI

1 from Museum

1 from BCT

1 from Council on Aging/Accessibility

1 from young family community

1 from Historical Society

As you might assume, we also talked about the need for the committee to seek more community input as well as to conduct a study to determine the carrying capacity of DBP itself and to consult with the CCSC planning committee as needed to ensure compatibility.

Hope this is helpful.

Mary

From: Charles Sumner <[REDACTED]>

Sent: Saturday, March 11, 2023 6:46 AM

To: Mary Oneil <[REDACTED]>

Cc: j[REDACTED]; Bill Henchy <[REDACTED]>

Subject: Re: New DBP committee

Good morning Mary

Thank you for the good idea and kind words. I recently spoke to Peter Lombardi and we tentatively agreed to have a discussion on the SB agenda for April 3, 2023. I will certainly mention this and other thoughts your team has on this matter.

Best wishes

Charlie

Sent from my iPhone

On Mar 10, 2023, at 11:28 AM, Mary Oneil <[REDACTED]> wrote:

Dear Charlie,

I was just talking with a colleague from the Audubon and she reminded me of the importance of getting a younger, family representative on the new DBP committee. You probably have thought of this already, so please excuse this reminder.

Thank you for a great job of moderating the meeting on Monday. You always provide a strong sense of competence and fairness, which in this case, led to an amazing result!

Sincerely,

Mary O'Neil

Proposed Vision Planning Committee Charge

3.30.23

This charge is an update to the current Vision Planning Committee charge adopted by the Select Board on August 19, 2019, with a focus on finalizing a draft Local Comprehensive Plan for Town Meeting consideration.

PURPOSE: The Vision Planning Committee (VPC) will prepare a draft Local Comprehensive Plan (LCP) to recommend to Town Meeting for adoption. To this end, the VPC will conduct public outreach, education, and communication about the LCP and the process for its preparation and adoption. The VPC is an ad hoc committee, advisory to the Select Board.

APPROACH: The Goals established under the 2018 Brewster Vision Plan will serve as the basic framework for the LCP. The VPC will also develop the LCP in consideration of: input from the community and Town officials; work on the LCP to date; generally accepted comprehensive planning best practices, principles and policies; and relevant guidance under State and County laws and regulations relating to comprehensive land use plans.

Upon completion of the draft LCP, the VPC will recommend it to the Brewster Select Board and Brewster Planning Board who will hold a public hearing and consider endorsement, subject to any amendments by the Boards, prior to the LCP being submitted to Town Meeting for a vote on its adoption. After Town Meeting adoption, the Select Board may elect to submit the LCP to the Cape Cod Commission for a certification of its consistency with the Barnstable County Regional Policy Plan, or to file the LCP with the Massachusetts Department of Housing and Community Development (DHCD), or both.

MEMBERSHIP: The VPC will consist of seven (7) members to be appointed by the Select Board and will include: one (1) former Vision Advisory Group member; two (2) current Planning Board members; and four (4) members from the community at-large. Appointments, or reappointments, will be for one (1) year terms beginning July 1, provided that incumbents appointed to terms longer than one year shall continue to serve for the terms appointed. The Select Board will make appointments to fill vacancies as soon as is practicable. The Select Board will annually appoint a liaison to the VPC. The VPC will be supported by Planning Department staff. Other Town Staff may be made available to the VPC by the Town Manager as necessary or desirable. The VPC will continue to be empaneled until discharged either upon the vote of the Select Board or upon adoption of the LCP.

Brewster Vision Planning Committee Charge

PURPOSE: The Vision Planning Committee (VPC) will continue to foster public outreach and communication around the implementation of the 2018 Vision Plan and work with Town staff and the community to develop a Local Comprehensive Plan (LCP) based on the Vision Plan Goals.

APPROACH: The Vision Plan Goals will serve as the VPC's framework for development of the LCP for review and certification under the Cape Cod Commission's Regional Policy Plan. The Vision Planning Committee (VPC) will hold quarterly forums and other communication activities to engage and educate the public on the Vision Plan, the implementation progress of Actions identified in the Vision Plan, and the LCP development process. The VPC will also present quarterly progress updates to the Select Board on Vision Plan implementation and LCP development. The VPC will prepare a draft LCP to submit to the Commission 12 months after convening. Following Commission review and acceptance, the LCP will be presented to Town Meeting for adoption within 18 months of the VPC convening.

MEMBERSHIP: The VPC will be comprised of seven (9) members appointed by the Select Board and will include two (2) Vision Advisory Group members and two (2) Planning Board members. Three (5) at large resident members will be appointed based on their knowledge of planning processes, the 8-building blocks of the Vision Plan, and the ability to objectively shepherd the LCP process. Initial appointments will be staggered, and consist of 3 three year term members, 3 two year term members, and 3 one year term members. Thereafter, the appointment terms will all be 3 years. The Select Board will appoint a liaison to the VPC as well. The VPC will be staffed by the Town Planner and consultant services, as authorized. Other Town Staff may be made available to the VPC by the Town Administrator.



Town of Brewster
2198 Main Street
Brewster, MA 02631
Phone: (508) 896-3701
Website: www.brewster-ma.gov
Email: townmanager@brewster-ma.gov

Office of:
Select Board
Town Manager

SELECT BOARD POLICY FOR BREWSTER COMMUNITY POOL (RESIDENT ONLY)

Policy no. 65
Date adopted: 4/03/23

A. PURPOSE:

The Town of Brewster purchased the former Cape Cod Sea Camps Bay parcel in November 2021 and the Community Pool opened to Brewster residents in the summer of 2023. This is the Town's first resident only pool and requires regulations that are specific to this property and the pool facilities. The Select Board has policy making authority over this Town location. The pool area includes the pool, parking lot(s), pavilion, bathrooms, and changing area.

B. RULES AND REGULATIONS:

1. Resident vehicle beach permits are required for access to resident parking at the pool. Vehicles will enter through the main entrance off Route 6A and stop at the gate house to verify they have a valid resident parking permit. Visitors are allowed to enter the property on foot or by bicycle and should check in at the gate house. Town staff may restrict foot and/or bicycle entry as needed.
2. Parking is allowed in designated spaces only with a valid resident beach parking permit. Vehicles must use the designated entrance and exit ways to enter and exit the pool. Parking is only permitted in marked spaces next to the basketball court or in front of the administrative building. Parking is prohibited from blocking entrances to pool, walkways to pool, and emergency access, including on or adjacent to the access roads. The pool and parking area will be open from 7am to 6pm.
3. Residents must show their pool pass to the pool attendant in order to enter the pool area. The pool attendant will check pool passes and will count the number of people that are admitted. When pool capacity has been reached, a sign will be posted at the gate house.

4. Visitors that are using the pool can also use the adjacent basketball court.
5. There are multiple bathroom facilities on site. A changing area with multiple changing stations is also located on site.
6. Per Board of Health Regulation, smoking is prohibited on all public bathing beaches, Town owned parks, playgrounds, pool, playing fields and walking trails.
7. Pets are not allowed at the Community pool except for service animals.
8. No food will be allowed into the pool area, only outside the fenced area and in the pavilion.
9. The possession and/or consumption of alcoholic beverages is prohibited on Town property.
10. Littering is prohibited. All refuse and recycling must be placed in a trash or recycling container. Please separate your refuse recycling into the provided appropriate containers. Glass containers are not allowed in the pool area. Household trash may not be disposed of in pool trash or recycling containers.
11. No person shall disturb the peace and tranquility of others. No lewd, obscene, profane, or indecent acts or language or excessive noise are permitted on Town property. No persons will be allowed to play amplified music on devices such as tablets, phones or portable speakers.
12. The damaging, defacing, or removing of any building, structure, or sign on Town property is not allowed. Violators will be prosecuted.
13. Selling, advertising, or giving away of goods or services on Town property is not allowed, except with written permission from the Select Board.
14. Tents, travel trailers, campers or other recreational vehicles are not allowed overnight on Town property. Vehicles over 22 ft are not permitted. Vehicles must fit within the painted lines.
15. Access to Town owned pool parking areas may be restricted at the discretion of the appropriate Town staff at any time.
16. The Recreation Commission has adopted Community Pool rules and regulations that will be posted on site and may be amended periodically.

Approved by the Brewster Select Board on:

Dave Whitney, Chair

Ned Chatelain, Vice Chair

Kari Hoffmann, Clerk

Mary Chaffee

Cynthia Bingham

BREWSTER COMMUNITY POOL REGULATIONS

POOL INFORMATION & SAFETY RULES

- **POOL HOURS:** 7am to 6pm daily except Wednesday noon to 6pm.
- **CAPACITY:** No more than 100 people are permitted in pool area at one time including the pavilion.
- **LIFEGUARD SUPERVISION:** Swim only when lifeguards are on duty.
- **CHILDREN:** Under age 12 must be accompanied in pool area by an adult 18 or older.
- **SHOWERS:** Swimmers must take a cleansing shower before entering the pool.
- **WEATHER:** Pool staff have the authority to clear the pool & pool area during hazardous weather.
- **HEALTH:** Do not swim if you are sick, have an infection, are wearing a bandage, or have an open cut or sore.
- **SWIM TESTS:** Children will take a swim test to determine if they are a non-swimmer, beginner, or swimmer. Non-swimmers must be accompanied by an adult in the pool who is within arm's reach. Beginners must stay in an area where they can stand with their face above the surface.
- **FLOTATION DEVICES:** Floats and inflatables are not allowed in the pool. Only US Coast Guard approved Personal Flotation Devices (USCG-PFD) are permitted in the pool. Parents are required to be in the water within arm's reach of children using USCG approved devices. Any patron wearing such a device is only permitted in the shallow area of the pool. Adult swimmers may use water-walking belts. The Town will supply kick boards and pool noodles on a limited basis.
- **ATTIRE:** Appropriate swim wear is required.
- **NON-TOILET TRAINED CHILDREN:** Must wear a swim diaper & a swimsuit.
- **RESPECT OTHERS:** Please do not disrupt other pool users including lap swimmers, swim lessons, and classes.
- **MANNERS:** No person shall disturb the peace and tranquility of others. No lewd, obscene, profane, or indecent acts or language or excessive noise are permitted on Town property. Improper conduct causing undue disturbances in or about the pool area or any acts which would endanger any patron are grounds for expulsion.
- **TRASH/RECYCLING:** Dispose of trash and recycling properly.
- **BEVERAGE BOTTLES:** Reusable beverage bottles may be used on the pool deck. No glass allowed.
- **INJURIES:** Report injuries immediately to lifeguard or pool staff.

NOT ALLOWED IN POOL AREA

- Floats (exceptions noted above)
- Toys such as balls or beach toys
- Diving from pool deck
- Glass, chewing gum, alcohol, smoking or food; please enjoy food in the pavilion
- Changing of diapers within 8 feet of the pool
- No personal chairs or umbrellas
- Chairs, strollers, etc. within 4 feet of the pool
- Animals, except for service animals
- Running, boisterous/rough play, pushing, acrobatics, dunking, wrestling, intentional splashing, spitting, jumping haphazardly, towel snapping, or similar behavior
- Amplified music

IN EVENT OF EMERGENCY: Call 911

Contact the Brewster Recreation Department with questions about the pool:
(508) 896-9430 or recreation@brewster-ma.gov

- **LIABILITY:** The Town of Brewster, its staff, officers, officials, employees, and volunteers are not responsible for personal injury to people using this facility. Users do so at their own risk and are solely responsible for injuries and/or damage caused by their actions, or to their person by other users.
- **RULES ENFORCEMENT:** Town staff have authority to enforce all pool rules and to administer additional safety rules to protect pool users. Patrons who repeatedly violate rules may be denied use of the pool complex.
- **COMMERCIAL ACTIVITIES/SOLICITATION:** Requires Town Manager's prior permission.

Per Order of Brewster Recreation Commission

BREWSTER COMMUNITY POOL SUMMER 2023 SCHEDULE
June 26, 2023 - August 15, 2023

TIME	MONDAYS	TUESDAYS	WEDNESDAYS	THURSDAYS	FRIDAYS	SATURDAYS	SUNDAYS
7am - 8am	Lap Swim 6 lanes	Lap Swim 6 lanes	POOL CLOSED for Maintenance	Lap Swim 6 lanes	Lap Swim 6 lanes	Lap Swim 6 lanes	Lap Swim 6 lanes
8am - 9am	Lap Swim 6 lanes	Lap Swim 6 lanes	POOL CLOSED for Maintenance	Lap Swim 6 lanes	Lap Swim 6 lanes	Lap Swim 6 lanes	Lap Swim 6 lanes
9am -10am	VNA Aquatics and Senior Swim	NYA	POOL CLOSED for Maintenance	VNA Aquatics and Senior Swim	VNA Aquatics and Senior Swim	Open Swim	Open Swim
10am-11am	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	POOL CLOSED for Maintenance	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Open Swim	Open Swim
	11am-12pm	Swim Lessons & Lap Swim (2 lanes)		Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)		
12pm-1pm	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim
1pm-2pm	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim
2pm-3pm	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim
3pm-4pm	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim
4pm-5pm	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)
	5pm-6pm	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)	Swim Lessons & Lap Swim (2 lanes)

The Community Pool Schedule is managed by the Brewster Recreation Department. There is a fee for lessons and programs, please inquire through the Brewster Recreation Department. Residents must have a pool pass for use of the pool, passes may be purchased through www.brewster-ma.gov. Please review all Rules and Regulations.



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, Manager
RE: Schools Operating Override Ballot Questions
DATE: March 31, 2023

The Town originally anticipated being able to accommodate 3% FY24 operating budget increases for the Brewster Elementary School and Nauset Regional School District according to our FY24-28 Financial Forecast in December 2022 and after initial development of the Town's FY24 operating budget. Recent increases in estimated state aid following the release of Governor Healey's budget proposal (so-called House 1) created additional levy capacity so we can now accommodate 4% increases in those school budgets.

The Brewster School Committee approved a FY24 operating increase of 5.54% for the Brewster Elementary Schools. Based on the Town's FY24 levy capacity, approval of supplemental funding in the form of a Proposition 2½ operating override via Article 3 of the Annual Town Meeting warrant and at the local ballot on May 16, 2023 is required to fully fund the \$316,878 balance of the FY24 Elementary School budget to match the amounts voted by the Brewster School Committee.

The proposed language for this ballot question is as follows:

Shall the Town of Brewster be allowed to assess an additional \$316,878 in real estate and personal property taxes for the purposes of funding the Town's Elementary School budget for the fiscal year beginning July 1st, 2023?

The Nauset Regional School Committee approved a FY24 operating increase of 7.69% for the Nauset Regional School District. Based on the Town's FY24 levy capacity, approval of supplemental funding in the form of a Proposition 2½ operating override via Article 5 of the Annual Town Meeting warrant and at the local ballot on May 16, 2023 is required to fully fund the \$647,720 balance of the FY24 Nauset Region assessment to match the amounts voted by the Nauset Regional School Committee.

The proposed language for this ballot question is as follows:

Shall the Town of Brewster be allowed to assess an additional \$647,720 in real estate and personal property taxes for the purposes of funding the Town's Nauset Regional School District assessment for the fiscal year beginning July 1st, 2023?

If both Town Meeting articles and ballot questions are approved by simple majority votes of Brewster voters, the Town's tax levy will be permanently increased by a total of \$964,598 for FY24 and beyond.

Archived: Friday, March 31, 2023 3:44:16 PM

From: [Mimi Bernardo](#)

Sent: Tuesday, March 28, 2023 8:55:21 AM

To: [Donna Kalinick](#) [Peter Lombardi](#)

Subject: Tax Impact from Override

Importance: Normal

Sensitivity: None

Hi

Here is the calc of the permanent increase of the overrides based on the FY23 total valuation.

				Tax Rate	Impact	Impact
Total Valuation FY23				Impact	<u>\$100,000 home</u>	<u>\$636,700 home</u>
5,807,261,160.00		161,679	Stony Override	0.03	2.78	17.73
					-	-
		155,199	Eddy Override	0.03	2.67	17.02
		647,720	NRSD Override	0.11	11.15	71.02
					-	-
		964,598	Total Override	0.17	16.61	105.76

Mimi Bernardo
Finance Director
Town of Brewster
508-896-3701 X1138

Beginning March 21, Brewster Town Offices will be open to the public Monday through Thursday from 8:30 to 4:00pm, and by appointment on Fridays. For the latest updates on Town services, please visit www.brewster-ma.gov.

Town of Brewster



SPECIAL & ANNUAL TOWN MEETING

WARRANT

for

May 1, 2023

at

6:00 PM

**STONY BROOK ELEMENTARY SCHOOL
384 UNDERPASS ROAD**

Please bring this copy of the warrant to Town Meeting
Large print copies of the warrant are available at the Brewster Town Offices

**TOWN OF BREWSTER
SPECIAL & ANNUAL TOWN MEETING WARRANT
May 1, 2023**

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G	2023 ANNUAL TOWN MEETING WARRANT ARTICLES		
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2	Elementary Schools Operating Budget	Brewster Elementary School Committee	
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13	Town Bylaw Amendment: Creation of Community Garden & Wetlands Protection Revolving Funds	Select Board	
14	Fire Union Collective Bargaining Agreement	Select Board	

15	Police Patrol Officer Collective Bargaining Agreement	Select Board	
16	Police Superior Officer Collective Bargaining Agreement	Select Board	
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18	Ladies Library Collective Bargaining Agreement	Select Board	
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24	New Town Bylaw: Prohibition on Sale of Miniature Single Use Containers	Select Board	
25	Citizens Petition: Prohibition on Plastic Food Containers and Utensils	Citizens Petition	
26	Citizens Petition: New Town Bylaw – Town Meeting Approval of Projects Exceeding \$100,000	Citizens Petition	
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J	TOWN MODERATOR’S RULES		
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TOWN OF BREWSTER ANNUAL TOWN MEETING MAY 1, 2023

Barnstable, ss

To: Roland W. Bassett, Jr. Constable of the Town of Brewster

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and inform the Town of Brewster inhabitants qualified to vote in Town affairs to meet at the Stony Brook Elementary School, 384 Underpass Road, on **Monday, May 1, 2023**, next, at 6:00 p.m. o'clock in the evening, then and there to act upon the following articles:

CAPE COD REGIONAL TECHNICAL HIGH SCHOOL OPERATING BUDGET

ARTICLE NO. 1: To see what sums the Town will vote to raise and appropriate and/or transfer from available funds to defray Cape Cod Regional Technical High School charges and expenses for the Fiscal Year ending June 30, 2024, as follows:

<u>DEPARTMENT</u>	<u>EXPENDED FY2022</u>	<u>APPROPRIATED FY2023</u>	<u>REQUESTED FY2024</u>
CAPE COD TECH ASSESSMENT	804,633	1,115,633	992,867
DEBT ASSESSMENT	409,710	549,461	471,498
TOTAL ASSESSMENT	1,214,343	1,665,094	1,464,365

or to take any other action relative thereto.

(Cape Cod Technical School Committee)

(Majority Vote Required)

COMMENT

This article will provide funding for the Fiscal Year 2024 operating budget for the Cape Cod Regional Technical High School District. This district consists of the Towns of Barnstable, Brewster, Chatham, Dennis, Eastham, Harwich, Mashpee, Orleans, Provincetown, Truro, Wellfleet and Yarmouth. The overall district-wide budget has increased by 3.86% over Fiscal Year 2023. Due to increases in projected revenues, the total Fiscal Year 2024 assessment has decreased by \$217,785 or -1.71% over Fiscal Year 2023. Brewster's actual share of the assessment has decreased by a sum of \$122,766, or -11.00%, over Fiscal Year 2023, partially due to decreases in Brewster student enrollment. District-wide enrollment has increased from 656 students to 664 students, while Brewster's enrollment has decreased from 59 to 53 students for this same period.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

ELEMENTARY SCHOOLS OPERATING BUDGET

ARTICLE NO. 2: To see what sums the Town will vote to raise and appropriate and/or transfer from available funds to defray the Elementary Schools’ charges and expenses, for the Fiscal Year ending June 30, 2024, as follows:

<u>DEPARTMENT</u>	<u>EXPENDED FY2022</u>	<u>APPROPRIATED FY2023</u>	<u>REQUESTED FY2024</u>
ELEMENTARY SCHOOL BUDGET	7,944,131	8,148,973	8,474,932
SCHOOL FRINGE BENEFITS	1,928,092	2,342,589	2,280,746
TOTAL ELEMENTARY SCHOOL BUDGET (ARTICLE 2)	9,872,223	10,491,562	10,755,678
ELEMENTARY SCHOOL BUDGET OVERRIDE (ARTICLE 3)	-	-	316,878
TOTAL ELEMENTARY SCHOOL BUDGET (ARTICLES 2 + 3)	9,872,223	10,491,562	11,072,556

or to take any other action relative thereto.

(Elementary School Committee)

(Majority Vote Required)

COMMENT

This article provides partial funding for the Fiscal Year 2024 operational budget for the Stony Brook and Eddy Elementary Schools. The Fiscal Year 2024 budget request for the Elementary Schools, as approved by the Brewster School Committee, is \$8,791,810, a \$642,837 or 7.89% increase over Fiscal Year 2023 operating expenses. The Town’s total elementary school assessment is increasing by 5.54% when the schools’ proportionate shares of fringe benefits expenses is applied. This article will fund the portion of the Elementary Schools’ Fiscal Year 2024 budget that can be raised and appropriated within the Town’s current levy limit, a 4.00% increase in their operating budget. Approval of supplemental funding in Article 3 and at the local ballot on May 16, 2023 is required to fully fund the \$316,878 balance of the FY24 Elementary School budget to match the amounts voted by the Brewster School Committee.

Select Board: Yes 4, No 1, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

ELEMENTARY SCHOOLS OPERATING OVERRIDE

ARTICLE NO. 3: To see if the Town will vote to raise and appropriate the sum of \$316,878 to defray the Elementary Schools’ charges and expenses, for the Fiscal Year ending June 30, 2024, provided however that such appropriation shall be expressly contingent upon approval by the Town at a Regular or Special Election to authorize such sums to be raised outside the limits of General Laws Chapter 59 Section 21C, paragraphs (g) and (m) (Proposition 2½ so called), or to take any other action relative thereto.

(Elementary School Committee)

(Majority Vote Required)

COMMENT

This article will provide the balance of funding needed for the Fiscal Year 2024 operational budget for the Stony Brook and Eddy Elementary Schools. This appropriation is subject to approval of a Proposition 2 ½ override question on the May 16, 2023 local election ballot.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

NAUSET REGIONAL SCHOOLS OPERATING BUDGET

ARTICLE NO. 4: To see what sums the Town will vote to raise and appropriate and/or transfer from available funds to defray the Nauset Regional School District charges and expenses for the Fiscal Year ending June 30, 2024, as follows:

<u>DEPARTMENT</u>	<u>EXPENDED FY2022</u>	<u>APPROPRIATED FY2023</u>	<u>REQUESTED FY2024</u>
NAUSET ASSESSMENT	11,743,855	12,222,619	12,711,524
NAUSET DEBT ASSESSMENT	175,644	139,228	2,194,957
TOTAL NAUSET ASSESSMENT (ARTICLE 4)	11,919,499	12,361,847	14,906,481
NAUSET OVERRIDE (ARTICLE 5)	-	-	647,720
TOTAL NAUSET ASSESSMENT (ARTICLES 4 + 5)	11,919,499	12,361,847	15,554,201

or to take any other action relative thereto.

(Nauset Regional School Committee)

(Majority Vote Required)

COMMENT

This article provides partial funding for the Fiscal Year 2024 operational budget for the Nauset Regional School District. The overall operating budget for the Nauset Regional Schools, as approved by the Nauset Regional School Committee, is \$27,763,994, a \$1,981,905 or 7.69% increase over Fiscal Year 2023 operating expenses. Brewster’s share of the Nauset Schools operational budget is \$13,359,244. Brewster’s proportionate share of total student enrollment has increased from 47.4% in Fiscal Year 2023 to 48.1% in Fiscal Year 2024. This article will fund the portion of the Nauset Region Fiscal Year 2024 assessment that can be raised and appropriated within the Town’s current levy limit, a 4.00% increase in their operating budget. Approval of supplemental funding in Article 5 and at the local ballot on May 16, 2023 is required to fully fund the \$647,720 balance of the FY24 Nauset Region assessment to match the amounts voted by the Nauset Regional School Committee.

Select Board: Yes 1, No 4, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

NAUSET REGIONAL SCHOOLS OPERATING OVERRIDE

ARTICLE NO. 5: To see if the Town will vote to raise and appropriate the sum of \$647,720 to defray the Nauset Regional School District charges and expenses, for the Fiscal Year ending June 30, 2024, provided however that such appropriation shall be expressly contingent upon approval by the Town at a Regular or Special Election to authorize such sums to be raised outside the limits of General Laws Chapter 59 Section 21C, paragraphs (g) and (m) (Proposition 2½ so called), or to take any other action relative thereto.

(Nauset Regional School Committee) (Majority Vote Required)

COMMENT

This article will provide the balance of funding needed to fully approve the Fiscal Year 2024 operational budget for the Nauset Regional School District. This appropriation is subject to approval of a Proposition 2 ½ override question on the May 16, 2023 local election ballot.

Select Board: Yes 0, No 0, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

TOWN OPERATING BUDGET

ARTICLE NO. 6: To see what sums the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, for the purposes of supporting the offices, departments, boards, and commissions of the Town of Brewster for Fiscal Year 2024, including authorization for lease purchases of up to five years, as follows:

	EXPENDED	APPROPRIATED	REQUESTED
<u>DEPARTMENT</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
<u>GENERAL GOVERNMENT</u>			
Finance Committee	4,443	105,500	105,500
Assessors	131,261	151,782	161,716
Accounting	228,491	258,343	258,426
Treasurer/ Collector	283,123	350,727	367,127
Information Technology	332,312	410,962	438,384
Legal	143,032	168,653	172,026
Moderator	300	300	300
Planning	146,419	206,412	218,325
Select Board / Town Administration	504,271	592,355	613,872
Human Resources	126,348	165,949	175,766
Town Clerk	195,237	249,324	254,921
Public Buildings	169,059	273,639	295,125
<u>SUBTOTAL GENERAL GOVERNMENT</u>	2,264,296	2,933,946	3,061,488
	EXPENDED	APPROPRIATED	REQUESTED
<u>DEPARTMENT</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
<u>PUBLIC SAFETY</u>			
Building Department	410,856	416,157	431,967
Fire Department	3,101,671	3,123,820	3,273,347
Emergency Management	0	0	2,500
Natural Resources	422,012	483,715	515,732
Police Department	2,883,773	2,996,585	3,101,642
Sealer of Weights & Measures	9,455	9,692	9,934
<u>SUBTOTAL PUBLIC SAFETY</u>	6,827,767	7,029,969	7,335,122

	EXPENDED	APPROPRIATED	REQUESTED
<u>DEPARTMENT</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
<u>PUBLIC WORKS</u>			
Public Works	2,010,734	2,185,153	2,280,016
Snow & Ice Removal	202,119	169,179	173,410
Streetlights	3,461	5,515	5,515
<u>SUBTOTAL PUBLIC WORKS</u>	2,216,314	2,359,847	2,458,941
<u>HUMAN SERVICES</u>			
Council on Aging	323,486	385,337	392,572
Board of Health	260,037	284,805	315,248
Veteran's Services	101,556	120,837	101,693
Public Assistance	144,900	136,950	146,070
<u>SUBTOTAL HUMAN SERVICES</u>	829,979	927,929	955,583
<u>CULTURE & RECREATION</u>			
Brewster Ladies Library	679,092	738,034	765,424
Recreation	197,204	232,235	254,337
Parades & Events	0	1,500	1,500
<u>SUBTOTAL CULTURE & RECREATION</u>	876,296	971,769	1,021,261
<u>DEBT SERVICE</u>			
Principal & Interest	2,401,101	3,321,898	2,957,645
<u>SUBTOTAL DEBT SERVICE</u>	2,401,101	3,321,898	2,957,645
<u>INSURANCE, UTILITIES & FRINGE BENEFITS</u>			
General Insurance	441,220	534,482	561,201
Utilities	415,175	505,423	538,784
Fringe Benefits	4,000,285	4,515,109	5,169,307
<u>SUBTOTAL INSURANCE & FRINGE</u>	4,856,680	5,555,014	6,269,292

	EXPENDED	APPROPRIATED	REQUESTED
<u>DEPARTMENT</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>
<u>OTHER OPERATING EXPENSES & ASSESSMENTS</u>			
Assessments	28,040	29,271	31,217
Alewives	3,300	4,350	4,350
Local Service Funding	39,843	40,000	48,000
Transfer to Capital Stabilization	225,000	187,500	250,000
Transfer to General Stabilization	0	0	0
Transfer to Housing Trust	250,000	375,000	500,000
Transfer to OPEB Trust	267,000	267,000	267,000
Transfer to Brewster Elementary Schools SPED Stabilization	0	100,000	0
Transfer to Water Quality Capital Stabilization	0	112,500	150,000
<u>SUBTOTAL OTHER OPERATING EXPENSE & ASSESSMENTS</u>	813,183	1,115,621	1,250,567
<u>GRAND TOTAL OF GENERAL FUND OPERATING BUDGETS</u>	21,085,616	24,215,992	25,309,899

Or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will provide funding for the Fiscal Year 2024 operational budget for the Town boards, committees, and departments. The Town's General Fund operating budget, as presented in this article, exclusive of the transfers identified in Other Operating Expenses and Assessments which are funded from Short-Term Rental revenues, has increased by 4.18%. Please note the following details on several of the budget line items listed above: Public assistance includes funding for Health & Human Service organizations and fuel assistance. Assessments include funding for the Pleasant Bay Alliance, Greenhead Fly, and Historic District. Local Services includes funding for the Chamber of Commerce, Town Band, Cultural Council, Skipping Program, and Millsites.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

WATER DEPARTMENT ENTERPRISE FUND OPERATING BUDGET

ARTICLE NO. 7: To see if the Town will vote, in accordance with G.L. c. 44, §53F1/2, to appropriate from Water Department receipts, transfer from available funds, borrow pursuant to any applicable statute, or otherwise fund the sum of **TWO MILLION EIGHT HUNDRED NINETY SEVEN THOUSAND NINE HUNDRED THIRTY TWO DOLLARS (\$2,897,932)** for Fiscal Year 2024 costs associated with the operation of the Water Department including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations, including authorization for lease purchases of up to five years; all expenditures to be made by the Water Department, subject to the approval of the Town Manager, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

In accordance with Massachusetts General Laws Chapter 44, Section 53F1/2, receipts from Water Department related activities are used to directly offset Water Department related expenditures including capital and infrastructure costs. Voting a spending amount within the Water Department Enterprise Fund allows receipts and related expenditures to be recorded in one fund. The Water Department's operating budget, as presented in this article, has increased by 4.5%. Water Department expenses are fully covered by user fees.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 8, No 0, Abs 0

GOLF DEPARTMENT ENTERPRISE FUND OPERATING BUDGET

ARTICLE NO. 8: To see if the Town will vote, in accordance with G.L. c. 44, §53F1/2, to appropriate from Golf Department receipts, transfer from available funds, borrow pursuant to any applicable statute, or otherwise fund the sum of **FOUR MILLION THREE HUNDRED EIGHTY SIX THOUSAND EIGHT HUNDRED FIFTY FIVE (\$4,386,855)** for Fiscal Year 2024 costs associated with Golf Department related expenses including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations, including authorization for lease purchases of up to five years; all expenditures to be made by the Golf Department, subject to the approval of the Town Manager, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

In accordance with Massachusetts General Laws Chapter 44, Section 53F½, receipts from Golf Department related activities are used to directly offset Golf Department related expenditures, including some capital and infrastructure costs. Voting a spending amount within the Golf Department Enterprise Fund allows receipts and related expenditures to be recorded in one

fund. The Golf Department’s operating budget, as presented in this article, has increased by 8.1%. Golf Department expenses are fully covered by user fees.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

COMMUNITY PRESERVATION ACT FUNDING

ARTICLE NO. 9 : To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds for the administrative and operating expenses of the Community Preservation Committee, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, with each item considered a separate appropriation to be spent by the Community Preservation Committee, all as set forth below:

<u>Estimated revenues</u>	<u>FY24</u>
a. Estimated FY24 tax surcharge	\$1,223,691
b. Estimated FY24 state contribution (25%)	<u>\$ 358,153</u>
c. FY24 Estimated Total:	\$1,581,844
 <u>FY24 Appropriations and Allocations</u>	
a. Historic Preservation Reserve appropriation (10%)	\$158,184
b. Community Housing Reserve appropriation (10%)	\$158,184
c. Open Space/Recreation Reserve appropriation (10%)	\$158,184
d. Budgeted Reserve (65%)	\$1,028,199
e. Administrative Expense (Budgeted Reserve) (5%)	\$79,092
f. Designated Reserves for Open Space	\$31,449
g. Undesignated Fund Balance (Previous Year Carryover)	<u>\$315,520</u>
h. Total	\$1,928,812

	<i>Purpose</i>	<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
1	Historic Preservation			
	a. Designated Reserves for Historic Preservation	Transfer to reserve from estimated annual revenues in accordance with G.L. c.44B, §6	Fiscal Year 2024 CPA estimated annual revenues	\$158,184
	Sub-total			\$158,184
2	Community Housing			
	a. Designated reserves for Housing	Transfer to reserve from estimated annual revenues in accordance with G.L. c.44B, §6	Fiscal Year 2024 CPA estimated annual revenues	\$158,184
	Sub-total			\$158,184

3	Open Space/Recreation			
	a. Community Preservation Bonded Debt Service	Payment of debt principal and interest for the BBJ Property, and Bates Property bonds	\$158,184 from Fiscal Year 2024 CPA estimated annual revenues and \$31,449 from Designated Reserves for Open Space	\$189,633
	Sub-total			\$189,633
4	Budgeted Reserve			
	a. Administration Expense	Administration and operating expenses for Community Preservation Committee	Fiscal Year 2024 CPA estimated annual revenues	\$79,092
	b. Designated for Budgeted Reserve	Transfer to reserve from estimated annual revenues in accordance with G.L. c.44B, §6	Fiscal Year 2024 CPA estimated annual revenues	\$1,028,199
	Sub-total			\$1,107,291
5	Undesignated Fund Balance (Previous Year Carryover)			
	a. Brewster Council on Aging: Accessible Outdoor Furniture for Freemans Fields	Purchase and installation of accessible benches and picnic tables	Undesignated Balance CPA Reserves	\$9,670
	b. Brewster Town Administration: Housing Coordinator	Payroll and operating costs for Part Time Housing Coordinator position to assist public with affordable housing program	Undesignated Balance CPA Reserves	\$70,850
	c. Friends or Relatives with Autism & Related Disabilities (FORWARD): FORWARD at the Rock Phase II	8 units of affordable rental housing in Dennis for developmentally disabled adults	Undesignated Balance CPA Reserves	\$125,000
	d. Housing Assistance Corporation (HAC): 107 Main Street, Orleans Affordable Rental Housing	14 units of affordable rental housing in Orleans	Undesignated Balance CPA Reserves	\$55,000
	e. Preservation of	46 units of affordable	Undesignated	\$55,000

	Affordable Housing Inc. (POAH) and Community Development Partnership (CDP): Juniper Hill in Wellfleet	rental housing in Wellfleet	Balance CPA Reserves	
	Sub-total			\$315,520
	Grand Total			\$1,928,812

For Fiscal Year 2024 Community Preservation purposes, each item is considered a separate appropriation to be spent by the Community Preservation Committee; provided however, that the above expenditures may be conditional on the grant or acceptance of appropriate historic preservation restrictions for historic resources, open space restrictions for open space reserves, and housing restrictions for community housing, running in favor of an entity authorized by the Commonwealth to hold such restrictions for such expenditures, meeting the requirements of G.L. c.184 and G.L. c.44B, Section 12, and to authorize the Board of Selectmen to convey or accept such restrictions;

And further, any revenues received in excess of the estimated receipts are transferred to their respective reserve fund balance(s) for future appropriation using the allocation formula of 10% Open Space/Recreation, 10% Housing, 10% Historical and 70% for Budgeted Reserve for CPA.

Or to take any other action relative thereto.

(Community Preservation Committee)

(Majority Vote Required)

COMMENT

In May of 2005, Brewster voters approved a ballot question which allowed for the adoption of the modified Community Preservation Act (CPA). The act appropriates a 3% surcharge on the town's real estate tax revenues, which are reserved in a special fund in order to finance projects and programs for the purposes of preservation of open space, recreation, community housing, and historic preservation. Brewster is also eligible to receive up to 100% in matching funds from the State, although we anticipate a reduced reimbursement rate from the State for Fiscal Year 2024, which is projected at 25%. In Fall 2022 Brewster adopted, through a local bylaw, a distribution schedule for the annual CPA funds beginning in FY24 as follows: 10% of the funds for open space and recreation, 10% for community housing, 10% for historic preservation, and the 70% undesignated reserve balance is available for any CPA eligible project. The 2022 bylaw also established a non-binding 2023-2027 Target Allocation Policy as follows: 30% for Open Space, 30% for community housing, 10% historic preservation, 10% recreation, and 20% for any CPA eligible project.

1. Historic Preservation:

a. Designated Reserves for Historic Preservation – This item transfers money from FY24 estimated annual revenues to the Historic Preservation reserve for future appropriation to meet the minimum 10% statutory allocation.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

2. Community Housing:

a. Designated Reserves for Community Housing – This item transfers money from FY24 estimated annual revenues to the Community Housing reserve for future appropriation to meet the minimum 10% statutory allocation.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

3. Open Space:

a. Community Preservation Bonded Debt Service – This item pays for the \$189,633 in FY 2024 principal and interest on 3 CPA (BBJ 1 and 2 and Bates) open space acquisitions that were financed via long term bonding.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

4. Reserves for Community Preservation:

a. Administrative Expense – This item will fund the costs associated with general administrative and operating expenses, including but not limited to legal and other professional consulting services, related to carrying out the operations of the Community Preservation Committee. The Community Preservation Act allows up to 5% of expected annual revenues for this purpose.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

b. Designated for Budgeted Reserve – This item transfers money from FY24 estimated annual revenues to the Budgeted Reserve for future appropriation to meet the minimum statutory allocation.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

5. Undesignated Balance/CPA Reserves:

a. Brewster Council on Aging: Accessible Outdoor Furniture for Freemans Fields – This item will fund the cost of 8 weather resistant accessible benches and 2 picnic tables at Freemans Way fields to provide opportunities for exercise, socialization, and intergenerational activities

for residents. The installation will increase accessibility and enhance the improvements for this complex planned by the DPW and Recreation Department.

Total project cost: \$9,670 Funding requested: \$9,670 CPC vote: 8-0-0

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

b. Town of Brewster: Housing Coordinator – This item will fund the part-time Housing Coordinator position. The Community Preservation Committee has supported the Housing Coordinator position since 2017. The hiring of a housing coordinator was identified as a key strategy in the Brewster Housing Production Plan. The Housing Coordinator holds hours for the public weekly, supports multiple town committees, including the Housing Trust and Housing Partnership, and works with regional housing agencies and organizations in town to promote housing choice. The Housing Coordinator is an integral part of the Town housing efforts, outlined in both the Town Vision Plan and the Select Board strategic plan. The Housing Coordinator helps to acquire, create, preserve, and support community housing. The FY24 request is to fund the position at 30 hours per week with the CPC providing funding for the salary and the Town providing funding for all benefits of the position. Our housing program continues to be a partnership of many town entities.

Total Project Cost: \$ 105,000 CPC Request: \$ 70,580 CPC Vote: 9-0-0

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

c. Friends or Relatives with Autism & Related Disabilities (FORWARD): FORWARD at the Rock Phase II – The project is new construction of eight affordable and supportive one-bedroom apartments at 131 Hokum Rock Road in Dennis to be completed in 2024. The housing is for Cape Codders with autism and related disabilities who can live independently. These individuals still need supportive services, health and safety supervision and access to 24 hour emergency response, but do not require a congregate setting with round the clock staffing. All apartments will be built at ground level, and all will be barrier free, fully accessible, and designed to accommodate the sensory needs of residents with developmental disabilities. Supportive services will be provided by the Massachusetts Department of Developmental Disabilities (DDS) which will select and place all residents. Affordability is restricted to incomes less than 30% of Area Median Income and all rents will be subsidized through project-based vouchers. FORWARD has been awarded CPA funding from Dennis (\$685,000). Besides this Brewster request, FORWARD has applied for CPA funds from Yarmouth and Barnstable. FORWARD also plans to submit CPA grant applications to Orleans, Sandwich, and Bourne. FORWARD is seeking \$120,000 of Brewster CPA funds for hard construction expenses. The amount requested includes a \$5,000 set-aside for CPC legal expenses related to the award.

Total Project Cost: \$4,325,000 CPC Request: \$125,000 CPC Vote: 7-2-0

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 8, No 0, Abs 0

d. Housing Assistance Corporation (HAC): 107 Main Street, Orleans Affordable Rental Housing

The project at 107 Main Street in Orleans will be a high-quality, affordable rental community with 14 rental units in a single structure with three sections in the style of a historic Cape Cod home to be completed in 2023. All 14 units will be affordable to households earning up to 80% of area median income, in accordance with applicable state regulations and guidelines. The proposed project will be an asset to the surrounding neighborhood. It is well designed both architecturally and environmentally and fits well within the context of the area in which it will be located; the location is an excellent smart growth site close to downtown Orleans and various amenities. HAC did not originally intend to request CPA funds from surrounding towns, but construction cost escalation over the past year created a funding gap on the project. Besides this Brewster request, HAC has applied for CPA funds from Eastham (\$100,000), Chatham (\$100,000), and plans to apply to Harwich. Wellfleet declined the funding request. HAC is seeking \$50,000 of Brewster CPA funds for hard construction expenses. The CPC amount requested includes an additional \$5,000 to be set aside to pay for Brewster CPC legal expenses related to the award.

Total Project Cost: \$6,764,786 CPC Request: \$55,000 CPC Vote: 6-1-1

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 1, Abs 0

e. Preservation of Affordable Housing Inc. (POAH) and Community Development Partnership (CDP): Juniper Hill in Wellfleet

– Juniper Hill is the proposed development of 46 affordable housing units located at 95 Lawrence Road in Wellfleet to be completed in 2025. Juniper Hill will be the first such housing development in decades in Wellfleet that can serve populations and stabilize the regional economy. The Town of Wellfleet recognized this need as it released a 9-acre town owned lot for development in 2021 and designated POAH and CDP as joint developers in December 2021. The property will be divided into 2 parts: an Upper Village of 22 two bedroom and three bedroom town homes oriented for family housing, and a Lower Village with a multifamily elevator building consisting of 24 one and two bedroom flats. 35 of the 46 apartments will be targeted for families earning at or below 80% area median income (AMI), with the remaining workforce apartments intended as “workforce” housing for households earning up to 120% AMI. Wellfleet is contributing \$1.5 Million in CPA funding to this project. Besides this Brewster request, POAH/CDP have requested CPA funds from Orleans (\$100,000) and Provincetown (\$100,000). The CPC is recommending approval of \$50,000 in Brewster CPA funds to POAH/CDP for hard construction costs excluding apartments intended for families earning more than 100% AMI.

Total Project Cost: \$32,128,643 CPC Request: \$55,000 CPC Vote: 8-0-0

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 1, Abs 1

CAPITAL AND SPECIAL PROJECTS EXPENDITURES

ARTICLE NO. 10: To see what sums the Town will vote to raise and appropriate, transfer from available funds, or authorize the Town Treasurer to borrow under and pursuant to Massachusetts General Laws Chapter 44, Sections 7, 7(1), or 8, or any other enabling authority, for the capital outlay expenditures listed below, including, in each case, all incidental and related costs, to be expended by the Town Manager with the approval of the Select Board, except School expenditures to be made by the School Superintendent with the approval of the School Committee; authorize leases and lease purchase agreements for more than three but not more than five years for those items to be leased or lease purchased, and further that the Town Manager with the approval of the Select Board or School Superintendent with the approval of the School Committee for school items, be authorized to sell, convey, trade-in or otherwise dispose of equipment being replaced, all as set forth below:

<i>Department</i>	<i>Item</i>	<i>Funding Source(s) / Appropriation or Transfer</i>	<i>Amount</i>
1 Select Board			
a. Integrated Water Resource Management Planning (IWRMP) & Implementation	Professional services and costs for preparing studies, engineering, and coordinating water resource management planning	Free Cash	\$100,000
b. IWRMP: Captains Golf Course Fertilizer Leaching Rate Study	Professional services and costs for golf course nitrogen leaching rate study	Water Quality Stabilization	\$40,000
c. Vesper Pond Road Betterment	Professional services and costs for project expenses related to the road betterment for the Vesper Pond neighborhood	Road Betterments Receipt Reserved for Appropriation	\$26,000
Sub-Total			\$ 166,000
2 Facilities			
a. Flat Roof Replacement (Spruce Hill)	Professional services and costs associated with replacing the roof at the former Historical Society building	Free Cash	\$5,000
b. Town Hall Window Replacement	Purchase and install replacement windows and any other related costs	Free Cash	\$75,000
Sub-Total			\$80,000

<i>Department</i>	<i>Item</i>	<i>Funding Source(s) / Appropriation or Transfer</i>	<i>Amount</i>
3 Police			
a.	5 Year Strategic Plan	Professional services and costs associated with developing a five-year strategic plan for the Police Department	Free Cash \$20,000
Sub-Total			\$20,000
4 Fire			
a.	Software & Professional Services for Developing Standard Operating Guidelines	Costs for goods, materials and professional services to purchase software and develop standard operating guidelines	Ambulance Fund \$35,000
Sub-Total			\$35,000
5 Natural Resources			
a.	Stony Brook Mill Retaining Wall & Fishway Improvements	Professional services and costs for repairs and improvements to the retaining wall and fishway infrastructure at Stony Brook Mill	Free Cash \$200,000
b.	Beach & Landing Repairs and Improvements	Professional services and costs for repairs and improvements to various public beaches and public landings throughout town	Free Cash \$30,000
c.	Wildfire Management	Professional services and costs to implement and update the Town's Wildfire Management Plan	Free Cash \$10,000
d.	Walkers Pond Water Quality	Professional services and costs to improve water quality in Walkers Pond	Free Cash \$50,000
Sub-Total			\$290,000
6 Brewster Elementary Schools			
a.	Combined Technology	Ongoing information technology system and equipment improvements at Eddy & Stony Brook Elementary Schools	Free Cash \$80,000

<i>Department</i>	<i>Item</i>	<i>Funding Source(s) / Appropriation or Transfer</i>	<i>Amount</i>
b. Combined HVAC/Plumbing/Electrical Repairs	Professional services and costs for upgrades, repairs & replacement of HVAC, plumbing, and electrical systems at Eddy & Stony Brook Elementary Schools	Free Cash	\$25,000
c. Eddy School Technology Infrastructure	Professional services and costs to upgrade and replace information technology infrastructure at Eddy Elementary School	Free Cash	\$96,000
d. Stony Brook Outdoor Classroom	Professional services and costs to design, purchase, and build outdoor classroom space at Stony Brook Elementary School	Free Cash	\$20,000
e. Stony Brook Firewall	Professional services and costs for upgrades to the Stony Brook Elementary School firewall system	Free Cash	\$27,000
f. Combined Security	Professional services and costs for upgrades to security systems at Eddy & Stony Brook Elementary Schools	Free Cash	\$24,000
g. Maintenance Pick-up Truck	Costs to purchase and equip one (1) pick-up truck	Free Cash	\$31,000
h. Stony Brook Code Compliance (Asset Study)	Professional services and costs to conduct a code compliance study for the Stony Brook Elementary School	Free Cash	\$100,000
Sub-Total			\$403,000
7 Nauset Regional School District			
a. NRHS Annual Capital Allocation	Professional services and costs, including procuring, engineering, permitting, repairing and maintaining buildings, grounds, and equipment within the Nauset Middle School and Nauset High School	Tax Levy	\$282,748
Sub-Total			\$282,748

<i>Department</i>	<i>Item</i>	<i>Funding Source(s) / Appropriation or Transfer</i>	<i>Amount</i>
8 Public Works			
a. MS4 Stormwater Compliance	Professional services and costs to pay for MS4 stormwater compliance	Free Cash	\$90,000
b. Landfill Monitoring	Professional services and costs for regulatory landfill monitoring requirements	Free Cash	\$70,000
c. Dog Park Repairs & Maintenance	Professional services and costs for routine repairs and maintenance at the Brewster Dog Park	Free Cash	\$10,000
Sub-Total			\$170,000
9 Water Enterprise			
a. Distribution Infrastructure	Costs for goods, materials and professional services to maintain, repair, and upgrade the Town's water distribution system	Water Retained Earnings	\$50,000
b. Buildings & Treatment Facilities	Costs for goods, materials and professional services to maintain, repair, and upgrade the Water Department's buildings and treatment facilities	Water Retained Earnings	\$50,000
c. Water Meter Replacement	Costs for goods, materials and professional services to maintain and replace water meters	Water Retained Earnings	\$50,000
d. Tanks Exterior Painting	Professional services and costs for painting water storage tanks	Borrowing - Water Enterprise Fund	\$650,000
e. Hydration Station Program	Professional services and costs to purchase and install municipal hydration stations	Water Retained Earnings	\$25,000
Sub-Total			\$375,000
10 Cemetery			
a. Cemetery Improvements	Professional services and costs for improving and /or upgrading Town cemeteries	Cemetery Perpetual Care Fund	\$40,000
Sub-Total			\$40,000

<i>Department</i>	<i>Item</i>	<i>Funding Source(s) / Appropriation or Transfer</i>	<i>Amount</i>
11 Brewster Ladies Library			
a. IT & Telephone Equipment Upgrades	Professional services and costs to update the phone system and information technology systems	Telecomm Revolving Fund	\$10,000
Sub-Total			\$10,000
GRAND TOTAL			\$1,871,748

Or to take any other action relative thereto.

(Select Board)

(Majority Vote Required, Except 2/3 for Debt)

COMMENT

1. SELECT BOARD

1a. Integrated Water Resource Management Planning and Implementation - These funds will be used to continue to advance the Town's Integrated Water Resource Management Plan including educating residents about the new stormwater bylaw, providing support and technical assistance to the Town's Water Resource Task Force and Pleasant Bay Alliance, responding to new MA Department of Environmental Protection regulations, and working on related projects, including but not limited to I/A septic systems.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

1b. Captains Golf Course Fertilizer Leaching Rate Study - These funds will be used to complete the ongoing leaching rate study at the Captain's Golf Course for the Pleasant Bay Watershed. Collection and analysis of this data may result in reductions in the Town's nitrogen mitigation requirements under our Pleasant Bay Watershed Permit.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

1c. Vesper Pond Road Betterment - These funds will be used for FY23 project design expenses related to the road betterment for the Vesper Pond neighborhood approved by Town Meeting in November 2022. Once the project is completed, the Town will impose betterment assessments on all abutting property owners who will reimburse the Town for the project costs.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

2. FACILITIES

2a. Flat Roof Replacement (Spruce Hill) - These funds will be used for a flat rubber roof replacement at the former Brewster Historical Society building, located at Spruce Hill. The long-term disposition of this structure will be determined through the Sea Camps planning processes.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

2b. Town Hall Window Replacement – This funding will be used to complete the window replacement project at Town Hall, aimed to greatly reduce energy loss. These windows are roughly 25 years old and have broken seals and obsolete replacement parts.

Select Board: Yes 0, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

3. POLICE

3a. 5-Year Strategic Plan - These funds will be used to develop a five-year strategic plan for the Police Department. This long-range plan will identify the organization's priorities and be the foundation for the organization's future initiatives and direction.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

4. FIRE

4a. Software & Professional Services for Developing Standard Operating Guidelines - These funds will be used to purchase software and professional services to develop standard operating guidelines and policy development to ensure compliance with state and federal guidelines. This project is a recommendation in the Fire Strategic Plan.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

5. NATURAL RESOURCES

5a. Stony Brook Mill Retaining Wall & Fishway Improvements - These funds will be used to repair the historic retaining wall supporting the headrace pond for the Stony Brook Mill. Additionally, the fish weirs north of Stony Brook Road need modifications to provide improved safe passage for migratory herring and alewife.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

5b. Beach & Landing Repairs and Improvements - These funds will be used to pay for professional services and repairs to various public beaches and landings throughout the town.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

5c. Wildfire Management - These funds will be used to pay for services and costs to implement and update the Town's Wildfire Management Plan, including vegetation management, especially in the Punkhorn.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

5d. Walkers Pond Water Quality - These funds will be used to pay for recommended water quality improvement measures in response to a recent technical report prepared by the School of Marine Science and Technology (SMAST) at UMASS Dartmouth documenting the causes of declining water quality in Walkers Pond.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6. ELEMENTARY SCHOOL DEPARTMENT

6a. Combined Technology Upgrades and Improvements – These funds will be used to continue with the K-5 technology plan for both Eddy and Stony Brook Elementary Schools, including replacing iPads, computers, network printers and laptops, switches and access points for wi-fi.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6b. Combined HVAC, Plumbing, Electric Maintenance & Repairs – These funds will be used to make repairs to the mechanical systems at both Elementary Schools as needed.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6c. Eddy School Technology Infrastructure – These funds will be used to upgrade the cable infrastructure in the building to increase bandwidth. The current infrastructure is original and is not adequate to service all of the technological upgrades or meet required annual testing.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6d. Stony Brook Outdoor Classroom – These funds will be combined with grant funds that the school received to create an outdoor classroom space for students that encourages exploration, strengthens connections, and provides creative learning opportunities.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6e. Stony Brook Firewall – These funds will be used to upgrade the school’s firewall system. Firewalls are vital for protecting students and instructors against cyber threats in school networks.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6f. Combined Security – These funds will be used to make necessary improvements to both Eddy and Stony Brook Elementary security systems that monitor who enters the buildings and classrooms to enhance school safety.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6g. Maintenance Pick-Up Truck – These funds will be used to replace the pick-up truck that is used by the School’s Facility Manager. The current truck is a 2011 and has outlived its useful life. The new truck will be a hybrid vehicle.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

6h. Stony Brook Code Compliance (Asset Study) – These funds will be used to pay a consultant to identify all code compliance upgrades that will be required in conjunction with the planned HVAC and Roof Replacement projects. The State of Massachusetts Building Code requires mandatory upgrades when a renovation project exceeds 30% of a building’s assessed value.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

7. NAUSET REGIONAL SCHOOL DISTRICT

7a. Capital Plan Projects – These funds, in the amount of \$282,748 for Fiscal Year 2024, are an assessment for the capital equipment and facilities budget for the Nauset High and Middle Schools. This program was originally approved by means of a Proposition 2 ½ override question in May of 2005, which included an annual 2.5% escalator.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

8. DEPARTMENT OF PUBLIC WORKS

8a. MS4 Stormwater Compliance - These funds will be used to pay for services for MS4 stormwater compliance including monitoring, design, permitting and construction for stormwater related projects.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee: Yes 0, No 0, Abs 0**

8b. Landfill Monitoring - These funds will be used to pay for services for regulatory landfill monitoring requirements including engineering, permitting, and construction costs required to continue to meet the landfill monitoring regulatory requirements.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

8c. Dog Park Repairs & Maintenance - These funds will be used for routine maintenance at the Brewster Dog Park over the course of the year. Items include but are not limited to adding additional mulch & stone, making minor drainage improvements, maintaining and repairing irrigation, maintaining and repairing fencing, and tree work.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

9. WATER DEPARTMENT

9a. Distribution Infrastructure - These funds will be used to pay for goods, materials, and professional services to maintain, repair, and upgrade the Town's water distribution system.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

9b. Buildings & Treatment Facilities - These funds will be used to pay for goods, materials, and professional services to maintain, repair, and upgrade the Water Department's buildings and treatment facilities.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

9c. Water Meter Replacement - These funds will be used to pay for goods, materials, and professional services to maintain and replace water meters throughout town.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

9d. Tanks Exterior Painting - These funds will be used to pay a portion of the costs of painting our two water storage tanks. This project is intended to extend the life of the existing coating at far less cost than a full coat rehabilitation.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

9e. Hydration Station Program - These funds will be used for the purchase of, and installation costs associated with, hydration stations proposed in numerous locations throughout the town to continue to encourage residents and visitors to avoid single-use plastic water bottles.

Select Board: Yes 5, No 0, Abs 0 **Finance Committee:** Yes 0, No 0, Abs 0

10. CEMETERY

10a. Cemetery Improvements - These funds will be used to pay for services associated with improving Town cemeteries including tree removal, tree planting, landscaping, cemetery layouts, stone repairs, general facility repairs, and/or cemetery upgrades and any related costs.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

11. LIBRARY

11a. IT & Telephone Equipment Upgrades - These funds will be used for updating the library’s phone and technology systems. With new phones, residents will be able to reach staff more easily and services will be enhanced. Technology upgrades will support increased digital access.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

FREE CASH APPROPRIATIONS

ARTICLE NO. 11: To see what sums the Town will vote to appropriate from available Free Cash to the following accounts:

	<i>FROM</i>	<i>TO</i>	<i>AMOUNT</i>
a	Free Cash	Capital Stabilization Fund	\$250,000
b	Free Cash	Short-term Debt	\$250,000

Or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article would authorize the transfer of surplus funds from Free Cash for Fiscal Year 2023 to other accounts which require additional funding. If these transfers and Article The following is a brief review of these requests:

a. This sum will increase the Town’s long-term investments in our Capital Stabilization Fund. These funds may be appropriated by a 2/3 vote of Town Meeting and are intended to help reduce future tax impacts of larger capital projects. The current balance of this fund is \$928,930. The Select Board has adopted a policy directing 25% of projected Short-Term Rental revenue to the Capital Stabilization Fund. If this proposed transfer and Article 6 of this Annual Town Meeting warrant are both approved by Brewster voters, the fund balance will be \$1,428,930.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

b. This sum will reduce short-term debt expenses related to the acquisition of the Long Pond property purchased from the Cape Cod Sea Camps in 2021. The property was purchased by the Town for \$6,000,000. Town Meeting originally appropriated \$2,000,000 in available funds to cover a portion of these costs. MA Audubon and Brewster Conservation Trust have pledged a combined \$3,250,000 to assist the Town with these acquisition costs. These funds may be applied in future fiscal years to reduce this debt once the future disposition of this property has been decided by Brewster voters. In the meantime, the Town has been making short-term debt payments through non-excluded debt appropriations in our annual operating budget. When combined with the Town's FY24 operating budget appropriation of \$120,000 for this purpose, this transfer would reduce the remaining balance of debt for this purchase to \$3,320,000.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

SPECIAL REVENUE FUND/Cable Franchise Fee Account

ARTICLE NO. 12: To see if the Town will vote to appropriate from the Cable Franchise Fee Special Revenue Fund the sum of **TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)**, for the purpose of offsetting costs associated with providing local cable television related purposes, including, but not limited to the general public purpose of supporting and promoting public access to the Brewster cable television system; training in the use of local access equipment and facilities; access to community, municipal and educational meeting coverage; use and development of an institutional network and/or municipal information facilities; cable related personnel expenses; contracting with local cable programming services providers and/or any other appropriate cable related purposes, and including all incidental and related expenses, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

Each resident's cable bill includes a line item to provide for the costs of local cable television services. These monies are retained in a special revenue account and are used to enhance local cable programming for the Town's public, education, and government channels. These funds will be used to continue these informational and educational services, and may include equipment purchases, contracted services, construction services, and labor expenses.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

TOWN BYLAW AMENDMENT: CREATION OF COMMUNITY GARDEN AND WETLANDS PROTECTION REVOLVING FUNDS

ARTICLE NO. 13: To see if the Town will vote to amend Article III of the Town bylaws to add the following new revolving funds to Chapter 21-8, consistent with MGL Ch 44 Sec 53E½, with such expenditure limits to be applicable from fiscal year to fiscal year, until such time as they may later be amended by Town Meeting, as follows:

Fund	Revenue Source	Authority to Spend	Use of Fund	Fiscal Year Spending Limit
Community Garden	Fees received for community garden programs and related services and operations	Council on Aging & Town Manager	Expenses shall be related to expenses related to operating and managing the community garden and not used for any other purposes	\$50,000
Wetlands Protection	Fees related to local administration and enforcement of the Wetlands Protections Act	Conservation Commission, with Select Board approval	Expenses shall be related to engaging consultant and technical assistance to review proposed projects, administrative or clerical expenses, salaries and/or fringe benefits of regular employees to the extent attributable to wetland protection act activities and not used for any other purposes	\$50,000
Total				\$100,000

Or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

The Town has partnered with Brewster Conservation Trust to manage the community gardens on Lower Road adjacent to the Eddy Sisters Trail since 1985. This program offers approximately sixty-five (400 sq ft) plots for residents to garden. The Town is looking to create a new revolving fund which will separately account for annual fees collected for use of the plots and expenditures related to maintenance of the community garden area.

The Conservation Commission collects filing fees related to applications under the state Wetlands Protection Act and our local wetlands bylaw. These fees have historically been placed into a Receipt Reserved For Appropriation account. MGL Ch 131 Sec 40 granted authority to the Conservation Commission to appropriate these funds with Select Board approval. These funds must be spent for wetlands protection related activities and expenditures. The proposed annual spending limit for each of these new revolving funds is \$50,000.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

FIRE UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 14: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and International Association of Firefighters Local 3763 for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the International Association of Firefighters Local 3763 and the Town. The current contract expires on June 30, 2023, and the Town expects to agree to updated terms with the Union by Town Meeting.

**Select Board: Recommendation
Deferred**

Finance Committee:

**Recommendation
Deferred**

POLICE PATROL OFFICER COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 15: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and Brewster Police Union, Massachusetts Coalition of Police, Local 332, AFL-CIO, for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the Police Officers Union and the Town. The current contract expires on June 30, 2023, and the Town has agreed to an extension with the Union.

Select Board: Yes 0, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

POLICE SUPERIOR UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 16: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and the Brewster Police Superior Officers Association, New England Police Benevolent Association, Local 78, for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the Police Superiors Union and the Town. The current contract expires on June 30, 2023, and the Town has agreed to an extension with the Union.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

POLICE DISPATCHER UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 17: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and the Brewster Police Public Safety Dispatchers Union, Massachusetts Coalition of Police, Local 513, AFL-CIO, for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

The Police dispatchers have recently formed their own bargaining unit. The Town has agreed to a contract with this new Union. This article will fund the costs associated with the contract settlement expenses between the Union and the Town.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

LADIES LIBRARY UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 18: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to fund the cost items for the first fiscal year of the proposed Collective Bargaining Agreement between the Brewster Ladies Library Association and the Service Employees International Union, Local 888, Brewster Library Employees, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the Ladies Library Association and the Library Union. The current contract expires on June 30, 2023, and the Town has agreed to an extension with the Union.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

SEIU COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 19: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and Service Employees International Union, Local 888, for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the Service Employees International Union, Local 888 (DPW, Water and Golf), and the Town. The current contract expires on June 30, 2023, and the Town has agreed to an extension with the Union.

Select Board: Yes 5, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

OPEIU COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 20: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used fund the cost items of the first fiscal year of the proposed Collective Bargaining Agreement between the Town of Brewster and Office and Professional Employees International Union, Local 6, for a term effective July 1, 2023 through June 30, 2026, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with the contract settlement expenses between the Office and Professional Employees International Union, Local 6 and the Town. The current contract expires on June 30, 2023, and the Town has agreed to an extension with the Union.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

NON-UNION PERSONNEL WAGE FUNDING

ARTICLE NO. 21: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund wage and salary adjustments effective July 1, 2023 for eligible and non-union employees dictated by the Compensation Plan developed pursuant to the Personnel Bylaw, Section 36-4 of the Brewster Town Code, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

This article will fund the costs associated with wage adjustments for employees covered under Personnel Bylaw Agreements and other non-union employees for fiscal years 2024 through 2026.

Select Board: Yes 0, No 0, Abs 0

Finance Committee: Yes 0, No 0, Abs 0

SPECIAL ACT: TRANSFER CARE, CUSTODY, AND CONTROL & CHANGE USES OF WING ISLAND

ARTICLE NO. 22: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the transfer from the Select Board for public bathing and recreation purposes to the Conservation Commission for conservation and open space purposes, the parcel of land known as Wing Island, as acquired by the Town of Brewster pursuant to an Order of Taking dated July 14, 1961 and recorded on July 28, 1961, as described in a deed recorded with the Barnstable registry of deeds in book 1123, page 170, all as set forth below, and, further, to authorize the General Court to make changes of form only to such legislation without the approval of the Select Board, and, to authorize the Select Board to approve such changes that are within the public purposes of the vote taken hereunder, or to take any other action relative thereto.

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Brewster is hereby authorized pursuant to the provisions of section 15A of chapter 40 of the general laws, to transfer a parcel of land from the select board for public bathing and recreation purposes to the care, custody and control of the conservation commission for conservation and open space purposes, including public bathing, subject and dedicated to the purposes of Article 97 of the Massachusetts Constitution a parcel of land shown Wing Island, as acquired by the Town of Brewster pursuant to an Order of Taking dated July 14, 1961 and recorded on July 28, 1961, as described in a deed recorded with the Barnstable registry of deeds in book 1123, page 170.

SECTION 2. This act shall take effect upon its passage.

Or to take any other action relative thereto.

(Select Board)

(2/3 Vote Required)

COMMENT

At the March 6, 2023 Special Town Meeting, Brewster voters overwhelmingly voted for Article 2, which sought to transfer care, custody, and control of Wing Island from the Select Board to the Conservation Commission and to clarify the island's designated uses from what was identified when the Town originally acquired the property (public bathing and recreational purposes) to what they have been as a matter of practice for the past 60 years (conservation and open space purposes). The Conservation Commission has since indicated their willingness to take on this responsibility. Town counsel opined that since the island is protected under Article 97 of the state Constitution, these actions require state approval via special legislation. At the March 6, 2023 Special Town Meeting, the Select Board committed to bringing this article to the May 2023 Annual Town Meeting to take that next appropriate procedural step. If approved by Town Meeting, special acts also require 2/3 approval of the state legislature.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

TOWN BYLAW AMENDMENT: BUILDING AND NEEDS ASSESSMENT COMMITTEE

ARTICLE NO. 23: To see if the Town will vote to amend Chapter 12 of the Town bylaws to delete Article XV, Building and Needs Assessment Committee, in its entirety, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

COMMENT

The Building and Needs Assessment Committee was originally created in 1995. This committee was broadly tasked with making recommendations about the locations of buildings and/or needs of the Town. This committee has been inactive for almost a decade, as its responsibilities have been assumed by other Town committees and staff over time. The Town still has 40+ volunteer committees.

Select Board: Yes 5, No 0, Abs 0

Finance Committee:

Yes 0, No 0, Abs 0

NEW TOWN BYLAW: PROHIBITION ON SALE OF MINIATURE SINGLE USE CONTAINERS

ARTICLE NO. 24: To see if the Town will vote to adopt the following ban on the sale of miniature single use containers for alcoholic beverages as a general bylaw and to insert into the Code of the Town of Brewster, Massachusetts as Chapter XX: "No person shall sell, offer for sale, or otherwise distribute alcoholic beverages in containers less than or equal to 100 milliliters within the Town of Brewster. This section shall take effect on January 1, 2024."

(Select Board)

(Majority Vote Required)

COMMENT

This article proposes a bylaw to ban the sale of so-called “nip” bottles. There are compelling reasons to support such a ban given the documented nip bottle trash found along many Brewster roads. Nips are often consumed in vehicles and discarded along roads. In 2022, “Beautify Brewster” volunteers collected 2,767 nip bottles, in one day, along select, but not all, Brewster streets. Nip bottles are not recyclable and must be disposed of in Brewster’s solid waste. Similar bans have been adopted by Massachusetts municipalities including Falmouth and Wareham that have been found to be lawful by the Massachusetts Attorney General.

Select Board: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 1, Abs 0

CITIZENS PETITION: PROHIBITION ON PLASTIC FOOD CONTAINERS AND UTENSILS

ARTICLE NO. 25: To see if the Town will vote to amend the Town’s General Bylaw by inserting a new bylaw entitled, Plastic Reduction, as follows, and to authorize the Town Clerk to assign appropriate numbering therefor:

Chapter ___: Plastic Reduction

This bylaw is enacted pursuant to the general police power in order to protect the health, safety, and welfare of the inhabitants of the Town.

Effective Date

This Bylaw shall take effect on September 1, 2024.

Purpose and Intent

Plastic food containers and single-use utensils form a significant portion of the solid waste stream going into landfills. Local landfills are running out of room; our future solid waste may have to be transported hundreds of miles to a landfill at considerable cost. Plastic food containers are not recyclable, nor are they biodegradable. Once buried in our landfills, they will persist for centuries. If incinerated the toxins in plastic are linked to cancer and threaten our air quality. Appropriate alternative and sustainable products are readily available from the vendors used by local food establishments; cooperative bulk buying arrangements are possible. Thus, elimination of plastic food containers and utensils is in the best interest of the health and welfare of Town inhabitants.

Definitions

“Disposable Food Service Container” means single-use disposable products for serving or transporting prepared, ready-to-consume food. This includes plates, bowls, trays, hinged or lidded containers, and utensils.

“Food Establishment” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any

establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000 et. seq., shall be considered a Food Establishment for the purposes of this Bylaw.

“Plastic” is defined as any type of plastic resin, which may contain recycled materials, and may be sold as recyclable, biodegradable, or compostable. The material is commonly categorized in terms of #1, #2, #3, #4, #5, #6, #7; plastic as referenced includes all categories.

“Prepared Food” means any food prepared for consumption on the Food Establishment’s premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.

“Town Facility” means any building, structure, land, or park owned or operated by the Town of Brewster, its agents and departments.

“Town Facility Uses” means all persons, societies, associations, organizations, or special event promoters who require permission to use a Town Facility. Town Facility Users also includes concession contracts with the Town, Town-managed concessions, Town-sponsored events, and food services provided at the Town’s expense.

Prohibition

- A. Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers and utensils made from Plastic.
- B. Town Facility Users are prohibited from dispensing Prepared Food to customers in Disposable Food Service containers made from Plastic and providing utensils made from Plastic.
Public and private schools, educational institutions, summer camps, childcare facilities, and other childcare programs approved to participate in USDA Child Nutrition Programs are exempt.

Administration and Enforcement

This Bylaw is enforced by the Town Administrator, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provisions of this Bylaw shall be subject to the following penalties:

First Offense: Written warning

2nd Offense: \$150 fine

3rd Offense and Subsequent Offenses: \$300 fine

Any such fines collected shall be payable to the Town of Brewster. Each day the violation continues constitutes a separate violation. After detection of an initial violation, the designated inspection authority will be required to verify subsequent compliance until compliance with this bylaw is established. All businesses will be routinely inspected until the Town Administrator deems the inspections to no longer be required.

(Citizens Petition)

(Majority Vote Required)

COMMENT

A recent study of 12 million pieces of litter collected from oceans and rivers, shorelines, the sea floor, and open waters found that 80 percent of items were plastic, and nearly half (44 percent) was related to takeout materials. Other items included disposable cutlery. Estimates are that there will be more plastic than fish in the oceans by 2050 if our behavior does not change. Further, plastic kills 1 million sea birds and over 1 million marine mammals each year and comprises 80 percent of beach trash on Cape Cod. Takeaway boxes and containers make up a considerable part of municipal solid waste, with nearly 30 percent of the total generation as recently as 2018—this percent is projected to rise given the impact of Covid-19.

Plastics, which includes Styrofoam (#6 plastic) takeaway containers, are destructive to the environment, filling landfills with their chemicals, including petroleum and natural gas. Take-out containers are made from heat-resistant, flexible plastic derived from petroleum, the majority continue to contain phthalates and bisphenol-A (BPA). Both have been linked to health issues. The chemicals in plastic have been tied to cardiovascular disease, reproductive disorders, obesity, and developmental disorders. Plastic has been found in the air we breathe, the water we drink and the food we eat. Most recently plastic has been found in human blood, in the placenta, and in lung tissue.

At disposal, plastic does not biodegrade. It can leach, depending on the conditions (light, heat), into the foods it holds, the ground, and in waterways. Less than a tenth of all plastic is recycled. Plastic products stamped with arrows and collected by town recycling programs lead people to believe that it's being recycled, and that's simply not true. Estimates are that less than 9 percent of all plastic created has been recycled. For the small proportion of plastic that is recycled, it is typically downcycled, used in another product such as cloth or building materials, which will most likely be landfilled at the end of its life. All the while new plastic is being created to substitute for discarded single-use.

This measure sends a clear message that we recognize and care more about human life and environment than short-term convenience. Simply put, we cannot in good conscience continue to subsidize short-term profits with the long-term costs plastics have on human and environmental health.

Select Board: Yes 1, No 2, Abs 2

Finance Committee:

Yes 7, No 1, Abs 0

CITIZENS PETITION: NEW TOWN BYLAW – TOWN MEETING APPROVAL OF PROJECTS EXCEEDING \$100,000

ARTICLE NO. 26: To see if the Town will vote to amend the Brewster Code by adding thereto a new Article 42-2, to read as follows:

“No improvements or alterations to land under the care, custody, and control of the Town exceeding \$100,000.00 in value may be made except by prior approval by a vote of more than a majority of Town Meeting”, or to take any other action relative thereto.

(Citizens Petition)

(Majority Vote Required)

COMMENT

Land under the care and custody of the Town may be presently developed, improved, or altered lawfully without a vote of Town Meeting, so long as the funds for such improvements are procured from outside sources, such as gifts or grants. This article will require Town Meeting approval before the Town may take such actions, irrespective of the source of the funding.

Select Board: Yes 0, No 5, Abs 0 Finance Committee: Yes 1, No 6, Abs 1

CITIZENS PETITION: CONDITIONS ON SELECT BOARD ACCEPTANCE OF ANONYMOUS GIFTS

ARTICLE NO. 27: To see if the Town will vote to Amend Article 42-1 of the Brewster Code by deleting the present Article 42-1 in its entirety, and substituting therefore the following:

“The Select Board is authorized to accept or reject in whole or in part and on behalf of the Town all gifts tendered to the Town pursuant to this By-law and pursuant to G.L. c. 44 sec. 53A as amended; provided, however, that in the event of an anonymous gift exceeding \$10,000.00, the Select Board shall specify in writing, by a document approved by the Select Board and filed with the Town Clerk on or before the date of the acceptance of the gift, and made publicly available, identify any and all promises made by the Town as a condition of receipt of such gift and any condition or conditions which are attached to the acceptance of such gift; all purposes for which such gift may be used by the Town; any obligations created or imposed upon the Town as a result of the acceptance of such gift; and the value of all staff time expended by the Town prior to the date of the Select Board Meeting at which approval for such gift is sought, and all funds expended by the Town prior to such date”, or to take any other action relative thereto.

(Citizens Petition)

(Majority Vote Required)

COMMENT

The proposed development of a Boardwalk to Wing Island was driven by an anonymous gift to the Brewster Conservation Trust, which it in turn pledged to the Town of Brewster for the construction of a boardwalk to be named after the anonymous donor – after it was built. This donation pledge has been withdrawn, but the Select Board’s actions in this regard raised concerns about anonymous donations driving Town policy and actions. This article will require that any anonymous gift be accompanied by full disclosure of all promises made by the Town as a condition of acceptance of such gifts, all conditions attached by the donor to the acceptance of the gift, and full disclosure of the terms of the gift to the Town. The Select Board remains empowered by the General Laws to accept such gifts, but this By-law will require full disclosure of the terms and conditions of anonymous gifts so that the voters have the benefit of complete disclosure and transparency.

Select Board: Yes 0, No 5, Abs 0 Finance Committee: Yes 0, No 0, Abs 0

You are hereby directed to serve this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hand and Seal of the **Town of Brewster** affixed this th day of April 2023.

David C. Whitney, Chair

Edward B. Chatelain, Vice-Chair

Kari Sue Hoffmann, Clerk

Mary W. Chaffee

Cynthia A. Bingham

I, Roland W. Bassett Jr, duly qualified Constable for the Town of Brewster, hereby certify that I served the Warrant for the Special Town Meeting of May 1, 2023 by posting attested copies thereof, in the following locations in the Town on the xx day of April, 2023.

Brewster Town Offices
Brewster Ladies Library
The Brewster General Store
U. S. Post Office

Café Alfresco
Brewster Pizza House
Millstone Liquors

Roland W. Bassett, Jr. Constable

For Your Information (FYIs)

1. Beautify Brewster Flyer
2. Housing Coordinator Update- January & February 2023

In celebration of Earth Day 2023 join us for

BEAUTIFY BREWSTER

A day of service and cleanup for the Town of Brewster!

Saturday, April 29th, 2023

Rain date: Sunday, April 30th

Start times vary depending on location



**Trash bags & safety vests
provided!**

For more information:

rburch@brewster-ma.gov

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Hope to see you there!

**With your help, we can
create a litter free Brewster**

Organized by

**Brewster Department of Natural Resources
and The Cape Cod Anti-Litter Coalition**

Sponsored by

**Snowy Owl Coffee Roasters, Brewster Ace Hardware,
Mid-Cape Home Centers, Home Depot, Ocean State Job Lot,
Trader Joe's, Stop & Shop, Shaw's Market, Ocean Edge Resort,
Brewster Pizza & Laurino's**

Brewster Housing Coordinator Update January & February 2023

Jill Scalise & Donna Kalinick

Ongoing Activities/ Projects

1. Community Outreach and Education (Housing Production Plan (HPP) Strategy #14)
 - Responded to email and phone requests for information and assistance, 97 total requests for housing information (53) or assistance (44).
2. Brewster Affordable Housing Trust (BAHT) (HPP assorted strategies, Select Board (SB) Strategic Plan H-1)
 - Held joint meeting with Community Preservation Committee (CPC) discussed Trust Guidelines, financial plan, CPC funding of Trust, and status of buydown program.
3. Community Housing Parcel off Millstone (SB Strategic Plan H-4, HPP Strategies #12 & 16)
 - Zoning Board of Appeals (ZBA) hearing for Preservation of Affordable Housing (POAH) and Housing Assistance Corporation (HAC) Comprehensive Permit application began. Provided comments.
 - Received a Mass Housing Partnership 40B Technical Assistance grant award of up to \$10,000. This will provide a consultant to assist the ZBA in the Comprehensive Permit process.
 - POAH & HAC made presentations to the Planning Board and Housing Partnership (HP). The HP and PB both provided comments supporting the project to the ZBA.
 - Ms. Kalinick provided memo with affordable housing lottery data and information on local preference.
4. Redevelop Existing Properties for Affordable Housing (HPP Strategy #5)
 - Serenity at Brewster (55+ rental housing, 27 affordable units): Site operating, affordable units all leased. Market rate units remain available.
5. Comprehensive Permit Projects (HPP Strategy #16)
 - Brewster Woods (30 affordable rental units): Opened, residents moving into apartments.
 - Habitat for Humanity Red Top Road (2 affordable homes): Working on amended regulatory agreement.
6. Preservation of Housing and Related Support of Brewster Residents (SB H-3, HPP Strategy #20)
 - Regional CDBG: FY22/23 Application for \$1.7 million for housing rehab and childcare submitted.
 - Brewster's rental assistance program- Housing Trust revisited allowable/ reasonable rent, set at 120% FMR.
7. Subsidized Housing Inventory (SHI) (HPP Strategy #21 & 22)
 - 212 Yankee Drive- Response chosen to advertised quote for mold and infestation remediation. Work completed. Health Dept. assisted in determining septic requirements. Quote received for septic repair. DPW cleaned out of garage and did some landscaping. Town disposal fees waived by Select Board.
 - 11 Sean Circle- Communication continued about work performed and setting resale price of home.
 - 50 Paul Hush Way- Affordable home resold. Certificate of Compliance provided.
 - 14 Yankee Drive- Affordable home resale. CPC approved buydown funds of \$62,500 to create affordable resale price. Lottery held by HAC. Chosen eligible purchaser submitted buydown grant application.
8. Housing Production Plan (HPP) (Select Board Strategic Plan Goal H-2)
 - Continued implementation of HPP.
 - Evaluated feasibility of Housing Choice application, not feasible this year. Will reevaluate next year.
9. Collaboration (HPP Strategy #7)
 - Met with Community Development Partnership, attended CHAPA Making the Case Call.

Personnel

- Participated in Housing Trust, CPC, Housing Partnership, and Select Board meetings. Worked with: Assessor's, Building, Council on Aging, Finance, Health, Planning, Public Works, Water, and Town Administration.
- Jill Scalise was on FMLA for 6 weeks of this report and the housing work was covered by Assistant Town Manager Donna Kalinick. Special thanks to Ms. Kalinick for her over and above efforts during this time, her excellent work, and her strong commitment to the residents of Brewster.