

**TOWN OF EASTHAM
ANNUAL TOWN MEETING WARRANT
AND FINANCE COMMITTEE REPORT AND
RECOMMENDATIONS
7:00 P.M.**

MAY 5, 2014

NAUSET REGIONAL HIGH SCHOOL GYMNASIUM

**ANNUAL TOWN ELECTION
MAY 20, 2014**

**POLLS OPEN
7:00 A.M. - 8:00 P.M.**

**EASTHAM TOWN HALL
2500 STATE HIGHWAY
EASTHAM, MA**

**FOR COPIES OF THIS WARRANT IN LARGER PRINT
OR ON TAPE, PLEASE CALL 508 240-5900.**

**Also available on the town website
www.eastham-ma.gov**

Please bring this warrant to Town Meeting

TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

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TOWN OF EASTHAM ANNUAL TOWN MEETING MAY 5, 2014

TOWN OF EASTHAM

Commonwealth of Massachusetts
Barnstable, ss. ~

To the Constable of the Town of Eastham
In the County of Barnstable

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town affairs to meet at the Nauset Regional High School Gymnasium, Monday, the fifth day of May, Two Thousand and Fourteen, at Seven o'clock in the evening, then and there to act on the following articles in this Warrant and to meet in the Eastham Town Hall at 7:00 a.m. Tuesday, the twentieth day of May next, then and there to elect the following Town Officers:

Moderator	One Three-Year term (Vote for one)
Board of Selectmen	Two three-year terms (Vote for two)
Town Clerk	One Three-Year term (Vote for one)
Library Trustee	Two three-year terms (Vote for two)
Elementary School Committee	Two three-year terms (Vote for two)
Housing Authority	One Five Year Term (Vote for one)

and to act on the following questions:

QUESTION 1

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order pay costs of engineering, design, dredging and material disposal for Rock Harbor, to be expended in conjunction with the Town of Orleans, including the payment of all costs incidental and related thereto.

QUESTION 2

Shall the town vote to accept the provisions of section six C of chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

QUESTION 3

Shall the Town of Eastham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town of Eastham's allocable share of the bond issued by the Nauset Regional School District for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto?

POLLS OPEN 7:00 A.M. AND CLOSE AT 8:00 P.M.
(or until last voter in line is serviced)

**2014 FINANCE COMMITTEE REPORT
TOWN OF EASTHAM**

The role of the Eastham Finance Committee under our Town Charter is to provide recommendations to the citizens of the Town on articles presented in the Town Warrant. This year's warrant once again contains several articles that could shape the future of this Town for many years to come.

We consider each warrant article carefully, seeking and receiving the input of appropriate committees, consultants, departments, and interested parties before discussing each issue and reaching our conclusions.

We encourage the public to attend our meetings, which are posted online and in the Town Clerk's office.

Once again, the warrant includes an article providing for a municipal water system. At this Town Meeting there will be only a single water article, which would establish the "backbone" for a future Town-wide system and would provide water for the area known to be affected by the 1,4 Dioxane plume.

The Selectmen felt, and the Finance Committee agreed, that it is imperative that Eastham get started on a municipal system now. Costs continue to escalate. The 1,4 Dioxane plume is not contained. Fire protection is a concern. Well water continues to be impacted by septic systems.

The advantage of the "backbone" article is that it;

- (1) serves the area impacted by the 1,4 Dioxane plume;
- (2) provides fire hydrants within a 1000' of approximately 80% of the Town's residents and may reduce insurance costs for many;
- (3) provides the option for water hook-up to about a third of the residents; and
- (4) delivers a flexible and cost-effective opportunity for expansion in the future.

All of these significant benefits to the Town's residents will be accomplished at a capital cost substantially less than the Town wide system proposed last year.

The Finance Committee supports the Room Occupancy tax expansion in Article 18 to provide equity with respect to motels and cottages, while delivering revenues needed by the Town.

Respectfully submitted,

Russ French, Chair
William (Gary) Krum, Vice Chair
Brian Eastman, Clerk
Susan Beyle

Judy Cannon
Steven Cole
Fred Guidi
Michael Hackworth
John Knox

ARTICLE 1

To see if the Town will vote to raise and appropriate or transfer from available funds **\$1,700** for Greenhead Fly Control as authorized by G.L. C.252 §24, and authorize the Town Treasurer to pay said appropriation into the State Treasury; or take any action relative thereto.

By Board of Selectmen

Summary:

This is a standard article to appropriate money to pay the Town's share of the Greenhead Fly Control Program.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 2

To see if the Town will vote to assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended for all damages that may be incurred by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshore and shores along a beach, in accordance with Section 11 of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth of Massachusetts; or take any action relative thereto.

By Board of Selectmen

Summary:

All Massachusetts municipalities indemnify the DEP for work in the local communities with this standard article.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 3

To see if the Town will vote to authorize reauthorize revolving funds, as listed below, for certain town departments under M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2014; or take any action relative thereto.

Revolving Fund	Authorize to Spend Fund	Revenue Source	Use of Fund	FY15 Spending Limit
Recreation – Bottles & Cans Account	Recreation Director	Collection & Redemption of Bottles & Cans	Beach & Recreation Programs	\$ 10,000
Home Composting Bin/Recycling Account	BOS or designee	Sale of Compost Bins	Purchase additional bins & advertise their availability	\$ 2,500

Vehicular Fuel Sales Revolving Account	BOS or designee	Sale of fuel to other government entities	Purchase additional fuel for sale to other government entities	\$ 57,000
Council on Aging/Lower Cape Adult Day Center Revolving Account	COA Director	Funds from fees, charges for COA programs and performances	Pay for additional COA programs and performances	\$ 7,000

By Board of Selectmen

Summary:

This statute requires annual authorization of revolving funds each year.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 4

To see if the town will vote to appropriate and transfer the sum of **\$10,000** from Fiscal Year 13 Hotel Motel Excise Tax (free cash so called), in accordance with Annual Town Meeting Article 26, May 4, 1998, to the Eastham Promotions Fund to be expended by the Visitor Services Board on the following items: Landscaping, lighting, and holiday decorations and general improvement on Windmill Green \$3,000, Flower Island support \$500, Summer concerts, \$6,500; or take any action relative thereto.

By Visitor Services Board

Summary:

This is an annual article to fund activities of the Visitor's Services Board, which enhance and promote tourism in the Town.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 5

To see if the Town will vote to elect pursuant to G. L. C.71, §16B, to reallocate the sum of the required local members towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Act Formula, so-called for fiscal year 2016; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

This article will apportion the Nauset Regional School Assessments for FY16 to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District, and has been applied in each of the last ten years by town meeting vote.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 6

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$100,000** to the Tri Town Septage Disposal District to be used for capital maintenance and improvements as outlined in the facility evaluation cost estimate, developed by the engineering consultants to the plant; or take any action relative thereto.

Board of Selectmen

Summary:

The Tri Town Plant will continue to operate beyond the 2015 closure date originally planned. These funds will pay for some strategic repairs and upgrades to keep the facility safe for the employees and meeting the limitations of its discharge permit. Any funds not used for this purpose will be returned to the Towns. The decision to make more comprehensive repairs and upgrades to ensure a twenty-year lifespan of the facility will be considered in the upcoming fiscal year, with a target decision date of FY2016. The Board will sign an extension of the Intermunicipal Agreement in support of these repairs.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-0

(Majority vote required)

ARTICLE 7

To see if the Town will vote to accept the provisions of G.L. c.32B, Section 20, to create an “Other Post Employment Benefits Liability Trust Fund” to meet the Town’s obligations under the Government Accounting Standards Board (GASB) Statement #45 to fund the Town’s future obligations for the cost of other post employment benefits identified by the GASB 45 Report and as funding to transfer from available funds the sum of **\$5,000**; or take any other action relative thereto.

By Board of Selectmen

Summary:

This article seeks to establish and begin appropriating funds for a reserve for future post-employment benefit costs (OPEB’s). This liability results from the “promised” benefits to qualifying retirees for the town’s share of future health and life insurance payments during retirement.

The Governmental Accounting Standards Board (GASB), a national agency that rules on accounting standards nationwide, issued their Statement GASB #45 that requires all governmental entities to record as a liability the future costs of these benefits actuarially calculated to be due to employees. OPEB’s are part of compensation, or IOU’s, that are handed out to employees each year but are not cashed in until retirement. According to the GASB, the cost of the IOU’s should be recognized while the employee is working and earning these benefits, not when the employee is retired. This liability is substantial, calculated at just over \$11 million for Eastham, and the GASB feels that potential lenders should be aware of its magnitude.

Currently, the Town of Eastham, as do most other towns, fund these costs on a pay-as-you-go method. There is no mandate to fund this liability; however, it is a matter that bond-rating agencies consider. Several communities have begun addressing this issue with modest contributions to a fund for this purpose and that is what this article intends to do for Eastham.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 8

To see if the Town will vote to establish a municipal water supply and water distributing system shown on a plan entitled Water Distribution System Development Backbone and Landfill Area, March 2014, pursuant to Section 39A of Chapter 40 of the General Laws; and

to appropriate the sum of **\$45.8 million** for establishing such a system for the Town, including, without limitation, the taking or purchase of water sources or water or flowage rights, the taking or purchase of land or easements for the water system or for the protection of the water system, the construction and development of wells, the construction of water towers, the construction of buildings for water treatment and pumping stations, the laying and relaying of water mains, the purchase and installation of water meters, fire hydrants and other water department equipment, and design and engineering and other costs incidental thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$45.8 million and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; and

that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and

that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and

provided further that, pursuant to G.L. c.40, Section 39A, the Board of Selectmen is hereby authorized to act as Water Commissioners and to exercise all of the powers of Water Commissioners pursuant to General Laws Chapter 41, Section 69A and G.L. 40, Section 38-39I and 39L thru 42; and

provided further that the Town hereby accepts the provisions of General Laws Chapter 40, Sections 42A through 42F, and Section 42J to authorize the collection of water rates and to permit the deferral of payment of water use charges by certain homeowner/occupants; or take any action relative thereto.

By Board of Selectmen

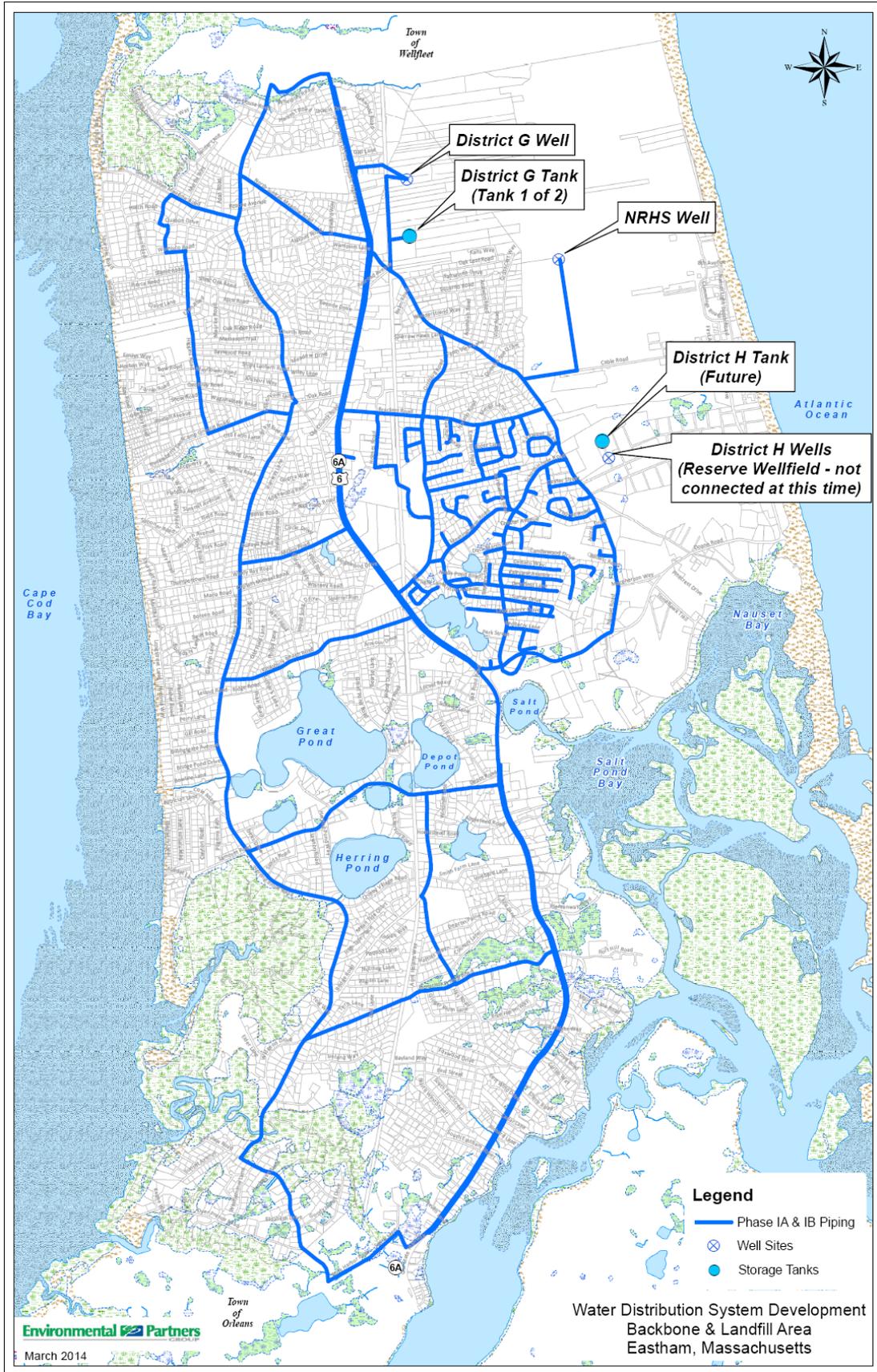
Summary:

This Article will provide a system that includes all the basic elements to allow for expansion to all parts of town in the future. That is what is known as the “backbone with landfill study area service” and further included in this proposal are, a single water tower (two will be needed at system build out), hydrants, and service connections along all the ways shown on the map. This plan will provide service to the affected areas within the landfill study area as soon as possible. It will also provide hydrants within 1000’ of 80% of the Eastham structures. This enhances the potential for fire insurance savings.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 5-0

(2/3rds Majority vote required)



ESTIMATED DEBT SCHEDULE FOR PHASE ONE BORROWING

ESTIMATE OF ANNUAL COST OF DEBT FOR TWENTY YEAR BORROWING							
ENHANCED PHASE ONE MUNICIPAL WATER							
FISCAL						TAX	COST
YEAR	YEAR	PRINCIPAL	INTEREST	GROSS		IMPACT PER	\$400,000
						\$1,000	HOUSE
17	1	\$2,290,000.00	\$916,000.00	\$3,206,000.00		\$1.15	\$459.51
18	2	\$2,290,000.00	\$870,200.00	\$3,160,200.00		\$1.10	\$441.90
19	3	\$2,290,000.00	\$824,400.00	\$3,114,400.00		\$1.06	\$422.81
20	4	\$2,290,000.00	\$778,600.00	\$3,068,600.00		\$1.03	\$412.47
21	5	\$2,290,000.00	\$732,800.00	\$3,022,800.00		\$1.00	\$398.34
22	6	\$2,290,000.00	\$687,000.00	\$2,977,000.00		\$0.96	\$384.62
23	7	\$2,290,000.00	\$641,200.00	\$2,931,200.00		\$0.93	\$371.27
24	8	\$2,290,000.00	\$595,400.00	\$2,885,400.00		\$0.90	\$358.31
25	9	\$2,290,000.00	\$549,600.00	\$2,839,600.00		\$0.86	\$345.70
26	10	\$2,290,000.00	\$503,800.00	\$2,793,800.00		\$0.83	\$333.46
27	11	\$2,290,000.00	\$458,000.00	\$2,748,000.00		\$0.80	\$321.56
28	12	\$2,290,000.00	\$412,200.00	\$2,702,200.00		\$0.78	\$310.00
29	13	\$2,290,000.00	\$366,400.00	\$2,656,400.00		\$0.75	\$298.77
30	14	\$2,290,000.00	\$320,600.00	\$2,610,600.00		\$0.72	\$287.86
31	15	\$2,290,000.00	\$274,800.00	\$2,564,800.00		\$0.69	\$277.27
32	16	\$2,290,000.00	\$229,000.00	\$2,519,000.00		\$0.67	\$266.98
33	17	\$2,290,000.00	\$183,200.00	\$2,473,200.00		\$0.64	\$256.98
34	18	\$2,290,000.00	\$137,400.00	\$2,427,400.00		\$0.62	\$247.28
35	19	\$2,290,000.00	\$91,600.00	\$2,381,600.00		\$0.59	\$237.86
36	20	\$2,290,000.00	\$45,800.00	\$2,335,800.00		\$0.57	\$228.71
		\$45,800,000.00	\$9,618,000.00	\$55,418,000.00			\$6,661.66
		TOTAL LOAN AMOUNT		\$45,800,000.00			
		INTEREST RATE		2.00%			

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$12,000** to the Eastham Chamber of Commerce as a grant to help support operations of the Information Booth; or take any action relative thereto.

By Board of Selectman/Chamber of Commerce

Summary:

Annually the Town has supported a grant to the Chamber of Commerce to assist in paying for the operation of the Information Booth. This year the amount of the grant has been increased \$1,000 but it is still below this years' request of \$14,000. This money is used primarily for staff salaries. The Town continues to provide maintenance services and utilities to this town owned property.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 10

To see if the town will vote pursuant to Chapter 71 Section 16G 1/2 to approve establishment by Cape Cod Regional Technical High School of a stabilization fund for future facility capital costs; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

The above referenced statute provides for the establishment of stabilization funds for regional schools if all the member municipalities support such creation. Then as part of the annual operating budget, a specific amount can be designated for and voted to be deposited into the fund. It is similar to town stabilization funds in that the fund can only be used for capital project expenditures.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 11

To see if the Town will vote to fix the salary and compensation of all elected officials of the Town as provided by Section 108, Chapter 41, General Laws, as amended, and to raise and appropriate or transfer from available funds the following sums of money for salaries:

Moderator	\$ 150
Town Clerk	\$67,317
Selectmen (5) \$2,000 each	<u>\$10,000</u>
Total	\$ 77,467

or take any action relative thereto.

By Elected Officials

Summary:

The selectmen salary is been increased by \$500 each. The last increase in the Board of Selectmen's salary was in 1999. There is however a significant reduction in the article due to the removal of the Treasurer/Collector as an elected position, as required by a recent change in the charter. The position is no longer elected, but is an appointed department head position. The salary for that position of \$80,000 is now included in the departmental budget.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

(Majority vote required)

ARTICLE 12

To see if the Town will vote to act on the operating budget, including recommendations and reports of the Selectmen, Finance Committee and other Town Officials, and to see if the Town will vote to raise and appropriate or transfer from receipts reserved, and other available funds and accounts, the sum of **\$22,656,879**, and further to transfer from the dog receipts reserved (free cash so called) the additional sum of **\$2,500** to the Library, line item 67; or take any action relative thereto.

By Board of Selectmen

Summary:

Article 12 is the operating budget for the Town, Eastham Elementary School, the Town's share of Cape Cod Tech and the Nauset Regional School District. The FY 15 operating budget reflects a 2.10% increase with the school portion increasing 3.62% and the municipal portion increasing 1.19%. Anticipated wage adjustments for municipal employees are contained in a separate article in this warrant. When included in the overall increase in spending the municipal increase is 1.83%. Overall, the total budget growth is moderate at 2.5% but relies on cash reserves to balance spending and revenues.

This year's spending includes significant increases in the Sanitation budget for landfill trash disposal, and water testing related to the landfill contamination. The Sanitation budgets trash disposal costs and landfill monitoring and water-testing costs have increased. The cost for trash disposal at SEMASS will increase from \$37.51 per ton to \$60 per ton in January, and the cost of water testing in the landfill study area as required by DEP continues. These two items contributed to an increase of \$161,000 in the expense portion of the budget. The CCT budget is down due to a reduction in the number of students, while Nauset and Eastham Elementary budgets increased.

Other budget changes of note include the Treasurer/Collector budget that for the first time includes the Treasurer/Collector Salary (Line 8) as that position was previously elected and funded in the Elected Officials' Salary article. Several other departments experienced notable changes in the salary lines due to staffing changes such as anticipated and actual retirements, new replacement hires, and shifting salary costs to other budgets more appropriate for the function.

It is important to mention that the balancing of this budget relied on the use of more than \$400,000 in cash. The projection for the budget in FY16 indicates that, in the absence of new revenue, the budget shortfall is projected to be \$800K. That will require an operating override. This is consistent with the projections after the last operating override, which was expected to cover spending needs for five years. In general, the limitations of 2 ½ and the increase in normal operating expenses necessitates that every five -7 years an operating override will be necessary. The financial system was stressed by the increase in our share of the Nauset Regional School Budget in FY14. This single item consumed much of our levy and new growth revenue increases in that year. The development of new revenue sources and the capturing of efficiencies in staff, equipment, supplies, or processes should reduce the amount of overrides but are unlikely to eliminate them. The Board of Selectmen continues to support an expansion of the room's tax that is projected to result in an additional \$800K in town revenue. We are constantly applying for grants, and working with our legislative delegation to receive a greater share of state revenues. On the town's most recent state aid Cherry Sheet, we are in a negative position. Our receipts from the state are \$15K less than the charges that we must pay the state. We are in a net negative position and this is not expected to change soon. Increases in state aid or a return to state aid levels of ten years ago when we netted a plus \$125,000, would be welcomed.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

FY 15 TOWN OF EASTHAM OPERATING BUDGT

LINE #		FY13 ACTUAL BUDGET	FY14 APPROVED BUDGET	FY15 SELECTMEN'S BUDGET	FIN COMM RECOMM
GENERAL GOVERNMENT					
1	SELECTMEN/TN ADMINISTRATOR OFFICE SALARY	\$371,958.00	380,531.00	\$387,720.00	7-0
2	SELECTMEN/TOWN ADMINISTRATOR EXPENSE	\$16,100.00	16,100.00	\$16,100.00	7-0
3	RESERVE FUND	\$65,000.00	65,000.00	\$65,000.00	7-0
4	TOWN ACCOUNTANT OFFICE SALARY	\$122,306.00	126,759.10	\$126,375.00	7-0
5	TOWN ACCOUNTANT EXPENSE	\$29,320.00	38,320.00	\$33,820.00	7-0
6	ASSESSOR OFFICE SALARY	\$200,045.00	194,716.68	\$195,479.00	7-0
7	ASSESSOR EXPENSE	\$25,865.00	26,646.00	\$25,777.00	7-0
8	TREASURER/COLLECTOR OFFICE SALARY	\$99,727.00	102,678.80	\$182,988.00	7-0
9	TREASURER/COLLECTOR EXPENSE	\$7,915.00	7,949.75	\$7,970.00	7-0
10	LEGAL SERVICES EXPENSE	\$65,000.00	80,000.00	\$80,000.00	7-0
11	DATA PROCESSING SALARY	\$139,225.00	143,717.60	\$144,348.00	7-0
12	DATA PROCESSING EXPENSE	\$119,772.00	126,073.00	\$134,754.00	7-0
13	TAX TITLE EXPENSE	\$7,000.00	7,000.00	\$7,000.00	7-0
14	CENTRAL PURCHASING SUPPLY & SERVICE	\$57,855.00	56,622.00	\$56,648.00	7-0
15	TOWN CLERK/ELECTIONS OFFICE SALARY	\$91,323.00	96,674.50	\$99,501.00	7-0
16	TOWN CLERK /ELECTIONS EXPENSE	\$9,700.00	9,890.00	\$9,890.00	7-0
17	NATURAL RESOURCES SALARY	\$243,703.00	254,313.00	\$222,828.00	7-0
18	NATURAL RESOURCES EXPENSE	\$29,144.00	29,149.00	\$28,634.00	7-0
19	NATURAL RESOURCES CAPITAL EXPENSE	\$11,455.00	0.00		
20	ENVIRONMENTAL PLANNING/CONSERVATION	\$72,077.00	75,592.00	\$109,345.00	7-0
21	ENVIRONMENTAL PLANNING/CONSERVATION EXPENSE	\$1,800.00	3,821.00	\$2,735.00	7-0
22	MUNICIPAL BUILDINGS SALARY	\$147,147.00	151,522.00	\$144,506.00	7-0
23	MUNICIPAL BUILDINGS EXPENSE	\$88,806.00	88,806.00	\$88,806.00	7-0
24	BULK FUEL OIL EXPENSE	\$177,000.00	212,000.00	\$212,000.00	7-0
25	TOWN REPORT EXPENSE	\$8,050.00	8,050.00	\$8,050.00	7-0
26	ENGINEERING & SUPPORT SERVICES EXPENSE	\$4,000.00	4,000.00	\$4,000.00	7-0
		\$2,211,293.00	\$2,305,931.43	\$2,394,274.00	
PUBLIC SAFETY & INSPECTIONAL SERVICES					
27	POLICE SALARY	\$1,439,604.00	1,511,112.38	\$1,524,512.00	7-0
28	POLICE EXPENSE	\$161,648.00	171,547.52	\$174,555.00	7-0
29	POLICE CAPITAL	\$9,564.00			
30	FIRE SALARY	\$1,480,723.00	1,658,210.09	\$1,709,318.00	7-0
31	FIRE EXPENSE	\$135,841.00	150,520.00	\$151,880.00	7-0
32	FIRE CAPITAL EXPENSE	\$142,907.00	119,077.00	\$104,500.00	7-0
33	DISPATCHING SALARY	\$296,593.00	298,189.72	\$299,750.00	7-0
34	DISPATCHING EXPENSE	\$2,700.00	2,700.00	\$2,700.00	7-0
35	BUILDING/PLMBG/ELEC INSPECTION SALARY	\$202,032.00	208,408.40	\$208,409.00	7-0
36	BUILDING INSPECTION EXPENSE	\$3,049.00	3,049.00	\$3,049.00	7-0
37	EMERGENCY MANAGEMENT EXPENSE (CIVIL DEFENSE)	\$100.00	100.00	\$100.00	7-0
38	TREE WARDEN EXPENSE	\$400.00	400.00	\$400.00	7-0
39	DUTCH ELM DISEASE EXPENSE	\$10.00	10.00	\$10.00	7-0
40	INSECT/PEST/POISON IVY CONTROL	\$10.00	10.00	\$10.00	7-0
		\$3,875,181.00	\$4,123,334.11	\$4,179,193.00	
EDUCATIONAL SERVICES					
41	ELEMENTARY SCHOOL OPERATIONS	\$3,420,351.00	3,689,762.00	\$3,778,336.00	7-0
42	NAUSET REGION CAPITAL ASSESSMENT		8,746.00	\$2,187.00	7-0
43	NAUSET REGION OPERATING ASSESSMENT	\$3,744,220.00	4,355,866.00	\$4,581,492.00	7-0
44	CAPE COD REGIONAL TECHNICAL SCHOOL	\$282,806.00	234,197.00	\$226,353.00	7-0
		\$7,447,377.00	\$8,288,571.00	\$8,588,368.00	

PUBLIC WORKS & SANITATION					
45	GENERAL MAINTENANCE SALARY	\$487,446.00	510,340.08	\$510,062.00	7-0
46	GENERAL MAINTENANCE EXPENSE	\$118,138.00	118,137.36	\$118,911.00	7-0
47	GENERAL MAINTENANCE CAPITAL	\$55,544.00	15,500.00	\$15,500.00	7-0
48	SNOW & SANDING SALARY	\$32,160.00	32,160.00	\$32,160.00	7-0
49	SNOW & SANDING EXPENSE	\$16,500.00	16,500.00	\$16,500.00	7-0
50	STREET LIGHTING EXPENSE	\$7,600.00	7,600.00	\$7,600.00	7-0
51	WASTE COLLECTION & DISPOSAL SALARY	\$161,633.00	176,844.56	\$171,734.00	7-0
52	WASTE COLLECTION & DISPOSAL EXPENSE	\$302,833.00	302,832.68	\$463,332.00	7-0
53	WASTE COLLECTION & DISPOSAL CAPITAL EXPENSE	\$15,707.00	0.00		
		\$1,197,561.00	\$1,179,914.68	\$1,335,799.00	
HEALTH & HUMAN SERVICES					
54	VETERANS' GRAVE OFFICER	\$75.00	75.00	\$75.00	7-0
55	TOWN NURSE SERVICES	\$4,000.00	4,000.00	\$4,000.00	7-0
56	PUBLIC HEALTH SALARY	\$171,464.00	178,734.40	\$179,122.00	7-0
57	PUBLIC HEALTH EXPENSE	\$18,541.00	22,620.00	\$23,120.00	7-0
58	INSPECTION OF ANIMALS EXPENSE	\$250.00	250.00	\$250.00	7-0
59	COUNCIL ON AGING/ADC SALARY	\$231,542.00	263,023.28	\$239,064.00	7-0
60	COUNCIL ON AGING/ADC EXPENSE	\$32,004.00	32,453.68	\$30,331.00	7-0
61	VETERANS' SERVICES - EXPENSE	\$18,550.00	19,385.83	\$19,900.00	7-0
62	VETERANS' SERVICES - BENEFITS	\$9,000.00	12,500.00	\$12,300.00	7-0
63	HUMAN SERVICES AGENCIES	\$61,500.00	63,000.00	\$64,575.00	7-0
		\$546,926.00	\$596,042.19	\$572,737.00	
CULTURE & RECREATION					
64	LIBRARY SALARY	\$217,314.00	227,510.56	\$222,908.00	7-0
65	LIBRARY EXPENSE	\$75,855.00	78,325.00	\$78,825.00	7-0
66	BEACH & RECREATION SALARY	\$259,028.00	270,711.50	\$270,457.00	7-0
67	BEACH & RECREATION EXPENSE	\$63,643.00	64,652.00	\$65,382.00	7-0
68	BEACH & RECREATION CAPITAL	\$8,223.00	8,223.00		
		\$624,063.00	\$649,422.06	\$637,572.00	
DEBT AND BANKING SERVICES					
69	FIRE STATION	\$150,000.00	150,000.00	\$150,000.00	7-0
70	LANDFILL CAPPING	\$70,923.00	73,058.58	\$0.00	7-0
71	TRANSFER STATION	\$120,000.00	120,000.00	\$0.00	7-0
72	INTEREST EXPENSE (LONG/SHORT TERM)	\$330,086.00	324,673.72	\$280,258.00	7-0
73	TAX ANTICIPATION NOTES/BANS	\$36,460.00	10,000.00	\$10,000.00	7-0
74	SEPTIC BETTERMENT LOANS	\$20,401.00	20,400.00	\$20,400.00	7-0
75	PURCELL LAND PURCHASE	\$35,000.00	35,000.00	\$40,000.00	7-0
76	EASTHAM ELEMENTARY SCHOOL RENOVATION	\$410,000.00	410,000.00	\$410,000.00	7-0
77	MUNICIPAL WATER	\$125,000.00	395,000.00	\$395,000.00	7-0
78	BANK FINANCING CHARGES	\$2,100.00	2,400.00	\$1,500.00	7-0
		\$1,299,970.00	\$1,540,532.30	\$1,307,158.00	
OTHER EXPENSES (GENERAL GOVERNMENT)					
79	EMPLOYEE BENEFITS	\$13,500.00	13,500.00	\$13,500.00	7-0
80	BARN. COUNTY RETIREMENT ASSESSMENT	\$1,162,194.00	1,254,081.00	\$1,317,678.00	7-0
81	TOWN INSURANCE - UNEMPLOYMENT EXPENSE	\$10,000.00	10,000.00	\$10,000.00	7-0
82	TOWN INSURANCE - EMPLOYEE EXPENSE HEALTH	\$1,904,576.00	1,904,576.00	\$1,975,000.00	7-0
83	TOWN INSURANCE - TOWN PROTECTION (PROP & LIAB)	\$325,600.00	325,600.00	\$325,600.00	7-0
		\$3,415,870.00	\$3,507,757.00	\$3,641,778.00	
TOTAL		\$20,618,241.00	\$22,191,504.77	\$22,656,879.00	7-0

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$496,700** to purchase the following capital items, make improvements to capital facilities as listed below; or take any action relative thereto.

By Board of Selectmen

Summary:

This is an annual article wherein items that have previously appeared on the five-year capital plan are designated for funding. The funding sources vary as noted at the bottom of the table. The items include computer hardware and software upgrades and additions, several municipal building projects at the Fire station and at the elementary school. All the bulletproof vests for the police are scheduled to be replaced this year. They have a specific life cycle for safety. The new speed trailer will supplement the older one we have been using and support the police in their efforts to reduce speed and thus accidents on the road. Finally, the pond remediation studies are expected to continue with the funding included in this article.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

FY15 ARTICLE 13 CAPITAL ACQUISITION

ITEM	DEPARTMENT	ITEM	FY15	
DATA PROCESSING				
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000.00	F
2		FIBER OPTIC CABLE/OPEN CAPE CONNECTION	\$10,000.00	F
3		VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS	\$5,000.00	CT
		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)		
4		FIRE	\$5,000.00	F
5		POLICE	\$15,200.00	F
6		NATURAL RESOURCES/DPW	\$5,000.00	F
7		MOBILE COMPUTING & TABLET ACQUISITION/REPLACEMENT	\$3,000.00	F
NATURAL RESOURCES				
8		EQUIPMENT TRAILER REPLACEMENT	\$7,500.00	F
MUNICIPAL BUILDINGS EQUIPMENT				
9		VACUUM/CARPET CLEANERS/ LADDERS	\$2,000.00	F
MUNICIPAL BUILDINGS IMPROVEMENTS				
10		PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC	\$25,000.00	F
11		RELOCATE/REPLACE AIR HANDLER	\$38,000.00	F
12	FIRE	REPLACE 2 OF 4 AIR HANDLING UNITS	\$9,000.00	F
13	FIRE	REPLACE FIRE PUMP (SPRINKLER) IN STATION	\$30,000.00	A
14	SCHOOL	ROUTINE PAINTING ROTATION	\$5,000.00	F
15		GROUNDS MAINTENANCE - DRAINAGE/FENCING	\$5,000.00	F
16		BUILDING MAINTENANCE/IMPROVEMENTS	\$20,000.00	F
DPW				
17		ONE TON DUMP	\$60,000.00	F
18		ORDINARY ROAD M & R (NOT CHAP 90)	\$20,000.00	T
19		STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENT	\$40,000.00	F
20		MOWER REPLACEMENTS (2 mowers)	\$20,000.00	F
POLICE				
21		DEFIBRILATORS REPLACEMENT	\$5,000.00	F
22		BULLET PROOF VEST REPLACEMENT (ALL)	\$20,000.00	F
23		NEW SPEED TRAILER	\$8,000.00	F
24		RADAR EQUIPMENT UPGRADE/REPLACEMENT	\$6,000.00	F
FIRE (EQUIP)				
25		UPGRADE AIR PACKS - 4.5L	\$18,000.00	A
26		COMPUTER SOFTWARE ENHANCEMENTS	\$20,000.00	A
27		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SU	\$15,000.00	A
28		RADIO REPLACEMENT/UPGRADES	\$10,000.00	A
29		FRESH WATER/POND STUDIES - REMEDIATION	\$50,000.00	F
TOTAL			\$496,700.00	
TOTAL CAPITAL FUNDS NEEDED BY SOURCE				
		F = FREE CASH	\$378,700.00	
		A = AMBULANCE RECEIPTS	\$93,000.00	
		T = TAX LEVY	\$20,000.00	
		CT=CABLE TV REVENUE	\$5,000.00	
TOTAL			\$496,700.00	

ARTICLE 14

To see if the Town will, in accordance with Chapter 6-6 of the Eastham Home Rule Charter, vote to accept the Capital Improvement Plan for FY16-FY20 as printed below; or take any action relative thereto.

By Board of Selectmen

Summary:

This is the five-year capital plan, which lists all anticipated capital expenditures for equipment, supplies, and projects, including engineering and planning studies. Items on the list are a minimum of \$1,000. This listing is a planning tool to focus attention on needed expenditures for the upcoming years. The benefit of the plan is that the town is able to anticipate large expenditures, and appropriately schedule bond issues, and debt repayments in a manner that supports a stable tax rate while ensuring that capital equipment is acquired in a timely manner and that structures are well maintained. This article, as planning tool, does not require any funding. When items are scheduled for funding, they are moved to the capital acquisition article included in each Annual Town Meeting warrant.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

FIVE YEAR CAPITAL PLAN FY16 - FY20

ITEM	DEPARTMENT	ITEM	FY16	FY17	FY18	FY19	FY20
	DATA PROCESSING						
1		COMPUTER HARDWARE/SPECIALIZED SOFTWARE	\$20,000.00 F	\$20,000.00 F	\$20,000.00 F	\$20,000.00 F	\$25,000.00 F
2		SERVER UPGRADES/REPLACEMENTS		\$12,000.00 F	\$12,000.00 F		
3		FIBER OPTIC CABLE/OPEN CAPE CONNECTION					
4		VIDEO EQUIPMENT UPGRADES/DIGITAL CAMERAS		\$5,000.00 CT		\$5,000.00 CT	
5		UPGRADE TELEPHONE SYSTEM - ALL BLDGS (VOIP)		\$10,000.00 F			
		FIRE					
		POLICE					
		NATURAL RESOURCES/DPW					
		LIBRARY	\$5,000.00 F				
6		REPLACE PLOTTER/SCANNER(S)			\$8,000.00 F		
7		MOBILE COMPUTING & TABLET ACQUISITION/REPLACEMENT	\$2,000.00 F		\$3,000.00 F	\$3,000.00 F	
8		SOFTWARE UPGRADES (OPERATING SYSTEMS)	\$20,000.00 F			\$20,000.00 F	
9		GIS FLYOVER/DATA COLLECTION AND ORTH PHOTOS					\$50,000.00 F
	SUB-TOTAL		\$47,000.00	\$47,000.00	\$43,000.00	\$48,000.00	\$75,000.00
	COA/ADULT DAYCARE						
10		VAN REPLACEMENT		\$26,000.00 F/HST		\$26,000.00 F/HST	
	SUB-TOTAL		0.00	26,000.00	0.00	26,000.00	0.00
	ASSESSING/INSPECTIO						
12		DATA COLLECTOR PLANNER/INSPECTOR VEHICLE		\$3,000.00 F			\$4,000.00 F
	SUB TOTAL		\$0.00	\$3,000.00	\$0.00	\$0.00	\$4,000.00
	NATURAL RESOURCES						
13		4x4 PICK UP TRUCK	\$15,000.00 F				
14		4X4 PICK UP TRUCK	\$13,000.00 F	\$13,000.00 F	\$13,000.00 F	\$13,000.00 F	
15		SAND DRIFT FENCE - VARIOUS LOCATIONS		\$10,000.00 F			
16		BOAT MOTOR 130HP/50HP			\$15,000.00 F		
17		EQUIPMENT CHAINSAWS/PRESSURE WASHER	\$1,800.00 F				
18		HERRING RUN GATE REPLACEMENTS		\$1,000.00 F	\$3,000.00 F		
19		PORTABLE GPS		\$2,500.00 F			
20		EQUIPMENT TRAILER REPLACEMENT					\$7,500.00 F
	SUB-TOTAL		\$29,800.00	\$41,500.00	\$46,000.00	\$28,000.00	\$22,500.00
	HARBOR IMP.						
21		DREDGE ROCK HARBOR/DOCK WALKWAY IMPROVEMEN	\$15,000.00 EX	\$5,000.00 EX	\$25,000.00 EX	\$5,000.00 EX	\$5,000.00 EX
	SUB TOTAL		\$15,000.00	\$5,000.00	\$25,000.00	\$5,000.00	\$5,000.00
	MUNICIPAL BUILDINGS EQUIPMENT						
22		VACUUM/CARPET CLEANERS/ LADDERS		\$2,000.00 F		\$2,000.00 F	
23		VAN REPLACEMENT		\$25,000.00 F			\$25,000.00 F
24		COPIERS/POSTAGE METERS				\$15,000.00 F	
25		FLOOR MACHINE/SNOW BLOWER	\$1,400.00 F		\$1,400.00 F		
26		ENERGY EFFICIENCY ENHANCEMENTS	\$25,000.00 F				
	SUB-TOTAL		\$26,400.00	\$27,000.00	\$1,400.00	\$17,000.00	\$25,000.00

MUNICIPAL BUILDINGS IMPROVEMENTS													
27			PROJECT CONTINGENCY: MAJOR REPAIRS ,PAINTING ETC	\$30,000.00	F	\$30,000.00	F	\$30,000.00	F	\$45,000.00	F	\$45,000.00	F
28			GREEN ENERGY ENHANCEMENTS							\$45,000.00	F		
SUB-TOTAL				\$30,000.00		\$30,000.00		\$30,000.00		\$90,000.00		\$45,000.00	
29		T.H.	MECHANICAL SYSTEMS OVERHAUL					\$15,000.00	F				
30			RELOCATE/REPLACE AIR HANDLER										
31			REPLACE VAULT A/C UNITS					\$9,000.00	F				
32			REPLACE CIRCULATOR PUMPS					\$3,000.00	F				
33			REPLACE HOT WATER TANK	\$3,000.00	F								
34			REPLACE EXISTING A/C UNITS			\$40,000.00	F						
35		INFO/WMILL	WINDMILL/INFO/ANCIENT CEMETERIES/BRACKETT PORT	\$6,000.00	F			\$6,000.00	F			\$7,000.00	F
36		REC BLDG	FURNISHINGS	\$10,000.00	F								
SUB-TOTAL				\$19,000.00		\$40,000.00		\$33,000.00		\$0.00		\$7,000.00	
37		COA	RENOVATION/EXPANSION HEAT/AIR COND/ SENIOR CENT	\$3,000,000.00	D								
SUB-TOTAL				\$3,000,000.00		\$0.00		\$0.00		\$0.00		\$0.00	
38		DPW/NR	COPIER REPLACEMENT			\$5,000.00	F						
39			AIR/HEATING SYSTEM OVERHAUL/REPLACE					\$20,000.00	F				
40			EXTERIOR MAINTENANCE - STUCCO DPW BLDG					\$10,000.00	F				
41			EXPAND DPW GARAGE SPACE/INTERIOR RENOVATION	\$1,500,000.00	D							\$20,000.00	F
42			NR BLDG PAINT EXTERIOR			\$10,000.00	F						
SUB-TOTAL				\$1,500,000.00		\$15,000.00		\$30,000.00		\$0.00		\$20,000.00	
43		POLICE	REPLACE HOT WATER TANK	\$3,000.00	F								
44			REPLACE SHINGLES, ROOF & SIDEWALL			\$40,000.00	F						
45			REPLACE 2 OF 4 AIR HANDLING UNITS							\$11,000.00	F		
46			KITCHEN/LOCKER RM/TRAINING RM UPGRADES			\$75,000.00	D						
SUB-TOTAL				\$3,000.00		\$115,000.00		\$0.00		\$11,000.00		\$0.00	
47		FIRE	REPLACE FIRE PUMP (SPRINKLER) IN STATION										
48			BUILDING MAINTENANCE (VARIOUS ITEMS BLDG 5+ YRS	\$40,000.00	A			\$0.00				\$25,000.00	F
49			PAINTING INTERIOR/EXTERIOR							\$20,000.00	F		
SUB-TOTAL				\$40,000.00		\$0.00		\$0.00		\$20,000.00		\$25,000.00	
50		LIBRARY	FURNISHING, COMPUTERS FINAL FINISHING NEW BUILDING							\$45,000.00	F		
SUB-TOTAL				\$0.00		\$0.00		\$0.00		\$45,000.00		\$0.00	

51	SCHOOL	ROUTINE PAINTING ROTATION			\$5,000.00 F			\$5,000.00 F		
52		REPLACE PLAYGROUND/BASKETBALL COURT SURFACE	\$10,000.00 F			\$30,000.00 F				
53		GROUNDS MAINTENANCE - DRAINAGE/FENCING						\$6,000.00 F		
54		GYM FLOOR REFINISHING			\$15,000.00 F				\$17,000.00 F	
55		COMPUTER HARDWARE/REPLACEMENTS/UPGRADES	\$25,000.00 F			\$25,000.00 F				
56		BUILDING MAINTENANCE/IMPROVEMENTS			\$25,000.00 F			\$25,000.00 F		
SUB-TOTAL			\$35,000.00		\$45,000.00	\$55,000.00		\$36,000.00	\$17,000.00	
BEACHES/RECREATION										
57		UPGRADE/ADA BATH HOUSES	\$15,000.00 F						\$20,000.00 F	
58		PARKING LOT REPAIRS (VARIOUS LOCATIONS)				\$10,000.00 F				
59		ADA BEACH CHAIR				\$3,000.00 F				
60		4 X 2 TRUCK				\$30,000.00 F				
61		4 X 2 TRUCK						\$30,000.00 F		
62		B-BALL RESURFACE/BASEBALL BACKSTOP REPL/FENCING				\$15,000.00 F				
63		BEACH GATE SHACKS								
64		WALKWAYS/DUNE MAIN FENCING/MOBI MAT EXTEND	\$23,000.00 F		\$10,000.00 F	\$20,000.00 F		\$25,000.00 F		
65		REPLACE SOFT BALL SHEDS (2)			\$35,000.00 F					
66		OUTDOOR SHOWERS @ WILEY PARK/COOKS BROOK,	\$50,000.00 F							
67		NEW BATHHOUSE FIRST ENCOUNTER						\$750,000.00 D		
SUB-TOTAL			\$88,000.00		\$45,000.00	\$78,000.00		\$805,000.00	\$20,000.00	
DPW										
68		REPLACE/REFURBISH HYDRAULIC TRUCK LIFT				\$45,000.00 F				
69		ONE TON DUMP						\$55,000.00 F	\$55,000.00 F	
70		3/4 TON PICK UP	\$15,000.00 F		\$15,000.00 F	\$15,000.00 F				
71		SANDER				\$18,000.00 F				
72		INTERL DUMP 6 WHEEL LARGE/REFURB/purchase			\$35,000.00 F	\$35,000.00 F				
73		EXTRA LARGE DUMP 10 WHEELER (LEASE PURCHASE 5 Y	\$40,000.00 F		\$40,000.00 F	\$40,000.00 F				
74		ORDINARY ROAD M & R (NOT CHAP 90)	\$150,000.00 T		\$160,000.00 T	\$180,000.00 T		\$190,000.00 T	\$200,000.00 T	
75		NEW TRASH TRAILERS	\$60,000.00 F		\$60,000.00 F	\$60,000.00 F				
76		TRACTOR TRAILER HORSE (FOR YARD USE ONLY - USED)								
77		REPLACE/ADD RECYCLING COMPACTOR			\$20,000.00 F	\$40,000.00 F				
78		LOADER REPLACEMENT (544)						\$50,000.00 F	\$50,000.00 F	
79		TWO (2) 40 YARD OPEN TOP ROLL OFF CONTAINERS	\$16,000.00 F		\$16,000.00 F	\$16,000.00 F		\$16,000.00 F		
80		ONE (1) 40 YARD CLOSED TOP ROLL OFF REFYRB	\$8,500.00 F			\$8,500.00 F				
81		STORM DRAIN UPGRADE/IMPROVEMENT/REPLACEMENTS				\$75,000.00 F			\$80,000.00 F	
82		MOWER REPLACEMENTS (2 mowers)							\$20,000.00 F	
83		SWEEPER REPLACEMENT (FIVE YEAR LEASE, \$150k)	\$30,000.00 F		\$30,000.00 F	\$30,000.00 F		\$30,000.00 F	\$30,000.00 F	
84		AIR COMPRESSOR (185 CFM) MOBILE	\$18,000.00 F							
85		STATIONARY AIR COMPRESSOR			\$5,000.00 F					
86		"Mini" EXCAVATOR							\$35,000.00 F	
SUB-TOTAL			\$337,500.00		\$381,000.00	\$562,500.00		\$341,000.00	\$470,000.00	

	POLICE								
87		DEFIBRILATORS REPLACEMENT	\$5,000.00	F					\$7,000.00
88		UNMARKED ADMIN VEHICLE 4X4(3 YR LEASE)	\$11,000.00	T	\$11,000.00	T	\$11,000.00	T	\$11,000.00
89		CRUISER/w video	\$32,000.00	T	\$32,000.00	T	\$34,000.00	T	\$34,000.00
90		CRUISER	\$34,000.00	T	\$34,000.00	T	\$34,000.00	T	\$36,000.00
91		PORTABLE RADIOS (3)			\$10,000.00	T			
92		LAP TOP COMPUTER IN CAR REPLACEMENT (4)			\$20,000.00	F			
93		BULLET PROOF VEST REPLACEMENT (ALL)							
94		NEW SPEED TRAILER					\$8,000.00	F	
95		RADAR EQUIPMENT UPGRADE/REPLACEMENT							\$6,000.00
96		DIGITAL VIDEO FOR CRUISERS	\$35,000.00	F					
		SUB-TOTAL	\$117,000.00		\$107,000.00		\$87,000.00		\$81,000.00
		FIRE (EQUIP)							\$83,000.00
97		REPLACE AMBULANCE (CHG BUY TWO SAME TIME)	\$250,000.00	A	\$250,000.00	A	\$250,000.00	A	\$250,000.00
98		ENGINE REPLACEMENT (1992) (5 YR LEASE PUR, \$550,000)	\$104,000.00	A	\$104,000.00	A	\$104,000.00	A	
99		SQUAD 1 REPLACEMENT (TRUCK 160)					\$40,000.00	A	
100		ADMINISTRATIVE VEHICLE DEP/CHIEF) REPLACE			\$28,000.00	A			
101		TANKER REPLACEMENT (98)					\$250,000.00	A	
102		REPLACE SPECIAL HAZARDS TRUCK (91)			\$100,000.00	A			
103		REPLACE COPIER	\$8,000.00	A					
104		UPGRADE AIR PACKS - 4.5L					\$30,000.00	A	
105		THERMAL IMAGER			\$10,000.00	A			
106		UPGRADE AND REPLACE TURNOUT GEAR (AS NEEDED)					\$10,000.00	A	
107		HYDRANT STANDPIPE SYS -ON SITE WELLS/BURIED TANKS					\$12,000.00	A	
108		REPLACE GAS METER	\$2,000.00	A					\$2,000.00
109		COMPUTER SOFTWARE ENHANCEMENTS					\$20,000.00	A	
110		MOBILE/DESKTOP COMPUTER HARDWARE ENHANCEMENT/ADDITIONS			\$20,000.00	A			\$20,000.00
111		FIRE SUPPRESSION UPGRADES/REPLACEMENT/FOAM	\$5,000.00	A			\$5,000.00	A	\$5,000.00
		RESCUE/MEDICAL EQUIP UPGRADE/REPLACEMENT							
112		CARDIAC MONITORS (2)			\$30,000.00	A			
113		JAWS/AIR BAGS.EXTRACTION EQUIPMENT	\$5,000.00	A			\$10,000.00	A	
114		SPECIALTY GEAR, TURNOUT SUITS, SURVIVAL SU	\$15,000.00	A	\$10,000.00	A	\$15,000.00	A	
115		RADIO REPLACEMENT/UPGRADES			\$10,000.00	A			\$10,000.00
116		FIRE HOSE (VARIOUS SIZES) CONTINUOUS REPL.			\$8,000.00	A			\$10,000.00
117		PORTABLE GENERATOR (REPLACEMENT)					\$2,500.00	A	
118		PORTABLE WATER TANK					\$4,000.00	A	
		SUB-TOTAL	\$389,000.00		\$570,000.00		\$708,500.00		\$314,000.00
									\$27,000.00

119	RESOURCE LAND MANAGEMENT PLANS			\$25,000.00	F			\$25,000.00	F		
120	LONG RANGE PLAN IMPLEMENTATION ASSISTANCE		\$25,000.00	F						\$25,000.00	F
121	LAND ACQUISITION(OPEN SPACE, RECREATION, MAINTENANCE)		\$25,000.00	F							
122	LAND ACQUISITION HOUSING/AFFORDABLE HOUSING PURCHASES		\$75,000.00	F			\$75,000.00	F			
123	COASTAL EROSION PLANNING/MITIGATION					\$50,000.00	F		\$50,000.00	F	
124	MUNICIPAL WASTE WATER/ WATER/PLANNING/IMPLEMENTATION					\$12,000,000.00	D		\$18,000,000.00	D	
125	ALTERNATIVE/GREEN ENERGY INITIATIVES		\$50,000.00	F					\$50,000.00	F	
126	FRESH WATER/POND STUDIES - REMEDIATION		\$65,000.00	F							
	SUB-TOTAL		\$240,000.00			\$12,075,000.00		\$75,000.00	\$18,125,000.00		\$25,000.00
	TOTAL		\$5,916,700.00			\$13,572,500.00		\$1,774,400.00	\$19,992,000.00		\$870,500.00
	TOTAL CAPITAL FUNDS NEEDED BY SOURCE (KEY)										
	F = FREE CASH		\$745,700.00			\$644,500.00		\$781,900.00	\$621,000.00		\$561,500.00
	C = COMMUNITY PRESERVATION FUND										
	HST + HUMAN SERVICES GIFT FUND					\$26,000.00			\$26,000.00		
	A = AMBULANCE RECEIPTS		\$429,000.00			\$570,000.00		\$708,500.00	\$314,000.00		\$27,000.00
	EX = BOAT EXCISE		\$15,000.00			\$5,000.00		\$25,000.00	\$5,000.00		\$5,000.00
	T = TAX LEVY		\$227,000.00			\$247,000.00		\$259,000.00	\$271,000.00		\$277,000.00
	D = CAPITAL DEBT EXCLUSION		\$4,500,000.00			\$12,075,000.00			\$18,750,000.00		
	CT=CABLE TV REVENUE					\$5,000.00			\$5,000.00		
	TOTAL		\$5,916,700.00			\$13,572,500.00		\$1,774,400.00	\$19,992,000.00		\$870,500.00

ARTICLE 15

To see if the Town will vote to transfer and appropriate a sum of money to various accounts for meeting the remaining expenses for Fiscal Year 2014; or take any action relative thereto.

By Board of Selectmen

Summary:

This article transfers will cover any account shortfalls. With the exception of Sanitation for water testing and contamination mitigation measures, and Snow and Ice, there are no known shortfalls as of the printing of this warrant.

BOARD OF SELECTMEN RECOMMENDATION: At Town Meeting

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting

(Majority vote required)

ARTICLE 16

To see if the Town will vote to raise and appropriate \$89,000 to be set aside for the settlement of pending collective bargaining agreements between the Town and Employees Unions and Employees covered by the Personnel Bylaw, covering the period of July 1, 2014 through June 30, 2017; or take any action relative thereto.

By Board of Selectmen

Summary:

The Town is currently engaged in contract negotiations with all of the unionized employees and considering salary and benefits for non-unionized employees. This sum of money will be used to settle all of these outstanding adjustments for the certain sum not to be exceeded above. In other years when negotiations are incomplete, we have appropriated a general sum of money like this. The appropriated sum has never, and will not now, be exceeded when settling these outstanding contracts.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0-1

(Majority vote required)

ARTICLE 17

To see if the town will vote to borrow a sum of money for the purposes of engineering, design, dredging and material disposal, for Rock Harbor to be expended in conjunction with the Town of Orleans, and further, that this appropriation shall be contingent upon the passage of a debt exclusion under General Law Chapter 59, Section 21C (Proposition 2 1/2, so called); or take any action relative thereto.

By Board of Selectmen

Summary:

The project includes maintenance dredging of 38,600 cubic yards of sand and silt from Rock Harbor in the fall of 2014. Dredging is required every 8 to 10 years to maintain navigability and to allow vessels to be moved if there is a fire at low tide. This is a joint project with the Town of Orleans. Each town is responsible for the costs of dredging its part of Rock Harbor. The dredge project will be undertaken by a contractor and / or the County dredge and may include hydraulic and / or mechanical dredging with dewatering offshore or at an upland site. Dredge materials will be disposed in Cape Cod Bay with the possible separation of sand to nourish beaches or the intertidal zone as determined by permit.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting

(2/3rds Majority vote required)

ESTIMATE OF ANNUAL COST OF DEBT FOR TWENTY YEAR BORROWING								
ROCK HARBOR DREDGING EASTHAM SHARE								
FISCAL						TAX	COST	
YEAR	YEAR	PRINCIPAL	INTEREST	GROSS		IMPACT PER	\$400,000	
						\$1,000	HOUSE	
17	1	\$35,000.00	\$14,000.00	\$49,000.00		\$0.02	\$7.02	
18	2	\$35,000.00	\$13,300.00	\$48,300.00		\$0.02	\$6.75	
19	3	\$35,000.00	\$12,600.00	\$47,600.00		\$0.02	\$6.46	
20	4	\$35,000.00	\$11,900.00	\$46,900.00		\$0.02	\$6.30	
21	5	\$35,000.00	\$11,200.00	\$46,200.00		\$0.02	\$6.09	
22	6	\$35,000.00	\$10,500.00	\$45,500.00		\$0.01	\$5.88	
23	7	\$35,000.00	\$9,800.00	\$44,800.00		\$0.01	\$5.67	
24	8	\$35,000.00	\$9,100.00	\$44,100.00		\$0.01	\$5.48	
25	9	\$35,000.00	\$8,400.00	\$43,400.00		\$0.01	\$5.28	
26	10	\$35,000.00	\$7,700.00	\$42,700.00		\$0.01	\$5.10	
27	11	\$35,000.00	\$7,000.00	\$42,000.00		\$0.01	\$4.91	
28	12	\$35,000.00	\$6,300.00	\$41,300.00		\$0.01	\$4.74	
29	13	\$35,000.00	\$5,600.00	\$40,600.00		\$0.01	\$4.57	
30	14	\$35,000.00	\$4,900.00	\$39,900.00		\$0.01	\$4.40	
31	15	\$35,000.00	\$4,200.00	\$39,200.00		\$0.01	\$4.24	
32	16	\$35,000.00	\$3,500.00	\$38,500.00		\$0.01	\$4.08	
33	17	\$35,000.00	\$2,800.00	\$37,800.00		\$0.01	\$3.93	
34	18	\$35,000.00	\$2,100.00	\$37,100.00		\$0.01	\$3.78	
35	19	\$35,000.00	\$1,400.00	\$36,400.00		\$0.01	\$3.64	
36	20	\$35,000.00	\$700.00	\$35,700.00		\$0.01	\$3.50	
		\$700,000.00	\$147,000.00	\$847,000.00			\$101.82	
		TOTAL LOAN AMOUNT		\$700,000.00				
		INTEREST RATE		2.00%				

ARTICLE 18

To see if the town will vote to authorize the Board of Selectmen to petition the Great and General Court to approve a Home Rule Petition generally stated as follows, provided, however, that the General court to make clerical or editorial changes of form only to the Bill, unless the Board of Selectmen approves amendments to the Bill before enactments by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public's objectives of this petition:

An Act authorizing the town of Eastham to apply the local option room occupancy excise to all seasonal rental properties in the town. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, in addition to the authority to impose a local excise tax upon any transfer of occupancy of any room or rooms as may be set forth in and authorized by Chapter 64G Section 3A of the Massachusetts General Laws or other law, as the same may be amended from time to time, the town of Eastham shall, commencing on the first day of January that begins after the effective date of this Act, be authorized to impose a localexcise tax upon the transfer of occupancy of any room in a seasonal rental property or other transient accommodations (rentals for ninety (90) days or less) located within said town by any operator at the rate of four (4) percent of the total amount of rent of each such occupancy.

SECTION 2. For the purposes of this chapter, all terms used herein shall, unless the context requires otherwise, have the same meanings as set forth in G.L. c64G Section 1 of the Massachusetts General Laws; or take any action relative thereto.

By Board of Selectmen

Summary:

The rooms' tax currently applies to rental accommodation in motels, hotels, and guesthouses with three or more rooms to let. Single-family homes and condominiums, which are an ever-increasing share of the vacation rental market, do not pay this tax. The result is an advantage to these private rentals. These visitors however, still draw heavily on seasonal services, as do visitors in other types of accommodation. This article, if passed, will allow the town, along with some others on the Cape who are seeking similar permission, to petition the legislature to pass a local law that will allow the town to institute and collect this tax. The town currently has on record more than 1200 rental units. The majority of these are short-term seasonal rentals. The estimate of potential revenue assuming ten (10) weeks occupancy at an average rent of \$2,000 per week is between \$500,000 and \$800,000. Rental periods of more than 90 days would not be taxed, thus preserving the rental market and the affordable year round residential rental market.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 19

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$106,877** for Eastham's share of capital improvements and equipment replacement expenses including but not limited to, technology upgrades at the middle and high school, replace fitness equipment at high school flooring replacements, door and window repairs and upgrades, interior and exterior painting, and as detailed below and shown on the multi-year capital improvement plan for the Nauset District; or take any action relative thereto.

By Nauset Regional School Committee

Summary:

MIDDLE SCHOOL

1. **Technology - \$50,000.** Funds will be utilized to replace outdated technology equipment including Twenty-six (26) computers in E 105 Lab and twenty-six (26) computers in B 204 Lab. In addition, two (2) interactive white boards, ten (10) printers and several teacher/classroom computers will also be purchased
2. **Renovate Art Room - \$17,000.** Funds will be used to make small repairs to one art room including wall repairs and replacement of some cabinetry and furniture.
3. **Inadequate Drainage Study - \$15,000.** Funds will be used to support an engineering study of the Middle School grounds where some areas currently flood during rainstorms.
4. **Flooring— \$50,000.** Funds will be used to continue replacement of worn and damaged flooring (carpet, VCT tiles and epoxy) at the Middle School in areas in the lower level of building A and lower level of building B the 8th grade hallway.
5. **General Repairs - \$25,000.** Funds will be used for painting and to support any unforeseen repairs and or extraordinary maintenance needs pertaining to the building infrastructure such as electrical, plumbing, exterior envelope, and HVAC.

HIGH SCHOOL

6. **Technology--\$60,000.** Funds will be utilized to replace outdated technology equipment including twenty-six (26) throughout PC's or laptops across the campus and twenty-six (26) computers for the science tech lab. In addition, twenty (20) printers will be replaced.
7. **Renovate Restrooms - \$30,000.** Funds will be used to make various repairs to (replacement of bathroom partitions, replacement of lighting, and replacement of flooring) in building B, boys' locker room, and building N girls' bathroom.
8. **Renovation of Courtyard Concrete - \$68,000.** Funds will be used to support the replacement of sections of the courtyard areas of the High School. Particular emphasis will be on repair of stairs, uneven surfaces, and tunnel reinforcement. These funds will supplement funds already allocated for this project.
9. **General Repairs - \$16,798.** Funds will be used to support any unforeseen repairs and or extraordinary maintenance needs pertaining to the building infrastructure such as electrical, plumbing, exterior envelope, and HVAC.
10. **Replacement of Locker Benches - \$8,202.** Funds will be used to replace damaged or broken benches in the boys or girls locker rooms.
11. **Replacement of Fitness Equipment - \$72,000.** Funds will be used to replace various pieces of equipment including treadmills, elliptical machines, incline cross trainers and stationary bikes in the Fitness Room at the High School. The original, donated equipment is old and damaged and in need of replacement due to wear and tear.
12. **Renovate Cafeteria / Purchase Equipment - \$45,000.** Funds will be used to continue renovation of the cafeteria as well as to purchase various pieces of kitchen equipment, which is failing and in need of replacement including convection ovens, stove, walk in cooler, steamer combination ovens, freezer parts, and serving equipment.

CENTRAL OFFICE

1. **General Repairs - \$3,475.** Funds will be used for general interior or exterior repairs to systems at the central office building.
2. **Flooring Replacement - \$5,000.** Funds will be used to complete the re-carpeting project at the central office. Existing carpets are badly worn and are beginning to tear.
3. **Technology Upgrades - \$5,000.** Funds will be used to replace technology infrastructure such as the file server and related switches and routers.

The total cost of all of the above projects is \$470,475. The article amount is Eastham's share.

BOARD OF SELECTMEN RECOMMENDATION: At Town Meeting

FINANCE COMMITTEE RECOMMENDATION: 0-5

(Majority vote required)

ARTICLE 20

To see if the town will vote to amend the town of Eastham, Zoning By-Law – Section IV Flood Plain Zoning as follows:

Replace Zoning By-Law Section IV A in its entirety:

- A. The installation of underground systems for the storage of petroleum products (including but not limited to oil, gasoline, kerosene, and any hazardous materials) shall be prohibited in the 100 year flood plain (Zones A, AE, and VE on the Flood Insurance Rate Maps prepared by the

Federal Emergency Management Agency for the Town of Eastham). Storage system shall mean storage tank and all supply lines between storage tank and burner. Underground shall mean under the surface of the earth or under pavement, including cement floors of cellars or basements. Storage systems may be located in basements or cellars provided they are on or above the paved floor of the cellar or basement.

by adding a new Section IV, E that reads as follows:

E. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

And further to delete in its entirety Section A of Article II and replace it with the following:

ARTICLE II. -- FLOODPLAIN DISTRICT BOUNDARIES AND BASE FLOOD ELEVATION DATA

SECTION A. -- FLOODPLAIN DISTRICT BOUNDARIES AND BASE FLOOD ELEVATION DATA

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Eastham designated as Zone A, AE, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Eastham panel numbers 25001C0244J, 25001C0263J, 25001C0264J, 25001C0407J, 25001C0409J, 25001C0417J, 25001C0426J, 25001C0427J, 25001C0428J, 25001C0429J, 25001C0433J, 25001C0436J, 25001C0437J, and 25001C0441J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

And further to replace Article III Use Regulation #2, and #3 with the following:

2. Prohibit man-made alteration of sand dunes and salt marshes within Zone VE, which would increase potential flood damage.
3. Provide that all new construction within Zone VE be located landward of the reach of mean high tide.

And further to amend the Article V = Definitions by striking out the words ~~ZONE V-130~~ so that the definition reads as follows:

ZONE VE (for new and revised maps) -- means a special flood hazard area along a coast subject to inundation by the 100-year flood with additional hazards due to velocity (wave action). Base flood elevations have been determined.

or take any action relative thereto.

By Planning Board/Board of Selectmen

Summary:

In order for property owners to be eligible for flood insurance coverage under the National Flood Insurance Program, the town is required, prior to July 16, 2014, to amend Section IV of the Eastham Zoning By-Law to adopt new flood zone maps issued by the Federal Emergency Management Agency (FEMA).

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE: RECOMMENDATION: 5-0

PLANNING BOARD RECOMMENDATION: 7-0

(2/3rds vote required)

ARTICLE 21

To see if the town will vote to amend the Eastham Zoning By-law Section XVIII, by deleting it in its entirety and replacing it with the following; or take any action relative thereto.

SECTION XVIII – TOWN OF EASTHAM – SIGN CODE

SECTION I – PURPOSE

This By-law is adopted for the regulation of non-governmental and non-political signs, displays, and other advertising devices within the Town of Eastham and is intended to protect public safety by regulating the setback, size and manner of display of any sign to serve the interest of the general public by preserving or enhancing the natural setting and architectural expression which characterizes the community.

SECTION II – DEFINITIONS

As used in this document, the following terms shall have the meanings indicated.

BANNER -- A temporary, flexible one- or two-sided sign, generally made of vinyl or fabric, and designed to be hung.

BUILDING SIGN -- A permanent sign attached to a building or roof.

CONTRACTOR SIGN – A temporary sign displayed during the active construction located on-site indicating construction industry-related businesses, including but not limited to a trade, professional or service provider.

DEVELOPER’S SUBDIVISION SIGN -- A temporary sign displayed while lots are for sale showing the lot plan of a subdivision.

EVENT-- Any gathering of a designated and limited duration for economic, political, recreational, historical, celebratory, or other purposes.

FLAG, COMMERCIAL – A flexible one or two-sided sign attached to a vertical pole, which announces or advertises a business, service, product, or event.

HOME OCCUPATION SIGN -- A permanent residential sign advertising a business lawfully operated from a residence by one or more of its residents.

ILLUMINATED SIGN-- A sign illuminated by a light source(s) external or internal to the sign’s surfaces.

INFORMATIONAL SIGN -- A non-commercial sign not to exceed 2 square feet including but not limited to those offering safety, instructional and public awareness, including, but not limited to, signs with the following or similar messages: Open, Closed, Hours of Operation, Right Turn Only, No Parking, Employee Entrance, Exit, and One-Way.

LADDER SIGN-- A freestanding ground-mounted sign not affixed to any building but constructed in a permanently fixed location on the ground with its own support structure, including pole signs, monument signs and freestanding menu sign, which may contain with two or more crosspieces servicing as individual signs, attached in a ladder style supported by a backboard, frame or post.

NAME SIGN -- A sign that is limited to identification of the resident or occupant of a dwelling or the name of the dwelling.

PERMANENT SIGN – All signs other than temporary signs.

PROPERTY IDENTIFICATION SIGN -- A permanent sign displaying only the name of the business or commercial development.

REAL ESTATE SIGN -- A temporary sign that advertises the sale, lease, year-round or seasonal rental of real property erected by a property owner or licensed Real Estate Broker.

SANDWICH BOARD SIGN -- A self-supporting, temporary double-sided sign consisting of two panels that are not parallel but which are connected along one edge and separated along the opposite edge.

SIGN -- An advertising device or insignia, whether lighted or not, free standing or attached to or painted on a structure or other object, designed to identify items for sale, or to advertise a principal use or activity for the property, and used to attract attention to a commercial activity.

FREE STANDING SIGN -- A sign that is supported by one (1) or more uprights or braces that are in or upon the ground, and fully support the sign.

STREET SIGN -- A sign identifying the name of a private or public way.

SUBDIVISION NAME SIGN -- A sign identifying only the name of a residential subdivision or development.

TEMPORARY SIGN -- A sign meant to be used for a limited period of time or conveying information concerning an event of limited duration.

WINDOW SIGN -- A sign placed on or inside or enclosed within a window or door facing the exterior of the building and visible from the exterior, if limited to no more than 30% of the glass area within the frame of display.

YARD SALE SIGN -- A temporary sign for occasional sales from a residential property, including, but not limited to, estate and garage sales, held in a residential neighborhood in compliance with town bylaws and regulations.

SECTION III – ADMINISTRATION

SIGN REGISTRATION -- All signs lawfully in existence on the effective date of this bylaw, regardless of permit status, must register with the Inspector of Buildings on or before January 1 of the subsequent year.

A. NON-CONFORMING SIGNS -- It is the intent of this code to allow all previously permitted signs to remain after the adoption of this code. The sign owner will need to submit documentation to substantiate the claim that the existing sign was legally permitted. Several options are available to accomplish this:

1. Provide a copy of the original permit, or
2. Provide vintage photos depicting the sign with some verification as to the date when the photo was taken and evidence that the sign was in conformance with the sign code at that time, or
3. Provide a sworn and notarized affidavit noting as many of the following as possible:
 - The date the owner believes the sign was erected
 - The dimensions of the sign
 - Purchase receipt from the sign manufacturer
 - Current picture of the sign
 - Approximate sign dimensions and location shown on a copy of the Town Tax Map
 - Copy of any previous correspondence from the Town of Eastham relative to the sign
4. In the event that the sign only exceeds the maximum allowable square footage as shown in the tables, and in the event that no proof exists to allow the non-conformity to continue, the following options are available:
 - Decrease size of the sign to conform, or
 - Have the Building Inspector deny the application and proceed to the Zoning Board of Appeals for a variance, or
 - For the case of an owner with multiple signs, remove one or more of the signs in order to gain compliance with the code.

A. APPLICATION PROCESS -- Application for a permit for a display or sign shall be submitted to the Building Department, on the form provided by the Building Inspector, together with the required fee, and shall be accompanied by a sketch and/or photograph showing the material, design and size, type of lettering, colors, and illumination. The exact location of the sign or display shall be indicated on a plot plan. The written permission of the landowner, if other than the applicant, shall accompany the application, and written permission of any successor owner shall be filed with the Building Department forthwith following any change in ownership.

B. APPROVAL OF PERMIT -- Upon receipt of an application, the Building Inspector shall review the application and may issue or deny a permit in accordance with this Bylaw.

C. RECORD KEEPING -- All permits and records of existing signs and displays shall be maintained as public records by the Building Department and shall be available for public inspection during normal business hours.

SECTION IV – GENERAL REGULATIONS

- A. SIGN MAINTENANCE AND CONFORMANCE – Any sign, whether authorized by permit or exempt pursuant to Section III. A or B above, shall be kept clean, neatly painted and free from all hazards.
- B. SAFETY AND LOCATION STANDARDS FOR SIGNS – No sign, whether new or existing, shall be permitted or maintained, which, in the opinion of the Inspector of Buildings, causes a sight, traffic, health or welfare hazard or results in a nuisance due to its illumination, placement, display, or manner of construction. All components of the signs must be set back a minimum of two feet setback from any property line.
- C. EXTERIOR DISPLAY - Exterior display of devices or objects for sale or for the promotion of the business other than during business hours is prohibited, unless authorized by a Site Plan Special Permit from the Planning Board pursuant to Section XIII. Exterior display limited to business hours shall not require a Site Plan Special Permit.

All exterior display must comply with the following standards:

- 1) Setback: Merchandise and other items shall be placed a minimum of 15 feet from all property lines.
 - 2) Height: No element of an exterior display shall exceed six (6) feet in height.
 - 3) Internal Placement: No element of an exterior display shall be placed so as to obstruct safe entry, egress or sight lines to, from or within the property, nor obstruct the flow of vehicular or pedestrian traffic within or adjacent to the property.
 - 4) Displays shall not be placed in any area of required parking or landscaping or be arranged to reduce the availability of or access to any required parking space or cause damage to any required landscaping area.
- D. PERMANENT SIGN -- Signs must be supported by a frame or post erected for that purpose, and such supports shall not be included in the calculation of the maximum total square footage for a permanent sign.
 - E. ADVERTISING FLAGS -- Permanent advertising flags will be considered signs and will be included when calculating the total square footage of signage permitted within a given district.
 - F. STREET SIGNS – Private street name signs shall be placed in a position clearly visible from the intersecting street and in a position that will not interfere with traffic. The size and location of the street sign shall be approved by the Department of Public Works, and comply with the Mass Highway Standards Manual.
 - G. LADDER SIGNS -- Regardless of the number of names on the sign, the sign shall be considered as one sign. Ladder signs shall comply with the size regulations for the zoning district in which the sign is erected.
 - H. TEMPORARY NON-COMMERCIAL SIGNS -- Temporary signs and banners advertising upcoming public events of a civic, philanthropic, educational, charitable or religious nature, or events of a not for profit nature are allowed in all districts, subject to compliance with the following standards:

1. The organization or individual must obtain a temporary sign permit from the Building Department.
2. The organization or individual must have written permission of the owner of the land on which the sign or banner is to be placed, and, in the case of such sign on Town-owned land, permission must be obtained from the Board of Selectmen.
3. Ground-mounted signs may not exceed eight (8) square feet per side, excluding the supporting frame, with the overall height not to exceed five (5) feet. Banners, no matter how hung, may not exceed three (3) feet in height or ten (10) feet in width.
4. Signs and banners shall not be displayed earlier than ten (10) days prior to the event and shall be removed no later than twenty-four (24) hours after the event has occurred, except this time period for removal may be extended to forty-eight (48) hours if the day following an event is Sunday or a holiday.
5. No more than two (2) signs and/or banners advertising the same public event shall be allowed throughout the Town, unless permitted after a hearing before the Planning Board.
6. No more than six (6) Temporary Event signs per year are allowed per organization unless permitted by the Board of Selectmen.

I. REAL ESTATE SIGNS, BUILDING AND PROPERTY RENTAL SIGNS, AND CONTRACTOR SIGNS – The following conditions shall apply:

1. Dimensions are limited to eight (8) SF maximum, per side.
2. Signs, offering properties for rent or sale, must only be displayed on the actual individual lot.
3. No more than one (1) real estate sign per house or lot that is for sale.
4. Only freestanding signs shall be permitted.
5. “Open house” signs may be placed at major intersections and on the property for sale and shall be removed at the end of each day.
6. All real estate signs, including “Sold” signs, shall be removed within twenty-four (24) hours after conveyance of the property.
7. Contractor signs shall be removed within twenty-four (24) hours of completion of work or issuance of a Certificate of Occupancy.

LIGHTING – All lighting and related fixtures, regardless of their intended use or mounting configuration, shall be fully shielded and directed only at the sign(s). Signs may be up-lit to a limited extent, provided, however, no glare or light trespass is thereby caused.

SECTION V – PROHIBITIONS

The following shall be prohibited:

- A. Any sign affixed to a utility pole, to a tree or other natural feature.
- B. Illuminated signs that, in the opinion of the Building Inspector, will distract or conflict with the ability to see traffic lights or cause hazardous conditions.
- C. Flashing, rotating, oscillating signs, or signs with electronically controlled, changing messages or displays.
- D. Signs or banners placed upon sidewalks if they obscure the visibility of vehicular traffic or interfere with pedestrian traffic.
- E. Human signs or people carrying or wearing signs.
- F. Any other sign or display not expressly permitted is prohibited under this By-law.

SECTION VII – TABLE OF ALLOWED SIGNS BY DISTRICT

District A Residential One and Two Family Dwellings				
	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
A-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
A-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
A-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
A-4	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
A-5	Residential Name Sign	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided
District B Marina Related				
	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
B-1	Ladder Sign	3' W x 8' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
B-2	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
B-3	Free Standing Sign (only for a single business on a property)	30 SF per side	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner

B-4	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof
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District C Industrial District

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
C-1	Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner.
C-2	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
C-3	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
C-4	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
C-5	Building Sign	24 SF per business; one side	Permanent	Each Business Unit is allowed 1 sign on building or roof

District D Retail Sales and Service

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
D-1	Ladder Sign	6' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification not larger than 6' x 2', per side; each business no more than 5 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
D-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
D-3	Developer's Subdivision Sign	24 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
D-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided
D-5	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
D-6	Sandwich Board Sign	30" W x 42" H per side	Temporary October 16 to May 14	One sign allowed per month for 2 weeks surrounding the event with permit issued by Building Department
D-7	Free Standing Signs (only for a single business on a property)	60 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner

D-8	Building Sign	36 SF per business, one side	Permanent	Each business is allowed 1 or more signs on building, roof, and/or windows, not to exceed 36 SF.
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District E Limited Business with Residential Areas

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
E-1	Ladder Sign	4' W x 10' H per side	Permanent	For multiple businesses at same location; may be 2-sided; property identification sign not larger than 4' x 2', per side; each business no more than 4 SF maximum per side; 2 signs allowed if frontage is greater than 250' or property is on a corner
E-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
E-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
E-4	Developer's Subdivision Sign	12 SF one side	Temporary	Until developer's lots are sold; not more than 2 years
E-5	Residential Name Signs	4 SF per side	Permanent	Does not require a permit, 1 or 2 sided
E-6	Sandwich Board Sign	30" W x 42" H per side	Temporary May 15 to October 15	With permit issued by Building Department
E-7	Free Standing Signs (only for a single business on a property)	50 SF per side, having a vertical dimension no higher than 10 feet	Permanent	Two signs allowed if frontage is greater than 250' or property is on a corner
E-8	Building Sign	24 SF per business; one side	Permanent	Each business is allowed 1 or more signs on building, roof and/or windows, not to exceed a total of 24 SF.

District F Seashore District

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
F-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
F-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
F-3	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

District G Water Resource Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
G-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
G-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
G-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall

G-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided
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District H Well field Protection District

	<u>TYPE OF SIGN</u>	<u>SIZE (MAXIMUM)</u>	<u>DURATION</u>	<u>COMMENTS</u>
H-1	Ladder Sign	3' W x 8' H per side	Permanent	At each street corner listing residents
H-2	Home Occupation Sign	2 SF per side	Permanent	Must be erected on owners property
H-3	Subdivision Name Sign	24 SF per side	Permanent	Maximum 5' tall
H-4	Residential Name Signs	4 SF per side	Permanent	Does not require a permit; 1 or 2 sided

Summary:

The Planning Board after getting input from the business community last year spent much of this fiscal year, evaluating the current sign code and developing the new code above. The revised code is intended to clarify signs by size, and design that can be displayed in the various district of the town. The code also provides for sign registration, and grandfathering protection for signs that may be in non-compliance after adoption of the new code. The sign code is part of the zoning bylaw and will require a 2/3rd vote for adoption.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 5-0

PLANNING BOARD: 7-0

(2/3rds vote required)

ARTICLE 22

To see if the Town will vote to adopt an amendment to the Town Zoning Bylaw in substantially the following form; or take any action relative thereto.

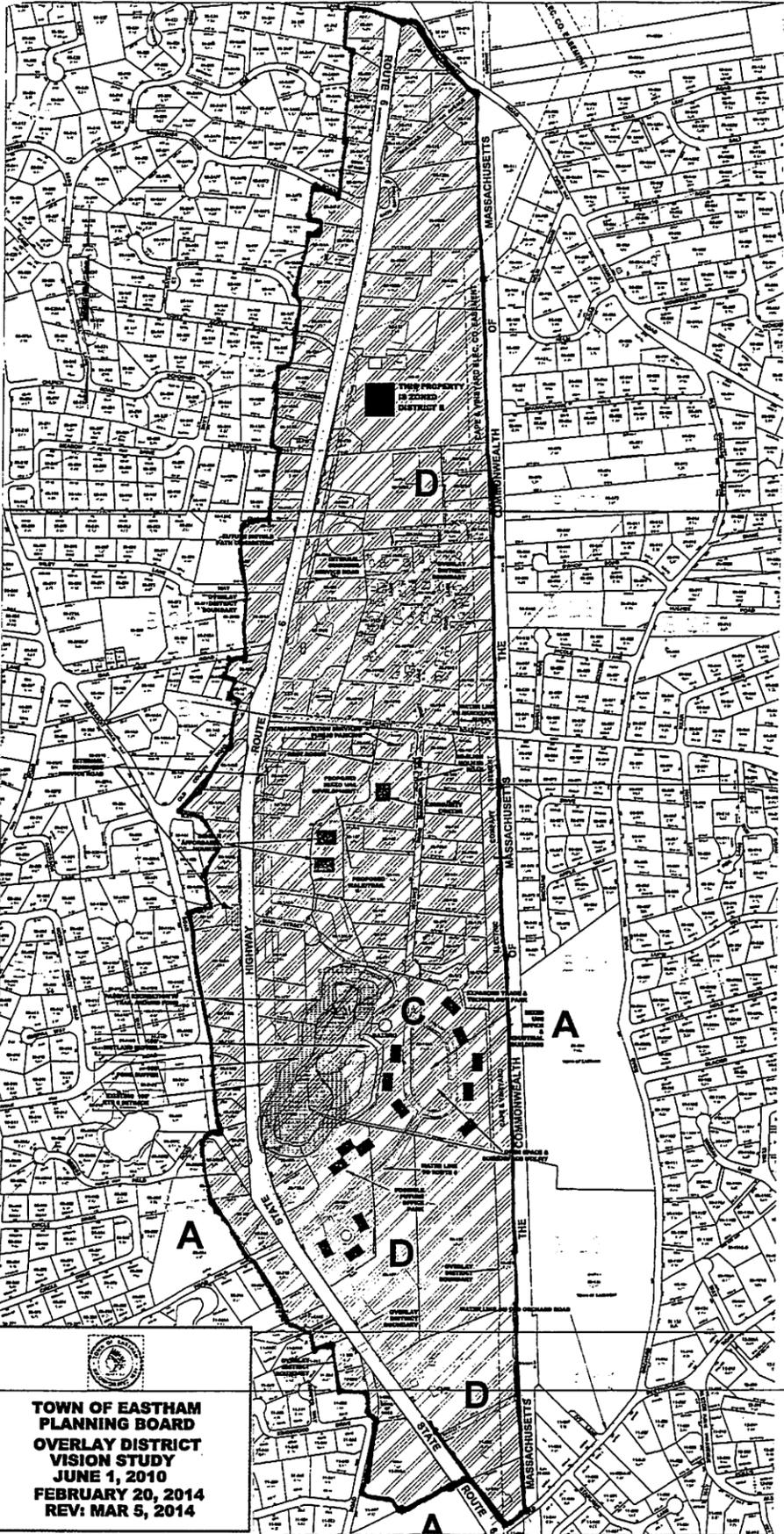
NORTH EASTHAM OVERLAY DISTRICT ZONING

Location and Intent

In SECTION II - ZONING DISTRICTS, add the following location description as District I:

North Eastham Overlay District – An area overlying Districts A, C and D and a portion of District E, available for optional village-style mixed-use development, and as shown on the map entitled, “Overlay District Vision Study “ dated February 20, 2014, and Rev March 5, 2014 a copy of which is on file with the Town Clerk, and – to amend the Town of Eastham Zoning Map to add a new Overlay District entitled, “North Eastham Overlay District, as shown below:

(See General District Outline Map Facing Page)




TOWN OF EASTHAM
PLANNING BOARD
OVERLAY DISTRICT
VISION STUDY
JUNE 1, 2010
FEBRUARY 20, 2014
REV: MAR 5, 2014

further, to amend SECTION V – USES by adding the following text:

NORTH EASTHAM OVERLAY DISTRICT I – Those principal and accessory uses as allowed by right or by special permit as indicated in the Overlay District Table of Principal Uses and Table of Accessory Uses.

Intent: The intent of this overlay district is to encourage cohesive, village-style development in an appropriate area, by providing for optional additional uses, mixes of residential, commercial, public and institutional uses and for appropriate alternative dimensional standards by special permit, in addition to those of the underlying zoning districts, while also protecting the quality of life of the homeowners in this area. Where not expressly otherwise provided, however, that the use and dimensional requirements and restrictions of Districts A, C, D and E shall continue to apply within the areas of each underlying district as shown on the Town of Eastham Zoning Map and described in the Appendix to the Town of Eastham Zoning Bylaw entitled “Zoning District Boundaries”.

Definitions

Amend SECTION III – DEFINITIONS by adding the following, to be inserted in alphabetical order:

APARTMENT, MIXED-USE ACCESSORY – A second dwelling unit located in a single-family residence, as allowed by special permit from the Planning Board, and subject to the requirements of Section VII ACCESSORY USES.

ASSISTED LIVING RESIDENCE (ALR) – A use allowed by special permit, consisting of a facility defined and certified under 651 CMR 12.02 et seq., which may be located on the same lot or abutting lots in common ownership with an Independent Living Facility, and which provides shelter and services to persons 55 years of age and older and other residents with disabilities requiring Personal Care Services, whether conducted for profit or not for profit, consistent with an approved Concept Plan and as authorized by a special permit based on the Concept Plan, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s), provided the facility meets all of the following criteria:

- (a) provides room and board to residents in need of support with one or more activities of daily life; and
- (b) provides, directly by its employees or through arrangements with another organization which the entity may or may not control or own, Personal Care Services as defined in for three or more adults who are not related by consanguinity or affinity to their care provider; and
- (c) collects payments or third party reimbursements from or on behalf of Residents to pay for the provision of assistance with the Activities of Daily Living, or arranges for the same.

COMMON DRIVEWAY — A form of access to the building site of a lot and to any occupied building on a lot, which is not itself a street but extends from a street and provides common vehicular access to more than one lot. For the purposes of calculating lot coverage, the common driveway's impervious surfaces shall be equally allocated among the lots served and/or benefited by the common driveway in proportion to the sizes of the lots.

CONCEPT PLAN – A plan submitted preliminary to a special permit application, which describes in detail the site and proposed mixed uses, including a site plan showing site improvements, and identifying traffic and environmental impacts and their mitigation, projected

future division of the site, if any, the submission of which to the Planning Board is required to initiate the Mixed-Use Development permitting process.

GRADE — The plane of the average of all finished ground level adjoining the building or structure for a distance of six feet from all exterior walls.

GROSS FLOOR AREA — The sum of all floor areas within a building or structure, measured from the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features. It shall include all areas capable of being used for human occupancy, including all basement floor areas, mezzanine and attic space and enclosed porches.

HEIGHT, BUILDING — The vertical distance from the grade plane to the highest point of a gable, hip or gambrel roof and the highest point of the coping of a flat roof, but excluding chimneys, cupolas, flagpoles or other similar and customary appurtenances.

INDEPENDENT LIVING RESIDENCE (ILR) – A use allowed by special permit, consisting of one or more multi-family condominium or apartment buildings containing dwelling units restricted to occupancy by residents 55 years of age or older, which may be located on the same lot or abutting lots in common ownership on which an Assisted Living.

MIXED-USE DEVELOPMENT – A use allowed by special permit, consisting of retail, office, municipal, service establishments and residential uses, in some combination, consistent with an approved Concept Plan, which may be located on a single lot or a parcel formed from combined lots, and which, if authorized by special permit, need not comply with the use restrictions or dimensional requirements generally applicable in the underlying zoning district(s).

OFFICE, MEDICAL OR DENTAL — A building or portion thereof the primary use of which is the provision of health-care services to patients or clients on an outpatient basis and by appointment only. The sale of merchandise is allowed only as an accessory use.

PERSONAL CARE SERVICE – Within an ALR, assistance to residents with Activities of Daily Living, as defined and provided in 651 CMR 12.02 et seq.

PERSONAL SERVICES ESTABLISHMENT — A commercial establishment engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barbershop, beauty shop, dry cleaner, tailor, or other similar services, but shall not include a public laundry where clothing is laundered on-site.

PUBLISHING AND PRINTING ESTABLISHMENT — A commercial facility for the publishing and printing of information as a retail service use, not including bulk publishing or printing of paper documents on-site, but may include the sale of ancillary goods typically used in the publishing and printing of information.

RAIN GARDEN — A bowl-shaped landscape area designed to absorb storm water runoff from impervious surfaces. It cleanses water of pollutants by filtering water through soil and plants.

RECREATIONAL FACILITY — An establishment engaged in the provision of public recreational services, including bowling and billiards, but not including miniature golf and video arcades.

REPAIR SERVICES, NON-AUTOMOTIVE – Repair and servicing of appliances, computers, electronic equipment, tools and other small machinery common to homes and businesses, not to include any appliances, tools or small machinery that are powered by hydrocarbon fuel.

RESEARCH AND DEVELOPMENT FACILITY — A business that engages in non-biological research and development of innovative ideas, services and technology, such as development of computer software, information systems, communication systems, transportation, multi-media, and video technology and development and construction of prototypes associated with such services and products.

TOWNHOUSE - A single dwelling unit which is not located above or below another dwelling unit and whose sidewalls are separated from other dwelling units by a firewall or party walls. Each unit in the row shall have a dedicated ground level entrance and front and rear yards, and may be held in separate ownership.

WASTEWATER TREATMENT FACILITY – A public or private facility constructed to treat wastewater, not including the disposal of treated effluent.

WASTEWATER EFFLUENT DISPOSAL – The disposal of treated effluent from a public or private wastewater treatment facility.

TABLE OF PRINCIPAL USES

Y = Yes/allowed by-right

SP = By special permit

X = Prohibited.

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Agricultural</u>	
Farm, >5A	Y = A
Plant nursery, other horticulture or floriculture	Y
<u>Residential</u>	
Assisted Living residence, with or without Independent Living	SP
Single-Family dwelling	Y
Two-family or duplex dwelling	Y
Mixed-use Development	SP
Apartments & Townhouses	SP
Residence above by-right business, if not >50% “of structure”	Y=D,E A = SP

<u>PRINCIPAL USES</u>	<u>District</u>
	I NEOD
<u>Commercial</u>	
Antique, craft and gift shops	Y
Adult Entertainment	X
Animal hospital or veterinary office	SP
Art Gallery	Y
Auction house	Y
Automotive repair, service	Y in Dist. C
Bakery, Wholesale	X
Bank	Y
Barber shop, beauty salon	Y
Boat building, repair, storage	X
Charter (party) boat business	X
Cinema, movie theater	Y
Contractor's yard	X
Dry cleaning, Laundromat	SP X in Dist. A
Fitness center, Gym	Y
Hospice Care Facility	SP
Hotel, Inn, Motel, Hostel	Y
Industry, Light, not specifically allowed in Section V District C Use description	SP X in Dist. A
Junk yard	X
Kennel, Commercial (not defined)	SP Y in Dist. C, D
Lodge, Membership or Fraternal Club	Y

Nursing or Convalescent Facility	<i>SP</i>
Publishing and/or printing establishment	SP
Rental, automobile, truck, trailer	<i>SP</i>
Rental, boat, fishing gear	<i>SP</i>
Restaurant, < 5 K sq. ft. GFA	Y
Restaurant, 5 K sq. ft. or > GFA	SP
Retail Sales/Service, Minor Small scale , 5 K sq.ft GFA	Y
Resort and Conference Center	SP
Service and Repair, non-automotive (carpentry, electrical, plumbing, etc.)	Y
Spa Resort	<i>Y</i> C = X
Studio, Artist Dance, Photography	Y
<u>Industrial</u>	
Concrete batching plant	X C=Y
Warehousing, Rental, & Bulk Storage	X C=Y
Wastewater Treatment Facility	SP
Wastewater Effluent disposal	SP
Wind, Solar , Energy Facility	SP
<u>Governmental, Cultural, Institutional</u>	
Conservation, open space land	Y
Municipal Use	Y
Museum	Y
Public use, other	Y
Recreation, passive	Y

<u>ACCESSORY USE TABLE</u>	
<u>Residential</u>	
Apartment, AFFORDABLE Accessory	SP
Apartment located above permitted commercial use, provided no more than 50% floor area of total structure	SP
Automated banking (ATM) interior ,exterior or freestanding	SP
Bed and Breakfast	SP
Family daycare, licensed per G. L. c. 15D, §1A.	Y
Farm stand, non-exempt per G. L. c. 40A, §3Y	SP
Home Occupation, SP in any district where not X	SP

MIXED-USE (“MU”) SPECIAL PERMIT

OBJECTIVE

The objective of the MU special permit is to serve an unmet need of the community, by providing the means for creation of attractive mixed-use developments and a mix of housing options, including workforce housing, by providing for design and dimensional flexibility appropriate to the purpose and intent of village development zoning, and, in particular, by encouraging residential units to be incorporated into second floors of certain new or existing commercial structures in accordance with the provisions of this Section.

APPLICABILITY

The Planning Board is the Special Permit Granting Authority (SPGA) for Mixed Residential Development Special Permits and Mixed-Use Special Permits in the North Eastham Overlay District (NEOD).

MIXED - USE SPECIAL PERMIT

Within the NEOD, the SPGA may issue a special permit to authorize the following use: the use, conversion, or expansion of a commercial structure to provide for a mix of residential and commercial uses in structures of one or two stories, where residential units are located on the second floor level of the structure in commercial use.

STANDARDS

To be eligible for consideration for a special permit approval pursuant to this Article, the proposed development shall meet the following standards:

Qualifying area: To serve as a MU site, an area of land within the NEOD shall contain at least two (2) contiguous acres.

Open space/Buffer: At least 20% of the MU site shall be open space, which shall be left in its natural vegetated state. A buffer area of 10 feet shall be provided at the perimeter of the property where it abuts residentially zoned or occupied properties; provided, however, that no buffer shall be required where the land abutting the site is the subject of a permanent restriction for conservation or recreation or where the land abutting the site is held by the Town for conservation or recreation purposes. No vegetation in this buffer area will be disturbed, destroyed, or removed.

Building Design:

1. Buildings shall have no more than 50% of the total gross square footage on a second floor. A total maximum square footage for all building uses on a lot shall not exceed 15,000 square feet.
2. Variation in the overall architectural design, including building elevations, building setbacks and the exterior details, (roofing, siding, glazing), shall be a part of the project concept development through construction documents to assure compatibility with existing development.
3. No building shall exceed 35 feet in height. All roof mounted mechanical equipment must be enclosed to reduce the noise of operation and eliminate visibility of such equipment from the equivalent of an adjoining second floor level. In no case shall roof mounted equipment or the accompanying enclosures exceed a height of 6 feet above, or occupy more than 30% of the area, of the roof surface.
4. Building orientation, layout, and configuration shall be designed to provide adequate light and air for the proposed and adjoining buildings.
5. Drive-up windows are permitted if the windows and accompanying drives are buffered by an attractive 6-foot high opaque fence with a minimum of a 10 foot wide landscaped buffer to the exterior/outside of the fence.

Vegetation Management: No clear-cutting shall be permitted, except as necessary and incidental to construction of buildings, roads, trails, and parking areas. Where vegetation will be disturbed, destroyed or removed during construction, the applicant shall indicate on the special permit plan that such vegetation will be replaced with alternative vegetation as may be approved by the SPGA as consistent with Cape Cod Commission and/or Barnstable County Extension Service list of approved plant materials in locations consistent with the completion of the project.

Drainage and Storm water Management: The surface water drainage system shall be designed to accommodate 100-year storm conditions. Drainage shall not be directed to or allowed to flow off-site.

Internal Roadways, Walkways, Paths and Parking Areas: These shall be designed to provide for safety; visual appeal; separation of vehicular, bicycle and pedestrian traffic; convenient connectivity within and without the MRD site; and maximum access to the various amenities and facilities on the MRD site and to pathways on adjacent sites. The owner or an association of unit owners, as applicable, shall maintain all internal roadways, walkways, paths and parking areas.

Driveway, Vehicular and Pedestrian Access Standards:

1. All driveway and parking areas shall be visually buffered from all streets by the use of berms or natural features and/or planting, using materials that shall maintain a minimum of

50% of their effectiveness year-round. All driveway and parking areas shall be visually buffered from adjoining residential uses by one or more of the following; berming, fencing, and planting, using materials that shall maintain a minimum of 75% of their effectiveness year round. Visual buffers shall be designed, placed, and maintained to reduce the light from vehicular headlights from reaching onto adjoining streets and other properties.

2. A portion of the required parking may be accommodated on access drives within the project, provided such parking does not interfere with sight lines to pedestrian or vehicular access routes, directional signage, or interfere with vehicular access/egress in any area.
3. No more than 12 parking spaces shall be laid out in a continuous row unless interrupted by a landscaped island of a minimum of 8 feet in width and equal to the depth of the adjoining parking spaces. The landscaped island shall be treated with consideration given to the need for shade; pedestrian access where appropriate, snow storage, and the need to soften the appearance of a large paved area during the growing season.
4. The number of parking spaces required may be reduced up to 40% at the discretion of the Planning Board as a special permit condition, provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity. The Planning Board may give consideration to shared parking between adjoining uses as a means of reducing the paved area required for proposed uses, provided the following conditions are met:
 - a. the shared parking is sufficient to adequately service the adjoining uses without leaving either in a deficit of spaces needed;
 - b. the shared parking has well defined pedestrian access to both uses;
 - c. there is a legally binding agreement, executed by all parties to be served, which permits vehicular and pedestrian access to and from all the parcels involved; this agreement must be in place, and a copy provided to the Building Inspector before issuance of an Occupancy Permit; and
 - d. all open space and coverage requirements are met based on the ability of the project site to accommodate all of the required parking.
5. Parking areas may consist of pervious hard surfaces or impervious surfaces, provided provisions acceptable to the Planning Board are made for management of surface water runoff. If approved as a condition of the special permit, up to 10% of the parking required may be constructed in an alternative paver which incorporates the use of grass or a “grass on gravel” system to allow for greater permeability and an appearance more characteristic of open space/courtyard features, to be used exclusively for overflow parking beyond that normally needed to service the uses on site. The location of such spaces should be in peripheral areas of the parking facility where they can enhance the appearance of adjoining open space and not be in a location where they would be in daily use or overlap with pedestrian activity.
6. Parking areas shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.
7. Off-street parking spaces may be laid out in a perpendicular, angled, or parallel alignment provided adequate access is provided for vehicles to enter and leave the spaces;

pedestrians to enter and leave the vehicles, and service and emergency vehicles to access the drives, parking areas, and buildings.

8. Perpendicular or angled parking spaces shall not be less than 9 feet wide by 18 feet in depth with the following exception; however, at the discretion of the Planning Board, up to 5% of the required parking spaces may be accommodated using a layout of an 8 foot width by a 17 foot depth, with such spaces shall be identified by a sign mounted at a height of not less than 5 feet or more than 8 feet, indicating the space is for a subcompact car only. In no case shall parallel parking spaces shall not be less than 8 feet in width (depth) by a 22 foot in length.
9. Driveways, which can be shared for more than one use, are encouraged, provided the Planning Board determines that sharing does not limit adequate service or emergency access at any time or serve as the only route of vehicular access to a project.
10. Customer and residential pedestrian access areas shall include a combination of walkways and landscaping. Such pedestrian access shall be provided for from the street/s providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where the two cross, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark without adversely impacting adjacent uses or parcels.

Service Access, Including Deliveries and Trash Removal:

11. Provisions shall be made for service vehicles to access the site and building so as not to obstruct pedestrian and vehicular access by residents, commercial patrons, and emergency providers.
12. All trash receptacles and areas to be used by service and delivery vehicles shall be visually and, to the extent reasonably practicable, acoustically buffered from adjoining residences by one or more of the following; berming, fencing, and/or planting. Any visual screening shall maintain a minimum of 75% of its effectiveness year- round. No service vehicle shall be allowed to have an engine idling for more than ten minutes unless it is necessary for the service being provided, (for example; tree trimming, power washing, refrigeration, etc.).

Wastewater Management: All wastewater treatment and disposal facilities shall conform to the provisions of the State Sanitary Code, 310 CMR 15.00, any other state regulations as may be applicable and with the rules and regulations of the Board of Health.

Utilities: All electric, gas, telephone, and water distribution lines shall be placed underground, except upon a demonstration of exceptional circumstances.

Affordable Residential Units: The applicant is encouraged to provide dwelling units at prices affordable to persons or families of low or moderate income comprising at least 25% of the total number of dwelling units in the development, with affordable dwelling units integrated into the overall development to prevent the physical segregation of such units.

Dimensional Flexibility:

The dimensional requirements for residential and non-residential uses:

Table - Dimensional Requirement					
WIDTH	FRONT YARD	SIDE YARD	REAR YARD	MAX. LOT OVERAGE	MAX. BLDG HGHT.
75 foot Min	10 foot min. 20-foot max.	20 foot min. exclusive of driveway	15 foot min.	Bldg. 15% Bldg., drives & parking 55% NOTE: Walkways must be pervious if the building, parking, and driveways total 55%	2 stories or 35feet.

Development Schedule: The development schedule submitted by the applicant shall allow for orderly construction of the project. Any substantial deviation from the development schedule may be allowed only by modification of the special permit following notice and hearing pursuant to G. L. c. 40A, §9.

Prohibited Uses:

- (1) Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed automobiles, or products, materials, or vehicles in connection with manufacturing or commercial uses outside the district; and
- (3) Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate matter, fumes, noise, vibration, glare, radiation, electrical interference, or danger of fire or explosion.

CONCEPT PLAN - MIXED-USE SPECIAL PERMIT SUBMISSION AND APPROVAL PROCEDURE

- A. Overview - The review procedure for a Mixed-Use Special Permit consists of three steps:
 - 1. Pre-application conference;
 - 2. Submission by the applicant and review by the SPGA of a Concept Plan for the proposed mixed-use development for approval, and
 - 3. Formal application for a special permit and hearing pursuant to G. L. c. 40A, §9 and the Town of Eastham Zoning Bylaw.
- B. Application and Concept Plan for a Mixed-Use Special Permit.
 - 1. Pre-Application Conference. Prior to the submission of an application for a mixed-use Special Permit, the applicant must confer in an open meeting with the Planning Board to

share information and possible concerns before the applicant enters into binding commitments or incurring substantial expense in preparation of plans, surveys, etc.

2. Concept Plan Procedure:

- a. The applicant shall file with the Town Clerk, at least fourteen (14) days before a regularly scheduled meeting of the Planning Board, the original and one (1) copy of the proposed Concept Plan, accompanied by the form entitled "Submission of Concept Plan: Mixed-Use Special Permit," together with a certified check in the amount set by the Board of Selectmen. The applicant shall at the same time submit to the Planning Board eight (8) copies of the Concept Plan, and a single copy to each of the following: Department of Public Works, Board of Health, Fire Department, and Conservation Commission.
- b. The applicant shall file with the Town Clerk and submit to the Planning Board one or more transmittal letter(s), as required, certifying that it has forwarded copies of the Concept Plan to the Town boards and agencies as required above.
- c. The Town boards and offices receiving copies of the Concept Plan may submit written recommendations on the Concept Plan the Planning Board within 30 days from the date of the filing of the Concept Plan, and failure to so report within such time shall be deemed lack of objection to the application.
- d. Within 45 days from its filing, the Planning Board shall review the Concept Plan and determine whether the project proposed therein is consistent with the intent, purposes, and standards of the North Eastham Overlay District and/or other applicable provisions of this By-Law. The Planning Board may suggest modifications and changes to the development described in the Concept Plan and shall make a written report of its recommendations to guide the applicant in the preparation of the final plan.
- e. The written report of the Planning Board shall be filed in the Town Clerk's office; after such filing, the applicant may submit an application for a special permit accompanied by a development plan. Failure of the Planning Board to file its written report within 45 days after filing of the Concept Plan shall be deemed approval, whereupon the applicant may submit application for a special permit accompanied by a final plan consistent with the approved Concept Plan or the plan "deemed approved" pursuant to this section.

C. Contents of Concept Plan

A Concept Plan shall contain the graphic and narrative materials described below, which the Planning Board may require to be supplemented as appropriate, according to the scope and nature of the development proposal and any particular characteristics of the development site.

1. Graphic materials shall include plans of sufficient number and detail to adequately represent and the existing conditions on the site and the proposed development, including, at a minimum, the following:
 - a. boundaries of the proposed mixed-use parcel, north arrow, date, scale, legend, and title "Concept Plan: (name of mixed-use permit applied for)";
 - b. the name or names of applicants and engineer or designer;
 - c. names of all abutters as defined in G. L. c. 40A, §11;

- d. existing general site conditions, proposed land uses and improvements, and approximate location and width of all adjacent streets;
 - e. existing and proposed lines of streets, ways, utility and all easements, and any public areas within or next to the parcel;
 - f. the approximate boundary lines of existing and proposed lots with appropriate areas and dimensions;
 - g. the proposed system of drainage, including wetlands on site and on adjacent properties;
 - h. the existing and proposed topography of the site at two-foot or less contour intervals;
 - i. existing and proposed buildings, significant structures and proposed open space and proposed site amenities, and proposed circulation patterns; and
 - j. an analysis of the natural features of the site, including wetlands, flood plain, slopes over 10%, soil conditions and other significant features.
2. Written materials shall include the following:
- a. description of the proposed mixed-use development, showing the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. description of the neighborhood in which the parcel lies, including utilities and other public facilities and the general impact of the proposed mixed use upon them; and
 - c. a summary of environmental issues of significance or likely to be of concern.

D. Submission of Final Plan

1. The applicant shall file the original application for any Mixed-Use Special Permit and the original of the final plan (which plan shall comply with the substantive Rules and Regulations of the Planning Board), together with one (1) copy of those materials, with the Town Clerk. The applicant shall also submit to the Planning Board and to those boards and agencies set forth in subparagraph B. 2. (a) of this Section at the time the application is filed with the Town Clerk, a copy of the application and the final plan.
2. The applicant shall file with the Town Clerk and submit to the Planning Board a transmittal letter certifying that it has forwarded copies of the final plan to the boards and offices as required above. The applicant is encouraged to meet with the Town boards and agencies receiving copies of the final plan during the review period.
3. The Town boards and offices receiving copies of the final plan may submit to the Planning Board written recommendations on the special permit application within 35 days of the filing of the transmittal letter certifying that copies of the final plan have been forwarded. Failure to report to the Planning Board within such 30 days shall be deemed lack of objection to the application.

4. Within 65 days of the filing of the special permit application with the Town Clerk, the Planning Board shall hold a public hearing, complying in all respects, with the procedure for review of a mixed-use special permit shall comply with the requirements for review of special permits pursuant to G. L. c. 40A.

E. Contents of Final Special Permit Application Plan

After approval of a Concept Plan, the application for a mixed-use Special Permit shall include a final plan of the development site and narrative materials as provided below, except as may be provided by the Concept Plan approval.

1. Final plans shall include all of the information required for site plan review, including the following:
 - a. a scale of one inch equals forty feet unless another scale is requested and found suitable by the Planning Board;
 - b. preparation by and bearing the seals of an appropriate registered professional engineer, registered architect, registered land surveyor, and registered landscape architect, including certification of the accuracy of the location of the buildings, setback and all other required dimensions, elevations, and measurements;
 - c. a utilities and drainage plan prepared and stamped by a registered professional engineer;
 - d. the scale, date, and north arrow;
 - e. lot numbers, dimensions of lots in feet, size of lots in square feet, and width of abutting streets and ways;
 - f. all easements within the lot and abutting thereon;
 - g. the location of buildings existing or proposed for the development, which shall be prepared by and bear the seal of a registered architect as provided in subparagraph (b), including the total square footage and dimensions of all buildings, all building elevations and floor plans, and perspective renderings. Further, the depiction of materials and colors to be used shall be required;
 - h. the location of existing wetlands, water bodies, wells, 100-year flood plain elevation, and other natural features requested by the Planning Board in their written report on the Concept Plan;
 - i. the distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot;
 - j. percent of the building lot coverage;
 - k. average finished grade of each building at the base of the building;
 - l. the elevation above average finished grade of the floor and ceiling of the lowest floor of each building;
 - m. existing and proposed contour lines at two-foot intervals;

- n. the uses proposed for the mixed-use development by building or part thereof, including proposed open space, recreation areas, or other amenities;
 - o. proposed provisions for parking;
 - p. height of all buildings, above average finished grade of abutting streets;
 - q. a landscape plan to include the total square feet of all landscape and recreation areas, and depiction of materials to be used, and the quantity, size and species of plantings.
2. Narrative information concerning the development's impact on the community shall be provided, to include, at a minimum, the following:
- a. description of the proposed mix of uses within the development, indicating the planning objectives and the character of the development to be achieved through the Mixed-Use Special Permit;
 - b. parking and traffic plan to be prepared by a traffic engineer. The traffic plan shall include information on the type and number of vehicles generated on average and peak periods of uses, the impact on traffic intersections, and major roads servicing the project area;
 - c. description of the neighborhood in which the land lies and the impact of the development on the neighborhood and the community. Such description shall include information concerning the impact to local schools, housing supply, wastewater, water, and other utility systems, and other public facilities. When so requested by the Board, other impact information shall be provided; and
 - d. evidence of ownership or interest in the land for which the special permit is sought.

F. Minimum Requirements

A Mixed-Use Special Permit shall be granted only upon the determination by vote of five (5) members of the Planning Board that the development meets the requirements of G. L. c. 40A, §9 and the provisions of the Mixed-Use By-Law, including the following conditions:

- 1. The final plan is substantially consistent with the Concept Plan and with the purpose and intent of the provision of the Bylaw under which the application is submitted.
 - a. the execution, delivery and recording of such covenants, agreements and instruments running with the land and binding on the owner of the parcel, its legal representative, successors, heirs and assigns, and enforceable by the Town, as the Board may require, and in form and substance satisfactory to it, in order to insure adherence to the terms of the Special Permit issued hereunder;
 - b. the approval by the Board of the detailed plans submitted for the project including, without limitation, plans showing all structures and improvements on the parcel, all ways and utilities serving the same, all lot lines, easements and rights of way of record, building plans and specifications illustrating in appropriate detail the landscaping and architectural design, showing types, location and layout of buildings, typical elevations, as well as the general height, bulk and appearance of structures,

and such other and further documents, studies, reports or data which the Board determines appropriate or desirable to enable the Board to make the determinations required by this Bylaw;

2. the Board may, may allow dimensional, setback and parking requirements other than those required by this By-Law; and
3. The Board may, may impose a requirement that motor vehicular and pedestrian easements be provided for access and egress be provided from the site to abutting public or private property.

By Planning Board

Summary:

The Planning Board for over five years, have been working on creating an overlay zoning incentive bylaw that will encourage the type of development and redevelopment in the outlined area. The process started with a series of community workshops designed to solicit ideas from the citizens of Eastham, members of town committees, and elected officials, on the future vision of the town. The consultant who assisted in the process worked with the Planning Board to develop specific uses and densities that would assist in fulfilling the vision. The Planning Board presentation of this zoning bylaw, maintains the uses of the underlying zoning district while encouraging a more pedestrian friendly development or redevelopment in the outlined area. The use tables indicate the variety of uses encouraged in the area.

BOARD OF SELECTMEN: 5-0

FINANCE COMMITTEE: 4-0-1

PLANNING BOARD: 7-0

(2/3rds vote required)

ARTICLE 23

To see if the Town will vote to appropriate and transfer, pursuant to the provisions of G.L. c.44B Section (6) from the FY2015 estimated community preservation revenues to reserves in the following amounts: **\$74,186** for open space purposes, **\$74,186** for historic preservation purposes **\$74,186** for affordable housing purposes, and \$ **519,299** to the FY2015 community preservation budgeted reserved for appropriation for a total of **\$741,857**, as recommended by the Community Preservation Committee; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article seeks to set aside 10% of the estimated community preservation revenue for open space, historic resources, and affordable community housing, with the remaining estimated revenue reserved for appropriation as required by G.L. Chapter 44B (6).

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: 9-0

(Majority vote required)

ARTICLE 24

To see if the Town will vote to transfer and appropriate **\$35,000** from the Community Preservation Fund Balance as allowed by law for the purpose of administrative expenses; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article permits the use of \$35,000 of Community Preservation Funds by the committee for administrative purposes. The State Legislation permits up to five percent (5%) of all funds for that purpose. Last year, the committee requested \$30,000 to cover routine administrative expenses and to create a Community Preservation Plan to guide the use of funds over the next several years. This year, the Committee is requesting additional funds to pay for clerical assistance. Any unused funds each year revert to the Community Preservation Fund Balance

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: 9-0

(Majority vote required)

ARTICLE 25

To see if the Town will vote to transfer from Community Preservation Historic Preservation Reserves, the sum of **\$40,000**, to the town of Eastham for expenditure under the direction of the Board of Selectmen, for the purpose of creating, in the Library, a climate controlled storage area of archival materials owned by the town; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary: This article will provide funding to install climate control equipment in the Eastham Room in the new Library. This room will house the Library’s historic book collection, records, maps, and artifacts. Funds for this were not provided for in the state library grant or in the Town library building appropriation.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 26

To see if the Town will vote to transfer from the Community Preservation Fund Balance the sum of **\$35,000** for expenditure under the direction of the Board of Selectmen for contracting with consultants to identify recreational land use opportunities in Eastham and development of a plan to renovate, repair and/or expand the Field of Dreams recreational offerings; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

Eastham Recreation Commission is seeking community preservation funds to hire a consultant to develop a comprehensive plan to renovate, modernize, and upgrade our active recreation areas. In addition to identifying new areas for the expansion of recreational activities, using Town of Eastham owned property and private property that may be currently available for acquisition.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 27

To see if the Town will vote to transfer from Community Preservation Historic Preservation Reserves, the sum of **\$75,000**, for expenditure under the direction of the Board of Selectmen, for the relocation and preservation of the original 1898 section of the historic library; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This article appropriates \$75,000, from Community Preservation Historic Preservation Reserves, for the purpose of relocating, preserving, and incorporating the original 1897 section of the Library, listed on the National Register of Historic Buildings since 1999, into the new Eastham Public Library.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-1

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 28

To see if the Town will vote to transfer from Community Preservation Fund Balance, the sum of **\$366,240** for expenditure under the direction of the Board of Selectmen for the repair and construction of tennis courts located at the Nauset Regional High School; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

These funds would be used to reconstruct five tennis courts at the Nauset Regional High School. Eastham residents would have priority to use the tennis courts during the months of June, July, August, and September. The Nauset Regional District would pay for all maintenance of the courts and repairs to the parking area next to the courts.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 29

To see if the Town will vote to transfer **\$400,000** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, for a grant from the Town to the Town of Eastham Affordable Housing Trust for the purchase, repair and marketing of new affordable rental units in Eastham, and further to authorize the Town Administrator to enter into a grant agreement with the Housing Trust, under such terms and conditions as the Town Administrator shall deem appropriate, provided further that said grant agreement shall include the requirement that the Town of Eastham be provided with an Affordable Housing Restriction in the property or properties in a form approved by the Department of Housing and Community Development to run in perpetuity; and further to authorize the Board of Selectmen to accept a deed restriction (s) in said property or properties; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

With the approval of the Community Preservation Committee, this Article will provide \$400,000 that will enable the Affordable Housing Trust to continue their work of developing affordable housing units for the town.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 30

To see if the Town will vote to transfer **\$234,001** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, for a grant to the Community Development Partnership, a non-profit agency, for the purpose making repairs to seven (7) affordable rental units located at 885 State Highway and 1475 State Highway; and to authorize the Town Administrator to

enter into a grant agreement with said Partnership setting forth the terms and conditions under which the funds may be expended, provided, further, however that said agreement shall include a requirement that seven (7) affordable housing units be preserved, and provided further that the Town of Eastham retain an Affordable Housing Restriction on the Properties to run in perpetuity; and further, to authorize the Board of Selectmen to accept a deed restriction on said Properties in compliance with G.L. c. 184 ; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

The Community Development Partnership (CDP) is a non-profit provider of affordable housing and economic development opportunities in the eight towns on the Lower Cape. The requested funds will be used to preserve seven of the CDP's existing affordable housing units located at 885 State Highway and 1475 State Highway in Eastham. All units are deed restricted and rented to those earning 60% or less of area median income. The project has an overall budget of \$411,574, the balance of \$177,573 has been raised from other sources including grants and CDP equity; all of these funds are committed and on hand. Work to be completed will include roofing, siding, windows, doors, etc. Additional funds, outside the CPA funds, will be used to address energy efficiency upgrades such as additional insulation; natural gas conversion and high efficiency boiler installation, all intended to lower resident's monthly utility costs.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 31

To see if the Town will vote to raise and appropriate or transfer from the Community Preservation Unrestricted Fund Balance and Open Space Reserves or borrow **\$1,462,500**, and to authorize the Treasurer with the approval of the Board of Selectmen pursuant to G.L. c. 44, or any other enabling authority to borrow said sum for the purpose of acquiring for open space and passive recreation purposes, by gift, purchase or eminent domain, a parcel of land containing 3.41 acres, more or less, located at 700 Dyer Prince Road, Map Parcel and shown as Lot 15, on Land Court Plan 28883-D (pending) on File at the Barnstable County Land Registry District and described in Certificate of Title No. 201280 , and further that said land be under the care, custody and control of the Conservation Commission; and further to authorize the Board of Selectmen to grant a perpetual conservation restriction in accordance with the provisions of G.L. Chapter 184, Section 31-34, to the Commonwealth of Massachusetts Department of Environmental Protection or such other public or private nonprofit or governmental agency, as the Selectmen and the Conservation Commission deem appropriate; and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on the part of the Town to effect such acquisition; and provided, however, that the funds appropriated shall not be expended unless the annual debt servicing cost of the amount borrowed shall not exceed \$350,000; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

This parcel of land was identified by the town as an important parcel for acquisition due to its unique location adjacent to Rock Harbor, owned and operated by the town, and its proximity to the beach area used by all citizens year round including dog walkers. Parking in the main rock harbor parking lot is restricted to vehicles with boat trailers and those with a boat slip at the marina. The use of the harbor parking lot is limited to boat owners or those launching boats. A small parking lot is controlled seasonally and available for town resident sticker holders only during the daylight hours. The ability of the town to find and purchase other waterfront parcels adjacent to other town owned parcels is very limited. This acquisition has just become available and a potential buyer has paid a

deposit and signed a Purchase and Sale agreement. It is being offered first to the town consistent with the "First Right of Refusal" provisions of Chapter 61B, Section 9 and will be sold for the above price if the Town fails to purchase. If acquired privately, the use will be a single family home consistent with others in this nine-lot subdivision.

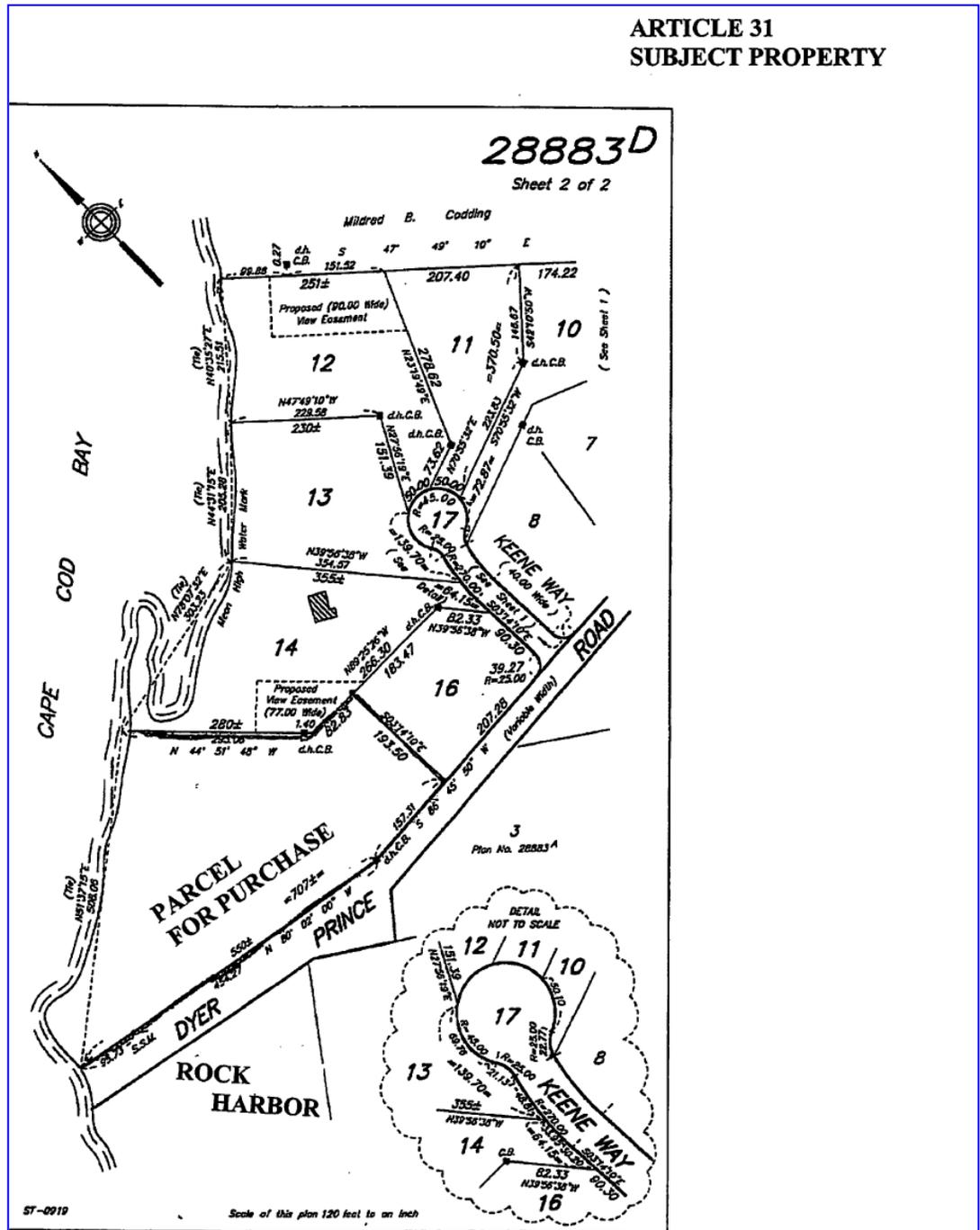
BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-0

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: 9-0

OPEN SPACE COMMITTEE RECOMMENDATION: 6-0

(2/3 rds Majority vote required)



ARTICLE 32

To see if the Town will vote to transfer **\$24,000** from the Community Preservation Affordable Housing Fund Reserves and/or the unrestricted reserves, for a grant to the Town of Eastham Affordable Housing Trust for the purpose of hiring as necessary outside consultants to provide staff support for the management of affordable housing units ; or take any action relative thereto.

By Board of Selectmen/Community Preservation Committee

Summary:

These funds will allow the Trust to continue to engage the services of a housing consultant who assists the trust in the management and identification of properties for acquisition, and other supporting services.

BOARD OF SELECTMEN RECOMMENDATION: 4-0-1

FINANCE COMMITTEE RECOMMENDATION: 6-0

COMMUNITY PRESERVATION COMMITTEE: 9-0

(Majority vote required)

ARTICLE 33

To see if the town will vote to amend the Town of Eastham, Community Preservation Committee By-law, adopted STM December 13, 2004, Section 1.0 Membership of the Committee by replacing the words “Affordable Housing Task Force” with the words, “Affordable Housing Trust”; or take any action relative thereto.

By Board of Selectmen

Summary:

This article will identify the Affordable Housing Trust as a voting member of the Community Preservation Committee and the Trust is the successor committee to the Affordable Housing Task Force.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 7-0

(Majority vote required)

ARTICLE 34

To see if the Town will approve the **\$2,438,439** borrowing authorized by the Nauset Regional School District, for the purpose of paying costs of the partial roof replacement of the Nauset Regional Middle School located at 70 Route 28 Orleans MA 02653, including the payment of all costs incidental or related thereto the Middle School Roof Project, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Nauset Regional School District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the Nauset Regional School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Nauset Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Nauset Regional School District and its member municipalities. Any grant that the Nauset Regional School District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty seven point three two percent (37.32%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

By Regional School Committee

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting

(Majority vote required)

ARTICLE 35

To see if the Town will vote pursuant to Chapter 40, Section 6N to adopt the following bylaw to provide for the making of temporary repairs on private ways;

CHAPTER 118 – Temporary Repairs on Private Ways

§118-1. Purpose and Authority

For the purpose of enabling safe and convenient passage for public safety vehicles and the public over private ways open to and serving the general public, the Selectmen may designate for temporary repairs in a particular year certain private roads that are open to the public, and town meeting may appropriate funds for said purpose, subject to the conditions set forth herein. No temporary repair may be made to any private way unless the Selectmen have previously determined that such repair is required by public necessity and an appropriation therefore is available.

§118-2. Regulations

The Selectmen may adopt regulations for the general administration of this bylaw and proscribing deadlines and procedures for submission of petitions, including official forms for petitions and indemnification, and may determine therein or by vote from time to time which, if any, private ways open to the public may receive temporary repair, and the extent and types of repairs that may be made, subject to the availability of an appropriation.

§118-3. Limits of repairs

Temporary repairs are limited to those as are determined by the Selectmen to be required as a public necessity, including but not limited to minor grading and patching, and shall not include installation, repair or maintenance of drainage or other work of a permanent nature or exceeding \$5,000 in value.

§118. 4. Road Conditions and Standards

At a minimum, each private road shall meet the following requirements

- Opened to and used by the public for a term of 5 or more years;
- With a travelled and improved width of at least 14' wide, clear of overhanging branches or other obstructions for at least such width, to a height of at least 14';
- A visible street sign at each terminus and significant intersections;
- Serving as access to 25 or more residences and/or businesses

§118-5. Petition requirements

- a. The signature of 100% of owners of property abutting the road is required;
- b. An executed indemnification of the town in form proscribed by the Selectmen must accompany each petition;
- c. A cash deposit in an amount determined by the Selectmen shall be made in an amount not less than 50% of the cost to the Town of the temporary repair.

§118-6. Betterments

The Selectmen may assess betterments, according to the circumstances of each private way, including but not limited to consideration of the extent of the use of the road by the public.

§118-Liability

The town shall not be liable for any damage to persons or property caused by such repairs, nor for a claim of public road status on account of such repairs.
or take any action relative thereto.

By Board of Selectmen

Summary:

This bylaw, if voted by Town Meeting will authorize the town to make temporary repairs on private ways. State law does not allow the use of town funds for resurfacing, rebuilding or building private ways. It does, for example, allow the expenditure of town funds, pursuant to a bylaw, for such minor repairs as filling potholes and minor grading.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting

(Majority vote required)

ARTICLE 36

To see if the Town will vote to accept G.L. c.40, Section 6C, in the manner provided for in G.L. c.40, Section 6D, to allow the town to remove snow and ice from such private ways within its limits and open to public use, as ,may be designated by the Board of Selectmen, and further provided that for the purposes of Section 25, of chapter eighty four, the removal of snow and ice from such a way shall not constitute a repair of a way; or take any action relative thereto.

By Board of Selectmen

Summary:

The statute referenced above requires two separate actions, the first of which is acceptance by majority vote of Town Meeting The effect of this vote is to allow the Selectmen to place a question on a town-wide election ballot, the form of which is specified by G. L. c. 40 §6D, as follows:

Shall the or town vote to accept the provisions of section six C of chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

YES.	
NO.	

Only after passage of the above ballot question is the town allowed, but not required, to plow private roads, and then only to the extent that such roads meet minimum construction standards including providing access to a minimum number of parcels, and further within the limitations of an annual town meeting appropriation to be made for this purpose.

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: At Town Meeting

(Majority vote required)

ARTICLE 37

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$20,000** to pay for contracted services and equipment, including ~~pay~~ any related incidental expenses, to provide an Electronic Voting System for Town Meetings occurring in Fiscal Year 2015, or take any action relative thereto.

By Board of Selectmen

Summary:

Because of the critical importance of issues before the Town, over 1200 voters voted at Town Meeting last year. It is essential every vote at Town Meeting be counted and the public has confidence in the outcome of Town Meeting votes. The Board of Selectmen, at the request of the Town Moderator, formed an Electronic Voting Committee which recommends Eastham Town Meeting use an electronic method to cast votes. If this article is approved, funding to try Electronic Voting, will be available for the Town Meeting in May of 2015.

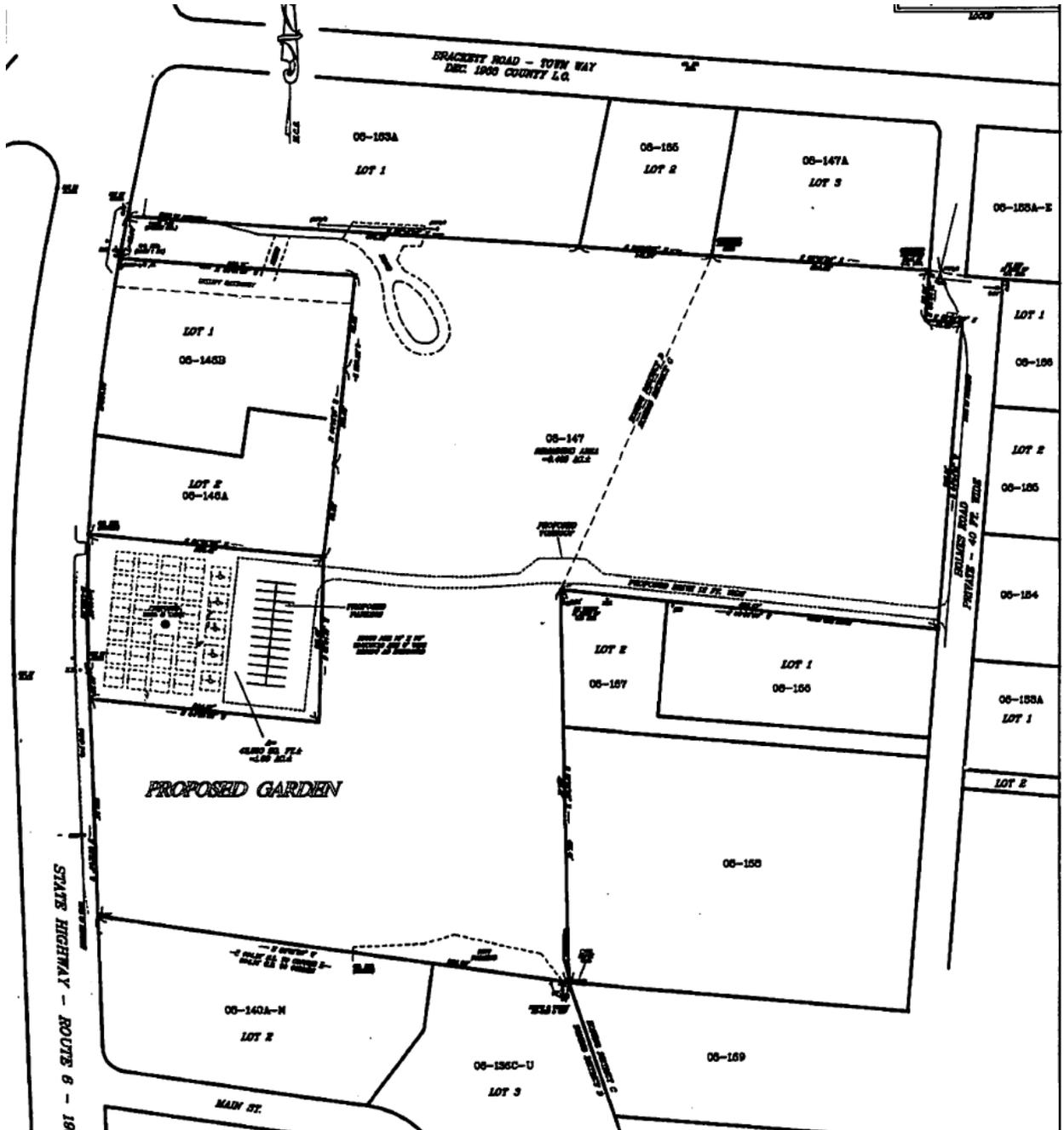
BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 6-0-1

(Majority vote required)

ARTICLE 38

To see if the Town of Eastham will vote to authorize the Board of Selectmen to set aside a parcel of Town owned land being about one acre of the Brackett Field's land as fully described on the attached Exhibit A (below) **BRACKETT ORGANIC COMMON FIELDS**



for the purpose of access and use for the community as an organic common garden with the name of "Brackett Organic Common Fields" and a portion of said land to be used for associated parking. The purpose for the land use would be to allow residences of the Town of Eastham to grow vegetables, and other farming and to re-introduce the famous Eastham turnip and asparagus. To allow proper signage, fencing and access to water via private well, and all necessary aspects creating the same for the benefit of the citizens of the Town of Eastham. We propose that the Town give permission for the above land for use without cost to the Town of Eastham. All funding shall be done through private funding donations and work by volunteers. A non-profit corporation by volunteers shall be established for fund raising and management of the fields.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: At Town Meeting

FINANCE COMMITTEE RECOMMENDATION: 0-7

(Majority vote required)

Note: This has a historic background from Victory gardens to many Cape Cod towns providing gardens for residents to produce their own food. The Brackett land was famous for its turnips and asparagus

ARTICLE 39

To see if the town will vote to layout and accept as a town way, Sandy Meadow Way, Plan Book 15 Page 113, and described in Deed book 540, Page 441 and as shown on a plan entitled Plan of Land Sandy Meadow Way, Eastham, MA. Scale 1"=40' and dated January 18, 2013, prepared by Timothy J. Brady P.L.S. of East Cape Engineering, 44 Route 28, Orleans, MA.

By Petition

BOARD OF SELECTMEN RECOMMENDATION: 5-0

FINANCE COMMITTEE RECOMMENDATION: 5-0

(Majority vote required)



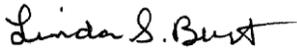
ARTICLE 40

To see if the Town will accept the published reports of the Town officers as printed and made available to the public in the 2013 Town of Eastham Annual Report, and to hear any unpublished reports of committees and to do or act on anything which may legally come before this meeting.

You are directed to serve this Warrant by posting attested copies thereof at the Post Office in Eastham and North Eastham fourteen days at least before the date of holding said meeting.

Hereof, fail not and make due return of this Warrant and your doings thereon to the Town Clerk at the time and place of holding said meeting.

Given under our hands and seals this 18th day of April in the year of our Lord, Two Thousand and Fourteen.



Linda S. Burt
Vice Chair



Aimee Eckman



Martin McDonald



Wallace Adams
Clerk



John Knight
Chair

BOARD OF SELECTMEN

Greetings:

In a pursuance of the conditions of the foregoing warrant, I have posted attested copies, one each at the Post Office in Eastham and North Eastham fourteen days before time of said meeting.

Constable

A True Copy Attest:

Lillian Lamperti, Town Clerk

PROCEDURES FOR TOWN MEETING

In accordance with Section C2-8.B of the Eastham Town Charter, the following procedures will be followed:

1. A registered voter wishing to speak at Town Meeting shall proceed to one of the microphones. Once recognized, the voter shall give his or her name and address, speak to the question for not more than three minutes, and shall not speak again until all those wishing to speak thereon have done so. Persons making articles and demonstrations are exceptions to this rule.
2. Non-voters who wish to address Town Meeting and have identified themselves in advance to the Moderator may only speak if permitted by majority consent of voters.
3. Registered voters will be seated first. Additional seating for non-voters may be available only after the Town Clerk has determined that there are an adequate number of seats for all registered voters in attendance. **Voters who sit in the Non-Voter Section cannot vote.**
4. Discussion on each article shall terminate when no one wishes to speak or the discussion becomes redundant in the opinion of the Moderator.
5. Votes may be taken by voice (Majority to be determined by the Moderator), by a show of hands or by electronic devices. Articles or motions requiring a 2/3 vote will be by hand count or standing count, at the Moderator's discretion, unless unanimous. If seven Town Meeting members question a voice vote, the Moderator will then choose an alternative counting method.
6. An article may be reconsidered on the same day, no more than sixty (60) minutes from the time the vote on such article is declared by the Moderator. The Town Clerk's minutes shall record such times.
7. TOWN MEETING TIME, A Handbook of Parliamentary Law, Third Edition, 2001, is the Eastham Town Meeting parliamentary handbook.

The only persons allowed in the foyer at Town Meeting will be Registrars, Checkers and voters.
Persons with handouts of any nature must be outside the building or in a designated area.

**PLEASE BE COURTEOUS
ALLOW EACH SPEAKER TO PRESENT THEIR IDEAS WITHOUT INTERRUPTION.**