



Town of Brewster Select Board

2198 Main St., Brewster, MA 02631

townmanager@brewster-ma.gov

(508) 896-3701

SELECT BOARD MEETING AGENDA

2198 Main Street

March 13, 2023 at 5:30 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.

ZoomWebinar: <https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVkIhSTloWWhVU09kanUzQT09>

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 (Police Personnel Bylaw; 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 (SEIU DPW/Golf/Water Union, OPEIU, Fire Union, Police Superiors Union, Police Officers Union, Police Dispatchers Union)
- 6:00 PM – Anticipated Start Time for Open Session*
6. 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.
 7. Select Board Announcements and Liaison Reports
 8. Town Manager's Report (pages 3-18)
 9. Consent Agenda (pages 19-108)
 - a. Meeting Minutes: February 27, 2023
 - b. Appointments: Christine Boucher, Edwin Weatherby, Chuck Hanson, Phil VanHorne, Bruce Semple, Richard Wolf and Colin Odell - Energy & Climate Action Committee
 - c. Memorandum of Agreement with Orleans & Dennis to Pursue the Development of an Intermunicipal Approach to Shoreline Management for Southeastern Cape Cod Bay
 - d. Pass Through Town Permission and Temporary Sign Permit Fee Waiver: 2023 Bike MS Cape Cod Getaway
 - e. Applications for Facility Use: Brewster Conservation Trust - Calf Field Pond
 - 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



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- g. Approve and Sign Consent Letter to Allow DISH Network to Sublease a Portion of the Site at 1657 Main Street
10. Review and Vote on Request to Assign Colson Landscaping Lease for Freemans Way Industrial Park Lot #4 (pages 109-116)
 11. Announcement of New Town Website Launch (pages 117-118)
 12. Debrief on March 6, 2023 Special Town Meeting and Vote on Next Steps Regarding Wing Island (pages 119-179)
 13. Review Draft Special Legislation Regarding Wing Island Protection (N/A)
 14. Update on Planned Maintenance Activities at Drummer Boy Park Playground – Griffin Ryder, DPW Director (pages 180-183)
 15. Update on Use of Winter Recovery Assistance Program Funding to Repave Breakwater Road and Foster Road – Griffin Ryder, DPW Director (pages 184-192)
 16. Presentation and Vote on the Health and Human Services Committee FY24 Funding Recommendations - Sean Parker, HHS Committee Chair (pages 193-197)
 17. Presentation and Vote on Community Preservation Act Article - Faythe Ellis, CPC Chair
 18. Presentation and Vote on Citizens Petition Article Seeking to Ban Plastic Food Containers & Utensils - Vic Roberts (pages 198-256)
 19. Discuss and Vote on Citizens Petition Articles Seeking to Require Town Meeting Approval of All Projects Over \$100,000 and to Require Town Meeting Expanded Disclosure of Anonymous Gifts (pages 257-271)
 20. Discuss and Vote on Spring 2023 Annual Town Meeting Warrant Articles (pages 272-277)
 21. FYIs (pages 278-287)
 22. Matters Not Reasonably Anticipated by the Chair
 23. Questions from the Media
 24. Next Meetings: March 20, March 27, April 3, April 24, and May 1, 2023
 25. Adjournment

Date Posted:
03/09/2023

Date Revised:

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BREWSTER TOWN CLERK
2023 MAR 9 3:21PM

FY 2024 BUDGET RECOMMENDATION BUDGET BRIEF

Maura T. Healey, Governor | Kimberley Driscoll, Lt. Governor

Local Aid

Jake Rooney, Fiscal Policy Analyst

Introduction

The Healey-Driscoll administration recognizes that the health of the Commonwealth’s 351 cities and towns underpins the overall success of Massachusetts and its people. That’s why this administration is committed to ensuring that every municipality, from Provincetown to Pittsfield, has the resources it needs to succeed. This commitment is reflected in our FY24 H.1 budget recommendation, which provides nearly \$8.4 billion for local aid distributed through cherry sheets, a \$635 million (8.2%) increase over FY23.

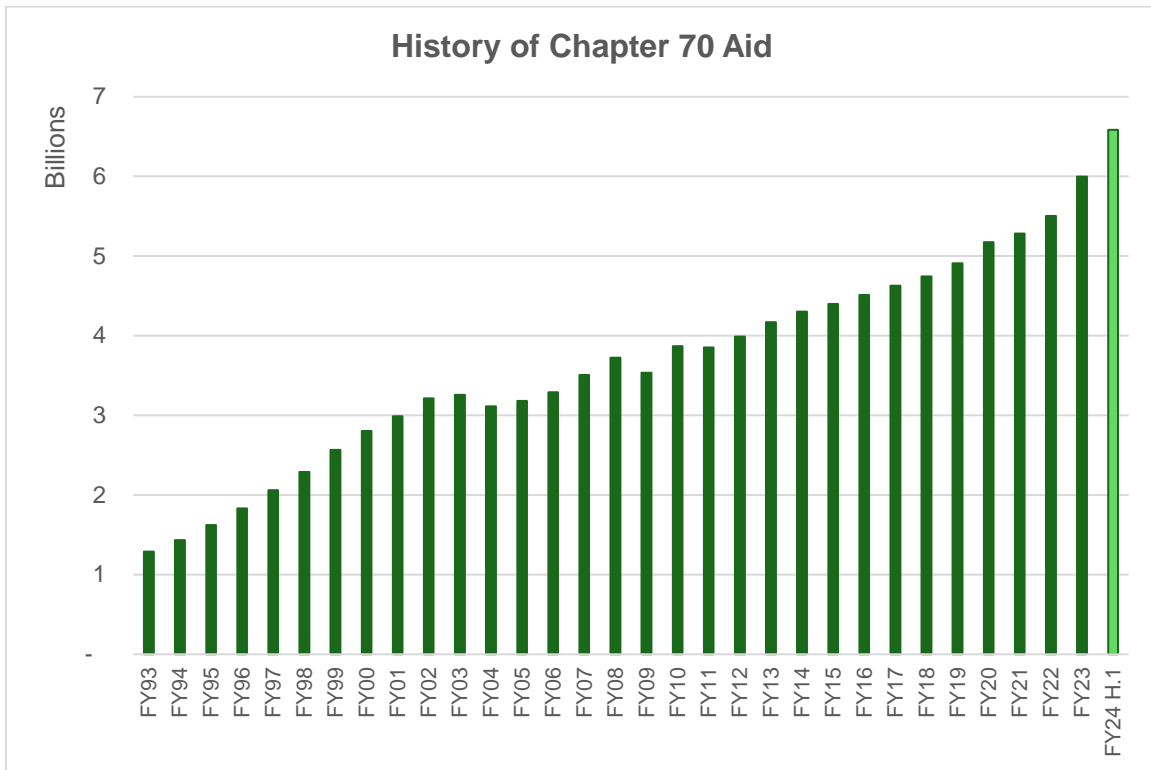
Name	FY22	FY23	FY24 H.1	vs. FY23	%
Chapter 70 Payments to Cities and Towns	5,503,255,849	5,998,209,887	6,584,595,911	586,386,024	9.8%
Transportation of Pupils - Regional School Districts	82,178,615	82,178,615	97,077,605	14,898,990	18.1%
Charter School Reimbursement	154,499,812	243,804,746	243,804,746	-	0.0%
Smart Growth	500,000	750,000	750,000	-	0.0%
Subtotal: Cherry Sheet (Education)	5,740,434,276	6,324,943,248	6,926,228,262	601,285,014	9.5%
Unrestricted General Government Local Aid	1,168,111,227	1,231,197,474	1,255,821,423	24,623,949	2.0%
Payments for Local Share Racing Tax Revenue	1,029,687	1,112,591	1,112,591	-	0.0%
Regional Libraries Local Aid	13,516,000	14,516,000	15,967,600	1,451,600	10.0%
Veterans' Benefits	70,380,004	68,209,878	68,209,878	-	0.0%
Tax Abatements for Veterans, Widows, Blind Persons, and Elderly	18,022,389	24,038,075	24,038,075	-	0.0%
Payments in Lieu of Taxes on State Owned Land	34,959,995	45,000,000	51,465,476	6,465,476	14.4%
Public Libraries Local Aid	13,000,000	16,000,000	17,600,000	1,600,000	10.0%
Subtotal: Cherry Sheet (General Government)	1,319,019,301	1,400,074,018	1,434,215,043	34,141,025	2.4%
Total: Cherry Sheet	7,059,453,577	7,725,017,266	8,360,443,305	635,426,039	8.2%

A Statewide Partnership: Unrestricted General Government Aid (UGGA)

A cornerstone of this commitment is the reliable expansion of Unrestricted General Government Aid, which supports essential local government services, including public safety, public works, and economic development. H.1 recommends a \$24.6 million or 2% increase over FY23, which goes beyond consensus revenue growth when compared to current estimates. In addition, the administration will recommend streamlining specific aspects of municipal accounting and local governance in the upcoming supplemental budget.

Good Schools, Strong Communities: Fully Funding the Student Opportunity Act (SOA)

The administration is focused on ensuring that all students have access to a high-quality education. H.1 funds Chapter 70 school aid at \$6.585 billion, a \$586 million (9.8%) increase over FY23, representing the largest nominal increase in the history of the program and the largest percentage increase in more than two decades. The administration will also recommend a temporary change to allow school districts greater flexibility to spend nearly \$1.5 billion in expiring federal funds and better coordinate funding streams without facing state financial penalties.



H.1 proposes full funding for charter school reimbursements at \$243 million. It also fully funds Special Education Circuit Breaker at \$503 million, a \$63 million (14%) increase over FY23. This funding level reflects full phase-in of out-of-district transportation cost reimbursement provided for in the SOA. This proposal quadruples the amount of funding available for extraordinary relief, or payments that defray certain district costs in the year they are incurred (unlike most of this program, which reimburses districts a year in arrears).

Finally, H.1 includes \$10 million for a reserve to provide relief to districts whose municipalities have been disproportionately impacted by increases in target local contribution in recent years.

A Partner To Our Municipalities

H.1 recommends significant added investments in school transportation reimbursement programs, increasing funding by \$25.5 million (24%) over FY23. These investments reflect inflationary pressures and increased reimbursement rates for district costs:

- Regional School Transportation reimbursement is funded at \$97.0 million, an increase of \$14.9 million, to increase reimbursement from approx. 80% to 90% of local costs.
- Non-Resident Pupil Transportation (vocational) reimbursement is funded at \$5.2 million, an increase of \$4.9 million, to increase reimbursement from less than 5% to 90% of local costs.
- Homeless Student Transportation reimbursement is funded at \$28.7 million, an increase of \$5.7 million, to reimburse 100% of local costs.

In addition, H.1 provides \$7.5 million for rural school aid, a \$2 million (36%) increase over FY23. This program provides rural districts with additional funding for the fixed costs of running a school district and exploring strategies to improve longer-term operational efficiencies.

H.1 also increases payments in lieu of taxes (PILOT) for state-owned land to ensure full and equitable reimbursement. PILOT reflects property tax revenue forgone by cities and towns due to state ownership of certain land. H.1 funds PILOT at \$51.5 million, a \$6.5 million (14%) increase over FY23. This funding level reflects the most up-to-date property valuations while ensuring all municipalities will receive the same or higher payments in FY24.

Vibrant and Safe Communities

Public libraries play a pivotal role within our communities, from serving our youngest residents to our most vulnerable populations. H.1 increases funding to strengthen libraries' ability to continue innovating, such as offering eBooks, supporting digital equity through Wi-Fi access and library devices, and providing accessible programming regardless of physical or intellectual ability.

- Local aid for public libraries is funded at \$17.6 million, an increase of \$1.6 million.
- Regional Libraries is funded at \$15.9 million, an increase of \$1.5 million.
- Library Technology and Automated Resource-Sharing is funded at \$6.2 million, an increase of \$1.4 million.

H.1 also promotes safety and security by maintaining \$12.3 million for the Shannon Community Safety Initiative. This initiative provides a multi-faceted approach to addressing gang and youth violence in communities by supporting youth development, recreation, case management, street outreach, education, employment, targeted suppression, and community mobilization programs. These funds are also directed towards research intended to develop strategy and implementation of funding at Shannon sites. This funding complements the DCR Summer Nights program, neighborhood-based gun and violent crime prevention, and a new state program proposed in H.1 modeled after the Department of Justice's Project Safe Neighborhoods.

Empowering our Cities and Towns

H.1 recommends \$20.5 million for the Municipal Regionalization and Efficiencies Incentive Reserve. This includes:

- \$8 million to double the Community Compact program. This funding will help municipalities implement best practices in areas including cybersecurity, housing production, and solid waste disposal.
- \$5 million for public safety and emergency staffing. These grants, used to enhance staffing levels, are awarded to communities that have populations of at least 60,000 and demonstrate that their police departments had an operating budget per capita of less than \$200 in FY23.

Budget Brief: Local Aid

- \$3 million for the District Local Technical Assistance Fund, which supports the Commonwealth's 13 regional planning agencies (RPAs) and enables them to provide technical assistance for cities and towns.
- \$2 million for the Efficiency and Regionalization competitive grant program, which provides financial support for governmental entities interested in implementing regionalization and other efficiency initiatives that allow for long-term sustainability.
- \$500,000 to continue the Local Finance Commonwealth Fellowship Program. This fellowship supports up to 30 participants from community colleges in gaining an understanding of municipal finance through a training program managed by the Division of Local Services and work-based learning through local government partnerships with host cities and towns across Massachusetts.

This reserve also includes an additional \$2 million for regional planning agencies. This funding will allow regional planning agencies to help municipalities identify, acquire, and manage federal grant funding – to help make all of Massachusetts more competitive for an unprecedented amount of federal funding opportunities. H.1 proposes to establish these grants as an annual program to provide stability for RPAs seeking to build out this capacity and allow them to maintain support as needed over the course of multi-year grant cycles.

Finally, H.1 recommends \$100 million for a new MassDOT Municipal Partnership grant program. These grants respond to calls from municipalities for state support with design and development of transportation-related projects, which would help prepare them to apply for state or federal funding, begin construction, and access outside funding sources. This funding would also support bike share infrastructure. These grants are an efficient and green way of supporting municipalities in transportation development.

FY 2024 BUDGET RECOMMENDATION BUDGET BRIEF

Maura T. Healey, Governor | Kimberley Driscoll, Lt. Governor

Providing Meaningful Tax Relief

John Caljouw, Finance Director

Introduction

The Healey-Driscoll Administration is committed to fulfilling the promise of delivering an affordable, equitable, and competitive tax structure for Massachusetts. This package will use the state's fiscal strength to deliver real benefits for families balancing caregiving responsibilities. It will provide relief to our most vulnerable populations and make our tax structure more competitive – all in combination with key investments in these areas delivered through the budget. Delivering this package alongside the administration's FY24 H.1 budget recommendation means that we can budget for it sustainably and affordably.

FY24 H.1 funds a tax relief package of \$742 million net to budget, or \$859 million gross in the first year. Extraordinary tax growth over the past several years, in concert with prudent fiscal management, enables this proposal to be both responsible and provide meaningful relief.

Proposals	Effective	FY24 Cost
Child & Family Credit: Establishes a \$600 credit per qualifying dependent, including children, disabled adults, and seniors, uncapped regardless of number of dependents, fully refundable, and available at all income levels.	Jan-23	\$458 M
Estate Tax: Reduces estate taxes for all and eliminates tax on estates under \$3 M.	Jan-23	\$167 M
Housing – Renter Deduction: Increases the cap on the rent deduction to \$4,000; current deduction is currently 50% of rent, capped at \$3,000.	Jan-23	\$40 M
Housing – Senior Circuit Breaker Credit: Doubles the maximum allowed credit.	Jan-23	\$60 M
Short term capital gains: Reduces tax rate on short term capital gains to 5% from 12%.	Jan-23	\$117 M (\$0 net)
Other changes	-	\$17 M
Total Tax Relief Package (and net cost to budget)		\$859 M; \$742 M net

Tax Relief Package at a Glance

The tax relief proposal is focused on delivering meaningful investments in four key areas, within a framework of affordability, equity, and competitiveness:

Child & Family Tax Credit

An expanded and simplified Child & Family credit would establish a \$600 refundable credit for each qualifying dependent, including children under 13, disabled adults, and seniors. The centerpiece of the administration's tax proposal, this credit would provide relief for over 700,000 taxpayers who are supporting over 1,000,000 dependents across the Commonwealth.

An expanded and simplified structure would provide relief for all income levels while getting the neediest families the cash benefit of a fully refundable credit. It would provide support for families without requiring potentially burdensome demonstrations of expenses and assist the most burdened families by uncapping the count of qualifying dependents. The credit would replace two interrelated credits that are more complex and smaller than the proposed credit and are capped at two dependents.

Affordable child care is a key building block to an affordable Massachusetts. This credit, in taking some pressure off families' child care budgets, will help attract working professionals and aid businesses as they recruit a skilled workforce. This challenge demands a significant investment, which is why the administration is simultaneously supporting important early childhood care and education initiatives through FY24 H.1.

Estate Tax Relief

A reduction in the estate tax would eliminate the tax for estates under \$3 million and reduce taxes for larger estates. Massachusetts is an outlier as one of only 12 states that impose an estate tax at all. The state runs the risk that older residents leave the state, and professionals may not wish to move here if they see the tax climate as unfavorable for themselves and their families.

Under current law, estates with a gross value over \$1 million are subject to taxation, starting at a rate of 0.8% and growing to a marginal rate of 16%. (Gross value means the value with certain gifts made by decedents added back to the estate.) Nearby states impose their estate taxes at a much higher threshold – including Vermont at \$5 million, Maine at \$5.8 million, New York at \$6.1 M, and Connecticut at the federal threshold (\$12.3 M) beginning next year. The administration's proposal would establish a non-refundable \$182,000 credit for each estate, without a tax increase on estates of any size. This credit would have the effect of eliminating all taxes on estates of up to \$3 M in net taxable value and would represent \$182,000 of tax relief on larger estates. Since 70% of estates now paying tax are under \$3 M, this change would eliminate taxes for most estates – and would help keep Massachusetts competitive.

Housing Tax Relief for Seniors and Renters

The housing crisis in Massachusetts demands a multifaceted approach. The administration is committed to expanding the production of housing and assuring emergency relief supports, alongside other strategies to address this issue. As part of this approach, this tax proposal would provide targeted relief to renters and seniors.

Budget Brief: Providing Meaningful Tax Relief

First, increasing the rental deduction would assist many of our 880,000 residents who rent. Current law allows filers to deduct up to 50% of the cost of the rent for their primary residence, up to \$3,000; with this change, the maximum deduction would be \$4,000.

Further, the package would double the maximum Senior Circuit Breaker credit from approximately \$1,200 up to approximately \$2,400. This credit, indexed to inflation, provides critical relief to low-income homeowners and renters aged 65 or older. Equal to the amount by which a homeowner's property tax payments in the current tax year exceeds 10% of the taxpayer's total income, up to a maximum credit amount, the expansion of this credit's cap would recognize the rising cost of housing for many of our most vulnerable residents.

Short Term Capital Gains Rate Relief

A simplified capital gains rate structure, aligning the short-term capital gains tax rate with the long-term capital gains rate at 5%, would eliminate a key area where Massachusetts' tax structure is an outlier compared with nearly all other states. Under current law, capital gains on assets held for less than one year are taxed at 12%, versus 5% for virtually all other forms of individual income. Only two other states tax short-term capital gains at a higher effective rate than long-term capital gains. By eliminating this inconsistency, we will provide relief for 150,000+ taxpayers while simplifying our tax code.

This change has no net cost to the budget, as capital gains taxes above a threshold of approximately \$1.4 billion are not available to the budget under current law. Therefore, this change can bring the tax on capital gains more in line with other states, without requiring any tradeoff in terms of other potential budget uses for the funds.

Affordability, Equity, and Competitiveness – A framework for success

The administration has also identified targeted opportunities to improve our tax structure to deliver on making our state more affordable, equitable, and competitive. These investments include:

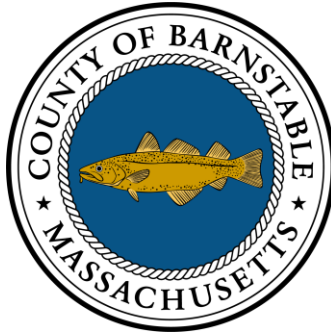
- *HDIP Cap Increase*: The Housing Development Incentive Program (HDIP) currently awards up to \$10 million per year in state tax credits to developers of market-rate housing in Gateway Cities for qualified project expenditures, expanding the supply of housing. The administration would increase the statewide cap from \$10 million to \$50 million on a one-time basis, and thereafter to \$30 million annually. This would provide critical relief to an oversubscribed program, allowing an initial infusion of development support, while sustainably funding an expansion in the future.
- *Apprenticeship Tax Credit*: The package also proposes doubling the statewide cap on the Apprenticeship Tax Credit to \$5 million and expanding eligible occupations to ensure employers in critical industries can utilize this credit to grow and modernize our economy and prepare our workforce for success.

Budget Brief: Providing Meaningful Tax Relief

- *Student Loan Repayment Exemption:* This package would create a new exemption from taxable income for employer assistance with student loan repayment, ensuring that these benefits will no longer be treated as taxable compensation.
- *Commuter Transit Benefit Expansion:* The expansion of commuter transit benefits to include regional transit passes and bike commuter expenses will both incentivize climate-friendly commuting alternatives and make our tax code more equitable.
- *Lead Paint Abatement Credits:* Doubling the credit for lead paint abatement to \$3,000 for full and \$1,500 for partial abatement would assist residents with the expense of removing lead paint, and make available housing safer for families.
- *Septic Tank Repair Credits:* The tax relief proposal will also double the maximum credit for septic tank repair or replacement in a primary residence to \$12,000, and will allow taxpayers to access these credits on a more accelerated schedule.
- *Brownfields Program:* This proposal also extends the expiring Brownfields tax credit program through 2028, so that eligible taxpayers may claim a credit for certain costs related to cleanup of contaminated properties, making them ready for redevelopment opportunities and creating a cleaner future for Massachusetts communities.
- *Live Theater Tax Credit:* Creating a live theater tax credit would enable tax credits to be claimed for a share of payroll, production, and transportation costs of qualifying live theater productions, fostering an important aspect of our cultural landscape.
- *Dairy Tax Credit:* Expanding the dairy tax credit cap from \$6 million to \$8 million would support local farms across the state.
- *Cider Tax Treatment:* Allowing locally produced hard cider and still wines to be taxed at a more competitive rate, comparable to similar alcoholic beverages, would make our tax structure more equitable and support local producers.

Together with the FY24 H.1 budget filing, the tax relief package outlined here is both sustainable and meaningful for our residents, and addresses the important issues of affordability, equity, and competitiveness across our Commonwealth. It draws on the consensus that started to emerge in 2022 around opportunities for tax relief and delivers on our promise to support Massachusetts families.

**Information from Barnstable County
Department of Health and Environment**



Barnstable County Receives EPA Grant to Develop a Low-Cost Wastewater Utility for Advanced Onsite Septic Systems

Program aims to facilitate improvements to residential wastewater treatment through regional oversight of septic system design, installation, and maintenance

September 26, 2022 (Barnstable, MA) | Utilizing Bipartisan Infrastructure Law grant funds of \$1.15M from the US EPA’s Southeastern New England Program (SNEP) and \$100K from The Nature Conservancy, the County is in the process of implementing a regional Responsible Management Entity (RME) Program over a 5-year period. The Program will benefit Cape Cod’s 15 towns and their residents by providing cost effective residential wastewater management support, similar to a sewer utility.

The primary goal of the RME Program is to give homeowners the tools they need to make environmentally beneficial decisions about onsite wastewater treatment. For example, when a standard Title 5 septic system fails in an ecologically sensitive area, a participating homeowner would have the option to install a better performing innovative/alternative septic system under the RME. Homeowners would receive assistance identifying the best available technologies, with assurance of proper design, installation, and long-term maintenance (including inspections, pumping, and basic repairs). Further, third party performance data would be collected from all participating systems, keeping municipalities informed of system effectiveness and helping them meet total maximum daily loads (TMDLs) for nitrogen and phosphorus.

According to Emma Gildesgame, Climate Adaptation Scientist for The Nature Conservancy in Massachusetts, “The responsible management entity is a major step

forward in expanding the toolbox of solutions for clean water on Cape Cod alongside sewer expansion, wetland restoration, and other innovations.”

“It is critical that we reduce the nutrient loads that lead to harmful algal blooms on Cape Cod and protect the health of the iconic watershed and its beaches,” said EPA Regional Administrator David W. Cash. “Thanks to President Biden’s historic investment through the Bipartisan Infrastructure Law, we are able to make a significant investment in septic system management practices for the Cape that will help reduce the nutrients leaching into the waterways.”

Sheila Lyons, Chair of the Barnstable County Board of Regional Commissioners added, “Wastewater remediation on Cape Cod is not one size fits all. This program takes the burden off homeowners by providing assistance for a process that can oftentimes be complicated and overwhelming. It’s going to be a lot of work, but it will be well worth it for our communities.”

Senator Ed Markey extended his support for the Program stating, “Thanks to the Bipartisan Infrastructure Law, Barnstable County officials have secured key funding to improve the region’s wastewater management systems. This investment will help ensure that Cape Cod and Buzzards Bay waterways are protected for marine species and all those who live in and enjoy the Cape’s iconic beaches and waterways.”

The grant funds through SNEP and The Nature Conservancy will help to get the RME Program started, along with support from partnering towns, the Barnstable County Clean Water Coalition (BCWC), the Buzzards Bay Coalition, Pleasant Bay Alliance and the New England Water Environment Association (NEWEA). Ongoing costs and program self-sustainability will be covered by RME user fees.

ABOUT BARNSTABLE COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT

Established under a Special Act of the Legislature in 1926, the Barnstable County Department of Health & Environment (BCDHE) provides regional public health and environmental health services throughout the 15 towns comprising Barnstable County. The Department manages several environmental, public health, and homeland security grants funded through state and federal resources. The Department’s primary mission is to protect public health and the environment and promote the physical and mental health and well-being of Barnstable County residents.

ABOUT BARNSTABLE COUNTY REGIONAL GOVERNMENT OF CAPE COD Barnstable County provides exemplary government functions and services to keep our community healthy and safe, promote sustainable growth, and offer a proactive, open government that enhances the quality of life for the citizens of Barnstable County. Learn more at www.capecod.gov

MEDIA CONTACT: Bethany Traverse, Health Communications Coordinator,
bethany.traverse@barnstablecounty.org

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**Information from Barnstable County
Department of Health and Environment**



**Barnstable County Launches ‘AquiFund’ to Help Homeowners
Afford Septic System Replacements, Upgrades, and
New Sewer Connections**

*The County’s Community Residential Septic Loan Program Expansion Will Help
Improve Cape Cod’s Water Quality*

March 1, 2023 (Barnstable, MA) -- After 16 years and over \$56 million in low-interest loans distributed for approximately 4,700 septic system repairs and replacements on Cape Cod, the Community Septic Management Loan Program (CSMLP) expanded its program to include loans for the installation of innovative/alternative technologies, as well as sewer connections. This expansion is in response to the growing problem of nitrogen pollution in the bays, estuaries, and ponds across Cape Cod that will require residents to upgrade or replace their current septic systems or connect to town sewers. The CSMLP program is now called **AquiFund**, in reference to Cape Cod’s sole source aquifer.

Failed or poorly performing septic systems can leak harmful nutrients such as nitrogen and phosphorus into the groundwater and neighboring surface water bodies, which may lead to toxic algae blooms that are harmful to the health of humans, their pets, wildlife, and marine life in the region. On Cape Cod, 126,000 properties use onsite septic systems with only a small number -- 2,382 properties -- identified as having new or alternative septic systems.

Given the degraded water quality on Cape Cod, the Massachusetts Department of Environmental Protection is proposing stricter regulations to Title 5 septic regulations and Cape Cod municipalities are building sewers to protect the region’s water from further nitrogen pollution. To help with the financial burden that many residents will face when replacing or upgrading their septic systems or connecting to a municipal sewer, **AquiFund** provides accessible low-interest

loans for all residential wastewater management measures, especially for those with greater financial need.

“AquiFund is an important community loan program as it provides equitable access to financial assistance for residential wastewater management so Cape Codders can afford to make decisions that benefit the environment and overall health of our communities,” said Brian Baumgaertel, Senior Program Specialist for the Barnstable County Department of Health and Environment. “Our County has a strong commitment to protecting water quality and **AquiFund** is one of many programs the county offers to actively protect the health of our waterways throughout the region.”

Barnstable County residents can apply for low-interest betterment loans for repairing or replacing failed septic systems, upgrading to alternative septic system technologies, as well as installing sewer connections.

Interest rates for **new applicants** will be calculated based on financial need along with additional qualifying criteria:

- 0% interest rate betterment loans are available to year-round homeowners with a household income less than \$100,500 living in a single-family, owner-occupied, primary residence located in a nitrogen-sensitive watershed.
- 2% interest rate betterment loans are available to year-round homeowners with a household income less than \$150,500 living in a single-family, owner-occupied, primary residence located in a nitrogen-sensitive watershed.
- All other new projects are eligible for loans at 4%.

AquiFund program updates include a new loan application and management portal on the Department of Health and Environment’s website. Go to <http://www.capecod.gov/aquifund> for more information.

The County’s water quality and wastewater programs provide testing, monitoring, and research in every stage of water use; from recreation to drinking, and wastewater disposal. In addition to **AquiFund**, Barnstable County offers decentralized wastewater infrastructure management to towns through its Responsible Management Entity (RME), alternative septic system tracking, research and development for new wastewater technologies at the Massachusetts Alternative Septic System Test Center, seasonal water quality monitoring for 350 bathing beaches, toxin testing of cyanobacteria in freshwater ponds, and a wide array of analytical laboratory tests to help towns adhere to federal and state water quality standards.

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Established under a Special Act of the Legislature in 1926, the Barnstable County Department of Health & Environment (BCDHE) provides regional public health and

environmental health services throughout the 15 towns comprising Barnstable County. The Department manages several environmental, public health, and homeland security grants funded through state and federal resources. The Department's primary mission is to protect public health and the environment and promote the physical and mental health and well-being of Barnstable County residents.

ABOUT BARNSTABLE COUNTY REGIONAL GOVERNMENT OF CAPE COD Barnstable County provides exemplary government functions and services to keep our community healthy and safe, promote sustainable growth, and offer a proactive, open government that enhances the quality of life for the citizens of Barnstable County. Learn more at www.capecod.gov

MEDIA CONTACT: Bethany Traverse, Health Communications Coordinator,
bethany.traverse@barnstablecounty.org

###

Supreme Judicial Court Declares Public Comment Policy Unconstitutional

March 8, 2023

On March 7, 2023, the Massachusetts Supreme Judicial Court issued its much-anticipated decision in [Barron v. Kolenda](#), SJC-13284 (“[Southborough](#)”) concerning the constitutionality of a select board policy addressing participation during “public comment” periods of its meetings. The Court concluded that the policy, which sought to implement standards of civility for public comment periods by limiting critique and rude or disparaging remarks, violated Articles 19 and 16 of the Massachusetts Declaration of Rights. In short, the [Southborough](#) court observed that “[a]lthough civility can and should be encouraged in political discourse, it cannot be required.” This case has important implications for public bodies.

By way of background, in [Southborough](#), the Select Board held a public meeting which included a public comment period. At the beginning of the public comment period, the Chair referenced the Board’s public comment policy, which required, in part, that all public comments be “respectful and courteous, [and] free of rude, personal or slanderous remarks.” During that portion of the meeting, an attendee held up a sign criticizing the Board for violating the Open Meeting Law and spending frivolously, and, when recognized by the Chair, made comments critical of the Board. The Chair requested that the attendee not slander volunteer public officials and informed the attendee that the Board would take a recess if the attendee continued. The attendee then proceeded to twice refer to the Chair using the name of a reviled historical figure. During a meeting recess, a video of the meeting showed an apparent animated exchange between the Chair and the attendee, during which the Chair threatened to remove the attendee. The attendee then left the meeting.

The [Southborough](#) court analyzed both the 19th and 16th Articles of the Massachusetts Declaration of Rights, which provide rights analogous to the First Amendment to the U.S. Constitution. The Court reviewed the history of discourse at public meetings dating back to the Revolutionary War era, noting that such meetings were at times rancorous and discourteous. Article 19 confers upon the public the rights to assemble and petition the government regarding their grievances. In its decision, the Court concluded that the right to assembly and to petition the government extends to persons making statements during a public comment period at a meeting.

The Court further concluded that Article 19’s reference to assembling in an “orderly and peaceable manner” is not the equivalent of a “polite and courteous” discourse. The Court stated, essentially, that regulation of a public comment period can only be accomplished through reasonable “time, place, and manner restrictions” permitted under the First Amendment. The Court also analyzed Article 16, which protects the rights of free speech, and applied a strict scrutiny standard in concluding that the Select Board’s “civility code” unconstitutionally regulates

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protected political speech. The Court held that the public comment policy also appeared viewpoint-based in that the policy appeared to allow praise of public officials but not criticism.

While this case did not examine the application of the Open Meeting Law, the Court seemed to premise its conclusions on the fact that the Board invited public comment by including “public comment” on its meeting agenda. Once public comment was included as an item for discussion during the meeting, the Court concluded that constitutional considerations applied to the Board’s efforts to regulate public comments.

We encourage municipalities to review the form and practice of their public comment policies, ensuring that there is no attempt to regulate civility, rude or disparaging remarks, or other content-based criticisms of public officials. In our view, public comment policies may continue to regulate, for example, content-neutral time limits for public comments, the duration of the public comment period as a whole, at which part of the meeting the public comment will occur, individual speaking time limits, rules preventing speakers from speaking over others, and acting in a non-peaceable and disorderly manner.

In summary, state law does not require municipalities to provide public comment periods during board and committee meetings. Some charters and special acts do require such public comment periods, however. Each municipality should review its governing documents to determine whether public comment is mandated. To the extent that public comment is permitted, the rights of individuals participating will be protected by Articles 16 and 19 of the Massachusetts Declaration of Rights. For these reasons, following the decision in Southborough, great care should be taken to ensure that any regulation of public comment periods is limited to reasonable time, place, and manner restrictions, rather than mandated civility, or other content-based, restrictions.

The scope and extent of the Southborough case cannot be fully anticipated. This area of law will both rapidly evolve and require ongoing analysis.

In the meantime, please contact your KP Law attorney with any specific questions.

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Agenda Item #9: Consent Agenda Cover Page

a. Meeting Minutes: February 27 ,2023

Draft meeting minutes from the Select Board regular session meetings held on February 27, 2023 have been submitted for approval.

ADMINISTRATIVE RECOMMENDATION

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

b. Appointments to the Energy & Climate Action Committee

All applicants that are recommended for appointment to this committee have submitted the required documentation and have been interviewed by the Select Board liaison. Their information was provided in the For Your Information section of the Select Board meeting packet on February 27, 2023. These appointments are for a 3-year staggered term.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the appointments to the Energy & Climate Action Committee

c. Memorandum of Agreement with Orleans & Dennis to Pursue the Development of an Intermunicipal Approach to Shoreline Management for Southeastern Cape Cod Bay

The Towns of Brewster, Orleans and Dennis were awarded a \$288k Coastal Zone Management Coastal Resilience state grant to undertake an intermunicipal approach to managing the southeast section of the Cape Cod Bay coastline, with the common goal of pursuing uniform, science-based, shoreline management strategies and principals without regard to property ownership or municipal boundaries. Consistent with our grant application, the Town of Brewster will serve as the project manager. This MOA outlines the terms under which the three towns will work together on this initiative.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the memorandum of agreement with Orleans and Dennis.

d. Pass Through Town Permission and Temporary Sign Permit Fee Waiver: 2023 Bike MS Cape Cod Getaway

The National MS Society will be hosting a cycling event on Sunday June 25, 2023. They have requested the use of Brewster Town roads between the hours of 9am and 12:30pm. The anticipated number of participants for this event is 1,000. Multiple department heads have reviewed the application and provided comments in the packet. The event organizer will be placing small temporary directional signs (2x3 sign with arrows) for riders to follow along the route and are asking for a fee waiver for the temporary signs. These signs will be placed shortly before the ride and picked up after the last riders.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the pass-through town permission and sign permit fee waiver.

e. Application for Facility Use: Brewster Conservation Trust- Calf Field Pond

The Brewster Conservation Trust will be hosting an educational nature walk and requesting use of Conservation lands. The request is for use of Calf Field Pond on Run Hill Road for May 24, 2023, with a rain date of May 25, 2023 from 10am until 11:30am. The expected number of attendees is 20. The Natural Resources Director and Conservation Administrator have reviewed the application.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the 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.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve the application.

g. Approve and Sign Consent Letter to Allow DISH Network to Sublease a Portion of the Site at 1657 Main Street

The Town entered a lease agreement with Dish Network on November 7, 2022. DISH Network intends to sublease a portion of the site at 1657 Main Street from Crown Castle. The sublease will include installation of new equipment within the lease area; however, it will not alter the character or use of the site, nor will it change the nature of the occupancy of the site.

ADMINISTRATIVE RECOMMENDATION

We recommend that the Board approve and sign the consent letter.



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MINUTES OF THE SELECT BOARD MEETING

REGULAR SESSION

DATE: February 27, 2023
TIME: 5:30 PM
PLACE: Remote Participation

REMOTE PARTICIPANTS: Chair Whitney, Selectperson Bingham, Selectperson Chaffee, Selectperson Hoffmann, Town Manager Peter Lombardi, Assistant Town Manager Donna Kalinick, Finance Committee Members: Pete Dahl, Andrew Evans, Alex Hopper, Honey Pivirotto, Robert Tobias, and William Meehan, Eric Orcutt, Amanda Bebrin, Human Resources Director, Susan Broderick

ABSENT: Selectperson Chatelain

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

Chair Whitney called the meeting to order at 5:30pm, declared a quorum by stating that all members of the Select Board are present via zoom and read the meeting participation and recording statements.

Executive Session

- To discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: Federal Multidistrict Litigation vs. CVS, Walgreens, Walmart, Teva, and Allergan
- Review & Vote on Executive Session Minutes

Selectperson Hoffmann moved to enter executive session. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

The Board returned to regular session at 6pm.

Consent Agenda

- Meeting Minutes: February 8, February 9, February 10, and February 13, 2023
- Appointments: Pond Property Planning Committee- Tim Hackert, Brewster Affordable Housing Trust, voting member and Suzanne Kenney, Vision Planning Committee liaison
- Intermunicipal Agreement with Falmouth to Purchase Oyster Seed
- Department of Public Works Request for Fee Waiver
- One Day Liquor License Application; Brewster Sportsman's Club
- Pass Through Town Permission; Second Summer Cycle, LLC/ Cape Cod Chamber of Commerce

Selectperson Hoffmann moved to approve the Consent Agenda of February 27, 2023. Selectperson Chaffee second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Public Announcements and Comment: None



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Select Board Announcements and Liaison Reports

Selectperson Chaffee announced that there will be a “Fix-it” Clinic hosted by both the Recycling Commission and the Brewster Ladies Library on March 11, 2023, from 1pm – 4pm at the library. The clinic is open to residents that have a household item that needs repair, appointments can be made through the Brewster Ladies Library website. If anyone would like to volunteer their time on the Fix-it team, please reach out to Recycling Commission Chair, Meg Morris at brewster.recycling@gmail.com.

Town Manager’s Report

Mr. Lombardi noted that there is a Special Town Meeting on Monday March 6, 2023, at 6pm (check in starts at 5pm) at Stony Brook Elementary School. Warrants are available on the Town website and in hardcopies at several Town Buildings and a handful of local businesses.

Review Annual Liquor License for BANDG, LLC d/b/a Apt Cape Cod and Vote on Request for Prorated Refund

Ms. Kalinick reviewed that the property owners at 2149 Main Street were granted an 8-week Annual Liquor License allowing them the opportunity to complete a sale of the property and transfer the license. The owner, Art Arnold notified via email to the Town that they will be giving the liquor license up. Mr. Arnold has requested a prorated refund of the fee for the Annual Liquor License. The amount for the 8-week period would be \$285 and a refund of the balance for the remainder of the year to be approved by the Select Board.

The Kitchen Café has provided an application to the Town Manager’s office for a change of classification. After the resolution of tonight’s agenda item, the Town will move forward with the process for setting a public hearing for the new license. Danielle Panzica, owner of the Kitchen Café, joined the meeting and expressed her interest in the Annual license.

Selectperson Hoffmann moved to refund the amount of \$1,565 for the Liquor License issued to BANDG LLC d/b/a Apt Cape Cod. Selectperson Bingham second. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Chaffee-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Vote to Place Article Seeking to Ban the Sale of Nips on Spring 2023 Annual Town Meeting Warrant

Mr. Lombardi reviewed that the Recycling Commission has recommended to bring a bylaw to Town Meeting to ban the sale of nips. The Select Board held a public hearing giving residents and business owners the opportunity to provide feedback before deciding whether to place an article on the warrant. Selectperson Chaffee recommends that we use the suggested wording for the warrant article that was recommended by Town Counsel with a slight correction.

Selectperson Chaffee moved to use the recommended language and place the article on the warrant. Selectperson Hoffmann second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

6:15PM Public Hearing: Annual All Alcoholic Beverages Package Store License Transfer, Pledge of Inventory and Pledge of Collateral – KMKB Inc. d/b/a Brewster Village Marketplace



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Selectperson Hoffmann moved to open the public hearing. Selectperson Chaffee second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Gregory Demakis who represents the petitioner, Brewster Market and Liquors Inc., who have entered into an agreement with the seller to purchase the real estate at 1760 Main Street. The sole stockholder is Tapan Patel, a very experienced operator. The manager of the store will be Raj Patel. Mr. Demakis noted that the operation and trade name will remain the same. The store will be open 7 days a week from 7am until 11pm, the hours of liquor sales will be 8am until 11pm Monday through Saturday and Sundays from 10am until 11pm.

Selectperson Hoffmann moved to approve the All-Annual Alcoholic Beverages Package Store License Transfer, Pledge of Inventory and Pledge of Collateral for KMKB Inc. d/b/a Brewster Village Marketplace with the change of hours as mentioned. Selectperson Chaffee second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Selectperson Hoffmann moved to close the public hearing. Selectperson Bingham second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Presentation and Discussion on Proposed FY24 Cape Cod Regional Technical High School Budget- Erin Orcutt, CCT Finance Director (Joint with Finance Committee)

Finance Committee Chair Pete Dahl called the meeting to order at 6:18pm, declared a quorum by announcing all Committee members present: Andrew Evans, Alex Hopper, Honey Pivrotto, Robert Tobias, and William Meehan

Erin Orcutt reviewed the FY24 Operating budget for the Cape Cod Regional Technical High School presentation, some of the highlights included:

- FY24 Enrollment by Town; up 11 students for a total of 664 students. Brewster has 53 students enrolled, down 6 from FY23.
- The FY24 Budget has been approved at a 3.86% increase: an increase of \$623,000 over the FY23 Budget. The total operating budget is \$16,750,000.
- The money comes from; Assessments (\$12,491,079), State Aide (\$3,593,921) and Local Revenues (\$665,000)
- In the review of what the money is used for the largest percentage is teachers' salaries at 34.7% and second largest is insurance benefits at 11.4%.
- FY24 Capital Debt Assessment is \$471,498 and the operating assessment is \$992,867 which totals \$1,464,365.

Members of the Select Board and Finance Committee asked questions regarding the presentation, questions



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included the State's free breakfast and lunch program, mental health services for students, enrollment compared to the capacity of the school (building was designed for 650 assuming an 85% capacity figure, Ms. Orcutt noted the school is comfortable in enrollment and could push another 35-45 students) and the Excess and Deficiency fund. Mr. Lombardi noted that the Town expected between a 2.5-3% increase from Cape Cod Tech, between the combination of the enrollment decline and the application of the additional State funding, our assessment from FY23 to FY24 is set to go down a little over 10%. Adding that there is \$100K in savings to the Brewster budget for the Cape Cod Tech assessment for their operating budget for next year.

Update on FY24 Nauset School Budgets & Potential Operating Override(s)- Select Board FY23-24 Strategic Plan Goal G-1

Mr. Lombardi noted that the Town has been working under the assumption that we could accommodate a 3% increase to both the Nauset District assessments and the Brewster Elementary Schools budget and have about \$75K in excess levy capacity on a \$55M budget. There have been several changes to the budgets in the Towns favor in providing a little bit more capacity, two major drivers are a significant decrease on the Cape Cod Tech assessment and our net State Aid which resulted in an increase of about \$130K in levy capacity. The Town is now in a position to be able to support a 4% increase in the schools' budget and still have a little excess levy capacity.

The Nauset Regional Assessment for Brewster is currently projected to increase by 10.6%, the Stony Brook Elementary School is at least 6.5% to 7.2% increase and the Eddy Elementary School is a 7.8% increase. Mr. Lombardi stated that if these budgets remain constant from where they are today, we are looking at a deficit of approximately \$1.1M. About \$325K is related to the combined elementary school budgets, another \$800K needed to fully fund the Region over the 4% that we can afford above the levy.

Operating overrides would require both majority votes of our local town meeting and at the ballot. In meeting with Town Managers of district Towns, all four Towns will need to bring forward operating overrides to fund their share of the Nauset District budget if there are not significant decreases.

Members of the Select Board and the Finance Committee provided their feedback, concerns and comments on the information provided. Mr. Lombardi noted that Nauset leadership will be attending the March 20 Select Board meeting and the March 29 Finance Committee meeting. Mr. Lombardi also shared what happens if the override did not pass, noting that the Town is governed by State regulations in terms of approvals of regional school district budgets.

Finance Committee member Tobias moved to adjourn. Second by member Meehan. A roll call vote was taken. Member Evans-yes, Member Henchy-yes, Member Hooper-yes, Member Pivirotto-yes, Member Tobias-yes, Member Meehan-yes, Chair Dahl. The vote was 7-Yes,0-No.

Discuss and Vote to Accept FY22 Audit- Honey Pivirotto, Audit Committee Chair

Ms. Pivirotto shared that the Audit Committee reviewed the listing of grants totaling \$878,738. 68 (included in the packet) for which the compliance report was prepared and approved. The Committee voted to recommend acceptance and approval of the audit and the compliance report which was permitted for this



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year in lieu of a single audit for this period. Ms. Pivrotto reviewed the highlights of the audit, which includes that the audit was accompanied by a “clean, unqualified opinion” which is the most optimal audit letter the Town can receive. This indicates the auditor’s belief the Town’s financial statements fairly present its financial results, financial position and cash flows. Financials are in good order and reflect a healthy position for the Town. Assets of the Town exceeded liabilities by \$77.36M.

Ms. Pivrotto shared that the Town was determined to be fully compliant with the terms of the grants based on the auditors review of the requirements of each and every grant. For this year the compliance report by the auditors will fulfill the Town’s reporting obligations.

Selectperson Bingham moved to accept the Audit as presented. Selectperson Hoffmann second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Discuss and Vote on Recommended Summer 2023 Community Pool Program and Fee Structure- Amanda Bebrin, Bay Property Planning Committee Chair (Select Board FY23-24 Strategic Plan Goal SC-2)

Ms. Bebrin noted that the slide deck from the January 17, 2023 public pool forum is included in the packet to provide information about the facility and the plans to open for the summer. The Bay Property Planning Committee (BPPC) voted on the following:

- The pool would be from June 26, 2023 through August 15, 2023.
- Hours will be from 8am until 6pm operation, there is intent to open the pool at 7am.
- Membership will be for residents only, with 5 membership tiers:
 - Individual Senior aged 70+ = \$75
 - Two-person household of which one must be 70+ = \$125
 - Individuals = \$100
 - Two-person households = \$150
 - Families = \$200

The BPPC voted to support the Recreation Department and Commission in their efforts to provide programming that consists of lap swim, open swim, swimming lessons, water aerobics and group activities. The schedule and details will be completed by the Recreation Commission.

Residents who have purchased a pool pass will have an option to purchase guest passes for up to 10 guests for a cost of \$50. Another offering for residents is 4 drop-in days at \$5 a swim. Ms. Bebrin noted that the most frequent response from residents was concern for fellow residents who may not be able to afford the pool memberships, the Good Neighbor Fund will be an option to apply to for help with membership costs.

Mr. Lombardi explained that generally speaking the Town would need about 1000 residents to purchase some form of membership to reach the goal of self-sufficiency for the pool this season. Adding that we have the initial appropriation for \$200K that was approved and was intended to cover first year costs.



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one time, this is consistent with staffing needs and the required lifeguard to swimmer ratio of 1 to 25. The Town will be using the same system as we did last year with First Light Beach, when capacity is met, the gate keeper will be notified for anyone entering the property.

Mr. Lombardi shared that the regulations for the pool are being developed and the Recreation Commission will be adopting them in the next month or so. Also planning on having dedicated staff at the pool who aren't lifeguards who will be checking people in and responsible to track the number of people in the pool facility and ensuring regulations are being followed.

Selectperson Chaffee moved to approve the recommended summer 2023 Community Pool program and fee structure. Selectperson Hoffmann second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Discuss and Vote to Change COVID Relief Fund to Good Neighbor Fund- Susan Broderick, HR Director

Susan Broderick provided background of the COVID Relief Fund, which was established in the summer of 2020 to assist residents who were directly impacted by COVID 19. Ms. Broderick reviewed the committee make up and the application process, the committee reviewed just over 20 application and awarded a little over \$27K. There is currently \$16,480.16 remaining in the fund. The criteria for financial assistance were reviewed. Ms. Broderick shared that the committee recommends that this fund become the Good Neighbor Fund, which would allow more residents in need to apply. Noting that the committee would like to keep the AMI requirements at 110% and the award amount at \$1,000. The application process would remain the same with Town staff reviewing applications and making recommendations on other programs the applicant may be eligible for as well as the Good Neighbor Fund. All committee members are willing to serve on the Good Neighbor Fund Committee and significant donors from the COVID Relief Fund are supportive of the change.

Selectperson Hoffmann moved to approve the change the name of the Covid Relief fund and the purpose to the Good Neighbor Fund as presented. Selectperson Chaffee second. A roll call vote was taken. Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-Yes, 0-No.

Citizen's Request to Shift Future Town Meetings to Saturdays

Brewster residents Devin Maguire, Casey Chatelain, Marissa Cyr, and Sarah Nitsch joined the meeting to raise the issue of accessibility of Town Meeting, which they believe is suffering due to the current schedule. They urge administrators to consider rescheduling Town meetings to make sure that engagement is accessible as possible to the greatest number of residents. Ms. Maguire went on to review recent Town Meetings on weeknights that can create a number of barriers for residents. There was mention of challenges for young families, young professionals, and the elderly population. The group proposed the possibility of moving Town Meetings to Saturdays, additional childcare options, as well as other ideas that have been presented in a letter that is in the packet.



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Selectperson Chaffee thanked the group for bringing this topic up and noted that it has been discussed many times. The Town's goal is to have as many people participate in Town Meetings as possible so decisions reflect the broadest community views. Selectperson Chaffee mentioned that research has shown that there is not a perfect time or day as there will always be a barrier for someone. Mr. Lombardi shared that what really impacts attendance at meetings was not when it is held, but the issues that are on the warrant. Administration and the Select Board will continue to explore the option to hold Town Meetings on Saturdays, possibly as early as November 2023 and look to expand childcare services.

Review and Potential Votes on Spring 2023 Annual Town Meeting Warrant Articles

Mr. Lombardi reviewed the updated list of articles that we are anticipating will be on the warrant for the Annual Town Meeting on May 1, 2023. Some of the articles include:

- Placeholder for operating overrides for both the Elementary schools and Regional High School budgets
- Proposed amendment to create two new revolving funds to Town bylaws, a Community Garden Revolving Fund and Wetland Protection Revolving Fund.
- Placeholders for article related to Wing Island Access and related to Wing Island long-term protection in the form of a Conservation Restriction and/or transfer of care, custody, and control of the Island and changes of use. These are pending the outcome of the Special Town Meeting.
- Prohibition of the sale of nips
- 3 Citizens Petitions:
 - From sustainable practices, which is taking a Cape-wide initiative to prohibit plastic food containers and utensils.
 - Require Town Meeting approval of all projects over \$100K regardless of appropriation.
 - Place conditions on the Select Board acceptance of anonymous gifts.
- Working with Brewster Conservation Trust to determine if we an article of a release of easement for a portion of Great Fields Road.

FYIs

None

Matters Not Reasonably Anticipated by the Chair

None

Questions from the Media

None

Next Meetings

March 6 (Special Town Meeting), March 13, March 20, April 3, and April 24 2023

Adjournment

Selectperson Chaffee moved to adjourn at 8:36pm. Selectperson Bingham second. A roll call vote was taken.



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Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Hoffmann-yes, Chair Whitney-yes. The Board vote was 4-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, Consent Items, Annual Liquor License packet, Liquor License Transfer packet, FY24 CCRT operating budget, FY24 Nauset School Budgets, FY22 Audit packet, Summer 2023 Community Pool information, Good Neighbor Fund, Citizen's request, Potential article to ban the sale of nips, Spring ATM Warrant articles, FYIs.

DRAFT

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. **Was at least 1 Brewster reference contacted:** Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

- a.
- b.
- c.

NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

- Active Retired Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.

-
-
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-

14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:

- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address:
Phone:
Email:
Relationship to you:

b. Name:
Address: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
 - Massachusetts Conflict of Interest Law, MGL Ch. 268A;
 - Massachusetts Financial Disclosure Law, MGL Ch. 268B;
 - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
 - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
 - Massachusetts Campaign Finance Law, MGL Ch. 55; and
 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature: Date:

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. Was at least 1 Brewster reference contacted: Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to
for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

- a.
- b.
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NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

- Active Retired Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.

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14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:

- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed?(Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address:
Phone:
Email:
Relationship to you:

b. Name:
Address:
Phone:
Email:
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

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- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
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 - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
 - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
 - Massachusetts Campaign Finance Law, MGL Ch. 55; and
 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature: Date:

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. **Was at least 1 Brewster reference contacted:** Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
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- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

- a.
- b.
- c.

NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

Active

Retired

Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.

-
-
-
-

14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:

- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]
Relationship to you:

b. Name:
Address: [REDACTED]
Phone: [REDACTED]
Email: [REDACTED]
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
 - Massachusetts Conflict of Interest Law, MGL Ch. 268A;
 - Massachusetts Financial Disclosure Law, MGL Ch. 268B;
 - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
 - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
 - Massachusetts Campaign Finance Law, MGL Ch. 55; and
 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature: Date:

EDWIN (FORRY) FORREST WEATHERBY

SENIOR INNOVATION, ENGINEERING AND SUPPLY CHAIN EXECUTIVE

Developing and transforming/upgrading new and existing organizations and systems

*Program & Project Management/Engineering Manufacturing/Change Management
Innovation Development & Execution/NPD Design & Execution/Gated Innovation Processes
Sales & Operations/Relationship Management/Margin Management/Package Development*

Senior leader with background in global, end-to-end supply chains; engineering; manufacturing; program/project management; package development/engineering; innovation development/execution; and corporate acquisition experience with large- and mid- sized consumer products companies.

Seeking a challenging and growthful part time or contracting role during retirement to maintain and grow skills.

PROFESSIONAL EXPERIENCE

DURACELL, INC

2016 – March '22 (Retired)

Senior Global Director Bethel, CT (and Virtual 2020-22)

- Global Supply Chain Planning for going battery supply and major initiatives
- Global R&D Package Development for new programs and package structures

ELIZABETH ARDEN, INC

Vice President – Supply Chain Global Professional Stamford, CT

2013 – 2016

Vice President – Global Package Development & Engineering Stamford, CT & New York, NY

2010 – 2014

Director – Global Program Management Stamford, CT

2009 – 2010

PROCTER AND GAMBLE, INC – Extensive history of increasing responsibilities in Product Supply, Mfg and R&D across numerous manufacturing and headquarter sites, and multiple beauty product lines. Latest previous roles:

Supply Chain Manager – North America Clairol Division Stamford, CT

2002 – 2008

Managed \$0.5B end to end supply chain for Clairol Hair Color products. Directly responsible for all supply chain execution, metrics and results for North American business (program management, innovation development & execution, customer service, inventory, margin/COGs). Provided acquisition leadership in organization design.

Global Program Manager – Packaging/Brand Franchise Cincinnati, OH

1997 – 2002

Responsible for establishing the end to end supply chain for new products, innovations and initiatives for a \$2 Billion global brand, and managing the brand initiative program for design/delivery of new products globally.

Numerous Previous Positions with Procter and Gamble Cincinnati OH, Chicago IL, Quincy MA, Hamilton, Cdn, Stamford CT

Engineering, Plant and Manufacturing Management, Package Development, New Product Development, Project Management

EDUCATION

MBA, Finance, Marketing - Xavier University, Cincinnati, OH

BS, Mechanical Engineering - Carnegie Mellon University, Pittsburgh, PA

PROFESSIONAL DEVELOPMENT

- Advanced Management Studies – Corporate Re-engineering - Babson University, Boston, MA
- Numerous corporate internal & external Professional Courses – Leadership Development, Program Management, Initiative Management, Package Development & Engineering, Project Management, Manufacturing Resources Planning Processes, Demand Planning Leadership, Glass Design and manufacture, Professional Channel, Personal Device Development
- Expertise in all Microsoft Office programs and Microsoft Project

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. Was at least 1 Brewster reference contacted: Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to
for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

Richard M. Wolf

[REDACTED]
Brewster, MA 02631

E-mail: [REDACTED]

December 7, 2022

Dear Select Board Members,

I wish to be considered for membership in the new Climate and Energy Committee.

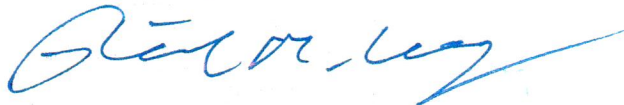
I have been a Brewster homeowner for 4 decades and a full-time resident for 2 decades.

My background includes a Professional Electrical Engineer degree with 50 years experience.

My wife and I, as Brewster homeowners, are the first town residents to install both PV and hot water solar on our home. My interest in renewable energy was the impetus in my energy presentation to the Board of Selectmen which resulted in the formation of the current Energy Committee. I am a charter member of this committee.

I believe my interest in sustainable energy and long term experience with Brewster's energy needs qualifies me to continue to bring value to this new committee. I am committed to help Brewster in its evolution to renewable energy.

Sincerely,



Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

-
1. Applicant name:
 2. Address:
 3. Phone Numbers: Home: Cell:
 4. Email:
 5. This is an application for: Full member status Alternate status
 6. Are you a full-time Brewster resident? Yes No
 7. Years you've lived in Brewster:
 8. Are you registered to vote in Brewster? Yes No
 9. Committees you are interested in serving on in order of preference:
 - a
 - b
 - c

NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

Active

Retired

Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

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- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address:
Phone: XXXXXXXXXX
Email:
Relationship to you:

b. Name:
Address:
Phone:
Email:
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
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 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
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SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
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2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
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v. Did Committee Chair also interview applicant? Yes No

c. Was at least 1 Brewster reference contacted: Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

To: Brewster Select Board
January 11, 2023

Charles Hanson


Dear Select Board Members,

I am writing to express my interest in serving on the Energy and Climate Action Committee. I am currently on the Energy Committee and the de facto chair of the committee. I have been on the Energy Committee since 2014. During that time, I have been active in working with CVEC and the Town to install and operate large solar arrays on the capped landfill and at the Captains Golf Course. These projects save the Town a considerable amount of money and just as importantly have reduced our collective carbon footprint. I believe that most people in the town take pride in these projects. I was one of the leaders on the Energy Committee in applying for and winning state approval as a Green Community.

I would like to continue to support the goals of the Town and of the people of Brewster to reduce our carbon footprint and to mitigate climate change. The analysis and planning of the work in support of those goals is the Charge of the Energy and Climate Action Committee. There is still much work to do in Brewster and feel I am uniquely qualified to help in that effort as a member of that committee.

Thank you for considering my application to serve on the Energy and Climate Action Committee.

Charles Hanson

Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
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- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

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Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address: ████████████████████
Phone: ██████████
Email: ██████████
Relationship to you:

b. Name:
Address: ████████████████████
Phone: ██████████
Email: ██████████
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

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Signature: Date:

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
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- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. Was at least 1 Brewster reference contacted: Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

Archived: Thursday, January 26, 2023 3:00:06 PM

From: COLIN ODELL

Sent: Thu, 26 Jan 2023 19:54:40

To: Erika Mawn

Subject: Interest in Energy and Climate Action Committee appointment

Sensitivity: Normal

Attachments:

[E_CA Committee Application CGO.pdf](#) 

This email is for the purpose of expressing my interest in serving on the Brewster Energy and Climate Action Committee. I currently serve Brewster as the Town's representative to the Cape Light Compact Board. I was a member of the Energy Committee until its recent disbanding in order to form the Energy and Climate Action Committee. I have also served as the Chair of the 2015 Government Study Committee.

I am interested in this appointment to continue to help Brewster achieve the energy use reductions and transformations that will be necessary to reach the Massachusetts carbon reduction goals. Reaching these goals will require more than just reducing the consumption of energy in the forms it is used in today. It is going to take a wholesale change in the way we think about how energy should be used and in what form. Achieving the necessary carbon reductions will require a change in mindset by everyone as to what is the appropriate energy to use for every need. People will have to adapt their thinking to accept electric powered transportation and heating systems to name just two major areas.

I have attached my completed Select Board Committee Appointment Application. If it is necessary to have a copy of this form with an original signature please let me know and I will drop one off at the Town Manager's office.

Thank you,

Colin Odell


Brewster


Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

- a.
- b.
- c.

NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

- Active Retired Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.

-
-
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-

14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:

- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address: ██████████
Phone: ████████
Email: ██████████
Relationship to you:

b. Name:
Address: ██████████
Phone: ████████
Email: ██████████
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
 - Massachusetts Conflict of Interest Law, MGL Ch. 268A;
 - Massachusetts Financial Disclosure Law, MGL Ch. 268B;
 - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
 - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
 - Massachusetts Campaign Finance Law, MGL Ch. 55; and
 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature: Date:

Appendix C

SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

Applicant Name

Requested Committee

1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter: Yes No
b. Date confirmed

2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

a. Select Board Liaison Applicant Interview:

- i. Interviewer name (Select Board Liaison):
ii. Interview date:

b. Select Board Liaison Consultation with Committee Chair:

- iii. Committee Chair name:
iv. Consultation date:
v. Did Committee Chair also interview applicant? Yes No

c. Was at least 1 Brewster reference contacted: Yes No N/A

d. Select Board Liaison Recommendation:

- i. Recommend appointment.
ii. Recommend appointment to other committee that is a better fit for applicant qualifications.
iii. Recommend holding application for future opening.
iv. Not recommended.

3. SELECT BOARD ACTION

- a. At a Select Board meeting held _____, the Applicant was appointed to for a term ending _____ year term.

4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

January 27, 2023

Town of Brewster

To Whom it may concern:

I am writing to give my background in order to be considered to participate on the Brewster Energy and Climate committee. I live at 5 Jakes Lane and have been living in Brewster since 2010, first as a part time resident and now full time since 2019.

I have over 40 years of experience in the energy industry in the Northeast in multiple roles. I have a Master of Engineering degree and a Professional Engineer license in NY. My experience includes electricity grid operations at both the state and utility levels, energy contract management, executive leadership of electricity and natural gas supply to end use customers, building level energy efficiency projects, wind development and community solar development.

Specific to Cape Cod I was the lead broker in 2004 to match Con Edison Solutions with the Cape Light Compact for the initial electricity supply arrangements for the Compact. At the time it was the largest such arrangement in the US. That agreement paved the way for the Compact to successfully continue in the electricity supply function for the long-term giving Cape residents and businesses a way to reduce and control electricity costs. The process to structure and implement the supply took over a year. As the broker in the process, I was meeting regularly with Cape Light staff (and Board) and Con Edison Solutions to balance the needs of both parties, get the required approvals from both parties and then assist with the startup and subsequent renewals of the arrangement.

I believe my wide-ranging experience both on and off Cape would be helpful to the Committee and the Town. My experience matches the goals of the Committee for greenhouse gas reduction, specific achievable strategies and other energy related matters that may be referred to the Committee. One of the charges to the Committee is educational outreach to residents and businesses. I have extensive experience with that type of activity including being an invited speaker to a wide variety of meetings and conferences, speaking to high school students on various energy issues, and working with a local high school in NY to develop and implement a comprehensive energy management plan in the school.

As I am semi-retired, I have the time to actively participate in the Committee and believe I can be an asset and an active contributor to the goals of the Committee and the town.

I look forward to hearing from you.

Thank you,

Philip VanHorne

Philip VanHorne



Appendix B

Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
 - Email: EMawn@Brewster-MA.gov
 - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
 - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

1. Applicant name:

2. Address:

3. Phone Numbers: Home: Cell:

4. Email:

5. This is an application for: Full member status Alternate status

6. Are you a full-time Brewster resident? Yes No

7. Years you've lived in Brewster:

8. Are you registered to vote in Brewster? Yes No

9. Committees you are interested in serving on in order of preference:

- a.
- b.
- c.

NOTE: You may attach a résumé or CV instead of completing items 10-14.

10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.

Name of School	Degree/Diplomas Certificates	Date of Completion

11. OCCUPATION: _____

- Active Retired Not currently working

12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.

Name of Employer	Job Title	Dates of Employment

13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.

-
-
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14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:

- a. Organizations and dates:

15. GOALS: Please explain why you'd like to serve on a particular committee.

16. EXPERIENCE & SKILLS: Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

17. TOWN EMPLOYMENT: Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes No

18. CONFLICTS OF INTEREST. Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed) Yes No

19. LOCAL REFERENCES: Please provide the names and contact information for references (Brewster residents preferred):

a. Name:
Address: ██████████
Phone: ██████████
Email: ████████████████████
Relationship to you:

b. Name:
Address:
Phone:
Email:
Relationship to you:

20. ADDITIONAL INFORMATION. Please add any additional information you'd like.

20. SIGNATURE. By signing below, you state that you understand and agree.

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
 - Massachusetts Conflict of Interest Law, MGL Ch. 268A;
 - Massachusetts Financial Disclosure Law, MGL Ch. 268B;
 - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
 - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
 - Massachusetts Campaign Finance Law, MGL Ch. 55; and
 - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature: Date:

Energy and Climate Action Committee

The Committee shall be appointed by the Select Board and shall be comprised of seven voting members for three-year staggered terms. The Brewster representatives to the boards of the Cape Light Compact and the Cape and Vineyard Electric Cooperative shall be ex-officio members, if not full members of the Committee. The Committee will report to the Select Board on energy- and climate-related matters and shall make recommendations for future action.

The Committee shall coordinate with relevant Brewster committees and outside organizations as necessary to accomplish its charge as set forth below.

Current Charge:

- (1) The Committee is charged to evaluate the economic and practical feasibility of all energy-related projects and climate change-related activities on Town municipal property. Activities undertaken under this charge include but are not limited to such things as:
 - A. Evaluating and making recommendations regarding energy efficiency, energy conservation, and greenhouse gas reduction for Town facilities, projects, and practices.
 - B. Reviewing Town bylaws, regulations, and policies to promote energy efficiency, renewable energy, and climate change mitigation, and making recommendations to Town administration.
- (2) The Committee is charged to conduct educational outreach to residents and businesses on climate change mitigation and adaptive strategies, as well as energy-related matters, in coordination with the Town Administrator and/or the Select Board.
- (3) The Committee is charged to lead Town efforts to address climate mitigation and adaptation goals, as identified in the Town's Municipal Vulnerability Preparedness Hazard Mitigation Plan, Climate Emergency and Net Zero Declaration, Local Comprehensive Plan and Select Board Strategic Plan. Where appropriate, these efforts are to be coordinated with the Natural Resources Advisory Commission, and recommendations are to be brought forward to Town Administration.

Established:

December 5, 2022 Select Board Meeting

Membership:

Consists of 7 voting members appointed by the Select Board for three-year staggered terms. The Brewster representatives to the boards of the Cape Light Compact and the Cape and Vineyard Electric Cooperative shall be ex-officio members, if not full members of the Committee. *One member position may be held by a Brewster part-time resident.*

MEMORANDUM OF AGREEMENT

Between the Towns of Brewster, Dennis, and Orleans

TO PURSUE THE DEVELOPMENT
of
AN INTERMUNICIPAL APPROACH TO SHORELINE MANAGEMENT
For
SOUTHEASTERN CAPE COD BAY

This Memorandum of Agreement (MOA) dated _____, by and between the Town of Brewster, acting through its Select Board (hereinafter "Brewster"), the Town of Dennis, acting through its Select Board (hereinafter "Dennis"), and the Town of Orleans, acting through its Select Board (hereinafter "Orleans"), (together the "Three Towns") is entered into pursuant to G.L, c. 40, s.4A, upon the following terms and conditions:

WHEREAS, the southeastern shoreline of the body of water known as Cape Cod Bay lies within the municipal boundaries of Dennis, Brewster, and Orleans; and

WHEREAS, the Conservation Commission/Natural Resource Department staff of the Three Towns worked together to apply for, and secure funding awarded through the Coastal Resilience Grant Program of the Massachusetts Office of Coastal Zone Management (CZM) (the "Grant") to pursue an intermunicipal approach to management of the southeastern shoreline of Cape Cod Bay; and

WHEREAS, said shoreline (the "Shoreline") running from Bass Hole (near the mouth of Chase Garden Creek) in Dennis to Rock Harbor in Orleans is defined by approximately 13.5 miles of barrier beaches, dunes, banks, land under the ocean, salt marsh, and tidal flats as these terms are defined in the state Wetlands regulations (310 CMR 10.00); and

WHEREAS, these coastal wetlands function together to minimize storm damage and control coastal flooding of adjacent upland areas and infrastructure while promoting the health and resiliency of the Shoreline; and

WHEREAS, the long-term sustainability of these wetland areas is partially dependent on sand from the Shoreline supplied through a shared longshore sediment transport system; and

WHEREAS, human alteration and activities along the Shoreline can limit the ability of sediment transport systems to supply sand to the nearshore environment; and

WHEREAS, the Shoreline has been altered by coastal engineering structures such as seawalls and groins; and

WHEREAS, the Three Towns recognize the connectivity of their coastal system and, therefore, acknowledge their support of an intermunicipal approach to managing the Shoreline with the common goal of pursuing uniform, science-based, shoreline management strategies and principles without regard to property ownership or municipal boundaries; and

WHEREAS, it is the desire of the Three Towns to work together in this and future grant opportunities to promote responsible stewardship of resources of the Shoreline.

NOW THEREFORE, in consideration of the mutual covenants contained herein, Dennis, Brewster, and Orleans, hereby agree as follows:

I. Scope of Coverage

This MOA is adopted by the undersigned towns who agree to work together to develop and pursue the implementation of an intermunicipal management approach for the Shoreline, as described in the Grant application, which is incorporated in and made part of this MOU. Specifically, this MOA establishes the common goal to pursue uniform, science-based management strategies, principles, and approaches that promote responsible stewardship of their shared Shoreline. In addition to the Grant, the Three Towns agree to work cooperatively to seek funding for future planning opportunities to further this approach as management priorities are identified for the Shoreline in accordance with the terms of this MOU.

The Town of Brewster has agreed to serve as the project manager and oversee a project team comprised of one representative from each town. Since no cash match was required, each of the town partners has agreed to provide in-kind services as set forth in the grant application. The project team will meet as required to oversee progress, facilitate intermunicipal communication, and otherwise ensure that the funded project is proceeding efficiently and on schedule.

Each town participating in this planning effort shall continue to retain authority over the resources and activities within its jurisdiction. The actions of each town shall complement, and not duplicate or compete, with the functions of existing regulatory and planning agencies or organizations in each of the undersigned towns as they pertain to the management of the southeastern shoreline of Cape Cod Bay.

II. Budgeting and Reporting

This initial planning effort is supported by funds awarded through the Grant.

Brewster shall perform all necessary fiscal and administrative functions necessary to provide the services contemplated under this MOU. Brewster shall be the holder of all grant funds related to the

program and Brewster is hereby authorized to expend said funds on behalf of the Three Towns for the purposes described herein.

Brewster shall keep records of all funding and expenditures for review by the other towns, and shall provide periodic financial status updates.

As an ongoing regional effort, in accordance with the provisions of this MOA, the Three Towns agree to pursue future grant opportunities with approval of each Town Administrator/Manager. If required by the grant process or by mutual agreement of the parties, they agree to provide in-kind services, or cash matches, as necessary, with the approval of the respective Select Board for each town and subject to appropriation by their respective Town Meetings.

Notwithstanding the foregoing, no party shall be obligated to supply any funding or incur any cost in excess of the amounts made available through the Grant and/or any other and gifts, grants, or other sources appropriated for the purposes of this MOU. Individual municipal costs incurred outside the scope of this MOU and specific to the needs of that town will be borne solely by that town. Any funds contributed for the purposes of this MOU shall only be used for shared services described herein.

III. Term

This MOU shall take effect on the date written above and continue in effect until such time as funding for the program has been exhausted or it has been terminated, whichever occurs first. This MOU may be terminated by agreement of the Three Towns, provided, however, that any party may withdraw from the MOU upon thirty (30) days written notice to the other parties.

IV. Miscellaneous

This Agreement is not intended to substitute or preclude any other agreements that may now or hereafter be in effect among the Towns.

This Agreement may only be amended or modified by written document signed by the Select Board in each Town.

All employment rights, compensation and benefits of employees rendering services pursuant to this MOU shall be the responsibility of the town by which the employee is regularly employed and such employees shall not be considered employees of the other towns for any purpose. Each town shall assume and be responsible for all of its own equipment costs, including but not limited to damage or loss of its own equipment and the use of fuel or other expendable supplies.

All immunities from liability enjoyed by the employees of each town within their own jurisdiction shall extend to their participation in rendering services outside its boundaries and such employees

shall maintain any rights of indemnification granted by law for any claims arising out of the actions taken within the scope of their employment.

Each town agrees to assume its own liability for services provided under this MOU and, to the extent permitted by law, each town shall indemnify, defend and hold harmless the other towns from and against all claims, demands, liabilities, actions, causes of action, costs and expenses, including attorneys' fees, arising out of the actions of its harbor masters and police officers while performing services in the other towns.

Each town shall provide and maintain throughout the term of this MOU appropriate insurance coverage for liability for personal injury or property damage and all insurances for its employees, including health and workers' compensation.

All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered or mailed, postage prepaid, certified mail, return receipt requested or by electronic mail to:

The Town of Brewster, Town Manager
2198 Main Street
Brewster, MA 02631
plombardi@brewster-ma.gov

The Town of Dennis, Town Administrator
685 Route 134
South Dennis, MA 02660
esullivan@town.dennis.ma.us

The Town of Orleans, Interim Town
Administrator
19 School Road
Orleans Town Hall
Orleans, MA 02653
csumner@town.orleans.ma.us

This Agreement shall be governed in accordance with the laws of the Commonwealth of Massachusetts and any dispute hereunder shall be directed to the appropriate court within Barnstable County.

If any provision, section, phrase, or word contained herein is determined by a court of competent jurisdiction to be unenforceable, for any reason, or beyond the scope of the statutory provisions of Chapter 40, Section 4A of the General Laws, as amended, then it is the intention of the parties that, for public purposes, the remaining provisions thereof shall continue in full force and effect.

Executed as a sealed instrument as of the day and year first written above.

Signature page to follow.

TOWN of BREWSTER
By its Select Board

TOWN of DENNIS
By its Select Board

TOWN of ORLEANS
By its Select Board

COASTAL RESILIENCE GRANT PROGRAM FY23
RFR ENV 23 CZM 02

Applicant: Town of Brewster

Address: Brewster Department of Natural Resources. 1657 Main Street. Brewster, MA 02631

Project manager:

Name: Chris Miller, Director, Department: Brewster Department of Natural Resources

Email: cmiller@brewster-ma.gov Phone: 508-896-4546

Type of resilience project: *Proactive Planning*

Project title: *Intermunicipal Shoreline Management for Southeastern Cape Cod Bay*

Total project cost: \$331,442

Match amount (include percentage of total project cost): **\$43,028**(12.9 %)

Grant amount requested: \$288,414

Project summary

The proposed two-year project is modeled after the successes of *Increasing Coastal Resiliency Through Intermunicipal Shoreline Management*, a multi-phase CZM Coastal Resilience project to pursue a regional approach to the management of the eastern Cape Cod Bay shoreline. This project seeks to apply the lessons learned from the above-mentioned project to pursue a regional approach to the management challenges facing the towns of Dennis, Brewster, and Orleans face along the 14.5 mile, southeastern shoreline of Cape Cod Bay. This initial step in addressing the complexities of intermunicipal shoreline management will focus on establishing a Memorandum of Agreement to pursue uniformly sound management principles and responsible stewardship along this shoreline; identifying management strategies for the development of a uniform, science-based, shoreline management framework to maximize and sustain the coastal resiliency of Cape Cod Bay; and developing regional science-based datasets characterizing coastal resources, human use, shoreline resilience and the regulatory considerations for shoreline projects along the shared three-town shoreline. It is envisioned that subsequent phases of this project will further refine and build on the framework and outcomes of this proposed project and permit the town-partnership to implement practices that build on similarities in management approach to maximize the use and application of the developed regional science-based data in a manner that fosters open collaboration between the towns, other organizations, and the public.

1. Coastal Hazards Management

Dennis, Brewster, and Orleans are all vulnerable to a wide range of coastal hazards that threaten life, property, natural resources, and infrastructure. To confront these threats, the towns have completed Hazard Mitigation Plans and the Municipal Vulnerability Planning process. These planning processes identified that all three towns are particularly vulnerable to major coastal erosion and flooding associated with storms. As made evident by successive northeast storms in 2018, these towns are not only beginning to experience frequent and severe impacts from coastal storms, but chronic flooding related to nuisance tides, sea level rise, and climate change. In response to these threats the three towns, through their Conservation Commissions, are looking to explore a more comprehensive approach to beach nourishment projects that ignores municipal boundaries to protect the function of coastal dunes and provides guidance to property owners on potential hazards and mitigation strategies.

Recently, working with the Center for Coastal Studies, Barnstable County completed mapping of storm tide pathways along the Cape Cod Bay shoreline from Provincetown to Sandwich. This information has allowed the towns of Dennis, Brewster, and Orleans to begin long-term planning efforts to close off low-lying inundation pathways in addition to implementing short-term emergency response measures such as road closures, sand bagging, and temporary relocation of key infrastructure until flood waters recede. Recognizing that municipal-based responses to coastal threats along an interconnected shoreline can limit the effectiveness of management decisions and result in inefficient use of resources, the towns have agreed to coordinate their efforts and pursue this grant jointly to begin implementing a proactive science-based approach to regional shoreline management for Cape Cod Bay based on consistent, uniform management techniques and principles.

2. Climate Adaptation

As coastal communities with common shorelines and low-lying areas located on Cape Cod Bay, the towns of Dennis, Brewster, and Orleans have experienced the effects of climate change directly in 2015 and 2018 from powerful northeast coastal storms with high storm surges, record storm tides, significant flooding of public and private roadways and residential and commercial structures, increased frequency of upland tidal flooding damage to coastal infrastructure, and overburdened stormwater management systems. Recognizing that the drivers of coastal change do not follow political boundaries, these three towns are seeking funding to begin the process of implementing regional approach to shoreline management. With their local economies dependent on similar features of the natural and built environment, the desire of these communities to approach shoreline management regionally minimizes the potential for well-intentioned but conflicting policies and strategies. The ability of the towns to act together to promote consistent and uniform shoreline management strategies, particularly within a period of sea level rise and climate change, is a critical component of their plan to increase the long-term resiliency of their common shared shoreline. This proposal builds on the lessons learned by the towns of Eastham, Wellfleet, Truro,

and Provincetown, who have been working with the CZM Grant program to implement a regional approach to shoreline management.

In addition to this cooperative effort, these three Cape Cod Bay communities have continued to participate actively in the following climate adaptation efforts:

Brewster

- In 2016, Brewster completed a Coastal Adaptation Strategy.
- In 2018, Brewster received an MVP Planning grant from EEOEA.
- In 2019, Brewster completed its MVP Action Plan, was designated as an MVP community, and completed a Coastal Resource Management Plan (Phase I).
- In 2020, Brewster partnered with several other Cape towns on an EEA Planning Assistance Program Grant “Responding to Climate Change”, coordinated by the Cape Cod Commission to develop a coastal resiliency model bylaw.
- In 2021, Brewster partnered with several other Cape towns on an MVP Action Grant “Regional Low-lying Road Assessment and Feasibility,” coordinated by the Cape Cod Commission. That regional work is ongoing.
- In 2022, Brewster completed its first Hazard Mitigation Plan.

Dennis

- In 2015, Dennis completed a Hazard Mitigation Plan.
- In May 2020, Dennis submitted their final MVP report.
- In October 2020 Dennis was designated as MVP communities.
- In 2021, Dennis was awarded an MVP Action Grant for Pound Pond Flood Mitigation & Storm Drainage Improvements
- In 2022, Dennis began steps with FEMA to be part of the Community Rating System.

Orleans

- In 2019, Orleans completed its MVP Action Plan and was designated as an MVP community.
- In 2021, Orleans partnered with several other Cape towns on an MVP Action Grant “Regional Low-lying Road Assessment and Feasibility,” coordinated by the Cape Cod Commission. That regional work is ongoing.
- In 2022, Orleans updated its local flood plain zoning to comply with FEMA requirements and began working with FEMA to participate in the Community Rating System

3. Need for Assistance

Despite demonstrated benefits, there are significant obstacles for projects attempting to manage shorelines regionally. Often persuading residents to relinquish perceived or real autonomy required for successful regional efforts can be a daunting task. Small municipalities often lack the resources

and funding to formulate and conduct detailed, science-based, multijurisdictional management efforts. Recognizing the extraordinary demands imposed on local funding by the recent pandemic, funding for this ongoing project may be increasingly difficult to secure, particularly given the many competing interests for town funds. For these reasons, the CZM Coastal Resilience grant program offers the most effective avenue (technically and financially) for achieving a regional approach that will increase and sustain coastal resiliency along the shorelines of the four partnering towns. In addition, the project will overlap with 2 environmental justice neighborhoods in Brewster (Figure 1) further emphasizing the need for grant funds for this project.

4. Project Description

Recognizing that the characteristics contributing to the resiliency and ability of shorelines to respond naturally to coastal hazards operate independently of municipal boundaries, this project focuses on ways to facilitate and promote consistent, synergistic, and uniform management techniques that treat the Cape Cod Bay shorelines of Dennis, Brewster, and Orleans as one common planning area (see Figure 1). This intermunicipal shoreline management approach is organized around the concept of littoral cells. Natural coastal compartments that contain a complete cycle of sedimentation including sources, transport paths, and sinks, littoral cell boundaries delineate geographical areas in which sediment budgets are balanced (See Berman, 2011, for full discussion). Since littoral cell boundaries do not align with municipal boundaries and frequently encompass multiple towns, their use for a regional shoreline management approach has proven to be an effective approach for increasing coastal resilience management strategies.

The goal of this work is to develop a comprehensive framework for managing approximately 14.5 miles of shoreline from Rock Harbor in Orleans to Bass Hole in Dennis, in an effective, mutually beneficial manner, in order to maximize the towns' ability to work with the natural processes and drivers of coastal change for proactive planning and regional sediment management. The Dennis (~7.5 miles) and Brewster (~6.0 miles) shorelines, make up the majority of the planning area, have the majority of coastal structures, and are located in the sediment source area of the Brewster littoral cell. Although it has limited coastal structures and a small shoreline length of approximately one mile, the town of Orleans is eager to partner with Brewster and Dennis to the extent practicable, allowing for a regional management perspective that will extend to the area of the sediment sink located at the easterly end of the Brewster cell.

These three towns will collaborate to assess the characteristics of their shared Cape Cod Bay shoreline. The basis for this approach will require knowledge and understanding of baseline conditions that relate to the natural physical characteristics of the shoreline and adjacent lands, human alterations to the shoreline, shoreline resiliency, and the existing regulatory structure and management approaches in each town. After baseline conditions have been determined and assessed, implementation of a natural systems-based approach to shoreline management can begin. Individual tasks that make up the scope of work for the proposal are described below. Tasks

are organized into five major categories. As reflected in the budget spreadsheets and project timeline, they are divided into sub-tasks to accommodate the complexities of a multi-year, nonlinear project.

Task 1: Coastal Structures Inventory and Beach Nourishment Research

A significant component of this project focuses on identifying existing baseline conditions that influence current municipal responses to shoreline management opportunities and challenges. Under this task the three-town shoreline will be surveyed to update and compile location and condition information for existing coastal engineering structures. In addition, available information relative to beach nourishment activities reviewed to compile a summary of volumes and requirements. Additionally, an analysis of current and future shoreline nourishment requirements will be completed to provide an estimate of the demand for the shared three-town shoreline.

Subtask 1.1 Coastal Structures Inventory

Inventories of public and private coastal structures were last compiled approximately 10 years ago in two projects overseen by the Massachusetts Department of Conservation and Recreation (DCR) and the Massachusetts Office of Coastal Zone Management (CZM). Since the completion of those projects, additional coastal engineering structures (CESs) have been approved along the three-town shoreline. Recognizing that CESs significantly limit the volume of sediment available to coastal resources within a littoral cell (e.g., beaches, intertidal areas, dunes, salt marshes), maintaining up-to-date records related to existing shoreline structures is an important baseline condition for assessing the long-term sustainability of these resources and their ability to limit storm damage and mitigate flooding associated with coastal storm tides.

For these reasons, the structures inventory for the approximately 14 mile, three-town Bay shoreline will be updated based on a comprehensive field survey to obtain reliable horizontal and vertical locations of both structures included in the above inventories and structures completed in the last 10 years, to generally assess the structure's condition, and to collect photos of each structure. Sustainable Coastal Solutions will compile an inventory spreadsheet. Working with town staff, this inventory will be supplemented with available town records where possible and compiled in a geospatial data layer (see subtask 3.2).

Subtask 1.2 Beach Nourishment Research and Site Identification

Recognizing the importance of sediment to the long-term resiliency of the Bay shoreline and its ability to play a role in storm damage prevention and flood control, working with town staff, research of available town records for approximately 368 parcels will be conducted to compile an inventory spreadsheet of current beach nourishment activities and requirements, that where possible will include information on locations, placement methods, frequencies, volumes, funding, and sediment sources. The nourishment data will be compiled in a geospatial data layer (see

subtask 3.2) summarizing nourishment requirements for landowners along privately owned shorelines and town nourishment activities at public landings and beaches.

Subtask 1.3 Shoreline Nourishment Demand Analysis

The approximately 14.5-mile project shoreline will be evaluated to identify parcels where nourishment may be required as mitigation for future CES projects. Following the work completed in Subtasks 1.1 and 1.2, the potential future demand for beach nourishment along the three-town shoreline will be estimated based on spatial analysis of properties with existing shoreline armoring and properties where future coastal engineering structures could be allowed under the state Wetlands regulations. Future nourishment volumes will be estimated using the average bank height, average long term erosion rate, and the bank length within each identified parcel. This estimated volume will be combined with the presently required beach nourishment volume identified in Subtask 1.2 to develop a working projection of potential future demands for nourishment material along the three-town shoreline. The results of this analysis will be summarized in a technical report and the geospatial data created for this analysis will be incorporated into the geodatabase discussed in Task 3.

Task 2: Shoreline Management Framework

The process of implementing regional shoreline management approach for the southeastern shoreline of Cape Cod Bay will rely on each town's on-going commitment to pursue uniform, science-based, shoreline management strategies that maximize the coastal resiliency of Cape Cod Bay. With this commitment, the approach will focus on identifying similarities in current town shoreline management strategies will be identified to begin the development of a set of consistent, resiliency-based management practices for the three-town partnership to implement individually. With the completion of Task 2, management cells, depicted as geospatial data reflecting littoral cell boundaries determined from completed CCS sediment budget studies and proximity to sediment sources and sinks to facilitate application of a uniform framework (See subtask 3.2).

Subtask 2.1: Memorandum of Agreement (MOA)

A Memorandum of Agreement (MOA) between the towns of Dennis, Brewster, and Orleans will be developed for Select Board approval to acknowledge each town's commitment to pursue an intermunicipal approach to shoreline management. Specifically, the MOA will establish each towns' intent to:

- Implement practices that maximize the use, utility, and application of developed regional science-based datasets;
- Pursue the development and implementation of an Intermunicipal Shoreline Management Framework that promotes a science-based approach for the management of their respective Cape Cod Bay shorelines; and
- Work together in subsequent phases to pursue a common goal to improve long-term coastal resiliency through the development and implementation of common management principles

and policies that promote responsible stewardship of the competing uses of Cape Cod Bay coastal resources.

Subtask 2.2: Regulatory Matrix

Existing state and local regulations affecting the management of each town's shoreline will be compiled into a representative database for the purpose of beginning to develop a common approach to shoreline management for the three towns. Of particular interest will be a comparison of individual town by-laws and policies, such as those related to wetland, flood plain, or beach replenishment requirements, to identify similarities in current management approaches that can be used to implement management strategies requiring little or no change to current town management practices. To facilitate the development of a uniform management framework (Subtask 2.3), regulatory matrix will be compiled for documents pertaining to shoreline management within the three towns, including the local wetland by-laws, Conservation Commission policies, regulations, and guidance documents and other appropriate documents currently used by towns to manage their shorelines.

Subtask 2.3: Draft Intermunicipal Shoreline Management Framework Components

Based on the similarities identified by the Regulatory Matrix and the science-based approach of the Massachusetts Wetlands Regulations, this subtask will focus on developing a set of resiliency-based management documents to be used by the Conservation Commission of each town to promote consistency in project information requirements and approval standards. Recognizing that the final document set is subject to change as the project evolves, it is currently anticipated that this subtask will compile a set of standard documents consisting of the following components:

- General resiliency-based management principles and policies for use by Commissions to implement a regional management philosophy;
- Uniform application and plan requirements for use by Commissions to provide guidance to applicants regarding the information requirement for projects subject to Conservation Commission review and approval;
- Standard conditions reflecting the general type of activity, including general project conditions for new and replacement coastal engineering structures; and

Task 3: Creation of an Intermunicipal Shoreline Management Geodatabase

Recognizing that access to quality data is essential for informed decision-making, a fundamental component of this regional approach to shoreline management is the development of regional datasets that support coastal managers in the interpretation and effective communication of scientific data as it relates to shoreline management. Storing and viewing data in a spatial format is beneficial and often required to analyze and summarize information in a useful way. A spatial data format also provides methods for organizing, sharing, and compiling new data in a standardized way through attribute domains, subtypes, and representation rules. As demonstrated in *Increasing Coastal Resiliency Through Intermunicipal Shoreline Management*, a standardized record keeping

method for shoreline activities and projects (e.g., nourishment, dredging, coastal structures inventories) that affect a shared shoreline is mutually beneficial, allowing for activities to be directly compared, using the same metrics across municipal boundaries, and is essential for an intermunicipal approach to shoreline management. Currently, each town manages these types of records in varying ways with varying degrees of effectiveness.

For these reasons, compiled and created data for this project will be incorporated into an intermunicipal geodatabase comprised of baseline data and data that characterize the natural and human settings of the shared Cape Cod Bay shoreline. The Intermunicipal Shoreline Management Geodatabase (ISMG) will serve as a management tool that not only houses and organizes relevant data but also aids in the visualization and interpretation of coastal processes. It is presently envisioned that future phases of this work will incorporate these data into a public web platform, allowing access and use to town staff and the public alike.

Subtask 3.1: Compile and Review Existing Geospatial Data

Geospatial data from publicly available data sources (e.g., MassGIS, CZM, USGS, CCS) that focus on coastal resources, human use, shoreline resilience, and regulatory considerations for shoreline projects (e.g., Chapter 91) will be compiled and assessed for applicability within this intermunicipal management tool. Compiled data will be organized into four key feature datasets based on the interests of the town partnership:

- Planning Considerations
- Sediment Management and Beach Nourishment
- Salt Marsh
- Emergency Preparedness

Subtask 3.2: Development and Creation of Fundamental Regional Geospatial Data

Following the completion of Subtask 3.1 new geospatial data will be created based on regional needs, the existing data disparities identified in Subtask 3.1, and the work completed in Tasks 1 and 2 (e.g., beach nourishment sites, coastal structures inventory, recommended management cells). Recognizing that natural coastal processes operate independently of municipal boundaries, this task will develop recommended management cells, constructed around the concept of littoral cell boundaries, shoreline characteristics (e.g., dredging sites, coastal resource areas) and the work completed in Tasks 1 and 2 (e.g., presence or absence of coastal structures, locations of beach nourishment activities, regulatory matrix). It is anticipated in subsequent phases of this project that management cells will be used specifically to address sediment management strategies (e.g., identification of the most appropriate and mutually beneficial placement of sediment along the three-town shoreline). Presently, the envisioned data layers to be created under this task include the following but are subject to change based on Subtask 3.1 and feedback from town staff:

Planning Considerations

- Characterization of Shoreline Parcel Ownership
- Elevation-Based Contemporary MHW and MLW Shorelines
- Mouths of Coastal Rivers
- Current approximate Chapter 91 Landward Tidelands Jurisdiction (most landward high-water line from all available contemporary sources and MassGIS historical sources)
- Stillwater Elevations for Cape Cod Bay Flood Events (10yr, 50yr, 100yr floods)

Sediment Management and Beach Nourishment

- Coastal Structures Inventory
- Parcels with the Potential to Armor (pre-1978 structures located on coastal bank)
- Dredging Sites (histories, volumes, dates, disposal, etc.)
- Beach Nourishment Sites
- Town Managed Beaches and Landings
- Net Sediment Transport
- Shoreline Change (relative magnitude of change along the three-town shoreline)
- Nearshore Erosion and Deposition
- Recommended Management Cells

Salt Marsh

- Contemporary Salt Marsh
- Historical Salt Marsh
- Salt Marsh Change
- Parcel Based Potential Accommodation Space for Salt Marsh Migration

Task 4: Project Reports

As a two-year project, two brief project reports will be prepared at the end of each fiscal year. At the end of year 1, a status report will be prepared describing the progress of the project, the work completed, and the year 2 work plan. At the end of year 2, a project report will be prepared summarizing project deliverables and recommended next steps for continuing the implementation of intermunicipal shoreline management principles for Cape Cod Bay. Additionally, Monthly Project Status Reports (\$3,300) and Final Project Case Study (\$600) will be provided as in-kind match.

Task 5: Project Team Meetings

To facilitate and maintain effective project communications during this project, CCS will attend quarterly project meetings with appropriate staff from the three towns and CZM's Cape & Islands Regional Coordinator. In support of the project, CCS will attend 4 additional meetings per year with the project manager, Brewster Natural Resources Advisory Commission and appropriate representatives from Orleans and Dennis to discuss public outreach and other project needs. Attendance at these meetings will be provided as in-kind match, \$550/meeting for a total of \$4400. Finally, a public meeting summarizing the project results will be held at the end of year two.

5. Public Benefit and Interests

The natural processes and characteristics that make shorelines resilient do not follow municipal boundaries. This project looks to pursue an intermunicipal approach to shoreline management, absent town boundaries, which will promote the common and natural benefits of coastal resources in areas such as storm damage prevention, flood protection, water quality, and habitat protection equally to achieve a greater degree of shoreline resiliency than could be achieved by each town individually. This project is modeled after an existing intermunicipal CZM Coastal Resilience project, extending and promoting the concept of regional shoreline management across Cape Cod and along the Cape Cod Bay shoreline. Importantly, intermunicipal efforts provide significant public benefit when they can be focused on common threats such as sea level rise and storm surge in the form of mutual efforts to: 1) Address the vulnerability of common shoreline areas and infrastructure; 2) Initiate a public outreach and education effort to foster a sense of urgency in terms of climate change and resilience between neighboring communities; 3) Enhance coastal flooding protection measures in areas where common solutions are required; and 4) Account for future sea level rise and climate change with a uniform, system-based approach to policies, guidelines, regulations, and planning.

6. Transferability

The proposed project is modeled after the successes of another intermunicipal CZM Coastal Resilience project, using the lessons learned to build a more effective approach to coordinated and regional management efforts while extending the reach of previously completed work and promoting the concept of regional shoreline management across Cape Cod. The 2011 Massachusetts Climate Change Adaptation Report notes that “effective planning and management at the regional and local levels is enhanced by current and accurate information.”

This project promotes access to and use of current and accurate science-based information, through the creation of an intermunicipal management tool consisting of up-to-date regional datasets, and also advances several other science and planning actions articulated within state and regional planning documents such as: the goals of the Cape Cod Ocean Management Plan; the findings of the 2015 Coastal Erosion Commission; and the Action Items of the Cape Cod Regional Policy Plan that identify coastal processes as a component fundamental to the development of regional best management practices.

7. Project Timeline

Tasks	FY 24																						
	2023						2024																
	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24										
FISCAL YEAR	2022						2023						2024										
YEAR	2022						2023						2024										
Estimated Grant Notification: 9/15/22																							
Task 1: Coastal Structures Inventory & Beach Nourishment Research																							
Sub-task 1.1: Coastal Structures Inventory																							
Sub-task 1.2: Beach Nourishment Research & Site Identification																							
Sub-task 1.3: Shoreline Nourishment Demand Analysis																							
Task 2: Shoreline Management Framework																							
Sub-task 2.1: Memorandum of Agreement (MOA)																							
Sub-task 2.2: Regulatory Matrix																							
Sub-task 2.3: Draft ISM Framework Components																							
Task 3: Creation of an Intermunicipal Shoreline Management Geodatabase																							
Sub-task 3.1: Compile & Review Existing Geospatial Data																							
Sub-task 3.2: Development of Regional Geospatial Data																							
Task 4: Project Reports																							
Sub-task 4.1: Monthly Project Reports																							
Sub-task 4.2: Year 1 Project Status Report																							
Sub-task 4.3: Year 2 Project Report																							
Task 5: Project Meetings																							
Sub-task 5.1: Team Meetings																							
Sub-task 5.2: Project Management																							
Sub-task 5.3: Public Meeting																							
Project Complete: June 30, 2024																							

8. Budget – See Attachment D per RFP Guidelines

9. Project Management and Partners

Project Manager: Chris Miller, Director
Brewster Department of Natural Resources
1657 Main Street, Brewster, MA 02631
cmiller@brewster-ma.gov. 508-896-4546.

Project Partners

The Town of Brewster: The town will serve as project manager and provide in-kind support in the form of town staff time for meetings, parcel research, and working with the project team to develop and review project documents and data layers, as outlined on the Budget worksheet. (see attached letter of support).

The Town of Dennis: The town will provide in-kind support in the form of town staff time for meetings, parcel research, and working with the project team to develop and review project documents and data layers, as outlined on the Budget worksheet. (see attached letter of support).

The Town of Orleans: The town will provide in-kind support in the form of town staff time for meetings, parcel research, and working with the project team to develop and review project documents and data layers, as outlined on the Budget worksheet. (see attached letter of support).

The Center for Coastal Studies: The Center for Coastal Studies' Coastal Geographic Research and Applied Sciences (CGRASS) Program will co-lead efforts with project partners to develop the tasks discussed above and will provide in-kind support as described in the Scope of work. (see attached letter of support).

Sustainable Coastal Solutions, Inc.: While providing input in advisory capacity for several tasks, the primary focus of Sustainable Coastal Solutions will be the evaluation of engineering structures, both public and private within the study area. Sustainable Coastal Solutions has decades of experience on Cape Cod, including many of the lower and outer Cape towns, as well as other parts of the country and that experience makes them an invaluable partner for this project.

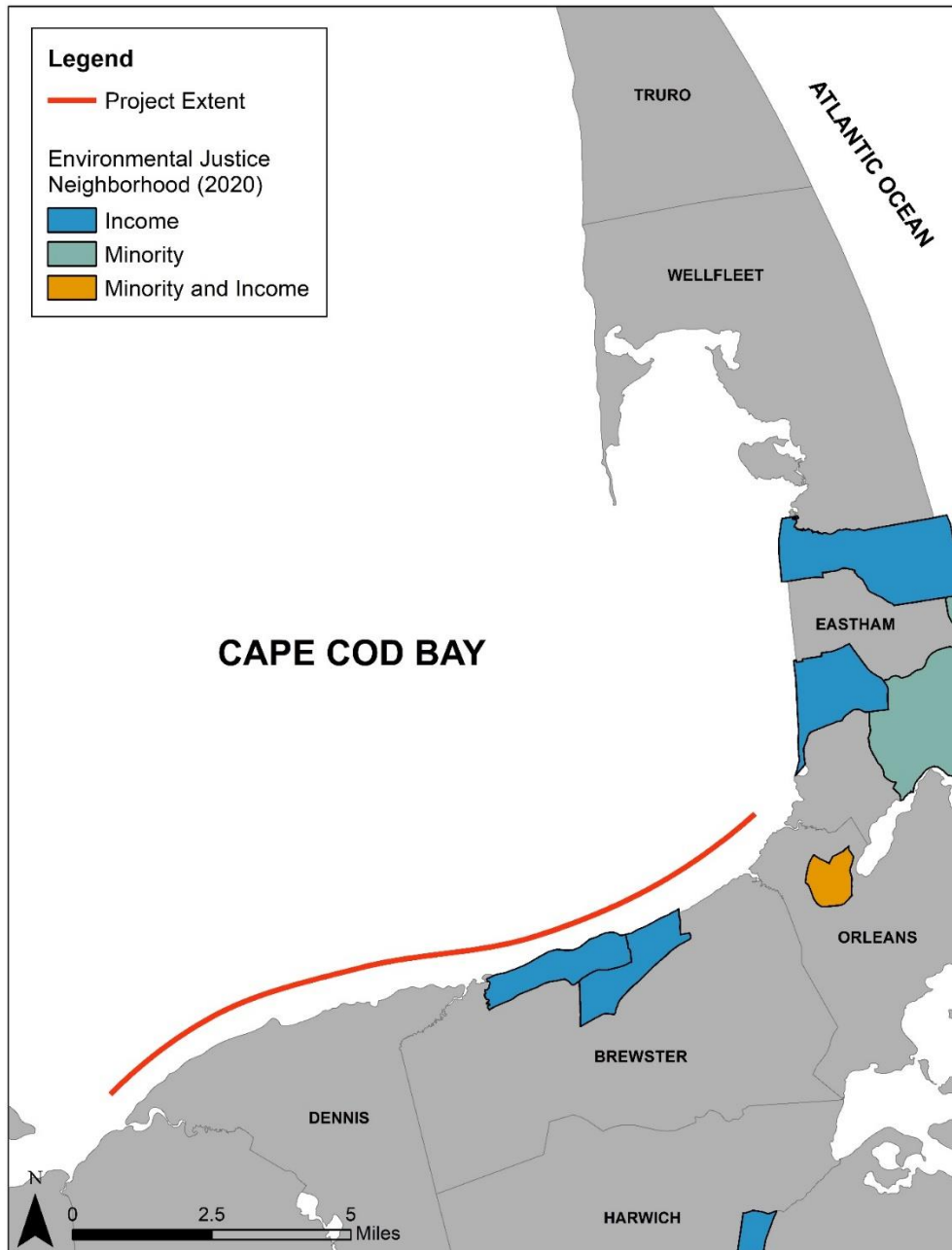


Figure 1.

Location map of the study area and the environmental justice neighborhoods Located within the planning area along the shared three-town Cape Cod Bay shoreline.

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the **Standard Contract Form Instructions and Contractor Certifications**, the **Commonwealth Terms and Conditions for Human and Social Services** or the **Commonwealth IT Terms and Conditions** which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.macomptroller.org/forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/lists/osd-forms>.

CONTRACTOR LEGAL NAME: TOWN OF BREWSTER (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS/CZM MMARS Department Code: ENV	
Legal Address: (W-9, W-4): 1657 MAIN STREET, BREWSTER, MA 02631		Business Mailing Address: 100 CAMBRIDGE STREET, 9TH FLOOR BOSTON, MA 02114	
Contract Manager: CHRIS MILLER	Phone: 508-896-4546	Billing Address (if different):	
E-Mail: cmiller@brewster-ma.gov	Fax:	Contract Manager: PATRICIA BOWIE	Phone: 617 626-1186
Contractor Vendor Code: VC 6000191734		E-Mail: Patricia.Bowie@mass.gov	Fax:
Vendor Code Address ID (e.g. "AD001"): AD 001 (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): CT ENV 4300	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department) <input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget) <input checked="" type="checkbox"/> Department Procurement (includes all Grants - 815 CMR 2.00) (Solicitation Notice or RFR, and Response or other procurement supporting documentation) <input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget) <input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20____. Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.) <input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget) <input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> Contract Employee (Attach any updates to scope or budget) <input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	
The Standard Contract Form Instructions and Contractor Certifications and the following Commonwealth Terms and Conditions document are incorporated by reference into this Contract and are legally binding: (Check ONE option): <input checked="" type="checkbox"/> Commonwealth Terms and Conditions <input type="checkbox"/> Commonwealth Terms and Conditions For Human and Social Services <input type="checkbox"/> Commonwealth IT Terms and Conditions			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ 288,414.00			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___ % PPD; Payment issued within 20 days ___ % PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: <input checked="" type="checkbox"/> agree to standard 45 day cycle <input type="checkbox"/> statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); <input type="checkbox"/> only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) FY23 Coastal Resilience Grant award. Intermunicipal Shoreline Management for Southeastern Cape Cod Bay			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input checked="" type="checkbox"/> 1. may be incurred as of the Effective Date (latest signature date below) and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 2. may be incurred as of _____, 20____, a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date. <input type="checkbox"/> 3. were incurred as of _____, 20____, a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>06/30/2024</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable Commonwealth Terms and Conditions, this Standard Contract Form, the Standard Contract Form Instructions and Contractor Certifications, the Request for Response (RFR) or other solicitation, the Contractor's Response (excluding any language stricken by a Department as unacceptable, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u><i>Peter Lombardi</i></u> Date: <u>9/22/22</u> (Signature and Date Must Be Captured At Time of Signature) Print Name: <u>Peter Lombardi</u> Print Title: <u>Town Administrator</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u><i>William Nichols</i></u> Date: <u>10/4/22</u> (Signature and Date Must Be Captured At Time of Signature) Print Name: <u>WILLIAM NICHOLS</u> Print Title: <u>FINANCE DIRECTOR/EEA</u>	



ATTACHMENT B - Project Budget

The town of Brewster shall be paid an amount of **\$288,414** as a grant per an award under Blanket Solicitation: BD-22-1042-CZM-ENV40-74719 (FY23 Coastal Resilience Grant program). Payment will be made in accordance with the following schedule:

FY23 \$144,074 Upon request from the municipality or organization, after partial and/or final completion of work. All invoices for FY23 work (work through 6/30/23) due 7/31/2023.

FY24 \$144,340 Upon request from the municipality or organization, after partial and/or final completion of work. All invoices for FY24 work (work from 7/1/23 to 6/30/23) due 7/31/2024. No payments made in FY24 for FY23 work.



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
From: Erika Mawn, Executive Assistant
Date: March 3, 2023
RE: Pass Through Town Application

The Town Manager's office received a Pass-Through Town application for the National MS Society, Greater New England Market's annual bike MS event to be held on Sunday June 25, 2023. The applicant has provided an event overview, course maps and additional details about the event that are in the packet. Additionally, the applicant is requesting a fee waiver for a temporary sign permit through the Building Department, the fee is \$4 each.

The following departments have reviewed the applications and provided feedback that will be shared with the applicants.

Building Department:

The Building Department noted that a temporary event sign permit may be required for the directional signs that the event will be placing on roadways. Any temporary signs will be reviewed by the Building Department prior to the event. The applicant mentioned that routes will be thoroughly marked.

Planning Department:

Proposed event does not require site plan or other Planning Board review.

Natural Resources Department/Conservation Commission:

No comment/concerns with the proposed event.

Town Administration:

Consult with the Police Department to determine if a police detail is required to monitor traffic.

Fire Department:

No comments

Police Department:

Annual event that comes through Brewster, no comments at this time.

Health Department:

Advised coordinator that if there is a rest/lunch stop at Stony Brook Elementary and food is being provided to participants, follow-up with the Health Department is required.



**National
Multiple Sclerosis
Society**

February 8, 2023

Attn:
Town Administrator
Town of Brewster
2198 Main St.
Brewster, MA. 02631

On behalf of the National MS Society, Greater New England Market, I would like to extend our gratitude for the continuous support and cooperation the Town of Brewster has shown for our annual Bike MS event. The funds raised from this event will continue to be used to advance the support of national research and to support local programming for the more than 27,000 (11,000 for CTN) people within Greater New England who are affected by multiple sclerosis.

The 2023 Bike MS: Cape Cod Getaway event is scheduled to take place on Sunday, June 25th (note this is not a race). We anticipate that we will have around 1,000 participants for this event that will start at Mass Maritime Academy at 7:00 a.m. on June 25th, as they head to a Provincetown finish. We anticipate being in Brewster between 9:00 am with the last rider around 12:30 pm. I have included written riding directions for your review, and we will thoroughly mark the route and to have police details where appropriate.

Our routes feature safety stops every 8-12 miles, so that our cyclists remain hydrated and nourished. All cyclists agree to follow the rules of the road and are directed to ride single file. We issue one warning to cyclists not following the rules of the road. On the next infraction, we pull them from the ride and require they ride to the finish in one of our route support vehicles.

We mark our route with small coroplast signs attached to utility poles or stakes. A volunteer will follow the route on the day of the ride and remove all signs after the final cyclist has passed.

We operate a support team consisting of medical personnel, bicycle mechanics, and amateur (HAM) radio operators. Our lead HAM radio operator monitors all emergency radio frequencies, so that we can close or redirect our route should that become necessary.

We respectfully ask permission from the Town of Brewster to use town roads for this event. If we can have your permission, please sign, and return the Approval Reply Form enclosed here to me. If there are any other additional steps, permits or permissions I must take to ensure approval for this event, please let me know.

We thank you in advance for your support and please feel free to contact me with any questions or concerns.

Sincerely,

Dia Jones

Promoter Line Inc./Event Manager
C: 817-726-7714
dia@promoterline.com



**National
Multiple Sclerosis
Society**

APPROVAL REPLY FORM

Town of Brewster

Attn:
Town Administrator
Town of Brewster
2198 Main St.
Brewster, MA. 02631

From: Samantha Boland, Manager/Event Production

Organization: National MS Society

Re: June 25, 2023 / Annual Bike MS: Cape Cod Getaway Cycling Event

I am aware that the annual Bike MS: Cape Cod Getaway cycling event will be coming through town on **Sunday June 25, 2023**. I have reviewed and approved the route. Should I have any questions and/or concerns regarding this year's event, I will be sure to contact Samantha Boland at the National MS Society at 978-987-7509, Samantha.Boland@nmss.org, or Dia Jones 817-726-771 or Dia@promoterline.com.

By signing below, I am granting permission from the town to conduct this event.

Print Name

Title

Signature

Date

Please return this form to Dia Jones at:

dia@promoterline.com or

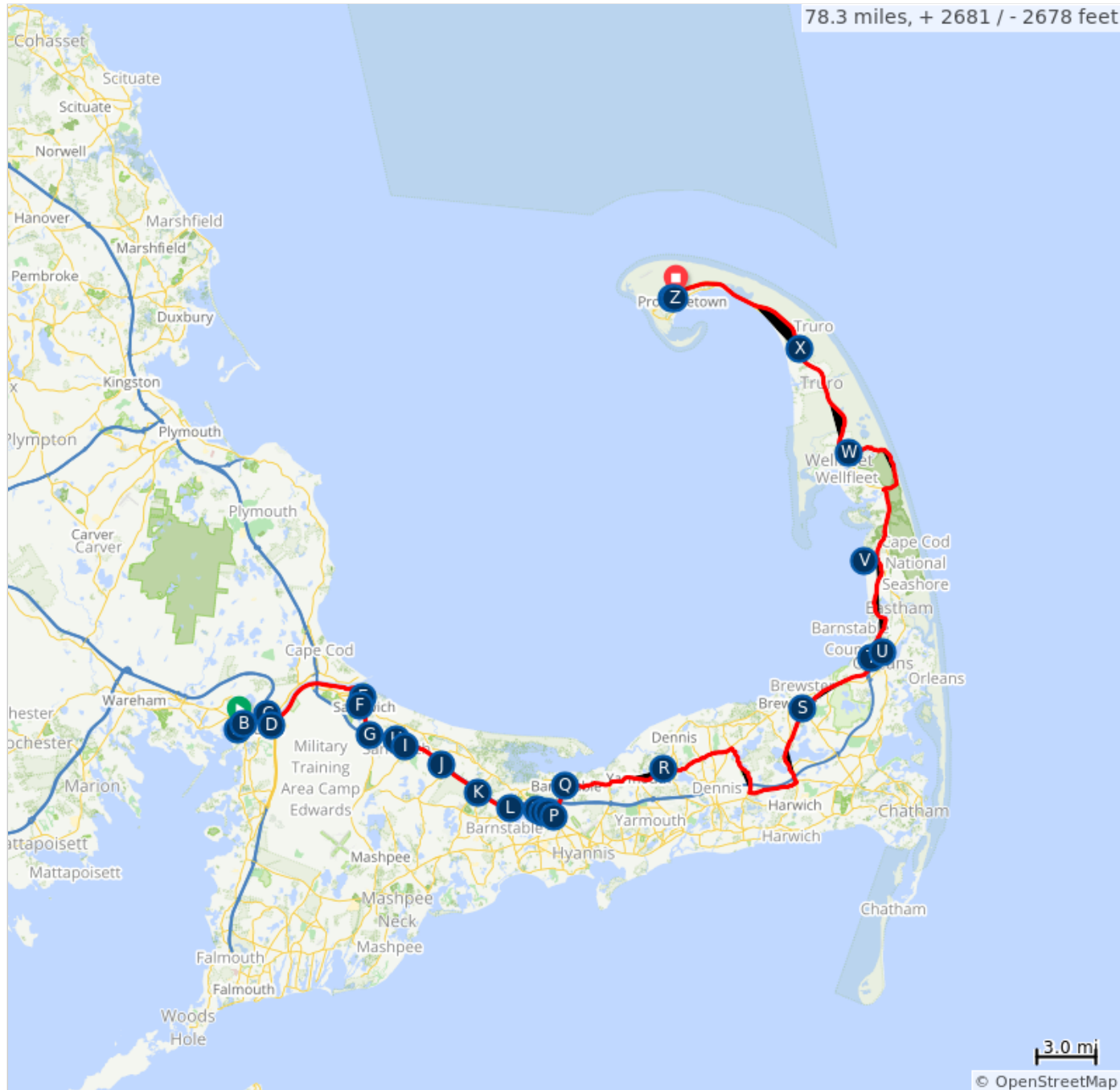
Promoter Line

Attn: Dia Jones

P.O. Box 2028

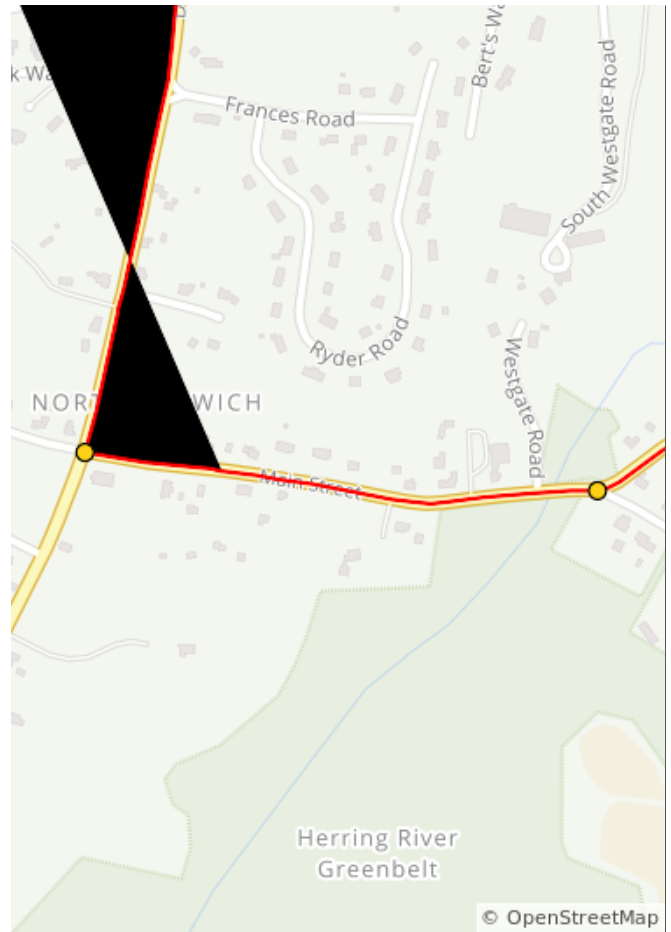
Colleyville, TX 76034

75M D2 Cape Cod Getaway 2023



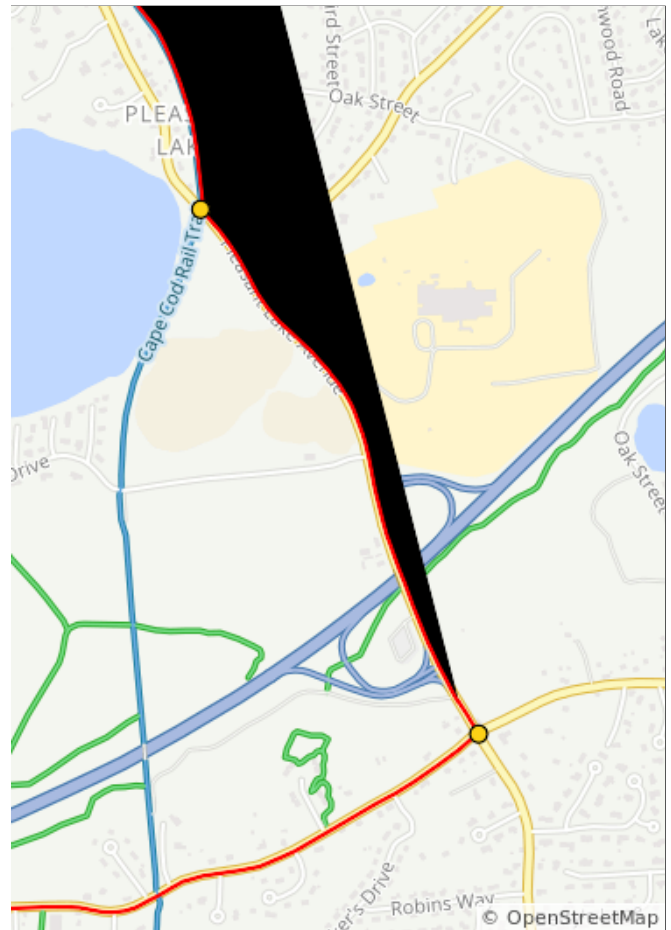
- | | |
|----|---------------------------------------------|
| A. | Start- Mass Maritime Academy |
| B. | Police Detail |
| C. | Police Detail |
| D. | Police Detail |
| E. | Police Detail |
| F. | Police Detail |
| G. | Police Detail |
| H. | Rest Stop 1- Cape Cod Rehab Hospital |
| I. | Police Detail |
| J. | Police Detail |
| K. | Police Detail |
| L. | Police Detail |
| M. | Police Detail |
| N. | Police Detail |
| O. | Rest Stop 5- Cape Cod 5 Savings Bank |
| P. | Police Detail |
| Q. | Police Detail |
| R. | Police Detail |
| S. | Rest Stop 3- Stony Brook Elementary (Lunch) |

Num	Dist	Type	Note	Next
44.	35.8	←	L onto Main St	0.3
45.	36.1	←	Slight L onto Queen Anne Rd	2.2



1.3 miles. +5/-26 feet

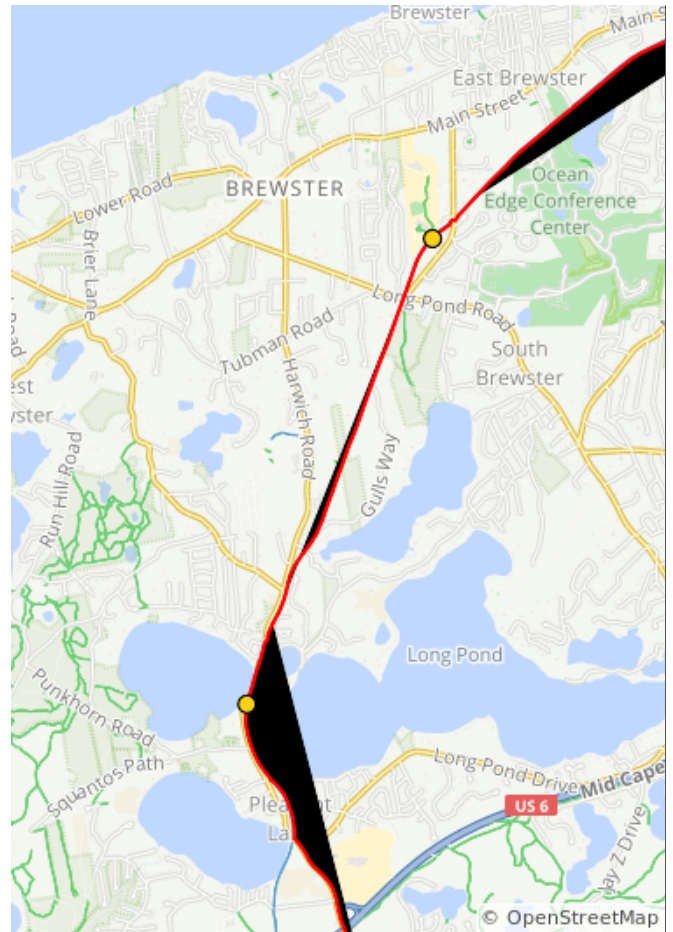
Num	Dist	Type	Note	Next
46.	38.3	←	L onto Pleasant Lake Ave	0.8
47.	39.0	→	R onto Cape Cod Rail Trail	0.8



2.9 miles. +27/-40 feet

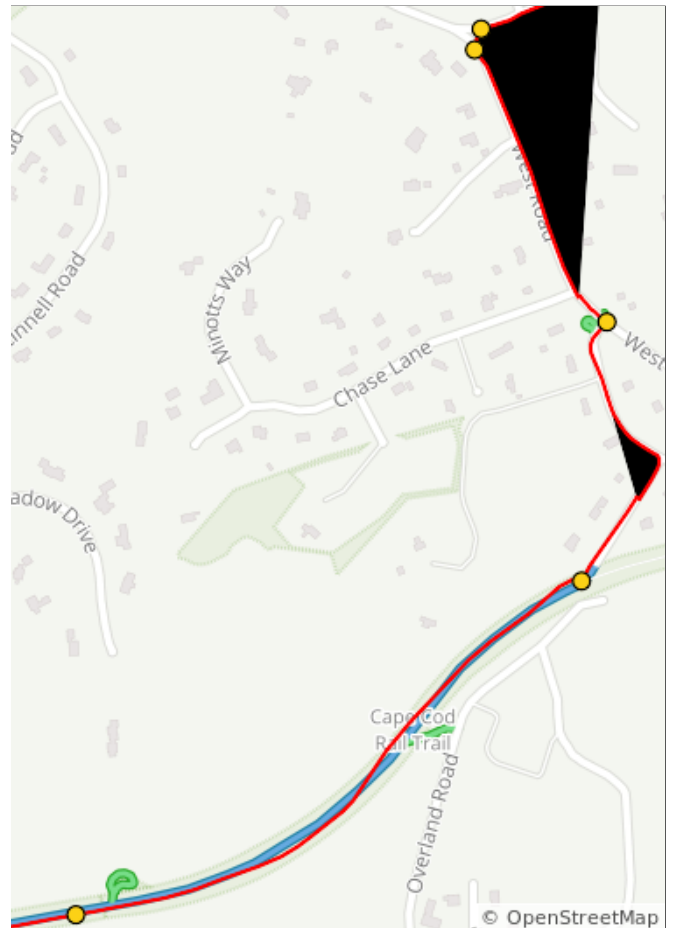
Num	Dist	Type	Note	Next
48.	39.8	←	Slight L to stay on Cape Cod Rail Trail	2.6
49.	42.3	Ψ	Rest Stop 3-Stony Brook Elementary (Lunch) Rest Stop 3-Stony Brook Elementary (Lunch)	3.5

3.3 miles. +98/-28 feet



Num	Dist	Type	Note	Next
50.	45.8	i	Orleans	0.4
51.	46.2	←	L to stay on Cape Cod Rail Trail/Skaket Beach Rd	0.2
52.	46.4	←	L onto West Rd	0.2
53.	46.6	→	R toward Skaket Beach Rd	0.0
54.	46.6	→	R onto Skaket Beach Rd	0.5

4.3 miles. +33/-28 feet



	Start Time	Average MPH:		
Turn by turn Mile	7:00 AM	20	14	8
34.81	Harwich	8:40 AM	9:23 AM	11:10 AM
35.79	Turn left onto Main St	8:43 AM	9:27 AM	11:17 AM
36.12	Slight left onto Queen Anne Rd	8:44 AM	9:28 AM	11:20 AM
38.28	Turn left onto Pleasant Lake Ave	8:50 AM	9:37 AM	11:35 AM
39.04	Turn right onto Cape Cod Rail Trail	8:52 AM	9:40 AM	11:41 AM
39.79	Slight left to stay on Cape Cod Rail Trail	8:54 AM	9:43 AM	11:46 AM
42.34	Rest Stop 3- Stony Brook Elementary (Lunch)	9:01 AM	9:54 AM	12:04 PM
45.81	Orleans	9:11 AM	10:08 AM	12:29 PM
46.21	Turn left to stay on Cape Cod Rail Trail/Skaket Beach Rd	9:13 AM	10:10 AM	12:32 PM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/11/2023

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 MARSH USA, INC. 445 SOUTH STREET MORRISTOWN, NJ 07960-6454 Attn: Morristown.CertRequest@marsh.com Fax: 212-948-0979 WALTH	CONTACT NAME: ... PHONE (A/C No. Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____ <div style="border: 1px solid black; padding: 2px;"> <table style="width:100%;"> <tr> <th style="width:80%;">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : Federal Insurance Company</td> <td>20281</td> </tr> <tr> <td>INSURER B :</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table> </div>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Federal Insurance Company	20281	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A : Federal Insurance Company	20281														
INSURER B :															
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															
INSURED NATIONAL MULTIPLE SCLEROSIS SOCIETY GREATER NEW ENGLAND CHAPTER 465 WAVERLY OAKS RD, SUITE 202 WALTHAM, MA 02452															

COVERAGES

CERTIFICATE NUMBER:

NYC-009902061-24

REVISION NUMBER: 3

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	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER: _____			3583-33-49	12/31/2022	12/31/2023	EACH OCCURRENCE	\$ 1,000,000
		DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000					
		MED EXP (Any one person)	\$ 10,000					
		PERSONAL & ADV INJURY	\$ 1,000,000					
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 1,000,000
								\$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			7353-02-37	12/31/2022	12/31/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
		BODILY INJURY (Per person)	\$					
		BODILY INJURY (Per accident)	\$					
		PROPERTY DAMAGE (Per accident)	\$					
		Comp/Coll Deductible	\$ 1,000					
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			9364-93-75	12/31/2022	12/31/2023	EACH OCCURRENCE	\$ 5,000,000
		AGGREGATE	\$ 5,000,000					
			\$					
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/A	71763467	12/31/2022	12/31/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
		E.L. EACH ACCIDENT	\$ 1,000,000					
		E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000					
		E.L. DISEASE - POLICY LIMIT	\$ 1,000,000					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
THE CERTIFICATE HOLDER IS INCLUDED AS ADDITIONAL INSURED AS REQUIRED BY WRITTEN CONTRACT, BUT LIMITED TO THE OPERATIONS OF THE INSURED UNDER SAID CONTRACT, PER THE APPLICABLE ENDORSEMENT WITH RESPECT TO THE GENERAL LIABILITY AND AUTOMOBILE LIABILITY POLICIES.

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

Marsh USA Inc.

EVENT NOTIFICATION FORM

Date: _____

National MS Society, Cape Cod Getaway – June 24-25, 2023.

Dear Sir / Madam,

Please be advised that the City/Town of Brewster has notified the Board of Selectman/City Council, Local Police/Fire Department and if applicable the State Police of its intention to conduct road work/parade/race/or **other events** in or through the City/Town of Brewster.

The Board of Selectmen/City Council understands that it must give the Police and Fire Departments at least 48 hours notice before the commencement of the proposed work or event.

The following signatures are required prior to the issuance of the Permit from the MA DOT. All officials listed below shall assume all responsibility and liability for all activity associated under their jurisdiction.

LOCAL POLICE DEPARTMENT

Signed: _____

Title: _____

City/Town: _____

FIRE DEPARTMENT

Signed: _____

Title: _____

City/Town: _____

BOARD OF SELECTMEN/CITY COUNCIL

Signed: _____

Title: _____

City/Town: _____



March 7, 2023

Attn:

Select Board

Town of Brewster

2198 Main St.

Brewster, MA. 02631

On Behalf of the National Multiple Sclerosis Society, I would like to thank the Town of Brewster for allowing us to pass through the last several years. Your continued support is a key part of our continued success.

We respectfully request a Temporary Sign Permit Fee waiver for our directional arrows in the Town of Brewster. As a 501 c3, we know you understand we try to put every possible penny towards our mission to fund research and find a cure for Multiple Sclerosis. I have attached out IRS Non-Profit status letter as well.

Best Regards,

Dia s. Jones

Dia Jones | Event Manager | Promoter Line Inc.

P.O. Box 2028, Colleyville, TX 76034-2028

Cell: 817-726-7714



Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248421964
July 14, 2011 LTR 4168C E0
13-5661935 000000 00

00011516
BODC: TE

NATIONAL MULTIPLE SCLEROSIS SOCIETY
% CAROLYN HAYES-GULSTON
733 3RD AVE FL 3
NEW YORK NY 10017-3211

Employer Identification Number: 13-5661935
Person to Contact: MS. MITCHELL
Toll Free Telephone Number: 1-877-829-5500

Dear TAXPAYER:

This is in response to your July 05, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in OCTOBER 1947.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248421964
July 14, 2011 LTR 4168C E0
13-5661935 000000 00
00011517

NATIONAL MULTIPLE SCLEROSIS SOCIETY
% CAROLYN HAYES-GULSTON
733 3RD AVE FL 3
NEW YORK NY 10017-3211

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,



S. A. Martin, Operations Manager
Accounts Management Operations

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: Brewster Conservation Trust

LOCAL SPONSORING ORGANIZATION: _____

AREA OR FACILITIES NEEDED: Calf Field Pond Trail, Run Hill Road

DATE OR DATES REQUESTED: May 24, 2023 (raindate: May 25, 2023)

TIME IN: 10AM TIME OUT: 11:30AM (INCLUDING PREPARATION & DISMANTLING)

PURPOSE OF FACILITY USE: Lead a nature walk

NATURE OF ACTIVITY TO TAKE PLACE: educational walk

WILL ADMISSION FEE BE CHARGED? YES _____ NO AMOUNT _____

NON-PROFIT ORGANIZATION: YES NO _____

IRS # 04-2798931 TOTAL NUMBER OF PERSONS EXPECTED 15

MAXIMUM PEOPLE EXPECTED AT ONE TIME: 20

ANY SPECIAL EQUIPMENT NEEDED?: _____

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

Brewster Conservation Trust

MAILING ADDRESS: 36 Red Top Rd, Brewster, Ma 02631

TELEPHONE NUMBER: [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: 

Telephone: [REDACTED]

**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 \$180,100.00;
2. The other Unit shall be conveyed at a price at or below 80% of AMI, for a maximum price of \$244,500.00;
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>244,500</u>	<u>\$60 per month</u>	_____
One Three bedroom unit @ 60% AMI	\$ <u>180,100</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 _____.



8000 Avalon Blvd, Suite 700
Alpharetta, GA 30009

Phone: (602) 845-1763
Email: Monique.Young@crowncastle.com
www.crowncastle.com

March 8, 2023

VIA email
ckenny@brewster-ma.gov

TOWN OF BREWSTER
2198 MAIN STREET
BREWSTER, MA 02631-2536

Re: BU 806690 / "CCD BREWSTER 959497" / 1657 MAIN STREET, BREWSTER, MA 02770 ("Site")
Land Lease Agreement, dated August 22, 1996, as it may have been amended and assigned ("Lease")
Consent for sublease

Dear TOWN OF BREWSTER,

In order to better serve the public and minimize the amount of towers in an area where this property is located, DISH Network intends to sublease a portion of the Site. The sublease will include installation of new equipment within the lease area; however, it will not alter the character or use of the site nor will it change the nature of the occupancy of the Site. As used in this letter, the term "sublease" may include any arrangement by which a third party can install and operate its equipment at the Site as permitted under the Lease.

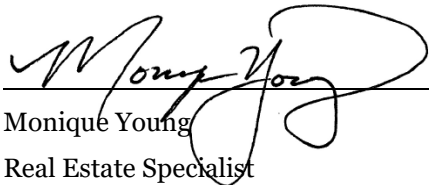
Under the Lease, Landlord's consent cannot be unreasonably withheld, conditioned or delayed. Please provide your consent **on or before March 31, 2023** by signing below and returning to Monique.Young@crowncastle.com so that we may install DISH Network's equipment as permitted under the Lease.

If you have any questions concerning this request, please contact Monique Young at (602) 845-1763 or Monique.Young@crowncastle.com

Sincerely,

Agreed and accepted _____

(Date)



Monique Young
Real Estate Specialist

(Lessor's signature)

(Lessor's name and title)

TOWN OF BREWSTER

March 8, 2023

Page 2

[Enclosures]

P.S. Please indicate below if you are interested in learning more about removing the obligation for you to sign these consent letters and receive a notice letter instead.

(check here) Yes, I'm interested in learning more.

Brewster Select Board,

I, W. Leon Colson, write this letter to request a reassignment of the lease at 52 commerce park. I wish to reassign the lease to Bretten Johnson.

Bretten Johnson will be taking over the lease and property and will be maintaining its status as "General Landscape & Nursery Business & Business Incidental Thereto"

Thank you,

W. Leon Colson

Colsons Landscaping

TOWN OF BREWSTER
CLERK'S OFFICE
Brewster, Mass. 02631

[508] 896-4506

01/26/2023 9:54AM 01
00000#3438 CLERK01

BUS. CERTIFICATE \$30.00

CASH \$30.00

Town of Brewster

2198 Main Street
Brewster, MA 02831
(508) 896-3701

Business Certificate

Business Number

Renew/New

NEW

visions of Chapter 110, Section 5 of the Massachusetts General Laws, as amended, the undersigned hereby declare(s) the of:

Name of Business

BRETEN S JOHNSON TREE SERVICE

Address

52 COMMERCE PARK RD

Type of Business

TREE SERVICE

Phone

508-432-5511

Mailing Address

PO BOX 292

HARWICH

MA 02645-

Owner Name(s)

BRETEN S JOHNSON

Owner Residence

84 BEECHTREE DR

Signatures:

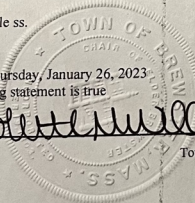
Barnstable ss.

On Thursday, January 26, 2023
foregoing statement is true

the above named person(s) personally appeared before me and made an oath that the

Town Clerk (seal)

Notary Public (seal)



Date Commission Expires

Expiration Date:

1/26/2027

In accordance with the provisions of Chapter 337 of the Acts of 1985 and Chapter 110, Section 5 of the Massachusetts General Laws, business certificates shall be in effect for four (4) years from the date of issue and shall be renewed each four years thereafter. A statement under oath must be filed with the Town Clerk upon discontinuing, retiring, or withdrawing from such business or partnership.

Copies of such certificate shall be available at the address at which such business is conducted and shall be furnished on request during regular business hours to any person who has purchased goods or services from such business. Violations are subject to a fine of not more than \$300.00 for each month during which such violation continues.

LANDLORD'S CONSENT TO ASSIGNMENT OF LEASES

THIS LANDLORD'S CONSENT TO ASSIGNMENT OF LEASES ("Agreement") is entered into as of the ____ day of January, 2023, among the TOWN OF BREWSTER, acting by and through its Select Board ("Landlord"), W. LEON COLSON, individually, and COLSON LANDSCAPING, INC., a Massachusetts corporation (together, "Assignor"), and _____ ("Assignee").

Recitals

1. Reference is made to that certain Indenture of Lease dated March 4, 1982, by and between W. Leon Colson, individually, and Colson Landscaping, Inc., as lessees (together, "Tenant") and the Town of Brewster, as lessor ("Landlord"); as amended by that certain Amendment to Lease dated January 24, 2011, by and between Tenant and Landlord (collectively, the "Lease"), for the rental of the premises referred to therein as Lot No. 4 in the Brewster Industrial Park in Brewster, Barnstable County, Massachusetts (the "Premises").
2. Landlord is the current landlord under the Lease, and Assignor is the current tenant under the Lease.
3. Assignor desires to assign its entire interest under the Leases to Assignee as of _____, 2023 ("Effective Date"), pursuant to the provisions of that certain assignment between Assignor and Assignee dated _____, 2023 ("Assignment").
4. Assignee desires to accept such Assignment, and to assume all of Assignor's obligations under the Lease accruing from and after the Effective Date.
5. Assignor and Assignee have requested Landlord to consent to the Assignment.

NOW THEREFORE, in consideration of the promises herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, the parties hereto agree as follows:

Agreement

- a. In consideration of Landlord's consent to the Assignment, Assignee hereby covenants with Landlord that from and after the Effective Date, Assignee shall observe, comply with, and perform all terms, conditions and covenants of the tenant under the Lease, and perform all obligations of any kind whatsoever as and when the same are due to be performed by tenant pursuant to the terms of the Lease as though Assignee was the tenant originally named under the Lease, and that Assignee shall be subject to all of the Landlord's rights thereunder during the entire term of the Lease as though Assignee was the tenant originally named under the Lease.
- b. Nothing contained in this Agreement shall operate or be construed: (a) as a consent to or approval or ratification by Landlord of any of the provisions of the Assignment, (b) as a representation or warranty by Landlord as to any matters pertaining to the Lease or the Assignment, (c) to modify, waive, affect, release or discharge (i) any of the provisions, covenants, or conditions set forth in the Lease, (ii) any of Assignor's obligations under the Lease, (iii) any rights or remedies of Landlord under the Lease or otherwise, or (d) to waive any present or future breach or default on the part of Assignor under the Lease

covenants, or conditions set forth in the Lease, (ii) any of Assignor's obligations under the Lease, (iii) any rights or remedies of Landlord under the Lease or otherwise, or (d) to waive any present or future breach or default on the part of Assignor under the Lease.

- c. Assignor acknowledges that, notwithstanding the Assignment, it shall continue to be liable under the Lease jointly and severally with Assignee.
- d. Assignor agrees to promptly reimburse Landlord for any reasonable legal fees or other expenses incurred by Landlord with respect to the review, preparation and negotiation of this Agreement.
- e. Landlord hereby consents to the Assignment strictly pursuant to the terms of this Agreement.
- f. No party hereto shall record (or cause to be recorded) with the Barnstable County Registry of Deeds (i) the Assignment or (ii) this Agreement, and any such recording shall automatically cause this Agreement and the Assignment to be voidable at Landlord's election.
- g. This Agreement contains the entire agreement between Landlord, Assignor and Assignee with respect to its subject matter contained herein, and incorporates and supersedes all prior negotiations, discussions and agreements between the parties. This Agreement may be amended only by subsequent written agreement between Landlord, Assignor and Assignee.
- h. This Agreement shall be governed by, and construed in accordance with, the laws of the Commonwealth of Massachusetts. Time is of the essence of each and every provision of this Agreement. If any provision of this Agreement shall be held to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- i. This Agreement may be executed in one or more counterparts all of which when taken together will constitute a single agreement. All signatures need not appear on any one counterpart.
- j. This Agreement is submitted to Assignor and Assignee on the understanding that it will not be considered an offer and will not bind Landlord in any way until (a) Assignor and Assignee have duly executed and delivered to Landlord duplicate originals hereof and of the Assignment, in form and substance acceptable to Landlord, (b) all rents and other charges due and unpaid under the Lease as of the Effective Date are paid to Landlord, (c) Landlord has executed and delivered one of such originals of this Agreement to Assignor and Assignee.
- k. All notices or other communications which are required or permitted hereunder to be given to any party shall be in writing and shall be deemed sufficiently given if delivered personally, by nationally recognized overnight courier or by registered or certified mail, return receipt requested, to the address of such party specified below, or to such other address as the addressee may have specified in a notice duly given to the sender as provided herein:

If to Landlord: Town of Brewster
 Brewster Town Hall
 2198 Main Street
 Brewster, Massachusetts 02631
 Attn.: Town Administrator Peter Lombardi

with a copy to: _____

with a copy to: _____

If to Assignor: _____

If to Assignee: _____

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned have executed this Agreement under seal as of the date first set forth above.

LANDLORD:
TOWN OF BREWSTER
SELECT BOARD

Cynthia Bingham

David Whitney

Ned Chatelain

Mary Chaffee

Kari Hoffmann

[ASSIGNOR AND ASSIGNEE SIGNATURES ON FOLLOWING PAGE]

ASSIGNOR:

ASSIGNOR:

W. Leon Colson

COLSON LANDSCAPING, INC.

By: W. Leon Colson,
President

ASSIGNEE:

Landlord's Consent to Assignment of Leases

Brewster Industrial Park – Lot 4

p. 2 of 5

Bretten S. Johnson Tree Service LLC

Profit and Loss

January - December 2022

	TOTAL
Income	
Sales	225,960.00
Total Income	\$225,960.00
GROSS PROFIT	\$225,960.00
Expenses	
Total Expenses	
NET OPERATING INCOME	\$225,960.00
NET INCOME	\$225,960.00



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/27/2023

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).

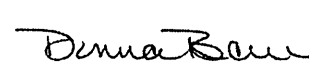
PRODUCER Safe Harbor Insurance Agency, Inc. 2450 Main Street Brewster, MA 02631	CONTACT NAME: Donna L. Barr PHONE (A/C, No., Ext): (508) 430-2100 E-MAIL ADDRESS: donna@safeharboragency.com	FAX (A/C, No.): (508) 896-9276
	INSURER(S) AFFORDING COVERAGE	
INSURED Bretten S. Johson Tree Service, LLC Bretten S. Johnson P.O. Box 292 Harwich, MA 02645	INSURER A: Western World	NAIC # 13196J
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **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 SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		NPP1578552	08/01/2022	08/01/2023	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
						MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTIONS					EACH OCCURRENCE	\$
						AGGREGATE	\$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N N/A				PER STATUTE	OTH-ER
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$

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

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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FOR IMMEDIATE RELEASE: MARCH 13, 2022

Town of Brewster Launches New Website

Monday, March 13, 2023 (Brewster, MA) – The Town of Brewster is excited to announce the launch of its new website at www.brewster-ma.gov.

The Town's new website went live on Monday, March 13, 2023, with a new design incorporating a more prominent navigation bar and landscape images of Brewster. Online bill payment and permit applications are among the applications more prominently featured in the new design. The new website will also result in better compatibility with screen readers and mobile devices.

Select Board Member Mary Chaffee, who served on the working group that designed the new site, said, "Our goal is to make it as easy as possible for website users to find the information they need or to accomplish a task as efficiently as possible."

Municipal websites are vital in meeting the information needs of town residents and visitors. The new Brewster website uses CivicPlus, a platform widely used by municipalities across the nation.

Town Manager Peter Lombardi touted the new site's enhanced accessibility and functionality, "The new Town website is another important step in continuing to improve how we deliver accurate, relevant, and timely information to our residents."



AGENDAS & MINUTES

CALENDAR

LIVE STREAM

TOWN VIDEOS

STAFF CONTACTS

LATEST NEWS



BEACH INFORMATION

CALENDAR

LATEST NEWS

PAY MY BILL

TOWN PROJECTS

SEA CAMPS

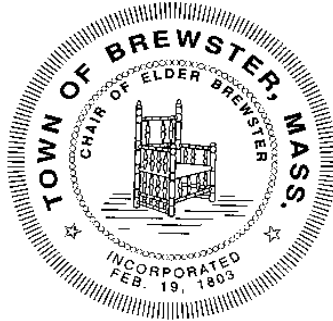
 Assessor's Database

 Budget & Finance

 Charter & Bylaws

 Dog Park

Town of Brewster



SPECIAL TOWN MEETING

WARRANT

for

March 6, 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 TOWN MEETING WARRANT
March 6, 2023**

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2	Citizens Petition – Transfer Care, Custody, and Control of Wing Island and Change Uses	Citizens Group	8
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D	TOWN MODERATOR'S RULES		10
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INFORMATION FOR MARCH 6, 2023

SPECIAL TOWN MEETING

Services Available to the Public During Town Meeting

TRANSPORTATION:

The Council on Aging offers rides to and/or from Town Meeting. For information or to schedule a ride to and/or from Town Meeting please call the Council on Aging at 508-896-2737 by noon on Wednesday, March 1st. Rides are available during the entirety of Town Meeting.

TRANSCRIPTION SERVICES:

A real-time transcription of Town Meeting is available for the hearing impaired. Look for the screen to the right of stage.

CHILD CARE SERVICES:

Nauset Youth Alliance provides free childcare services for children ages 5 – 14, from 5:30 pm – 8:30 pm, in the Stony Brook School Art Room during Town Meeting. If you would like to take advantage of this service, please call or email the NYA before 4:00 pm on Friday, March 3rd; 508-896-7900 or drost@nausetyouthalliance.org

Town Moderator Information for Brewster Voters

Brewster Voters:

To prepare residents in advance, we are providing information here that will be helpful to everyone who plans to attend. In the interest of expediting introductory remarks, we appreciate your attention to the following procedures for the March 2023 Town Meeting:

1. **Attendance:** Please do not attend Town Meeting if you have recently tested positive for COVID, have any COVID symptoms, or have recently been in contact with a person diagnosed with COVID.
2. **Check-in:** Will start at 5pm in the lobby outside the cafetorium. If you have a mobility issue, please move to the beginning of the check-in line.
3. **Town Warrants:** Copies of the Town Warrant will be available; voters are invited to bring their own copy.
4. **Town Officials Participating in Town Meeting**
 - Select Board: Chair David Whitney, Ned Chatelain, Kari Hoffmann, Mary Chaffee, and Cynthia Bingham
 - Town Manager: Peter Lombardi
 - Assistant Town Manager: Donna Kalinick
 - Town Clerk: Colette Williams
 - Finance Committee: Chair Pete Dahl, Frank Bridges, William Meehan, Honey Pivrotto, Robert Young, Alex Hopper, Robert Tobias, Andrew Evans and William Henchy
 - Finance Director: Mimi Bernardo
 - Town Counsel: Lauren F. Goldberg of KP Law
 - Constable: Roland Bassett, Jr.
5. **Meeting Rules of Order**
 - Brewster uses “Town Meeting Time: A Handbook of Parliamentary Law” as well as local practice and tradition.
 - Please be respectful and courteous to others. All questions or comments should be directed only to the Moderator.
6. **Time Clock:** Under our bylaw, presenters may speak for up to 5 minutes, and residents may speak for or against an article for up to 3 minutes.
7. **Voting**
 - All voting will be done by a show of hands using voter tickets. The Moderator will evaluate the show of hands and announce the result.

- Voters may challenge the Moderator’s result; if more than 7 request a count, one will be done.

8. **Microphones**

- Stationary microphones will be set up at the front of each aisle in the voter seating area. Please state your name and Brewster address when you speak.

9. **Motions**

- Amendments:
 - If a minor amendment is proposed, the Moderator may accept it verbally.
 - If a longer amendment is offered, provide it in writing to the Town Clerk or her staff.
- If you are unclear at any time about an action, raise your voter ticket to be recognized and state, “Point of order.”

10. **Services**

- If you need handicapped parking, special seating, or any other type of assistance, please contact the Town Manager’s office (508-896-3701 ext. 1100) before Town Meeting. Handicapped parking will be available in the front of the school in the bus drop-off area.
- Space will be available for voters using wheelchairs. Those with impaired mobility can access the check-in line via the main entrance at the front of the building.
- A real-time transcription of Town Meeting will be available for the hearing impaired on the screen to the right of stage.
- Nauset Youth Alliance provides free childcare services for children ages 5–14, from 5:30 pm – 8:30 pm, in the Art Room during Town Meeting. If you would like to take advantage of this service, please call or email the NYA before 4:00 pm on Friday, March 3rd; 508-896-7900 or drost@nausetyouthalliance.org
- The Council on Aging offers rides to and/or from Town Meeting. For information or to schedule a ride to and/or from Town Meeting please call the Council on Aging at 508-896-2737 by noon on Wednesday, March 1st. Rides are available during the entirety of Town Meeting.

11. **Handouts/Flyers:** A designated area will be available for distribution of materials to voters.

12. **Thank you.** I appreciate your commitment to conducting the Town’s business and participating in our local democracy in a respectful manner.

Charles Sumner, Town Moderator

TOWN OF BREWSTER SPECIAL TOWN MEETING MARCH 6, 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, March 6, 2023**, next, at 6:00 p.m. o'clock in the evening, then and there to act upon the following articles:

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)

COMMENT

No boardwalk to Wing Island, nor any modification to the existing access, has been approved by Town Meeting. A member of the Select Board stated at the last Town Meeting that the Select Board would seek a vote on the boardwalk at the 2023 Annual Town Meeting, and that the Select Board would “take seriously” the result of that vote. Approval of this article will preclude the Town from spending any Town funds previously appropriated for such a boardwalk, and

shall advise the Select Board that it is the sense of Town Meeting that no any grants or gifts received in any fiscal year should be spent on the proposed boardwalk.

Select Board: Yes 1, No 4, Abs 0 Finance Committee: Yes 1, No 5, Abs 0

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)

COMMENT

Wing Island was acquired in 1961 by the Town for “the purpose of a public bathing beach and recreational area”. It has been used, however, in the intervening 62 years primarily as a conservation area. This article seeks to memorialize the existing actual use, to redirect the purposes for which Wing Island may be used as conservation purposes, and to place Wing Island under the care, custody, and control of the Conservation Commission under G.L. c. 40 sec. 8C, which directs the uses of conservation land.

Select Board: Yes 1, No 4, Abs 0 Finance Committee: Yes 1, No 5, Abs 0

RESCIND DRUMMER BOY PARK 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)

COMMENT

The funding for Phase I of the Drummer Boy Master Plan was voted down by the Fall 2022 Special Town Meeting. This Master Plan includes substantial additional paving to the Drummer Boy Park, and in an appendix proposes a boardwalk to Wing Island. This article would rescind the Town Meeting’s approval of the plan, thereby taking away as an argument for the proposed boardwalk and re-paving of the Drummer Boy Park the fact that the Town Meeting has approved the plan.

Select Board: Yes 0, No 5, Abs 0 Finance Committee: Yes 1, No 5, 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 **13th day of February 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 March 6, 2023 by posting attested copies thereof, in the following locations in the Town on the 13th day of February, 2023.

Brewster Town Offices
Brewster Ladies Library
Millstone Liquors

Café Alfresco
Brewster Pizza House

Roland W. Bassett, Jr. Constable

MODERATOR'S RULES REGARDING TOWN MEETING

Priority shall be given to registered voters of the Town for admission to all Town Meetings, whether annual or special meetings. Therefore, the following rules shall apply:

1. Prior to admission, persons desiring admission shall check in with the Registrars of Voters, who will be present at the main entrance with voter registration lists.
2. Non-voters, who desire to be present, will be seated in the area designated as the non-voter section. Voters take priority seating.
3. Non-voters will not address the Town Meeting without the unanimous consent of all voters present and will not participate in voting. Non-Resident Town staff will be permitted to address Town Meeting as appropriate and consistent with past precedent.

TOWN MEETING PROCEDURE

THE MODERATOR has absolute control of the town meeting.

GENERAL LAWS CHAPTER 39 SECTION 15: The Moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes. The Moderator recognizes speakers from the floor, and while they are speaking allows no interruptions except when a point of order is raised.

WHEN A VOTER WISHES TO SPEAK, the voter may rise, say, "Mr. Moderator," and wait for recognition. Then, with the microphone, please give your name. The voter may continue with due regard to reasonable brevity, as long as the voter speaks directly to the question under discussion.

THERE WILL BE NO SMOKING OR STANDING in the meeting location.

ANYTIME THE MOTION TO BE VOTED ON IS UNCLEAR, ask the Moderator before voting.

VOTERS WILL PLEASE HOLD THEIR BREWSTER VOTER TAG in their right hand, so that the tellers when counting hand votes will count them.

NO PERSON IS TO INDULGE IN PERSONALITIES OR DEROGATORIES. Let us maintain decorum and reason together.

MOTIONS

MAIN MOTIONS are always on articles in the Town warrant. They are made, seconded, and then opened for consideration.

SECONDARY MOTIONS are motions which refer to main motions. Secondary motions usually amend, postpone, or limit consideration.

AMENDMENTS may be offered by any voter to the motion under discussion, provided the scope of the original motion is not enlarged or altered. Amendments are seconded and discussed; they require a majority vote to carry (pass). An amendment need not be voted upon if the proposed change is agreeable to the proponents of original motion. Voters must submit amendments in legible writing.

POSTPONE

TO REFER TO COMMITTEE "COMMIT" if changes in a main motion are numerous, take too much time, or require additional information, it is wise to commit the article to a committee. This secondary motion should specify which board or committee. If proposing a new committee, specify how many members, how appointments are to be made and when the committee should report.

POSTPONE TO A DEFINITE TIME: defers action on a main motion to a stated hour, usually during the meeting. At the hour specified, it is returned to the floor when a motion is made that the deferred article be considered.

"LAY ON TABLE" intends to temporarily lay aside an article. Not debatable; two-thirds vote carries. An article not taken from table before the meeting adjourns is not actionable. To be considered at a subsequent meeting, it must reappear in the warrant for that meeting.

"TAKE NO ACTION" "PASS OVER" "POSTPONE INDEFINITELY" are debatable motions and require majority vote. The intent is to defeat the motion.

LIMIT CONSIDERATION

LIMIT DEBATE. This secondary motion requests a vote to be taken at a specific time. Requires a 2/3 majority vote.

"MOVE THE PREVIOUS QUESTION" demands an immediate vote on any motion under consideration without further debate on the motion. May not be debated or amended. Requires 2/3 vote to carry. If it carries, we vote on the main motion that we voted to end the debate on.

POINT OF ORDER

IF A VOTER QUESTIONS THE LEGALITY or propriety of the proceedings, the voter may rise, interrupt the speaker and say, "I rise to a point of order" or "question of privilege."

VOTES ON MAIN MOTIONS

Usually carries (passes) with the majority of those attending. Quantum of vote for each article is noted in the warrant book.

EXCEPTIONS

2/3 MAJORITY VOTE REQUIRED for borrowing of money appropriations for land purchases; land purchase for public domain; sale or abandonment of unneeded land; abandonment of projects for which money has been borrowed; appropriation for celebration of settlement or incorporation; zoning bylaws.

4/5 USUALLY REQUIRED payment of a bill for which insufficient appropriations made in a previous year, at the Annual Town Meeting. A 9/10 vote is required at a Special Town Meeting.

POSTPONE INDEFINITELY requires a majority vote, may be debated, and may not interrupt the speaker.

GLOSSARY OF FINANCIAL TERMS

Appropriation	An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and as to the time when it may be expended. Only town meeting can authorize money appropriated for one purpose to be used for another. Any amount that is appropriated may be encumbered (see encumbrance). Any part of an annual operating appropriation not spent or encumbered by June 30 automatically reverts to the undesignated fund balance that may result in free cash. If departments know of remaining unpaid bills at the close of the fiscal year and properly notifies the Town Accountant (MGL Ch. 41 ss. 58), the departmental appropriation is encumbered. This action extends the annual spending authorization until such time that the bill is paid or it is decided not to spend the funds. If these encumbrances are not acted on within ninety days, the Town Accountant generally notifies the department and closes them out. A special purpose appropriation, on the other hand, may carry forward from year to year until spent for the designated purpose or transferred by town meeting vote to another account.
Audit	An examination of systems, procedures, and financial data by a certified public accountant, reporting on the fairness of financial statements and compliance with statutes and regulations. The audit is a valuable management tool for evaluating the fiscal performance of a community.
Available Funds	Funds established through previous appropriations or resulting from financial operations. They may be appropriated to meet unforeseen expenses, or large non-recurring or capital expenditures. Examples include free cash, stabilization fund, overlay surplus, water surplus, and enterprise retained earnings.
Betterments (Special Assessments)	Whenever a limited area of a community receives benefit from a public improvement (<i>e.g.</i> , water, road, sewer, sidewalk, etc.), special property taxes may be assessed to reimburse the governmental entity for all or part of the costs it incurred. Each parcel receiving benefit from the improvement is assessed for a proportionate share of the cost of such improvements. The proportionate share may be paid in full, or the property owner may request the assessors to apportion the betterment over a period of up to 20 years. Over the lifetime of the betterment, one year's apportionment along with one year's committed interest computed from October 1 to October 1 is added to the tax bill until the betterment has been paid.
Bond	A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date in the future, called the maturity date, together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for a longer period of time.
Bond Anticipation Note (BAN)	A short-term note to provide cash for initial project costs issued in anticipation of bond proceeds. BANs may be issued for a period not to exceed five years, provided principal repayment begins after two years. Communities with approved projects on the School Building Assistance (SBA) priority list may defer principal payments up to five years (approved annually in outside sections of the budget). The final maturity date of the project borrowing, beginning from the date the short-term note was issued, may not exceed the term specified by statute. BANs are full faith and credit obligations.
Bond Authorized And Unissued	Bond authorized but not yet sold. Issuance is contingent only on action by the Town Treasurer and a majority of the Board of Selectmen.
Bond Counsel	An attorney or law firm engaged to review and submit an opinion on the legal aspects of a municipal bond or note issue.
Bond Issue	Generally, represents the sale of a certain number of bonds at one time by a governmental unit.
Bond Rating (Municipal)	A credit rating to help investors determine the risk of losing money in a given fixed-income investment. Agencies specializing in municipal bonds assign a rating, designated by letters or a combination of letters and numerals, based on their opinion of the future ability, legal obligation, and willingness of a bond issuer to make timely debt service payments.
Budget	A plan of financial operation embodying an estimate of proposed revenues and expenditures for a given period and the proposed means of financing them. A budget may be "preliminary" (the

	financial plan presented to the town meeting), or “final” (the plan approved by that body). The budget should be separated into basic units, either by department, program, or service. Formatting the budget in this way helps local officials and citizens make policy decisions when allocating scarce resources. It is also important to include as much information as possible concerning the output or accomplishments expected of a given program or department during the year.
Capital Improvements Program	A comprehensive plan for planning a community’s capital expenditures. It coordinates community planning, fiscal capacity and physical development. While all of the community’s needs should be identified in the program, there is a set of criteria that prioritizes the expenditures. The capital program is a plan for capital expenditures that usually extends at least five years beyond the capital budget.
Capital Outlay Expenditure Exclusion	A vote by a community at an election to exclude payments for a capital project from the levy limit. The exclusion may temporarily increase the levy above the levy ceiling.
Cash	Currency, coin, checks and bankers’ drafts on hand or on deposit with an official or agent designated as custodian of cash and bank deposits.
Cash Management	The process of managing a local government’s money in order to ensure maximum cash availability and maximum yield on short-term investment of idle cash.
Cemetery Perpetual Care	Funds donated by individuals for the care of gravesites. According to MGL, funds from this account must be invested and spent as directed by perpetual care agreements. If no agreements exist, the interest (but not principal) may be used as directed by the Cemetery Commissioners for the purpose of maintaining cemeteries.
Chapter 90 Highway Funds	The state legislature authorizes and issues transportation capital bonds every few years. In each Transportation Bond, funds are apportioned to communities based upon a formula under the provisions of MGL Ch. 90 ss. 34, hence the terms Chapter 90 funds. The Chapter 90 highway formula is comprised of three variables: local road mileage as certified by the Massachusetts Highway Department (MHD), employment figures from the Department of Employment and Training (DET), and population estimates from the U. S. Census Bureau. Under this formula, those communities with a larger number of road miles receive proportionately more aid than those with fewer road miles. These funds are reimbursed to communities based upon certified expenditure reports submitted to MHD.
Cherry Sheets	Named for the cherry colored paper on which they were originally printed, the Cherry Sheets are the official notification of the next fiscal year’s state aid and assessments to communities and regional school districts from the Commissioner of Revenue. State aid to municipalities and regional school districts consist of two major types – distributions and reimbursement. Distributions provide funds based on formulas while reimbursements provide funds for costs incurred during a period for certain programs or services. In addition, communities may receive “offset items” that must be spent on specific programs. Cherry Sheet assessments are advance estimates of state assessments and charges. Local assessors are required to use these figures in setting the local tax rate. Because these figures are estimates, it should be noted that based upon filing requirements and/or actual information, the final aid or assessment may differ.
Cherry Sheet Offset Items	Local aid accounts that may be spent without appropriation in the budget, but which must be spent for specific municipal and regional school district programs. Current offset items include racial equality grants, school lunch grants, and public libraries grants.
Collective Bargaining	The negotiations between an employer and union representative regarding wages, hours, and working conditions.
Conservation Fund	This fund may be expended for lawful conservation purposes as described in MGL Ch. 40 ss. 8C. It may also be expended for damages related to the taking of land by eminent domain provided that such taking has first been approved by two-thirds vote of town meeting.
Contingent Appropriation	An appropriation that authorizes spending for a particular purpose upon the occurrence of a later event. The grant of spending authority made by an appropriation must be certain at the time of the vote and, therefore, contingent appropriations are not generally permissible. Under MGL Ch. 59 ss. 21C(m), however, towns may make appropriations from the tax levy, available funds or

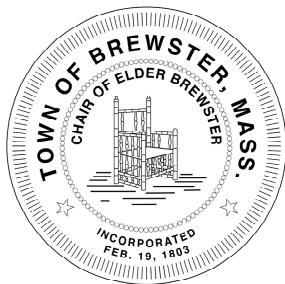
	borrowing, contingent upon the subsequent passage of a Proposition 2-½ override or exclusion question for the same purpose.
Debt Authorization	Formal approval by a two-thirds vote of town meeting to incur debt, in accordance with procedures stated in MGL Ch. 44.
Debt Exclusion	A vote by a municipality at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to cover the annual debt service payment is added to the levy limit for the life of the debt only. A debt exclusion may temporarily increase the levy above the levy ceiling.
Debt Limit	The maximum amount of debt that a municipality may have authorized for qualified purposes under state law.
Debt Service	The cost usually stated in annual terms, of the principal repayment and interest of any particular issue.
Deficit	The excess of expenditures over revenues during an accounting period. Also refers to the excess of the liabilities of a fund over its assets.
Education Reform Act Of 1993	An act that seeks to remedy educational funding inequities between local communities by providing adequate state funding over a seven year period for all local and regional school districts and by mandating equity based upon a particular community's ability to pay. One of the Act's major goals is to improve student achievement.
Eminent Domain	The power of a government to take property for public purposes by condemnation provided that fair compensation is paid to the owner. This method is frequently used to obtain real property that cannot be purchased from owners by means of a voluntary transaction.
Encumbrance	Obligations in the form of purchase orders, contracts, or salary commitments that are chargeable to an appropriation and for which a part of the appropriations is reserved.
Enterprise Fund	Those funds which are established for specific uses under M.G.L. c.44, §53F1/2 that require an annual appropriation to operate (i.e. The Brewster Water Department). Enterprise fund revenue streams are segregated from the general fund into a separate fund and available as a separate financing source for services that generate, or for purposes supported by, those revenues. These include the revenues of enterprise funds established for services typically financed and delivered in a manner similar to private enterprises for the purpose of accounting for all costs, direct or indirect, of providing the services.
Estimated Receipts	An estimate of state and local miscellaneous receipts based upon the previous year's receipts that assessors deduct from the gross amount to be raised in order to arrive at the tax levy.
Excess And Deficiency	Also called the "surplus revenue" account, this is the amount by which cash, accounts receivable, and other assets exceed a regional school district's liabilities and reserves as certified by the Director of Accounts. The calculation is made based upon the balance sheet that is submitted by the district's auditor, accountant, or comptroller as of June 30. The regional school committee must apply certified amounts exceeding five percent of the district's prior year operating and capital costs to reduce the assessment on member cities and towns.
Excess Levy Capacity	The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year. Annually, the Board of Selectmen must be informed of excess levy capacity and their acknowledgment must be submitted to the Department of Revenue when setting the tax rate.
Fiscal Year	Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. For example, the 2020 fiscal year is July 1, 2019 to June 30, 2020 and is usually written as FY2020. Since 1976, the federal government has had a fiscal year that begins October 1 and ends September 30.
Fixed Costs	Costs that are legally or contractually mandated such as retirement, FICA/Social Security, insurance, debt service or interest costs.
Foundation Budget	The target imposed by the Education Reform Act of 1993 for each school district, defining the spending level necessary to provide an adequate education for all students.

Free Cash	Unrestricted funds from operations of the previous fiscal year that are certified by the Director of Accounts as available for appropriation. Remaining funds include unexpended free cash from the previous year, receipts in excess of estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based upon the balance sheet as of June 30, which is submitted by the Town Accountant. A community should maintain a free cash balance to provide a hedge against unforeseen expenditures and to ensure there will be an adequate reserve to prevent sharp fluctuations in the tax rate. Maintenance of an adequate free cash level is not a luxury but a necessary component of sound local fiscal management. Credit rating agencies and other members of the financial community expect municipalities to maintain free cash reserves and make judgments regarding a community's fiscal stability, in part, on the basis of free cash.
Fund	An accounting entity with a self-balancing set of accounts that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with specific regulations, restrictions, or limitations.
Fund Accounting	Organizing the financial records of a municipality into multiple funds. A fund is a distinct entity within the municipal government in which financial resources and activity (assets, liabilities, fund balances, revenues and expenditures) are accounted for independently in accordance with specific regulations, restrictions and limitations. Examples of funds include the general fund and enterprise funds.
General Fund	The fund used to account for most financial resources and activities governed by the normal town meeting appropriation process.
General Obligation (GO) Bonds	Bonds issued by a municipality that are backed by the full faith and credit of its taxing authority.
Hotel/Motel Excise	A local option that allows a community to assess a tax on room occupancy. The community may levy up to 6% of the taxable rents of hotels, motels and lodging houses in that community.
Indirect Cost	Costs of a service not reflected in the service's operating budget. An example of an indirect cost of providing water service would be health insurance costs for water department employees. A determination of these costs is necessary to analyze the total cost of service delivery and a Mutual Agreement for reporting and paying indirect costs is required between the Select Board and respective Department / Committee.
Interest	Compensation paid or to be paid for the use of money, including amounts payable at periodic intervals or discounted at the time a loan is made.
Interest Rate	The interest payable, expressed as a percentage of the principal available, for use during a specified period of time. It is always expressed in annual terms.
Law Enforcement Trust Fund	A revolving fund established to account for a portion of the proceeds from the sale of property seized from illegal drug-related activities. Funds may be expended to defray certain qualified law enforcement costs as outlined in MGL Ch. 94C ss. 47. Funds from this account may be expended by the Police Chief without further appropriation.
Levy	The amount a community raises through the property tax. The levy can be any amount up to the levy limit.
Levy Ceiling	The maximum levy assessed on real and personal property may not exceed 2 ½ percent of the total full and fair cash value of all taxable property (MGL Ch. 59 ss. 21C). Property taxes levied may exceed this limit only if the community passes a capital exclusion, a debt exclusion, or a special exclusion.
Levy Limit	The maximum amount a community can levy in a given year. The limit can grow each year by 2 ½ percent of the prior year's levy limit plus new growth and any overrides. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion.
Line-Item Budget	A budget that focuses on inputs of categories of spending, such as supplies, equipment, maintenance, or salaries, as opposed to a program budget.

Local Aid	Revenue allocated by the commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the “Cherry Sheets”. Most Cherry Sheet aid programs are considered revenues of the municipality’s or regional school districts’ general fund and may be spent for any purpose, subject to appropriation.
Local Receipts	Locally generated revenues, other than real and personal property taxes and enterprise fund revenues. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals, and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet.
Motor Vehicle Excise (MVE)	Every motor vehicle and trailer registered in the Commonwealth is subject to the MVE unless expressly exempted. MVE is imposed for the privilege of registering a motor vehicle. Registering a motor vehicle automatically triggers the assessment of the excise.
Municipal(s)	Municipal refers to any state or subordinate governmental unit. “Municipals” (i.e., municipal bonds) include not only the bonds of all local subdivisions, such as cities, towns, school districts, special districts, but also bonds of the state and agencies of the state.
Municipal Revenue Growth Factor (MRGF)	An estimate of the percentage change in a municipality’s revenue growth for a fiscal year. It represents the combined percentage increase in the following revenue components; automatic 2 ½ percent increase in the levy limit, estimated new growth, the change in selected unrestricted state aid categories, and the change in selected unrestricted local receipts (Education Reform Act of 1993).
Net School Spending (NSS)	School budget and municipal budget amounts attributable to education, excluding long-term debt service, student transportation, school lunches and certain other specified school expenditures. A community’s NSS funding must equal or exceed the NSS Requirement established annually by the Department of Education (DOE) (Education Reform Act of 1993).
New Growth	The taxing capacity added by new construction and other increases in the property tax base. New growth is calculated by multiplying all increases in value which are not the result of revaluation by the tax rate of the previous fiscal year, for example, FY2023 new growth is determined by multiplying the value on January 1, 2022 by the FY2022 tax rate. Assessors must submit documentation of new growth to the BLA annually before setting the tax rate. Documentation should be retained for five years in the event of a BLA audit.
Operating Budget	A plan of proposed expenditures for personnel, supplies, and other expenses for the coming fiscal year.
Overlay (Overlay Reserve or Allowance for Abatements and Exemptions)	An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.
Overlay Surplus	Any balance in the overlay account in excess of the amount remaining to be collected or abated can be transferred into this account. Within ten days of a written request by the chief executive officer of a city or town, the Board of Assessors must provide a certification of the excess amount of overlay available to transfer. Overlay surplus may be appropriated for any lawful purpose. At the end of each fiscal year, unused overlay surplus is “closed” to surplus revenue.
Override	A vote by a community at an election to permanently increase the levy limit. An override vote may increase the levy limit no higher than the levy ceiling. The override question on the election ballot must state a purpose for the override and the dollar amount).
Override Capacity	The difference between a community’s levy ceiling and its levy limit. It is the maximum amount by which a community may override its levy limit.
Payments In Lieu Of Taxes (PILOT)	An agreement between a municipality and an entity not subject to taxation, such as charitable or educational organizations, in which the payer agrees to make a voluntary payment to the municipality. By law, a city or town must make such payment to any other community in which it owns land used for public purposes.
Proposition 2 ½ (Prop 2 ½)	M.G.L. c.59, §21C was enacted in 1980 and limits the amount of revenue a city or town may raise from local property taxes each year. This amount is the community’s annual levy limit. The law

	allows the levy limit to increase each year by 2.5% plus any new growth revenue derived from taxes from new construction and alterations. This amount may not exceed the community's levy ceiling. Proposition 2 ½ also established two types of voter approved increases in local taxing authority – overrides and exclusions.
Receipts Reserved	Proceeds that are earmarked by law and placed in separate accounts for appropriation for particular purposes. For example, parking meter proceeds may be appropriated to offset certain expenses for parking meters and the regulation of parking and other traffic activities.
Reserve Fund	An amount set aside annually within the budget of a city (not to exceed 3% of the tax levy for the preceding year) or town (not to exceed 5% of the tax levy for the preceding year) to provide a funding source for extraordinary or unforeseen expenditures. In a town, the Finance Committee can authorize transfers from this fund for “extraordinary or unforeseen” expenditures. Other uses of the fund require budgetary transfers by town meeting.
Revenue Anticipation Borrowing	Cities, towns and districts may issue temporary notes in anticipation of taxes (TAN's) or other revenue (RAN's). The amount of this type of borrowing is limited to the total of the prior year's tax levy, the net amount collected in motor vehicle and trailer excise in the prior year and payments made by the Commonwealth in lieu of taxes in the prior year. According to MGL Ch. 44 ss. 4, cities, towns and districts may borrow for up to one year in anticipation of such revenue.
Revenue Anticipation Note (RAN)	A short-term loan issued to be paid off by revenues, such as tax collections and state aid. RANs are full faith and credit obligations.
Revenue Bond	A bond payable from and secured solely by specific revenues and thereby not a full faith and credit obligation.
Revolving Fund	Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service. For departmental revolving funds, MGL Ch 44 ss. 52E ½ requires each revolving fund must be established by ordinance or charter and stipulates that each fund must be re-authorized each year at annual town meeting action, and that a limit on the total amount that may be spent from each fund must be established at that time. The aggregate of all revolving funds may not exceed ten percent of the amount raised by taxation by the town in the most recent fiscal year, and not more than one percent of the amount raised by taxation may be administered by a single fund. Wages and salaries for full-time employees may be paid from the revolving fund only if the fund is also charged for all associated fringe benefits. Revolving funds for other programs as provided by statute are still allowed, and a departmental revolving fund may be implemented in addition to or in conjunction with other existing statutory revolving funds, provided that the departmental revolving fund does not conflict with provisions of other revolving funds.
Sale Of Cemetery Lots Fund	A fund established to account for proceeds of the sale of cemetery lots. The proceeds may only be appropriated to pay for the cost of the land, its care and improvement or the enlargement of the cemetery under provisions of MGL Ch. 144 ss. 15.
Stabilization Fund	A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. Communities may appropriate into this fund in any year an amount and any interest shall be added to and become a part of the fund. A two-thirds vote of town meeting is required to appropriate money from the Stabilization Fund.
State Aid Anticipation Note (SAAN)	A short-term loan issued in anticipation of a state grant or aid (MGL Ch. 44 ss. 6A).
State House Notes	Debt instruments for cities, towns, counties and districts certified by the Director of Accounts. State House Notes, payable annually, are usually limited to maturities of five years. The notes are generally less costly and easier to issue than conventional issues for borrowing. They are commonly used for temporary loans and smaller long-term issues.
Tax Rate	The amount of property tax stated in terms of a unit of the municipal tax base; for example, \$14.80 per \$1,000 of assessed valuation of taxable real and personal property.
Tax Rate Recapitulation	A document submitted by a city or town to the Department of Revenue in order to set a property tax rate. The recap sheet shows all estimated revenues and actual appropriations that affect the

Sheet (Recap Sheet)	property tax rate. The recap sheet should be submitted to the Department of Revenue by September 1 (in order to issue the first-half semiannual property tax bills before October) or by December 1 (in order to issue the third quarterly property tax bills before January 1).
Five Year Valuation Certification	The Commissioner of Revenue is required to review local assessments every five years and to certify that they represent FFCV. The Bureau of Local Assessments is responsible for this process.
Trust Fund	In general, a fund held for the specific purpose stipulated by a trust agreement. The Town Treasurer acts as a custodian of trust funds and invests and expends such funds as stipulated by trust agreements or as directed by the Commissioners of Trust Funds or by town meeting. Both principal and interest may be used if the trust is established as an expendable trust. For non-expendable trust funds, interest but not principal may be expended as directed.
Underride	A vote by a community to permanently decrease the tax levy limit. As such, it is the exact opposite of an override.
Unfunded Pension Liability	Unfunded pension liability is the difference between the value assigned to the retirement benefits already earned by a municipality's employees and the assets the local retirement system will have on hand to meet these obligations. The dollar value of the unfunded pension liability is driven by assumptions about interest rates at which a retirement system's assets will grow and the rate of future costs of living increases to pensioners.
Uniform Municipal Accounting System (UMAS)	The Department of Revenue regards UMAS as the professional standard for municipal account system that conforms to Generally Accepted Accounting Principles modern municipal accounting in Massachusetts. Among the benefits of conversion to UMAS is increased consistency in reporting and record keeping and enhanced comparability of data among cities and towns.
Unreserved Fund Balance (Surplus Revenue Account)	The amount by which cash, accounts receivable, and other assets exceed liabilities and restricted reserves. It is akin to a "stockholders' equity" account on a corporate balance sheet. It is not, however, available for appropriation in full because a portion of the assets listed as "accounts receivable" may be taxes receivable and uncollected.
Warrant	An authorization for an action. For example, a town meeting warrant establishes the matters that may be acted upon by that town meeting. A treasury warrant authorizes the treasurer to pay specific bills. The assessors' warrant authorizes the tax collector to collect taxes in the amount and from the persons listed, respectively.
Water Surplus	For water departments operating under MGL Ch. 41 ss. 69B, any revenues in excess of estimated water receipts or unspent water appropriations closeout to a water surplus account. Water surplus may be appropriated to fund water-related general and capital expenses or to reduce water rates.
Waterways Improvement Fund	An account into which fifty percent of the proceeds of the boat excise is deposited. Use of these proceeds is limited to certain waterway expenses as outlined in MGL Ch. 40 ss. 5G.





Access to Brewster's Wing Island: An Update & Review of Options



Brewster Select Board, Town Manager & Natural Resources Department
Feb. 9, 2023



Forum Purpose & Overview

Forum Purpose

Provide factual information so residents can make informed decisions about Wing Island access

Presentation

- Background & Stakeholders
- History of Wing Island Access & Review of Current Conditions
- Regulatory Considerations & Options for Continued Access to Wing Island
- Carrying Capacity Analysis
- Potential Boardwalk Visibility & Aesthetics
- Construction Estimates & Gift Offer Update
- Citizens Petitions & March 2023 Special Town Meeting
- Conservation Restriction

Community Input

Residents are invited to ask questions and make comments



Town of Brewster



The Issue: Access to Wing Island

The plank walkway crossing the marsh to Wing Island:

- Was intended to reduce harm from foot traffic on the saltmarsh
- Was approved for temporary, seasonal use in 1992
- Is harmful to the marsh
- Is submerged twice daily at high tides making crossing unsafe or impossible
- Is unstable/unsafe and does not comply with Federal law (Americans with Disabilities Act)
- Must be retrieved by Town staff & reinstalled after some tide/storm events



Flooded Plank Crossing

Town of Brewster



Foot Traffic Harm to Marsh

Town of Brewster



Where We Are Today

Past Activities

- Residents requested better Wing Island access & Drummer Boy Park improvements (1990s–present)
- Town proposed improved access to Wing Island with a raised walkway (2018)
- Town Meeting approved funding to advance design & permitting for improved Wing Island access (2021)
- Town consulted with state regulators on potential options and requirements (Spring/Summer 2022)
- Town presented initial boardwalk concept to residents at public forum (Aug. 2022)
- Town made changes to initial concept in response to public input (Sept./Oct. 2022)
- Town invited Museum personnel to take part in Wing Island site visit (Nov. 2022)
- Town gathered more data that public requested - carrying capacity & cost estimates (Dec. 2022)
- Select Board pledged to bring articles to Town Meeting regarding future Wing Island access (Nov. 2022) and to place a conservation restriction on Wing Island (Dec. 2022)
- Citizens petition submitted to call Special Town Meeting on Wing Island (Jan. 2023)

Now

- Town presents updated information & invites further public input

Next

- Special Town Meeting on Wing Island on Mar. 6, 2023 at 6pm, Stony Brook School
- Annual Town Meeting on May 1, 2023 at 6pm, Stony Brook School



Stakeholders & Participants





The Decision-makers

Town Meeting voters will determine how future access to Wing Island is managed and how Wing Island is protected.



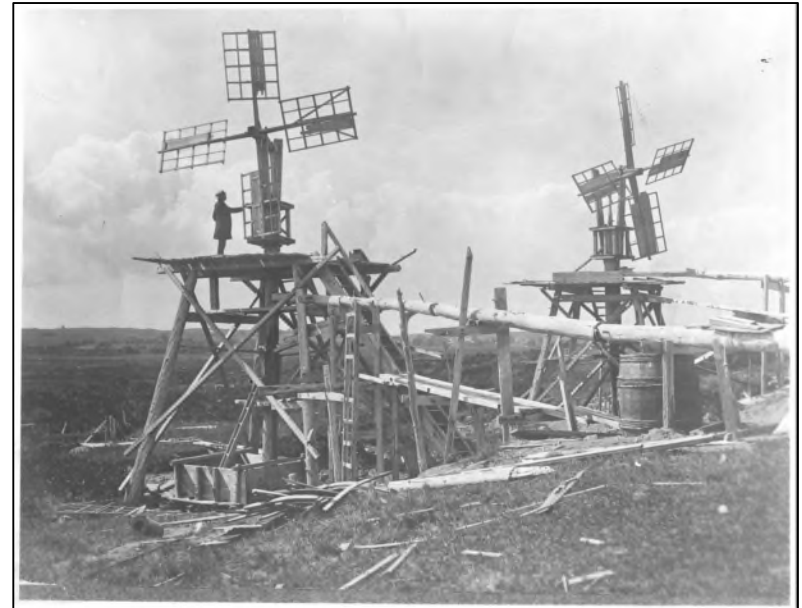
Town of Brewster



Wing Island Access History: Road

A gravel & dirt causeway was used to access Wing Island in the 1800s–1900s

- “...gravel and fill dike was constructed around 1806 to provide access to the saltworks which dotted the edge of the salt marsh (there were 60 or 70 thousand feet of salt works in Brewster at that time)”¹
- “In the 1800s there was a road (just to the west of the boardwalk)”²



Salt Works at Wing Island c. 1875

Dennis Historical Society Archive

¹ Town of Brewster Notice of Intent, June 1, 1992

² Dan Zoto, Archeologist, Ten Thousand Years on Wing Island, Lower Cape TV, Oct. 17, 2020



Wing Island Access History: Road & Bridge at Paines Creek

When Brewster acquired Wing Island, the road remained and the Town built a bridge

- **Wing Island Acquired by Town of Brewster on July 14, 1961**
 - Brewster's first open space acquisition ¹
- **Wing Island Road existed in 1961 but became a problem**
 - *"When the town bought Wing Island there was still a road that connected it to the main land and people would drive out to the beach."* ²
 - "Road required a lot of maintenance to keep it from sinking into the marsh..." ³
- **Paines Creek Bridge to Wing Island in 1970**
 - A bridge to Wing Island was constructed in 1970 from Paines Creek; it was demolished by storm & fire within one year of construction. ^{4, 5}

¹ Town of Brewster Notice of Intent, June 1, 1992

^{2, 3} Town of Brewster Land Management Plan, 2011, p. 10.

⁴ Town of Brewster Notice of Intent, June 1, 1992

⁵ 1995 Town of Brewster Wing Island Management Plan Outline, p. 16.



Wing Island Access History: 1980s/1990s Footpath

Foot traffic to Wing Island

- Increased across marsh in 1980s into 1990s

Foot traffic impact was documented ¹

- *“increasing adverse impact”*
- *“whole sections of the dike are muddy due to repeated foot traffic”*
- *“people walk off the dike to the vegetated portion of the marsh”*
- *“this has caused great harm to the salt marsh”*



Salt Marsh Damage Prior to Installation
of Planks (1992)

Town of Brewster

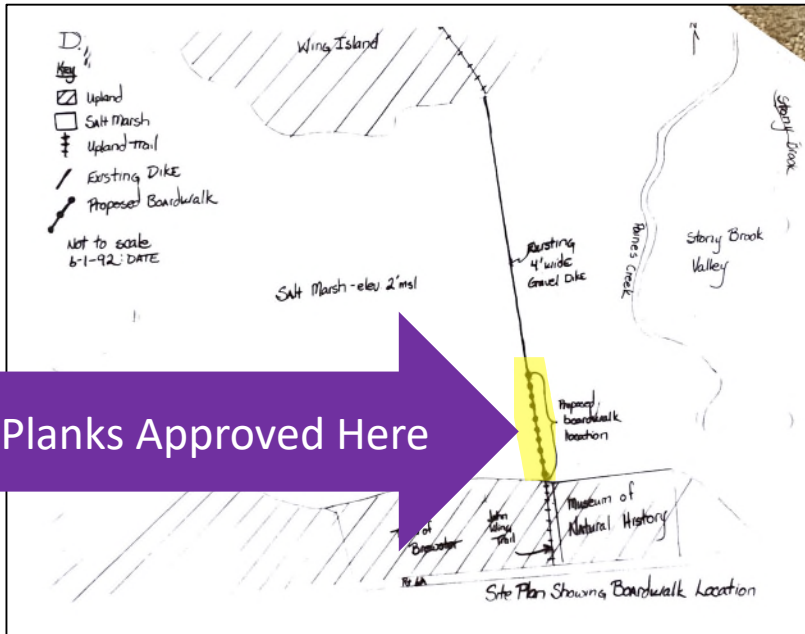
¹ Town of Brewster Notice of Intent, June 1, 1992



Wing Island Access History: Planks & Bridge

Town sought to protect the marsh from foot traffic damage (1992)

- Conservation Commission approved Town request for “200 feet of seasonal boardwalk...to mitigate damage to the dike and adjacent salt marsh created by foot traffic”
- Planks approved partway to Wing Island; intended for use May to November only



1992 Notice of Intent to Build Seasonal Plank Path Partway to Wing Island



Wing Island Marsh Bridge (2008)



Overview of Wing Island Area

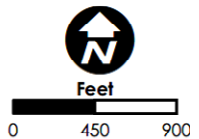


Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Date: 2/7/2023
Data Sources: Bureau of Geographic Information (MassGIS), ESRI

This map is for informational purposes and may not be suitable for legal, engineering, or surveying purposes.

- ROW Parcel
- Useable Beach Area
- Brewster Conservation Trust
- Brewster Historical Society
- Museum of Natural History
- Town of Brewster





Current Conditions

Wing Island:

- Has a long history of human activity & use
- Was an important Town acquisition
- Is a treasured Brewster natural resource
- Offers rich public education opportunities
- Contains numerous habitats
- Is heavily used by Cape Cod Museum of Natural History programs
- Is vulnerable to climate change, sea level rise & human impacts
- Is not yet protected by a conservation restriction
- Has been accessed by varying strategies over the years



Town of Brewster





Wing Island Environment

Total size: 122.1 acres

- **Bay beach:** 11.9 acres
- **Uplands:** 32.5 acres
- **Tidal marshland:** 77.7 acres

Habitat includes:

- Forest
- Meadow
- Coastal dunes
- Woody thicket
- Salt marsh
- Beach
- Flats



Town of Brewster



Wing Island Care & Management

Brewster Department of Natural Resources:

- Maintains & monitors Wing Island
- Protects sensitive habitat areas
- Clears walking trail obstructions
- Maintains/restores field habitat with mowing & controlled burns
- Maintains planks; retrieves lost planks



Town of Brewster



Evaluating Future Access Options

The Community Needs to Decide How We Will Access Wing Island



Town of Brewster

South End of Present Plank Walkway (Dec. 29, 2022)



Why Improve Access to Wing Island?

Community Demographics

- In 2022, the Town commissioned a socio-demographic report to gather data to inform our current and future Diversity, Equity, and Inclusion efforts
- Median age of Brewster resident is 57 years old – 45% of our community is 60+
- 11% of our residents have some form of disability
- Brewster's Age-Friendly Community Action Plan (2018-2023) outlined expected increases in these demographics in coming years and sought to identify ways in which the community could better support these populations through expanded services, programming, and opportunities

Public Access to Conservation Land

- Town is required to update our Open Space and Recreation Plan every 7 years in order to maintain our eligibility for state grant funding to help pay for acquisition of conservation land
- Recent state approval of Brewster's updated plan was delayed by 2 years due, in part, to our current lack of sufficient accessibility to Town conservation properties
- Town was required to develop an Americans with Disabilities Action (ADA) Transition Plan, identifying planned improvements at certain locations



Sea Level Rise & Climate Change Impacts

A Major Threat to Our Salt Marsh

- “Salt marshes are drowning” due to the effects of climate change. ¹
- Climate change stressors include increasing drought, increasing storminess, sea level rise & ocean acidification. ²
- Sea level rise is projected to increase by about 2 feet by 2060 and 4 feet by 2080 ³



Wing Island at King Tide
(January 2023)



Paines Creek (March 2018)

^{1,2} U.S. Environmental Protection Agency, Climate Change in Coastal Environments, available: <https://www.epa.gov/cre/climate-change-coastal-environments>

³ Brewster Coastal Adaptation Strategy (2016)



Laws & Regulations Applying to Wing Island Access

Federal Law

- Americans with Disabilities Act
- U.S. Army Corps of Engineers Sec. 404 of Federal Clean Water Act

State Law

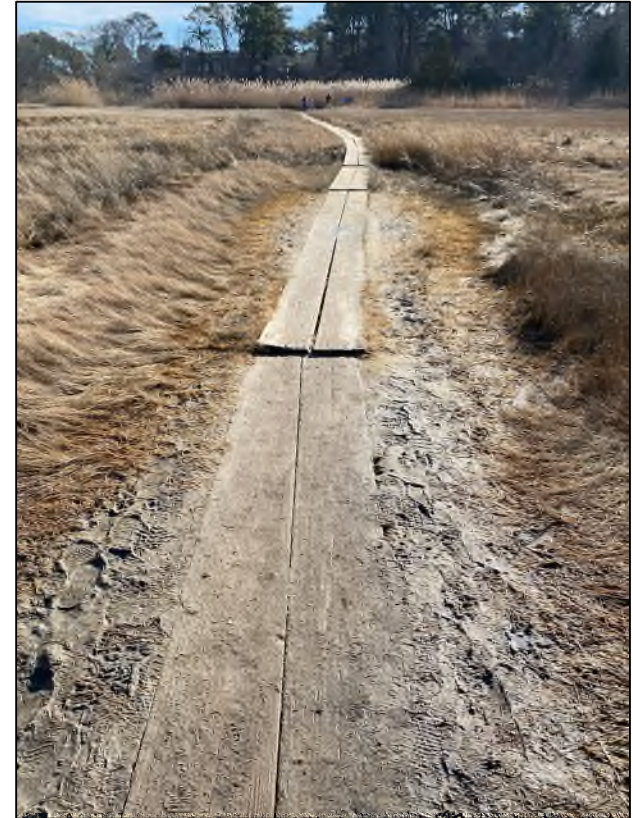
- Mass. Wetlands Protection Act (310 CMR 10:00: Wetlands Protection Act Regulations)
- Mass. Public Waterfront Act (310 CMR 9:00: Ch. 91 Waterways Regulations)
- Mass. Environmental Policy Act (MEPA)
- Mass. Endangered Species Act (MESA)
- Mass. Water Quality Certification under Sec. 401 of Federal Clean Water Act
- Old Kings Highway Regional Historic District Act

Brewster Regulations

- Brewster Wetlands Protection By-law (Conservation Commission)

Conservation Restriction on Wing Island (Quivett) Marsh

- Held by Mass. Dept. of Conservation and Recreation



Town of Brewster

Walkway from Wing Island
(Dec. 29, 2022)



Option 1: Elevated Walkway to Wing Island & Drummer Boy (L-shaped)

PRO

L-Shaped walkway would:

- Lessen negative impacts on marsh
- Provide safe/improved access for walkers not hampered by tides
- Provide access in compliance with Federal ADA requirements
- Encourage visitors to park at Drummer Boy Park; lessen improper parking at Museum
- Improve emergency access to Wing Island
- Allow continued Museum programs on Wing Island

CON

L-Shaped walkway would:

- Be the most expensive option
- Create visual changes in marsh vista
- Likely increase foot traffic due to no tidal barriers & easier connection to Drummer Boy Park parking



Option 2: Elevated Walkway to Wing Island (current route)

PRO

Straight walkway would:

- Lessen negative impacts on marsh
- Provide safe/improved access for walkers not hampered by tides
- Add marsh overlook at Cedar Ridge Reserve
- Be less expensive than Option 1
- Provide access in compliance with Federal ADA requirements
- Improve emergency access to Wing Island
- Create less visual impact change on marsh vista than Option 1
- Allow continued Museum programs on Wing Island

CON

Straight walkway would:

- Create longer route to island than Option 1
- Be less likely to encourage Wing Island visitors to park on Town property at Drummer Boy Park
- Likely increase foot traffic due to improved access & no tidal barriers (although less than Option 1)
- Create visual changes in marsh vista
- Fail to improve connections between Wing Island, Cedar Ridge Reserve, Drummer Boy Park, Windmill Village, & Museum



Option 3: Maintain Current At-Grade Planks

PRO

Maintaining current planks would:

- Continue status quo
- Avoid expense of installing & maintaining a raised walkway
- Ensure Museum programming could be maintained
- Avoid any changes to marsh vista
- Limit changes to existing foot traffic to island

CON

Maintaining current planks would:

- Harm the marsh
- Fail to address increased usage since original planks installed
- Limit island access based on tidal restrictions & difficult footing
- Be less likely to encourage Wing Island visitors to park on Town property at Drummer Boy Park
- Make public safety access slower & more difficult

Note: Current planks do not have a Chapter 91 license from MA Department of Environmental Protection (Public Waterfront Act)



Option 4: Remove Existing At-Grade Planks

PRO

Removal of planks would:

- Bring Town into compliance with Ch. 91
- Avoid expense of installing & maintaining a raised walkway
- Avoid any changes to marsh vista
- Reduce overall foot traffic out to island

CON

Removal of planks would:

- Result in foot traffic directly on marsh, causing significant harm to resource area (as seen in 1980s)
- Make public access to Wing Island very challenging
- Make continued Museum programs to Wing Island highly questionable
- Make public safety access much slower & more difficult



Option 5: New At-Grade Walkway

PRO

Not viable

CON

- Town cannot secure permits from State & Federal regulatory agencies to construct this type of structure in a wetland



Wing Island Carrying Capacity

Wing Island Carrying Capacity Analysis Conducted (Winter 2022) ¹

- **Purpose:** Calculate number of visitors Wing Island can sustainably manage without harmful impacts (considering that utilization may be increased if a boardwalk is built)
- **Visitor Sources:** Vehicles parked at Drummer Boy Park & Museum of Natural History
 - Museum sends ~10,000 visitors to Wing Island annually (an average of 28/day)
 - Museum maximum visitors: Up to 100/day in summer
- **Natural Factors that Limit Wing Island Access:**
 - Weather (temperatures, wind, precipitation)
 - Wing Island trail conditions; some trails are less accessible to certain users
 - Distance
 - Parking capacities

Conclusion: Wing Island can accommodate the predicted volume of visitors & avoid degradation of resources that could be caused by overuse.

¹ Horsley Witten Group, Carrying Capacity Analysis for Wing Island, Town of Brewster, Feb. 2022



Cape Cod Museum of Natural History

The Museum:

- Offers programs that introduce people to Wing Island
- Brings over 10,000 people/year to Wing Island
- Charges fees & produces revenue from Wing Island programs
- Long-time partnership with Town to share resource is not formally documented



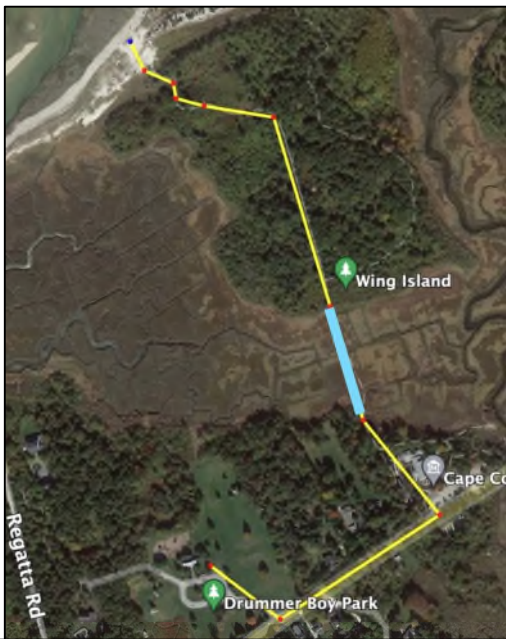
Cape Cod Times



Wing Island Beach Use With a Boardwalk

Unlikely Wing Island beach use would increase substantially with a boardwalk

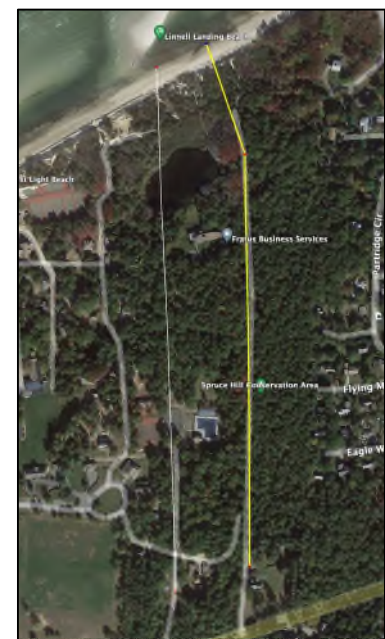
- Distance from parking to Wing Island beach: 2/3 to 3/4 of a mile
- Spruce Hill Beach: Shorter walk at 0.5 miles (with limited parking), but is very lightly used
- Wing Island trails: Uneven terrain not feasible for all walkers; no changes planned



If I-shaped Boardwalk
Drummer Boy to Wing Island beach:
0.74 miles



If L-shaped Boardwalk
Drummer Boy to Wing Island beach:
0.63 miles



Compare: Spruce Hill Beach
Parking off Main Street to beach:
0.43 miles



Carrying Capacity Summary

Carrying Capacity & Projected Use with a Boardwalk

	TOURIST SEASON	SHOULDER SEASON	OFF SEASON
WING ISLAND CAPACITY* <i>(How much can Wing Island sustain?)</i>	1,581 visitors/day	773 visitors/day	256 visitors/day
WING ISLAND PROJECTED USE WITH A BOARDWALK** <i>(How much use is expected?)</i>	343-415 visitors/day	206-278 visitors/day	92 visitors/day

*Estimate reflects factors that make visiting Wing Island less desirable; these include extreme high/low temperatures, rainfall/snowfall, wind, & trails with significant slope.

**Based on 4 visitors in each Drummer Boy parked vehicle plus 28 to 100 Museum visitors each day.

Analysis: Estimated increased use would not negatively impact Wing Island.

- Maximum Wing Island Carrying Capacity (Peak Use) = 1,581 daily visitors
- Maximum Projected Wing Island Visitors with Boardwalk = 415 daily visitors
- Current Maximum Estimated Wing Island Visitors via Planks = 353 daily visitors



Carrying Capacity Recommendations

Recommendations to reduce harmful Wing Island impacts:

- Remove/deter access to unofficial trails with signage and/or barriers
- Protect rare species habitat during breeding season
- Revegetate larger bare areas of dunes; restore functionality of dunes as protective barrier
- Increase educational signage for public awareness of island's sensitive nature on trails & on possible boardwalk
- Relocate bird banding signage to deter visitors
- Restrict visitors to on-foot access only
- Restrict dogs in certain seasons, similar to beach restrictions
- Enact a conservation restriction on Wing Island to identify allowable & prohibited uses
- Consider trash receptacles or implement strict "carry in/carry out" policy



Town of Brewster

Undermanagement can cause environmental harm: Important to maintain sufficient staff to manage the resource, monitor for emerging needs & allow proactive planning.

Visitor education is important: Degradation worsens with lack of education on appropriate behavior and activities.



Boardwalk Visibility & Aesthetics

A Boardwalk to Wing Island Would Be Visible:

- To vehicles westbound on 6A for ~5 seconds
- To a few abutters & adjacent shopping plaza
- From Wing Island (looking south toward Museum)

A Boardwalk to Wing Island Would Not Be Visible:

- From Museum or eastbound vehicles on 6A
- From Drummer Boy Park



Depiction of an elevated boardwalk to Wing Island looking northwest from Route 6A



Estimated Costs of Boardwalk Options

- **Option 1:** L-shaped boardwalk \$3.0 million
 - *Including new connection to Drummer Boy Park*

- **Option 2A:** I-shaped boardwalk \$1.9 million
 - *Including new marsh overlook at Cedar Ridge Reserve*

- **Option 2B:** I-shaped boardwalk \$1.8 million
 - *No new marsh overlook at Cedar Ridge Reserve*

** All include conservative pricing assumptions and 30% contingency*



Update on Gift Offer

Background

- After learning the Town was considering a possible boardwalk to Wing Island, Leonard & Pamela Schaeffer offered \$1,030,000 donation via Brewster Conservation Trust to help fund design, permitting, & construction costs
- Arrangement was outlined in gift agreement approved by Select Board in August 2021
- The donors initially preferred anonymity to preserve their privacy

Update

- The donors recently contacted the Town expressing interest in terminating their offer at this time
- Select Board plans to formally vote to terminate gift agreement on February 13
- Donors are willing to revisit their offer when & if the community comes to consensus on future Wing Island access



Citizens Petitioned Special Town Meeting on Wing Island

Select Board Plan (announced Nov. & Dec. 2022)

- The Brewster Select Board planned to bring specific warrant articles on Wing Island access & Wing Island preservation to Annual Town Meeting in May 2023

Citizens Petition

- However, the Town received a citizens petition calling for a Special Town Meeting 2 months earlier
- Special Town Meeting will be held Monday, March 6 at 6PM (sign-in starting at 5PM) at Stony Brook Elementary School



March 2023 STM: Article 1

Citizens Petition Article 1

- Seeks to prohibit any further expenditures of Town funds and staffing resources on Wing Island boardwalk planning, permitting, or construction activities
- Also seeks to advise the Select Board not to accept any grants or gifts related to a Wing Island boardwalk



March 2023 STM: Article 1 (cont'd)

Town Notes on Article 1

- Town has only worked on publicly discussed and agreed upon tasks since October 2022 (carrying capacity analysis, visual simulations & construction estimates) – not on design or permitting
- Town previously entered into contracts for consulting services and grant agreements with Mass. Dept. of Conservation & Recreation and has legal obligations to comply with the terms of those agreements
- To date, Town has:
 - Spent \$50k in funding appropriated by Town Meeting in November 2021
 - Spent ~\$20k in previously gifted funds
 - Has not spent any of \$50k in state grant funds
- Gift agreement for construction funds will be terminated next week
- Per town counsel, vote will reflect the sense of this Town Meeting



March 2023 STM: Article 2

Citizens Petition Article 2

- Seeks to transfer the care, custody, and control of Wing Island from the Select Board to the Conservation Commission and to change permitted uses from a public bathing beach and recreational area to conservation, open space, and passive educational purposes
- Does not seek to place a conservation restriction on Wing Island



March 2023 STM: Article 2 (cont'd)

Town Notes on Article 2

- Transfer of Article 97 protected land to another entity requires 2/3 Town Meeting vote & 2/3 state legislative approval via Home Rule Petition
- Change of use of Article 97 land also requires Home Rule Petition
- Transfer and/or change of use of Article 97 land also requires a series of procedural actions, including an alternatives analysis
- Per town counsel, Article 2 is flawed because it does not authorize the Select Board to file a Home Rule Petition – accordingly, vote will reflect the sense of this Town Meeting
- Select Board planned to bring Home Rule Petition article to May Annual Town Meeting that could transfer control of the property & seek state approval to place a conservation restriction (CR) on Wing Island
- State legislative process typically takes 1 to 2 years to complete
 - Would provide sufficient time to complete baseline ecological assessment & develop management plan for CR



March 2023 STM: Article 3

Citizens Petition Article 3

- Seeks to rescind the Town Meeting vote of November 2021 to accept the updated Drummer Boy Master Plan, which referenced a potential boardwalk to Wing Island from the adjacent Cedar Ridge Reserve property

Town Notes on Article 3

- All Drummer Boy Park design & permitting work was stopped following the November 2022 Town Meeting vote against appropriating funds for Phase I construction
- Per town counsel, vote will reflect the sense of this Town Meeting
- Depending on result, potential to bring an amended version of Drummer Boy Park Master Plan to a future Town Meeting



Long-term Wing Island Protection with a Conservation Restriction

The Town wishes to establish a Conservation Restriction (CR) on Wing Island

Most Town conservation land is under the care, custody, and control of the Conservation Commission: Provides general oversight

A CR is a legally enforceable agreement: Ensures permanent protection of a specific conservation area while permitting limited land uses consistent with conservation values.

- Must be held by a responsible third-party (ie. not Conservation Commission)

Wing Island: Originally acquired as “public bathing beach and recreational area”

- State Constitution Article 97 provides certain protections to recreation land but does not preclude numerous uses

Brewster: Has 75+ parcels with CRs

Mass. Dept. of Conservation & Recreation: Holds CR on ~90 acres of marsh and beach surrounding Wing Island



Long-term Wing Island Protection with a Conservation Restriction

A CR on Wing Island:

- Would permanently prevent development of the island while permitting necessary land conservation efforts
- Would require both Town Meeting & state legislation approvals (via Home Rule Petition) since it involves disposition of a property interest
- Would require an alternatives analysis
- Would require a baseline ecological assessment & a detailed management plan
- Could memorialize affirmative rights of Museum to provide educational programming & benefits to Town





Public Comment

What are your thoughts on future access to Wing Island and its long-term preservation?





In Summary

This Public Forum

- Described options so Brewster residents can evaluate the choices
- Sought feedback from Brewster residents about their ideas & preferences

Next Steps

- Residents can email comments to wingisland@brewster-ma.gov
- March 6, 2023: Special Town Meeting – Citizens Petition articles
- March 2023: Annual Town Meeting warrant closes
- May 1, 2023: Annual Town Meeting – Potential Select Board article(s)

Thank you for taking part.



Town of Brewster

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

Office of:
Select Board
Town Manager

MEMORANDUM

TO: Select Board
FROM: Peter Lombardi, Town Manager
RE: Planned Maintenance Activities at Drummer Boy Park Playground
DATE: March 10, 2023

As was relayed to the Select Board at your December 19, 2022 meeting, the playground area at Drummer Boy Park is in need of attention. The toddler play structure has been broken and closed for several months. Sections of broken plastic underdrain are also exposed. The Town plans to fix and re-use a portion of the toddler play structure, install a new toddler structure, remove the rest of the plastic underdrain, and install mulch to improve safety and access. Because this work will take place within the wetlands buffer zone, the Town submitted a Request for Determination of Applicability (RDA) and attained approvals from our Conservation Commission earlier this winter. We plan to proceed with these maintenance activities in the coming weeks.

While upgrades to the playground were identified in Phase 2 of the previously adopted 2021 Drummer Boy Park Master Plan, a reconstituted committee will be formed in the next month or two to develop updated recommendations for Town Meeting in Spring 2024, consistent with the March 6, 2023 Special Town Meeting vote on Article 3. Although we included removal of the wooden play house directly adjacent to the wetlands in our RDA application, we are not planning to undertake that work at this time in recognition of the public planning process regarding the future of the park that will soon commence. In general, Town departments will continue ongoing maintenance activities in the park, including this work in the playground area.



Town of Brewster

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

Office of:
Department of Public Works

MEMORANDUM

TO: Peter Lombardi, Town Administrator
FROM: Griffin Ryder, Department of Public Works Director
RE: Drummer Boy Park Interim Playground Improvements
DATE: December 16, 2022

The Department of Public Works (DPW) has filed a Request for Determination of Applicability (RDA) with the Brewster Conservation Commission for interim improvements to the playground area including maintenance, repairs, and the incorporation of a toddler new play element. The Conservation Commission hearing is scheduled for December 27, 2022. The DPW wanted to present the proposed project to the Administration Department, the Select Board, as the Park Commissioners, and the residents to solicit feedback prior to the conservation commission hearing.

The scope of work included in the RDA filing is as follows:

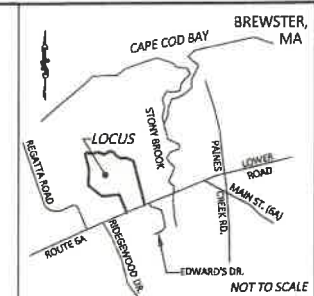
A section of the toddler play structure at the Drummer Boy Park playground has broken and presents a safety hazard/concern. The bridge structure has separated from one of the posts that it was connected to. The playground structure is currently boarded up at the broken bridge structure. Town Staff has worked with a playground designer to determine the best way to maintain a portion of the structure while removing the compromised sections. The compromised sections of the toddler playground structure are proposed to be removed and the slide platform would remain with some revisions to the access point. A new climbing structure is proposed to replace the removed sections of the playground in a similar location. The climbing structure is proposed to be anchored in concrete set below grade. A backhoe is proposed to be used to demolish and remove the compromised sections of the playground. The 13' x 13' wooden play house structure within the 50' buffer zone is also proposed to be demolished and removed. This demolition work will also be done with a backhoe type machinery. With the removal of the compromised playground structure and the wooden play house the subsurface drain pipes which have become exposed and are not in operating condition will also be removed. Following the demolition and removal work and in conjunction with the installation of the new equipment, new playground wood chips will be installed. With the removal of the wooden

play house structure the existing rail road tie edging will be revised to pull the edge of the playground where the wooden play house previously existing. This will remove some of the playground area from the 50' buffer zone. A new future 13'x13' or similar size structure is shown as proposed outside of the 50' buffer zone for potential future construction. The DPW will work with the Conservation Administrator to install erosion controls, as necessary.

The site plan included in the filing is attached.

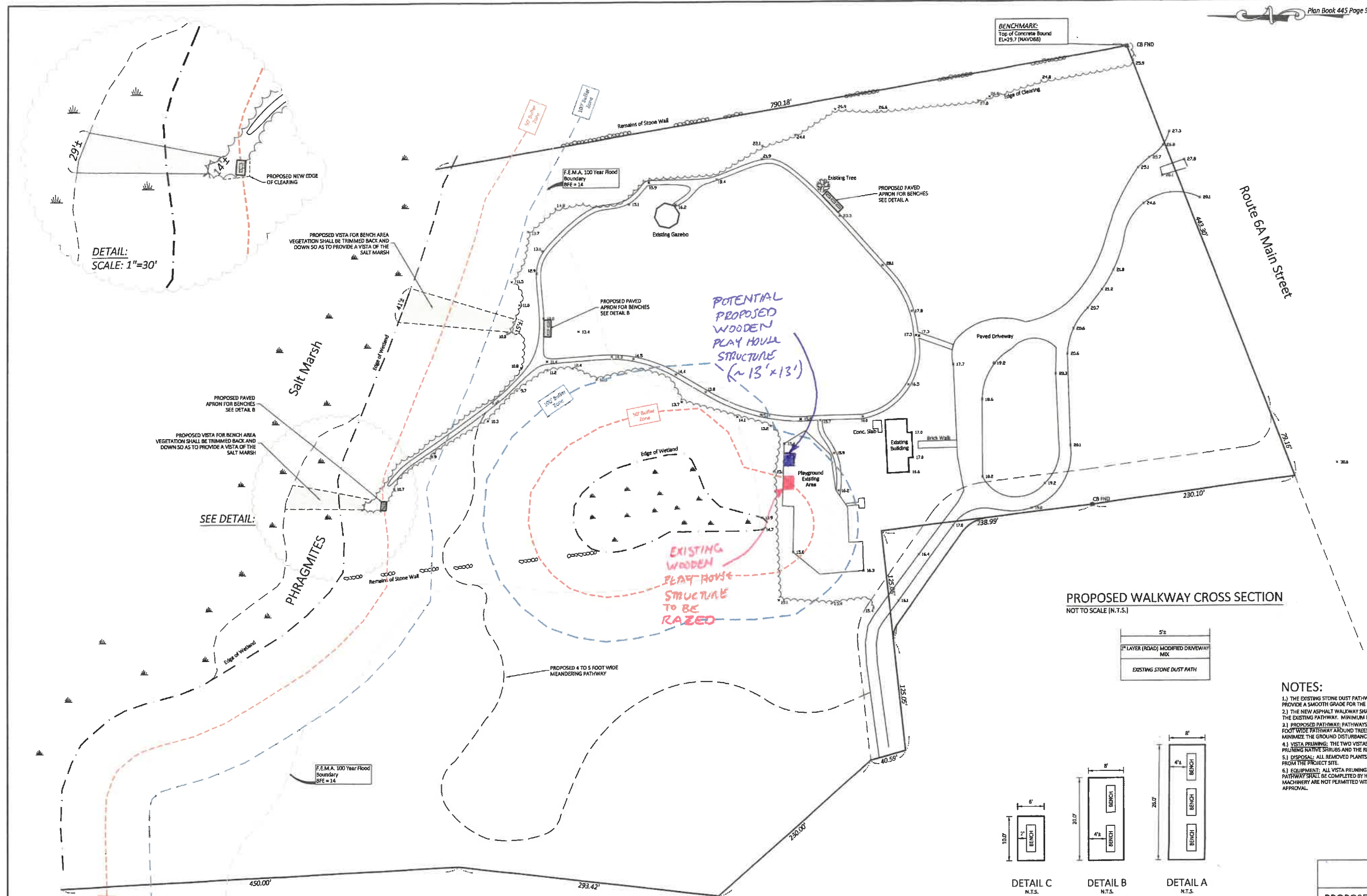
The RDA, if approved, is valid for 3-years, therefore, to make the filing comprehensive, and eliminate the need to return to the Conservation Commission in the future, the demo of the wooden play house structure within the buffer and the construction of a new playhouse structure outside of the 50-foot buffer was included in the filing. This demo and reconstruction work is not planned to be done at this time, but we wanted to have the option available in the future as this demo and relocation would provide a buffer zone improvement.

Thank you.

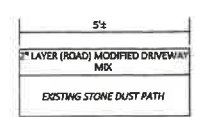


LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT GRADE
- PROPOSED SPOT GRADE
- CONCRETE BOUND, FOUND
- LIMIT OF WORK
- FENCE
- EDGE OF CLEARING

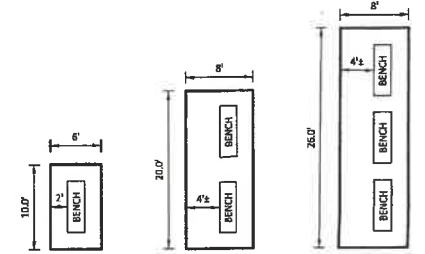


PROPOSED WALKWAY CROSS SECTION NOT TO SCALE (N.T.S.)



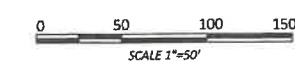
NOTES:

- THE EXISTING STONE DUST PATHWAYS SHALL BE GRADED SO AS TO PROVIDE A SMOOTH GRADE FOR THE ASPHALT LAYER.
- THE NEW ASPHALT WALKWAY SHALL MATCH THE EXISTING WIDTHS OF THE EXISTING PATHWAY. MINIMUM PATHWAY WIDTH SHALL BE 5 FEET.
- PROPOSED PATHWAY: PATHWAYS SHALL BE A MEANDERING 4 TO 5 FOOT WIDE PATHWAY AROUND TREES AND LAND FORMS SO AS TO MINIMIZE THE GROUND DISTURBANCE AND ASSOCIATED GRADING.
- VISTA PRUNING: THE TWO VISTAS SHALL BE CREATED BY SELECTIVELY PRUNING NATIVE SHRUBS AND THE REMOVAL OF INVASIVE SPECIES.
- DISPOSAL: ALL REMOVED PLANTS AND CUTTINGS SHALL BE REMOVED FROM THE PROJECT SITE.
- EQUIPMENT: ALL VISTA PRUNING AND CLEARING FOR PROPOSED PATHWAY SHALL BE COMPLETED BY HAND. TRACK OR EXCAVATION MACHINERY ARE NOT PERMITTED WITHOUT CONSERVATION COMMISSION APPROVAL.



DETAIL C N.T.S. DETAIL B N.T.S. DETAIL A N.T.S.

BENCH PAD LAYOUT DETAILS



Town of Brewster
2198 Main Street Brewster, MA 02631

PROPOSED SITE PLAN - PATHWAY AND VISTA
DRUMMER BOY PARK, 785 MAIN STREET, BREWSTER, MA 02631

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1873 Main Street - Route 6A
P.O. Box 1779
Brewster, MA 02631 (508)890-6601 Fax (508)890-6602

DATE: 8/27/19 SCALE: As Noted BY: M/W CHECK: JMO JOB NUMBER: JMO - 8730

12.9.2022 BREWSTER DPW MARKUP



Town of Brewster

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

Office of:
Department of Public Works
201 Run Hill Road
(508) 896-3212

MEMORANDUM

TO: Select Board, Town Department Heads, Town Boards & Committees
FROM: Griffin Ryder, Department of Public Works Director
RE: Massachusetts Department of Transportation – Winter Recovery Assistance Program – Foster Road & Breakwater Road Funding Request
DATE: March 2, 2023

The Massachusetts Department of Transportation (MassDOT) has awarded the Town of Brewster \$186,935.60 to be spent in the Fiscal Year 2023 as part of the MassDOT Winter Recovery Assistance Program (WRAP).

WRAP funds have been distributed to each municipality in the Commonwealth based on Town accepted public road mileage (similar to Chapter 90) and the spending of these funds is limited to the following activities and timeline:

1. Rehabilitation, reconstruction, resurfacing or preservation of roadways.
2. Repair or replacement of traffic control devices, signage, guardrails, and storm grates.
3. Road striping or painting.
4. All physical work performed must be completed by 6/30/2023.

After careful consideration and coordination with the Pavement Management Plan and the Town Manager's office it was determined that Foster Road and Breakwater Road would be the best two candidates for road resurfacing that would fit within the funds allocated by MassDOT. Work is planned to be completed in Spring of 2023. The proposed construction work for each of the roadways will generally consist of the following:

1. Foster Rd. – Milling, leveling course (as required to establish drainage gradients) and overlay of the existing asphalt roadway, restriping of traffic markings and signage replacement if needed.
2. Breakwater Rd. – Milling and overlay of the existing asphalt roadway, restriping of traffic markings and signage replacement if needed.

Prior to the pavement resurfacing work for these projects the DPW will make localized drainage repairs and upgrades in a few key locations on Foster and Breakwater Road.

This drainage infrastructure portion of the project will not be covered by WRAP funds and will be paid through the DPW Road Repair & Maintenance operating budget line item.

The Town of Brewster Select Board Policy No. 44, "Policy Related to Coordination of Road Improvement Projects" requires that Town Boards and Committees be notified of the plans to improve the way or roadway. With this project being a time sensitive MassDOT funded program, no design plans have been developed. The project will be a resurfacing project within the current footprint of the existing roadway. The WRAP State funding program only funds resurfacing of the existing footprint and no expansion of the roadway, so no additional accommodations for pedestrians or bicyclists are proposed as part of these resurfacing and drainage improvement projects.

WRAP funds, as described above, are to be utilized to address specific surface degradation, traffic control devices, signage and guardrails and are not allowed to be used for implementing any Complete Streets elements associated with increasing the existing roadway footprint. It should also be noted that this project is considered a maintenance project under the Policy and requires best judgement to be used when implementing Complete Streets principles. Therefore, compliance with the Select Board Policy No. 61, "Town of Brewster Complete Streets Policy", is proposed to be limited to confirming that "Share the Road" bicycle signage has been located at the appropriate locations.

The Breakwater Road resurfacing was discussed at the November 22, 2022 Conservation Commission meeting due to the proximity of the road to adjacent wetland resource areas. Due to the nature of the work and the fact that the resurfacing will not result in expansion of pavement areas or wetland resource impacts the work can proceed as an exemption under the local Brewster Wetland Bylaw (Ch. 172). As discussed at the November 22, 2022, Conservation Commission Meeting, the DPW will coordinate with the Conservation Agent to confirm that erosion controls are installed at the appropriate locations prior to the commencement of work activities. The Foster Road resurfacing work will be conducted outside of wetland resource areas and wetland resource area buffer zones.

The DPW respectfully requests that the FY23 MassDOT Winter Recovery Assistance Program funds be allocated to the resurfacing of Foster Road and Breakwater Road.

The DPW looks forward to discussing this item at the Select Board's March 13, 2023, meeting.

Please reach out to the DPW with any questions or concerns you may have in the meantime.

Thank you.



Town of Brewster

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Phone: (508) 896-3701
Fax: (508) 896-8089

Office of:
Department of Public Works
201 Run Hill Road
(508) 896-3212

MEMORANDUM

TO: Select Board, Town Department Heads, Town Boards & Committees
FROM: Griffin Ryder, Department of Public Works Director
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POLICY NO:

44

DATE APPROVED:

2/3/14

AMENDED:

TOWN OF BREWSTER

**POLICY RELATED TO COORDINATION OF
ROAD IMPROVEMENT PROJECTS
WITH TOWN COMMITTEES**

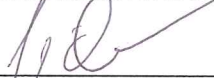
In order to maximize planning coordination and implementation efficiency, and to incorporate measures to enhance the safety of pedestrian and bicyclists, the Brewster Board of Selectmen, acting as the Commissioners of the Department of Public Works, request that all plans for the upgrade or improvement of any public ways or roads be circulated amongst all departments and Town Boards and Committees, including but not limited to the following:

- The Brewster Police Department
- The Brewster Fire/Rescue Department
- The Brewster Planning Board
- The Brewster Bikeways Committee
- The Brewster All Citizens Access Committee
- The Brewster Chamber of Commerce

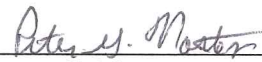
The circulation of plans is intended to solicit comment and incorporate input into the design and planning of road way improvements.

Signed this 3rd day of February, 2014

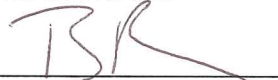
The Brewster Board of Selectmen



John T. Dickson, Chairman




Peter G. Norton



Benjamin deRuyter



James W. Foley, Vice Chairman



Patricia E. Hughes



Town of Brewster

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

Office of:

Select Board
Town Administrator

Town of Brewster Complete Streets Policy

**Select Board Policy #61
Approved January 6, 2020**

Vision and Purpose:

The fifteen towns of Barnstable County make up a distinctive region known for its coastlines, historic villages, and environmental resources. It can be challenging to accommodate all users on narrow roadways that follow colonial layouts and are constrained by historic buildings and environmental resources, especially when the volume of users swells during the summer tourist season. Recognizing this context, the town of Brewster's Complete Streets policy aims to make sure that all users and resources are considered when designing roadway improvements, accommodating a variety of users while protecting the elements that are important to both the character and the economy of the town and the region.

Complete Streets are designed and operated to provide safety, comfort, and accessibility for all the users of our roadways, trails, and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles. "All users" includes users of all ages, abilities, and income levels. Furthermore, Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in a community by improving the pedestrian and vehicular environments in order to provide safe, accessible, and comfortable means of travel between home, school, work, recreation and retail destinations. Complete Streets also furthers equity objectives by providing safe forms of travel for residents of all income levels.

The purpose of the town of Brewster Complete Streets policy, therefore, is to accommodate all users by creating a context-sensitive roadway network that meets the needs of individuals utilizing a variety of transportation modes. It is the intent of the town of Brewster to formalize the plan, design, operation and maintenance of roadways so that they are safe for all users of all ages and abilities and all income levels as a matter of routine. This Policy directs decision-makers to consistently plan, design, construct, and maintain roadways to accommodate all anticipated users including but not limited to pedestrians, bicyclists, motorists, transit riders and vehicles, emergency vehicles, and freight and commercial vehicles.

Core Commitment:

The town of Brewster recognizes that users of various modes of transportation, including but not limited to pedestrians, cyclists, transit and school bus riders, motorists, delivery and service personal, freight haulers, and emergency responders, are legitimate users of streets and deserve safe facilities. "All users" includes users of all ages, abilities, and income levels.



Town of Brewster

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Town Administrator

The town of Brewster recognizes that all projects, including new construction, maintenance and reconstruction, are potential opportunities to apply Complete Streets design principles. The town will, to the maximum extent practical, design, construct, maintain and operate all streets to provide for a comprehensive and integrated street network of facilities for people of all ages and abilities.

Complete Streets design recommendations shall be incorporated into all publicly and privately funded projects, as appropriate and practicable. All transportation infrastructure and street design projects requiring funding or approval by the town of Brewster, as well as projects funded by the State and Federal government, including but not limited to Chapter 90 funds, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, Capital Funding and other state and federal funds for street and infrastructure design shall adhere to the town of Brewster Complete Street Policy. Private developments and related roadway design components that are designed and constructed after adoption of this Policy shall also adhere to the Complete Street principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets Policy, including the design, construction and maintenance of such roadways within town boundaries.

Town departments will use best judgment regarding the desirability and feasibility of applying Complete Streets principles for routine roadway maintenance and projects such as repaving, restriping, and so forth.

Exemptions:

Transportation infrastructure projects, including but not limited to roadway reconstruction, roadway reconfigurations, or subdivisions may be excluded upon approval by the Select Board with consultation from the appropriate town departments where documentation and data indicate that any of the following apply:

- Private ways.
- Roadways where specific users are prohibited by law, such as limited access highways. An effort will be made in these cases for accommodations elsewhere.
- Where it is demonstrated that costs or impacts of accommodation are excessively disproportionate to the need or probable future use.
- Other town policies, regulations or requirements contradict or preclude implementation of Complete Streets principles.



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Best Practices:

The town of Brewster Complete Streets policy will focus on developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning, and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and redevelopment projects. As practicable, recommendations from the appropriate town departments for incorporating complete streets elements will occur in projects' beginning stages prior to design.

Implementation of the town of Brewster Complete Streets Policy will be carried out cooperatively within all departments in the town of Brewster with multi-jurisdictional cooperation and, to the greatest extent possible, among private developers and state, regional and federal agencies.

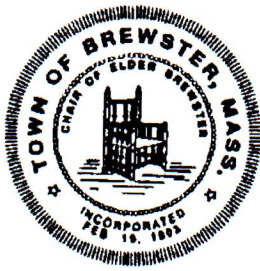
The town of Brewster will work cooperatively with neighboring communities and regional entities in an effort to strengthen regional connectivity options for all users.

Complete Streets principles include the development and implementation of projects in a context-sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

The town of Brewster recognizes that "Complete Streets" may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.

The latest design guidance, standards and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls
- The Architectural Access Board (AAB) 521 CMR Rules and Regulations



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- The Cape Cod Commission's Complete Streets/Living Streets Design Manual
- Cape Cod Metropolitan Planning Organization's Cape Cod Regional Transportation Plan
- Documents and plans created for the town of Brewster, including but not limited to:
 - Local Comprehensive Plan
 - Vision Plan
 - Open Space and Recreation Plan
 - Downtown Improvement or Historic District plans
 - Pavement Management Plan.

The town of Brewster will implement a balanced and flexible approach to Complete Streets implementation that utilizes the latest design guidance, standards and recommendations while providing flexibility to best accommodate all users and modes given the unique characteristics of the surrounding community.

Evaluation of Effectiveness:

The town will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The town will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy. These metrics may include:

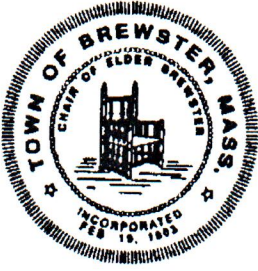
- total miles of new on-street bicycle routes defined by enhanced travel shoulders, lane markings, and/or signage,
- linear feet of new pedestrian accommodation,
- number of new curb ramps or other retrofitted pedestrian facilities,
- increase in the number of users of public transportation,
- decrease in the number of traffic accidents involving vehicles, bicycles and pedestrians in Complete Streets areas.

These metrics will be compiled into a report by the town and presented as needed, but no less than annually, to the Bikeways Committee, All Access Committee, and Select Board.

Implementation strategies will be adjusted as needed based on the findings in these reports.

Implementation:

The Department of Public Works will be primarily responsible for the implementation of this policy, which shall be done in close coordination with the town's Pavement Management Plan. The town shall make Complete Streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the



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transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.

The Planning Department shall integrate Complete Streets principles in all new planning documents, as applicable (master plans, open space and recreation plan, etc.), laws, procedures, rules, regulations, guidelines, programs and templates, and make recommendations for zoning and subdivision codes to encourage contextual design of complete streets policies, respecting the presence of important scenic, environmental and historic resources.


The town shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bikeway network.


The town will evaluate projects within the Capital Improvement Plan to encourage implementation of this Policy.


The town will secure training for pertinent town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.

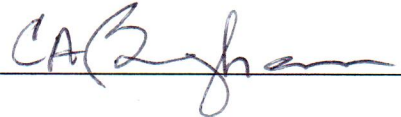
The town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

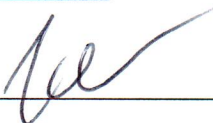
The town will seek out appropriate sources of funding and grants for implementation of Complete Street policies.











To: The Brewster Select Board and The Brewster Finance Committee

From: Sean Parker, Chairperson, Health and Human Services Committee

Date: February 22nd, 2023

RE: Health and Human Services Committee Funding Recommendations

Below please find the Health and Human Services Committee's funding recommendations for 17 non-profit agencies that support Brewster citizens. We are grateful for the services of these 17 incredible agencies. Every year, these agencies help our neighbors through tough times, and times have never been tougher than they are now.

AGENCY	FY24 Recommended	FY23 Award	FY22 Award
AIDS Support Group of Cape Cod	\$5,000	\$5,000	\$4,000
Alzheimer's Family Support Center	\$11,000	\$11,000	\$10,000
Cape Abilities	\$7,000	\$7,000	\$7,000
Cape Cod Children's Place	\$10,500	\$10,500	\$9,000
Consumer Assistance Council	\$600	\$600	\$600
Duffy Health Center	\$1,500	\$1,000	\$1,000
Elder Services of Cape Cod	\$9,120	\$8,600	\$8,600
Family Pantry of Cape Cod	\$5,000	\$5,000	\$5,000
Food 4 Kids-Church of the Holy Spirit	\$3,500		
Gosnold			\$12,000
Homeless Prevention Council	\$15,000	\$15,000	\$15,000
Independence House	\$12,000	\$10,000	\$9,000
Lower Cape Outreach Council	\$12,000	\$10,000	\$9,500
Nauset Together We Can	\$1,500	\$1,500	\$1,500
Nauset Youth Alliance	\$16,000	\$16,000	\$17,000
Outer Cape Health Services	\$15,000	\$15,000	\$15,000
Sight Loss Services	\$2,000	\$1,500	\$1,500
South Coastal Counties Legal Services	\$4,350	\$4,250	\$4,200
Total	\$131,070	\$121,950	\$129,900

This year, we had two new applicants: (1) Cape Cod Christian Academy requesting \$10,000, and (2) Food 4 Kids sponsored by Church of the Holy Spirit requesting \$3,500. Both organizations are faith-based, so we contacted Town Counsel through Town Project Manager Conor Kenny. Town Counsel determined that the services provided by Cape Cod Christian Academy are not eligible for town funding due to the fact that Cape Cod Christian Academy is operating as a private school; the Committee voted unanimously to remove the application from consideration. On the other hand, Town Counsel determined that Food 4 Kids is eligible for town funding because the provided services are not religious in nature, and they are free to all children. The mission of Food 4 Kids is to provide free food and free books to Cape Cod children during the

summer when school is out. In the summer of 2022, Food 4 Kids provided 2,684 free meals to Brewster children at an estimated cost of \$16,138. The Committee voted unanimously to recommend fully funding the \$3,500 request from Food 4 Kids.

Of the 16 re-applying organizations, the Committee voted to recommend level funding for 10 organizations and increased funding for 6 organizations. In total, the 17 eligible organization requested \$141,070, and the Committee recommends granting \$131,070. Although the consensus of the Committee is that most organizations are worthy of full funding, the Committee did its best to trim as much as possible to be consistent with recent budgets. The Committee's FY24 recommendation is 0.9% above the approved FY22 budget of \$129,900. (The FY23 budget was anomalous due to Gosnold's unexpected withdrawal of its request of \$12,000.)

The needs of Brewster residents are on the rise, and the costs to meet those needs are also on the rise. A 2.5% annual budget increase allows us to recommend substantial funding for all the great organizations that apply, even if the 2.5% annual budget increase does not permit funding their requests in full. The impossible challenge is when new organizations apply. As it stands, in order to fund a new organization, we have to defund returning organizations, but those returning organizations are continuing to do essential work at increasing costs. Going forward, the Health and Human Services Committee intends to consult with the Select Board, Finance Committee and Town Manager's Office to come up with a solution consistent with the values and economics of the Brewster community. One possible solution is that the Committee makes two sets of recommendations instead of the one traditional set for all applicants. The first set would be funding recommendations for returning organizations, and the Committee would follow town budgetary guidelines. The second set would be additional funding recommendations for the additional organizations. Of course, this is but one solution, and the Committee looks forward to working with the Select Board, Finance Committee and Town Manager's Office to come up with the right solution for Brewster.

Following is but one highlight from each organization that reapplied for funding:

Aids Support Group of Cape Cod, in FY22, in addition to a Cape-wide overdose prevention program, served 47 Brewster residents with prevention and screening services and 11 Brewster residents with medical case management.

Requested Funding: \$5,000

Recommended Funding: \$5,000

Alzheimer's Family Support Center, in FY22, served 279 Brewster residents for a total of 1,031 hours of services including support groups, ongoing phone support, counseling, care consultation, memory screenings, education, outreach and social and cultural events with a conservatively estimated total cost of \$36,085 per year.

Requested Funding: \$15,000

Recommended Funding: \$11,000

Cape Abilities, in FY22, served 19 Brewster residents with vocational training, supported employment, day habilitation, life skills, community-based day supports, residential services, adult family care and shared living.

Requested Funding: \$7,000

Recommended Funding: \$7,000

Cape Cod Children's Place, in FY22, served 125 Brewster parents and children with family support visits, play groups, and parenting education classes (700 Units of Service).

Requested Funding: \$11,000

Recommended Funding: \$10,500

Consumer Assistance Council, in FY22, closed 16 Brewster cases for whom they recouped/saved \$9,071.

Requested Funding: \$1,100

Recommended Funding: \$600

Duffy Health Center, through their In From The Streets Program in FY22, served 2 Brewster clients by providing 32 nights of emergency safe shelter with a conservatively estimated total cost of \$3,520.

Requested Funding: \$1,500

Recommended Funding: \$1,500

Elder Services, in FY22, delivered 8,731 free Meals-on-Wheels to 90 Brewster residents with an estimated total cost of \$107,827.

Requested Funding: \$9,120

Recommended Funding: \$9,120

Family Pantry of Cape Cod, in FY22, provided food (6,496 grocery bags of food), clothing, healthy-eating education and a mobile pantry to 557 Brewster residents, for an estimated total cost of \$53,873.

Requested Funding: \$5,000

Recommended Funding: \$5,000

Homeless Prevention Council, in CY21, provided case managers enabling a broad range of individualized services for 256 Brewster clients with an estimated total cost of \$86,058.

Requested Funding: \$18,000

Recommended Funding: \$15,000

Independence House, in FY22, provided an array of services including counseling, advocacy and basic needs to 290 Brewster children and adult survivors through programs such as the Child Witness to Violence Program and Child Sexual Assault Services with an estimated total cost of \$84,476.

Requested Funding: \$12,000

Recommended Funding: \$12,000

Lower Cape Outreach Council, in FY22, served 259 Brewster households through cash assistance, food, clothing, Thanksgiving baskets and holiday toys with an estimated total cost of \$201,528.

Requested Funding: \$12,000

Recommended Funding: \$12,000

Nauset Together We Can, in FY22, served Brewster middle schoolers through 144 visits to the free Youth After School Program which provides a safe, healthy, social environment for students to do homework, play and relax with adult supervision and mentoring.

Requested Funding: \$3,500

Recommended Funding: \$1,500

Nauset Youth Alliance, in FY22, served 37% of Brewster elementary schoolers by providing after-school education, care and enrichment, with an estimated total cost of \$369,797.

Requested Funding: \$16,000

Recommended Funding: \$16,000

Outer Cape Health Services, in FY22, provided 1,222 Brewster residents with 6,457 billable visits and 15,568 unbillable encounters (including uninsured patients and interactions with phone callers, web users, lab staff, pharmacy staff etc.).

Requested Funding: \$15,000

Recommended Funding: \$15,000

Sight Loss Services, in FY22, provided 364 units of service (support groups, education, referrals, home independence, adaptive aids and advocacy) to 64 Brewster residents with an estimated total cost of \$10,944.

Requested Funding: \$2,000

Recommended Funding: \$2,000

South Coastal Counties Legal Services, in FY22, provided free legal services to 23 low-income and/or elderly Brewster residents with an estimated total cost of \$42,550.

Requested Funding: \$4,350

Recommended Funding: \$4,350

The members of this committee continue to be impressed with the work of these agencies in their efforts to support our townspeople. It is clear that Brewster residents seek out these agencies for support, especially in times of crisis; it is also clear that the agencies seek to find new and more effective ways to meet the needs expressed by our residents. We hope you will approve our recommendation for a 0.9% funding increase over FY22.

Agency	FY24 Request	FY24 Recommend	FY23 Recommend	FY22 Recommend	FY21 Recommend	FY20 Recommend	FY19 Recommend	FY18 Recommend
Aids Support Group of CC	\$5,000	\$5,000	\$5,000	\$4,000	\$3,000	\$2,500	\$2,500	\$2,500
Alzheimer's Family Support Center	\$15,000	\$11,000	\$11,000	\$10,000	\$10,000	\$10,000	\$9,000	\$9,000
Cape Abilities	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000
CC Children's Place	\$11,000	\$10,500	\$10,500	\$9,000	\$9,000	\$8,500	\$8,000	\$8,000
CC Christian Academy	\$10,000	\$0						
Consumer Assistance Council	\$1,100	\$600	\$600	\$600	\$500	\$500	\$600	\$500
Duffy Health Center	\$1,500	\$1,500	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	
Elder Services	\$9,120	\$9,120	\$8,600	\$8,600	\$8,600	\$8,500	\$8,500	\$8,500
Family Pantry of Cape Cod	\$5,000	\$5,000	\$5,000	\$5,000	\$4,300			
Food 4 Kids Church of the Holy Spirit	\$3,500	\$3,500						
Gosnold				\$12,000	\$12,000	\$11,500	\$11,000	\$10,500
Homeless Prevention Council	\$18,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$13,500
Independence House	\$12,000	\$12,000	\$10,000	\$9,000	\$7,300	\$6,000	\$6,000	\$5,500
Lower Cape Outreach Council	\$12,000	\$12,000	\$10,000	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500
Nauset Together We Can	\$3,500	\$1,500	\$1,500	\$1,500	\$3,000	\$3,000	\$3,500	\$2,500
Nauset Youth Alliance	\$16,000	\$16,000	\$16,000	\$12,000	\$10,800	\$10,800	\$10,000	\$8,500
Outer Cape Health Services	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Sight Loss Services	\$2,000	\$2,000	\$1,500	\$1,500	\$1,500	\$1,200		\$1,200
South Coastal Counties Legal Svc	\$4,350	\$4,350	\$4,250	\$4,200	\$4,120	\$4,134	\$4,120	\$4,240
Totals:	\$151,070	\$131,070	\$121,950	\$124,900	\$121,620	\$114,133.50	\$110,720.00	\$105,940.00
Percentage Increase		2.38%	-2.36%	2.70%	6.56%	3.08%	4.51%	
		Baseline: FY22*102.5%						
	For FY22, CC Children's Place got an additional \$1,500 and Nauset Youth Alliance got an additional \$3,500.							
	All other agencies got an additional \$500 for a total of \$12,000.							
	If FY23 were a 2.5% increase (instead of a 2.36% decrease), then a 2.5% increase in FY24 would be \$131,223							
	If we do use FY23 as our base, then a 2.5% increase would be \$124,999.							

COMMUNITY PRESERVATION ACT FUNDING (Annual Town Meeting)

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>	FY24
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%)	<u>\$ 79,092</u>
f. Total		\$1,581,844

	<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	\$189,633

			Designated Reserves for Open Space	
	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 Balance CPA Reserves			
	a. Brewster Council on Aging – Accessible outdoor furniture for Freeman’s Fields	Purchase and installation of accessible benches and picnic tables	Undesignated Balance CPA Reserves	\$9,670
	b. Town of 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 Affordable Housing Inc. (POAH) and Community Development Partnership (CDP) – Juniper Hill in Wellfleet	46 units of affordable rental housing in Wellfleet	Undesignated Balance CPA Reserves	\$55,000
	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.

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.

3. Open Space:

a. Community Preservation Bonded Debt Service- This item pays for the \$196,658 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.

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.

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.

5. Undesignated Balance/CPA Reserves:

a. Brewster Council on Aging – Accessible outdoor furniture for Freeman’s Fields – This item will fund the cost of 8 weather resistant accessible benches and 2 picnic tables at Freeman’s 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

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, 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

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 to be decided at Spring Town Meeting. 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

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.

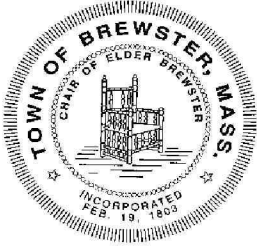
Total Project Cost: \$6,764,786 CPC Request: \$55,000 CPC Vote: 6-1-1

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

Wellfleet
draft



Town of Brewster Community Preservation Committee

2198 Main St., Brewster, MA 02631
cpcmeeting@brewster-ma.gov
(508) 896-3701 x1149

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Date Application Submitted: 11/29/22

Name of Project Applicant: Housing Assistance Corporation (HAC)

Name of Co-Applicant(s), if applicable: NA

Name of Contact Person: David Quinn

Contact Person's Mailing Address: 460 West Main Street, Hyannis, MA 02601

Contact Person's Daytime Phone Number: (508) 280- 8465

Contact Person's email Address: dquinn@haconcapecod.org

Proposed Project Name: 107 Main Street, Orleans- Affordable Rental Housing

Project Address (or assessor's parcel ID): 107 Main St, Orleans, MA 02653

Project Synopsis:

Housing Assistance Corporation (HAC) was selected by the Town of Orleans to develop a 1.25-acre property as 14 affordable rental units on town-owned land. The project is the culmination of a multi-year effort by the Orleans Affordable Housing Trust to secure the property for affordable housing. The units will be a mix of 9 one-bedroom, 4 two-bedroom, and 1 three-bedroom unit.

All units will be deed restricted for household at or below 80% AMI. Projects at this income level aren't eligible to be funded through Low Income Housing Tax Credits (LIHTC) and rely on more significant contributions from local government sources. Although we did not originally intend to request funds from surrounding towns, construction cost escalation over the past year created a funding gap on the project.

Category: Open Space Historic Preservation Recreation Community Housing

CPA funding requested \$ 50,000

Total Cost of Proposed Project \$ 6,765,786

PROJECT DESCRIPTION

Please describe your project, answering all of the following questions in the order presented. Applications will be considered incomplete if all requested information is not provided. Include supporting materials (maps, diagrams, photos, etc.). Please number pages of application.

Form fields are provided after each question for your convenience. **If you need more room, you may provide additional information via separate documents/attachments at the end of the document.** Please do not provide any documentation via on-line links, as the committee will not be checking for updates. Be as concise as possible.

1. Project Description: Describe the proposed project. Is this part of a larger project or an ongoing project?

The project will be a new high-quality affordable rental community with 14 rental units in a single in one structure designed with three sections in the style of a historic Cape Cod home. All 14 units will be affordable to households earning up to eighty percent (80%) of the 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 community amenities.

(continued on attachment)

2. For Historic Preservation projects: Attach proof of listing on the State Register of Historic Places or a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster. Please note that rehabilitation projects must comply with the Secretary of the Interior Standards for Treatment of Historic Properties. **Additional information and analysis will be needed for projects submitted by churches/religious organizations to determine if they comply with the SJC's Caplan vs. Town of Acton decision.**

N/A

3. CPA Goals/Criteria: Describe how this project accomplishes the goals and objectives of the CPA (refer to the attached general and issue-specific criteria and identify which of these apply to the project).

This project meets the following CPC Community Housing Goals:

- Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.
- Ensure long term afford-ability.

4. Community Benefits: What are the community benefits of the project?

Although the project is not located in Brewster, it seeks to help address the regional housing shortage on the outer cape by adding more year-round housing supply to the region. Tenants will be selected through an open and fair lottery process; Brewster residents are eligible to apply for a unit at the development. If there is a "local preference" assigned to the project, then residents with children in the Nauset School System would be given a priority in the lottery process. Local preferences are determined by DHCD and have not yet been finalized for this project.

Although we did not originally intend to request funds from surrounding towns, construction cost escalation over the past year created a funding gap on the project. The project has tremendous local support and is an excellent example of collaboration between a town, developer, and state agencies to meet local housing needs. We hope the Town of Brewster will join in the effort to get this project to the finish line.

5. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

Housing Assistance Corporation (HAC) was selected by the Orleans Affordable Housing Trust ("AHT") to develop the Project through a Request for Proposals ("RFP") process. The Town of Orleans, through the Affordable Housing Trust, Affordable Housing Committee, Select Board, town staff, and consultants crafted the vision for this project prior to releasing a Request for Proposals (RFP) from developers. In designing the project, HAC closely reviewed the planning and visioning materials that were prepared by the AHT, the Town of Orleans Design Guidelines, and all of the public comments provided by residents of the surrounding neighborhood. After thorough review by a Selection Committee, the Affordable Housing Trust voted to accept HAC's proposal and subsequently executed a Real Property Disposition Agreement with HAC.

6. Timeline: What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project's implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?

See attached Project Timeline

7. Credentials: What are the qualifications and relevant experience of those undertaking the project?

Housing Assistance Corporation (HAC) is the largest developer of affordable housing on Cape Cod and the Islands. Since our inception, we have constructed over 550 units of affordable housing with another 200 units in our development pipeline over the next few years.

Our organization has an internal Housing Development Department which has expertise in identifying potential parcels for constructing affordable housing; managing feasibility studies as well as the design and permitting process for affordable housing developments; working with municipal officials and the general public on building support for affordable housing projects; navigating the financing necessary to making affordable housing projects possible; and overseeing the construction of affordable housing developments. HAC also has a full-service nonprofit real estate department, Cape Community Real Estate (CCRE), that assists residents in the purchase and sale of affordable and market rate homes. CCRE also conducts affordable housing lotteries and will oversee the marketing and lottery process for 107 Main Street. Since 1990, CCRE has conducted hundreds of homeownership lotteries throughout Cape Cod and the Islands, both for HAC projects as well as private and nonprofit developers, resulting in affordable homes and apartments throughout the region. We can ensure the marketing, tenant review, and lottery process adheres to local and state rules and regulations.

List of HAC Housing Developments and Organization Overview is attached.

8. Budget/Need for Public Funds: What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.)

See attached project budget (sources and uses). Brewster CPC funds would be used towards direct construction costs.

If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)?

See attached project budget (sources and uses).

Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

Based on HAC's experience developing other projects similar in size and scope to 107 Main Street, HAC proposes a financing structure that would include a combination of HAC equity, private construction and permanent loans, state funding through the Department of Housing and Community Development (DHCD), funding from the Orleans Affordable Housing Trust (AHT) and Community Preservation Committee, other local CPC funds. Additionally, HAC is contributing a portion of our developer fee and cash equity in support of the funding requests needed to develop this important housing asset. Continued on separate sheet.

Provide the most recent audited financial report or if none available, an applicant generated financial report that includes a balance sheet and operating budget. Town-sponsored projects must demonstrate why the project cannot be funded through the Department's or Committee's budget.

See attached.

9. Maintenance: If ongoing maintenance is required for your project, who will be responsible for maintenance and how will it be funded?

Housing Assistance Corporation will be the long-term owner and manager of the property. HAC has a property management agreement in place with POAH Communities for the day-to-day management of tenants and maintenance. POAH Communities currently manages seven HAC developments on the Cape. POAH Communities has specialized in the professional management of affordable multifamily housing for more than 25 years. POAH Communities manages more than 12,000 apartments and 114 properties across 11 states and the District of Columbia. POAH Communities manages more than 3,400 affordable apartments among 30 communities in Massachusetts. All of POAH's properties in Massachusetts include a high level of compliance accountability and resident services at various income levels.

10. Site Control and Appraisal: If the project involves acquisition of real property, provide evidence of site control (deed, purchase and sale, option, etc.). In addition, provide an appraisal of the property's value by a state licensed appraiser using customary appraising techniques. The CPA does not allow funding for acquisitions if the acquisition price is greater than appraised value.

HAC has a Real Property Disposition Agreement with the Town of Orleans to acquire the Property. The property will transfer to HAC at the financial closing prior to construction.

The project is fully permitted by the Orleans Zoning Board of Appeals (ZBA). The ZBA unanimously voted to approved a 40B Comprehensive Permit on September 8, 2022. The project was also reviewed and approved by the following Orleans committees and regulatory bodies:

- Architectural Review Committee – approved on 8/25/22.
- Board of Health – approved I/A septic design on 8/18/22
- Site Plan Review Committee – approved on 8/17/22

Town of Brewster Community Preservation Committee

CATEGORY SPECIFIC CRITERIA

(Identify which of the following criteria apply to your project.)

Open Space Proposals

- Permanently protect important wildlife habitat, including areas of significance for biodiversity, diversity of geological features and types of vegetation, contain a habitat type that is in danger of vanishing from Brewster or preserve habitat for threatened or endangered species of plants or animals.
- Provide opportunities for passive recreation and environmental education.
- Enhance or protect wildlife corridors, promote connectivity of habitat and prevent fragmentation of habitats.
- Provide connections with existing trails or potential trail linkages.
- Preserve scenic views or border a scenic road.
- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserve priority parcels in the Town's Open Space Plan/maximize the amount of open land owned by the Town of Brewster.

Historical Preservation Proposals

- MANDATORY:** Must be on the State Register of Historic Places or have a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster.
- MANDATORY:** Project must meet Secretary of the Interior Standards for rehabilitation and/or restoration of Historic Preservation Properties.
- MANDATORY IF REQUEST IS FROM A CHURCH/RELIGIOUS ORGANIZATION:** The project must satisfy the analysis outlined by the SJC's Caplan vs. Town of Acton decision.
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Demonstrate a public benefit and/or public access, or
- Otherwise provide permanent protection for maintaining the historic resource.
- Project site should not be privately owned unless there is demonstrable public access and benefit.

Community Housing Proposals

- Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.
- Create housing that is affordable and appropriate for very low-income seniors and people with disabilities.
- Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions.
- Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth.
- Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs.
- Ensure long term affordability.
- Commit to a resident selection process that promotes diversity and does not include a local preference.

Recreation Proposals

- Support multiple active and passive recreation uses.
- Serve a significant number of residents and visitors.
- Expand the range of recreational opportunities available to all ages of Brewster residents and visitors.
- Benefit other Brewster committees providing recreational resources to residents.
- Promote the use of alternative corridors that provide safe and healthy non-motorized transportation.
- Promotes or enhances accessibility. (Please elaborate in application.)

1. Project Description: Describe the proposed project. Is this part of a larger project or an ongoing project?

(continued from application form)

The building design uses a ‘big house-little house-back house-barn’ concept which is common in the area, and which previously existed on this site. (See attached building plans). The ‘big house’ contains 4 two-bedroom units in a traditional style building with the gable end facing the road. This building contains a full basement for main mechanical, electrical systems, and tenant storage. The “little house” and “back house” contain a three-bedroom unit and a one-bedroom fully accessible unit. The accessible unit also includes a storage shed since access to the basement storage is not accessible for someone using a wheelchair. The connector to the ‘barn’ provides a small management office and conditioned maintenance room. Lastly, the ‘barn’ contains 8 one-bedroom duplex type units with individual unit access.

Although we did not originally intend to request funds from surrounding towns, construction cost escalation over the past year created a funding gap on the project. The project has tremendous local support and is an excellent example of collaboration between a town, developer, and state agencies to meet local housing needs. We hope the Town of Brewster will join in the effort to get this project to the finish line.

The project targets households with incomes at or below 80% of Area Median Income (AMI), which is a higher income level than traditional affordable housing developments, such as Brewster Woods. Project at this income level aren’t eligible to be funded through Low Income Housing Tax Credits (LIHTC), and rely on more significant contributions from local government sources.

6. Timeline: What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project’s implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?

(continued from application form)

This is a single-phase project with a 12-month construction period. We do not plan to seek additional funds from the Brewster CPC for this project.

Project Timeline	
Town of Orleans Awards Project	Completed - Fall 2021
Orleans AHT Funding Award - \$875k	Completed - Fall 2022
Conceptual Building & Site Plan Complete	Completed - Fall 2022
Land Disposition Agreement with Town of Orleans	Completed -January 2022
Local Initiative Program (LIP) Application Submitted to DHCD for 40B Project Eligibility	Completed - February 2022
Orleans Site Review Committee Approval	Completed - August 2022
Architectural Review Committee Approval	Completed - August 2022
Orleans Board of Health Approval	Completed - August 2022
Orleans Zoning Board of Appeals Approval - 40b Comp Permit	Completed - September 2022

Submit for State Funding (DHCD)	Completed - October 2022
Apply for Local CPC funds	Fall 2022
Building Plans 70% Complete (Bid Set)	January 2023
DHCD Funding Award Expected	Spring 2023
Local CPC Votes at Spring Town Meetings	Spring 2023
Building Plans 100% Complete	Spring 2023
Construction Loan Closing	Summer 2023
Commence Construction	September 2023
50% Construction	March 2023
Rental Lottery Held / Tenant Selection begins	July 2023
Construction Completion	September 2023
Occupancy - Tenants	October 2023
Sustained Occupancy	November 2023
Final Cost Certification / Audit	December 2023

7. Credentials: What are the qualifications and relevant experience of those undertaking the project?

(continued from application form)

PROJECT NAME	LOCATION	YEAR BUILT	# OF UNITS	TYPE OF PROJECT
107 Main Street	Orleans	2024	14	Rental (pre-development)
0 Millstone Road	Brewster	2025	45	Rental (pre-development)
Cape View Way**	Bourne	2024	51	Rental (pre-development)
950 Falmouth Rd**	Mashpee	2023	39	Rental (pre-development)
Brewster Woods**	Brewster	2022	30	Rental (under construction)
Lofts at 57	Hyannis	2020	8	Rental
FORWARD at the Rock*	Dennis	2020	8	Special Needs / Group Home
Sachem's Path	Nantucket	2018	40	Homeownership
High Meadow Townhomes**	Bourne	2019	44	Rental
Clay Pond Cove**	Bourne	2012	45	Senior Rental
Canal Bluffs**	Bourne	2009	28	Rental
Kimber Woods**	Barnstable	2009	28	Rental
Lombard Farms**	Barnstable	2009	12	Senior Rental
Melpet Farms**	Dennis	2009	27	Rental
Great Cove Community	Mashpee	2014	10	Rental
Southside Village	Barnstable	2005	14	Rental
The Homesteads	Sandwich	2007	16	Homeownership
Gallagher Lane	Barnstable	2005	7	Homeownership
Cape Cod Senior Residences	Bourne	2005	60	Assisted Living & Senior Rental
Wells Court	Brewster	2005	24	Rental
Brush Hill	Yarmouth	2007	4	Special Needs
Anthony Drive	Barnstable	1988	12	Homeownership

Founder's Court	Barnstable	1987	32	Rental
Chase House	Barnstable	1986	6	Group Home
Hillside Village	Vineyard Haven	1982	40	Senior Rental
Our Island Home	Nantucket	1984	18	Rental
Self Help Housing	Regional	1978-84	72	Homeownership

HAC – Nonprofit Organization Overview

Launched in 1974, Housing Assistance Corporation is a nonprofit that provides essential housing services to low- and middle-income households on Cape Cod, Martha’s Vineyard, and Nantucket. Our mission is to strengthen the Cape and Islands region by empowering individuals, fostering community connections, and increasing year-round affordable housing opportunities.

We were founded to administer rental assistance programs for Cape Cod and the Islands and to provide year-round housing to the region’s workforce, seniors, and disabled individuals. Our work has expanded to encompass a range of programs and services that prevents homelessness; stabilizes housing; and empowers households to achieve their personal and professional goals, using housing as the catalyst: We annually serve an average of 5,000 households in our region in three main areas:

- Homelessness Prevention – We operate four family shelters which includes Angel House in Hyannis, Carriage House in North Falmouth, Scattered Sites in Hyannis, and the Village at Cataumet in Bourne. We also conduct homeless outreach to individuals living in the streets and woods of Cape Cod to connect them to the services they need to move into permanent housing. We also prevent families and individuals from becoming homeless, using public and private funding to ensure we can support both low- and middle-income households with emergency financial assistance.
- Housing Stabilization – We administer over 1,200 housing vouchers, providing essential rental assistance to households in our region. We also conduct free energy audits and weatherization measures for low-income households. Since our inception, we have developed over 550 units of affordable housing and have 120 units in our pipeline over the next three to four years.
- Empowerment – We offer one-on-one foreclosure prevention and reverse mortgage counseling. We also conduct a series of financial literacy classes, including Money Matters, which provides practical strategies for households to take control of and strengthen their personal finances. Our classes also include a First-Time Homebuyer workshop to help our clients realize their dreams of homeownership. Since 2017, we have organized the Cape Housing Institute to provide municipal officials with the tools, education, and resources needed to boost affordable housing in their communities. We also organize Cape Housing Advocacy Training to give the general public the education, skills, and confidence to speak up in favor of the affordable housing needed in their towns. And our nonprofit Cape Community Real Estate department connects individuals and families to affordable and attainable homeownership opportunities in our region.

8. **Budget/Need for Public Funds: What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.)**
- a. **If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)?**

Sources of Funds	Total	Status
Construction & Permanent Loan	\$1,500,000	In process
HAC Equity	\$150,000	Committed
Town of Orleans - Land	\$480,000	Committed
Town of Orleans - AHT	\$876,625	Committed
ARPA Legislative Earmark	\$1,000,000	Committed
Local CPC requests (Orleans, Eastham, Wellfleet, Chatham, Harwich)	\$800,000	Total from all towns;
DHCD – 2023 Winter funding round	\$1,700,000	Application Submitted
Other Grants	\$5,000	Committed
Deferred Developer Fees	\$254,161	Committed
TOTAL SOURCES	\$6,765,786	

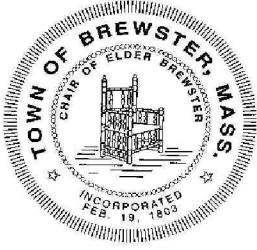
Uses of Funds	Total	Per Unit	Per SF (12,543)
Acquisition Costs	\$480,000	\$34,2856	\$38.27
Soft Costs	\$584,400	\$41,743	\$46.59
Soft Cost Contingency	\$29,220	\$2,087	\$2.33
Construction Costs	\$4,523,750	\$323,125	\$360.66
Construction Contingency	\$316,662	\$22,619	\$25.25
Developer Fees / OH	\$756,754	\$54,054	\$60.33
Reserves	\$75,000	\$5,357	\$5.98
Total (TDC)	\$6,765,786	\$483,270	\$539.41

- b. **Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.**

(continued from application form)

HAC recognizes the significance of the public funds needed to support this development and the scarcity of affordable housing resources. We will continue to seek out and leverage other grants and soft funding as pre-development work progresses.

Local funds are essential for affordable housing projects because they help leverage other state funds. In fact, local funds (such as CPC funds) are required to be eligible for state programs.



Town of Brewster Community Preservation Committee

2198 Main St., Brewster, MA 02631
cpcmeeting@brewster-ma.gov
(508) 896-3701 x1149

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Date Application Submitted: _____

Name of Project Applicant: Brewster Council on Aging - Submitted 11/30/2022

Name of Co-Applicant(s), if applicable: _____

Name of Contact Person: Denise Rego, Director

Contact Person's Mailing Address: 1673 Main Street, Brewster MA 02631

Contact Person's Daytime Phone Number: 508-896-2737

Contact Person's email Address: drego@brewster-ma.gov

Proposed Project Name: Accessible Outdoor Furniture for Freeman's Fields

Project Address (or assessor's parcel ID): _____

Project Synopsis:

Funds are requested by the Brewster COA for purposes of "rehabilitation of land for Recreational use". Unlike other Cape Cod towns, Brewster has no town center and does not yet have a community center but does have parks and fields. The Town has a complex of athletic fields (Freeman's Way Fields) including 3 baseball fields and a soccer field. Ongoing modification of this complex to improve accessibility for all residents offers an opportunity to expand areas for exercise and socialization for residents age 60+ and others with mobility limitations. While the complex is used primarily for youth sports and an adult baseball league, the fields and surrounding areas are often used informally by older residents for exercise. However, seating is limited to a few non-accessible wooden picnic tables. Work is underway by the Brewster DPW and Recreation Department to expand and/or create handicap parking spaces with paved walkways to paved viewing areas at each field, and a paved walkway around the 2 acre soccer field (approximately .25 miles). This latter walkway will provide good opportunity for walking and jogging. Installation of accessible benches and picnic tables for the viewing areas and along the walkways will encourage and facilitate use of these facilities for exercise and provide opportunities for social engagement among residents of all ages.

Category: Open Space Historic Preservation Recreation Community Housing

CPA funding requested \$ 9670.

Total Cost of Proposed Project \$ 9670.

PROJECT DESCRIPTION

Please describe your project, answering all of the following questions in the order presented. Applications will be considered incomplete if all requested information is not provided. Include supporting materials (maps, diagrams, photos, etc.). Please number pages of application.

Form fields are provided after each question for your convenience. **If you need more room, you may provide additional information via separate documents/attachments at the end of the document.** Please do not provide any documentation via on-line links, as the committee will not be checking for updates. Be as concise as possible.

1. Project Description: Describe the proposed project. Is this part of a larger project or an ongoing project?

This project will install 8 weather-resistant (recycled plastic) accessible benches and 2 picnic tables at Freeman's Way Fields to provide opportunities for exercise, socialization, and intergenerational activities for residents. The installation will increase accessibility and enhance the improvements at this complex planned by the DPW and Recreation Department.

2. For Historic Preservation projects: Attach proof of listing on the State Register of Historic Places or a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster. Please note that rehabilitation projects must comply with the Secretary of the Interior Standards for Treatment of Historic Properties. **Additional information and analysis will be needed for projects submitted by churches/religious organizations to determine if they comply with the SJC's Caplan vs. Town of Acton decision.**

N/A

3. CPA Goals/Criteria: Describe how this project accomplishes the goals and objectives of the CPA (refer to the attached general and issue-specific criteria and identify which of these apply to the project).

The following CPA criteria apply to this project:

Help implement the Vision Plan - by expanding recreational and socialization opportunities (also included in the Local Comprehensive Plan)

Enhance the quality of life for Brewster residents - by providing increased opportunities for socialization and physical activity for older and mobility limited residents

Serve a currently under-served Town population - older residents and residents with mobility limitations

Receive endorsement by other Town committees and the Brewster public at large - see letters of support

Demonstrate practicality and feasibility, and ability to implement within budget - the request is for

purchase of materials; installation will be provided by the DPW and incorporated into the planned paving project.

Preserve, enhance or better utilize existing Town resources - by improving the Freeman's Way Fields.

4. Community Benefits: What are the community benefits of the project?

It is well documented that Brewster has one of the oldest populations on the Cape. Currently, the population age 60+ is 53% of total population (2022 Annual Town Census). This project will improve the facilities at Freeman's Way Fields for all who use the complex. However, it will be especially beneficial for older adults who use the field for walking as it will provide benches along the paved paths around the soccer field for rest. Outdoor venues for exercise have been increasingly important in response to effects of the COVID epidemic on providing reliable, safe and supportive spaces for activities geared towards seniors. This will provide another venue for the Senior Striders program offered by the Rec Department and COA. Currently the only other venue with a paved walkway is at Drummer Boy Park.

5. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

Letters of support are included from the COA Advisory Board, Recreation Department, and DPW.

6. Timeline: What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project's implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?

The project timeline is contingent on currently planned improvements to the athletic fields, including the irrigation system and paving project. The benches and picnic tables will be ordered when a start date for paving has been determined.

7. Credentials: What are the qualifications and relevant experience of those undertaking the project?

The Brewster COA has been operational since 1974. In addition to staff, there is a 8-member Advisory Board whose members bring expertise in gerontology and the health sciences. The Board has been instrumental in assessing the needs of older Brewster residents and in developing a 5-year Action Plan that has guided the development of a wide range of programs. In response to results of a community needs assessment survey, an emphasis has been placed on those programs providing opportunities for physical activity and socialization.

8. Budget/Need for Public Funds: What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.)

6-ft ADA Compliant benches: 8 @ 839. = 6712.	SKUGTB600-GY*
ADA Compliant picnic tables: 2 @ 1479. = 2958.	SKUPT-95*
TOTAL: \$9,670.	

*Barco Products, Batavia IL - Pictures attached
barcoproducts.com

If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)?

Although this request can be seen as part of the larger improvement project at the Freeman's Way Fields, it is a freestanding project in that those improvements can be made without installation of the benches and picnic tables. These structures are an enhancement to that work that will serve to increase accessibility for older and mobility-impaired residents.

Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

The Town applied for, but did not receive, funding from the 2022 AARP Community Challenge Grant program.

Provide the most recent audited financial report or if none available, an applicant generated financial report that includes a balance sheet and operating budget. Town-sponsored projects must demonstrate why the project cannot be funded through the Department's or Committee's budget.

Funds are being requested for this Town-sponsored project because funds are not available through the COA operational budget (attached).

9. Maintenance: If ongoing maintenance is required for your project, who will be responsible for maintenance and how will it be funded?

The benches and picnic tables are made of weather-resistant materials. Therefore, ongoing maintenance is not expected.

10. Site Control and Appraisal: If the project involves acquisition of real property, provide evidence of site control (deed, purchase and sale, option, etc.). In addition, provide an appraisal of the property's value by a state licensed appraiser using customary appraising techniques. The CPA does not allow funding for acquisitions if the acquisition price is greater than appraised value.

N/A

Town of Brewster Community Preservation Committee

CATEGORY SPECIFIC CRITERIA

(Identify which of the following criteria apply to your project.)

Open Space Proposals

- Permanently protect important wildlife habitat, including areas of significance for biodiversity, diversity of geological features and types of vegetation, contain a habitat type that is in danger of vanishing from Brewster or preserve habitat for threatened or endangered species of plants or animals.
- Provide opportunities for passive recreation and environmental education.
- Enhance or protect wildlife corridors, promote connectivity of habitat and prevent fragmentation of habitats.
- Provide connections with existing trails or potential trail linkages.
- Preserve scenic views or border a scenic road.
- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserve priority parcels in the Town's Open Space Plan/maximize the amount of open land owned by the Town of Brewster.

Historical Preservation Proposals

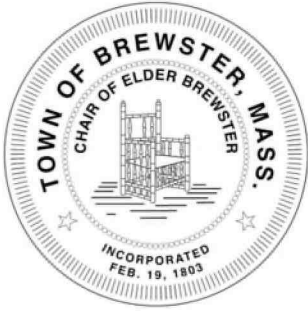
- MANDATORY:** Must be on the State Register of Historic Places or have a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster.
- MANDATORY:** Project must meet Secretary of the Interior Standards for rehabilitation and/or restoration of Historic Preservation Properties.
- MANDATORY IF REQUEST IS FROM A CHURCH/RELIGIOUS ORGANIZATION:** The project must satisfy the analysis outlined by the SJC's Caplan vs. Town of Acton decision.
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Demonstrate a public benefit and/or public access, or
- Otherwise provide permanent protection for maintaining the historic resource.
- Project site should not be privately owned unless there is demonstrable public access and benefit.

Community Housing Proposals

- Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.
- Create housing that is affordable and appropriate for very low-income seniors and people with disabilities.
- Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions.
- Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth.
- Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs.
- Ensure long term affordability.
- Commit to a resident selection process that promotes diversity and does not include a local preference.

Recreation Proposals

- Support multiple active and passive recreation uses.
- Serve a significant number of residents and visitors.
- Expand the range of recreational opportunities available to all ages of Brewster residents and visitors.
- Benefit other Brewster committees providing recreational resources to residents.
- Promote the use of alternative corridors that provide safe and healthy non-motorized transportation.
- Promotes or enhances accessibility. (Please elaborate in application.)



Town of Brewster
Community Preservation Committee
 2198 Main Street
 Brewster, Massachusetts 02631-1898
 (508) 896-3701 x 133
 Fax (508) 896-8089



APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Date Application Submitted: December 1, 2022

Name of Project Applicant: Donna J. Kalinick, Assistant Town Administrator

Name of Co-Applciant(s), if applicable: _____

Name of Contact Person: Donna J. Kalinick

Contact Person’s Mailing Address: C/O Town Administrator’s Office, 2198 Main Street Brewster

Contact Person’s Daytime Phone Number: 508-896-3701 X1130

Contact Person’s email Address: dkalinick@brewster-ma.gov

Proposed Project Name: Brewster Housing Coordinator

Project Address (or assessor’s parcel ID): _____

Project Synopsis:

The Community Preservation Committee and Town Administration have been partners in the funding of the critical position of the Brewster Housing Coordinator. The Housing Coordinator works 30 hours a week and the salary portion of the position has been funded through CPA. The Town supports the Housing Coordinator position with funding of the benefits associated with the position. The Town of Brewster continues to be a leader in the Lower Cape for housing initiatives, through the creation, support, and preservation of housing in our community. Those efforts to create affordable housing, support residents with housing programs and preserve existing affordable housing stock are led by the Housing Coordinator.

Category: Open Space Historic Preservation Recreation Community Housing

CPA funding requested \$70,580.00

Total Cost of Proposed Project \$ 105,000.00

PROJECT DESCRIPTION

Please describe your project, answering all of the following questions in the order presented. Applications will be considered incomplete if all requested information is not provided. Include supporting materials (maps, diagrams, photos, etc.). Please number pages of application.

Form fields are provided after each question for your convenience. If you need more room, you may provide additional information via separate documents/attachments at the end of the document. Please do not provide any documentation via on-line links, as the committee will not be checking for updates. Be as concise as possible.

1. Project Description: Describe the proposed project. Is this part of a larger project or an ongoing project?

The creation of the Housing Coordinator position was identified as a key strategy and goal in the 2017 Housing Production Plan (HPP). We are proud that not only was this goal met with the support of the CPC, but an update of the Housing Production Plan was also just completed in 2022 and certified by the State of Massachusetts. The Housing Coordinator led the community outreach and coordination for the update of the HPP. Goals #3 and #4 in the 2022 HPP both speak to the need to build capacity in the housing program. Housing has been identified as a key challenge and building block in the proposed Local Comprehensive Plan (LCP), Select Board Strategic Plan and the CPC 5 Year Plan. The data collected for the 2022 HPP update points toward growing housing costs for both renters and homeowners, unattainable first-time home ownership and that low to moderate income residents are leaving Brewster due to the high cost of housing and the high cost of living. The Housing Coordinator position is the keystone to continuing the critical housing work that has happened in our community since the creation of this position. The Community Preservation Committee has been an important partner in housing initiatives.

2. For Historic Preservation projects: Attach proof of listing on the State Register of Historic Places or a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster. Please note that rehabilitation projects must comply with the Secretary of the Interior Standards for Treatment of Historic Properties. **Additional information and analysis will be needed for projects submitted by churches/religious organizations to determine if they comply with the SJC's Caplan vs. Town of Acton decision.**

3. CPA Goals/Criteria: Describe how this project accomplishes the goals and objectives of the CPA and the Town of Brewster Community Preservation Plan FY23-27 (refer to the attached general and issue-specific criteria and identify which of these apply to the project).

- Meets one or more of the Community Housing goals listed in Town of Brewster Community Preservation Plan FY23-27
Funding of the Housing Coordinator position meets all of the Housing Goals in the CPC 5 year plan:

GOALS

1. Create community housing, including affordable housing, that will address documented local and regional housing needs including, but not limited to, affordable year-round senior housing options, year-round rental housing and housing assistance for low-income families and seniors, and housing for residents with special needs, such as Veterans:

Since the creation of the Housing Coordinator position, the town has created 59 new affordable rental units: 30 at Brewster Woods, 27 at Serenity Brewster and 2 homes off Red Top Road. These units are serving a spectrum of income levels, 30 to 80% of the Area Median Income (AMI) and residents. While Serenity serves those 55+, Brewster Woods is a mix of one-, two- and three-bedroom rental units open to all types of households, including 3 units for disabled individuals transitioning to independent living and of the two Habitat homes, one is for a veteran. The Town is also in process of developing 45 units open to all types of households off Millstone Road on town owned land. In addition to creation of new housing, the Town with the assistance of the Housing Coordinator has started a Rental Assistance Program and offers both Childcare Vouchers and Housing Rehabilitation funds through a regional CDBG grant. The Town also has a Covid Relief fund that the Housing Coordinator works on with the COA and Human Resources.

2. Support eligible housing initiatives and ongoing work of the Brewster Affordable Housing Trust to address local housing needs. The Housing Coordinator supports the work of the BAHT; attends every meeting, does research for the Trust in between meetings. The Housing Coordinator worked with the BAHT in developing and awarding an RFP for Community Rental Housing off Millstone Road; helped create BAHT guidelines and a funding application; helps run the BAHT Rental Assistance program; worked with the BAHT and BHP to host a Housing Forum and Fair at the Brewster Ladies Library in October and has assisted the BAHT with the preservation of SHI homes, including the acquisition and rehabilitation of 212 Yankee Drive.

3. Continue to support local capacity to implement housing initiatives, including through the Town's housing coordinator position. The CPC has been a key partner in the creation of the Housing Coordinator position, the expansion of hours and the continued growth of the Housing Program.

4. Support the preservation of the existing stock of affordable rental and ownership housing. Most of Brewster's affordable housing units are restricted as affordable in perpetuity, however some units are not restricted in perpetuity. CPA funds can be especially critical to protecting affordable ownership units when needed upon sale through purchase and resale (it is not uncommon for the affordability of ownership units to be compromised upon resale or foreclosure, depending on the terms of the affordability restrictions). In addition, preservation of the Town's existing affordable housing stock, especially the Housing Authority units, is also an important priority for CPA funds:

The CPC provided the Housing Trust with \$500,000 in funding to preserve existing units on our SHI. The Housing Trust, with the support of the Housing Coordinator, took possession of 212 Yankee Drive in 2022. We are now actively working on rehabilitating the home and re-sell it to an eligible affordable buyer through a fair marketing process. In addition to 212 Yankee Drive, the Housing Coordinator is actively working the Department of Housing and Community Development (DHCD) on two other homes at risk that are on our SHI. The Housing Coordinator maintains accurate records of the units on our SHI, communicates with owners annually and verifies that SHI is accurate through DHCD on an annual basis.

The Housing Coordinator keeps a file on all units on the SHI, handles re-sales and requests and takes every opportunity to update homes to the new universal deed rider that ensures affordability in perpetuity. The Housing Coordinator actively works with the Brewster Housing Authority on an ongoing basis.

5. Continue to support the Brewster Buy Down Program to assist eligible first-time homebuyers. The Town of Brewster, through Community Preservation Funds, provides up to \$30,000 of grant assistance for eligible buyers purchasing a home in Brewster. The program, contingent on existing funds, is available to households qualifying at 80% AMI (Area Median Income) who agree to place a permanent affordable housing deed restriction on the home. The grant assistance is provided as an interest free loan which is forgivable after 30 years.

The Housing Coordinator oversees the Brewster Buy Down program. She updated all of the application documents and handles inquiries and applications. She also communicates with the CPC when a Buy Down application is submitted and with the Treasurer Collector when funding is approved. The future of the Buy Down program is an important area of discussion.

- Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors: Since the creation of the Housing Coordinator position, the town has created 57 new affordable rental units: 30 at Brewster Woods and 27 at Serenity Brewster. These units are serving a spectrum of income levels, 30 to 80% of the Area Median Income (AMI). While Serenity serves those 55+, Brewster Woods is a mix of one-, two- and three-bedroom rental units open to all types of households. The Town is also in process of developing 45 units open to all types of households off Millstone Road on town owned land.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers. The Town of Brewster, through the work of the Housing Coordinator, included both Conservation Groups and Non-Profit and for-Profit Developer in key stakeholder groups that were interviewed for the update of the HPP. Development of the Millstone Road rental housing was awarded through an RFP process to a non-profit developer team, POAH and HAC. We also received one response from a for-profit developer. The Housing Coordinator continues to collaborate with key stakeholders, including the Brewster Conservation Trust. Our hope is to find a project that the Town and BCT can work on together that would incorporate both open space and housing, such as the CCSC pond parcel.
- Create housing that is affordable and appropriate for very low-income seniors and people with disabilities. The Housing Coordinator, working with Town Administration and Elevation Financial, created 132 new units of rental housing for those who are 55+ of which 27 are deed restricted affordable. Brewster Woods, 30 units of rental housing, includes (3) units which are specifically designated for those with disabilities, transitioning to independent living. In addition, the Town through the work of the housing program has become the lead community for CDBG regional grant which include funding for housing rehabilitation. Many of the residents who have applied for this funding are older adults, living alone who are trying to stay in their home, but do not have the means to make critical repairs.
- Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions. The CPC provided the Housing Trust with \$500,000 in funding to preserve existing units on our SHI. The Housing Trust, with the support of the Housing Coordinator, took

possession of 212 Yankee Drive in 2022. We are now actively working on rehabilitating the home and re-sell it to an eligible affordable buyer through a fair marketing process. In addition to 212 Yankee Drive, the Housing Coordinator is actively working the Department of Housing and Community Development (DHCD) on two other homes at risk that are on our SHI. The Housing Coordinator maintains accurate records of the units on our SHI, communicates with owners annually and verifies that are SHI is accurate through DHCD on an annual basis.

- Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth: This is an ongoing work in progress. The Town with the assistance of the Housing Coordinator, created a new ADU/ACDU bylaw. The Housing Coordinator has been tracking the number and types of units created since the bylaw passed. The Housing Coordinator working with the Town Planner and the Housing Partnership will look at a revision to the ADU/ACDU bylaw to promote more units being produced. The intent of the housing program and outlined in the updated 2022 HPP is to review Brewster zoning with a focus on housing and to create more housing, particularly in or around commercial areas. This work will take place in the next 5 years after the proposed LCP is passed. Additionally, the Housing Coordinator outreaches to the Chamber of Commerce and local businesses about housing initiatives and needs.
- Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs. Since the hiring of the Housing Coordinator position, the Town's SHI has increased from 5.31% to 6.18%. When the 30 Brewster Woods units are added, the Town will be over 6.5%. If the Millstone Community Housing receives their comprehensive permit in 2023, the up to 45 units will also be added and the Town will be over 7%. We have twice received certification of our housing production plan in this 5-year period and received Safe Harbor status twice.
- Ensure long term affordability. The Housing Coordinator keeps a file on all units on the SHI, handles re-sales and requests and takes every opportunity to update homes to the new universal deed rider that ensures affordability in perpetuity.
- Commit to a resident selection process that promotes diversity and does not include a local preference. There have been (3) affordable projects that required local decision making regarding local preference in the last few years. Brewster Woods has a 70% Local Preference- that decision was made through the Brewster Housing Authority (BHA) who issued the RFP for the BHA land. For Serenity Brewster, the Housing Coordinator and Administration advocated for a 50% Local Preference since the Town did not put any municipal funds into that project. For Red Top Road, 2 homes to be built this coming year, the Town gave up local preference in favor of a Veteran's preference. In all of these situations, the Housing Coordinator has analyzed lottery data from Brewster and surrounding towns and worked to broaden education about local preference and what it means to the town. Ensuring fair housing is a tenet and key stone of the Brewster Housing Program.

4. Community Benefits: What are the community benefits of the project? In addition to assisting with the creation, support and rehabilitation of housing in Brewster, the Housing Coordinator holds weekly office hours and is available to the public for housing questions and concerns. As you can see from the enclosed housing coordinator reports, the number of requests for assistance is significant. The Housing Coordinator, working with the Housing Trust and Housing Partnership, sponsored a Housing Forum and Fair in October at the Brewster Ladies Library for the community; a flyer is included.

5. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

Letters of Support are included from the Brewster Select Board and the Brewster Affordable Housing Trust.

6. Timeline: What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project's implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?

The funding request is for FY24, July 1, 2023 through June 30, 2024.

7. Credentials: What are the qualifications and relevant experience of those undertaking the project?

The Housing Department is located in the Town Planning Department and overseen jointly by Town Planner, Jon Idman and Assistant Town Administrator, Donna Kalinick. The Housing Coordinator collaborates closely with Jon and Donna as well as the many other Department Heads who are involved in Housing, including the COA Director, Building Commissioner, Health Director, DPW Superintendent, Police and Fire Chief.

8. Budget/Need for Public Funds: What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.) If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)?

Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

Provide the most recent audited financial report or if none available, an applicant generated financial report that includes a balance sheet and operating budget. Town-sponsored projects must demonstrate why the project cannot be funded through the Department's or Committee's budget.

The Funding for this position is shared between CPA-salary and the Town budget-benefits. The Housing Program has created a draft five-year financial forecast that looks at all expenditures across the housing program for the next five years which includes the possible addition of a part time housing program assistant as

the housing program has grown. This new part time position is proposed to be funded by the Brewster Affordable Housing Trust. There are many town departments who need additional staff in the next few years, particularly with the addition of the Cape Cod Sea Camps. Funding the Housing Coordinator is a CPA eligible expense and is supported in many communities across the State. The position is part of the Personnel Bylaw employees of the Town. The salary rate and benefits are calculated on an annual basis by the Finance Team which is made up of the Town Administrator, Assistant Town Administrator, Finance Director, Treasurer/Collector and Deputy Assessor. A link to the Towns' FY23 budget documents is here: https://stories.opengov.com/brewsterma/published/vNFj7_V0i. Additionally, the Finance Director works directly with the CPC committee on monthly financial reporting; the Assistant Town Administrator oversees the Housing Coordinator's payroll and bills associated with the Housing Program.

9. Maintenance: If ongoing maintenance is required for your project, who will be responsible for maintenance and how will it be funded?

10. Site Control and Appraisal: If the project involves acquisition of real property, provide evidence of site control (deed, purchase and sale, option, etc.). In addition, provide an appraisal of the property's value by a state licensed appraiser using customary appraising techniques. The CPA does not allow funding for acquisitions if the acquisition price is greater than appraised value.

Town of Brewster Community Preservation Committee

CATEGORY SPECIFIC CRITERIA

(Identify which of the following criteria apply to your project.)

Open Space Proposals

- Meets one or more of the Open Space goals listed in Town of Brewster Community Preservation Plan FY23-27
- Permanently protect important wildlife habitat, including areas of significance for biodiversity, diversity of geological features and types of vegetation, contain a habitat type that is in danger of vanishing from Brewster or preserve habitat for threatened or endangered species of plants or animals.
- Provide opportunities for passive recreation and environmental education.
- Enhance or protect wildlife corridors, promote connectivity of habitat and prevent fragmentation of habitats.
- Provide connections with existing trails or potential trail linkages.
- Preserve scenic views or border a scenic road.
- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserve priority parcels in the Town's Open Space Plan/maximize the amount of open land owned by the Town of Brewster.

Historical Preservation Proposals

- MANDATORY:** Must be on the State Register of Historic Places or have a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster.
- MANDATORY:** Project must meet Secretary of the Interior Standards for rehabilitation and/or restoration of Historic Preservation Properties.
- MANDATORY IF REQUEST IS FROM A CHURCH/RELIGIOUS ORGANIZATION:** The project must satisfy the analysis outlined by the SJC's Caplan vs. Town of Acton decision.
- Meets one or more of the Historical Preservation goals listed in Town of Brewster Community Preservation Plan FY23-27
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Demonstrate a public benefit and/or public access, or
- Otherwise provide permanent protection for maintaining the historic resource.
- Project site should not be privately owned unless there is demonstrable public access and benefit.

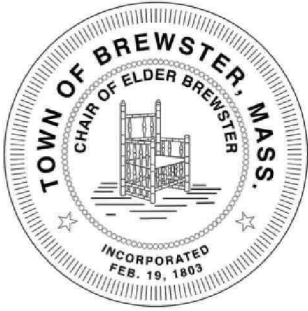
Community Housing Proposals

- X Meets one or more of the Community Housing goals listed in Town of Brewster Community Preservation Plan FY23-27
- X Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.
- X Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.
- X Create housing that is affordable and appropriate for very low-income seniors and people with disabilities.
- X Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions.

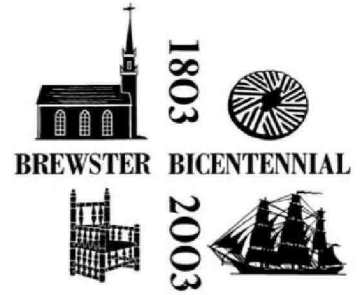
- X Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth.
- X Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs.
- X Ensure long term affordability.
- X Commit to a resident selection process that promotes diversity and does not include a local preference.

Recreation Proposals

- Meets one or more of the Recreation goals listed in Town of Brewster Community Preservation Plan FY23-27
- Support multiple active and passive recreation uses.
- Serve a significant number of residents and visitors.
- Expand the range of recreational opportunities available to all ages of Brewster residents and visitors.
- Benefit other Brewster committees providing recreational resources to residents.
- Promote the use of alternative corridors that provide safe and healthy non-motorized transportation.
- Promotes or enhances accessibility. (Please elaborate in application.)



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Community Preservation Committee
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APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Date Application Submitted: November 21, 2022

Name of Project Applicant: Preservation of Affordable Housing, Inc.

Name of Co-Applicant(s), if applicable: Community Development Partnership

Name of Contact Person: Vitalia Shklovsky

Contact Person's Mailing Address: POAH, 2 Oliver St, Suite 500, Boston, MA 02109

Contact Person's Daytime Phone Number: 508-308-5097

Contact Person's email Address: vitasky@poah.org

Proposed Project Name: Juniper Hill

Project Address (or assessor's parcel ID): 95 Lawrence Road, Wellfleet, MA 02667

Project Synopsis:

Juniper Hill is the proposed development of 46 affordable housing units located at 95 Lawrence Road in Wellfleet, MA. With less than 3% of Wellfleet's housing stock priced affordably and with local businesses unable to grow without affordable housing, the need for permanent, year-round affordable housing on the Lower and Outer Cape is pressing and urgent. 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 nine-acre town-owned lot for development via RFP in 2021, and designated POAH and CDP as joint developers in December 2021. The property will be divided into two 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% AMI, with the remaining 11 apartments intended as workforce+housing for households earning up to 120% AMI. The Upper Village will include a small community center with central amenities like shared laundry, a children's outdoor play yard, patio, and community garden. The buildings will be designed in the Cape Cod mid-century modern architectural style and aim to achieve Passive House energy efficiency standards to minimize environmental impacts.

Category: Open Space Historic Preservation Recreation Community Housing

CPA funding requested \$ 100,000

Total Cost of Proposed Project \$ 32,128,643

PROJECT DESCRIPTION

Please describe your project, answering all of the following questions in the order presented. Applications will be considered incomplete if all requested information is not provided. Include supporting materials (maps, diagrams, photos, etc.). Please number pages of application.

Form fields are provided after each question for your convenience. If you need more room, you may provide additional information via separate documents/attachments at the end of the document. Please do not provide any documentation via on-line links, as the committee will not be checking for updates. Be as concise as possible.

1. **Project Description:** Describe the proposed project. Is this part of a larger project or an ongoing project?

Juniper Hill is the proposed development of 46 affordable housing units located at 95 Lawrence Road in Wellfleet, MA. 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 nine-acre town-owned lot for development via RFP in 2021, and designated POAH and CDP as joint developers in December 2021. The property will be divided into two 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% AMI, with the remaining 11 apartments intended as %workforce+housing for households earning up to 120% AMI.

2. **For Historic Preservation projects:** Attach proof of listing on the State Register of Historic Places or a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster. Please note that rehabilitation projects must comply with the Secretary of the Interior Standards for Treatment of Historic Properties. **Additional information and analysis will be needed for projects submitted by churches/religious organizations to determine if they comply with the SJC's Caplan vs. Town of Acton decision.**

3. **CPA Goals/Criteria:** Describe how this project accomplishes the goals and objectives of the CPA and the Town of Brewster Community Preservation Plan FY23-27 (refer to the attached general and issue-specific criteria and identify which of these apply to the project).

See attached

4. Community Benefits: What are the community benefits of the project?

See attached

5. Community Support: What is the nature and level of support for this project? Include letters of support and any petitions.

See attached

6. Timeline: What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project's implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?

See attached narrative.

7. Credentials: What are the qualifications and relevant experience of those undertaking the project?

See attached

8. Budget/Need for Public Funds: What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.)

See attached

If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)?

Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.

Provide the most recent audited financial report or if none available, an applicant generated financial report that includes a balance sheet and operating budget. Town-sponsored projects must demonstrate why the project cannot be funded through the Department's or Committee's budget.

See attached audited financials from CDP and

9. **Maintenance:** If ongoing maintenance is required for your project, who will be responsible for maintenance and how will it be funded?

POAH Communities, an affiliate of POAH, will be the long-term management agent and operator of the Juniper Hill property, which will be affordable in perpetuity. The operations budget relies on rental income from the residents.

10. **Site Control and Appraisal:** If the project involves acquisition of real property, provide evidence of site control (deed, purchase and sale, option, etc.). In addition, provide an appraisal of the property's value by a state licensed appraiser using customary appraising techniques. The CPA does not allow funding for acquisitions if the acquisition price is greater than appraised value.

The current form of site control is a developer designation award letter from the Town of Wellfleet. A ground lease and land disposition agreement will be executed by the end of December 2022. The acquisition price is \$0.

Town of Brewster Community Preservation Committee

CATEGORY SPECIFIC CRITERIA

(Identify which of the following criteria apply to your project.)

Open Space Proposals

- Meets one or more of the Open Space goals listed in Town of Brewster Community Preservation Plan FY23-27
- Permanently protect important wildlife habitat, including areas of significance for biodiversity, diversity of geological features and types of vegetation, contain a habitat type that is in danger of vanishing from Brewster or preserve habitat for threatened or endangered species of plants or animals.
- Provide opportunities for passive recreation and environmental education.
- Enhance or protect wildlife corridors, promote connectivity of habitat and prevent fragmentation of habitats.
- Provide connections with existing trails or potential trail linkages.
- Preserve scenic views or border a scenic road.
- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve important surface water bodies, including wetlands, vernal pools or riparian zones.
- Preserve priority parcels in the Town's Open Space Plan/maximize the amount of open land owned by the Town of Brewster.

Historical Preservation Proposals

- MANDATORY:** Must be on the State Register of Historic Places or have a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster.
- MANDATORY:** Project must meet Secretary of the Interior Standards for rehabilitation and/or restoration of Historic Preservation Properties.
- MANDATORY IF REQUEST IS FROM A CHURCH/RELIGIOUS ORGANIZATION:** The project must satisfy the analysis outlined by the SJC's Caplan vs. Town of Acton decision.
- Meets one or more of the Historical Preservation goals listed in Town of Brewster Community Preservation Plan FY23-27
- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site;
- Demonstrate a public benefit and/or public access, or
- Otherwise provide permanent protection for maintaining the historic resource.
- Project site should not be privately owned unless there is demonstrable public access and benefit.

Community Housing Proposals

- Meets one or more of the Community Housing goals listed in Town of Brewster Community Preservation Plan FY23-27
- Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.
- Create housing that is affordable and appropriate for very low-income seniors and people with disabilities.
- Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions.

- Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth.
- Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs.
- Ensure long term affordability.
- Commit to a resident selection process that promotes diversity and does not include a local preference.

Recreation Proposals

- Meets one or more of the Recreation goals listed in Town of Brewster Community Preservation Plan FY23-27
- Support multiple active and passive recreation uses.
- Serve a significant number of residents and visitors.
- Expand the range of recreational opportunities available to all ages of Brewster residents and visitors.
- Benefit other Brewster committees providing recreational resources to residents.
- Promote the use of alternative corridors that provide safe and healthy non-motorized transportation.
- Promotes or enhances accessibility. (Please elaborate in application.)

Juniper Hill – Brewster CPC Application – Narrative

1. Project Description

Juniper Hill is the proposed development of 46 affordable housing units located at 95 Lawrence Road in Wellfleet, MA. 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 nine-acre town-owned lot for development via RFP in 2021, and designated POAH and CDP as joint developers in December 2021. The property will be divided into two parts: an Upper Village of 22 two-bedroom and three-bedroom townhomes 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% AMI, with the remaining 11 apartments intended as “workforce” housing for households earning up to 120% AMI.

2. Historic Preservation

N/A

3. CPA Goals / Criteria

Juniper Hill meets at least five Community Housing criteria or goals:

- Meets one or more of the Community Housing goals listed in the Town of Brewster Community Preservation Plan FY23-27
 - o The project meets at least one of these goals by creating year-round rental housing and will not exclude seniors.
- Increases the supply of year-round affordable rental housing for all types of households
 - o All 46 units of housing will be permanent year-round homes. Residents of all household types and sizes – ranging from one- to three-bedrooms – can apply to live at Juniper Hill.
- Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers
 - o Juniper Hill is a development proposal crafted by the partnership of two non-profit housing developers – Preservation of Affordable Housing (POAH) and Community Development Partnership (CDP). Both POAH and CDP have over a decade of experience building permanent affordable housing on Cape Cod. CDP has local knowledge and relationships with local stakeholders.
- Create housing that is affordable and appropriate for very low-income seniors and people with disabilities
 - o More than one third of all 46 homes will be targeted for households or individuals earning less than 50% of Area Median Income, meaning “very low income” seniors and other people will be able to afford their homes at Juniper Hill.
- Ensure long term affordability
 - o All the restricted apartments will be affordable in perpetuity, past the typical tax credit compliance period.

4. Community Benefits

In addition to 46 new units of permanently affordable housing, Juniper Hill is creating an outdoor amenity area with a community garden and a play yard for children. It is also going to achieve Passive House design standards, aiming to minimize carbon emissions with all-electric MEP systems and efficient building envelopes.

5. Community Support

Juniper Hill received full approval from the Town of Wellfleet's Zoning Board of Appeals on its 40B Comprehensive Permit Application on September 22, 2022. In the five months of the 40B permitting process, the project team met with abutters and other stakeholders to communicate the project's design intentions and accommodate neighboring needs – ranging from landscape buffers to storage, parking, site access, and maintenance of trash. As a result, the team received letters of support from the following Town departments: Wellfleet Housing Authority, Conservation Commission, Building Department, Planning Board, Municipal Affordable Housing Trust, Fire Department, Police Department, Department of Public Works, and Select Board. In addition, we received support letters from the Cape Cod Commission and several abutters (Kathleen Nagle, Alvin Nundioll, Thaddeus and Miranda Siemasko, and Marilyn Cook).

6. Timeline

Juniper Hill is a stand-alone project, with the following schedule:

September 22, 2022	Zoning Board of Appeals approval
January 2023	*Submit Application for DHCD funding
April/May 2023	DHCD funding award
October 2023	Construction Financial Closing
October 2023	Construction Start
April 2025	Construction Completion
May 2025	Lease-up and Move-ins
August 2025	Stabilization (three months of 95% Lease-up)

*If the DHCD does not fund this project in the current winter 2022-2023 round, we will wait until the following year's funding round.

7. Credentials

Since 2001, POAH has preserved or created over 12,000 affordable rental apartments. Part of the POAH family, POAH Communities oversees the leasing and operations of properties in 11 states and the District of Columbia. Community Development Partnership is a 30-year-old nonprofit organization dedicated to serving local residents and businesses with financial and technical assistance.

Please see brochures attached for both Preservation of Affordable Housing and Community Development Partnership.

8. Budget/Need for Public Funds

The total budget for Juniper Hill is as follows. We anticipate the following sources of funds:

- A permanent first mortgage from MassHousing or MHP
- Soft subsidy from Massachusetts Department of Housing and Community Development
- Barnstable County HOME Consortium
- Town of Wellfleet Community Preservation Act and Housing Trust
- Town of Orleans CPC
- Town of Brewster CPC
- Infrastructure funds from MassWorks
- Tax Credit Equity from:
 - o Federal 9% Low Income Housing Tax Credits
 - o State LIHTC
 - o Solar Tax Credits

We also plan to defer a portion of our developer fee.

Sources of Funds		Uses of Funds	
1st Mortgage	\$5,227,648	Acquisition	\$0
HOME, AHTF, HSF - DHCD	\$2,300,000	Construction	\$23,154,000
Barnstable County HOME	\$300,000	Hard Cost Contingency	\$1,157,700
Wellfleet CPA	\$1,500,000	Soft Costs	\$4,771,318
Wellfleet Housing Trust	\$800,000	Reserves	\$395,724
Orleans CPC	\$100,000	Paid Developer Fee	\$2,399,901
Brewster CPC	\$100,000	Deferred Developer Fee	\$250,000
Infrastructure - MassWorks	\$1,000,000		
Equity - Federal 9% LIHTC	\$9,499,050		
Equity - State LIHTC	\$2,800,000		
Equity - Solar Tax Credits	\$160,000		
Deferred Developer Fee	\$250,000		
Gap	\$8,091,944		
Total Sources	\$32,128,643	Total Uses	\$32,128,643

We have applied for CPC funds from the Towns of Wellfleet and Orleans, as well as funds from the Barnstable County HOME Consortium. We also submitted a pre-application for funding to the State Department of Housing and Community Development (MA DHCD) on October 27. We plan to use the Brewster CPC funds at construction closing, which would take place in the fall of 2023.

Attached please find the most recent audited financial report for POAH and CDP.

Construction Cost

The team received two construction cost estimates earlier this fall – from Dellbrook and Delphi Construction. Delphi has been providing extensive and thorough estimating work since September 2022 and has provided cost-effective strategies regarding high-performance windows, MEP and HVAC systems, and wall assemblies. The latest cost estimate of \$23,154,000 is approximately equal \$350 per square foot or \$503,000 per unit. See next page for detail.

Infrastructure

The Town of Wellfleet is sponsoring the construction of an on-site septic system that will serve this residential development, the adjacent elementary school, and fire station, with a system more advanced than I/A (Innovative/Alternative). The \$1M Massworks grant referenced above will be used to pay for this town project, and the \$1M cost is reflected in the total development costs as well.

9. Maintenance

POAH Communities, an affiliate of POAH, will be the long-term management agent and operator of the Juniper Hill property, which will be affordable in perpetuity. The operations budget relies on rental income from the residents.

10. Site Control

The current form of site control is a developer designation award letter from the Town of Wellfleet. A ground lease and land disposition agreement will be executed by the end of December 2022. The acquisition price is \$0.



APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING - Town of Brewster Community Preservation Committee December 1, 2022

Date Application Submitted: December 1, 2022

Name of Project Applicant: FORWARD (Friends Or Relatives With Autism & Related Disabilities)

Name of Co-Applicant(s), if applicable:

Name of Contact Person: David Kaplan

Contact Person's Mailing Address: PO Box 1174, S. Dennis, MA 02638

Contact Person's Daytime Phone Number: 508-397-6924

Contact Person's email Address: dkaplan@go-forward.org

Proposed Project Name: Forward at the Rock, **PHASE II**

Project Address (or assessor's parcel ID): 131 Hokum Rock Road, Dennis, MA 02638

Project Synopsis:

The project is new construction of eight affordable and supportive one-bedroom apartments for Cape Codders with autism and related disabilities who can live independently but still need supportive services, health and safety supervision and access to 24-hour emergency response, but do not require a congregate setting with around-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. The building will include a common area for socializing with friends and family, skill training, shared meals and more.

Supportive services will be provided by the Massachusetts Department of Developmental Disabilities (DDS), which will also 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.

The decision to build apartments for supported independent living was based on an assessment of the housing needs of the Cape's developmentally disabled population. Although all forms of housing are needed for these vulnerable and housing insecure members of our community, it was determined that these apartments presented the most immediate need and had the highest likelihood of getting built on a timely basis.

Category: Open Space Historic Preservation Recreation Community Housing

CPA funding requested \$120,000. Total Cost of Proposed Project \$4,325,000.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

PROJECT DESCRIPTION

Please describe your project, answering all of the following questions in the order presented. Applications will be considered incomplete if all requested information is not provided. Include supporting materials (maps, diagrams, photos, etc.). Please number pages of application.

1. Project Description: Describe the proposed project. Is this part of a larger project or an ongoing project?

Project Description

We are building eight new units of extremely affordable housing (<30% of Area Median Income) to help address the acute shortage of appropriate and fully accessible housing for Cape Cod adults with developmental disabilities. Residents will be selected from across the Cape based on their immediate housing vulnerability and need for supportive services, and we anticipate that multiple Community Preservation Committees from across the Cape will contribute to the project funding, as will the County and Commonwealth. We can report that of the current Phase I residents, one comes each comes from Yarmouth, Orleans, Dennis and Sandwich and four are from Barnstable. Although as yet no Brewster resident has been placed, placement is based on need, so Brewster residents likely will be selected in the future.

Each apartment will have one-bedroom and will be fully accessible, barrier-free, and each designed to accommodate one adult with Autism or other developmental disability who does not require on-site 24/7 care, but will require supports and services, assistive technology, and health and safety access. The homes will be built adjacent to Phase I on land already leased to FORWARD by the Town of Dennis. Each apartment will have a small but complete kitchen, a rear deck, direct front entry from the sidewalk, fire suppression system, wheelchair accessible showers, and a washer/dryer. The building will also have a common area for socializing, getting together with friends and family, skill training, shared meals, recreation, workouts, and more. The space will include a television viewing area for sports and movie nights, a kitchenette for life skills training and shared meals, exercise equipment, and a game and ping-pong tables. Detailed plans and additional project information is attached to this application.

As with Phase I (two side-by-side group homes accommodating 8 residents), PHASE II residents will be Department of Developmental Services (DDS) clients and will be selected, placed, supported and served by DDS. Along with project funding, FORWARD anticipates using *Department of Housing and Community Development Project Based Rental Vouchers* for all units. These vouchers will enable those most economically in need to qualify for residence even if they don't have a voucher themselves, and they will also provide sufficient cash flow to pay the project's mortgage, maintain the property, and fund long-term operating and capital reserves to ensure the project's sustainability.

History

This new PHASE II construction will be adjacent to FORWARD at the Rock Phase I, a regional housing project designed to provide lifelong homes for Cape Codders with Profound Autism and other developmental disabilities. Phase I of the project, completed in 2020, consists of two side-by-side group homes each with four residents with profound disabilities. Around-the-clock staffing and services are provided by Cape Abilities in partnership with the state's Department of Developmental Services (DDS), which selected the residents from among its clients served by the Cape Cod DDS area office. FORWARD acted as the developer of the project and owns the buildings which are located on 4.6 acres of town-owned land in Dennis. The

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

building was opened on schedule and on budget and has been fully occupied and operating as planned since opening. Brewster's Community Preservation Committee contributed \$80,000 to construction of Phase I, and that commitment enabled FORWARD to close on its mortgage financing and begin construction.

Please see the attached **Housing Needs Study**, funded under a grant from the Barnstable County Economic Development Council, and conducted by Empower Success Corps, a nonprofit consulting organization for more information about the pressing need for this housing.

Regional Impact

It is important to note that although the Town of Dennis has provided the land and is supporting construction of PHASE II with \$750,000 in grants from its CPC and Affordable Housing Trust, the town gets no preference in resident placement. Instead, DDS selects tenants from its entire pool of Cape Cod clients. Further, for Phase I construction, in addition to \$500,000 from the Dennis CPC, CPCs from Brewster, Barnstable, Yarmouth, Chatham and Mashpee contributed another \$550,000 to the project. This is truly Cape-wide regional housing providing affordable forever homes for some of our most vulnerable and housing-insecure citizens. These benefits are open to all qualifying Cape Codders, including Brewster residents.

Project Readiness

FORWARD is ready to start construction as soon as the needed capital funding is committed. We forecast that funding will be in place in Spring 2023, and construction will commence in late summer of 2023.

Our development team is in place: Housing Assistance Corporation (Development Consultant), Union Studio (Architect), Horsley Witten (Civil Engineers), Gary Barber (Clerk-of-the-Works), as well as a permitting attorney, closing attorney, accountant, CPA, and Building Committee.

Pre-development of the project is well advanced, and we are now entering a phase of development focused on raising the \$4,325,000 needed to complete construction. In October of last year, the Dennis Select Board unanimously approved PHASE II and, as noted above, the Dennis Community Preservation Committee unanimously approved a \$685,000 construction grant, and the Dennis Affordable Housing Trust approved a \$65,000 grant for pre-development costs. This funding represents a 50% increase in the \$500,000 Dennis committed for Phase I construction. In addition, an \$85,000 pre-development grant for FORWARD was included in the just-passed state budget so we have adequate funding for those costs. Finally, our Special Permit has been approved by the planning board, and the project has been approved by the Old King's Highway Historic Committee.

Meets Funding Criteria & Benefits Town of Brewster

Although the project will not contribute to Brewster's Subsidized Inventory, it does add 8 units to the mid-Cape's inventory of extremely low income affordable housing desperately needed across the region. Because residents are selected by the Cape and Islands Area Office of the Department or Developmental Services, located in Hyannis based on need, no town has local preference for residence. Although the

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

project is not designated as a 40B, all resident rents will be subsidized, all residents must have incomes less than 30% of Area Median Income, and no resident will pay more than 30% of that income towards rent.

No single Cape Cod town has the resources to undertake this type of project. The need is clear, but building affordable housing for this special population is expensive and complicated. To be successful, FORWARD needs the support of the Cape community, including the County and local municipalities.

Site, Zoning, Property

The project received zoning approval from the Dennis Planning Board on October 17th, 2022 under the Town's Affordable Housing By-Law. The site is 4.6 acres of Town owned land leased to FORWARD for 99 years. It is in a residential neighborhood, but is bounded by additional town owned land, gravel and sand pits both active and inactive, PHASE I of FORWARD at the Rock, and one house at 151 Hokum Rock Road. The site is sloped north to south, with sandy soil and scrub pines. FORWARD anticipates a temporary construction right of way over adjacent town sand pit land to minimize disruption to the neighbors and the staff and resident of Phase I, and also reduce wear and tear to the existing driveway. Please see the attached supporting documents.

Summary

The population we serve is often not able to advocate on their own behalf, and all too often they are isolated and living in sub-standard conditions. FORWARD is the only organization exclusively devoted to addressing the demand to build lifelong homes for these Cape Codders who need our help. FORWARD at the Rock PHASE II is a regional project that addresses an ongoing crises of housing insecurity.

(See Attached **Housing Needs Study**, funded under a grant from the Barnstable County Economic Development Council, and conducted by Empower Success Corps, a nonprofit consulting organization)

~~**2. For Historic Preservation projects:** Attach proof of listing on the State Register of Historic Places or a letter from the Brewster Historical Commission indicating that the resource has been determined to be significant in the history, archaeology, architecture, or culture of Brewster. Please note that rehabilitation projects must comply with the Secretary of the Interior Standards for Treatment of Historic Properties. **Additional information and analysis will be needed for projects submitted by churches/religious organizations to determine if they comply with the SJC's Caplan vs. Town of Acton decision.** N/A~~

3. CPA Goals/Criteria: Describe how this project accomplishes the goals and objectives of the CPA (refer to the attached general and issue-specific criteria and identify which of these apply to the project).

Increase the supply of year-round affordable rental housing for all types of households, such as young singles and couples, families, and seniors.

The project specifically fits this goal, particularly for young singles and seniors. However, resident will be 22 years or older because that is when DDS clients transition from town provided special education programs into adult DDS services.

Build support for addressing housing needs through partnerships with conservation groups and non-profit and for-profit developers.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

We are a nonprofit developer working with many nonprofit service providers including the Housing Assistance Corporation and Cape Abilities, as well as government agencies including the Department of Developmental services and the Department of Housing and Community Development

Create housing that is affordable and appropriate for very low-income seniors and people with disabilities.

These homes are custom designed for people with developmental disabilities and are fully handicap accessible and can accommodate a wide range physical issues, thus allowing resident to age in place. They are also Extremely Affordable at 30% AMI.

DDS further describes the population in need here

Our goal is to provide housing to Individuals who are eligible with the Department of Developmental Services. Some of these adults are at risk for exploitation as well as could be in recovery from drug/alcohol abuse. DDS is a state agency that also works with transitioning adults from School based services to Adult supports. This includes people previously supported by DCF who meet criteria for an Intellectual Disability or Autism Spectrum Disorder. DDS would assist in prioritizing who is to receive an apartment and adults who are homeless or deemed at risk for homelessness would be given priority. The goal is to provide permanent stable housing to adults with ID/DD on Cape Cod.

Ensure long term affordability.

The affordability of this housing is permanently restricted through our ground lease with the Town of Dennis, and through various covenants already entered into with the Massachusetts Department of Housing and Community Development, Dennis, and other towns including Brewster.

Commit to a resident selection process that promotes diversity and does not include a local preference

All tenants will have developmental disabilities, and may also have other diverse attributes. There is no local preference for any town, including Dennis. Residents are selected by DDS from across the Cape based on need.

Goals Not Directly Addressed

Although the project does not directly address the following three Brewster specific criteria, it does advance those goals in the immediate area, and adds to the region's housing stock, particularly Extremely Affordable (<30% AMI) housing.

Increase local capacity to plan, advocate for, and create affordable housing, preserve the affordability and condition of existing affordable units, and monitor affordable housing restrictions.

Increase the variety of mixed-income housing choices in Brewster, particularly in or near commercial areas in order to support Brewster's economy and accommodate household growth.

Provide at least 10% of Brewster's year-round housing units as affordable housing in order to meet local and regional needs.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

In addition, the project also is directly responsive to the Brewster Community Preservation Committee's top Community Housing Goal articulated in the *Town Of Brewster Community Preservation Plan, FY23-FY27*:

“1. Create community housing, including affordable housing, that will address documented local and regional housing needs including, but not limited to, affordable year-round senior housing options, year-round rental housing and housing assistance for low-income families and seniors, and housing for residents with special needs, such as Veterans.”

4. Community Benefits: *What are the community benefits of the project?*

Following the opening of Phase I, FORWARD began the process of determining what housing type and configuration would be best to complete the organization's commitment to build 16 total bedrooms at the Hokum Rock site. FORWARD secured a grant from the Barnstable County Economic Development Committee to form a Task Force and commission a Market Study (attached) to determine what type and form supportive housing was needed. Empower Success Corps, a Boston nonprofit consulting group, was engaged to produce the analysis with information gathered from existing sources, surveys and interviews with stakeholders including service providers, parents, housing and other government agencies, schools and others, and additional data sources. The Task Force, consisting of various representatives of those groups, considered other factors for decision making such as the post-Covid economic and funding environment, and the capacity of the Department of Developmental Services to fund various support models including group homes and apartments for independent living. The group considered the findings of the Market Analysis, additional data supplied by the UMass Donahue Institute, and discussions with the Department of Department of Developmental Services, the Dennis Town Planner and others. Ultimately, the group reached consensus that 8 one-bedroom apartments for independent living to accommodate developmentally disabled adults who do not require a congregate setting with around-the-clock on-site staffing, but do still need supportive services, health and safety supervision and access to 24-hour emergency response.

The FORWARD Board of Directors approved that decision in late 2021, and on October 18th, 2021 the Dennis Select Board approved the decision. Pre-Developmental planning for FORWARD at the Rock PHASE II then immediately began. and on October 17, 2022 the project received zoning approval from the Dennis Planning Board.

5. Community Support: *What is the nature and level of support for this project? Include letters of support and any petitions.*

We have benefitted from overwhelming community support, both from Dennis and from across the Cape, as the attached Letters of Support attest. You will note that these letters come parents, government representatives and service providers from across the Cape. We have encountered no NIMBYism, and have the full support of the broader community. For example, we would point to your past support of Phase 1 construction, as well as hundreds of volunteers, and our recent fundraising event which attracted 170

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

attendees, over 25 sponsors and more than 60 donors. Our recent \$685,000 grant from the Dennis CPC was passed unanimously by the Committee, and subsequently passed unanimously by the Select Board, Finance Committee and Town Meeting.

6. Timeline: *What is the schedule for project implementation, including a timeline for all milestones? Please identify any special timing considerations for the project's implementation. If this is part of a larger project, is it phased? What is the timeline for the entire project?*

Our goal is to complete the project in late summer, 2024. Engineering and design have been done, and the project has received zoning approval. The only major hurdle remaining is to raise the funding needed to get construction started. Here is the anticipated timeline:

- Completed: Pre-Development Design and Engineering
- Completed: Dennis Select Board Approval
- Completed: Application for Planning Board Approval
- Completed: Zoning Approval – Special Permit
- December 1, 2022: All Capital Funding Applications Submitted
- February 1, 2023: Bid Package Sent to General Contractors
- April 1, 2023: Contractor Selected
- May 1, 2023: Building Permit Application Filed
- May 30, 2023: Capital Fundraising Complete
- June 1, 2023: Closing on Financing Commences
- July 30, 2023: Financing Closed
- August 15, 2023: SITE WORK COMMENCES
- October 15, 2023: Foundations Complete
- November 15, 2023: Exterior Framing & Sheathing Complete
- December 15, 2023: Roofing & Exterior Windows & Doors Complete
- December 30, 2023: Rough HVAC, Plumbing, Electric Complete
- January 15, 2024: Exterior Trim & Siding Complete
- December 15, 2023: Roofing & Exterior
- January 30, 2024: Interior Framing Complete
- February 30, 2024: Insulation, Drywall Complete
- April 15, 2024: Interior Trim Complete
- May 1, 2023: Building Permit Application Filed
- May 30, 2023: Capital Fundraising Complete
- June 1, 2023: Closing on Financing Commences
- July 30, 2023: Financing Closed
- August 15, 2023: SITE WORK COMMENCES
- October 15, 2023: Foundations Complete
- November 15, 2023: Exterior Framing & Sheathing Complete
- December 15, 2023: Roofing & Exterior Windows & Doors Complete

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING
Town of Brewster Community Preservation Committee, December 1st, 2022

- December 30, 2023: Rough HVAC, Plumbing, Electric Complete
- January 15, 2024: Exterior Trim & Siding Complete
- January 30, 2024: Interior Framing Complete
- February 30, 2024: Insulation, Drywall Complete
- April 15, 2024: Interior Trim Complete
- May 15, 2024: Flooring and Cabinetry Complete
- June 15, 2024: Painting, HVAC, Plumbing & Electrical Complete
- July 30, 2024: Occupancy Permit Issued
- August 1, 2024: DDS Compliance Completed
- August 15, 2024: OPEN FOR RESIDENTS

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

7. Credentials: *What are the qualifications and relevant experience of those undertaking the project?*

Please see the attached document, **FORWARD Governance, Operations, & Timeline** for FORWARD's credentials and background.

As previously noted, our development team is in place:

- Housing Assistance Corporation (Development Consultant),
- Union Studio (Architect),
- Horsley Witten (Civil Engineers),
- Gary Barber (Clerk-of-the-Works),
- Permitting Attorney (Singer & Singer),
- Closing Attorney (Ahment Klauer),
- Accountant (Glivinski Associates),
- CPA (Sanders, Walsh & Eaton)
- Building Committee

8. Budget/Need for Public Funds: *What is the total budget (sources of funds and uses/expenses) for the project and schedule for expenditure of CPA funds? All sources of funds and expenses must be clearly identified. Provide the basis for cost estimates whenever possible. (Note: CPA funds may not be used for maintenance.) If this is part of a larger project, what is the budget for the entire project (sources of funds and expenses/uses)? Clearly identify what additional funding sources are available, committed, or under consideration and why public funding would be appropriate. Include copies of commitment letters, if available, and describe any other attempts to secure funding for this project.*

Total cost of the project is projected at \$4,325,000.00. Sources and uses are outlined below, and more detailed sources of funds and expenses/uses is attached in the Financial Information Section.

Funding Details

A detailed development budget is attached to this application. The project has no land cost because the land is already leased from the Town of Dennis at \$1.00 per year, with rent paid up for 99 years. In addition to the current \$835,000 in funding detailed below, we have applied for \$1.5 million in state funding in response to a July 20 DHCD Notice of Funding Availability for Supportive Housing, \$180,000 from the Yarmouth CPC, and will be applying for \$250,000+ in County ARPA funding, as well as funding from other CPCs including Barnstable, Harwich, Orleans, Sandwich, Mashpee, and Sandwich, with the final balance of funds coming from an institutional mortgage lender and our own Owner's Equity.

Because PHASE II is projected to cost about 50% more than PHASE I due to increased square footage, a different configuration and increased per foot construction costs, we are requesting \$120,000 from the Brewster CPC, about 2.8% of the total project cost.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING
Town of Brewster Community Preservation Committee, December 1st, 2022

Any dollars granted from Brewster Community Development funds will be designated for construction costs, which will be closely monitored by DHCD, DDS, the institutional lender, and a 3rd party architect representing their interests.

Sources Summary:

Source	Date Applied	Amount Requested	Status	Estimated Award Date
Dennis CPC	6/6/2022	\$685,000	Complete	Awarded
Dennis Affordable Housing Trust		\$65,000	Complete	Awarded
State Funding Earmark	8/18/2022	\$85,000	Complete	Awarded
State Funding - DHCD	10/26/2022	\$1,500,000.00	Submitted	Spring, 2023
Yarmouth CPC	10/26/2022	\$180,000.00	Submitted	Spring, 2023
Brewster CPC	12/1/2022	\$120,000.00	Submitted	Spring, 2013
Barnstable CPC	Rolling	\$375,000.00	TBD	Spring, 2023
Other CPCs	Various	\$265,000.00	TBD	Various
Mortgage	TBD	\$600,000.00	Estimate	At Closing
Owner Equity	TBD	\$200,000.00	Estimate	At Closing
Barnstable County ARPA	TBD	\$250,000.00	TBD	TBD
TOTAL		4,325,000.00		

Expense Details:

Construction cost estimates are based on the actual final costs of Phase 1, modified to account for market changes that have occurred since that construction. HAC has provided input on construction pricing and soft costs based on their actual costs and bid pricing from their more recent affordable housing projects. The budget assumes a total development cost of \$4,325,000.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING
Town of Brewster Community Preservation Committee, December 1st, 2022

Long-term property management will be carried out by the Dennis Housing Authority. Operating costs assumptions are based on input from Housing Assistance Corporation based on similar-sized projects in the region with third-party management.

Fundraising is expected to be completed by late winter/early spring 2023, with financial closing in late spring/early summer 2023, and construction beginning in late summer/early fall, with construction completion in late spring/early summer 2024.

Uses Summary:

Description	Cost
Structural Hard Costs	\$1,921,374.00
Site Work Hard Costs	\$558,750.00
General Conditions & Permitting	\$173,080.00
Construction Contingency	\$296,871.00
Construction Soft Costs	\$419,819.00
Overheads, Fees & Reserves	\$569,604.00
Land Acquisition	\$0.00
TOTAL	\$ 4,325,000.00

Provide the most recent audited financial report or if none available, an applicant generated financial report that includes a balance sheet and operating budget. Town-sponsored projects must demonstrate why the project cannot be funded through the Department's or Committee's budget.

Financial Information

We have attached our most recent CPA Financial Review from the Fiscal Year ended June 20, 2021. We are currently going through the review for the year ended June 30, 2022.

We have attached the P&L and Balance Sheet for the year, as well as our Year-to-Date statement for July 1, 2022 to October 31, 2022.

APPLICATION FOR COMMUNITY PRESERVATION ACT FUNDING

Town of Brewster Community Preservation Committee, December 1st, 2022

9. Maintenance: *If ongoing maintenance is required for your project, who will be responsible for maintenance and how will it be funded?*

FORWARD will be responsible for all maintenance and capital repairs. Maintenance will be funded from cash flow from rents, and will be outsourced to a third-party property manager such as Cape Associates, Inc. FORWARD will also maintain a Capital Reserve Fund to cover any unanticipated capital expenses. However, repair and replacement costs should be minimal since this will be new construction overseen by the FORWARD Clerk-of-the-Works, the FORWARD architect, the lender's architect and the FORWARD Building Committee, and warranted by the General Contractor for one year. FORWARD will also maintain service contracts and warranties for all building systems.

10. Site Control and Appraisal: *If the project involves acquisition of real property, provide evidence of site control (deed, purchase and sale, option, etc.). In addition, provide an appraisal of the property's value by a state licensed appraiser using customary appraising techniques. The CPA does not allow funding for acquisitions if the acquisition price is greater than appraised value.*

FORWARD has site control through a 99-Year Ground Lease with the landowner, the Town of Dennis. The rent is \$1.00 per year and is fully paid through the year 2118. Please see the attached lease and other supporting documentation.

The following document packages are attached to this application:

- PHASE II Design & Engineering
- Housing Needs Study
- Site Information
- Letters of Support
- FORWARD Organization Information
- Organization and Project Financial Information and Budgets



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

Office of:
Board of Selectmen
Town Administrator

Faythe Ellis, Chair
Brewster Community Preservation Committee (CPC)
Brewster Town Offices
2198 Main Street
Brewster, MA 02631

January 20, 2023


Re: Housing Partnership Vote in Support of CPA Funding Allocation to Supplement Cost of
Brewster Housing Coordinator Position(s)

Dear Ms. Ellis and Esteemed Committee Members;

On January 19, 2023, the Partnership received a presentation by Assistant Town Administrator Donna Kalinick outlining the application for continued and increased allocation of CPA funds to cover the cost of staffing the Town's Housing operations with one 30-hour/week Housing Coordinator. The Partnership's vote was unanimous in its support of this request and we heartily recommend the Committee endorse the request and forward an article to the May 2023 Annual Town Meeting for approval.

Over the past 5 years, Brewster has attained the status of "Safe Harbor" not once, but twice! That means that Brewster's progress toward the development of Affordable Housing was consistent with the State's minimal annual goals, and could, if locally requested, suspend its Chapter 40 B mandate for large projects that exceed our local capacity. The Town's pro-active approach has ensured that our Affordable Housing has been locally controlled and carefully planned, with the deep involvement of knowledgeable staff and carefully selected partners, for harmonious integration and optimal impact. This has been an extraordinary feat, requiring extensive effort and complicated coordination. Brewster is blessed with staff and citizens who are working hard and making exemplary progress towards maintaining the quality of life for all.

Despite all this effective work, we, like the whole Nation, still have a significant segment of our population who do not have safe and secure housing. We need our Housing Coordinator and we need to expand our housing and housing-support services even more, to prevent degradation, decline and suffering. Every day, the Coordinator receives urgent calls from people in dire need. The Partnership commends the CPC's expanded 30% allocation goal towards local affordable housing initiatives, and hopes that together, with the help of our devoted staff, we can continue to advance thoughtful, harmonious development, while carefully preserving our uniquely valuable environment. Thank you for your consideration.

Sincerely,

Jillian Douglass, Vice Chair, Brewster Housing Partnership
Cc: Brewster Select Board



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

Office of:
Board of Selectmen
Town Administrator

Faythe Ellis, Chair
Brewster Community Preservation Committee
Brewster Town Offices
2198 Main Street
Brewster, MA 02631

January 20, 2023


Re: Housing Partnership Vote in Support of HACs request for \$50,000 in CPA funds for the construction of 14 units of Affordable Housing at 107 Main Street in Orleans

Dear Ms. Ellis & Esteemed Committee Members;

On Thursday January 19, 2023, the Brewster Housing Partnership reviewed an application from the Housing Assistance Corporation (HAC) requesting \$50,000.00 of CPA Affordable Housing funds to construct fourteen (14) Affordable rental apartments at 107 Main Street in Orleans. Members received a presentation by David Quinn, outlining the proposal to demolish the existing structure and replace it with nine (9) one-bedroom, four (4) two-bedroom and one (1) three-bedroom unit, all for rent to households earning no more than 80% of Area Median Income (AMI). This project has been permitted as a MGL Ch 40B Comprehensive Permit and includes the installation of an Alternative septic system and energy efficient design. Preservation of Affordable Housing (POAH) is the proposed property management entity.

Despite the concerted efforts of each of the Lower Cape Towns, the need for deeply Affordable rental housing for populations with disabilities remains critical. In recognition that the scope and scale of the Affordable housing crisis on Cape Cod exceeds the capacities of any single jurisdiction, Lower Cape Towns have already successfully joined forces and pooled CPA resources to ensure that Affordable housing units continue to be constructed on the Lower Cape. In addition to Brewster and Orleans, HAC is requesting funds from Harwich, Chatham, Eastham and Wellfleet, as construct costs have escalated to over \$540/square foot. Orleans is considering offering a local preference to initial applicants within the Nauset Regional School District.

The Housing Partnership unanimously endorses HAC's proposal, along with the allocation of up to \$50,000.00 of CPA funds towards it. We hope that the Town of Brewster will, too.

Sincerely,

Jillian Douglass, Vice Chair
Brewster Housing Partnership
Cc: Brewster Select Board



Brewster Housing Partnership
2198 Main Street
Brewster, MA 02631-1898
Phone: (508) 896-3701
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Office of:
Board of Selectmen
Town Administrator

Faythe Ellis, Chair
Brewster Community Preservation Committee
Brewster Town Offices
2198 Main Street
Brewster, MA 02631

January 20, 2023

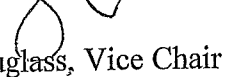
Re: Housing Partnership Vote in Support of FORWARD's Phase 2 request for \$120,000 in CPA funds for the addition of 8 units of Affordable Housing at 131 Hokum Rock Road in Dennis

Dear Ms. Ellis & Esteemed Committee Members;

On Thursday January 19, 2023, the Brewster Housing Partnership reviewed an application from Friends Or Relatives With Autism or Related Disabilities (FORWARD) requesting \$120,000.00 of CPA Affordable Housing funds to construct eight (8) fully accessible, one-bedroom Low-Income Affordable apartments at 131 Hokum Rock Road in Dennis. Members received a presentation by David Kaplan and Kathy Ohman, outlining the proposal to expand their already successful Affordable apartment complex, by adding eight (8) more deed-restricted, year-round rental housing units with around-the-clock support services affordable to adults with Autism-related disabilities. The new units, like the existing eight (8) units, will provide a total of sixteen (16) clients of the Massachusetts Department of Developmental Services (DDS), typically earning 30% of AMI, safe and secure housing on this site, with "24/7" access to support services for independent living, in a caring and supportive neighborhood.

Despite the concerted efforts of each of the Lower Cape Towns, the need for deeply Affordable rental housing for populations with disabilities remains critical. In recognition that the scope and scale of the Affordable housing crisis on Cape Cod exceeds the capacities of any single jurisdiction, Lower Cape Towns have already successfully joined forces and pooled CPA resources to ensure that Affordable housing units continue to be constructed on the Lower Cape. In addition to Brewster and Dennis, FORWARD is requesting funds from Yarmouth, Sandwich, Barnstable and the County, and has received an "earmark" of \$85,000 in pre-development funds within the State FY 2024 budget.

The Housing Partnership unanimously endorses FORWARD's proposal, along with the allocation of up to \$120,000.00 of CPA funds towards it. We hope that FORWARD will be able to continue its success, creating more affordable supportive housing for vulnerable individuals, and we hope that the Town of Brewster will, too.

Sincerely,

Jillian Douglass, Vice Chair
Brewster Housing Partnership
Cc: Brewster Select Board



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

Office of:
Board of Selectmen
Town Administrator

Faythe Ellis, Chair
Brewster Community Preservation Committee
Brewster Town Offices
2198 Main Street
Brewster, MA 02631

January 20, 2023

Re: Housing Partnership Vote in Support of POAH/CDP's request for \$100,000 in CPA funds for Development of 46 units of Affordable Housing at 95 Lawrence Road, Wellfleet

Dear Ms. Ellis & Esteemed Committee Members;

On Thursday January 19, 2023, the Brewster Housing Partnership reviewed an application from Preservation of Affordable Housing (POAH) and Community Development Partnership's (CDP) requesting \$100,000.00 of CPA Affordable Housing funds to develop a 9-acre Town-owned parcel at 95 Lawrence Road in Wellfleet. Members received a presentation by Jay Coburn and Vita Shklovsky of CDP and POAH (respectively) outlining the proposal to produce twenty-two (22) two-bedroom and three-bedroom town houses and twenty-four (24) one- and two-bedroom units in a single multi-family structure. Thirty-five (35) of the forty-six (46) deed-restricted year-round rental housing units will be affordable to families earning no more than 80% of Average Median Income. Fifteen (15) of those units are expected to be maintained as affordable to "very low income" households, earning no more than 50% of AMI. Eleven (11) of the total units will be "workforce" units, affordable to renters earning up to 120% of AMI.

Despite the concerted efforts of each of the Lower Cape Towns, the need for Affordable rental housing in our region and across the Cape remains critical. As our region gears-up for the 2023 Season, new hiring is thwarted, as applicants continue to struggle finding Affordable units. In recognition that the scope and scale of the Affordable housing crisis on Cape Cod exceeds the capacities of any single jurisdiction, Lower Cape Towns have already successfully joined forces and pooled CPA resources to ensure that Affordable housing units continue to be constructed on the Lower Cape. In addition to Brewster and Wellfleet, this project is requesting CPA funds from Provincetown and Orleans.

The Partnership unanimously endorses the Wellfleet proposal along with the allocation of up to \$100,000.00 of CPA funds towards it. We hope that the Town of Brewster will too.

Sincerely,

Jillian Douglass, Vice Chair
Brewster Housing Partnership
Cc: Brewster Select Board

PETITION FOR INSERTION OF THE FOLLOWING ARTICLE IN THE WARRANT FOR THE TOWN MEETING OF Brewster

DATE and TIME received

BREWSTER TOWN CLERK
23 FEB 6 2024

TOWN:

We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the Town Meeting of Brewster.

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 purposes of this Bylaw.

"Plastic" is defined as any type of plastic resin, which may contain recycled material, 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 Users" means all persons, societies, associations, organizations, or special event promoters who require a 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 provision 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 inspection to be no longer be required.

INSTRUCTIONS TO SIGNERS

For your signature to be valid, you must be a registered voter in the town named above and your signature should be written substantially as registered.

If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

SIGNER'S STATEMENT

We, the undersigned, are qualified voters of the Town of Brewster and in accordance with the provisions of law request the above article be inserted in the warrant for the ~~ANNUAL~~ ^{ANNUAL} Town Meeting of Brewster.

SIGNER INFORMATION

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
1	<input checked="" type="checkbox"/>	<i>Armenta Meriz</i>	441 W. Gate Rd.	
2	<input checked="" type="checkbox"/>	<i>Armando</i> ARMANDO	64 Crescent Lane	

ATTENTION VOTERS: Before signing, read signer information on other side.

___Brewster___
TOWN

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT		PRECINCT
		(street, number and apartment number, if any) (city or town will be the same as stated above)		
3	<input checked="" type="checkbox"/> <i>Thomas O'Brien</i>	<i>41</i>	<i>Locust Lane</i>	
4	<input checked="" type="checkbox"/> <i>Katherine Budresh</i>	<i>157</i>	<i>Sheep Rd Droye</i>	
5	<input checked="" type="checkbox"/> <i>Don Pan</i>	<i>72</i>	<i>Griffiths Pond Rd</i>	
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WARNING – criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
- Check thus against the name of each qualified voter to be certified. For names not certified use the code at the right.
- Draw a line through any blank spaces not containing signatures.
- Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
- For names not certified use the code to the right.

N –No such registered voter at that address

S – unable to identify signature or address as that of voter because of form of signature or address

T – already signed this petition

REGISTRAR INFORMATION

CERTIFICATION OF NAMES

Brewster 2/6
town month and day

At least three registrars names must be signed or stamped below.

William Williams

We certify that 5
number of names use numbers and words

above signatures checked thus are the names of qualified voters from this town.

Registrars of voters or
Election commissioners of _____
town

PETITION FOR INSERTION OF THE FOLLOWING ARTICLE IN THE WARRANT FOR THE TOWN MEETING OF Brewster

DATE and TIME received

BREWSTER TOWN CLERK

23 FEB 5 2:20PM

TOWN:

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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.

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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.

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"Plastic" is defined as any type of plastic resin, which may contain recycled material, 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.

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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 provision 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 inspection to be no longer be required.

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If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

SIGNER'S STATEMENT

We, the undersigned, are qualified voters of the Town of Brewster and in accordance with the provisions of law request the above article be inserted in the warrant for the ~~Special~~^{ANNUAL} Town Meeting of Brewster.

SIGNER INFORMATION

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
1	<input checked="" type="checkbox"/>	<i>[Signature]</i>	35 Aunt Molls Ridge Rd	
2	<input checked="" type="checkbox"/>	<i>Madhan Venkatesan</i>	59 Trevor Lane, Brewster	

ATTENTION VOTERS: Before signing, read signer information on other side.

___ Brewster ___
TOWN

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT		PRECINCT
		(street, number and apartment number, if any) (city or town will be the same as stated above)		
3	<input checked="" type="checkbox"/> <i>Caroline Saulgin</i>	<i>Maplewood, Brewster, MA</i>		
4	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>441 West Gate Rd Brewster</i>		
5	<input checked="" type="checkbox"/> <i>Octavia Ossola</i>	<i>244 Paines Creek</i>		
6	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>244 Paines Creek Rd</i>		
7	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>40 Cranes Lane, Brewster</i>		
8	<input checked="" type="checkbox"/> <i>Donna Mercaldi</i>	<i>100 Frederic Court Brewster</i>		
9	<input checked="" type="checkbox"/> <i>Liz Libby</i>	<i>27 Pond St. Brewster</i>		1
10	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>2314 MAIN ST. Brewster</i>		
11	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>110 Court way, Brewster, MA</i>		
12	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>38 BLACKBERRY LANE, BREWSTER, MA</i>		
13	<input checked="" type="checkbox"/> <i>[Signature]</i>	<i>38 Blackberry Ln. Brewster, MA</i>		
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25				

WARNING – criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
 - Check this against the name of each qualified voter to be certified. For names not certified use the code at the right.
 - Draw a line through any blank spaces not containing signatures.
 - Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
 - For names not certified use the code to the right.
- N – No such registered voter at that address
S – unable to identify signature or address as that of voter because of form of signature or address
T – already signed this petition

CERTIFICATION OF NAMES

Brewster 2/16
town month and day

At least three registrars names must be signed or stamped below.

Courtney Williams

We certify that 11 eleven
number of names use numbers and words

above signatures checked this are the names of qualified voters from this town.

Registrars of voters or
Election commissioners of _____
town

Plastic Reduction Initiative

Spring 2023

Brewster Select Board Meeting

Single-use plastic is a local, national, and global issue

A study published in the journal *Nature Sustainability*, analyzed 12 million pieces of litter collected from oceans and rivers, shorelines, the sea floor, and open waters. **Researchers found that 80% of items were plastic, and nearly half (44%) 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.

Plastic kills 1 million sea birds and over 1 million marine mammals each year and comprises **80% of beach trash** on Cape Cod.

“The economic costs of plastic pollution affecting tourism, fisheries and shipping sectors are estimated to be at least \$8 billion annually.” – 2019 finding

Single-use plastic problem

Takeaway boxes and containers make up a considerable part of municipal solid waste, with nearly 30% of the total generation as recently as 2018—this percent is projected to be greater given the impact of Covid-19.

Nearly one-third of greenhouse gas emissions come from takeaway food containers.

Plastic and Styrofoam takeaway containers are destructive to the environment, filling landfills with their chemicals, including petroleum and natural gas.



The life cycle of single-use plastic adversely impacts human and environmental health from production to consumption to disposal. Specific to **take-out containers**, they 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. At disposal, plastic does not biodegrade.

Plastic affects health and environmental well-being

Plastic is a human and environmental health hazard.

Plastics can contain thousands of possible additives, and manufacturers are not required to disclose what their recipes are. Any plastic can leach, depending on the conditions (light, heat) and what additives it includes. 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.

Plastic recycling is not a solution

Most single-use plastic is not recycled. The plastics industry rarely uses recycled plastics in the vast majority of their products, unlike the glass and metal industries.

The recycling arrows stamped on plastic products and the cities that collect every type of plastic via their recycling programs, lead people to believe that all plastic products are recyclable and being recycled, and **that's simply not true.** In fact, for the small proportion of plastic that is recycled, it is typically turned into only one other product, which will most likely be landfilled at the end of its life.



PLANET PLASTIC

Rationale

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.

Proposed by- law

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.

Effective Date

This Bylaw shall take effect on September 1, 2024.

Proposed by-law (continued)

Administration and Enforcement

This Bylaw is enforced by the Town Manager, or any committee appointed by them. Any Food Establishment or Town Facility User which violates any provision 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 Manager deems the inspection to be no longer be required.

Thank you!



Town of Brewster

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

Office of:
Select Board
Town Manager

MEMORANDUM

TO: Select Board
FROM: Peter Lombardi, Manager
RE: Citizens Petition Articles Seeking to Require Town Meeting Approval of All Projects Over \$100k and to Require Expanded Disclosure of Anonymous Gifts Accepted by the Select Board
DATE: March 10, 2023

The Town was not consulted in drafting these petitions. After review, town counsel has opined that they are both flawed since they seek to allow the legislative body to restrict the executive body in exercising its statutory authority. As such, both articles would be advisory in nature. It is unfortunate that the petitioners have failed to avail themselves of our standing offer to residents to access legal guidance from town counsel in drafting citizens petitions to ensure they are in proper legal form. The petitioner has also declined to present these articles to the Select Board and Finance Committee.

Regarding the article that seeks to create a new Article 42-2 in the Town's general bylaws, it is important to note that Chapter 12-25B(3) of our general bylaws and Chapter 6-4-4 both require the Select Board to prepare and submit a summary of the Town's 5-Year Capital Improvement Plan (CIP) identifying all projects that exceed \$100k regardless of their funding source. This CIP summary is included in the Annual Town Meeting warrant each spring. The Town bylaws and charter also outline specific responsibilities, timelines, and processes related to capital planning. The Finance Team makes regular public presentations to the Select Board and Finance Committee regarding our capital needs and plan. Further, as you know, the Town has launched an online platform that identifies all anticipated capital expenditures for the next five years. Practically speaking, if this article were to be enforceable, the Town would not be able to access significant funding opportunities, through grants or other appropriations, without Town Meeting approval, including, for example, MassWorks, ARPA, Chapter 90, insurance proceeds, etc.

We, the undersigned registered voters of the Town of Brewster, pursuant to G.L. c. 39 sec. 10, requests the Select Board include the following Articles in the May, 2023 Brewster Annual Town Meeting:

1. To see if the Town will 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.”

EXPLANATION—Land under the care and custody of the Town may presently be 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.

2. 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 acceptance of such anonymous 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 the 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.

EXPLANATION—The proposed development of a Boardwalk to Wing Island was driven by an anonymous grant to the Brewster Conservation Trust, which it in turn was pledging 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 action 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.

NAME (Sign and PRINT)

ADDRESS

Melissa M. Condit

✓ 1 ~~Melissa Condit~~

65 Pine Hill Dr.

✓ 2 D. Jason Condit

65 Pine Hill Dr.

✓ 3 Eblin Swan

1379 MAID ST

✓ 4 Kenneth Swan

1379 MAID ST

✓ 5 Brenda Locke

833 MAIN ST

✓ 6 John Depuy

833 MAIN ST.

✓ 7 Leo Thibault

415 FOSTER Rd.

✓ 8 Pamela Gage

29 GAGE S WAY

✓ 9 Ann Cary Noyes

34 Russet Rd

✓ 10 Kevin McCaffrey

307 Yankee Dr

✓ 11 Mary O'Neil

15 Eagle Wing Rd.

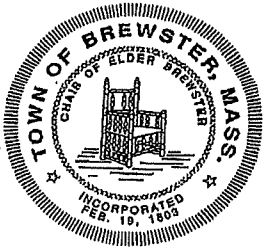
✓ 12 Michelle Moor

949 Long Pond Road

13

14

12



Town of Brewster

2198 Main Street
BREWSTER, MASSACHUSETTS 02631

(508) 896-4506 – Fax (508) 896-8089

OFFICE OF:
TOWN CLERK

Receipt for a Petition filed in the Town Clerk's Office

Received from: Brenda Locke Name Phone Number: 781 254 0753

Summary: ~~Amend~~ Adding Article 42-2 Amend 42-1

	# of signatures submitted	# of signatures certified		# of signatures submitted	# of signatures certified		# of signatures submitted	# of signatures certified		# of signatures submitted	# of signatures certified
1	12		6		11			16			
2			7		12			17			
3			8		13			18			
4			9		14			19			
5			10		15			20			

Collette Miller
Town Clerk/Registrar

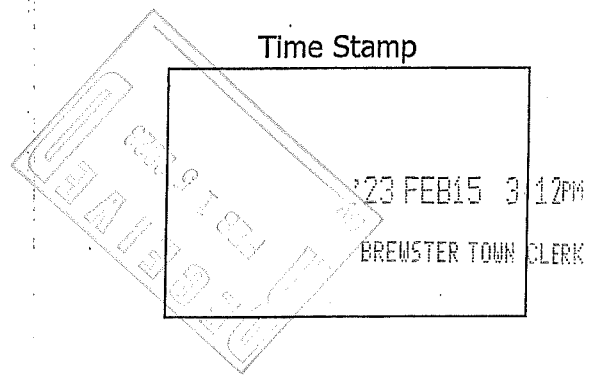
When signatures have been certified please:

_____ call me at: _____

_____ I will call you _____

Picked up on: _____

By whom: _____



PLEASE REMEMBER TO BRING YOUR RECEIPT WITH YOU TO PICK UP YOUR PAPERS



Town of Brewster

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

Office of:
Select Board
Town Manager

MEMORANDUM

TO: Select Board
FROM: Peter Lombardi, Town Manager
RE: Updated List of Warrant Articles for Spring 2023 Town Meeting
DATE: March 10, 2023

Here is an updated summary of the articles planned for inclusion on the Spring 2023 Town Meeting warrants:

Special Town Meeting

1. Outstanding Obligations
2. Budgetary Transfers
3. Free Cash Appropriations

Annual Town Meeting

1. FY24 Cape Cod Regional Technical High School Operating Budget
2. FY24 Brewster Elementary School Operating Budget
3. FY24 Brewster Elementary School Operating Override
4. FY24 Nauset Regional Schools Operating Budget
5. FY24 Nauset Regional Schools Operating Override
6. FY24 Town Operating Budget (General Fund)
7. FY24 Water Enterprise Fund Budget
8. FY24 Golf Enterprise Fund Budget
9. Community Preservation Act article (including standard reserve amounts)
10. Capital and Special Project Expenditures
11. Special Revenue Fund: Cable Franchise Fee
12. Town Bylaw Amendment §21-8: Creation of New Community Garden & Wetlands Protection Revolving Funds
13. Fire Union Collective Bargaining Agreement
14. Police Patrol Officer Collective Bargaining Agreement
15. Police Superior Officer Collective Bargaining Agreement
16. Police Dispatcher Collective Bargaining Agreement
17. Ladies Library Collective Bargaining Agreement
18. SEIU Collective Bargaining Agreement
19. OPEIU Collective Bargaining Agreement
20. Non-Union Personnel Wage Funding

21. Home Rule Petition: Transfer of Care, Custody, and Control and Change of Uses of Wing Island and/or Authorization to Place Conservation Restriction Subject to Future Town Meeting Approval
22. Town Bylaw Amendment §12-37: Disband Building Needs & Assessment Committee
23. New Town Bylaw: Prohibition on Sale of Nips
24. Citizens Petition: Plastic Food Containers & Utensils Ban
25. Citizens Petition: Town Meeting Approval of \$100+k Projects
26. Citizens Petition: Conditions of Select Board Acceptance of Anonymous Gifts
27. Placeholder: Great Fields Road Release of Easement

For Your Information (FYIs)
Agenda Item #21

1. Cape Cod Bridges Program Public Information Meeting
2. Cape Cod Regional Transit Authority Brewster Town Report, Calendar Year 2022
3. FY21 Brewster Community Development Block Grant Program Monthly Update



PUBLIC INFORMATION MEETING

Cape Cod Bridges Program

What is happening?

A live virtual public information meeting will be hosted on Zoom to provide updates on the Cape Cod Bridges Program. MassDOT will present on the status of the Program, interchange alternatives for the Sagamore Bridge, and next steps. There will be an opportunity for public comments and questions following the formal presentation. Public input will be reviewed and considered to the maximum extent possible.

How will this affect you?

This Program will include the replacement of the Bourne and Sagamore bridges, provide new connections to the local roadway network and improve multimodal accommodations within the Cape Cod Canal area.

When

Wednesday, March 29th, 2023
6:00 PM EST

Attend

www.mass.gov/massdot-highway-design-public-hearings



Visit www.mass.gov/cape-bridges for more information.



This meeting is accessible to people with disabilities and those with limited English proficiency. MassDOT provides reasonable accommodations and/or language assistance free of charge upon request, as appropriate. To request accommodation or language assistance, please contact MassDOT's Chief Diversity and Civil Rights Officer by phone (857) 368-8580, fax (857) 368-0602, relay 7-1-1, or by email to MassDOT.CivilRights@dot.state.ma.us. Requests should be made as soon as possible prior to the meeting, and for more difficult to arrange services including sign-language, CART or language translation or interpretation, requests should be made at least ten business days before the meeting.

Project inquiries may also be emailed to MassDOTMajorProjects@dot.state.ma.us. Please submit any written statements regarding the proposed undertaking to: **Carrie A. Lavalley, P.E., Chief Engineer, MassDOT, 10 Park Plaza, Boston, MA 02116, Attention: Highway Division, PROJECT FILE NO. 608020**



REUNIÃO DE INFORMAÇÕES PÚBLICAS

Programa de Pontes de Cape Cod

O que está acontecendo?

Uma reunião de informação pública será sediada ao vivo e virtualmente via Zoom para apresentar atualizações sobre o andamento do Programa das Pontes de Cape Cod. O MassDOT apresentará sobre o andamento do Programa, alternativas permutáveis para a Ponte de Sagamore, e as próximas etapas. Haverá uma oportunidade para comentários e perguntas do público após a apresentação formal. As opiniões do público serão analisadas e consideradas na medida do possível.

Como isso afetará você?

O Programa incluirá a substituição das pontes Bourne e Sagamore, o que proverá novas conexões para ruas locais da rede de transporte e com isso melhorar o transporte intermodal na área do canal de Cape Cod.

Quando

Quarta-feira, 29 de março de 2023
Às 18h EST

Participe

www.mass.gov/massdot-highway-design-public-hearings



Note que essa reunião será transcrita por um datilógrafo.

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Esta reunião é acessível a pessoas com deficiência e com proficiência limitada em inglês. O MassDOT fornece gratuitamente acomodações razoáveis e/ou assistência linguística mediante solicitação, conforme apropriado. Para solicitar uma acomodação ou assistência linguística, entre em contato com o Diretor de Diversidade e Direitos Cívicos do MassDOT por telefone (857) 368-8580, fax (857) 368-0602, relay 7-1-1 ou por e-mail MassDOT.CivilRights@dot.state.ma.us. As solicitações devem ser feitas o mais rápido possível antes da reunião e, para serviços mais difíceis, incluindo linguagem de sinais, CART ou tradução ou interpretação de idiomas, as solicitações devem ser feitas pelo menos dez dias úteis antes da reunião.

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REUNIÓN PÚBLICA INFORMATIVA

Programa de puentes de Cape Cod

¿De qué se trata?

Estaremos realizando una reunión virtual en vivo a través de Zoom para proporcionar unas actualizaciones sobre el programa de puentes de Cape Cod. MassDOT presentará sobre el estado del programa, nuevas alternativas para el Puente Sagamore, y los próximos pasos. Después de la presentación formal, el público tendrá la oportunidad de hacer comentarios y preguntas. Se leerán y tendrán en cuenta hasta donde se pueda todas las opiniones y los comentarios del público.

¿Cómo le afectará esto?

El programa consistirá del reemplazo de los puentes de Bourne y Sagamore, proporcionar nuevas conexiones a las redes de carreteras cercanas, y mejorar los alojamientos multimodales dentro del área del canal de Cape Cod.

Fecha

miércoles 29 de marzo de 2023
6:00 p. m. EST

Lugar

www.mass.gov/massdot-highway-design-public-hearings



Tenga en cuenta que un taquígrafo transcribirá esta reunión.

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Fecha

miércoles 29 de marzo de 2023
6:00 p. m. EST

Lugar

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CAPE COD REGIONAL TRANSIT AUTHORITY

BARNSTABLE BOURNE BREWSTER CHATHAM DENNIS EASTHAM FALMOUTH HARWICH MASHPEE ORLEANS PROVINCETOWN SANDWICH TRURO WELLFLEET YARMOUTH

ADVISORY BOARD OFFICERS
Thomas M. Guerino, *CHAIRMAN*
Robert C. Lawton, Jr., *VICE CHAIRMAN*
George H. Dunham, *CLERK*
Thomas S. Cahir, *ADMINISTRATOR*

To: Peter Lombardi, Town Administrator, Town of Brewster
From: Tom Cahir, Administrator
Date: 3/8/23
Subject: CCRTA Brewster Town Report – Calendar Year 2022

The Cape Cod Regional Transit Authority (CCRTA) has provided in Brewster 8,418 one-way passenger trips from January 2022 through December 2022(CY22).

CCRTA provided 41 Medicaid trips, 375 Day Habilitation trips, 181 ADA trips as well as providing 11 Brewster residents with 28 trips to Boston area hospitals.

CCRTA provided 103 general public clients in Brewster with DART (Dial-a-Ride Transportation) service during CY22. These clients took a total of 3,956 one-way passenger trips during this time period.

The deviated fixed route Flex serves the towns of Harwich, Brewster, Orleans, Eastham, Wellfleet, Truro, and Provincetown. A total of 3,278 one-way trips originated in Brewster for the Flex route for the calendar year 2022. The total ridership for the Flex for this period was 99,394.

The fixed route Hyannis to Orleans (H20) serves the towns of Barnstable, Yarmouth, Dennis, Harwich, Brewster, Chatham and Orleans along the Route 28 corridors. A total of 559 one-way trips originated in Brewster for the H20 route for the calendar year 2022. Total ridership for the H20 route for this period was 142,126.

CCRTA supplied the Brewster Council on Aging with two Mobility Assistance Program (MAP) vehicles that provided 1413 rides for calendar year 2022.

Route maps, schedules, fares, Google Transit Trip Planner and the latest news about Cape Cod public transportation services are provided at www.capecodrta.org, as well as links to many other transportation resources.



215 IYANNOUGH ROAD P.O. BOX 1988 HYANNIS, MA 02601
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TO: Donna Kalinick, Jill Scalise, Town of Brewster
FROM: Cassie Boyd Marsh, Bailey Boyd Associates, Inc.
DATE: March 1, 2023
RE: FY21 Brewster CDBG Program Monthly Update

Administration:

The administration of the grant continues to go well, with funds moving steadily and DHCD reports submitted on time with positive feedback. We're thrilled to have submitted Brewster's FY22/23 application ahead of the March 3rd deadline. We're happy with the submission and feel Brewster, Dennis & Wellfleet make a compelling case for future CDBG funding.

Housing Rehabilitation:

There are currently 10 projects underway for the FY21 Housing Rehab program. 3 have been completed and 2 septic projects will be completed in the first week of March. The remaining 5 projects are either under construction or just about to start- all are under contract with GCs. TRI is also working with 4 new applicants who are in the final stage of program approval.

On one of the projects currently under construction, a late-construction discovery is resulting in our first Single Case Waiver this grant year. These waivers are submitted to DHCD when projects have extenuating circumstances that require funds exceeding the project cap. In this case, the home was having a small piece of failed countertop replaced in the kitchen. When the time came to pull it up, the contractors found significant mold behind the counters. The waiver was approved on 2/28 so the homeowners will have the mold remediated and new sheetrock & cabinets installed where necessary. Everyone involved is thrilled that this problem was caught and will be addressed, leaving the home safer for everyone inside.

To date, elderly homeowners represent about 80% of the projects and two households are families with children.

Childcare Subsidy Program:

The childcare program continues to progress steadily. This time of year is typically slower for new applications, as most families are settled into their routines. However, it won't be long before we begin working with families who need summer childcare. Because this program assists school-aged children, a portion of the program funds typically goes to families who need childcare over summer vacation. With many low-moderate income families earning the majority of their income over the busy summer

tourist season, we're grateful to offer assistance to eligible families in need. That said, we're 50% encumbered with current families for the year. 16 children are participating, of which 5 have already utilized the maximum allotment for this grant.